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# Florida Food Emergency Response Plan



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**November 8, 2011**

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## Executive Summary

The Governor and the Commissioner of Agriculture are united in their approach to the mission of protecting and relieving the citizens of the State of Florida from the effects and consequences of any and all food and/or feed emergencies or incidents, and as such have caused this document to be created and maintained.

The Florida Food Emergency Response Plan, designed to be an Annex to [\*Florida's Comprehensive Emergency Management Plan \(CEMP\)\*](#), defines a statewide program to Prevent, Prepare for, Respond to, and Recover from large-scale intentional, unintentional or naturally-occurring, food and/or feed emergencies or incidents. This specific annex governs the operational concepts, policies and plans required to achieve the broad objectives for a response that exceeds, or is anticipated to exceed the capacity of one or more responding agencies. This plan may be executed following the issuance of a Governor's executive order, but is also scalable to food and/or feed emergency occurrences that do not rise to such a level. The provisions of this annex can likewise be scaled and adapted as a model for regional or county food and/or feed emergency responses throughout Florida.

This plan benefited in its development by the utilization of information gathered from the existing food response plans of other states and by accessing the template designed and formulated by the National Association of State Departments of Agriculture (NASDA). This template, the Food Emergency Template, Version 1.0, was designed to assist states both with developing a food emergency response plan and with identifying how they will integrate the National Response Plan by adopting National Incident Management System (NIMS) principles during a large-scale food emergency response, as well as how they will integrate with local emergency response plans.

As part of their statutory responsibilities, the Florida Department of Agriculture and Consumer Services (FDACS), the Florida Department of Health (FDOH), and the Florida Department of Business and Professional Regulation (FDBPR) are the three primary state agencies that are tasked with preventing, preparing for, responding to, and ensuring recovery from food and/or feed emergencies and incidents in Florida. This plan is intended to expand and build upon established departmental routine procedures and to involve additional local, state and federal agencies and the private sector as circumstance may dictate.

## Introduction

- This all-hazards Florida Food Emergency Response Plan (FERP) addresses complex or severe food and/or feed emergencies requiring response resources exceeding or anticipated to exceed the capacity of one or more agencies and builds on established departmental routine procedures. Any and all references to food emergencies, events, incidents or responses contained in this plan are to be construed as referring to both food and/or feed-related issues.
- Although the focus of this document is on the response phase of the emergency management cycle, it also addresses the prevention, protection and recovery phases.
- The FERP has been developed to address roles and functions during a food emergency response event and the plan fits within the framework of the [\*Florida Comprehensive Emergency Management Plan \(CEMP\)\*](#). It is designed to complement other agency plans and provide a framework for multi-agency collaboration during an incident. As with all emergency events, and particularly with expanding multi-agency events, the [\*National Incident Management System \(NIMS\)\*](#) should be used. Its use should neither replace sound judgment nor jeopardize the safety of responding personnel.

## **Purpose**

The purpose of this plan is to identify how Florida's resources will respond in coordination with those of federal, local and tribal governments as well as the private sector to prepare for a rapid response to significant threats to food safety and public health. This will be accomplished by:

- Identifying procedures for command and coordination of complex multi-jurisdiction responses consistent with the National Incident Management System (NIMS).
- Specifying state agency duties and responsibilities during food-related events beyond routine activities.
- Identifying procedures for integration of public (local, state, federal, and tribal) and private sector actions.
- Delineating methods for timely, consistent, and accurate communications between food emergency responders, industry and with the public.
- Providing a seamless transition from routine investigations and responses, including Florida's Integrated Rapid Response Team (FLIRRT) deployment to Florida's FERP activation to activation of the Florida State Emergency Operations Center (SEOC), up to and including gubernatorial declarations.

## Planning Assumptions

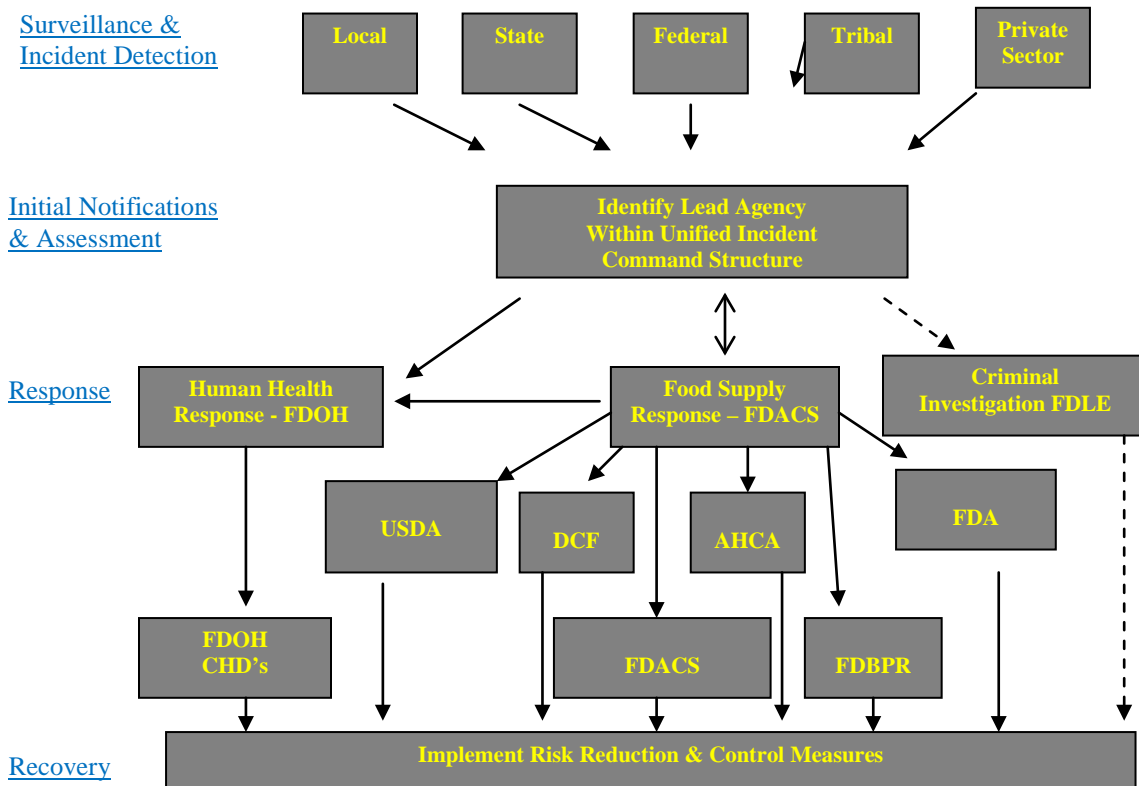
- Local, state, federal and tribal agencies share the responsibility of protecting the food supply with primary emergency response components being:
  - Human health monitoring and response - led and/or coordinated by the FDOH in cooperation with the 67 FDOH County Health Departments (CHD).
  - Animal health response - led and/or coordinated by FDACS in cooperation with the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS).
  - Food supply response – led and/or coordinated by FDACS. Specific food regulatory authorities are listed below and can also be found in Attachment 1:
    - FDOH regulates food service operations located in institutional settings (such as schools, assisted living facilities and detention facilities), civic and fraternal organizations, theaters (that limit their menus to drinks, candy, popcorn, hotdogs and nachos), and bars and lounges that do not prepare food.
    - FDBPR regulates restaurants and other food service facilities.
    - FDACS regulates retail grocery stores, convenience stores, food producers, wholesalers, distributors, processors, dairy farms, aquaculture, bottled water and agricultural inputs including pesticides and animal feed.
    - The Agency for Health Care Administration (ACHA) maintains the authority to conduct routine and compliant inspections of nursing homes and hospitals which include food service operations.
    - The Department of Children and Families (DCF) regulates all licensed child care facilities that store, prepare, and/or serve food to the children in their care; completes annual food service verification inspections for religious exempt child care facilities that participate in the USDA food program.
    - The United States Department of Agriculture’s Food Safety Inspection Service (USDA-FSIS) regulates meat, poultry, and pasteurized egg products.
    - USDA-APHIS is responsible for protecting animal health, animal welfare, and plant health and serves as the lead agency for collaboration with other agencies to protect U.S. agriculture from invasive pests and diseases.
    - The United States Food and Drug Administration (FDA) regulates all other foods and feed moving in interstate commerce.

