National Food Incident Response Protocol

A guide for the coordination of Australian government agencies responsible for food safety and food issues in the event of a national food incident

May 2007
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>INTRODUCTION</td>
<td>4</td>
</tr>
<tr>
<td>1.1</td>
<td>Purpose</td>
<td>4</td>
</tr>
<tr>
<td>1.2</td>
<td>Background and rationale for developing the Protocol</td>
<td>4</td>
</tr>
<tr>
<td>1.3</td>
<td>Relationship between this Protocol and the emergency response plans and protocols of other agencies</td>
<td>5</td>
</tr>
<tr>
<td>2.</td>
<td>APPROACH TO COORDINATE THE RESPONSE TO A NATIONAL FOOD INCIDENT</td>
<td>7</td>
</tr>
<tr>
<td>2.1.</td>
<td>Definitions</td>
<td>7</td>
</tr>
<tr>
<td>2.2</td>
<td>Agencies involved in a national food incident</td>
<td>8</td>
</tr>
<tr>
<td>2.3</td>
<td>Roles and associated responsibilities required for the coordination of a national food incident</td>
<td>10</td>
</tr>
<tr>
<td>2.4</td>
<td>Statutory responsibilities</td>
<td>11</td>
</tr>
<tr>
<td>2.5</td>
<td>Response phases</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Phase 1 – ALERT PHASE</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Phase 2 – ACTION PHASE</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Response activities</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Communication activities</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Consensus and agreement</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Confidentiality</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Escalation and de-escalation of the response</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Documentation requirements</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Phase 3 – STAND DOWN PHASE</td>
<td>19</td>
</tr>
<tr>
<td>2.6.</td>
<td>REVIEW</td>
<td>19</td>
</tr>
<tr>
<td>3.</td>
<td>ROLES AND RESPONSIBILITIES</td>
<td>20</td>
</tr>
<tr>
<td>3.1</td>
<td>Notifying Agency</td>
<td>20</td>
</tr>
<tr>
<td>3.2</td>
<td>Central Notification Point</td>
<td>20</td>
</tr>
<tr>
<td>3.3</td>
<td>Food Incident Contact Officer</td>
<td>21</td>
</tr>
<tr>
<td>3.4</td>
<td>Lead Agency and National Food Incident Controller</td>
<td>21</td>
</tr>
<tr>
<td>3.5</td>
<td>Agency Food Incident Controller</td>
<td>22</td>
</tr>
<tr>
<td>3.6</td>
<td>Participating Agencies</td>
<td>23</td>
</tr>
<tr>
<td>3.7</td>
<td>Risk Assessor</td>
<td>23</td>
</tr>
<tr>
<td>3.8</td>
<td>Communications Controller</td>
<td>23</td>
</tr>
<tr>
<td>4.</td>
<td>RESPONSES TO SPECIFIC FOOD INCIDENTS</td>
<td>25</td>
</tr>
<tr>
<td>5.</td>
<td>APPENDICES</td>
<td>26</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

1.1 Purpose

The purpose of the National Food Incident Response Protocol (the Protocol) is to provide clear guidance to member agencies of the Food Regulation Standing Committee’s Implementation Sub-Committee1 (ISC) for responding to a range of national food incidents in a timely, appropriate, consistent2 and coordinated manner. The Protocol formalises current arrangements between these agencies for responding to national food incidents. The Protocol does not override the existing response protocols of individual agencies or jurisdictions, rather it provides a link between the protocols of Australian Government and State and Territory agencies responsible for food safety and food issues.

1.2 Background and rationale for developing the Protocol

Food incidents can not only result in public health and safety risks among consumers but can also cause widespread consumer concern and significant disruption to domestic and international trade. Whilst the majority of food incidents may be limited to a single jurisdiction, the modern nature of food distribution and retailing increases the possibility that a food incident will impact across a number of jurisdictions. Past experiences of food regulatory agencies in responding to a national food incident have highlighted the importance of coordination between jurisdictions during a food incident and of gaining consensus on the appropriate response (e.g. level and extent of food recall). Inconsistencies in the response by jurisdictions on the same issue could render all jurisdictions vulnerable to criticism and scrutiny.

In October 2003, ISC recognised that a timely, appropriate, consistent and coordinated response to a national food incident can best be achieved through an agreed protocol that formalises the current approach. Although the Protocol aims to gain national consensus in the response taken to a food incident, there is no intention that it override the responsibility of jurisdictions to make their own decisions in this matter.

The Protocol provides guidance on the response to national incidents linked to microbiological, chemical, radiological, physical or unknown hazards. In the case of outbreaks of foodborne illness, health authorities and the Australian Health Protection Committee are responsible for managing the outbreak investigation. This Protocol will aid the response of food regulatory agencies in those incidents in which there has been a potential or confirmed link to food.

The National Food Incident Response Protocol was endorsed by the Food Regulation Standing Committee in March 2007 and the Australia New Zealand Food Regulation Ministerial Council in May 2007.

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1 The Food Regulation Standing Committee’s Implementation Sub-Committee (ISC) was established to develop guidelines on food regulations and standards implementation and enforcement activities. ISC comprises representatives from the Commonwealth, each State and Territory jurisdiction and New Zealand and includes representation from the Australian Quarantine and Inspection Service, Food Standards Australia New Zealand and a representative of Australian local government. ISC members are responsible for food safety and food issues and include the government agencies in each jurisdiction with statutory responsibility for food safety.

