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ORGANIZATIONAL RESPONSE TO PERCEPTUAL RISK:
MANAGING SUBSTANTIAL RESPONSE TO UNSUBSTANTIATED EVENTS

DISSERTATION

A dissertation submitted in partial fulfillment of the
requirements for the degree of Doctor of Philosophy in the
College of Communication and Information
at the University of Kentucky

By

Elizabeth Lauren Petrun

Lexington, Kentucky

Director: Dr. Timothy L. Sellnow, Professor of Communication

Lexington, Kentucky

2013

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ABSTRACT OF DISSERTATION

ORGANIZATIONAL RESPONSE TO PERCEPTUAL RISK: MANAGING SUBSTANTIAL RESPONSE TO UNSUBSTANTIATED EVENTS

Analysis and perceived severity of risk influences organizational decisions to anticipated threats. As economic development and technology improve our standards of living, they also create new challenges to conceptualizing concrete and abstract threats. Organizations that face new threats, along with agencies that oversee these organizations, produce tightly coupled systems that increase risks for direct, indirect, and future stakeholders (Perrow, 1999). Natural disasters, political misbehavior, organizational corruption, financial collapse, food and water contaminations, chemical or nuclear accidents, international tension, to name a few, all present risks and challenges. Unfortunately, many of these situations endanger the lives and well-being of persons. The ability of individuals to conceptualize, prioritize, and respond to myriad threats ultimately determines their risk perception and intention to act accordingly.

Individuals often exaggerate some risks, while failing to acknowledge the severity of others (Sandman, 1989; Lachlan & Spence, 2007). This study will contribute to the understanding of subjectively constructed threats by examining three specific perceptual crises: A hoax, near miss, and risk misconstrual event. Each of these cases relies on robust newspaper descriptions, content analysis of media, and confirmatory organizational interviews. They are documented through a level of legislative action to determine real and structural changes incurred from perceptual crises. From these investigations this dissertation articulates how perceptual crises challenge organizations and governments, ascertains the viability of actional legitimacy theory, and observes variance in communication challenges between differing crisis contexts. These expectations encompass both applied and theoretical contributions.

KEYWORDS: Risk Communication, Actional Legitimacy, Hoaxes, Near Misses, Misconstrual

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July 31, 2013
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ORGANIZATIONAL RESPONSE TO PERCEPTUAL RISK:
MANAGING SUBSTANTIAL RESPONSE TO UNSUBSTANTIATED EVENTS

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To my Kentucky Home

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To bright memories and brighter tomorrows. The sun will never set on my old
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Chapter One: Introduction

The analysis and perceived severity of risk influences organizational decisions to anticipated threats. As economic development and technology improve our standards of living, new challenges are also created with regard to conceptualizing concrete and abstract threats. Organizations facing new threats, along with agencies that oversee these organizations, produce tightly coupled systems that increase risks for direct, indirect, and future stakeholders (Perrow, 1999). Natural disasters, political misbehavior, organizational corruption, financial collapse, food and water contaminations, chemical or nuclear accidents, international tension, to name a few, all present current risks and challenges. Unfortunately, many of these situations endanger the lives and well-being of persons. The ability of individuals to conceptualize, prioritize, and respond to myriad threats ultimately determines their risk perception and intention to act accordingly. This perception process is often volatile. For example, individuals often exaggerate some risks, while failing to acknowledge the severity of others (Sandman, 1989; Lachlan & Spence, 2007).

Thus, perception is central to crisis communication. In fact, some crises are based entirely on perception. These crises of perception pose new challenges for risk and crisis communicators. From this perspective, risk may best be conceptualized in three forms (a) risk as feelings, (b) risk as analysis, and (c) risk as politics (Slovic, Finucane, Peters, & MacGregor, 2004). Risk as feelings is constituted by risk estimates guided by emotion and unempirical intuition. Risk construction as analysis dominates discussion from experts who are tasked with consequentialist decision-making. This perspective assumes persons approach decision-making by weighing outcomes or consequences associated

with various alternatives (Sinaceur, Heath, & Cole, 2005). In recent years, research has also identified how subjective understanding influences risk construction (Sandman, 1989). Risk that includes analysis and risk that includes feeling can yield politically construed risk independently of one another, or by a combination of the two. However, if risk as analysis or risk as feelings is considerably incongruent, risk management becomes more challenging. Slovic (1999) notes that as public perceptions of risk determine legislative priorities, funds may be incorrectly appropriated to minimal risks. In contrast, risk experts may identify risks that are deserving of attention, but are not taken seriously by general publics. The challenge, then, is to appropriately assess and manage multiple forms of risk in order to yield the most effective threat management and response.

Too often, health risks are arbitrarily determined by individuals who may or may not accurately calculate the severity of a threat absent of their own influence of personal experience. To make decisions wisely, persons must understand both the risks and benefits attached to various actions (Fischhoff, Bostrom, Quadrel, 1993). Risks that are incorrectly constructed generate false, or “paracrisis,” events (Coombs, 2012). These paracrises, or crises of perception, become real (or substantiated) events in the minds of individuals. Consequently, individuals or organizations then must construct substantial responses to unsubstantiated claims (Veil, Sellnow, & Petrun, 2011).

This study begins by establishing the need for greater understanding of crises of perception. Specifically, this chapter begins with a rationale for using three selected cases to demonstrate the impact and strategic responses warranted by each case. These cases include a hoax or prank, a near miss event, and a risk misconstrual. Next, this chapter

overviews selected case studies and details the focus of this study. Finally, a summary of dissertation chapters is provided.

