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PREPARING FOR THE UNKNOWN: THE THREAT OF AGROTERRORISM

by Matthew Padilla*

Beneath multi-hued trees lie expanses of arable land, where various crops are grown in order to feed our hungry society. In the United States many farms are so large that they resemble an industrial operation, with concentrations of crops and animals that increase the risk of large scale infection or disease. These characteristics make our agricultural landscape a unique target for bioterrorism.¹

In October 2008, the Agroterrorism Assault on Chester County (“ATAC 08”) coordinated efforts between federal and local officials in Pennsylvania to test “the region’s response to an intentional dissemination of a foreign animal disease into the region’s livestock population.”² The exercise put agro-terrorism on the forefront of the security agenda and brought to light the problem of tracing and combating diseases which could be introduced into the food system.

A well-planned attack against agriculture would be detrimental to the United States because of its potential to disrupt a fundamental portion of the nation’s economic system.³ Farming and related economic sectors account for sixteen percent of the United States’ workforce.⁴ The farm sector, while contributing less than one percent of total Gross Domestic Product (“GDP”), indirectly has a much greater impact on the national economy as it contributes, via related economic sectors, to eleven percent of GDP.⁵ And although only one percent of GDP comes directly from farming, 100% of the U.S. population is nourished and clothed by farming-related industries originating in the United States and abroad.

Some scholars cite General Sherman’s attack on the American south’s agricultural system during the Civil War as an example of how greatly an attack on foodstuffs may impact a population.⁶ There are countless examples of attacks on agriculture throughout history, from Rome’s salting of Carthage, to Japan’s World War II Unit 731 in Manchuria, which conducted numerous biological tests, including many on human subjects.⁷ The United States’ use of Agent Orange during the Vietnam War, while not directed at farmland, did damage “some crops.”⁸ The Soviet Union is also alleged to have used glanders, a disease which causes death in horses and mules, during their 1980s war in Afghanistan.⁹ Furthermore, multiple nations have programs that could be used to disrupt agriculture.¹⁰

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The likelihood of a full-scale attack by another nation against the United States is small. The possibility of a terrorist attack on the United States, using asymmetric tactics targeting agriculture, is greater and could have a substantial and detrimental psychological impact on the country.¹¹ Recent food scares, which were not terrorist-related, were caused by jalapeños and tomatoes (infected with salmonella) in summer 2008. The FDA was forced into an expensive investigation to determine the origin of the infected tomatoes and jalapeños. The scare caused many restaurants and grocers to stop selling the produce, and affected both suspect and non-suspect farms alike, while sickening and frightening consumers.¹²

Several contemporary examples of agroterrorism have been documented overseas. The Arab Revolutionary Council used mercury to poison oranges in Israel in 1978, causing orange exports to decline significantly.¹³ In 1997 Israeli settlers used pesticides to spray Palestinian grapevines, causing the loss of seventeen thousand metric tons of produce.¹⁴ In 1952, a Kenyan insurgent group, the Mau Mau, used the African milk bush to poison and kill thirty-three head of cattle.¹⁵

Terrorist attacks are not limited to foreign and non-state actors. For example, the Rajneeshee Cult poisoned Oregon salad bars in 1984 with salmonella.¹⁶ In addition, the largest terrorist attacks conducted in the United States prior to 9/11 were perpetrated by fringe right-wing domestic groups.¹⁷ In fact, the Ku Klux Klan has reportedly resorted to agroterror in the past, in an effort to intimidate minority farmers.¹⁸ An area of concern today is the possibility of increased right-wing violence through agroterror. The Southern Poverty Law Center has reported increased rhetoric from right-wing racist groups who believe that an Obama presidency would be good for them because it could “drive millions to their cause.”¹⁹

Amplified racist sentiments, coupled with violence, may present a daunting challenge for law enforcement authorities because of the potential for a non-organized amateur terrorist attack. Mere “curiosity and fascination” may lead resurgent members of right wing groups to acquire nuclear, chemical, or biological weapons for multiple uses including agroterrorism.²⁰ Furthermore, extremists of all varieties—whether or not they are affiliated with an organized group—pose a significant problem, and according to the FBI, have represented “the most difficult international terrorist challenge to the law enforcement and intelligence communities.”²¹ An amateur terrorist could use simple technologies to spread fear among the masses, attacking relatively unprotected areas like agricultural products.²²

If farm products are to be protected, both federal and local governments will have to continue exercises such as ATAC 08. There is no way to ensure that food will be completely protected. However, preparing localities and strengthening pertinent legislation will help authorities deal with such an exigency, and could help prevent a panic among the populace.²³ Agriculture Secretary Ed Schafer, realizing the problem, has stated that the “USDA has to think of how we are vulnerable to terrorists and strengthen protective measures against terrorism.”²⁴ In addition,

diversifying the food supply, by strengthening local farms, can help offset the vulnerability and impact of an attack on a large farm. Acknowledgement of the vulnerability is a good step, and measures such as the ATAC 08 exercise is a sound second step, but it will take vigilant action at all levels to ensure that the food supply remains safe.



Endnotes:

¹ JIM MONKE, *AGROTERRORISM: THREATS AND PREPAREDNESS 1-2* (Congressional Research Service Report for Congress No. RL32521, 2004), available at <http://www.fas.org/sgp/crs/terror/RL32521.pdf> (last visited Nov. 1, 2008) (listing the characteristics that make agriculture a unique subset of bioterrorism, such as the geographical distribution of agriculture and livestock that is “frequently concentrated in confined locations”).

