Effective 11/7/2025

Manufactured Foods Operations
Complaint Handling Guidance

Manufactured Foods Operations handles a large volume of jurisdictional and non-jurisdictional complaints related to food safety and quality. A large percentage are outside of the purview of the DSHS Foods Program. Complaints come from a variety of different sources and via different communication methods. This document is intended to provide guidance on how complaints are handled by Manufactured Foods Operations.

This document is only intended as guidance and may not encompass every situation related to the handling of complaints. Some complaints may need to be handled on a case-by-case basis.

Intake and Referral of Complaints

Complaints may come to Manufactured Foods Operations through a variety of communication methods including but not limited to email and telephone calls.

For intake and referral of complaints via email:

Complaint Mailbox

- Complaints received via the Foods complaint mailbox will be reviewed to determine if the complaint falls under the purview of the Foods Program.
- If the complaint is determined to be under our program's purview or if the applicability to the Foods Program cannot be determined, the complaint will be forwarded to a compliance officer for evaluation.
- Complaints received via a staff member's email will be forwarded to the program's complaint email mailbox if it is not handled by the receiving Compliance Officer.

For intake and referrals of complaints via phone:

- The staff member receiving the call will attempt to gather sufficient information to help them determine if the complaint falls under the purview of the Foods Program.
- If the complaint is regarding a product regulated under the purview of the Foods program, the intake of the complaint will be handled by a compliance officer.
- If the complaint needs to be handled by another DSHS program or jurisdiction, the caller should be advised that their complaint does not fall under our purview and given directions on where to lodge their complaint. If the caller needs to speak to another program internal to the Consumer Protection Division, the call should be forwarded to that program.

Complaint Assignment and Tracking

Foods Program Complaints

- Complaints will be entered into the complaint database (VERSA Regulation) with all applicable information by the Compliance Officer handling the complaint.
- After entering the complaint, the complaint summary document resulting from the database will be sent by email to the following, as applicable:

  - Food Safety/Sanitation: Inspections
  - Foodborne Illnesses: Epidemiology FOODBORNETEXAS@dshs.texas.gov
    *Refer to Foodborne Illness Complaints section below for more information
  - Both Food Safety/Sanitation and Foodborne Illness indicated: Inspections and Epidemiology
  - cc: Foods Program complaint mailbox, Manufactured Foods Operations Manager, Food and Drug Director, and Complaints Coordinator on the email
- The assignment will be made in the database following the currently accepted methods for data entry found in the DSHS Regulatory Standards Document.

Federal Partners Complaints (FDA/USDA)

- Out-of-state should be entered into the complaint database (VERSA Regulation) with all applicable information.
- After entering the complaint, the complaint summary document resulting from the database should be sent by email to the following, as applicable:
- Food Safety/Sanitation: FDA HFPComplaints@fda.hhs.gov or USDA ccms@fsis.usda.gov
  - Foodborne Illnesses: Epidemiology FOODBORNETEXAS@dshs.texas.gov
  - cc: Foods Program complaint mailbox, Manufactured Foods Operations Manager, and Complaints Coordinator on the email
- Complaints referred to the FDA/USDA will be closed in the complaint database.

Age Restriction Complaints regarding Kratom Product Sales

- Complaints received regarding sales of kratom products to individuals under 18 years of age will be referred to law enforcement.
- Operations will obtain the name and address of the establishment and send an email to Claudio McCoy, claudio.mccoy@dshs.texas.gov, along with the allegation requesting referral to law enforcement.
- Law enforcement referrals will be tracked on the referral spreadsheet described under the Complaint Tracking - Complaints Related to Products Not Regulated by the Foods Program section below.

Non-Jurisdictional Complaints

- Complaints related to products not regulated by the Foods program will not be entered into the complaint database (VERSA Regulation).
- Calls regarding complaints related to products not regulated by the Foods Program, will not be tracked or logged.
- Complaints related to products not regulated by the Foods program received via email will be forwarded to the appropriate jurisdiction and logged into a referral spreadsheet located in shared files (S:/MFD/ENDORSE/COMPLAINT REFERRALS). Requests for entry into the referral spreadsheet will be emailed to Manufactured Foods Operations Administrative Assistants.
- Complaints about issues unrelated to food safety or sanitation (i.e., quality complaints) will not be logged or tracked.

