

Coordinating Agencies:

Department of Agriculture
Department of Health and Human Services

Cooperating Agencies:

Department of Commerce
Department of Defense
Department of Energy
Department of Homeland Security
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of Veterans Affairs
Environmental Protection Agency
General Services Administration
U.S. Agency for International Development
U.S. Postal Service
American Red Cross

INTRODUCTION

Purpose

The Food and Agriculture Incident Annex describes the roles and responsibilities associated with all incidents involving the Nation's agriculture and food systems that require a coordinated Federal response utilizing the five key principles in the *National Response Framework (NRF)* doctrine.

The five principles encompass:

- Engaged partnership.
- Tiered response.
- Scalable, flexible, and adaptable operational capabilities.
- Unity of effort through unified command.
- Readiness to act.

Scope

The protocols outlined in the annex apply to all actual or potential incidents requiring a coordinated Federal response. Actions described in this annex may take place with or without a Stafford Act Presidential declaration or a public health emergency declaration by the Secretary of Health and Human Services or an emergency declaration by the Secretary of Agriculture.

The objectives of a coordinated national response to an incident impacting food and agriculture are to:

- Detect the event through the reporting of illness, disease/pest surveillance, routine testing, consumer complaints, and/or environmental monitoring.
- Determine the primary coordinating agency.

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If an agency suspects a threat involving biological, chemical, or radiological agents or indications that instances of disease may not be the result of natural causes, the Department of Justice (DOJ) must be notified through the DOJ/Federal Bureau of Investigation (FBI), Weapons of Mass Destruction Operations Unit. The FBI, in turn, immediately notifies the National Operations Center (NOC) and the National Counterterrorism Center.

In accordance with the NRF tiered response principle and partnership principle, the designated primary coordinating authority is established at the lowest possible level. Therefore, the local or State agency with the legal authority for food or agriculture is the initial lead coordinating agency, with all other private-sector, NGO, and government agencies cooperating. If the level of the incident progresses by a Secretarial declaration of emergency, by either the Department of Health and Human Services (HHS) or Department of Agriculture (USDA), or by a State request, then HHS or USDA will serve as the lead coordinating agency. USDA and/or HHS will be supported by other Federal agencies as appropriate and will perform the roles described in this annex in coordination with Department of Homeland Security (DHS) and State partners. If the incident further progresses, the Secretary of Homeland Security shall coordinate the Federal Government resources utilized in response to or recovery from terrorist attacks, major disasters, or other emergencies. When exercising this role, the Secretary is supported by other coordinating agencies and cooperating agencies. For incidents wherein the Secretary is not fulfilling domestic incident management responsibilities, the coordinating agency will be the responsible agency for domestic incident management as defined by their authorities.

Participating Federal, State, tribal, and local agencies may take emergency actions, consistent with the law, and in accordance with their organization's policies to protect the public, mitigate immediate hazards, and collect information concerning the emergency. These actions may be taken prior to any formal State or Federal declaration. Additionally, the private sector is encouraged to take actions to reduce risk and/or mitigate consequences.

State, tribal, and local governments are primarily responsible for detecting and responding to food and agriculture incidents and implementing measures to minimize the health and economic consequences of such an incident or outbreak.

Planning Assumptions

The first evidence of dissemination of an agent may be the presentation of disease in humans, animals, or plants. This could manifest either in clinical case reports to domestic or international public health or agriculture authorities or in unusual patterns of symptoms or encounters within domestic or international human and animal health and crop production surveillance systems.

Food and agriculture surveillance systems may detect the presence of a radiological, chemical, or biological agent and trigger directed environmental and product sampling and intensified human and animal surveillance to rule out or confirm a case. If a case is confirmed, then these systems may allow for mobilization of a public health, medical, and law enforcement response in advance of the appearance of the first human and/or animal cases, or quick response after the first human and/or animal cases are identified.

A food and agriculture incident often will be distributed across multiple jurisdictions. Response to this incident could require the coordination of multiple "incident sites" simultaneously from local, tribal, State, regional, national, and international levels, as well as requiring private-sector partnership.

An act of intentional food contamination, food tampering, or agro-terrorism, particularly an act directed against large sectors of the industry within the United States, will potentially have

major consequences that will overwhelm the capabilities of many State, tribal, and local governments to respond and may seriously challenge existing Federal response capabilities.

A food or agriculture incident may include biological, chemical, or radiological contaminants, which may require concurrent implementation of other Federal plans and procedures.

Food and agriculture incidents may not be immediately recognized as such until the biological, chemical, or radiological agent is detected or the effects of exposure to the public, animals, or plants are reported to appropriate authorities.