² Penn Veterinary Medicine, Penn Vet Hosts FBI Agroterrorism Exercise at New Bolton Center (Oct. 17, 2008), <http://www.vet.upenn.edu/PennVet/News/PennVetIntheNews/tabid/286/Default.aspx> (follow hyperlink to title of article) (last visited Nov. 13, 2008).

³ MONKE, *supra* note 1, at 5-6.

⁴ *Id.*

⁵ *Id.*

⁶ See Barry S. Zellen, *Preventing Armageddon II: Confronting the Specter of Agroterror*, STRATEGIC INSIGHTS, Dec. 2004, at 1-2, available at <http://www.ccc.nps.navy.mil/si/2004/dec/zellenDec04.pdf> (last visited Oct. 22, 2008).

⁷ See RICHARD A. FALKENRATH, ROBERT D. NEWMAN, & BRADLEY A. THAYER, *AMERICA'S ACHILLES' HEEL 76* (Teresa J. Lawson ed., MIT Press 2001) (1998) [hereinafter FALKENRATH, ET. AL.] (outlining the history of Japanese biological programs from 1932-45; “Unit 732 studied diseases including anthrax, glanders, and plague by infecting prisoners.” Furthermore, Japan conducted small scale operations by preparing and distributing “chocolates filled with anthrax spores to youngsters. On another occasion 3,000 Chinese prisoners of war were given a “holiday treat” of dumplings injected with typhoid or paratyphoid...”); see also MONKE, *supra* note 1, at 12 (stating in a “Brief History of Agricultural Bioweapons” that “[d]uring the Vietnam War, the U.S. used agent orange to destroy foliage, affecting some crops”).

⁸ See MONKE, *supra* note 1, at 12.

⁹ *Id.* at 11.

¹⁰ See Joseph P. Dudley & Michael H. Woodford, *Bioweapons, Biodiversity, and Ecocide: Potential Effects of Biological Weapons on Biological Diversity*, *BIO SCIENCE*, July, 1 2002, at 585.

¹¹ See generally Jason Pate & Gavin Cameron, *Covert Biological Weapons Attacks Against Agricultural Targets: Assessing the Impact against U.S. Agriculture*, at 5-7 (BCSIA Discussion Paper 2001-9, John F. Kennedy School of Government, Harvard University) (stating that there are a variety of costs that may arise from agroterrorism; economic, political, direct and indirect, and “[s]ome of these costs apply to any act of terrorism: the loss of confidence and credibility stemming from a government’s inability to protect the country”).

¹² Karen Grigsby Bates, *Salmonella Scare Hurts California Tomato Growers*, NATIONAL PUBLIC RADIO, July 9, 2008, available at <http://www.npr.org/templates/story/story.php?storyId=92371196> (last visited Nov. 4, 2008).

¹³ MONKE, *supra* note 1, at 12.

¹⁴ *Id.* at 12.

¹⁵ *Id.* at 12.

¹⁶ *Id.* at 12 (discussing the Cult’s attempt to influence an election).

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¹⁷ See FALKENRATH ET. AL., *supra* note 7, at 194 (giving the example of the 1995 bombing of the Alfred P. Murrah Federal Building as the largest domestic terror attack prior to 9/11, which “resulted from extreme right-wing anti-government sentiment”).

¹⁸ See Pate & Cameron, *supra* note 11, at 7 (noting that in the U.S. “members of the Ku Klux Klan supposedly poisoned the water supply of cattle owned by a group of Black Muslims in Ashville, Alabama, in March 1970”).

¹⁹ See Mark Potok, President Obama? Many White Supremacists Are Celebrating (Jun. 11, 2008), <http://www.splcenter.org/blog/2008/06/11/president-obama-many-white-supremacists-are-celebrating/> (quoting former KKK leader David Duke that “Obama will let the American people know that there is a real cancer eating away at the heart of our country . . . [Whether he] wins or loses in November, millions of European Americans will inevitably react with new awareness of their heritage and the need for them to defend and advance it.”); see also Michel Martin & Dina Temple-Raston, *Former Skinhead on Alleged Plot to Kill Obama*, NATIONAL PUBLIC RADIO (Oct. 29, 2008) available at <http://www.npr.org/templates/story/story.php?storyId=96257563> (last visited Oct. 30, 2008).

²⁰ See generally FALKENRATH ET. AL., *supra* note 7, at 210 (stating that “innate curiosity, fascination, or the need to demonstrate their competence and worth to society is [an additional] possible reason why individuals or groups might attempt to acquire and even use weapons of mass destruction.”).

²¹ FALKENRATH ET. AL., *supra* note 7, at 200.

²² See generally *id.* at 200-211.

²³ See generally MONKE, *supra* note 1, at 47-54 (detailing laws, regulations, and appropriations which support federal and local agencies in their efforts to prevent agroterrorism).

²⁴ See Matthew Harwood, *USDA Working Hard to Prevent Agroterrorism, Secretary Says*, SECURITY MANAGEMENT, Apr. 25, 2008, available at <http://www.securitymanagement.com/news/usda-working-hard-prevent-agroterrorism-secretary-says> (last visited Oct. 18, 2008).