Foodborne Illness Complaints

- If a complainant indicates there was an illness caused by a product regulated by the Foods Program, inquire if the illness was lab confirmed.
- If a 72-hour food history is required, it should be performed by an epidemiologist.
- All complaints related to foodborne illness that are entered into the complaint database (both lab confirmed and those that are not) should be referred to DSHS Epidemiology.
- Epidemiology will assess the complaint and forward it to the local jurisdiction for further investigation.
- Once an epidemiological investigation is conducted, Epidemiology will provide a recommendation regarding if an onsite inspection is warranted.

Complaint Tracking

Complaints Related to Products Regulated by the Foods Program

- Complaints under our jurisdiction will be tracked using the complaint database (VERSA Regulation).
- A report regarding open complaints can be accessed via our complaint database's internet portal (RAS Portal).
- Operations will run the report after the end of each quarter when compiling Legislative Budget Board (LBB) data.
- The Complaint/Detention Coordinator will run a report for open complaints bi-annually and send the final report to Inspection Branch Managers.
- Operations can also run the report and send it out to Inspections upon request.

Complaints Related to Products Manufactured Out-of-State

- Complaints entered into the complaint database for referral to FDA and USDA will not be tracked and will be closed out.

Complaints Related to Products Not Regulated by the Foods Program

- All complaints outside of our jurisdiction will be entered onto the referral spreadsheet located in shared files (S:/MFD/ENDORSE/COMPLAINT REFERRALS).

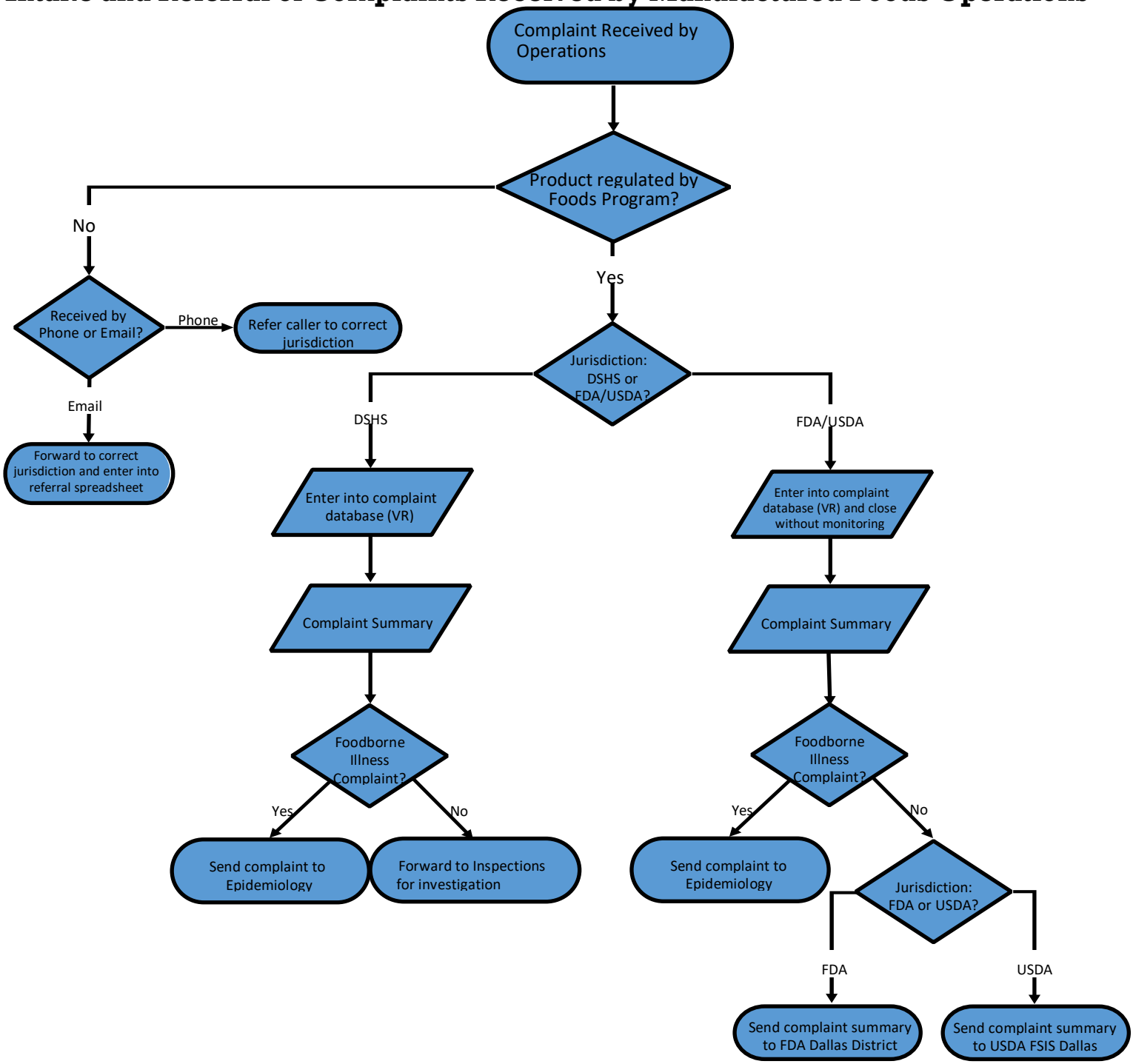
Deleting of Complaints Entered into Complaint Database

