

FOOD EMERGENCY RESPONSE PLAN

December 2021

I. INTRODUCTION

A. PURPOSE

The purpose of this plan is to prepare for early detection and rapid response to minimize impact and encourage a swift recovery from significant threats to food safety and public health.

B. SCOPE

This plan addresses policies and procedures that will minimize the impact of an unintentional, deliberate or natural disaster incident related to the state's food supply. In addition, the plan addresses recovery following an incident. The plan stresses local, state and federal interagency cooperation, as well as cooperation with industry. This cooperation will be essential when responding and recovering rapidly to any attack or threat to the state's food supply.

II. SITUATION AND ASSUMPTIONS

A. SITUATION

North Carolina, the third most agriculturally diverse state in the nation, has extensive national and international exports markets. Food and agricultural production, processing and retail systems are a multi-billion dollar (>\$68 billion) industry in NC and employs ~20% of workforce. Thus, the safety and security of the State's food supply is of paramount importance. Not only will an incident affecting the food chain impact this multi-billion dollar system, but also consumption of the contaminated food item could result in human illness (with an associated potential cost of \$10-83 billion per year in the U.S). The effects of one incident will not only negatively impact North Carolina, but also the nation and other countries. A major outbreak could cripple the affected industry for years. Businesses would fail without a rapid response system that focuses on business resiliency and continuity. Tax revenue generated directly and indirectly would diminish dramatically.

This operations plan will be activated when the consequences of the event exceed the ability of the local government or lead agency to handle the incident; there is a disaster declaration by the Governor; more than one state agency has become involved in responding to the incident (beyond what transpires for more routine food incidents); or; there is an interstate emergency that has exceeded the joint state's abilities or an Emergency Management Assistance Compact (EMAC) request is made for mutual aid

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to a state. Activation will be a result of notification of the NC Division of Emergency Management (NCEM) through the State Emergency Response Team (SERT) by the NC Department of Health and Human Services (NCDHHS) Division of Public Health (DPH), NC Department of Environmental Quality (NCDEQ), the NC Department of Agriculture and Consumer Services (NCDA&CS), or local health departments.

B. ASSUMPTIONS

1. For the purpose of this plan, the term “food” is defined as any product normally consumed by humans or animals for nourishment.
2. Incident management activities will be initiated and conducted using the principles contained in the National Incident Management System (NIMS).
3. The responsibilities for food safety and food borne disease surveillance are divided among multiple agencies in North Carolina including NCDHHS/DPH, NCDEQ, and NCDA&CS. Regulatory authorities, responsibilities, and the initial responder will determine the lead agency, at least initially. The nature of a food emergency will result in the involvement of additional supporting agencies and groups, such as state entities, federal agencies and private industry.
4. Threats to the food supply can come from natural sources, accidental contamination, and deliberate acts as well. This plan will be used to respond to food borne emergencies, regardless of the cause.
5. Law enforcement will become the lead agency for the criminal investigation portion of a response when a food borne disease outbreak or other food-related emergency is determined to be the result of a deliberate or criminal act. Regulatory and public health agencies will maintain normal responsibilities.
6. NCDA&CS, NCDPH, and/or the Local Health Departments will be responsible for field investigations or inspections of retail food markets and food service establishments, food processors, dairy farms and plants, retail and custom meat establishments, shellfish harvesting and monitoring of water quality in shellfish harvesting areas according to agency specific protocols and policies.
7. The Food and Drug Administration (FDA), US Department of Agriculture (USDA) and the Centers for Disease Control and Prevention (CDC) may be asked to support a state’s response to a food borne emergency.

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8. An effective and coordinated response effort will be needed to restore the public's confidence in the food supply in the aftermath of a contamination event.
9. Because of the lack of a uniform regulatory system that ensures the traceability of all products and commodities, tracing may be difficult.
10. Developments in the farm-to-table pathway have greatly increased the number of entry points for contamination and the potential for widespread contamination of the food supply. Because of the lack of security and surveillance at many farms, food processing and packaging plants, and retail food establishments, terrorists have easy access to implement a food borne attack.
11. The local Health Director, in consultation with state agencies, will be primarily responsible for the identification and control of routine food borne disease outbreaks and environmental field investigations in food service establishments (e.g., restaurants, delis, meat markets).
12. State health agencies will be the primary group responsible in cross-jurisdictional outbreaks and will consult with other state agencies with food safety responsibilities.
13. A deliberate act or the receipt of a threat against the food and agricultural community, in and of itself, could initiate response actions at all levels of government, industry, and other stakeholders to minimize public panic.
14. Detection of a food borne emergency in an area outside of North Carolina will prompt implementation of additional preparedness and prevention measures.
15. A deliberate act of contaminating the food pathway will result in additional law enforcement and security response actions at all levels of government, industry, producers and the private sector.
16. Vector/contamination control may require discarding large quantities of agricultural products and organic matter, invoking embargoes or trade restrictions, culling livestock or poultry, and identifying alternative sources of food.
17. Depending on the causative substance of the contamination, contaminated foodstuffs may need to be considered and handled as hazardous waste.