2 Consistent in terms of the response taken by a number of jurisdictions to a single food incident and also consistent in the response taken to a number of separate food incidents that are similar in nature.
1.3 Relationship between this Protocol and the emergency response plans and protocols of other agencies

A number of food emergency response plans and protocols have been developed by Australian Government and State and Territory food, agriculture and health agencies. This Protocol does not override these plans and protocols but provides a link between health and agriculture plans developed by Australian Government and State and Territory agencies to enable an integrated, whole of government response in the event of a national food incident. The National Food Incident Response Protocol is only concerned with managing the food supply chain and does not include controlling animal or human illness and disease outbreaks.

Related emergency response plans of other government agencies include:

- National Counter-Terrorism Plan (Australian Government Attorney General’s Department);
- Commonwealth Disaster Response Plan (Emergency Management Australia);
- Agricultural Emergency Plan (Australian Government Department of Agriculture, Fisheries and Forestry);
- Australian Veterinary Plan (AUSVETPLAN) (Australian Government Department of Agriculture, Fisheries and Forestry);
- SafeMeat Incident coordination plan (Australian Government Department of Agriculture, Fisheries and Forestry and SafeMeat);
- National Guidelines for Managing National Outbreaks of Foodborne Illness (OzFoodNet, under development);
- Food Safety Emergencies – a Communication Protocol (FSANZ and the Retail and Manufacturers Liaison Committee);
- Food Industry Recall Protocol;
- State/Territory food incident/emergency response plans.

Where a food incident is associated with human illness, food regulatory agencies will use this Protocol to coordinate their responses within the broader management of the human illness outbreak. In such incidents, the Protocol may be activated as a result of activity under the National Guidelines for Managing National Outbreaks of Foodborne Illness listed above. The Protocol may also be activated via the Agricultural Emergency Plan or Australian Veterinary Plan in the event of a zoonotic disease being detected in food-producing animals or via the National Counter-Terrorism Plan in the event of a terrorist threat.

Figure 1 gives an overview of the relationship between these plans and protocols.

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5 Department of Agriculture, Fisheries and Forestry internal document.
7 Safemeat internal document.
8 FSANZ internal document.
10 Refer to specific State and Territory agencies for details.
11 Note that decisions made under the Protocol remain the responsibility of ‘Participating Agencies’, as defined in Section 2.4 and described in Step 4 on p. 16.
EXAMPLES OF NATIONAL FOOD PLANS

National food incident response protocol
This protocol provides an agreed approach for Australian government agencies responsible for food issues and food safety to manage national food incidents in a consistent and coordinated manner.

National guidelines for managing outbreaks of foodborne illness
This document provides guidance for jurisdictions to manage multi-jurisdictional outbreaks of foodborne illness.

•NSW Food Industry Emergency Subplan
•PIRSA Food Safety Incident Response Plan

EXAMPLES OF NATIONAL AGRICULTURAL PLANS

Australian Government agricultural emergency plan
This plan provides guidance to Australian Government agencies likely to be involved in the coordination of a response to a critical incident affecting agricultural industries.

AUSVETPLAN, AQUAVETPLAN, PLANTPLAN
These plans are a series of technical response plans that describe the proposed Australian approach to an emergency disease incursion. The documents provide guidance based on sound analysis, linking policy, strategies, implementation, coordination and emergency management plans.

SAFEHEAT incident response manual
This manual provides guidance on how to respond to incidents in the management of crises involving residues, pathogens, toxins, contaminants or other potential market failure incidents, with clear guidelines to enable them to perform their roles in an efficient and effective manner.

•Has links with individual state and territory food plans.
•Will link with the National Food Incident Response Plan through either the Chair of the Implementation Sub-Committee or through FSANZ.

EXAMPLES OF NATIONAL HEALTH PLANS

Australian management plan for pandemic influenza
This plan provides guidance for the Australian response to a pandemic influenza threat. This plan targets the wide range of people who will be involved in planning and responding to an influenza pandemic: health planners, public and clinical health care providers, state and territory health departments, essential service providers, border workers and those involved in the media and communications.

Guidelines for the treatment and management of smallpox & anthrax
These guidelines outline the overall policy in relation to national response codes for a smallpox threat or outbreak, and the mobilisation of vaccine. They present nationally agreed case definitions and epidemiological response plans, which will allow national comparison and international reporting.

•No specific food aspects.
•No specific food aspects.

APPLICATION

•Controlling food incidents
•Controlling outbreaks of foodborne illness

•Controlling animal disease
•Controlling plant disease
•Minimising the impact of an event on industry

•Controlling human disease
•Investigating disease outbreaks
•Working with health care providers
2. APPROACH TO COORDINATE THE RESPONSE TO A NATIONAL FOOD INCIDENT

This Protocol formalises and builds on established practices and mechanisms for the coordination and communication between jurisdictions during a national food incident. The basis of the Protocol is that jurisdictions will share information and contribute to the operation of this Protocol in the event of a national food incident.

The coordination of the response to a national food incident will be through a single coordination point. The process for coordinating a nationally consistent response and the tools used to support this process will be pre-determined where possible. This acknowledges that although it may not be possible for the response itself to be pre-determined, it may be possible to define the process and factors that should be considered.