If a complaint is entered into the complaint database (VERSA Regulation) and it is determined that the complaint was not under the purview of the foods program, the complaint record should not be deleted. Complaint records that are determined to not be under our purview should be marked as non-jurisdictional and closed without monitoring. It is important that the complaint be marked as non-jurisdictional as this will ensure that it is not counted towards our program's LBB performance measures.

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Process Flow

Intake and Referral of Complaints Received by Manufactured Foods Operations



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Complaint Entry Procedure

1. Complaint that will be investigated by Manufactured Foods
    a. Always do a search in VR to see if the firm is already in the database.
        i. If a record exists, proceed to step 1.b. below
        ii. If a record does not exist, gather enough information to determine probable license type, physical location, and corporate information to create a non-licensed record. See "Creating a Non-Licensed Record in VR" guidance document.
    b. In the "Action" field of the License record for the firm, select "Inspections" and click the folder icon (Open).
        i. Click on the "Results" tab to see if there is an open shell in the Status column. If one is open, the complaint can be entered within that open inspection if it is not supposed to be "Closed" due to a previous data-entry error.
        ii. If there is not an open shell, click the "Search Criteria" tab, and then click "New Insp".
        iii. In the Inspection section, enter the following:
            - Class is "F-Food"
            - Type is "C-Complaint/Incident"
            - Disposition is "I020-Assigned"
            - Chief Inspector is left blank
            - In the Select Address field of the Location section, choose "PL" (Physical Location). Take note of the region for complaint entry purposes.
            - Click "Save"
    c. Choose "New Complaint" on the right side of the screen (this takes you to the Enforcement tab).
        i. Enforcement tab
            - "Case Type" is COM-Complaint
            - "Responsible" is the Inspections Branch Manager responsible for the area where the firm is physically located for complaints that will be investigated by Manufactured Foods Inspections OR the Compliance Officer entering the complaint if referring to DSHS Epidemiology without an investigation and Federal Partners.
        ii. Complaint tab
            - "Source" is the complainant
            - "Form" is how the complaint was received
            - "Class'n" is 10 – Standard of Care/Service/Product or 25 – Unlicensed Person/Facility
            - "Security" is COMP-Complaint (FDS/Pre FY17)
            - "Region" is the DSHS region or 99 – Out of State for referrals to Federal Partners
            - "Reference" is blank
            - "Security Level" stays at 1
            - "Priority" is blank
            - "Complexity" is R – Regular
            - "Incident" is the date the incident occurred or if unavailable use the date received
            - "Received" is the date the complaint was received

- "Summary" includes a brief description of the complaint, including product details, packaging, product codes, and any details concerning illness or injury followed by who the complaint was assigned/referred to, the date the complaint was entered, and the Compliance Officer's initials. Example: Entered and assigned to Inspections Manager Foods Group North on MM/DD/YYYY.(CO Initials) ****NOTE:** VR has a character limit of 4,000, including spaces. Please account for character limit when entering the summary so aim for less than 3,000 characters so there is enough space left for the complaint results to be entered.

iii. Respondent tab
- Information auto-populates from the VR license record for complaints on firms with existing VR records. Verify the populated information is for the physical location.
- Complaints received on firms that are referred to Federal Partners, enter as much information available for the manufacturer gathered from the complainant.

iv. Complainant tab
- Select Indv or Org
- Last Name: Enter anonymous or the complainant's name, if available. For non-anonymous complaints, enter the complainant's contact information in the Line 2 field so it will be visible on the complaint summary document.

v. Click "Save" and the complaint number generated by VR will appear in the System Messages box at the top of the screen.

