

**MEMORANDUM OF UNDERSTANDING BETWEEN THE FLORIDA DEPARTMENT OF
AGRICULTURE AND CONSUMER SERVICES AND THE FLORIDA DEPARTMENT OF
HEALTH – FOOD AND WATERBORNE DISEASE PROGRAM**

The Florida Department of Health (hereinafter DOH) and the Florida Department of Agriculture and Consumer Services (hereinafter FDACS), agencies of the state of Florida, recognize the need for efficient and effective cooperation between them in matters relating to the investigation of foodborne disease and injuries relating to food safety. 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 prevention, detection, and responses to foodborne disease and injury.

Nothing contained within this MOU, limits or supercedes authority granted to the Departments under Florida Statutes including Chapters 47, 381, 386, 388, 482, 500, 585 or other applicable statutes.

The DOH is the lead state agency for the diagnosis and prevention of human illness as provided in Chapter 381 Florida Statutes. It is the duty of the Department of Health under Sections 381.0011 (4) and (6), Florida Statutes, to cooperate with and accept assistance from federal, state, and local officials for the prevention and suppression of communicable and other diseases, illnesses, injuries, and hazards to human health and provide for a thorough investigation and study of the incidence, causes, modes of propagation and transmission, and means of prevention, control, and cure of diseases, illnesses, and hazards to human health.

The FDACS collects assessments from food product activities to fund DOH as outlined in Section 381.006(10), Florida Statutes; the DOH shall investigate foodborne disease, waterborne disease, and other diseases of environmental causation, whether of chemical, radiological, or microbiological origin. The DOH shall provide an educational program for physicians and health professional designed to promote surveillance and reporting of environmental diseases, and to further the dissemination of knowledge about the relationship between toxic substances and human health which will be useful in the formulation of public policy and will be a source of information for the public.

I. FOODBORNE ILLNESS AND INJURY

The agencies shall make every effort to achieve effective ongoing cooperative relations and interagency response to foodborne illness and injury through the interagency procedures stated below:

A. Duties and Responsibilities of DOH

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 FDACS permitted establishments. DOH will conduct epidemiological investigations and complete tasks determined to be appropriate to protect the public's health. DOH investigation procedures and information gathering will be consistent with those published in the current edition of *International Association for Food Protection Procedures to Investigate A Foodborne Illness*, the Council to Improve Foodborne Outbreak Response (CIFOR) Guidelines for Foodborne Disease Outbreak Response (<http://www.cifor.us/documents/CIFORGuidelinesforFoodborneDiseaseOutbr>

eakResponse.pdf), and the Rapid Response Teams (RRT) Best Practices Manual (<http://afdo.org/resource>).

2. DOH will determine when a foodborne disease outbreak occurs and an epidemiological investigation is warranted. The DOH definition of an 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 definitely be 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 of food and/or supervise the proper destruction of food when the State Surgeon General, or designee, determines that such food is a threat to the public’s health. DOH will provide laboratory support services for foodborne illness investigation activity, such as food sampling and testing, and traceback or surveillance activities. Stop Sale and Stop Use Orders may also fall under FDACS Food Safety Inspection Report. DOH has its own laboratory support for analysis of clinical samples. FDACS will provide laboratory support for food sample analysis as needed.
4. DOH will notify the FDACS immediately by email when it is determined that an epidemiological investigation will be conducted in a FDACS permitted entity. Additionally, DOH will refer complaints about FDACS permitted food establishments to the FDACS main telephone line, FAX, or email. FDACS will coordinate with DOH and or accompany DOH on the investigation.
5. DOH will provide a report to FDACS via email at the completion of the investigation including the Centers for Disease Control and Prevention (CDC) Form 52.13 “National Outbreak Reporting System” and a narrative of the background, investigation summary, results, conclusions, recommendations, and pertinent supporting documentation such as lab results, survey summaries, etc. The report should be received by FDACS no later than 30 days after completion of the investigation.
6. DOH will provide to FDACS an annual synopsis of foodborne disease outbreak investigations that addresses the primary purpose of foodborne illness and injury investigations set forth in the *U.S. FDA Voluntary National Retail Food Regulatory Program Standards and the Manufactured Food Regulatory Program Standard 5*. The purpose is to identify trends and possible contributing factors that are most likely to cause illness. The annual synopsis will focus on, but not be 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 maintain epidemiological investigational findings and make available to the public via the Internet its Food and Waterborne Illness Surveillance and Investigation Annual Report.
 8. DOH will notify FDACS via email of any implicated food as soon as possible in order to determine if any product is still in the distribution system and can be traced back for possible recall or the need for other necessary steps that may be required.
 9. Email should be addressed to specified individual(s) or position titles and designated here as foodinsp@FreshFromFlorida.com.

B. Duties and Responsibilities of FDACS

1. If an epidemiological investigation is required as determined by DOH, where and when possible, a representative from FDACS will accompany the DOH epidemiological investigation team to facilitate entry at the establishment and conduct a complete inspection when warranted by the circumstances. If a FDACS representative is not available, the DOH epidemiologist or designee can initiate the investigation without the FDACS representative. Every effort should be made in advance to have both agencies present during the investigation.
2. As the lead agency in epidemiological investigation, DOH may require additional information and FDACS will cooperate in providing information within FDACS' possession.
3. FDACS shall promptly report consumer complaints of a foodborne disease and injury it receives by email to the Statewide Coordinator of Food and Waterborne Disease or designee at DOH.
4. FDACS may disseminate foodborne illness or injury complaint information it deems necessary.

II. REPORTABLE DISEASE NOTIFICATION

The agencies shall make every effort to achieve effective ongoing cooperative relations and interagency response to reportable disease notifications through the interagency procedures stated below:

A. Duties and Responsibilities of DOH

1. DOH will notify FDACS via email of any reportable disease notification received by DOH in which the person or persons are employed at a food establishment

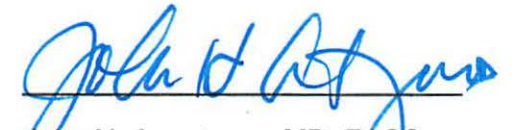
regulated by FDACS. DOH will provide a Notification of Food Worker Exclusion form outlining the requirements for the employee to return to work.

2. Email should be addressed to specified individual(s) or position titles and designated here as foodinsp@FreshFromFlorida.com.

B. Duties and Responsibilities of FDACS

1. Upon notification of a reportable disease FDACS will instruct the permitted food establishment or person(s) to notify DOH by contacting the county health department in the establishment's county.
2. FDACS employees responsible for monitoring emails will forward all DOH notifications of reportable disease and exclusion forms to the Administrator of Field Inspections and the Administrator in charge.

This MOU is entered into this 17th day of February, 2014



John H. Armstrong, MD, FACS
State Surgeon General and Secretary
Department Of Health



D. Alan Edwards
Director of Administration
Department of Agriculture and
Consumer Services