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18. Suspected infected locations, machinery, distribution centers, restaurants, eateries and transport vehicles may need to be cleaned, disinfected and re-evaluated for contamination.

19. Due to the diversity of the type of commodity and geographical location, as well as the impact of the variety of cultures/languages represented in North Carolina, response to and recovery from an emergency will require a coordinated effort of all stakeholders.

III. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

A. LEAD STATE AGENCY

1. NC DEPARTMENT OF PUBLIC SAFETY (NCDPS)

NORTH CAROLINA EMERGENCY MANAGEMENT (NCEM)

- a. Support local government efforts through resource and technical assistance during emergencies
- b. Coordinate state and federal response and recovery activities

B. SUPPORTING STATE AGENCIES

1. NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (NCDA&CS)

- a. Conduct appropriate public health epidemiological studies to determine source of illness.
- b. Inspect and investigate state-licensed and other facilities associated with suspected or confirmed food borne illness.
- c. Assist with the recall of products.
- d. Trace forward and back products with suspected ingredients.
- e. Take field actions to mitigate incident (embargo, condemn, quarantine, etc.).
- f. Through the EOC, coordinate with animal or plant production agencies or groups if the investigation requires access to or examination of raw food products.

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- g. Coordinate with HazMat teams for disposal of recalled hazardous food items.

2. NC DEPARTMENT OF ENVIRONMENTAL QUALITY (NCDEQ)

DIVISION OF AIR QUALITY (DAQ)

- a. Monitor the ambient air quality in the state to determine how an infectious disease may travel through the air

DIVISION OF WATER RESOURCES (DWR)

- a. Monitor the drinking water supply to determine whether infectious disease may travel through drinking water

3. NC DEPARTMENT OF HEALTH AND HUMAN SERVICES (NCDHHS)

DIVISION OF PUBLIC HEALTH (DPH)

- a. Coordinate public health nurses as needed
- b. Monitoring health of shelter populations for potential infectious disease outbreaks
- c. Coordinate well water testing for contaminants to render safe to drink.

DIVISION OF SOCIAL SERVICES (DSS)

- a. Coordinate efforts to provide emergency shelters, mass care facilities, feeding, and water
- b. Coordination/facilitation of the provision of sheltering during a food emergency including persons with functional needs (sensory, physical, mental limitations, and non-English speaking) with county departments of social services (county DSS)
- c. Coordination/facilitation of the provision of relief efforts provided by volunteer organizations with the county DSS
- d. Coordination/facilitation of the provision of mental health/crisis counseling to victims at shelters, mass care facilities, and fixed feeding sites with county DSS

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- e. Coordination/facilitation of the provision of emergency first aid to victims at shelters, mass care facilities, and fixed feeding sites with county DSS
- f. Ensure all DHHS Divisions are staffed for response, recovery and mitigation
- g. Ensure all DHHS Divisions are on standby and are ready to deploy Division resources
- h. Notify Sensory and Foreign Language Interpreter Staff of NC DHHS and NC DHHS interpreter contracts to be on stand by and ready to deploy if requested
- i. Support the American Red Cross and other agencies in shelter staffing at designated Red Cross Shelters.

4. NC DEPARTMENT OF PUBLIC SAFETY (NCDPS)

STATE HIGHWAY PATROL (SHP)

- a. Coordinate traffic control measures and isolation of the impacted area as needed
- b. Regulate motor vehicle traffic where indicated
- c. Provide communications support as requested by the SERT leader

NORTH CAROLINA NATIONAL GUARD (NCNG)

- a. Provide trained military police for traffic control
- b. Provide security at established shelters
- c. Provide military forces to assist local law enforcement in the emergency area for security, control of entrance to and exit from disaster area, and protection of people and crowd control
- d. Provide a Rapid Reaction Force specially trained for response to public disturbances and riots
- e. Provide military forces to assist local and state resources in rescues and evacuations as needed