Consultation between all relevant government agencies will occur wherever practical before implementing a response. It is essential that any response is consistent and in accordance with statutory requirements and international obligations. It must also be based on sound science and internationally accepted risk management principles and have been developed after considering all factors relevant to the incident. The response measures and their basis should be explained in an open and transparent way to affected stakeholders and should be designed to cause the minimum disruption to industry and consumers while ensuring the protection of public health and safety. Measures may be applied provisionally (where feasible or practicable), where there is significant scientific uncertainty in the risk assessment and may be adjusted later in a flexible and timely manner in the light of new information.

The Protocol embraces a graduated response to managing national food incidents. It provides for a logical and smooth escalation and de-escalation of activities and agency involvement, depending on the nature and seriousness of the incident. For example, some food incidents will require more urgent consideration than others. Some food incidents will require specific response actions whereas others may only require information exchange and communication between agencies. The Protocol has been developed with this range of scenarios in mind.

2.1. Definitions

This Protocol is intended to encompass a broad range of food incidents and be based on best practice in emergency management. Therefore for the purposes of this Protocol the following definitions apply:

**Food incident** means any situation within the food supply chain where there is a risk, potential risk or perceived risk of illness or confirmed illness associated with the consumption of a food or foods. The foodborne hazard causing such illness may be microbiological, chemical, radiological, physical or unknown. The food incident can occur at any stage of the food supply chain, including activities at the primary production sector that have the potential to, or are perceived to, impact on the safety of the end food product. The food incident may or may not have attracted media or political interest.
National food incident means a food incident that could, or is expected to, impact on multiple government jurisdictions. An ‘impact’ can include media or political interest in a particular food incident regardless of whether the jurisdiction is directly affected. It is important for agencies to consider notifying a food incident that may only be affecting their jurisdiction at the time because the information sharing could be beneficial to other jurisdictions.

Incident situation report provides information describing the food incident and outlines the proposed response strategies and action taken to date. The incident situation report can be used to communicate the details and management of the incident to others not directly involved in the response to the incident or the operation of this Protocol. It should be used by Participating Agencies as a basis for reviewing their response to the food incident. The incident situation report should be accurate, timely, relevant, concise and comprehensive and should be reviewed and updated during the food incident as appropriate.

2.2 Agencies involved in a national food incident

The government agencies involved in a national food incident will depend upon the specific circumstances of the incident. Although this Protocol was developed specifically for agencies involved in ISC, and who are therefore involved in the Australian food regulatory system, other agencies and government or industry groups and committees could be involved because of their specialised expertise. For example some agencies or groups have expertise in examining the epidemiological evidence linking human illness and a particular food whereas others could be used to effectively engage industry. Examples of the agencies and government or industry groups and committees that could be involved in a national food incident include:

Government agencies

- Australian Government agencies responsible for food issues or food safety;
- Australian Government agencies responsible for human health, agriculture, environment, consumer affairs matters or trade;
- State and Territory agencies responsible for food issues or food safety;
- State and Territory agencies responsible for human health, agriculture, environment or consumer affairs, including jurisdictional public health units; and
- Local government authorities, including jurisdictional public health units.
Other groups/committees

- Australian Health Protection Committee and its subcommittees:¹²
  - The Communicable Diseases Network Australia;¹³
  - OzFoodNet;¹⁴
- Animal Health Australia;¹⁵
- Food Chain Assurance Advisory Group;¹⁶
- Food Regulation Standing Committee;¹⁷
- Government Food Communicators Group;¹⁸
- Retailers and Manufacturers Liaison Committee;¹⁹ and
- SAFEMEAT.²⁰

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¹² The Australian Health Protection Committee is a Australian Government committee that provides high level cross jurisdictional collaboration in public health protection management, planning, response, preparedness and recovery in relation to public health emergencies arising from either natural events or terrorist attack.

¹³ The Communicable Diseases Network Australia (CDNA) was established in 1989 and is a sub-committee of the Australian Health Protection Committee (AHPC). AHPC comprises all Australian Chief Health Officers and comes under the Australian Health Ministers Advisory Committee. CDNA provides national public health leadership and coordination on communicable disease surveillance, prevention, control and offers strategic advice to governments and other key bodies on public health actions to minimise the impact of communicable diseases in Australia and the region. It is a cross jurisdictional group with independent expert advisers and works as a collaborative arrangement between states, territories and the Australian Government. CDNA regularly oversees multi-jurisdictional foodborne disease outbreak investigations through membership of state and territory communicable disease units and OzFoodNet. CDNA maintains awareness of national food incidents through the membership of FSANZ.

¹⁴ OzFoodNet is a collaborative initiative between Australia’s State and Territory health authorities to provide better understanding of the causes and incidence of foodborne disease in the community and to provide an evidence base for policy formulation. The network comprises dedicated epidemiologists in each State and Territory.

¹⁵ Animal Health Australia is a government industry partnership that provides strategic policy for future planning and funding of national animal health service programs.

¹⁶ The Food Chain Assurance Advisory Group is an industry-led group comprising industry and government representatives of the key components of the food supply chain. It provides leadership and coordination in ensuring the food safety and security system is capable of dealing with new and emerging risks to the food supply chain.

¹⁷ The Food Regulation Standing Committee (FRSC) comprises senior officials of Departments for which the Ministers represented on the Australia and New Zealand Food Regulation Council have portfolio responsibility, as well as the President of the Australian Local Government Association. FRSC is responsible for co-ordinating policy advice to the Ministerial Council and ensuring a nationally consistent approach to the implementation and enforcement of food standards. It also advises the Ministerial Council on the initiation, review and development of Standing Committee activities.