vi. Under the complaint tab, click the "Allegations" button and then "Add"
- Select the most egregious allegation from the list for the complaint.
- This data is used in the MFRPS.
- Disposition and Allegation Notes are left blank.
- Choose "Save" and then "Back"

vii. Under the complaint tab, choose "Print Report"
- Name the file using the following format: Name of Establishment--complaint number. Example: Ben E Keith--1524XXXXXX.pdf

d. Sending the complaint to the Inspections Branch Manager
   i. Email the complaint summary document to the Inspections Branch Manager and cc: Compliant mailbox, Manufactured Foods Operations Manager, Food and Drug Director, and Complaints Coordinator.
   ii. Subject line should be "ASSIGNED COMPLAINT (complaint number without the "#") AREA (all caps). Example: ASSIGNED COMPLAINT 0000000000 NORTH
   iii. Include a screenshot of the open inspection assignment in the body of the email.
   iv. Any additional complaint documentation that is sent to the Inspections Manager will be uploaded to Hyland.

2. Complaint received on firm that will not be licensed with Manufactured Foods – Used for FDA and USDA referrals.
   a. Always do a search in VR to see if the firm is already in the system. If a record exists, note the entity number.
   b. Select "Enforcement" on the left side of the VR home screen
      i. Board is 1524 – Foods Program

   ii. Lic Type is 2401 – Food Manufacturer (always use 2401)
   iii. Click "New" (this takes you to the Enforcement tab)
   iv. Enter data per instructions 1.c.i. – vii. above
c. Email the complaint summary document and any applicable attachments to the following:
   i. FDA – HFPComplaints@fda.hhs.gov
   ii. USDA – ccms@fsis.usda.gov
   iii. Cc: Complaint mailbox, Manufactured Foods Operations Manager, and Complaints Coordinator
d. Complaints referred to Federal Partners will be closed in the complaint database so proceed to step 4, Closing a Complaint below.

3. Foodborne illness complaint about a product regulated by Manufactured Foods
   a. Always do a search in VR to see if the firm is already in the system. If a record exists, note the entity number.
   b. Select "Enforcement" on the left side of the VR home screen
      i. Board is 1524 – Foods Program
      ii. Lic Type is 2401
      iii. Click "New" (this takes you to the Enforcement tab)
      iv. Enter data per instructions 1.c.i. – vii. above
   c. Email the complaint summary document and any applicable attachments to the following:
      i. DSHS Epidemiology: FOODBORNETEXAS@dshs.texas.gov
      ii. Cc: Complaint mailbox, Manufactured Foods Operations Manager, and Complaints Coordinator
   d. Foodborne illness complaints without allegations of food safety/sanitation issues will be closed in the complaint database so proceed to step 4, Closing a Complaint below.
4. Closing a Complaint
   a. Navigate to the Enforcement tab by selecting "Enforcement" on the VR home screen, enter the complaint number, and select "Find" OR select "Complaint" in the inspection record.
   b. Once opened, click the Change button at the bottom of the screen to add to the Summary paragraph of the complaint investigation.
      i. Investigated by Manufactured Foods: Enter the date investigated, name of investigator, summary of findings and whether the complaint was substantiated or unsubstantiated. Finish with "Entered by xxx" (endorser initials). If the inspection resulted in the creation of a new firm in VR (e.g. unlicensed manufacturer), update the RESPONDENT information.
      ii. Complaints that Manufactured Foods Inspections declines to investigate: Update summary, close without monitoring, and disposition 9900 - No Action (CSE).
      iii. DSHS Epidemiology without Manufactured Foods investigation and Federal Partners referrals: Enter who the complaint was referred to and the date of the referral. Finish with "Entered by xxx" (endorser initials).
   c. Click "Save" at the bottom of the screen to save the data.
   d. Click the "Disposition" button on the far-right of the page to edit the disposition of the complaint.

i. Click Change at the bottom of the page to begin editing the complaint information.
ii. Status: change it to “closed without monitoring” unless the firm is scheduled for a compliance inspection due to the complaint inspection performed by Manufactured Foods Inspections. In that case change it to “closed with monitoring”.
iii. Status Date: Date you close it.
iv. Disposition
    - Investigated by Manufactured Foods Inspections: Select “9000 - Closed - Substantiated” or “9010 - Closed - Unsubstantiated”.
    - DSHS Epidemiology without Manufactured Foods investigation and Federal Partners referrals: Select 1000 - No Juris/Refer to Other Jurisdiction.
v. Disposition Date: Date you closed it.
vi. Disposition Decider: Select endorser’s name from the dropdown box.
vii. Date Closed: Date you close it.
viii. Click Save and then Back at the bottom of the page.
ix. Click Print Report at the far right-hand side of the page.
x. Click the Back button at the bottom right-hand side of the screen to exit out of the complaint.