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- f. Provide NCNG mission capable packages as requested through NCEM
- g. Provide transportation support

C. SUPPORTING FEDERAL AGENCIES

1. FOOD AND DRUG ADMINISTRATION (FDA)

- a. Undertake investigations to identify implicated products.
- b. Request and assist firms responsible for implicated product with conducting a recall.
- c. If warranted, exercise administrative detention of the implicated product.
- d. Provide laboratory surge capacity to process an increased volume of food samples.
- e. Issue press information, such as consumer advisories.
- f. Coordinate the Food Emergency Response Network (FERN) in conjunction with USDA/FSIS and CDC.
- g. Coordinate its investigations with federal, state and local partners.
- h. FDA Office of Criminal Investigations may provide support in a criminal investigation.

2. CENTER FOR DISEASE CONTROL AND PREVENTION (CDC)

- a. Conducting public health surveillance, including food borne disease surveillance, to identify the causes and sources of food borne disease (sporadic cases and outbreaks), to monitor the public health burden of food borne disease, and to identify new and emerging causes of food borne disease.
- b. Coordinating PulseNet, the national molecular sub-typing network for food borne disease surveillance, through which public health laboratories can identify specific strains of food borne bacteria through DNA "fingerprinting" (pulsed-field gel electrophoresis).

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- c. Developing state-of-the-art laboratory methods to identify food borne pathogens.
- d. Training and developing the state and local public health workforce to improve food borne disease surveillance, investigation and response.
- e. Assisting state and local health and food safety officials address food borne disease emergencies.
- f. Providing clinical, epidemiological and public health expertise.
- g. Depending on the nature of the threat, enhance procedures for detecting and analyzing the suspected biological or chemical agents.
- h. Providing laboratory surge capacity to process an increased volume of clinical or food samples.
- i. Collaborating and communicating extensively with the states, FDA and USDA.
- j. Identifying staff to be on continuous alert to assist and possibly be dispatched to a response site.
- k. Issuing health alerts to state health departments and key healthcare provider networks to increase surveillance of new or unusual clusters of illness.
- l. Issuing alerts to the broader public health, medical and other relevant constituencies, as needed.
- m. Developing appropriate messages and guidance for the public.

3. UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)

- a. Assist with disease eradication and food safety threat activities, including quarantine, evaluation, slaughter, disposal, cleaning and disinfecting, epidemiology, trace-back, vector control and transportation permitting arrangements.
- b. Consult with state and local authorities regarding eradication and food safety threat proceedings.

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- c. Collect, analyze and disseminate technical and logistical information.
- d. Define training requirements for casual employees or support agencies involved with emergency response operations.
- e. Issue a declaration of extraordinary emergency.
- f. Define the infected area and control zones.
- g. Prepare information for dissemination to the public, producers, processors and other concerned groups.
- h. Inform the public about meat, poultry and egg product food safety issues.
- i. Allocate funding for compensation to the owner(s) of culled animals.
- j. Define restrictions on interstate commerce.
- k. USDA Office of Inspector General will provide support in a criminal investigation.

4. TRIBAL GOVERNMENTS

The Tribal Chief Executive Officer (CEO) is responsible for the safety and welfare of the members of their tribe. As such, this representative works with the state in the emergency planning process to define the critical roles and responsibilities of the tribe. The Tribal Chief Executive Officer will be responsible for:

- a. Declaring tribal emergencies that can result in the implementation of a tribal response plan or a mutual aid agreement.
- b. Coordinating tribal resources, relative to all potential types of response or incidents, to prepare for, respond to and recover from incidents in an all-hazards context.
- c. Having powers to suspend tribal laws and ordinances to assist with a response.

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- d. Providing leadership and communicating with the tribal nation, businesses and other entities to help them cope with the incident response and recovery.
- e. Negotiating mutual aid agreements to enhance resource sharing.
- f. Requesting federal assistance, through the state governor or directly from the federal government, when tribal resources have been overwhelmed.

IV. CONCEPT OF OPERATIONS

A. GENERAL

1. EMAC and Mutual Aid

The use of the Emergency Mutual Aid Compacts (EMACs) and established mutual aid agreements will be utilized to supplement local and state resources. The procedures for obtaining authority to request or offer interstate assistance reside with the State Emergency Operations Center (SEOC). Circumstances when interstate interaction might occur include, but are not limited to:

- a. Contaminated food has been shipped either to or through another state.
- b. Out-of-state facilities process food produced in the state.
- c. Outbreak crosses state lines.
- d. Contaminated food was processed or manufactured in another state.
- e. State response outstrips state's resources.