- Critical tasks for successful management of large-scale or severe food emergencies have been identified in the:
  - National Response Framework (NRF): Food and Agriculture Incident Annex.
  - National Response Framework (NRF): Emergency Support Function (ESF) # 11 – Agriculture and Natural Resources Annex.
  - National Food and Agricultural Safety and Defense Target Capability.
- Food regulatory staff and public health staff routinely function at the defensive performance level unless otherwise trained and equipped. These personnel will not be knowingly sent into contaminated hot zones requiring personal protective equipment beyond Level D (standard work uniform, boots, gloves, safety glasses, etc.)
- The scope of food emergency incidents addressed in this document can be thought of as any incident that exceeds, or is anticipated to exceed the capabilities or resources of one or more of the responding agencies. This plan may be executed following the issuance of a Governor’s executive order, but is also scalable to food and/or feed emergency occurrences that do not rise to such a level. The provisions of this annex can likewise be scaled and adapted as a model for regional or county food and/or feed emergency responses throughout Florida.
- As incident complexity increases, transition to command/lead agency is expected to more effectively manage the multi-jurisdictional resources that will be used.
  - Government agencies at all levels use NIMS principles to mobilize and coordinate logistics, operations, planning, and finance.
  - Federal agencies typically provide initial technical assistance. As local/state/private resources are overwhelmed, federal agencies increase their operational responsibility.

## Concept of Operations

The local, state, tribal and federal agencies with statutory responsibility for food safety, in cooperation with the public and private sectors, perform surveillance of the food production and distribution system within the state, as shown below in Figure 1.

**Figure 1 - Florida Food Emergency Response Overview**



When routine surveillance detects an incident, initial notifications and assessments are performed using established procedures and protocols. If warranted and using criteria set forth in this plan, a Florida food emergency response organization is established. The SEOC may move to a partial or full activation.

FDACS assumes the initial role as lead state agency for a food emergency response. FDACS operates in a Unified Command with other state and federal food safety agencies in order to minimize the adverse human and economic impacts of a food related incident. Lead may transfer from FDACS to another state agency dependent upon the eventual circumstances of the incident as defined by the said agency's jurisdiction.



The Florida food emergency response organization and this plan are activated via a request from FDACS to the Director, Division of Emergency Management (DEM). FDACS will make this request after evaluating the following criteria:

- Response to the event exceeds the capabilities of one or more of the agencies having jurisdiction.
- The incident displays moderate resistance to stabilization or mitigation and will extend into multiple operational periods covering several days.
- Incident objectives are not expected to be met within the first several operational periods.
- The population surrounding the general incident area is affected.
- A request from another responding or monitoring agency to activate the plan.

Once established, the Unified Command has the authority to take actions to meet the following objectives:

- Deploy equipment, personnel, teams and supplies to conduct surveillance, stop-sale, stop-use, recall, or destroy product, perform trace back/trace forward, or decontaminate incident sites.
- Determine the scale of the incident, the resources required and state and local resources available.
- Identify resource shortages and request additional resources from the federal government or other states through Emergency Management Assistance Compact (EMAC).
- Implement strategies to control the spread of the hazard.
- Authorize public information releases to effectively control rumors, warn of any potential dangers and dispense general information regarding status of the incident.
- Perform tasks in accordance with the directives and guidance of the Policy Group.
- Demobilize resources.
- Facilitate the transition from response to recovery status.

If required, the Governor declares a state of emergency in all or some portion of the state. Upon such a declaration, the FERP operate in accordance with the Base Plan of the CEMP.

The Florida food emergency response organization is de-activated when the threat is gone and/or the agency having jurisdiction has the capability to continue response alone.

