

AFTER ACTION REPORT

OPERATION EMPIRE STATE

NOVEMBER 16, 2006

FOOD SAFETY AND INSPECTION SERVICE

FINAL REPORT
FEBRUARY 7, 2007

Background

The U.S. Department of Agriculture (USDA) is actively addressing the need to maintain the safety and defense of the country's food supply. During a crisis, it is critical that the Department be able to efficiently and effectively coordinate with its counterparts at the state and local level, as well as within other Federal agencies and the private sector. On November 16, 2006, USDA's Food Safety and Inspection Service (FSIS) conducted Operation Empire State in Albany, NY and at FSIS headquarters in Washington, DC. The Operation Empire State Exercise focused on the roles of Federal, state, and local government agencies and the food industry to work together to detect, respond to, and recover from a non-routine emergency incident. Emphasis was placed on a team approach to incident response, coordination, integration of capabilities, problem identification, and resolution through preparation, response, recovery, and multi-agency coordination. The exercise offered FSIS the opportunity to test and validate operating guidelines and directives for responding to a non-routine incident involving the intentional adulteration of food products within an FSIS inspected facility. The ultimate goals were:

- Minimizing suffering, loss of life, and personal injury
- Minimizing damage to property
- Minimizing disaster- or emergency-related service disruption, which would have an adverse impact on the government, the communities, and the businesses and their employees, reputation, and product brand names

This report identifies areas of strength and weakness that were observed during the exercise and offers recommendations for improvement.

Objectives

Operation Empire State focused on enhancing the coordination and communication between FSIS, other regional Federal agencies, state and local government agencies, and industry stakeholders. The objectives for Operation Empire State were to clarify roles and responsibilities and improve coordination and communication among:

- FSIS Program Offices and associated field staffs
- State and local public health and emergency response agencies
- Primary Federal emergency response organizations
- Private sector stakeholders in the food industry
- Consumer groups

Strengths of the Exercise – What Worked Well?

The exercise involved strong participation by the following stakeholder groups:

- FSIS field and Headquarters personnel from OFO, OPEER, OPHS, OIA, OM, OPPED, OPAEO and OFDER
- Staff from EPA, FDA, FBI, FEMA Region 2, U.S. Army Region 2, and USDA's Office of Inspector General
- New York State government agencies, including the New York State Department of Agriculture and Markets, New York State Emergency Management Office, New York State Department of Health, New York State Office of Homeland Security, and New York State Police
- Local stakeholders, including Albany County Department of Public Health, Albany Medical Center, New York City Department of Health and Mental Hygiene, and Keller Army Community Hospital (West Point, NY)
- Other Northeastern state governments including Vermont Department of Health, Vermont Department of Agriculture, Rhode Island Department of Health
- Food industry, including National Meat Association, Turning Stone Resort and Casinos, Mashantucket Pequot Tribe, Rochester Meat, North American Meat Processors Association, and Sears Holding Corporation

Participants were actively engaged in the exercise. There was open dialogue and good networking among stakeholder groups.

Areas for Improvement – What Did Not Work Well in the Exercise?

Exercise Structure

Participants from several stakeholder groups commented that although the exercise started strong, momentum lagged about half-way through. A number of participants suggested combining several of the latter phases of the scenario.

Several participants commented that the exercise needs a more realistic timeline with regard to the progression of the investigation. They felt that injects were too compressed time wise. In addition, several commented that injects were not accurate regarding the types and amount of information available early in the scenario; e.g., too much epidemiological and product distribution data were available on Day 1.

Other participants commented that there were too many injects, and that the pace of the exercise should be slowed down and/or the scope limited to allow additional time for further discussion of the issues raised.

Some stakeholder groups (e.g., Other Federal Agencies, Other Northeastern States) commented that they did not receive enough injects throughout the different phases to keep them actively engaged.

Some participants suggested that injects be revised to provide more closure on several issues, including product disposal, facility decontamination, and financial assistance.

Several participants suggested that FSIS should consider revising the hotwash format to allow more general discussion. The questions used during the hotwash are not really applicable to all stakeholders.

Communication

Many participants noted that the exercise illustrated the need to improve communication between stakeholder groups. For example, government agencies use acronyms unfamiliar to industry that present a barrier to effective communication.