2. Incident Identification

Surveillance will be essential in identifying a food emergency or the initial signs of an emergency unfolding. Local sources will be instrumental during the initial identification of an unintentional or deliberate food-related incident. These local sources would include:

- a. Consumers
- b. Local health departments
- c. Poison control centers
- d. Hospitals
- e. Private practice physicians
- f. Law enforcement

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- g. Food retailers, manufacturers, and distributors
- h. Veterinarians
- i. Processors and producers

Specific observations that could indicate a food-related incident has occurred include:

- a. Routine monitoring and surveillance of food supplies or human illness.
- b. Discovery of physical characteristic(s) of a food item or agricultural product that suggests possible contamination with a biological or chemical agent (e.g., presence of an unidentified and unexpected powder, a bad odor or an abnormal taste).
- c. Observation of suspicious behavior or activity by an employee or customer.
- d. Reports of unusual clusters or types of illness among employees, consumers, or animals.
- e. A significant security breach in a food-system facility, storage tank or shipping vehicle, or receipt of a threat (via a telephone call or piece of mail) indicating that an agricultural or food product has been or will be contaminated.
- f. Laboratory evidence of food contamination.

3. Notification and Action Triggers

- a. As mentioned above, local sources will be instrumental in the initial identification of an unintentional or deliberate food-related incident. 10A NCAC 41A.0101 lists the diseases and conditions that must be reported by local health care providers to local health departments, who in return report to the State Health Department. Clinical and reference laboratories also have a list of diseases that they are required to report to the State Health Department. The State Laboratory of Public Health (SLPH) would have primary responsibility for testing human samples, as well as some food samples. It is part of, and thus reports to, NC DPH.
- b. Even if a disease is not on the list of reportable diseases, if an unusual cluster or an outbreak occurs, then it is reportable to State Health Department. The state would notify the appropriate state and federal agencies. Likewise, an unusual cluster of complaints may be received by any agency which may indicate a food emergency has occurred. Notification of a food emergency event between affected agencies, organizations, and private industry will proceed according to Emergency Notification Protocols.

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- c. The FERP will be activated by NCEM upon the request of the lead agency. The FERP will be activated if:
 - An event occurs that exceeds the ability of the local government or lead agency
 - There is a disaster declaration by the Governor
 - More than one state agency has become involved in responding to the incident (beyond what transpires for more routine food incidents)
 - There is an interstate emergency that has exceeded the joint state's abilities.
- d. The NCDA&CS or NC DEQ may identify an unintentional or deliberate food-related incident through consumer complaints, industry notification, or via law enforcement. NCDA &CS's Food Laboratory is networked with SLPH under the Food Emergency Response Network (FERN) and would be the primary agency for testing food samples. The laboratories of NCDHHS/DPH and NCDA&CS share responsibility for testing environmental samples. Collaboration and coordination exists between the laboratories.
- e. If there is a suspected or confirmed, deliberate contamination of food, sample collection and analysis will be the responsibility of law enforcement (local, state or federal) unless a written request is made to NCDHHS/DPH, NC DEQ, and/or NCDA & CS to provide laboratory support. If such a request is made, sample collection and delivery continues to be the responsibility of law enforcement.

4. Activation of the State Emergency Operations Center (SEOC)

Dependent upon the level of the incident, the SEOC may need to be activated. The SEOC is activated when the consequences of the event exceed the ability of the local government or lead agency to handle and the resources for multiple state agencies need to be coordinated. The activation of the SEOC will generally occur in conjunction with both the lead agency and the NCEM. Representatives from the NCDHHS/DPH, NCDEQ, and NCDA &CS are all members of the SERT and provide core services at the SEOC. Industry is a key stakeholder and will have a representative at the SEOC. In all food emergencies, communications between departments, industry, and all stakeholders will be critical to ensure the best possible response. Having appropriate representation of affected agencies and industry in the SEOC will help ensure that consistent communication occurs. Per the SEOC's Standing Procedures, the liaisons or representatives of the core services are identified within the

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emergency response plans and the contact information for all is maintained and updated by the appropriate team leader.