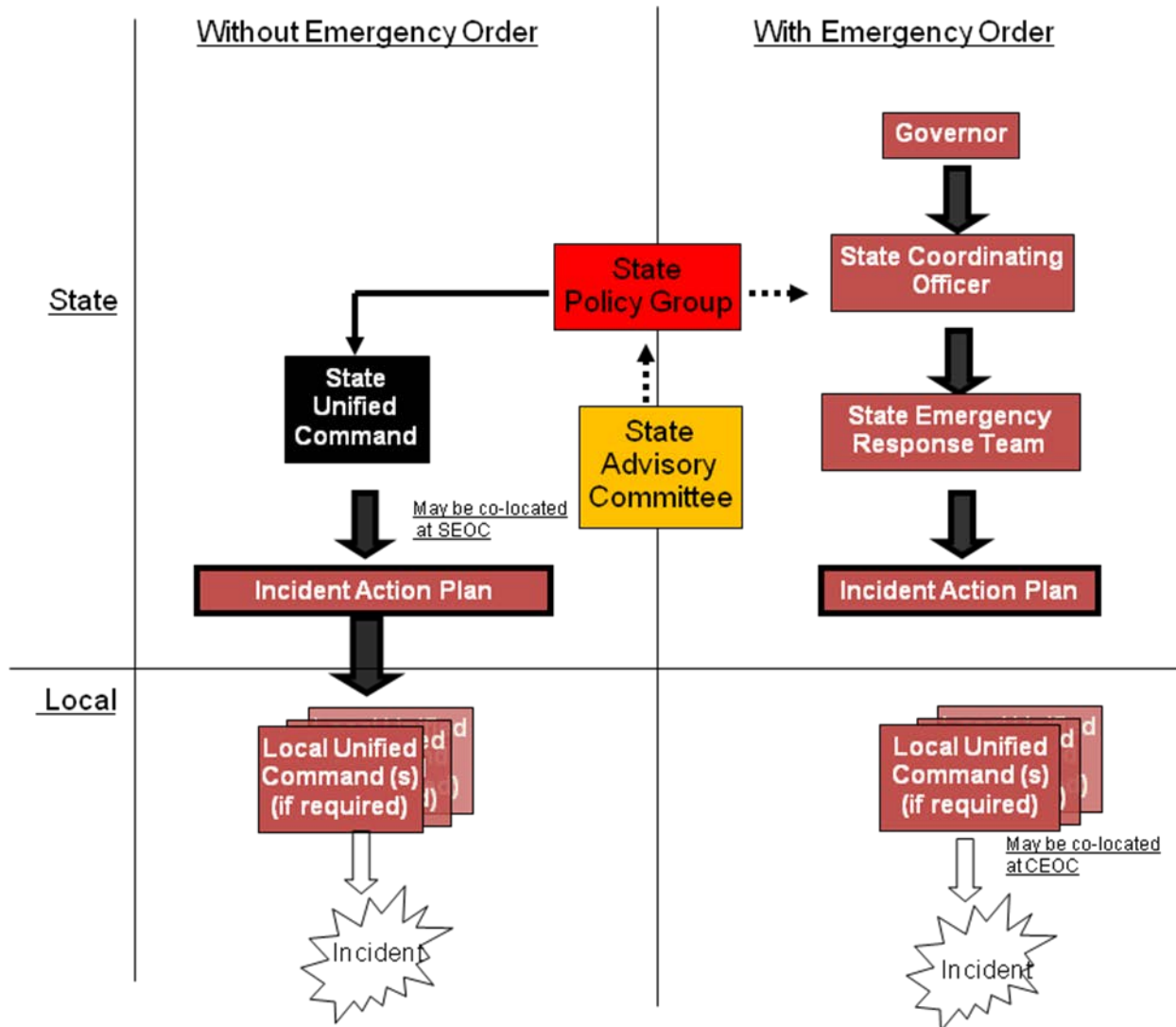
The human health response to a food emergency incident, lead by the FDOH, is specified in separate state and agency plans. Should the food emergency be connected to a terrorist incident, the Florida Department of Law Enforcement (FDLE) will assume the lead role for the criminal investigations as specified in the [Terrorist Incident Response Annex](#) portion of the State CEMP.

# Organization and Assignment of Responsibilities

## Response Organization

The state food emergency response organization consists of a Unified Command, a State Policy Group and a State Advisory Committee. If required, one or more local Unified Commands may be established, supported by the County Emergency Operations Center (CEOC). Upon a declaration of emergency by the Governor, the food emergency response organization operates under the State Coordinating Officer in accordance with the Base Plan of the CEMP. The relationships of these organizations are shown below in Figure 2.

**Figure 2 - Florida Food Emergency Response Organization**



## State Unified Command

The State Unified Command consists of designated officials from those agencies with jurisdictional authority or functional responsibility for the incident. The State Unified Command is responsible for managing the incident. In the event of a response, all members of the State Unified Command will be notified and kept up to date with response activities. Only those members relevant to the response need be activated. The members of the State Unified Command are shown below in Table 1:

<b>Table 1 - State Unified Command</b>	
<b><i>Agency</i></b>	<b><i>Agency Representative</i></b>
FDACS	Appropriate Division Director, as dictated by the event
FDBPR	Director, Division of Hotels and Restaurants
DCF	Agency Emergency Coordination Officer
FDOH	Agency Emergency Coordination Officer
AHCA	Agency Emergency Coordination Officer
Federal Agencies	Appropriate official or officials, as dictated by the event

## State Policy Group

The State Policy Group is comprised of the chief elected or appointed officials or designees from those agencies with jurisdictional authority or functional responsibility for the incident. The State Policy Group focuses on the overall strategy for the response, including the overall response priorities, continuity of operations of governmental activities, policy setting and other strategies beyond the scope of the strategy developed by the Unified Command. Decisions made by the State Policy Group are implemented by the Unified Command and the State Emergency Operations Center. It may not be necessary that all members of the group be activated for a response but all will be notified and kept up to date of all response activities. The members of the State Policy Group are shown in Table 2.

<b>Table 2 - State Policy Group</b>	
<b><i>Agency</i></b>	<b><i>Agency Administrator</i></b>
FDACS	Commissioner
FDBPR	Secretary
DCF	Secretary
DEM	Director
FDOH	Surgeon General
AHCA	Secretary
Federal Agencies	Appropriate official(s), as dictated by the event

## State Advisory Committee

The State Advisory Committee is responsible for advising the State Policy Group on technical issues related to the incident which may or may not be multiagency or multijurisdictional in nature. It is comprised of selected administrators or their designees. The FLIRRT Coordinator will act as Chair of the Committee and will call all meetings. As with the preceding groups, it may not be necessary to activate all members of the committee. However, all recognized committee members will be contacted and kept advised of response activities. The members of the State Advisory Committee are shown in Table 3.