Rationale

The challenge and opportunity for future risk research is dependent on the ability to establish legitimate, empirically accurate, and empathetic responses to risk. Research indicates that “the public has a broad conception of risk, qualitative and complex, that incorporates considerations such as uncertainty, dread, catastrophic potential, controllability, equity, risk to future generations, and so forth, into the risk equation” (Slovic, 1999, p. 691). These subjective and diverse understandings of risk influence enacted policy to manage perceived threats. Unfortunately, at times, emotions dictate resource allocation. This means that communities, states, or the federal government may opt to prepare for threats that rank as a lower priority than other more legitimate threats (Tengs et al., 1995). This misappropriation places stakeholder groups in a precarious position: Individuals feel safer yet they simultaneously become more vulnerable to legitimate threats. A crisis of perception may then place illegitimate demands on precious resources. Three cases are presented to describe this process including an: Internet hoax, international food contamination, and the misconstrual of threat posed by genetically engineered (GE) foods. These cases are each briefly presented with short descriptions.

Internet Hoaxes: The Case of Domino’s Pizza

In 2009, Domino’s Pizza (also referred to as Domino’s) responded to a tip from an online community that an unfavorable video was circulating on the video-sharing website YouTube. The video was uploaded by Domino’s employees Kristy Hammonds and Michael Setzer and featured the duo implying that they contaminated food that would

be served to customers. Although the video was recorded and uploaded without malicious intent (as would later be discovered), it was viewed more than one million times before being removed. Its short-lived circulation captured the interest of online communities and generated a public relations and financial crisis for the pizza company (Clifford, 2009). Ultimately, the video drastically increased Internet discussions about the quality and cleanliness of the restaurant chain (Clifford, 2009).

Hammonds and Setzer claim that they never actually delivered the tainted food, however the public's perception of Domino's food quality changed over the course of several days from positive to negative (Clifford, 2009). The poor judgment of two employees, engaging in a prank, resulted in reputational damage to an organization that had not engaged in wrongdoing. Regardless of who was responsible for the hoax, Domino's Pizza was forced to respond to the video. This event constituted an unsubstantiated crisis because no real threat existed as the video was merely a prank. Conversely, Internet viewers perceived the food contamination to be a real threat, resulting in a crisis of perception that demanded Domino's attention. This event threatened Domino's stakeholder legitimacy, future financial success, and created undue distress for publics who viewed the video. In the next section, near miss events are presented.

Melamine and Near Misses

Near miss events are scenarios that have potential to become crises, but do not actually result in loss (Phimister, Oktem, Kleindorfer, & Kunreuther, 2003). In 2008, China became the epicenter of one of the largest food contaminations in history. In an effort to increase profits, manufacturers diluted powdered infant formula. In order to pass

mandated protein threshold levels a synthetic compound, melamine, was intentionally added to the product to increase the amount of testable protein. Children who consumed the industrial chemical experienced urinary problems, possible renal tube blockages, and kidney stones (WHO, 2009). Unfortunately, the incident killed six infants and sickened nearly 300,000 children in China, bringing worldwide attention to the issue (WHO, 2009). In light of several other recent contaminations in the country, this case contributed to the growing narrative of corrupt and unsafe business practices in China (Peijuan, Ting, & Pang, 2009). Even though the contamination occurred in China and the product was not legally imported to the United States (U.S.), the federal government responded to the crisis as a legitimate threat. The fear was that because the United States does considerable trade with China, contaminated products could be imported in the future.

China's 2008 melamine case illustrates the effects of a near miss event. Several months after the contamination erupted, the U.S. Department of Agriculture (USDA) instituted Country of Origin Labeling (otherwise known as COOL legislation) to aid consumers in identifying more information when purchasing products (NYT, 2008). The policy was originally introduced prior to China's melamine crisis with the 2002 Farm Bill (The 2002 Farm Security and Rural Investment Act); however it stalled and was unable to pass into law. Even though the products did not directly affect American consumers, the 2008 melamine crisis received longitudinal attention from the U.S. television media, allowing advocates to emotionally push for enacting the labeling system. When the bill passed, identified industries were given six months to comply with the new identification system (USDA, 2009). This action cost producers millions of dollars—the USDA estimates that the conversion to the new system cost the beef industry \$305 million

dollars alone (2009). While the melamine contamination could have affected the United States, and was a realistic threat, no true harm emerged to U.S. citizens. Nevertheless, the U.S. government employed both rhetorical and physical actions to respond to the crisis. These actions constituted substantial responses to what was a realistic, but unsubstantiated risk. Finally, misconstrued crises may also present unique challenges for risk and crisis communicators.

Misconstrual and Genetically Engineered Food

Crises can be misconstrued in the sense that threat is falsely created through association. On November 6, 2012 the state of California proposed a new labeling system on GE food. This new identification system would require labeling on raw or processed food offered for sale to consumers made from plants or animals with “genetic material changed in specified ways” (Bowen, 2012, p. 54). Proposition 37 (Prop 37) in California would also prohibit sellers from labeling GE products as “natural” (Bowen, 2012). California Secretary of State Debra Bowen estimates that the state would incur an increased cost ranging from “a few thousand dollars to over \$1 million” to regulate such a labeling system, which does not include potential litigation resulting from possible violations of the new requirements (Bowen, 2012, p. 55). In November 2012, Prop 37 was defeated only marginally with 52.9% voting against the legislative mandate (California Secretary of State, 2012). Momentum has yet to subside for supporters of the initiative: They remain focused on altering content in the Farm Bill and pushing legislation on GE food labeling in other states.