5. Chain of Command

- a. The local government or lead agency will have the lead for operational management at all five (5) stages of an emergency management life cycle for the local event: preparedness, prevention, mitigation, response and recovery. Once the SEOC has been activated, the Director of NCEM assigns personnel to the five (5) elements of incident command (command, planning, operation, logistics, and finance and administration). An Incident Management Team (IMT) may be deployed to the local site that has been overtaxed due to the consequences of the event. The SEOC will coordinate with all Federal partners according to the NIMS guidance.
- b. At the state level, the lead agency may differ depending on the type of incident that occurs. The responsible regulatory agency would initially be the lead agency for protecting the health of the citizens of North Carolina. If the incident is a deliberate act, law enforcement would become the lead agency for the criminal components of the response. NCDHHS/DPH will be responsible for human health surveillance, epidemiological investigation and response.

The NCDA &CS and NC DHHS will be responsible for trace back, removal of product from the marketplace, inspections, field investigations, and other activities to ensure the safety of food available to consumers based on regulatory authorities. If two or more agencies need to be the lead, then a Unified Command would be established per NIMS guidelines.

- c. Once the contaminated food item has been identified, an industry representative will be asked to serve as a liaison in the SEOC to ensure constant and clear communication between regulatory agencies and private industry.

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6. Interagency Communication

Effective communication between all affected parties during a food emergency is critical. Communications strategies and plans established in advance of any incident will be most effective and should include every group associated with the response (local, state and federal, and industry).

7. Public Information

Establishment of a Joint Information Center (JIC) in which all agencies, academia and industry are represented will be critical to the development and dissemination of clear and consistent communication with health care providers, industry, the media, affected population and the general public.

8. Interstate Coordination

When incidents cross-jurisdictional boundaries or require support from outside states, SEOC will facilitate incident management and policy coordination. The principal functions and responsibilities of SEOC include the following:

- a. Ensuring that each agency involved with incident management activities is providing appropriate situational awareness and resource status information;
- b. Establishing priorities between states;
- c. Acquiring and allocating resources required by incident management personnel in concert with the Incident Command (IC) or Unified Command (UC) involved;
- d. Anticipating and identifying future resource requirements;
- e. Coordinating and resolving policy issues arising from the incident; and
- f. Providing strategic coordination, as required.

9. Food Emergency Response Teams

It may become necessary to form and activate strike teams (food emergency response teams) to address specific response tasks. These teams could be charged with tasks appropriate to the response, such as:

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surveillance, sampling, product recalls, trace-backs, embargo, disposal of contaminated materials, decontamination and disinfection, evidence gathering, quarantine, security, public education, sample analysis, or any other operational aspect of mitigating a food emergency. The Planning and Operations

Staff will design and staff the strike teams to fulfill specific tasks. The expertise and agencies represented on a team will be a direct function of the response-specific tasks it is assigned. Generally, a team should include experts in the following aspects of the emergency: technical or science, policy, media relations, communications staff, etc. Specific examples of appropriate personnel might include, but are not limited to, epidemiologists, toxicologists, law enforcement personnel, regulatory specialists, representatives of the lead agency, environmental health specialists, etc.

10. Food Borne Disease Surveillance and Outbreak Investigations

- a. Monitoring and providing alerts for cases and outbreaks of human illness from any cause, including food borne illness is accomplished within the North Carolina Public Health Information Network (NCPHIN). This network integrates routine disease surveillance, syndromic surveillance through the North Carolina Disease Event Tracking and Epidemiologic Collection Tool (NCDETECT) and the Health Alert Network (HAN).
- b. Public Health Law (Chapter 130A Article 133-143 of the NCGS) requires routine collection of certain communicable diseases cases and physicians, school principal, operators of day care centers and restaurants are required to report cases to local health departments. The local health department, along with the State Laboratory of Public Health and the NC Division of Public Health submit communicable disease data into the NC Electronic Disease Surveillance System (NCEDSS). Data from hospital emergency departments, Emergency Medical Services and the Carolina Poison Control Center provide most of the data input for NCDETECT. Some sources of pilot data include information from urgent care centers, wildlife and veterinary laboratories. The NC-HAN is a secure web-based system designed to automatically issue health alerts about public health incidents to key individuals in the North Carolina Division of Public Health, local health departments, hospitals, laboratories and other partners in the event of a public health emergency which could include a food borne outbreak.