<b>Table 3 - State Advisory Committee</b>	
<b><i>Agency</i></b>	<b><i>Agency Administrator</i></b>
FDACS	Chiefs – Bureaus of Inspections, Laboratory, Dairy
FDACS	FLIRRT Coordinator, Chair
FDOH	State Environmental Epidemiologist
FDOH	State Toxicologist
FDOH	Chief, Bureau of Laboratories
FDBPR	Chief, Bureau of Sanitation & Safety Inspection
DCF	Licensing Specialist/Policy Administrator
AHCA	Chief, Bureau of Field Operations
All Agencies	Public Affairs/Communications Directors
All Agencies	Legislative Liaisons
Federal Agencies	As required

The DEM has statutory responsibility for coordinating state and local support to the response and recovery from food emergency events. The SEOC may be fully or partially activated during the event. The Director of DEM, in consultation with the State Emergency Response Team Chief, makes the decision when to activate the SEOC.

## **Direction, Coordination and Control**

The Unified Command and DEM coordinate the following critical functions:

- The Unified Command requests resources utilizing the EM Constellation message system.
- A Joint Information Center (JIC) is established with Emergency Support Function (ESF) 14- Public Information. The Unified Command provides briefing points on the food defense situation through ESF 14. ESF 14 coordinates this consistent information message with other Public Information Officers throughout the state.
- A DEM liaison is included in the planning process with Unified Command personnel in the formation of the Incident Action Plan (IAP) for the food defense event.

FDACS and DEM will jointly determine when and what portions of the Unified Command structure should co-locate to the SEOC. DEM will provide all support resources for such co-location. The joint decision to co-locate will be based on guidelines including:

- The Unified Command with any federal partners continues to command and control all operational elements of the food defense incidents. DEM manages the overall disaster and all other areas including those areas related to consequence management.
- The incident requires continual coordination and logistical support from various State Emergency Response Team ESFs.
- Key operational decisions made by the Unified Command rely on and or directly affect those ESFs dealing with the question of consequence management in response to the operational decisions made by Command.

## **Participants**

Agencies and private sector entities participating in this plan are detailed below; additional state departments, non-governmental agencies, and private and/or volunteer organizations may become involved as needed.

### County Government

- FDOH County Health Departments
- Emergency management
- Local officials charged with coordinating with tribal authorities
- Law enforcement agencies
- Fire departments and hazardous materials response teams
- School districts

### State of Florida

- Department of Agriculture and Consumer Services
- Department of Health
- Department of Business and Professional Regulation
- Department of Children and Families
- Agency for Health Care Administration
- Division of Emergency Management
- Florida Department of Law Enforcement

### United States Federal Government

- Department of Health and Human Services (DHHS), which includes the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC)
- United States Department of Agriculture (USDA)

### Tribal Authorities

- Intertribal Council

### Non-Governmental Organizations and Private Sector Partners

- Voluntary agencies involved with mass care
- Private academic institutions
- Poison control centers
- Food industry companies and associations

## **Responsibilities**

### Local Level

#### FDOH County Health Departments

- Shares epidemiological investigation results with applicable public and private sector entities in accordance with policies, interagency agreements, laws and emergency plans.
- Investigates food service establishments if associated with reported outbreak activity.
- Leads human health investigations and response efforts within their jurisdictions and supports multi-jurisdictional response in accordance with applicable laws and emergency plans.

### State Level

#### Department of Agriculture and Consumer Services

- Shares food supply threat and vulnerability information with applicable public and private sector entities as appropriate.
- Conducts food safety activities such as: surveillance sampling of food products, environmental sampling of food processing equipment and facilities, complaint investigations, and routine inspections.
- Leads food supply emergency responses involving but not limited to agricultural inputs (including animal feed and pesticides), farms, food processors, food wholesalers/distributors, and retail food establishments.
- Conducts food facilities complaint investigations and implements or oversees control measures including but not limited to:
  - Collecting food samples
  - Collecting environmental samples of food processing equipment and facilities
  - Conducting trace back/trace forward investigations
  - Providing rapid public communication
  - Controlling contaminated, unwholesome food products
  - Overseeing recalls of adversely affected food or agricultural products
- Coordinates food supply response activities as appropriate with:



- Local, state, and federal food regulatory agencies and tribal agencies.
- Academic institutions [e.g., University of Florida Veterinary Emergency Treatment Service (VETS)].
- The private sector (e.g., producers, manufacturers, food industry associations).
- Ensures laboratory analysis of samples from food and the environment are in coordination with the FDOH and FDACS inter-agency [Memorandum of Understanding](#) dated 2/17/2010 (Attachment III), and with the [State Comprehensive Laboratory Response Plan for Chemical, Biological & Radiological Incidents](#).
- Informs the public of food emergencies and appropriate risk reduction measures in accordance with agency and state emergency communications plans.
- Coordinates food establishment decontamination and disposal efforts with appropriate environmental protection agencies.

#### Department of Health

- Leads human health and epidemiologic components of food emergency responses including but not limited to food/waterborne illnesses and recreational water use. Provides epidemiological support to FDACS and FDBPR via existing MOU agreements.
- Coordinates human health and epidemiologic response activities as appropriate with:
  - Local, state, federal and tribal public health agencies and associations.
  - Poison control centers.
  - The health care industry.
  - Academic institutions.
- Provides veterinary public health and clinical subject matter expertise and support to address environmental public health, toxicology, bite/scratch injuries from animals, and zoonotic disease hazards; conduct veterinary/animal emergency needs assessments; respond to occupational safety and health issues associated with animal response; help implement rabies quarantines.
- Ensures laboratory analysis of food, environmental, and human clinical specimens associated with outbreak of human illnesses are in coordination with the [Inter-Agency Agreement](#) between FDBPR and FDOH (Attachment IV), with the [State Comprehensive Laboratory Response Plan for Chemical, Biological & Radiological Incidents](#).
- Informs the public of health threats and/or risks and appropriate risk reduction measures in accordance with agency and state emergency communications plans

### Department of Business and Professional Regulation

- Licenses, inspects and regulates public lodging and food service establishments in Florida.
- Conducts food-borne illness inspections of facilities in coordination with FDOH.
- Conducts food service inspections for alcoholic beverage license applicants.
- Conducts opening inspections for new establishments and change of ownerships.
- Conducts “call-back” inspections on establishments cited for critical violations that could directly lead to food borne illnesses. Cited establishments are given a specified time period to verify correction of deficiencies.