No single entity possesses the authority, expertise, and resources to act unilaterally on the many complex issues that may arise in response to a food or agriculture incident, especially given the increasingly global nature of the food and agriculture system.

CONCEPT OF OPERATIONS

General

The primary functions of the Food and Agriculture Incident Annex are to:

- Support effective and coordinated communication between Federal, State, tribal, and local responders to a potential or actual incident that requires a coordinated Federal response impacting food and agriculture, including appropriate coordination with NGOs/IGOs and foreign governments.
- Minimize public health and economic impacts of a food and agriculture incident.
- Provide transition from response to rapid recovery following a food and agriculture incident.

The key elements for an effective response to a food or agriculture incident include the following:

- Rapid identification, detection, and confirmation of the incident.
- Implementation of an integrated response to a food attack/adulteration, highly contagious animal/zoonotic, or exotic plant disease or plant pest infestation.
- Identification of the human and animal population and/or plants at risk.
- Determination of how the agent involved was transmitted, including an assessment of the efficiency of transmission and further risk of transmission.
- Determination of the public health and economic implications.
- Control, containment, decontamination, and disposal to ensure effective recovery of the infrastructure impacted.
- Protection of the population(s) and/or plants at risk through appropriate measures.
- Dissemination of information to advise the public of the incident.
- Communication with all relevant stakeholders.

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- Assessment of environmental contamination and extent of cleanup, decontamination, and disposal of livestock carcasses, plants, or food products involved.
- Identification of the law enforcement implications/assessment of the threat.

Primary Federal functions include supporting State, tribal, and local public health, food, and agriculture entities according to the policies and procedures detailed in the *NRF*.

Incident Detection and Identification

Determination of Incident

State, tribal, or local authorities are likely to be among the first to recognize the initial indication of intentional or naturally occurring contamination of food, of highly infective plant or animal disease, or of an economically devastating plant pest infestation or animal disease. Recognition may come from a significantly increased number of people reporting ill to public health care providers, increased reporting of sick animals to veterinarians or animal health officials, or numerous plant anomalies reported by State officials, agricultural extension agents, or the public. Other sources may include routine public/private laboratory surveillance, inspection reports, consumer complaint systems, and various hotlines. Therefore, the most critical information requirements are surveillance information, identification of the cause of the incident, a determination of whether the incident is intentional or naturally occurring, and the identification of the human or animal population and/or plants at risk.

Laboratory Testing

Identification and confirmation of contaminated food or the environment, highly infective animals and plants, or an economically devastating plant pest infestation may occur through routine surveillance and laboratory testing.

The DHS-facilitated Integrated Consortium of Laboratory Networks (ICLN) assures that the U.S. homeland security infrastructure has a coordinated and operational system of laboratory networks that provide timely, high-quality, and interpretable results for early detection and effective consequence management of acts of terrorism and other events requiring an integrated laboratory response. The ICLN provides an interagency organizational structure for the Nation's advanced-capacity laboratories to detect, respond to, and recover from incidents involving human health, animal health, food, agriculture, and plants. The collective national laboratory testing capacity of the ICLN derives from utilization of established laboratory networks such as the Food Emergency Response Network (FERN), the Laboratory Response Network (LRN), the National Animal Health Laboratory Network (NAHLN), the National Plant Diagnostic Network (NPDN), and additional laboratory networks within the Federal agencies with responsibilities and authorities for laboratory preparedness and response.

Notification

A potential or actual incident requiring a coordinated Federal response involving contaminated food, infected animals or plants, or economically devastating plant pest infestation shall be brought to the immediate attention of the Secretary of Agriculture and the Secretary of Health and Human Services. USDA and HHS then notify the Secretary of Homeland Security through the NOC. The Secretary of Health and Human Services then notifies the Assistant Secretary for Preparedness and Response. This incident shall also be brought to the attention of designated officials according to the ESF #8 Annex and ESF #11 Annex, as well as departmental policies. If terrorist activity is suspected in connection with the incident, procedures outlined in the Terrorism Incident Law Enforcement and Investigation Annex will be followed.

A potential or actual incident requiring a coordinated Federal response involving food, animals, or plants shall be brought to the immediate attention of the appropriate industry segments by regulatory officials (HHS, USDA, or the Environmental Protection Agency (EPA)).