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- c. In addition, local health departments, NCDEQ, NCDHHS/DPH, and NCDA&CS monitor consumer complaints to determine if there is a trend or problem emerging. NCDHHS/DPH, Communicable Disease Branch, in conjunction with state partners, conducts the following tasks:
 - Surveillance for food borne illnesses and food borne disease outbreaks;
 - Surveillance for food borne illnesses and food borne disease outbreaks;
 - Manage the investigation of food borne illness and outbreaks;
 - Coordinate food borne illness investigations with appropriate food safety officials at the local, state or federal level;
 - Report cases or outbreaks of food borne illness to the state and CDC. Request CDC assistance, if needed; and,
 - Through the JIC, provide health and food safety information and guidance to the public.

11. Disease Investigations and Product Contamination Investigations

If public health identifies an incident (e.g., illness) or a disease outbreak that is associated with food, an investigation will be implemented to determine the extent of the illness (e.g., severity and number of cases), the suspected food source, and the scope of the situation. State and local health officials will work with state and local food safety officials to coordinate the human health and food product investigations.

Generally, the state will be responsible for any related food commodity investigations. Local Health Departments, state epidemiologists, NCDHHS, NC DEQ and the NCDA &CS are several of the state agencies identified as having responsibilities relative to implementing these tasks.

12. Laboratory Services

The NCDA&CS, NC DPH, and SBI all house laboratories that perform testing on human, animal, food, and/or environmental samples. The following are the roles and responsibilities of the laboratories during a food emergency:

- a. Provide analytical testing of food, environmental and human samples for pathogens, toxins and chemicals (e.g., *Salmonella*, *Listeria*, *E. coli* O157:H7, *Vibrio parahaemolyticus*,

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organophosphates, heavy metals, ricin, etc).

- b. Maintain capability for conducting analysis using latest methods.
- c. Test samples for evidence of contamination by zoonotic or epizootic organisms.
- d. Perform complex food analyses with high precision and accuracy at an elevated throughput rate for extended periods of time.
- e. Coordinate information and data sharing with the SEOC, the lead agency, and the food, animal and human health laboratory networks, such as the FERN, NAHRS, PulseNet, and LRN.
- f. Provide timely reports of lab results.
- g. Provide guidance to field investigators.
- h. Be an active member of the outbreak investigation team.

13. Public Information

In a food emergency, the PIOs from NCEM, NC DPH, NC DEQ, NCDA&CS, and industry will work together in a Joint Information Center (JIC) to prepare media materials and conduct media briefings in accordance with ICS principals. These activities will support the local EOCs and the SEOC. The JIC will prepare a communications plan to guide information content and delivery in the emergency. Specific tasks for the JIC during a food emergency include, but are not limited to, the following:

- a. Activate the JIC, ensuring that all stakeholders are updated.
- b. Prepare and update basic fact sheets, key messages and other informational materials for distribution to partners, stakeholders and the public through appropriate established channels.
- c. Prepare and publish information that is accessible to the public via the Internet, in coordination with NCEM, NCDPH, NCDEQ, NCDA&CS, local health departments (LHD), industry representatives, Law Enforcement (if applicable), and other participating groups.

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- d. Coordinate with federal, state and local PIOs regarding information release protocols.
- e. Prepare and send out media releases in coordination with the lead agency, Communications, the Governor's office, Emergency Management, all state agencies involved, affected LHDs, industry, and other participating groups.
- f. Prepare a media release in anticipation of the laboratory confirmation of a presumptive positive, including instructions for the public about proper treatment and access to information about specific sites.
- g. Prepare for media briefings. NC has identified the following agencies or groups as having a role in disseminating public information related to a food emergency: NCEM, NCDPH; NCDA&CS, NC DEQ, Industry, and law enforcement officials (e.g., SBI, FBI).

14. Animal and Plant Production

When animal or crop production is affected in a food emergency, the lead agencies for animal/and or plant production (NCDA&CS) will have the responsibility of coordinating with the lead agency. This coordination will consist of providing animal and plant production liaisons to the SEOC. These individuals will monitor the animal and/or plant response, provide support as necessary, provide communication and coordination between the food response and the plant or animal response, and ensure proper activation of the appropriate animal or plant portions of the State EOP.

In general, these liaisons should have the ability to provide the following support:

- a. Contain, compartmentalize, control and eradicate animal diseases that impact human health.
- b. Cooperate and provide communication with other agencies and organizations; federal, state and local public health; veterinarians; producers; and animal owners within the state in accordance with ICS principals.
- c. Exclude, detect, and control or eradicate serious insect pests and plant diseases.