Recently, genetic engineering has been a source of controversy. To date federal law does not regulate GE food differently from naturally bred varieties of food. The

USDA, Food and Drug Administration (FDA), and the Environmental Protection Agency (EPA) regulate GE crops to ensure consumer safety, but classify GE products no differently than natural counterparts (GAO, 2008). GE crops show promise in that they provide opportunities for food security and increased economic production, environment benefits, and improved international relations and trade (GAO, 2008). Genetically engineered crops are identified by the USDA as being a positive development for food in the United States, yet organizations like the European Union (EU) and the Organic Consumers Association (OCA) have increased efforts to eliminate GE food (Fernandez-Cornejo & McBride, 2000; OCA, n.d.). The EU has worked to identify and control GE food, asserting in a press release that “there is no flexibility for unauthorized” GE food in the EU (Gooch & Zeuthen, 2006, para. 2). In this sense, GE products are misconstrued as exclusively negative, fueling a growing anti-chemical or anti-science movement within the food industry. The misconstrual of risk in this situation creates the potential to lead U.S. policy in a direction that may yield significant lost opportunities for domestic food production – impacting both industry and public consumers.

Acknowledging the subjective and varying levels of risks associated in the aforementioned cases offers perspective for establishing appropriate rhetorical responses to complex scenarios. Domino’s Internet hoax, the United States’ near miss melamine crisis, and California’s misconstrued GE food scare all provide tangible examples of how unsubstantiated claims can cause substantial damage to an organization’s reputation, government or private industry’s resources, and be emotionally or psychologically damaging to stakeholder groups. These cases are presented and discussed as prototypes

for differing crisis settings. Each scenario demands a tailored rhetorical response from responding organizations.

Focus of the Study

This study extends our understanding of organizational legitimacy by applying the conceptual framework of actional legitimacy to three distinct crises of perception. In doing so, the study seeks to answer four research questions. First, what communication constraints and opportunities do organizations face when responding to crises of perception? Second, are identified constraints and opportunities different based on crisis type? Third, to what extent do hoaxes, near misses, and misconstrual of risk obligate organizations to engage in legitimation strategies? And finally, does the obligation for actional legitimacy during crises of perception differ by crisis type? Answering these questions will contribute to literature in several unique ways.

This study builds three main areas of inquiry. These topical areas include: (1) Establishing the communication challenges that crises of perception pose for organizations and government agencies, (2) ascertaining the viability of actional legitimacy strategies for responding to crises of perception, and (3) observing variance in the communication challenges between differing contexts. More specifically, this study examines these paradoxical rhetorical situations with the framework of organizational and actional legitimacy. Organizations are perceived as legitimate when their pursued goals fall in line with largely held social values (Parsons, 1960). In essence, organizations must practice legitimacy in order to remain in business and utilize resources from the community. Actional legitimacy is a microform of legitimacy that offers proactive strategies for achieving legitimacy when an organization's reputation is threatened

(Boyd, 2000). This framework suggests observable functions that can be documented by researchers to improve relations with stakeholder groups.

This dissertation will clearly articulate how these three intersecting positions may facilitate or impede organizational responses to risk and crisis events. Further, this study establishes the necessity of legitimacy maintenance and/or building, theoretically constructing a unified account of both organizational and actional legitimacy measures and crisis response during three distinct crises of perception. Understanding crises of perception better equips responders to diminish human, social, and financial loss; manage resources more effectively; and better prepare or tailor communicative responses prior to the onset of an unsubstantiated claim. Next, a description of dissertation chapters is provided.

Overview of Chapters

Chapter Two provides a review of literature that guides this study. This chapter incorporates literature on organizational legitimacy, legitimacy and organizational responses, actional legitimacy, hoaxes, near misses, and misconstrual. This chapter also articulates central research questions that the study addresses. Chapter Three presents literature that supports and details the methodology used in this study. This chapter also describes data collection, analysis procedures, and artifacts (i.e. interviews, thematic coding of videos, press releases and other public organizational documents) used for analysis. Chapter Four describes Domino's Internet Hoax. Chapter Five discusses the United States' melamine near miss. Chapter Six concludes case study explanation by illuminating California's misconstrued biotechnology crisis. Chapter Seven provides conclusions, implications, limitations, and opportunities for future research.

Summary

This chapter introduced crises of perception and how risk and health are often incorrectly managed, yielding ineffective mitigation techniques and response strategies. When legitimate risks are incongruent with how stakeholders perceive them, gaps in response capabilities emerge. Establishing legitimate, empirically accurate, and empathetic responses to risk are particularly demanding in perceptual crises. This dissertation uses three perceptual crises, including a hoax, near miss, and misconstrued crisis, as prototypes to illustrate the consequences of substantial responses to unsubstantiated claims.

This dissertation will articulate how perceptual crises challenge organizations and governments, ascertain the viability of actional legitimacy, and observe variance in communication challenges in differing crisis contexts. These expectations encompass both applied and theoretical contributions. Finally, an overview of chapters provides the reader with directions and organization for the study. The following chapter details relevant literature, which illuminates concepts identified for this project. Chapter Two begins with the origins of legitimacy, and places the framework in context with other similar organizational theories and or frameworks.