¹⁸ The Government Food Communications Group consists of communicators from food and health agencies in all the jurisdictions, including New Zealand and Australian Government agencies. The group shares information on issues and communication strategies as well as risk communication practices.

¹⁹ The Retailers and Manufacturers Liaison Committee was established by FSANZ to improve information sharing on food issues and to develop, evaluate and, as necessary, revise a protocol for use in the event of an industry based food safety emergency.

²⁰ SafeMeat was established by the Australian Government as a joint government industry partnership to ensure that red meat products achieve the highest standards of safety and hygiene from farm to consumer and to provide strategic direction and policy advice to the red meat industry.
2.3 Roles and associated responsibilities required for the coordination of a national food incident

A number of roles are central to coordinating a national response to a food incident. These roles and their responsibilities only apply to the coordination of a national response and are separate from the roles of individual agencies to implement any response measures. The roles required for the coordination of a national food incident and their associated responsibilities are described below and are listed in Section 3.

**Notifying Agency**

The Notifying Agency is the agency that notifies a food incident to the Central Notification Point. It is the responsibility of all agencies to notify the Central Notification Point of a food incident that will or has the potential to impact on multiple jurisdictions. Refer to Section 3.1 for details of the responsibilities and expectations of the Notifying Agency.

**Central Notification Point**

The Central Notification Point is the agency which receives all notifications of a food incident, disseminates that information to the other jurisdictions and coordinates the initial communications between jurisdictions. If required, following this initial communication and/or discussions with the Notifying Agency, the Central Notification Point will organise a teleconference. The Central Notification Point will continue to provide administrative support to the Participating Agencies during the response if required. Refer to Section 3.2 for details of the responsibilities and expectations of the Central Notification Point.

ISC agreed that FSANZ currently serves the role of Central Notification Point.

**Food Incident Contact Officer**

A Food Incident Contact Officer is the first point of contact within each agency for all national food incidents. These officers are not necessarily those that are involved in the response process, but are responsible for passing on the initial communications to the relevant officer(s) within their agency. Refer to Section 3.3 for details of the responsibilities and expectations of the Food Incident Contact Officers.

The following roles and responsibilities are required when action subsequent to notification is required:

**Lead Agency**

The Lead Agency is the agency identified as responsible for taking the management role in coordinating the response to the national food incident under this Protocol. The management function does not require that the Lead Agency does all the work, rather that it ensures the work gets done. The Lead Agency is responsible for determining tasks and assigning roles and responsibilities. Refer to Section 3.4 for details of the responsibilities and expectations of the Lead Agency.

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21 In some incidents when this Protocol is activated the response will be part of a broader government response and so there may be other ‘Lead Agencies’ responsible for activities under other plans or protocols. In these cases it will be important to differentiate between those Lead Agencies and the Lead Agency under this Protocol.
**National Food Incident Controller**
The National Food Incident Controller is the officer in the Lead Agency who, under the command and control emergency management framework, assumes overall control of the national response to a food incident under this Protocol. Refer to Section 3.4 for details of the responsibilities and expectations of the National Food Incident Controller.

**Agency Food Incident Controller**
The Agency Food Incident Controller is the officer designated by each agency to represent that agency or that State or Territory during a specific national food incident. The person may vary depending on the incident or may change if the response to the incident escalates or de-escalates. The Agency Food Incident Controller has the delegation to make decisions on behalf of their agency and provides assistance and support to the response to a national food incident. Refer to Section 3.5 for details of the responsibilities and expectations of the Agency Food Incident Controller.

**Participating Agencies**
The Participating Agencies include all agencies participating under this Protocol in the response to the national food incident. Refer to Section 3.6 for details of the responsibilities and expectations of Participating Agencies.

**Risk Assessor**
The role of Risk Assessor will be assigned as needed. The Risk Assessor is the individual or agency responsible for coordinating the evaluation of the risk to public health and safety. The risk evaluation process may involve a team or panel of people or of experts. The risk assessment team should include the home jurisdiction. Refer to Section 3.7 for details of the responsibilities and expectations of the Risk Assessor.

**Communications Controller**
The role of Communications Controller will be assigned as needed. The Communications Controller is the individual or agency responsible for coordinating all communication activities during the Action Phase of the response. Refer to Section 3.8 for details of the responsibilities and expectations of the Communications Controller.

### 2.4 Statutory responsibilities

Emergency powers with respect to food are detailed in the jurisdiction’s food legislation (commonly the Food Act). Other required actions during a national food incident may be enacted under the relevant health, quarantine, agriculture, trade practices or environmental legislation.

The police have statutory responsibility for incidents of intentional interference (e.g. tampering, extortion).
2.5 Response phases

There are three main phases in responding to a national food incident:

1. Alert phase
2. Action phase
3. Stand-down phase

An outline of the steps involved in responding to a national food incident is given in Figure 2. To represent the graduated approach underpinning this Protocol, Figure 2 shows three streams in the action phase. These range from no action required at the national level with limited information sharing and communication, to other food incidents which may require significant action at the national level and potentially a prolonged action phase.

Existing mechanisms to implement the response activities will be used wherever possible.

Material supporting the response by jurisdictions will be developed and attached to this Protocol as required, based on the experience of jurisdictions in responding to food incidents.
Figure 2- Outline of the steps in the National Food Incident Response Protocol

**Alert phase**

A food incident is identified by a government agency *(Notifying Agency)*.

The Notifying Agency provides details of the incident to the Central Notification Point who circulates them to the Food Incident Contact Officers.