International Notification

Once a confirmed positive determination is made that an identified contaminated/adulterated food or agricultural product has crossed the border into the United States, HHS and/or USDA notifies the Department of State and other international organizations as appropriate (e.g., World Health Organization, Food and Agriculture Organization). In addition, if an international trading partner positively confirms that a food or agriculture product exported from the United States is contaminated/adulterated, the affected trading partner will notify USDA, HHS, and/or the Department of State. In either situation, if it is suspected that the contamination/adulteration is a result of criminal and/or terrorist activity, the Federal agencies will notify DHS, the FBI, and/or other appropriate law enforcement agencies.

Activation

Once notified of a credible threat of contamination/adulteration or a natural or intentional disease outbreak in humans, plants, or animals, HHS and USDA coordinate with international, Federal, State, tribal, and local authorities and key industry entities to determine the extent to which resources are needed and can be provided. HHS and USDA will coordinate with ESF #8 and ESF #11 partners to assess the situation and determine appropriate public health, food, and agriculture actions. Some or all of the ensuing actions may include:

- Targeted epidemiologic investigation.
- Increased surveillance for patients and animals with certain clinical signs and symptoms.
- Increased surveillance of plants for signs of disease or other pest infestation.
- Targeted inspection of human food and animal feed manufacturing, distributing, retail, and other facilities, as appropriate.
- Increased inspection of plants and animals for contamination.

ACTIONS

The following steps are required to contain and control a food or agriculture incident:

- HHS and USDA will assist State, local, and tribal authorities to:
 - Ensure the safety and security of the food and agricultural infrastructure in the affected area, as needed.
 - Inspect food and agriculture facilities in the affected area, as needed, to ensure that they can continue to operate.
 - Conduct laboratory tests to identify contaminated food, animals, or plants.
 - Conduct product traceback and trace forward investigations of identified food, animals, or plants.
 - Embargo, detain, seize, recall, or condemn affected food, animals, or plants.
- EPA will approve, as appropriate, requests from Federal and State authorities and industry for the use of pesticides to control or mitigate plant pests and decontaminate animal, agricultural, and food facilities from biological organisms of concern.

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- HHS, USDA, and EPA will:
 - Provide technical assistance and guidance to State, tribal, and local authorities who are coordinating food facility cleaning and decontamination, depending on the nature of the contaminating agent.
 - Provide technical assistance and guidance to State, tribal, and local authorities who are coordinating the disposal of contaminated food, animal carcasses, or plants.
 - Coordinate with Federal, State, tribal, and local authorities as well as the food and agriculture industry during the investigation, response, decontamination, disposal, and recovery efforts.
 - Coordinate with DHS, State, tribal, local, and other Federal agencies and ESF #15 – External Affairs, if activated, on public messaging to ensure that communications are consistent and accurate.
- USDA, HHS, or the State will determine the availability of efficacious registered pesticides to control or mitigate a biological agent, and, if necessary, prepare a request to EPA for emergency exemption of pesticide registration.
- During an event within the capacity of USDA or HHS to control, DHS will coordinate potential further Federal support to this event.
- DHS will coordinate the Federal Government resources if a food or agricultural incident is associated with a terrorist attack, or becomes a major disaster, or is an emergency as defined in Homeland Security Presidential Directive 5. USDA and HHS will maintain the authority and responsibility for the incident as described in the section below.

RESPONSIBILITIES

This section summarizes Federal coordinating agency responsibilities in response to a potential or actual incident requiring a coordinated Federal response that involves contaminated food or infected animals or plants. The procedures in this annex are built on the core coordinating structures of the *NRF*. The specific responsibilities of each department and agency are described in greater detail in the respective ESFs.

Coordinating Agencies

Department of Health and Human Services

HHS provides leadership by ensuring the safety and security of food, animal feed, food-producing animals, and animal therapeutics. HHS, through the Centers for Disease Control and Prevention and in coordination with the States, develops and implements surveillance systems to monitor the health of the human population. (Note: HHS, through the Food and Drug Administration (FDA), has statutory authority for all domestic and imported food except meat, poultry, and egg products, which are under the authority of the USDA/Food Safety and Inspection Service (FSIS). FDA also has statutory authority for animal feed and for the approval of animal drugs intended for both therapeutic and nontherapeutic use in food animals as well as household pets and service animals.)

Department of Agriculture

USDA provides leadership by assuring the safety and security of processed meat, poultry and egg products through the FSIS; coordinating animal and plant disease and pest response through the Animal and Plant Health Inspection Service (APHIS); and providing nutritional

assistance through the Food and Nutrition Service (FNS). (Note: USDA, through FSIS, has statutory authority for meat, poultry, and egg products.)

Additional roles and responsibilities of cooperating agencies are provided in Table 1 on the following page.