Chapter Two: Literature Review

Legitimacy is an integral structural component of sustaining power in both antiquity and modern institutions. Monarchs and empires, including benevolent and notorious rulers of far reaching ancient civilizations, have engaged in image campaigns to encourage their supporters and suppress resistance from competing adversaries. Today, businesses, corporations, and governments engage in frequent image campaigns. While the terminology used to discuss this concept has shifted over centuries, individuals or institutions in power cultivate acceptance, compliance, and devotion from stakeholders to affirm their status. This chapter explains the origins of modern legitimacy from an organizational perspective, while including work that maintains a communicative focus. To begin, modern legitimacy is defined through the original works of Weber. Next, organizational legitimacy is discussed as a dominant function of 20th and 21st century organizational communication efforts. Boyd (2000) extends the idea of legitimacy to include actional legitimacy, which more clearly articulates communicative efforts to support specific organizational policies or actions. Finally, contextual factors that influence legitimization responses are described.

Legitimacy

The concepts guiding organizational legitimacy, or social action, are initially discussed in works by sociologist and philosopher Max Weber. Weber (1922) believes that “action, especially social action which involves a social relationship, may be guided by the belief in the existence of a legitimate order” (p. 31). Further, actions will only be accomplished when legitimacy or “*geltung*” (literal translation from German to English is “validity”) is present (Weber, 1922, p. 31). Aside from the basic definition of legitimacy,

Weber explicitly outlines several ways for an order (or command) to obtain legitimacy. Legitimacy can be generated by (a) tradition, (b) “virtue of affectual attitudes, especially emotional, legitimizing the validity of what is newly revealed or a model to imitate,” (c) virtue of a rational belief in its absolute value, or (d) through legal standards (Weber, 1964, p. 130).

Tradition is often viewed as legitimate because it consists of a practice or activity to which all are accustomed. Actions that follow tradition are usually not questioned. The second form of legitimacy is found in the act of recognizing new situations that have always been “valid,” yet not before realized or understood (Weber, 1964). Next, Weber recognizes something as an “absolute value” when an occurrence or action follows natural law. Lastly, actions that adhere to legal standards are justified as legitimate because they follow precedent set by governing individuals or groups. Legitimacy as outlined by Weber (1964) is the driving force behind many actions. In fact, Weber’s very definition of sociology itself centered upon the notion of actions: Human actions construct society. Individual and organizational actions construct societal foundations, which ultimately construct our current reality.

Weber’s theories on legitimacy and other forms of legitimation elaborated the basic principles of modern public relations (PR) long before PR became a commonly known professional discipline. The idea of legitimacy eventually gained considerable momentum with the industrial revolution and increase of big businesses (Pieczka & L’Etang, 2001). When consumers no longer personally knew who was manufacturing their goods, perceived organizational legitimacy became a valid concern for the consumer. Legitimacy, according to Weber, sought to acquire and preserve support from

the general public (Waeraas, 2009). To date, maintaining legitimacy remains the most fundamental and universal goal of PR.

Organizations cannot claim legitimacy or admiration from stakeholders. Rather, stakeholders must bestow the attribute (Massey, 2001). This explains the growth of PR as modern organizations have recognized the value of cultivating positive organizational perceptions from their publics. As legitimation success and failure is based on the ability of organizations to win the hearts and minds of stakeholders, the loss of legitimacy is related to violations that are both real or observable and perceived or assumed.

The survival of an organization “must be ensured by continuously enabling the support and endorsement of the subjects, ensuring that they perceive the system as ‘worthy’ of voluntary compliance” (Waeraas, 2009, p. 304). Organizations and other entities, by merely existing, are seen as possessing a privilege that must be continuously justified (Waeraas, 2009). Weber recognized that individuals socially construct reputations and perceptions of organizations. Actions perpetuated by organizations are a reflection of the organization’s significance. Not only must publics accept the idea that the organization has a justifiable right to exist (to fulfill some type of need/want), but publics must also believe the information that is released from the organization in the first place (Waeraas, 2009). In support, Parsons (1960) argues organizations that pursue goals in line with largely held social values have a legitimate claim on resources. In essence, organizations must practice legitimacy to remain in business and utilize resources from the community. From this perspective, successfully managing public perception became a necessary task for organizational self-preservation and many PR initiatives.

Organizational Legitimacy

The corporate desire for public legitimation has not always existed (Boyd, 2000). Before the 1900s corporations had little responsibility to the consumer public, legally or otherwise (Boyd, 2000). Product liability was not given much consideration until 1915, and most regulatory agencies that exist today were yet to be created (Boyd, 2000). Boyd (2000) argues that corporate legitimacy gained momentum when the “muckraking” investigative journalists of the 20th century portrayed corporations as “demons,” prompting them to consider public concerns (p. 342). Muckrakers forced corporations to address negative publicity that they had previously avoided, which gave rise to the idea of legitimate, socially responsible, and ethical businesses (Boyd, 2000). Businesses could no longer solely turn a profit; they also were expected to pursue profit in a manner that was beneficial to all stakeholders. In the modern era, organizations are only legitimate if they provide constituents with necessary products or services in a satisfactory manner. However, as organizations seek to act legitimately they may encounter several challenges. For example, organizations that seek recognition from a wide variety of groups/individuals for endorsement and support may encounter a “vexing predicament” (Elsbach & Sutton, 1992, p. 699). If organizations adhere too closely to societal norms, they may repel outsider groups or individuals that could potentially provide endorsement and support (Elsbach & Sutton, 1992). Over compensation to societal norms will lead to dismissal and neglect from crucial outsiders (Elsbach & Sutton, 1992).

