

NEBRASKA Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|---------------------|------------------------------------|--|----------------|
| Food Processor | Authority | | |
| Food Repacked | Authority | | |
| Food Salvager | Authority | | |
| Bottled Water | Authority | | |
| Ice | Authority | | |
| Dietary Supplements | * | | |
| Warehouse | Authority | | |
| Food Banks | Authority | | |
| Seafood | Authority | | |
| Food Transport | Authority | | |
| Beer/Wine | Authority | | |
| Distilled Spirits | Authority | | |

COMMENTS:
* Defer to FDA.





DAIRY

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|------------------|------------------------------------|--|----------------|
| Grade-A Plant | Authority | | |
| Raw Milk | Authority | | |
| Cheese | Authority | | |
| Yogurt | Authority | | |
| Cream/Sour Cream | Authority | | |
| Butter | Authority | | |
| Ice Cream | Authority | | |
| Milk Pooling | Authority | | |
| COMMENTS: | | | |





MEAT/POULTRY

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|----------------------------|------------------------------------|--|------------------|
| Meat | Split Authority | | Split Authority* |
| Poultry | Split Authority | | Split Authority* |
| Rabbit | Split Authority | | Split Authority* |
| Other Non-Amenable Species | Split Authority | | Split Authority* |
| Custom Slaughter | Authority | | Split Authority* |
| Livestock Inspection | Authority | | |
| Pet Food – Raw | Authority | | |
| Pet Food – Processed | Authority | | |
| Egg Inspection/Grading | Authority | | |

COMMENTS:

* Three jurisdictions only – Lincoln/Lancaster County, Douglas County, Central District Health.





ANIMAL FEED

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|------------------|------------------------------------|--|----------------|
| Feed | Authority | | |
| Medicated Feed | Authority | | |
| BSE Inspections | Authority | | |
| Rendering Plant | Authority | | |
| Grain | Authority | | |
| COMMENTS: | | | |





RETAIL FOOD

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|-------------------------|------------------------------------|--|------------------|
| Restaurant | Split Authority | | Split Authority* |
| Food Service | Split Authority | | Split Authority* |
| Grocery Store | Split Authority | | Split Authority* |
| Market | Split Authority | | Split Authority* |
| Convenience Stores | Split Authority | | Split Authority* |
| Public/Private Schools | | Authority | |
| Correctional Facilities | Split Authority | | Split Authority* |
| Hospitals | | Authority | |
| Long-Term Care | | Authority | |
| Nursing Homes | | Authority | |
| Other Institutions | Split Authority | | Split Authority* |
| Vending Machines | Split Authority | | Split Authority* |
| Mobile Food Facilities | Split Authority | | Split Authority* |
| Caterers | Split Authority | | Split Authority* |

Retail Food list continued on next page.





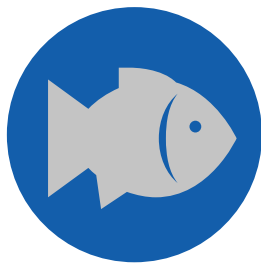
RETAIL FOOD (continued)

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|---------------------------|------------------------------------|--|------------------|
| Home Based Processors | Split Authority | | Split Authority* |
| Temporary Food Facilities | Split Authority | | Split Authority* |
| Water Vending Machines | Split Authority | | Split Authority* |
| Ice Vending Machines | Split Authority | | Split Authority* |
| Farm Stands | Split Authority | | Split Authority* |
| Farmers Markets | Split Authority | | Split Authority* |
| Live Poultry Markets | Split Authority | | Split Authority* |
| Food Pantry | Split Authority | | Split Authority* |

COMMENTS:

* Three jurisdictions only – Lincoln/Lancaster County, Douglas County, Central District Health.



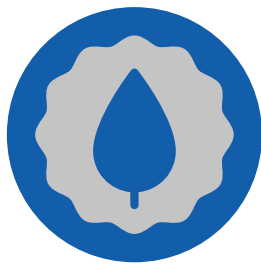


SHELLFISH/AQUACULTURE

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|---------------------------------|------------------------------------|--|----------------|
| Shellfish Growing Areas | * | * | |
| Shellfish Post Harvest Handling | | | |
| Shellfish Depuration | | | |
| Shellfish Patrol | | | |
| Biotoxin Monitoring | | Authority | |
| Aquaculture | Authority | | |

COMMENTS:
* No program.





ORGANIC FOODS

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|---------------------------|------------------------------------|--|----------------|
| Organic Production | | | |
| Organic Food Handling | | | |
| Organic Food Processing | | | |
| COMMENTS: None. | | | |





PRODUCE

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|------------------|------------------------------------|--|----------------|
| Farms | Authority | | |
| Packing Sheds | Authority | | |
| Repackers | Authority | | |
| Terminal Markets | Authority | | |
| COMMENTS: | | | |





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|--------------------------------------|------------------------------------|--|----------------|
| Embargo/Quarantine | Authority | | Authority* |
| Seizure | Authority | | Authority* |
| Condemnation & Destruction | Authority | | Authority* |
| Voluntary Condemnation & Destruction | Authority | | Authority* |
| Stop Sale Orders | Authority | | Authority* |
| Health Advisories | Authority | Authority | Authority* |
| Administrative Penalties | Authority | Authority | Authority* |
| Criminal Penalties | Authority | Authority | Authority* |
| Civil Penalties | Authority | Authority | Authority* |

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

| FACILITY TYPE | NEBRASKA DEPARTMENT OF AGRICULTURE | NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES | LOCAL AGENCIES |
|--------------------|------------------------------------|--|----------------|
| Injunction | Authority | Authority | Authority* |
| Warning Letters | Authority | Authority | Authority* |
| License Suspension | Authority | Authority | Authority* |
| License Revocation | Authority | Authority | Authority* |
| Hearings | Authority | Authority | Authority* |
| Closure | Authority | | Authority* |
| Mandatory Recall | Authority | | Authority* |
| Inspection Warrant | Authority | Authority | Authority* |

COMMENTS:

* Three jurisdictions only – Lincoln/Lancaster County, Douglas County, Central District Health.