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- d. Regulate the sale and use of pesticides that could impact the food supply and human health.
- e. Investigate incidents of pesticide misuse relative to a pesticide-based food contamination incident.
- f. Embargo pre-harvest food ingredients to protect the food supply.
- g. Mobilize expertise in support of the timely and accurate investigation of pesticide, heavy metals and other contamination incidents involving pre-harvest food that carry over to pre- and post-harvest food production.
- h. For more details, See the State's Livestock and Crop/Produce Emergency Response Plans.

15. Environmental Protection

During the response to a food emergency, it will be necessary to maintain protection of the environment. Issues, such as the disposal of contaminated product, decontamination and disinfection, disposal of contaminated feed, water supply and quality, sampling and other issues related to maintaining environmental quality will be the responsibilities of the agencies or groups assigned to this responsibility. These groups should be prepared to provide the following support:

- (a) Provide scientific expertise.
- (b) Provide environmental sampling and analysis.
- (c) Decontamination support.
- (d) Facilitate disposal of contaminated materials.
- (e) Manage environmental permitting.

NC DEQ and/or NCDA&CS will serve as primary points of contacts (POCs) on these issues at the state level.

16. Logistical Support, Communication and Coordination

- a. Any food emergency response requiring plan activation is likely to exceed the resource capacity of local responders. In this event, the EM log will be used to identify mission needs and task resources to meet those needs. NC SPARTA will be used for this interaction and to provide comprehensive and functional communications network between all involved entities. These activities will be managed in the SEOC under a unified or area command.

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b. Specific tasks associated with these response issues are as follows:

- Coordinate with federal, state and local law enforcement.
- Provide logistical support to the lead agency.
- Coordinate resources.
- Conduct media briefs (using the JIC).
- Coordinate EOCs (local, state agencies, and federal).

17. Evidence Gathering, Security and Policing

During a food emergency, the personnel from the local county health department, NCDA&CS, NCDEQ, FDA, and/or USDA will collect the appropriate samples. Coordination between agencies should take place prior to sample collection to ensure proper regulatory jurisdictional and/or investigation protocols are followed. Integrity of samples will be maintained on all samples through the use of tamper evident seals. Any needed policing and security will be provided by local and state law enforcement. It is likely that these efforts would be augmented with federal support once the scope of the incident exceeded the capabilities of the state entities.

In the event the outbreak investigation or other evidence suggests that the food emergency was the result of a deliberate or terrorist act, the law enforcement (local, SBI, FBI) would assume the lead role relative to the criminal investigative aspects of the response. Some responsibilities associated with this role include:

- a. Collecting and analyzing the appropriate samples from potentially contaminated items. Other state laboratories (NC DPH, NC DA&CS, NC DEQ), upon written request from the SBI or FBI, can perform laboratory analyses.
- b. Providing security, law enforcement and traffic control, as required.
- c. Supporting response operations and controlling access and movement.
- d. Supporting response activities that are under the supervision of the lead agency and the SEOC.

NORTH CAROLINA EMERGENCY OPERATIONS PLAN (NCEOP)
ANNEX B | APPENDIX 7
FOOD EMERGENCY RESPONSE PLAN
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18. Transportation

During a food emergency response, the SERT will coordinate the following support from local, state, inter-state, or Federal resources:

- a. Provide traffic control, as required.
- b. Support response operations relative to access controls.
- c. Provide guidance about re-routing traffic.
- d. Provide guidance for re-routing traffic in and around the affected area.
- e. Monitor and detain, if necessary, outbound and inbound transporters of plant or commodities at state border weigh or inspection facilities.
- f. Move soil, plant materials and contaminated food or debris.
- g. Identify potential sources of outside assistance, i.e., contractors, equipment sources, etc.

19. Legal Support

The State's Attorney General's office will assist with any legal matters or considerations in the planning and response to a food emergency. Legal matters may include liability, insurance, contracting, definitions of authority, etc. NC has regulations to assist the appropriate agency with right-of-entry into facilities, embargo authority (NCDA & CS and NC DPH), and a broadened embargo law that grants authority to local health directors (in consultation with NC DPH). The Tort Claims Acts covers any personnel working with the SEOC in a food emergency. Contracted and EMAC personnel also have state-provided liability protection.

Responsible agencies identified in this document as lead agencies shall work within the legal authority as defined in pertinent laws and regulations.

20. Education and Outreach

NCDHHS, NCDA&CS, NC DEQ, industry and academic centers will provide education and information based on timely research to help prepare and respond to emergency situations. In addition, these groups may assist PIOs with developing materials for public dissemination

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through the JIC. In addition, these agencies/groups will provide their expertise and leadership to solving the problems people have identified.