Institutional legitimacy initially emerged in the political realm before being applied to corporations. Political regimes have often searched for the most effective way to maintain organizational power. Stillman (1974) notes a government is legitimate if and

only if the results of the government's output are compatible with the values of the society that it governs. Revolutions against and obedience to governments are often "justified if not partially caused by men's ideas about what constitutes legitimate government" (Stillman, 1974, p. 34). Legitimacy may be found in governments through a variety of vehicles, such as majority opinion, tradition, ancestors, divine descent, kings, race, gender, etc. (Stillman, 1974). While legitimacy is not often vested in monarchy or divine descent anymore, it may be found in majority opinion. However, this also means that individuals will find legitimacy in some organizations and view others as illegitimate. Stillman (1974) acknowledges the possibility of a society absent of legitimacy "because the society's value pattern is bifurcated, too chaotic, or too contradictory, or especially because different portions of the society strongly hold different value patterns with different key values" (p. 43). Habermas (1989) finds legitimacy difficult to develop, and states, "multinational corporations of the world market are not capable of legitimation" (p. 179). When governments, or organizations, grow and become dispersed they experience more barriers to achieving legitimacy than local and smaller entities.

Legitimacy is cultivated through varying means, such as majority opinion or tradition. Yet one characteristic remains static: Those outside the nuclear organization always confer legitimacy. Legitimacy is awarded by an organization's stakeholders, and is largely a social process (Mazza, 1999). Pfeffer and Salancik (1978) find organizations can survive only if they maintain a coalition of supportive stakeholders necessary for operation, which in turn means members of the coalition retain legitimacy granting privileges. This is one of the most notable differences between legitimacy and what is

known as reputation. Deephouse and Carter (2005) note that definitions of reputation largely rest on relative comparisons among organizations on various attributes, yet legitimacy is found in social acceptance resulting from adherence to regulative, normative, or cognitive norms that qualify one to exist. As such, an imperfect reputation is less debilitating than suffering from an organizational legitimacy crisis. Being viewed less favorably by other organizations does not threaten the organization's continued existence (Deephouse & Carter, 2005). Having a lower business status does not mean a company may lose access to markets, although it may mean taking steps (such as lowering prices to keep customers) to ensure future business (Deephouse & Carter, 2005). Legitimacy is not something to be claimed by organizations; stakeholders must bestow the attribute (Massey, 2001).

Goals and Rationale for Organizational Legitimacy

Perceptions of corporate responsibility change with the passage of time. Organizations subsequently can gain or lose legitimacy as employees, policies and business practices evolve. In this sense, organizations utilizing legitimation strategies to gain public support for policies or practices must also adjust to shifting public perceptions (Boyd, 2000). Organizational legitimacy is rarely (if ever) stagnant and warrants constant supervision. Most organizations cannot survive without their stakeholders including consumers and investors. Organizations depend on such stakeholders and must be exceedingly sensitive to legitimation requirements (Boyd, 2000). Thus, organizational legitimacy ought to be continuously pursued by organizations to maintain or bolster credibility with stakeholder groups.

Organizations can employ a variety of response tactics to achieve legitimacy with stakeholders, such as specific organizational rhetoric or strategic actions with the intent to preserve an organization's position in society. Legitimacy reflects "embeddedness in a system of institutionalized beliefs and action scripts" and often times "legitimate organizations become almost self-replicating, requiring little ongoing investment in collective mobilization" (Suchman, 1995, p. 574). Legitimacy is a worthwhile investment for organizations, and may not only affect how individuals act towards organizations but also how they understand them (Suchman, 1995). Audiences perceive legitimate organizations not only as "more worthy," (of their attention and patronage) but also as more meaningful, more predictable, and more trustworthy (Suchman, 1995, p. 575). Subsequently, organizations perceived as legitimate by stakeholders may be more likely to invest less time and money in advertising, survive a crisis, avoid negative rumors, and retain stakeholders for longer periods of time.

Legitimacy and Organizational Response

With the expansion of big businesses in the 20th century, organizations began to rely more heavily on PR and rhetorical actions to reach intended audiences. Until recently, rhetorical strategies have traditionally been used and studied in relation to individuals (Huxman & Bruce, 1995). However, Crable (1990) notes that organizations are the "true rhetors" of the latter half of the twentieth century, albeit they are at times unseen or unknown (p. 127). Organizational rhetoric is imperative for corporations to reach important stakeholders, especially when legitimacy has lapsed or expired. While most corporate "wrongdoings" are not rhetorical, "determination of the significance of the act is a decidedly rhetorical activity" (Hearit, 1995, p. 1). Thus, many organizations

engage in rhetorical appeals to bolster their legitimacy with stakeholders when faced with a crisis.

Modern corporations employ apologetic discourse, and have changed how the most popular rhetorical strategy is used (Hearit, 1995). Kruse (1977) defines apologia as a “public discourse produced whenever a prominent person attempts to repair his [sic] character if it has been directly or indirectly damaged by overt charges, or rumors and allegations” (p. 13). Apologia studies focus on defining situational parameters of apologetic discourse; specifying motive states that undergird apologists’ responses and identifying the rhetorical moves speakers use to defend themselves (Huxman & Bruce, 1995). Corporate apologia, although relatively novel, demands increased attention because it has become frequent, sophisticated and broad in scope (Huxman & Bruce, 1995). Corporate apologia typically arises in response to a social legitimacy crisis, which is the result of corporate mistakes (Hearit, 1995). Organizational responses must consider situational, substantive, and stylistic variables when formulating responses (Huxman & Bruce, 1995). Additionally, corporate apologies contain an element that individual apologies do not: The construct of decentralization (Huxman & Bruce, 1995). In other words, the organization makes decisions rather than a single individual. This process of diffusion makes message dissemination much more difficult by “intentionally or [unintentionally], obscure[ing] rhetorical responsibility and authorship” (Huxman & Bruce, 1995, p. 60).