### Federal Level

#### Food and Drug Administration

- Regulates foods moving in interstate commerce, except USDA-FSIS products, in accordance with federal laws.
- Regulates FDA products through activities including:
  - Oversight of ports of entry and importation facilities.
  - Oversight of manufacturing processes for foods destined for interstate distribution
  - Sampling and analysis of food products
  - Environmental sampling of processing equipment and facilities
- Initiates response actions involving FDA regulated products consistent with current agency policies.
- Identifies laboratory surge capacity through the Food Emergency Response Network (FERN) and/or the ICLN
- Coordinates actions as appropriate with local, state, and federal agency responses

#### The Centers for Disease Control and Prevention

- Leads federal efforts in coordination and collaboration with state(s) related to public health surveillance, investigation of human illness outbreaks, and monitoring the effectiveness of prevention and control measures (contingent upon invitation from state(s)).
- Identifies laboratory surge capacity through the Laboratory Response Network (LRN) or the Integrated Consortium of Laboratory Networks (ICLN).
- Provides confirmatory laboratory testing or characterization for hazardous agents, including the maintenance of the national PulseNet database.
- Issues health alerts to state health departments, key healthcare provider networks, and other entities to increase surveillance during periods of increased health risk.

#### United States Department of Agriculture, Food Safety Inspection Service

- Regulates Florida slaughter houses and meat, poultry, and pasteurized egg product processing plants (USDA-FSIS products) in accordance with federal laws.
- Regulates interstate commerce of USDA-FSIS products including:
  - Oversight of ports of entry and importation facilities.
  - Oversight of wholesale distribution.
  - Monitoring of products in distribution at retail sites.
- Initiates response actions involving USDA-FSIS regulated products consistent with the Food and Agricultural Safety and Defense Target Capability.
- Identifies laboratory surge capacity through the FERN and/or the ICLN.
- Coordinates actions as appropriate with local, state, and federal agency responses.

#### United States Department of Agriculture, Animal and Plant Health Inspection Service

- Regulates food products prior to harvest or pre-slaughter (both animal and plant origin) in accordance with federal regulations.
- Regulates interstate and international commerce of APHIS - regulated animals, plants, and animal products, including:
  - Oversight of ports of entry and importation facilities from animal, plant and animal products in coordination with U.S. Customs and Border Protection.
  - Oversight of animal health at sale barns, livestock facilities and other sites of distribution.

- Initiates response actions involving USDA-APHIS –regulated animal, plant and animal products consistent with the Food and Agricultural Safety and Defense Target Capability.
- Identifies laboratory surge capacity through the National Animal Health Laboratory Network.
- Coordinates actions as appropriate with local, state and federal agency responses.

#### Tribal Level

- Tribal authorities are responsible for food safety and response activities on their lands. State response entities should work in conjunction with FDA Tribal Liaison to facilitate coordinated response activities with the relevant Tribal leadership.

#### Non-Governmental Level Groups and Agencies

##### Poison Control Centers

- Receives calls from the public and healthcare workers concerning chemical contamination and food poisoning.
- Provides clinical expertise in the area of medical toxicology, including chemical, toxin or bacterial-related food poisoning.
- Communicates with healthcare providers, consumers and government agencies.
- Contacts emergency departments and healthcare officers with mitigation information.

## Acronyms and Abbreviations

AHCA	Agency for Health Care Administration
CDC	Centers for Disease Control and Prevention
CEMP	Comprehensive Emergency Management Plan
CHD	County Health Department
DCF	Department of Children and Families
DEM	Division of Emergency Management
DHS	Department of Homeland Security
DHHS	Department of Health and Human Services
DOJ	Department of Justice
EMAC	Emergency Management Assistance Compact
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
ESF	Emergency Support Function
FBI	Federal Bureau of Investigation
FDA	Food and Drug Administration
FDACS	Florida Department of Agriculture and Consumer Services
FDA-OCI	Food and Drug Administration-Office of Criminal Investigation
FDBPR	Florida Department of Business and Professional Regulation
FDLE	Florida Department of Law Enforcement
FDOH	Florida Department of Health
FERN	Food Emergency Response Network
FERP	Food Emergency Response Plan
FLIRRT	Florida Integrated Rapid Response Team
FS	Florida Statute
IAP	Incident Action Plan
ICLN	Integrated Consortium of Laboratory Networks
ICS	Incident Command System
JIC	Joint Information Center
LRN	Laboratory Response Network
MOU	Memorandum of Understanding
NASDA	National Association of State Departments of Agriculture
NIMS	National Incident Management System
NRF	National Response Framework
SEOC	State Emergency Operations Center
SCO	State Coordinating Officer
TCL	Target Capabilities List (DHS)
USDA	United States Department of Agriculture
USDA-APHIS	United States Department of Agriculture-Animal & Plant Health Inspection Service
USDA-FSIS	United States Department of Agriculture-Food Safety & Inspection Service
VETS	University of Florida Veterinary Emergency Treatment Services

## Authorities

Actions of the Florida FERP are authorized by and conducted in accordance with provisions of the following legal authorities:

<b>Statute</b>	<b>Agency</b>	<b>Authority</b>
US Public Law 93-288	Federal Government	Provides authority to respond to emergencies and provide assistance to protect public health; implemented by the Federal Emergency Management Act.
Florida Statutes – Chapter 381	Florida Department of Health	Provides the authority by which the department assumes responsibility for the state’s public health system which shall be designed to promote, protect, and improve the health of all people in the state.
Florida Statutes – Chapter 500	Florida Department of Agriculture and Consumer Services	Provides the authority by which the department administers and enforces the prevention of fraud, harm, adulteration, misbranding or false advertising in the preparation, manufacture or sale of articles of food as well as enforcing the provisions of this chapter relating to the production, manufacture, transportation and sale of food and articles entering into, and intended for use as ingredients in the preparation of food.
Florida Statutes – Chapter 509	Department of Business and Professional Regulation, Division of Hotels and Restaurants	Provides the authority relative to the inspection or regulation of public food service establishments for the purpose of safeguarding the public health, safety and welfare.
Florida Statutes – Chapter 408	Agency for Health Care Administration	Provides authority and responsibility for the coordinated planning of health care services in the state.
Florida Statutes – Chapter 408 Part II	Agency for Health Care Administration	Provides authority and responsibility for licensure requirements for all providers regulated by the Agency for Health Care Administration.
Florida Statute – Chapter 400	Agency for Health Care Administration	Provides authority governing nursing homes.
Florida Statute – Chapter 395	Agency for Health Care Administration	Provides authority governing hospitals.
Federal Food, Drug & Cosmetic Act	FDA	Provides authority to: conduct examinations, investigations and sample collections and to conduct inspections of any establishments, persons or vehicles, as well as all source and recipient food records (excluding farms and restaurants) used to process, hold or transport foods intended for introduction into interstate commerce: regulate intrastate juice and egg processing firms. Exempts meat and meat products with some exceptions.
Florida Statutes – Chapter 580	Florida Department of Agriculture and Consumer Services	Provides the authority by which the department administers and enforces the prevention of fraud, harm, adulteration, misbranding or sale of animal feed as well as enforcing the provisions of this chapter relating to the production, manufacture, transportation and sale of feed and articles entering into, and intended for use as ingredients in the preparation of feed.

