

# KY DPH—Food Safety Branch

## Food Transportation Vehicle

### Incident Response Guidance (Revised 4/15/14)

Truck and train wrecks can occur at any time. Having a response plan in place beforehand is essential. Plans should include a notification and support system with area first responders in order to react quickly, efficiently, and uniformly. By developing a good working relationship with local police, fire, and EMS services, you'll likely be notified quickly when a food transportation vehicle incident occurs.

It is also important to understand what the role of the Local Health Department is during a food transportation vehicle accident. The primary responsibility is response to vehicles transporting foods, drugs, or cosmetics. The following is a helpful list of things to keep in mind when preparing and responding to food transportation vehicle accidents:

#### **PREPARING FOR THE EVENT:**

- Contact local first responders, advise them on the types of wrecks you should be contacted about and establish a notification procedure should an event occur. Provide them with after hours contact information or alternate contact information should you be unavailable.
- Keep emergency contact information available at your home/office for support agencies such as local and KY State Police, Disaster and Emergency Response, USDA, Alcohol Beverage Control, Drug Enforcement and Professional Practices Branch, and State Food Branch Personnel.
- Keep a response kit readily available in your home/office of essential things you'll need during an incident, including: quarantine/voluntary destruction forms & tags, contact numbers, and emergency response guidance sheets, thermometers, flashlights, safety equipment, etc.

#### **INITIAL RESPONSE TO THE EVENT:**

- Upon arrival at the scene report immediately to the police or person in charge.
- \*\*\*\*\*NEVER APPROACH OR ENTER ANY VEHICLE UNTIL YOU HAVE BEEN GIVEN SAFETY CLEARANCE FROM THE INCIDENT COMMANDER AND THE VEHICLE IS SECURED.
- Review the shipping manifest to determine what products are involved. If the manifest is not available due to destruction or loss during the wreck, officials can obtain one by contacting the firm's owners.
- Determine from the manifest if products are involved that fall under dual jurisdiction such as alcohol, drugs, or USDA regulated products. Notify the appropriate agency or contact the Food Safety Branch for assistance in determining jurisdiction.
- Determine from the manifest if products are involved that require temperature control. When the product temperature can not be immediately assessed, record the weather conditions and outside air temperature. This may help later when determining how long product has been out of temperature.

#### **TRUCK OR TRAIN WRECKS INVOLVING REFRIGERATED PRODUCTS:**

- If the cargo area is still sealed, there is no visible exterior damage, and the refrigeration equipment is still functioning, you may enter the cargo area to check the contents. Look for impact damage such as shifting of cargo, breakage, punctures, dents or leakage of refrigerant or other toxics or fluids. Products requiring temperature control should be randomly sampled



to assure that proper holding temperature is being maintained. The temperature and time of sampling should be documented.

- In cases where the refrigeration equipment on the vehicle is NOT functioning, do not enter the cargo area. Opening sealed doors can cause a rapid increase in food product temperatures. Instead, evaluate the option of placing the entire cargo under blanket quarantine, using Quarantine Form DFS 222, until a refrigerated transfer/salvage vehicle arrives on site. Then you should check contents for impact damage, cross-contamination, adulteration and product temperatures before allowing transfer of any cargo.
- In cases where there has been no damage to the trailer, the product is free from any evidence of contamination, and proper temperatures have been maintained, the food may be immediately released to a representative of the transport company for removal and reentry into commerce.
- In all cases where there is visible damage to the vehicle or cargo, an immediate blanket quarantine of the entire contents should be issued, until a full assessment of the damage can be made.

### **DAMAGE ASSESSMENT**

- See attached KY Food Safety Branch Vehicle Incident Report, and Instructions for Completing Vehicle Incident Report.
- The damage assessment should consider whether or not product may have been compromised by vehicle fuel, refrigerants or other chemicals, smoke, fire, exposure to the environment, cross-contamination, temperature abuse, or etc. See damage assessment guidance below.
- Once the damage assessment has been made, contents which are not salvageable shall be recorded on the Voluntary Destruction Form DFS-222; or held under continued quarantine until an alternate disposal or diversion method can be arranged. The exact location and method of disposal/diversion/destruction shall be recorded on DFS-222.
- Food Safety Branch staff, including Area Retail Food Technical Consultants and/or Area Food Manufacturing Inspectors can provide guidance, where necessary.

### **QUARANTINE OF PRODUCT**

- KRS 217.115 of the Kentucky Food Drug and Cosmetic Act gives the Cabinet or its Local Health Department Agents the authority to quarantine food, drug, and cosmetic products which they know *or suspect* of being adulterated. Proof of adulteration is not required in order to place product under quarantine.
- The Quarantine Notice (DFS 222) should be issued to the owner of the product or to the trucking representative if they are available. If neither is available, the quarantine notice may be issued to the wrecker service or to the person in charge of the cleanup or accident site.
- Depending on the circumstances of the accident, quarantined product may be immediately assessed on site for damage and possible salvage or it may be transported under quarantine to another secure location for further evaluation. Whenever possible, refrigerated or frozen products should be transported and held under refrigeration during the damage assessment, to prevent further loss.
- In some cases, a vehicle or its products may be towed or transported from one county to another. To maintain the integrity of quarantined product whenever it is being transferred to another Health Department's jurisdiction for evaluation, you should:
  - Obtain the vehicle description, license number, driver's identity, destination (company name, address, telephone number), and estimated time of arrival.