When organizations commit offensive acts and seek absolution, they execute an apology to separate guilt from the midst of the congregation (Hearit, 2006). Punishing the offenders may be a course of action for producing purification to cleanse the organization

(Hearit, 2006). Such acts have a “salutary effect” in that they confirm institutional principles in addition to preserving social order (Gronbeck, 1978, p. 171). Hearit (2006) posits that such rituals purge guilt, which occurs through a ritualistic communication vehicle like apologia. Goffman (1971) believes there are three manners through which one may battle wrongdoing with apologia, including the “I didn’t do it” appeal, “someone else did,” or “I did do it” approaches. The apologia then may assert that the guilt does not exist through a posture of denial, transfer it to another person based on scapegoating, or accept it through a process of mortification (Hearit, 1994). The decision an organization makes rests upon the nature of the situation at hand, in addition to what the end goal of the response is (e.g., staying in business vs. discontinuing a brand or service).

Corporate apologia can be successful if the correct strategy is utilized in the correct situation, however it may also be damaging if implemented haphazardly. For example, corporate apologia was enacted when methyl isocyanate (MIC), a deadly gas, was accidentally released from the Union Carbide plant in Bhopal, India on December 3, 1984 (Ice, 1991). The gas killed more than 2,000 people and injured tens of thousands, prompting Union Carbide to respond, in an effort to maintain its legitimacy. Union Carbide’s act of justification, while maybe premature or ill formed, had implications for the ability of the organization to offer sustained assistance to affected communities and victims of the crisis (Ice, 1991). The organization’s response focused on the scientific and technical dimensions of the accident, and blamed the Indian government for not supplying adequate “scientific” evidence of the human misery experienced by the victims (Ice, 1991, p. 357). These responses communicated an interest in the technical aspects of the situation, but ignored human dimensions (Ice, 1991). Union Carbide responded to

bolster the company's image and ensure the future success of the company (Ice, 1991). In this sense, Union Carbide demonstrated public responsibility toward normative, functional, and stakeholder publics by addressing the concerns expressed by those publics (Ice, 1991). Following initial statements, Union Carbide implemented a "someone else did it" appeal and sought to shift blame to other entities involved with the crisis, such as the Indian government. As a result of this strategy, Union Carbide experienced increased levels of stakeholder outrage. Eventually, the company enacted corporate apologia as an organizational response to mitigate further backlash to the organization.

Aside from apologia, organizations can employ strategies such as image restoration to bolster legitimacy with publics. Benoit (1995) reports the two most basic assumptions of image restoration are that communication is indeed a goal-directed activity, and that maintaining a positive reputation is one of the central goals of communication. Issues campaigns may be used to alter public perceptions such as the one mounted by Northwest Airlines (NWA) in 1998 to provide "opportunities for creating, altering, and using zones of meaning" to "bring entities together in harmony" (Heath, 1997, p. 193). Zones of meaning are the "shared information and opinion that members of organizations and publics understand and hold dear" (Heath, 1997, p. 192). Northwest Airlines at the time was grappling with a pilot strike, which was the result of a collision between the zones of fairness and corporate stability. Northwest's leadership saw profit increases while employees saw no increase in compensation and corporate apathy (Cowden & Sellnow, 2002). With this event, internal stakeholders were pitted against the group's organizational leadership creating considerable unrest (Cowden & Sellnow, 2002). In order to promote the company's decision, "NWA publicly lobbied through an

extensive issues advertising campaign for public support in actuating the crisis resolution that it preferred” (Cowden & Sellnow, 2002, p. 194). NWA hoped that through a strategic campaign they might improve their image and restore their reputation with important publics, thus reinstating legitimacy.

Both image restoration and apologia draw from Benoit’s (1995) five image restoration strategies of denial, evading responsibility, reducing offensiveness of the event, corrective action, and mortification. Benoit (1995) sees the implementation of such strategies as necessary because: We live in a world with limited resources (and must compete for them), circumstances beyond our control occasionally impede us from obtaining goals, human beings are imperfect and make mistakes, and finally, humans are individuals with varying sets of priorities which “fosters conflict among those with competing goals” (p. 1). When such inevitable circumstances occur, others are likely to “accuse, attack, berate, blame, censure, condemn, rail against, rebuke, or reproach us or object to our behavior” (Benoit, 1995, p. 1). Responses of this manner warrant rebuttal from the accused entity in order to restore legitimacy. Novel responses from organizations during crises are necessary for novel situations; however, occasionally organizations may be able to apply knowledge from previous experiences to assist in the crisis response.

In addition to institutional or organizational legitimacy, Boyd (2000) develops the concept of actional legitimacy to incorporate legitimation responses specifically for nuanced actions or policies. Actional legitimacy, then, extends Weber’s original notion of social or institutional legitimacy to accommodate nuanced and micro-organizational actions.

Organizational Legitimacy and Actional Legitimacy

Boyd (2000) finds that organizational legitimacy is often used interchangeably with the term “institutional legitimacy,” which is a macro level unit of analysis and interpretation (p. 342). Suchman (1995) also identified this divide in legitimacy research, although he describes the legitimacy distinction as “strategic” or “institutional” (p. 572). Boyd (2000) asserts that a micro level of legitimacy simultaneously exists alongside Weber’s institutional legitimacy, which he refers to as actional legitimacy. Actional legitimacy, when employed by organizations, differs in that actional techniques are used when an organization attempts “to demonstrate the legitimacy not of their entire enterprises, but of specific policies or actions” (Boyd, 2000, p. 342). While not all organizations will face institutional legitimation crises, “almost all will introduce on occasion new or controversial policies that require actional legitimacy” (Boyd, 2000, p. 342). The essential actions an organization must take to create and maintain actional legitimacy with publics is further documented in subsequent paragraphs.