## **Plan Maintenance and Exercise**

The primary agencies will collaborate to complete an annual review to be accomplished by April 1 of each year and to propose revisions if needed. Proposed revisions, if any, will be reviewed, submitted for approval to DEM, and if approved, implemented every other year.

Aspects of the plan will be practiced during actual food emergencies or when planned emergency exercises are conducted. These exercises will constitute training relative to this plan.

After action reports and hot-wash activities will be utilized to identify gaps, shortfalls and operational difficulties and will address needed changes, revisions or alterations to the existing plan.

## Attachment I

<b>Role or Responsibility</b>	<b>FDACS</b>	<b>FDOH</b>	<b>FDBPR</b>	<b>AHCA</b>	<b>DCF</b>	<b>FDA</b>	<b>USDA</b>	<b>CDC</b>
Food Safety & Surveillance	P*	S	P*	P	P*	P*	P*	-
Public Health and Food-Borne Illness, Water Contamination, and Disease Surveillance	S*	P	S*	S	-	S*	S	S
Illness or Disease Outbreak Investigations	S*	P	S*	S	-	S*	S*	S
Product Contamination Investigation	P*	S	-	-	-	P*	P*	S
Laboratory Services	P*	S	-	-	-	P*	P*	S
Public Information	P*	P	P*	P	-	P*	P*	S
Animal and Plant Production	P	S	-	-	-	-	P	-
Environmental Contamination	P	S	P	-	-	P	P	-
Logistical Support, Communication, and Coordination	P*	S	P*	P	-	P*	P*	-
Evidence Gathering	J*	S	J*	J	-	J*	J*	S
Legal Support	P*	S	P*	S	-	P*	P*	-
Training and Outreach	J,P,S	S	P*	P	-	J,P,S	P*	-
Private Sector Coordination	P*	S	P*	S	-	P*	-	-
Animal Feed	P	S	-	-	-	P	S	-

P – Primary Role, S – Supporting, J – Joint Responsibility

\* Depending on jurisdiction, commodity, firm type, interstate/intrastate commerce

### **Note on normal jurisdictions**

AHCA: Food items used in hospitals and nursing homes

CDC: Cruise ships and airlines

DCF: Food items used in daycare centers

FWC: Seafood; limited

USDA: Meat, Poultry, Eggs, Meat Products containing more than 3% raw meats; 2% or more cooked meat; any item with the USDA Shield



## Attachment II

### **Definitions**

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*CEMP: Comprehensive Emergency Management Plan* is the master operations document through which the State of Florida handles emergencies and disasters.

*Command:* Order, direct, regulate or control operational strategies, tactics, and actions required to manage an incident or event.

*Coordination:* Manage and execute coordinating functions and processes established to support the accomplishment of the Incident Action Plan.

*Coordination Functions:* Situation assessment; Resource acquisition; Support policy-level decisions and interagency activities; coordinate with other EOCs; coordinate with elected & appointed officials; coordinate summary information.

*County EOC:* Emergency Operations Centers existing at county or regional locations.

*EMAC: Emergency Management Assistance Compact:* A Congressionally ratified organization that provides form and structure to interstate mutual aid through which a disaster impacted state may request and receive assistance from other member states quickly and efficiently, resolving two key issues upfront: liability and reimbursement.

*Environmental Contamination:* Any type of pathogenic microorganism located in food processing equipment or in any area of a food facility that can lead to contamination of a food product.

*ESF: Emergency Support Function:* provide the structure for coordinating interagency support for a response to an incident. Mechanisms for grouping functions most frequently used to provide support for declared disasters, emergencies and/or incidents. Florida utilizes 18 ESFs which differ slightly from the federal structure.

*FERN: Food Emergency Response Network:* A national system comprised of State, Federal and other designated laboratories across the country that are committed to developing capabilities and capacity for analyzing food samples resulting from a terrorist incident in the United States. The components of FERN are biological, chemical and radiological.

*Food:* Throughout this plan all references to food shall also pertain to feed, bottled water, prepared ice and all associated products.

*Incident Action Plan:* The central tool for planning during a response to a disaster, emergency or incident; is written at outset of response by the Planning Section Chief with input from the appropriate sections and units of the Incident Management Team.

*Local Unified Command:* Local responders to a multi-jurisdictional incident or event in a structure that brings together the “Incident Commanders” of all major organizations involved in the incident in order to coordinate an effective response.

*LRN: Laboratory Response Network:* A national system designed to link State, Federal and Local laboratories with other advanced capacity clinical, military, veterinary, agricultural, water and food testing laboratories. This network coordinates surveillance and is ready to identify select human pathogens and chemicals, and to alert authorities of suspected bioterrorism and chemical terrorism incidents.

*NAHLN: The National Animal Health Laboratory Network:* A cooperative effort between two USDA agencies – the Animal and Plant Health Inspection Service (APHIS), and the National Institute of Food Safety and Agriculture (NIFA; formerly CSREES) – and, the American Association of Veterinary Laboratory Diagnosticians. It is a multifaceted network comprised of sets of laboratories that focus on different diseases, using common testing methods and software platforms to process diagnostic requests and share information. Networking these resources provides an extensive infrastructure of facilities, equipment and personnel that are geographically accessible no matter where disease strikes. The laboratories have the capability and capacity to conduct nationwide surveillance testing for the early detection of an animal disease outbreak. They are able to test large numbers of samples during an outbreak and to demonstrate freedom from disease after eradication.