- Assure that vehicles where products are off-loaded are clean and in good repair, and that the transportation method will not further contaminate products. This is especially important where there is a likelihood that product may be salvageable. Dump trucks, farm trucks, and flat bed trucks should only be used for product destined for destruction. These types of vehicles are not usually used in food transportation, given that they are not routinely cleaned, and are not typically capable of protecting food from environmental contamination (road dust, etc.).
- If potentially hazardous/time-temperature control for safety (TCS) foods are involved, assure that the transport vehicle is capable of maintaining safe temperatures during transport.
- Check off quarantined items released for transport on your quarantine forms and add statement that cargo is to remain in the vehicle until released for inspection by health official at the destination site. Give a copy of the quarantine sheet to the driver.
- Seal cargo area of transport vehicle once loading is complete with some method of seal which will indicate tampering and record the truck seal number when it is applicable. When cargo is being transported in an open unit such as by flat bed trailer or dump truck, the inspector should provide the transporter with a copy of the quarantine paperwork. The inspector can use photos, quarantine tags or tape to ensure the cargo is not altered in route.
- Immediately notify Local Health Department at the destination/receiving point by telephone and provide the necessary information so officials can meet the vehicle upon arrival to its destination. Contact the Food Safety Branch if assistance is needed in locating or notifying health officials in other counties/states.

#### **SALVAGE/VOLUNTARY DESTRUCTION/RELEASE OF PRODUCT:**

- When voluntary destruction action is taken, written agreement of the cargo owner, freight carrier or insurer must be obtained *before* the product is transported to an approved disposal site (waste incinerator, landfill, etc) and *before* product is destroyed. You, another health official or a law enforcement agent must accompany cargo to the disposal site and witness its destruction.
- Salvaged cargo should be segregated from unsalvageable product and may be released for transfer on Form DFS 222, with a note identifying the party assuming control of the product.

#### **WRECKS INVOLVING USDA REGULATED PRODUCTS:**

- Wrecks involving exclusively USDA regulated product, including meat and poultry, require that the USDA be immediately notified. Please contact the Food Safety Branch for assistance in notifying a USDA representative. Following notification, the LHD should proceed as with any other food vehicle incident unless directed otherwise. The USDA office covering Kentucky is located in Jackson, MS and can be reached at (601) 965-4312 (24-Hour Emergency: 1-800-647-2484).
- Mixed cargo loads containing only portions of USDA regulated products should be handled the same as above.

#### **WRECKS INVOLVING FLUID MILK/MILK TANKERS:**

- When the wreck involves fluid milk as the exclusive cargo, the LHD should immediately contact the Milk Safety Branch at (502) 564-3340. The Food Safety Branch can also be contacted at (502) 564-7181 if unable to contact Milk Safety Branch representatives.

### **WRECKS INVOLVING ALCOHOLIC BEVERAGES:**

- Where the wreck involves alcoholic beverages as all or a portion of the cargo the local health department shall immediately notify the office of the Kentucky Alcoholic Beverage Control Commissioner at (502) 563-4850. The Trade Investigations Division of the federal ATF should also be notified at (440) 871-6055. The Food Safety Branch can also be contacted at (502) 564-7181 for assistance in notifying appropriate state/federal alcoholic beverage control officials.

### **WRECKS INVOLVING OVER-THE-COUNTER AND PRESCRIPTION MEDICATIONS:**

- The Drug Enforcement and Professional Practices Branch operates under the authority of Kentucky Food Drug and Cosmetic Act. Therefore, where the wreck involves over-the-counter or prescription drugs as all or a portion of the cargo, handle as below:
  - Over-the-counter medications may be handled as any other food item and may be quarantined, voluntarily destroyed or released by the health department personnel without prior notification to the Drug Enforcement and Professional Practices Branch.
  - Where significant amounts of over-the-counter medications are involved, the Drug Enforcement and Professional Practices Branch should receive courtesy notification at (502) 564-2815. Generally speaking, an incident involving large amounts of OTC medications may be handled as any other food item and may be quarantined, voluntarily destroyed or released by the health department personnel, unless directed otherwise.
  - Where controlled substances and prescription medications are involved, the local health department should contact local law enforcement authorities and/or Drug Enforcement Administration (DEA) officials. DEA field offices closest to Kentucky are located in Atlanta (Telephone 404-893-7000), Chicago (Telephone 312-353-7875) and St. Louis (Telephone 314-538-4600).

### **FINAL REPORT:**

- Local health departments should complete the Vehicle Incident Report for each incident, and forward a copy to the Food Safety Branch. Both the Vehicle Incident Report and the Instructions for completing this report are attached.
- Following the conclusion of action taken by the health department, all quarantine notices and other actions shall be entered into EHMIS.



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