Boyd (2000) articulates that corporations must justify omission of what is expected from stakeholders while also providing support for the commission of something unexpected. Brummer (1991) suggests that legitimacy is dependent upon intended actions to be within an organization’s domain of authority, the perceived appropriateness of actions, and the ability of actions to fit within a larger organizational mission or goals. When these requirements are met, organizations can effectively demonstrate “corporate responsiveness” to stakeholders, demonstrating logic and empathy towards those who may question organizational policy or procedure (Ulrich, 1995, p. 3). Most actional legitimation efforts are described as tackling two main

objectives, including organizational competence and responsible operation[s] (Hearit, 1995). As organizations defend specific operations they create meaningful links to their overall organizational competence.

To successfully meet these goals, organizations must engage in calculated rhetorical strategies to justify their profit-making existence (Boyd, 2000). While Boyd (2000) clearly rationalizes and discusses boundaries surrounding actional legitimacy, he does not provide specific tactics, or tangible recommendations, for organizations. Previous legitimacy literature, however, does fill this gap. Dowling and Pfeffer (1975) describe three specific functions that organizations may pursue to become legitimate. These include adapting to societal norms, altering the definition of social legitimacy, and identifying with other socially significant legitimate symbols, values, or institutions. These techniques illustrate how organizations may portray competence and responsibility to stakeholders.

First, organizations can adapt their output, goals, or methods of operation to conform to prevailing definitions of legitimacy (Dowling and Pfeffer, 1975). Huxman and Bruce (1995) provide an example of Dow Chemical Company, who managed stakeholder disapproval after manufacturing napalm during the Vietnam War. At the time, the Associated Press named Dow the most protested company of the year in 1967 (Huxman and Bruce, 1995). Dow continued to manufacture napalm, and consequently engaged in PR tactics to manage stakeholder outrage. Eventually, Dow was outbid for the government's napalm contract and lost the manufacturing job to another group. In this instance, losing the account could have been framed to capitalize on the situation and illustrate conformation to norms. For example, Dow might have framed the news as

being linked to the protestor's demands, but they actually failed to capitalize on this situation in a timely manner (Huxman and Bruce, 1995). Dow could have framed the contract ending as a nod in agreement with protestors, reinforcing the organization's definition of legitimacy. This type (adaptation) of actional strategy often occurs following a failed attempt to shift stakeholder perceptions, as organizations are forced to apologize for errors and reaffirm their commitment to existing stakeholder expectations.

Next, communication can be employed to frame the definition of social legitimacy so that it meets the organization's present practices, output, and values (Dowling & Pfeffer, 1975). Dowling and Pfeffer (1975) illuminate this tactic in a case involving the American Institute for Foreign Study, a for-profit student study abroad program, to describe how communication is used to increase social legitimacy. The institute faced backlash after media questioned the utility of student study abroad programs. To re-establish legitimacy, the institute engaged in a wide range of activities to realign public perceptions about study abroad organizations (Dowling & Pfeffer, 1975). By reframing stakeholder perceptions, the American Institute for Foreign Study worked to shift societal norms to meet those of their organization. Reframing ideals of what is "acceptable" or "correct" reestablished the American Institute's goals or mission as being important with stakeholder groups. By persuading stakeholders to agree with established organizational actions and policies, the organization successfully realigns perceptions and its reputation remains intact.

Finally, an organization may use communication to identify with symbols, values, or institutions that have a strong base of social legitimacy (Dowling & Pfeffer, 1975; Suchman, 1995). Boyd (2004) discusses how the R. J. Reynolds (RJR) Tobacco

Company engaged in a PR advertising campaign that opposed restrictions to tobacco advertising. In this situation, RJR used identification to maintain the legitimacy status quo of tobacco marketing practices in newspaper advertisements (Boyd, 2004). While Boyd argues that RJR was unsuccessful in its identification attempts, his essay describes how identification can link various organizational ideals to something more meaningful and significant to stakeholders (in this instance the campaign sought to identify with topics such as individual rights and the freedom to choose). This process can bolster support for a more controversial organizational action or policy. A frequently employed tactic, attaching organizational policy or actions to preexisting favorable symbols, values, or institutions can ease the strain associated with introducing change to stakeholders.

While Brummer (1991) first articulates the idea of actional legitimacy, Boyd (2000) more substantially develops this concept as a tool for organizations seeking legitimacy for specific policies or actions. Using Dowling and Pfeffer's (1975) prescribed functions for legitimacy creation and maintenance further extends this framework in providing specific strategies for actional legitimation. Legitimacy is the foundation "of all effective communication with publics – without it, any organizational messages or actions will be looked upon with skepticism" (Boyd, 2009, p. 157). When organizations experience resistance surrounding procedural or policy changes, corporate responsiveness is imperative to maintain relationships with stakeholder groups. This section distinguished actional legitimacy from institutional legitimacy, and outlined the theoretical development of the concept. In the next section, barriers and catalysts to enacting legitimacy are discussed.

Barriers and Catalysts to Enacting Legitimacy Responses

Achieving legitimacy through actions or other response tactics is a formidable task for organizations. When audiences grow increasingly heterogeneous, it becomes more difficult to maintain or improve legitimacy (Massey, 2001). Admittedly, no organization can completely satisfy all audiences in all situations (Suchman, 1995). Structural inertia may also be an issue. Organizations are often built on existing social structures and processes, making them less able to change in response to environmental demands (Massey, 2001). The more problematic an organization's legitimacy crisis is, "the greater the scrutiny by constituents, and the lower the tolerance of deviations from constituents' expectations-hence, the less slack to buffer challenges" (Ashforth & Gibbs, 1990, p. 191). Ashforth and Gibbs (1990) note that the greater extent to which legitimacy is associated with resources, the more difficulty organizations will face in reaching legitimacy. This challenge is due to diminished capacity to extend or defend legitimacy.