*NASDA: The National Association of State Departments of Agriculture:* An organization whose mission is to represent the state departments of agriculture in the development, implementation, and communication of sound public policy and programs which support and promote the American agricultural industry, while protecting consumers and the environment. It is comprised of representatives of the departments of agriculture of all fifty states and the territories of the United States of America.

*NIMS: The National Integrated Incident Management System:* provides a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

*Product Contamination:* Food product that is adulterated or considered unwholesome for its intended use.

*PulseNet:* A national network of public health and food regulatory agency laboratories coordinated by the CDC. Consisting of state health departments, local health departments and federal agencies (i.e.: CDC, USDA/FSIS, FDA), participants perform standardized molecular subtyping (or “fingerprinting”) of food borne disease-causing bacteria utilizing pulsed-field gel electrophoresis, the results of which can be electronically submitted for comparison to existing CDC dynamic databases.

*State Advisory Committee:* The committee responsible for advising the State Policy Group on technical issues related to an incident or event.

*State Comprehensive Laboratory Response Plan for Chemical, Biological & Radiological Incidents:* A plan which parallels the State of Florida’s Comprehensive Emergency management Plan, as well as

activities set forth in the Nation Response Plan (NRP), and describes how the use of Florida's laboratory resources (governmental and non-governmental) will be coordinated to respond to public health emergencies of all kinds.

*State Policy Group:* A group comprised of the chief elected or appointed officials or designees from those agencies with jurisdictional authority or functional responsibility for an event or incident.

*State Unified Command:* Same as Local Unified Command, at state level.

## Attachment III

### MEMORANDUM OF UNDERSTANDING

The Florida Department of Health (hereinafter DOH) and the Florida Department of Agriculture and Consumer Services (hereinafter DACS), agencies of the government of Florida, recognize the need for efficient and effective cooperation between them in matters relating to domestic security. Each agency has been assigned critical functions pursuant to state law. This Memorandum of Understanding (hereinafter MOU) is intended to define the relationship between the two agencies and delineate responsibilities for responses to domestic security threats.

Nothing contained within this Memorandum of Understanding precludes, limits or supercedes authorities granted to the Departments under Florida Statutes including Chapters 381, 386, 388, 482, 487, 500, 581, 585 or other applicable statutes.

Executive Order 01-300, Section 9, provides, in part, that the DOH shall, "coordinate all activities related to preparation for, training for, and response to biological and chemical attacks with the Chief of Florida Domestic Security Initiatives."

The DOH is the lead state agency for the diagnosis and prevention of human illnesses including testing for potential chemical agents, biological organisms, agents, and toxins related to domestic security threats associated with human illnesses.

The DACS is the lead state agency for food safety activities and zoonotic animal disease diagnosis, including food contamination investigation and surveillance testing of foods and bottled water, processed, stored or offered for sale within the state.

In times of emergency, the Surgeon General of the Department of Health will determine whether there exists a specific need for additional laboratory testing support in processing environmental samples. If the need is established, the Surgeon General may request assistance from DACS for the screening of environmental samples. Under such circumstances, all samples screened presumptively positive shall be forwarded by DACS to DOH for confirmation testing. DOH will be responsible for all test information and release of results.

In times of emergency the Commissioner of Agriculture will determine whether there exists a specific need for additional laboratory testing support in processing food samples. If the need is established, the Commissioner may request assistance from DOH for the screening of food samples. Under such circumstances, all samples screened presumptively positive shall be forwarded by DOH to DOACS for confirmation testing. DACS will be responsible for all test information and release of results.

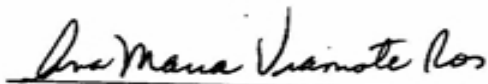
If the laboratories of either agency detect any agent associated with possible bioterrorism activities involving a food or animal sample, that agency shall notify the other agency prior to public announcement.

The agencies shall support the United States Food and Drug Administration efforts to develop a national Food Emergency Response Network.

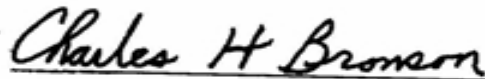
The agencies shall commit to quarterly meetings of laboratory personnel to continue efforts to achieve effective ongoing cooperative relationships and interagency preparedness in analytical matters.

When the need arises the agencies shall conduct a review of this Memorandum to ensure interagency cooperation and to enhance preparedness for the State of Florida to any risk for bioterrorism activity related to food or animals.

This Memorandum of Understanding is entered into this 17<sup>th</sup> day of February 2010, ~~2009.~~



ANA M. VIAMONTE ROS, M.D., M.P.H.  
STATE SURGEON GENERAL  
DEPARTMENT OF HEALTH



CHARLES H. BRONSON  
COMMISSIONER OF AGRICULTURE  
DEPARTMENT OF AGRICULTURE  
AND CONSUMER SERVICES

**Attachment IV**

See following pages

## **INTERAGENCY AGREEMENT BETWEEN THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND THE DEPARTMENT OF HEALTH**

### **Purpose**

This agreement clarifies the duties and responsibilities of the Department of Health, Division of Environmental Health (DOH hereafter) and the Department of Business and Professional Regulation, Division of Hotels & Restaurants (DBPR hereafter) regarding DOH epidemiological activity related to public food service establishments licensed by DBPR.

### **Background**

Chapters 381, 500 and 509 of the Florida Statutes, delineate food safety duties among Florida state agencies. Pursuant to these statutes, DBPR licenses and inspects certain public food service establishments, and DOH provides epidemiological services for investigation of foodborne illness suspected to be related to DBPR establishments.