B. PREPARATION

The U. S. Department of Homeland Security has established the National Terrorism Advisory System to communicate terrorist threats. Through this advisory system, various threat levels are communicated to the State Homeland Security Advisor (Secretary of Public Safety). If a Bulletin or Alert is issued concerning a threat to the food chain, appropriate notifications through the NC Food Safety and Defense Task Force will take place, but will include at a minimum: NC DHHS/DPH, NCDA&CS, NCDEQ, and the affected industries.

The Food Safety and Inspection Service (FSIS) is charged with protecting the nation's food supply by providing inspectors and veterinarians in meat, poultry and egg product plants, and at ports-of-entry to prevent, detect and

act in response to food safety emergencies. FSIS may assist state and local authorities in disease eradication activities and food borne illness emergency investigations.

1. Activation Levels

Level 5: Food incident events are routine, restricted to a small population or area, requiring no special application of local or state response resources, terrorism is not suspected and the local or state mechanisms to deal with the events are not stressed.

- a. Level 4: A food incident has expanded so that local or lead agency resources cannot adequately respond. The FERP is activated to release state support elements to assist with the local, regional or investigative effort.
- b. Level 3: A food incident has been traced to a product originating in another state, shipped to other states, or tied into a distribution network that impacts multiple states. The FERP is activated to supply state resources to support the response in the originating state. Multi-state coordination is required for the response, and federal resources also may be requested by the responding state. The level of activation would include issues identified in Level 4.

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- c. Level 2: A food incident involves a highly contagious disease requiring the activation of additional state response plans relative to human health and disease containment. This level of activation will require internal coordination between lead agencies for the food incident and would require human health, interstate and federal coordination. The level of activation also would include issues identified in Levels 3 and 4.
- d. Level 1: This level can be reached concurrently with Levels 2, 3 and 4. This level involves the identification of an incident as a deliberate act. In this case, state and/or federal resources will be needed to assist with the criminal investigative portion of the response. In the event the incident is believed or shown to be a deliberate act, law enforcement will take the lead in the criminal investigative portion of the response.

C. RESPONSE ACTIONS

Once this plan has been activated, state and possibly federal resources will be available to assist the lead agency with response to a food emergency. The initial step in a response will be to activate the state's

EOC, the SERT, and if needed, to activate a MAC, unified or area command. As this occurs, the lead agency will begin coordination with the local or regional emergency operations centers where the response is occurring. This coordination will be directed at providing the necessary logistical support to the localities or regions actively responding. Coordination with the affected industry will be critical in establishing smooth response and recovery.

Response can include, but not be limited to: active surveillance, decontamination of facilities, disposal of contaminated product, quarantine, recalls, trace backs/trace forwards, dispensing treatment or vaccines, etc.

In addition, the state may initiate increased surveillance in the areas surrounding the response and establish channels of communication with neighboring states, either to arrange additional response support or to coordinate a multi-state response.

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D. RECOVERY ACTIONS

1. Identify all areas involved with the response that require recovery activities and support.
2. Immediate recalls and assurance of the safety of the food supply.
3. Honest public information coordination, development and dissemination with the goal to re-establish public trust and confidence in the commodity and the food chain in general.
4. Financial assistance for agencies and industry affected by the emergency.
5. Industry specific communication about how they will prevent this from happening in future.
6. Liability protection.
7. Provide necessary medical assistance (to include mental health service) to those affected by the emergency.
8. Alternate transportation plans.
9. Rapid confirmatory samples from laboratories.
10. Continued surveillance (human and product) to prevent copycat incidents and to re-establish trust in commodity. This will be decreased as recovery proceeds.
11. Provide access control to the affected zone areas if necessary. The affected zone is the area directly impacted and involved in the food emergency.
12. Provide food and potable water to the affected zone.
13. Remove controls on food, water, crops and livestock when possible.
14. Remove access control to affected zones when possible.
15. Involve community and social service agencies.
16. Maintain continuity of government.

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17. Restore essential food production and retail services.
18. Track costs for reimbursement.
19. Resolve long-term issues related to pre- and post-harvest food production impacted by the food emergency.
20. Encourage immediate business recovery.
21. Foster long-term economic recovery.
22. Foster ongoing confidence in the safety of the food supply.

V. REFERENCES

- A. Chapter 166A of the North Carolina General Statutes, North Carolina Emergency Management Act, as amended
- B. Chapter 130A of the North Carolina General Statutes, Public Health