**Action phase**

Jurisdictions consider (e.g. through email or teleconference) the extent of action at a national level that is required.

- **Significant action** is required at a national level.
- **Some action** is required at a national level.
- **No action** is required at a national level: initial notification is for information only.

Response is escalated and de-escalated as required.

- Agency Food Incident Controllers are identified for each Participating Agency.
- Agency Food Incident Controllers are identified for each Participating Agency.
- The affected jurisdiction manages the incident under their response framework.

1. **Roles and responsibilities** are defined (National Food Incident Controller, Communications Controller, Risk Assessor, etc) and allocated by the Participating Agencies.
2. The risk is analysed and evaluated.
3. Consultation with industry
4. The response actions to meet the incident objective are identified and evaluated
5. The incident situation report is developed.
6. The agreed actions are implemented

**Stand-down phase**

A nationally coordinated response is no longer required, though jurisdictions may still be active.

The actions taken and the Protocol are reviewed.
Phase 1 – ALERT PHASE

In this phase an identified national food incident is notified to the Central Notification Point by the Notifying Agency. A national food incident can be identified through a number of sources including, but not limited to:

- Confirmation or suspected foodborne illness (e.g. through OzFoodNet, Communicable Diseases Network Australia or the Australian Health Protection Committee);
- Results of food surveys or compliance testing (e.g. through the Food Surveillance Network);
- Current food recalls; and
- Overseas intelligence.

It is considered prudent for agencies to notify a national food incident early in its course, perhaps even before the extent of the problem is really known, so that all jurisdictions are aware of events as they occur and will be prepared if the problem spreads, or media interest suddenly peaks. In addition, pre-emptive information sharing, coordination and early action may prevent the incident escalating and help reduce the potential industry and political impact. For most national food incidents this initial information sharing will be the only response required. Appendix 2 is an example of the type of information that could be collated and disseminated by the Central Notification Point to the Food Incident Contact Officers.

When notified of the incident, the Central Notification Point will collate available information regarding the incident and will circulate this information to the Food Incident Contact Officers (Appendix 1). As some national food incidents may occur out of normal business hours, it is important that jurisdictions ensure their Food Incident Contact Officer is available out of hours or designate an appropriate alternate officer for such times. Each jurisdiction is responsible for the regular updating of the contact details of their Food Incident Contact Officers to the Central Notification Point.

The primary focus during the ‘Alert phase’ is on involving all agencies so that all jurisdictions are fully informed and aware of the national food incident. It is the responsibility of jurisdictions to ensure other relevant government agencies in their State or Territory are informed of the incident and, as required, kept up-to-date with its progress.

It is the responsibility of all agencies to notify the Central Notification Point of a food incident that will, or has the potential to, impact on multiple jurisdictions.

Phase 2 – ACTION PHASE

Response activities

The extent of the response activities depends on the extent of the national food incident. For example, in incidents that do not require significant activity at the national level the Notifying Agency or affected jurisdiction may undertake all the response activities themselves and share the outcomes with other ISC agencies through the information sharing mechanisms outlined in this Protocol. However, for food incidents that require significant activity at the national level, individual agencies may not have sufficient resources to carry out the required activities so it is more prudent to allocate roles and responsibilities to other agencies participating in the response.
Agencies will be informed of the expected activities required (e.g. teleconference etc) on notification of the incident. The Central Notification Point will ensure that information relating to any activities is received in a timely manner.

In incidents where Participating Agencies have to undertake some action, they will nominate their Agency Food Incident Controller for the food incident (this can be but does not have to be the Food Incident Contact Officer). Agencies must ensure that their Agency Food Incident Controller has the delegated authority to make decisions on behalf of the agency. The Agency Food Incident Controller must also have appropriate knowledge of the skills, expertise and resources available in their agency to provide assistance and support the coordination of the response to a national food incident. Because different incidents require different levels of response, agencies must designate an Agency Food Incident Controller with the authority appropriate for the specific incident.

1. Roles and responsibilities are defined and allocated
The roles required and the agency responsible for each role will be assigned at the first opportunity i.e. the first teleconference.

The Notifying Agency will assume the role of the Lead Agency until the initial teleconference at which time the Lead Agency for the incident will be appointed (this role may or may not remain with the Notifying Agency). The National Food Incident Controller is an officer from the Lead Agency and is responsible for managing the response to the national food incident under this Protocol. This includes:

- Convening and chairing meetings or teleconferences in a timely and orderly fashion;
- Drafting the incident objective;
- Commissioning a risk assessment or risk profile where necessary;
- Ensuring all Participating Agencies are appropriately informed and involved in the decision making process;
- Leading discussions and developing the incident situation report;
- Ensuring that the frequency of meetings is based on the intensity of activities associated with the response; and
- Maintaining records of the response to provide adequate evidence of the basis on which the Participating Agencies have made decisions.

It is important to note that the National Food Incident Controller may have additional responsibilities in the broader context, e.g. coordinating the environmental or outbreak investigations, liaising with external groups and participating in meetings of other relevant groups (e.g. CDNA).

Participating Agencies should also agree to the general process and administrative parameters, such as the frequency and format of teleconferences, and decide the agency responsible for coordinating the administrative aspects of the response. This administrative role will remain with the Central Notification Point until otherwise agreed.

