

TRUCK WRECK LOCAL PROTOCOL

Distressed Foods & Other Consumer Products resulting from a Transportation Accident or Other Emergency

Document Date 2011, 2015, V.3 updated April 2024

Based on the Montana Department of Public Health & Human Services Food & Consumer Safety Section "Guidelines for Handling Distressed Food, Drugs, and Cosmetics in Truck and Train Wrecks Emergency Response Procedures", September 5, 2008.

- This guidance is applicable in any transportation accident involving food, drugs, cosmetics, or other consumer products. The purpose of this guidance is to protect public health and safety by preventing consumers from receiving contaminated foods, drugs, cosmetics, and other consumer products.

Jurisdiction Information

This protocol is compiled for the jurisdiction of:

Lead Registered Sanitarian:

Phone/Email:

Signature & Date:

Health Officer:

Phone/Email:

Signature & Date:

Board of Health Chairperson:

Signature & Date:

County Attorney:

Phone/Email:

Signature & Date:

Emergency Contact Information

Montana Dept of Public Health & Human Services (DPHHS):

Environmental Health and Food Safety (EHFS) during work hours: 406-444-2837

DPHHS Duty Officer 24/7: 406-444-3075

EHFS Fax: 406-444-5055

Sherriff's Office:

Sanitarian(s) On Call:

Preparation Planning

- 1) Determine 24/7 emergency sanitarian coverage for your jurisdiction. Single-sanitarian jurisdictions are encouraged to make a memo of understanding with a neighboring sanitarian.
- 2) Provide the DPHHS “Guidance for Law Enforcement” to your Sheriff’s office or other appropriate law enforcement agency. DPHHS public health emergency preparedness staff will relay the same document to Montana Highway Patrol (MHP).
- 3) Wrecker services and the responsible person usually make storage arrangements, but the local sanitarian should know of adequate holding facilities in their area.
- 4) Complete cover page 1. Staple Local Protocol, State Protocol and Report Forms.
- 5) Share your local protocol with emergency preparedness partners.
- 6) Assemble “Go Kit” containing local protocol, embargo tags, trailer seals, cell phone, camera, pens/pencils, thermometer, and other recommended supplies. Possible supplies include gear bag, first aid kit, cold weather gloves, nitrile gloves, GPS unit, reflective vest, reflective coat, dust mask, flashlight, overboots, hard hat, hearing protection, safety glasses, notepaper, and a multi-tool or other necessary tools.

Response

1) Communication. Law enforcement (MHP or a local officer) responds to the scene. Law enforcement notifies MHP dispatch if needed. Law enforcement contacts the local Dept of Emergency Services (DES) and, ideally, the county sanitarian. Local DES calls the state DES. State DES calls the DPHHS duty officer, who then calls EHFS. EHFS will verify that a county sanitarian has been notified. The county sanitarian is encouraged to call EHFS directly, to save time. If after hours, the health officer can call the 24/7 DPHHS duty officer. EHFS also contacts other agencies as needed.

2) Authority and Responsibility. Typically, the food products, drugs or cosmetics will be transported across county lines or interstate, making the state responsible for product control. The local health jurisdiction acts as the state’s authorized agent.

If the products are meat or poultry, then EHFS will contact United States Department of Agriculture (USDA) and/or Montana Department of Livestock (MDOL). As directed by USDA / MDOL, products will be moved to the nearest inspected facility.

The responsible person/entity is obligated to control their products. Shipping contracts will contain this information (examples are shipping companies, receivers, haulers or drivers). The wrecker service usually takes over traffic control responsibility when law enforcement leaves the scene.

The sanitarian should take steps to track the products and prevent pilferage. Official seals can be attached to containers if measures are needed to stop illegal salvaging, or the load requires an inspection upon destination arrival. (Note: seals are available from

EHFS or law enforcement.) This allows DPHHS to follow-up with the disposition of the sealed load in the receiving jurisdiction. Embargo or detainment of product is used if voluntary agreements cannot be obtained. Contact EHFS for embargo authorization. If the situation needs crowd control, call law enforcement.

3) Documentation. Collect information as indicated on the “Truck Wreck Report” form. This is easiest to obtain from the responding law enforcement within the hour of the wreck. The wrecker service and responsible person usually make storage arrangements. A “Voluntary Disposal Agreement” or a “Voluntary Holding Agreement” form is completed by the sanitarian and the responsible person after an assessment of the products is made.

4) Damage Assessment. If damage is minimal, meaning the vehicle is not broken open, there is no obvious contamination, and there is no known benefit for a site visit, then products can be moved into a central location for observation and inspection. Pictures are very helpful in determining the extent of potential damage.

If the damage is not minimal, then a site visit is needed by the sanitarian.

5) Salvagability. Salvaging requires licensing as of 2004. Currently only one business is licensed –Montana Foodbank Network based in Missoula.

The products are salvageable, if all of the following are true:

- a) The load did not contain chemicals that could cause contamination.
- b) No products were exposed to dust, dirt, flies, fuels, oils, refrigerants, or other hazardous materials.
- c) Potentially hazardous foods were not above 45°F for more than 2 hours.
- d) Fresh produce is not wilted or frozen.
- e) Containers are not damaged.
- f) Soft plastic containers were not exposed to chemicals, fumes, or moisture.
- g) Cans are not dented along any seam or significantly dented elsewhere.

Damaged food may be suitable for animal feed, if approval is given by the MT Department of Agriculture.

Disposal is necessary if the products are not salvageable or not suitable for animal feed. Often the responsible person chooses to dispose of the products on their own accord.

6) Completion. Email completed wreck report and signed voluntary disposal or holding forms to EHFS: hhsfcs@mt.gov. Completed wreck report and signed voluntary disposal or holding forms can also be faxed to EHFS at 406-444-5055.

An electronic Truck / Train Wreck Report form is available on the DPHHS website: <https://dphhs.mt.gov/assets/publichealth/FCS/SanitarianResourcePage/FCSForms/Wholesale/truckwreckreport.pdf>