In addition, better communication would improve overall coordination in response actions. For example, several state agency participants suggested that there should be more frequent interactions with FSIS during a response to update partner agencies on issues/status/actions.

Of particular concern is the need to improve the ability of different stakeholder groups to work together to develop joint communication messages. This could be done by Public Information Officers (PIOs) working collaboratively in the Joint Information Center (JIC). Stakeholder groups should identify and take advantage of additional opportunities to practice joint development of incident response communication messages.

Coordination

Coordination among federal and state agencies involved in response actions needs to be improved. For example, New York State consulted with EPA Region 2 for recommendations about product disposal and facility decontamination, and provided the recommendations to industry. However, the FSIS Albany District Office was not included in these discussions.

Incident Command System (ICS) Issues

What triggered each stakeholder group to organize into or participate in a multi-agency incident command structure?

- Local/County – public health impacts caused the Office of Emergency Management to stand up the local Emergency Operations Center;
- New York State – New York State is a “Home Rule” state – ICS trigger was public health impacts with possible relationship to food/agriculture
- FSIS – intentional adulteration incident and multiple stakeholder (e.g., local and state government agency) involvement.
- Other Northeastern States – actions by New York State and information suggesting a possible hazmat incident

What was the effectiveness of the ICS structure for this exercise?

- New York State – in an actual incident, there would be more interaction between state and local agencies
- FSIS – somewhat effective; pointed out weaknesses in communication among response agencies
- Industry felt that the ICS structure was confusing
- Other Northeastern States – perception ranged from ICS worked well to ICS was not really used, only alluded to

Who was in charge?

- New York State – New York State uses a Unified Command and a Coordinating Officer to coordinate overall state response. Upon activation of the Unified Command, New York State would bring in other agencies under NIMS
- Local – depends on phase; initial Incident Command was at the local level
- FSIS – FSIS initially, then Unified Command
- Other Northeastern States – Unified Command
- Industry – processor representatives felt that FSIS was in charge of response actions in the early phases of the incident

Were decisions coordinated among stakeholder groups?

- New York State – yes, both within the Unified Command and with other stakeholders
- Local – yes; except with regard to product disposal recommendations
- FSIS – sometimes – but not always (e.g., product disposal)
- Industry - several industry participants felt that decisions were not coordinated among all stakeholder groups. For example, some participants felt left out of the discussions and on their own to address problems.
- Other Northeastern States – decisions were made mainly by FSIS and New York State. However, in the scenario used for this exercise, most of the incident unfolded in New York State.

Other Observations

Local government participants observed that in actual incident, responding to the concerns of consumer groups, which were not represented in the exercise, would place additional demands on local agency resources.

A number of State participants felt strongly that FSIS needs to share product distribution list information in a timely manner to help states in their efforts to protect public health. However, FSIS pointed out that product distribution information cannot be shared unless a state has signed an MOU with FSIS,

In addition, State participants emphasized that sharing of product distribution information would allow them to assist FSIS in recall effectiveness checks.

FSIS should examine existing recall procedures to determine if they need to be modified for incidents involving intentional adulteration of food products. Although the objective of recalls is protection of public health, some of the details of implementation in an intentional adulteration scenario, such as accumulating products and returning them to centralized locations or staging areas, may require further consideration and coordination than typical industry voluntary recalls.

Recommendations

Better coordination and communication among all stakeholder groups is needed. In particular, government at all levels needs to work with industry to help industry understand the ICS structure and the role of the private sector in ICS. For example, the retail segment of the supply chain could align with FDA or State agencies in a manner similar to that of processors aligning with FSIS.

FSIS should reexamine the exercise structure and consider combining a number of the current phases to allow additional time for more in-depth discussion of issues and more thorough treatment of communication injects.

Government agency public information officers should participate in future exercises, since one of critical functions of response and recovery operations is effective communication among stakeholders.

FSIS should consider providing draft press releases to exercise participants to use following communication injects. The exercise scenario should allow time for testing the effectiveness of these draft messages.

More dialogue is needed between state agencies, FSIS and industry about the release of product distribution information.

For use at future exercises, FSIS should develop information sheets on: (1) product recall procedures and effectiveness check procedures; and (2) the current policies and procedures for the acquisition and disposition of product distribution information.

Development and implementation of a standardized crisis management training tool for local ICS responders might improve coordination among stakeholder groups.