2. The risk is analysed and evaluated
The decision as to which agency will be the Risk Assessor will depend on the food incident and the resources, skills and expertise available in each jurisdiction. Although a single agency (e.g. the Lead Agency) may be assigned the ‘Risk Assessor’ role and therefore have responsibility for the risk assessment, the process undertaken may involve a team or panel of people or experts.
The risk assessment process is to determine the risk to public health and safety of a food incident. A formal risk assessment is not necessarily needed and for some food incidents the risk assessment process could be relatively quick. Appendix 3 describes other options for the risk assessment (e.g. expert opinion or using external groups with specialised expertise such as the Communicable Diseases Network Australia and OzFoodNet). The risk assessment process should be centrally coordinated by the Risk Assessor to avoid duplication of effort and to ensure appropriate documentation is collated.

The outcomes of the risk assessment process are used as the basis for determining response actions.

3. Consultation with industry
Although the decision-making is the responsibility of the Participating Agencies, it is important to consult as soon as possible with the relevant peak industry bodies or other industry representatives that may be affected by the food incident. This ensures that decisions are not made without considering the effect they may have on the industry. Early consultation may actually accelerate the implementation of the response measures because industry will be engaged. It should also be noted that specific commodity groups and industries have developed their own emergency/incident situation reports and the Protocol should link with these plans wherever possible.

Consultation with a specific industry group may occur at a national level or jurisdictional level, depending on the situation and the response to the incident. Most incidents will likely require two tiers of communication with industry: general communication with the peak industry body and specific communication with the businesses directly affected. The local jurisdiction would be best placed to consult with specific companies whereas a Federal Government agency may be best placed to consult with peak industry bodies. However, to achieve maximum efficiency and consistent messages, the communication process should be centrally coordinated. A decision as to which agency is responsible for consulting with industry should be made on a case-by-case basis.

4. The response actions to meet the incident objective are identified and evaluated
Response actions may range from a ‘watching brief’ or a communications strategy to a mandatory recall of food accompanied by an active food safety campaign (Appendix 4). The Participating Agencies identify and evaluate possible response actions through their Agency Food Incident Controller and decide on the most appropriate response to the food incident. In many national food incidents, the response actions will be obvious but this is not always the case. Participating Agencies may also wish to seek and receive advice from external expert groups (e.g. CDNA). In the event that there is disagreement on the response, the very best endeavour should be made to form a common position by involving the most senior representatives of the agencies or groups in disagreement.

It is essential that jurisdictions know their legislative powers to ensure response actions are able to be implemented. It is also essential that jurisdictions have an understanding of their government’s relevant policies to ensure consistency and to minimise the potential political impact.
5. The incident situation report is developed
The incident situation report should be documented as soon as practicable after the action phase has been activated. The incident situation report provides information describing the national food incident and outlines the proposed response (including reference to communications) and the action taken to date. The incident situation report should also clearly articulate the roles of individual agencies in the activities undertaken through this Protocol. The National Food Incident Controller is responsible for ensuring the incident situation report is drafted. A template for the incident situation report is given in Appendix 5. A checklist is also being developed for use by the Central Notification Point to ensure all the appropriate information is considered prior to finalising the incident situation report.

Response strategies should be reviewed periodically as the incident evolves. Any changes should be documented in a revised incident situation report.

The two main functions of the incident situation report are to ensure relevant information is shared in an easily digestible format and to document the response taken to a particular food incident.

6. The agreed actions are implemented
Implementation occurs under the relevant State or Territory response plan or protocol. As previously stated, it is essential that during the development of the incident situation report jurisdictions ensure they are able to implement the agreed response actions.

Communication activities
1. Development of a communication strategy
During the management of a national food incident, there is potential for there to be considerable public and political interest. All responses should therefore include an effective communication strategy addressing general public communications, as well as specific communications regarding possible interventions so that potential public and industry interests are addressed and concern is not raised unnecessarily. In some cases communications will be the only action required in response to an incident. The communication strategy should be included as part of the incident situation report and it is the responsibility of the National Food Incident Controller to ensure a communication strategy is developed.

The Communications Controller will develop all communication messages or advice to industry or consumers in consultation with the Government Food Communicators' Group for consideration and uptake nationally. Coordination of communications is done centrally to ensure messages are consistent and that they are provided in a timely and accurate manner to the media and public as required.

Although jurisdictions will often have their own spokesperson (e.g. their minister), for some national food incidents it may be more prudent to appoint a central spokesperson. For example, when this Protocol is activated as a result of a significant animal disease outbreak or other situation that is not primarily a food issue, a central spokesperson from a non-food agency could likely be appointed. The communications spokesperson(s) should be decided on a case-by-case basis and their role should be reviewed as the food incident progresses.

22 Drafting of the incident coordination plan could be undertaken by the Central Notification Point. This may relieve resource strain on the Participating Agencies.
2. **Communication and other information sharing networks**

Communication and information sharing networks that already exist and could be used to disseminate information include the Recall Action Officers and the Retail and Manufacturers Liaison Committee. These networks and the expertise within other groups such as SAFEMEAT, Communicable Diseases Network Australia, OzFoodNet, Department of Agriculture, Fisheries and Forestry, Department of Fair Trading and Department of Health and Ageing will be used as necessary.

**Consensus and agreement**

The Protocol has been developed in a spirit of cooperation to facilitate a consistent national response whenever it is considered desirable and appropriate. However it must be recognised that because food regulation in Australia is implemented through State and Territory legislation there may be occasions when a consistent outcome is not desirable or appropriate. This may be due to:

- legislative differences between State and Territory agencies;
- political acceptability;
- differences in opinion on the level of risk posed; or
- differences in opinion on the appropriate response measures.