### **DOH Duties and Responsibilities**

1. DOH will provide environmental epidemiological services including investigative activity and reporting and identification of possible contributing factors to illness related to foodborne disease outbreaks in DBPR licensed establishments. DOH will conduct epidemiological investigations and complete tasks it determines are appropriate to protect the public health. DOH investigation procedures and information gathering will be similar to those published in the current edition of *International Association for Food Protection Procedures to Investigate A Foodborne Illness*.
2. DOH will determine when a foodborne disease outbreak occurs and an epidemiological investigation is warranted. The DOH definition of a foodborne disease outbreak is "an incident in which two or more persons have the same disease, have similar symptoms, or excrete the same pathogens; and there is a time, place or person association between these persons." A single case of suspected botulism, mushroom poisoning, ciguatera or paralytic shellfish poisoning or a case of a disease that can be definitely related to ingestion of a food, may be considered an incident of foodborne illness that warrants further investigation.
3. DOH may, in the course of epidemiological investigations, examine, sample, seize, and stop the sale or use of food to determine its condition and protect the public from food that is unwholesome or unfit for human consumption. DOH may stop the sale and supervise the proper destruction of food when the State Surgeon General or designee determines that such food is a threat to the public health. DOH will provide laboratory support services for foodborne illness investigation activity, such as food sampling and testing, and traceback or surveillance activities.
4. DOH will refer sanitation and safety complaints about DBPR licensed public food service establishments to the DBPR Customer Contact Center at (850) 487-1395 and to the customer contact center e-mail. Additionally, DOH will immediately notify the appropriate DBPR district office contact person by the next business day when DOH suspects possible foodborne illness related to a DBPR licensed public food service establishment and/or that an epidemiological investigation is warranted.
5. DOH will provide a report to DBPR division headquarters within 30 days of completion of each investigation, to include Form CDC 52.13 (revised 10/2000) and

a narrative of the background, investigation summary, results, conclusions, recommendations, and pertinent supporting documentation such as lab results, survey summaries, questionnaires, etc.

6. DOH will provide to DBPR an annual synopsis of foodborne disease outbreak investigations that reflects the primary purpose of foodborne illness investigations set forth in the *U.S. FDA Recommended National Retail Food Regulatory Program Standard 5*. This purpose is to identify trends and possible contributing factors that are most likely to cause illness. The annual synopsis will focus on, but be not limited to:
  - a. Multiple complaints on the same establishment type;
  - b. Multiple complaints implicating the same food;
  - c. Multiple complaints associated with similar food preparation processes;
  - d. Number of laboratory-confirmed, food-related outbreaks;
  - e. Number of non-laboratory-confirmed but epidemiologically linked, food-related outbreaks;
  - f. Contributing factors most often identified.
7. DOH will provide DBPR a list of contact persons and phone numbers for DOH county and state epidemiology staff, including after-hours, and notify DBPR as changes occur.
8. DOH will account for and annually invoice DBPR the actual costs associated with DOH epidemiological investigations related to DBPR licensed establishments, pursuant to Chapter 509.251(4), Florida Statutes. These invoices may be submitted quarterly, will document actual costs, and provide reasonable justification for audit purposes.

#### **DBPR Duties And Responsibilities**

1. DBPR will reimburse DOH the actual costs associated with DOH epidemiological investigations in DBPR licensed establishments as set forth in section 509.251(4), Florida Statutes. DBPR reimbursement may not exceed five percent of the annual public food service establishment license fees received by DBPR, and will be paid to DOH by funds transferred from the Hotel and Restaurant Trust Fund.
2. DBPR will immediately and by the next business day notify and share information with the appropriate DOH county or state epidemiology staff when DBPR receives a complaint or other information that food attributed to a DBPR licensed public food service establishment may have caused illness. Ongoing, additional information received by DBPR will also be immediately shared with DOH.
3. DBPR will provide cooperation, coordination, and inspection resources from the appropriate district office to assist DOH field staff and conduct joint activity, including inspections, when DOH determines an epidemiological investigation is warranted in a DBPR licensed establishment. If a DBPR inspector cannot be physically coordinated with the DOH team, DOH will initiate its investigation without a DBPR representative but with full support from DBPR, including contact and coordination with the establishment's person-in-charge as needed. DBPR will provide information as needed by DOH, such as the establishment's inspection records and history.



4. DBPR will provide DOH with a list of contact names and phone numbers for each DBPR district, including after-hours, and update DOH as changes occur.

This agreement is entered into by DOH and DBPR, and becomes effective upon execution. It will remain in effect until revised by mutual agreement of the parties, terminated by ninety days' written notice by either party, or is superseded as the duties and responsibilities of either agency are modified by changes to the relevant statutes.

  
\_\_\_\_\_  
Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General  
Department of Health

3/20/08  
Date

  
\_\_\_\_\_  
Charles W. Drago, Interim Secretary  
Department of Business and Professional Regulation

3/20/08  
Date

## Attachment V

### References/Links:

[Florida Food Emergency Response Plan, Standard Operating Guide \(SOG\)](#): Implementation of this response plan will be guided and governed by a SOG which is currently under construction.

[Comprehensive Laboratory Response Plan for Chemical, Biological and Radiological Incidents](#): This plan establishes the framework which insures that the State of Florida will be able to mount a laboratory response to these hazards. The plan outlines the roles and responsibilities of the participating laboratories (both governmental and nongovernmental), coordinates response and recovery activities across the full spectrum of responding entities, and unifies the efforts of these groups for a comprehensive approach to reduce the effects of an incident or emergency. It is intended for use by emergency responders and government officials responsible for public health, food safety, animal health, environmental health, law enforcement, hazard materials teams, fire rescue and emergency medical services. The Plan can be obtained from the Chief of the Florida Department of Health, Bureau of Laboratories.

[Florida Comprehensive Emergency Management Plan \(CEMP\)](#): Florida law establishes the Comprehensive Emergency Management Plan as the master operations document for the State of Florida and it is the framework through which the state handles emergencies and disasters. It defines the responsibilities of the government, private, volunteer and non-governmental organizations that comprise the State Emergency Response Team (SERT). The document consists of a Basic Plan, which describes the process for preparedness, response, recovery and mitigation activities of the SERT. It also contains an annex for the 18 Emergency Support Functions (ESF), the primary mechanisms for providing assistance at the state level, and annexes for responding to specific hazards such as wildfires and pandemic disease outbreaks. The CEMP ensures that all levels of government are able to mobilize as a unified emergency organization to safeguard the well-being of the state's residents and visitors. It is the plan to which many of the State of Florida's other disaster response plans are aligned.

[Terrorist Incident Response Annex](#): This document defines a statewide program for the State of Florida to prepare for, respond to and recover from a terrorist or cyber-terrorist attack. It is a hazard specific annex to the Florida Comprehensive Emergency Management Plan (CEMP). This annex governs the plans, operational concepts, and policies used to prepare for and respond to any type of technological and/or criminal/hostile event in the State of Florida. The procedures and actions defined in this Annex are normally executed by the State Coordinating Officer (SCO) following the issuance of an executive order by the Governor.

[National Incident Management System \(NIMS\)](#): Provides a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life, and property and harm to the environment.