In the case of disagreement on the response, the very best endeavour should be made to form a common position by involving the most senior representatives of the Participating Agencies.

While it is hoped that jurisdictions would agree to a particular response, ultimately agreements made by the Participating Agencies are not legally binding and jurisdictions would still have a statutory right to exercise their own response measures. Such a situation may render all jurisdictions vulnerable to scrutiny and criticism. It is advisable in these situations that all agencies are prepared to justify why they were not able to agree to, or implement, a nationally consistent response to a specific incident.

**Confidentiality**

Government agencies, independent experts and industry stakeholder groups may be consulted during the formulation of the response measures. It is critical that this consultation occurs on the condition that the information remains confidential until an official public announcement is made or the Participating Agencies agree to its release. Confidentiality is particularly important in incidents of food tampering or extortion.23

All documentation regarding a national food incident should have “GOVERNMENT-IN-CONFIDENCE” on the top and bottom of all pages with the exception of those documents agreed by the Participating Agencies.

**Escalation and de-escalation of the response**

During the action phase of an incident it may become apparent that the response needs to be escalated or de-escalated. This may be because:

- the incident starts affecting more people;
- the scope of the food incident requires a broader response than just food agencies;
- there is an increase in media attention or political interest;
- the response actions taken are not effective in dealing with the incident;

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23 The police must be contacted in all incidents of suspected or confirmed tampering and extortion.
• the incident is being controlled;
• all participating agencies cannot agree to the response actions;
• Agency Food Incident Controllers do not have delegated authority to agree to the
response actions proposed.

Escalation may include a decision by the Agency Food Incident Controllers or Participating
Agencies to involve more senior government officers or to initiate contact with other
government agencies.

Participating Agencies are responsible for ensuring their Agency Food Incident Controller is
appropriate for the size of the incident and for changing their Agency Food Incident
Controller as required when the incident escalates or deescalates. Jurisdictions are also
expected to recommend escalation (or de-escalation) of the response as necessary.

**Documentation requirements**
The Lead Agency is responsible for ensuring any documentation regarding the coordination
of the response generated during the course of the food incident is retained. The primary
document that should be retained is the incident situation report(s).

**Phase 3 – STAND DOWN PHASE**
The response under this Protocol will conclude when the Participating Agencies agree that a
nationally coordinated response is no longer required and they consider the national food
incident is over. All Participating Agencies will conduct a ‘debrief’ or ‘after action review’ as
part of the stand down phase to assess the efficiency and effectiveness of the response during
the incident and of the guidance provided by this Protocol. Participating Agencies will also
review the effectiveness of the response taken in meeting the required outcome(s). The
outcomes of these reviews will be collated and summarised by the Central Notification Point
for consideration by ISC.

Even though activities at a national level may no longer be required, jurisdictions may still be
active or still be implementing the agreed response actions.

**2.6. REVIEW**

The Lead Agency is responsible for reporting back to ISC on the effectiveness and efficiency
of the response to a national food incident and for recommending any changes to the Protocol
based on the summary prepared by the Central Notification Point.

In the absence of any critical evaluation of the Protocol after a food incident, or in the
absence of any food incidents that activate the Protocol, ISC should initiate a review of the
Protocol every three years. Any changes to the Protocol must be endorsed by ISC.
3. ROLES AND RESPONSIBILITIES

3.1 Notifying Agency
The Notifying Agency is the government agency that notifies a food incident to the Central Notification Point. Any agency can notify an incident.

**Alert Phase**
- Alert the Central Notification Point of a food incident.
- Draft a Food Incident Notification and send to the Central Notification Point for dissemination (the Central Notification Point may also help the Notifying Agency to draft the notification).
- Be clear in the notification as to what action is recommended and the level of response required.
- If no action is required at the time of notification the Notifying Agency is expected to maintain a ‘watching brief’ on the incident. If any significant developments occur, the Notifying Agency should bring the incident to the attention of the Central Notification Point again.

**Action Phase**
- Act as the Lead Agency until otherwise agreed.
- Other responsibilities as set out for the Participating Agencies.

**Stand-down Phase**
- Responsibilities as set out for the Participating Agencies.

3.2 Central Notification Point
The Central Notification Point is the agency which receives all notifications of a food incident, disseminates that information to the other jurisdictions and coordinates the initial communications between jurisdictions. The exact responsibilities required from the Central Notification Point will depend on the food incident and some will not be required if notification is only for information of jurisdictions.

**Alert Phase**
- Disseminate the Food Incident Notification to the Food Incident Contact Officers.
- Confirm the details of the Agency Food Incident Controllers, as jurisdictions may choose to nominate a specific officer with technical expertise as the primary contact for each national food incident.
- Provide the list of Agency Food Incident Controllers to all Participating Agencies.
- Collect, collate and disseminate any additional information on the food incident.
- Convene the initial teleconference as required.

**Action Phase**
- Provide administrative assistance to the Participating Agencies during the operation of the Protocol.
- Collect, collate and disseminate additional information on the food incident.
- Continue to coordinate communications between Participating Agencies throughout the incident.
- Ensure the Lead Agency has appropriate information and records gathered during the ‘Alert phase’.
Other responsibilities as set out for the Participating Agencies.
Other responsibilities as agreed.

Stand down
- Responsibilities as set out for the Participating Agencies.
- Maintain and update the Protocol, at the direction of ISC.
- Maintain and update the contact details for the Food Incident Contact Officers.

3.3 Food Incident Contact Officer
A Food Incident Contact Officer is the first point of contact within each jurisdiction for all national food incidents.

Alert phase
- Receive notification of a food incident from the Central Notification Point.
- Ensure their senior officers and relevant others are aware of the incident and disseminate the information received appropriately.
- Notify the Central Notification Point of the Agency Food Incident Controller for the current food incident.*

Action phase
N/A

Stand down
- Have input into the review of the Protocol regarding the effectiveness and timeliness of the initial communication of the incident.

3.4 Lead Agency and National Food Incident Controller
The Lead Agency is the jurisdiction identified as responsible for taking the management role in coordinating the response to the food incident. The management function does not require that the Lead Agency does all the work, rather that the Lead Agency ensures the work gets done. The National Food Incident Controller is responsible for assigning roles and responsibilities to individuals and agencies. The Lead Agency may change during the course of the response.

Alert phase
N/A

Action phase
- Convene and chair teleconferences and meetings as required.
- Determine the incident objective.
- Commission a risk assessment/risk profile where necessary.
- Ensure all Participating Agencies are appropriately informed and involved in the decision making process.
- Lead discussions regarding the incident.
- Propose and negotiate agreement on response actions.
- Lead the coordination and planning of the response.

* NOTE – this recognises that the actual person acting as the Food Incident Controller may be different to the Food Incident Contact Officer and specific to each food incident.
• Assign a Communications Controller for the incident.
• Assign responsibilities for the response to appropriate agencies.
• Ensure sufficiently detailed records of the response are maintained to provide adequate evidence of the basis on which decisions have been made.
• Represent food regulatory agencies in the broader response to outbreaks of human illness involving food.

Stand down
• Ensure all documentation required is filed appropriately.
• Lead a review examining:
  ▪ the overall response during the incident;
  ▪ the response taken in meeting the incident objective(s); and
  ▪ the guidance provided by the Protocol.
• As a result of the review, propose changes to the Protocol to ISC.

3.5 Agency Food Incident Controller
The Agency Food Incident Controller is the officer designated by each jurisdiction to represent that agency during the national food incident.

Alert phase
• Be the primary point of contact for an agency during a national food incident.
• Disseminate information received on the incident to the relevant people within their own agency and in other relevant agencies within their jurisdiction.
• Notify the Central Notification Point if there is to be a change in the person acting as the Agency Food Incident Controller for the current national food incident.

Action phase
• Be the primary point of contact and jurisdictional representative during the food incident.
• Have the delegation to commit agency resources and make decisions on behalf of the agency.
• Participate as agreed in the response activities.
• Invite other government agencies (and industry) to participate as required.
• Approve the incident situation report to ensure that control of the incident is being:
  ▪ properly planned;
  ▪ adequately resourced within the constraints of the agencies involved;
  ▪ suitably implemented;
  ▪ effective and efficient.
• Make the best endeavour to reach a consensus decision on the response required.
• In cases where consensus decision cannot be reached, defer to more senior representatives to resolve.
• Liaise with other relevant government agencies in their jurisdiction as required.
• Ensure the relevant people within their agency are kept informed of the incident.

Stand down
• Responsibilities as set out for the Participating Agencies.

* NOTE – this recognises that the actual person acting as the Food Incident Controller may be specific to each food incident, depending on the technical expertise and level of responsibility required in determining a response to the incident
3.6 Participating Agencies
The Participating Agencies are those agencies which are involved in the response to the food incident under this Protocol.

Alert Phase
N/A

Action phase
- Confirm a Lead Agency and National Food Incident Controller.
- Ensure that their representatives have the authority to make decisions on behalf of the jurisdiction they represent.

Stand down
- Review the incident to determine the appropriateness and timeliness of the response.
- Review the effectiveness of the Protocol.
- At the conclusion of review activities, formally stand-down.

Each organisation that is likely to be involved in the management of the response to a food safety incident has a responsibility to ensure that it conducts regular training and exercises to ensure that its staff are aware of response arrangements and that plans and procedures have been tested and evaluated.

3.7 Risk Assessor
The Risk Assessor is the agency responsible for evaluating the risk to public health and safety. The risk evaluation process may involve a team or panel of people or experts. The risk assessment team should include the home jurisdiction.

Alert Phase
N/A

Action phase
- Coordinate the risk assessment activities as required.
- Ensure sufficient documentation is maintained regarding the evaluated risk.

Stand down
- Responsibilities as set out for the Participating Agencies.

3.8 Communications Controller
The Communications Controller is the officer with delegated responsibility for coordinating all communication activities.

Alert Phase
N/A

Action phase
- Coordinate communication activities as required.
- Develop required communication material in consultation with the Government Food Communicators Group.
- Ensure appropriate clearance of communications material.
Stand down

- Responsibilities as set out for the Participating Agencies.
4. RESPONSES TO SPECIFIC FOOD INCIDENTS

ISC have identified, and are in the process of developing, responses to specific incidents. Once finalised these will be attached as annexes to this Protocol.

Annexes identified include:

- Chemical contaminants
- Intentional interference
- Environmental investigation
- Zoonotic diseases - BSE
5. APPENDICES

Appendix 1: Contact Details for Food Incident Contact Officers
Appendix 2: Food Incident Notification Proforma
Appendix 3: Risk assessment tools
Appendix 4: Examples of response measures
Appendix 5: Food Incident Situation Report Template