Further, with increased legitimation actions comes increased self-promotion, which makes constituents more skeptical of legitimation attempts (Ashforth & Gibbs, 1990). Finally, the above-mentioned roadblocks for achieving legitimacy may drive management into "clumsy, nervous, or overzealous attempts at legitimation, thus validating constituents' skepticism" (Ashforth & Gibbs, 1990, p. 191). Legitimacy building must be approached with prudence, as actions implemented in addition to non-action will trigger responses from stakeholders. In order to provoke the most effective and successful degree of legitimacy, actions must be carefully and strategically implemented by organizations.

Many barriers can be identified that would impede an organization in legitimacy building efforts, yet several organizational characteristics make reaching organizational legitimacy easier for some organizations. Organizations that already conform to social norms, values, and expectations will be more likely to garner legitimacy from stakeholders. This means that organizations that address niche interests or are unusual will have a difficult time generating legitimacy (Dowling & Pfeffer, 1975). Organizations that generate unusual products, whether they are ideas or physical objects, will face barriers establishing legitimacy with society. Organizations with diverse audiences or stakeholder groups will face challenges in establishing legitimacy when responding to fragmented expectations. Responding to multiple stakeholder groups, simultaneously, often results in some success but also negative responses from minority stakeholder or isolated groups that require specific messaging (Ashforth & Gibbs, 1990). Further, social values and expectations that are constantly evolving are often times not understood, and can be difficult to operationalize (Shocker & Sethi, 1974). While not exhaustive, this brief discussion of obstructions and catalysts to legitimacy illustrates the difficulty in stabilizing stakeholder perceptions. Next, the future of legitimacy research is discussed.

The Future of Legitimacy

Legitimacy, in both micro and macro formats, proves to be a popular framework to investigate a number of issues including: Organizational ethics (Long & Driscoll, 2007), environmental welfare (Aerts & Cormier, 2009), organizational innovation (Rao, Chandy, & Prabu, 2008), financial trends (Deephouse & Carter, 2005), generalist and specialized businesses (Massey, 2001), corporate rhetoric (Boyd, 2004; Castello & Lozano, 2011; Hearit, 1995; Ice, 1991), organizational corruption (Gordon et al., 2009),

intercultural business (Ahlstrom & Bruton, 2001; Ahlstrom et al., 2008), and more. To date, legitimacy research boasts breadth; however, current and future work needs to contribute depth to the aforementioned areas.

Elsbach (1994) believes that organizations can “protect or even enhance legitimacy following controversies that violate social norms if those controversies are followed by acknowledging accounts that refer to normative structures, procedures, or goals” (p. 84). Considering Elsbach’s (1994) assertion, crisis communication (and legitimacy communication efforts) is no longer merely a PR tool implemented when corporate malfunction occurs. Strategic communication is a function or responsibility of organizations to maintain relationships with important stakeholder groups. In this sense, engaging in communication using legitimation strategies not only benefits the organization from which it originates, but also the various publics its messages are crafted to impact. Ascertaining the effectiveness, or lack thereof, provides insight to positive or detrimental communication measures often enacted in serious or threatening contexts. Legitimation has evolved from the initial drudgery of simply forcing organizations to comply with some semblance of social responsibility to that of an ethical imperative for communicators. Ethical, responsible, and encouraging communication is expected from modern organizations. Legitimation strategies are encompassed in the broader expectation of modern organizational transparency. Maintaining transparency aids in the health of not only organizations and their stakeholders, but also more broadly at an interorganizational and nation-state level.

This brief literature review illustrates the necessity of organizational legitimacy and response. Thus, this study poses the following research question:

RQ1: What communication constraints and opportunities do organizations face when responding to crises of perception?

Aside from specific institutional and actional legitimacy communication, contextual factors should be considered that will influence an organization's ability to respond to crises. In this sense, we narrow our focus to organizational crises. Even more specifically, several crisis types are discussed in subsequent sections that will influence an organization's capacity for required public responses. Discussed crisis types include hoaxes, near misses, and misconstrued crises.

Legitimacy and Crisis Setting

Researchers have generated crisis typologies to guide crisis response strategies (Meyers & Holusha, 1986; Mitroff, Pauchant, Shrivastava, 1988; Kovoov-Misra, 1995; Coombs, 1995; Coombs & Holladay, 2002). This is not the goal of this study. Rather, these crisis settings are introduced to provide perspective on appropriate actional legitimation strategies. Specifically, these crisis settings constitute instances of crises of perception; each demanding similar yet tailored response strategies to alleviate misunderstanding.

Previous literature illustrates the depth of work that classifies crisis types. Existing typologies include both real and perceived crises. This research will specifically summarize three crises of perception. This task will clarify the distinctions between real and perceived crises and contribute to broader understanding of required organizational responses. First, hoaxes and pranks are discussed, followed by near misses and finally the phenomenon of misconstrual.

Hoaxes

Managing hoaxes and pranks is more challenging than ever before for crisis responders. Individuals hoping to inspire fear in various audiences have more options today than did previous generations. Rather than solely relying on traditional physical weapons or explosives, individuals now may turn to “softer” targets or channels to generate disruption. Mohtadi and Murshid (2009) note that this trend reflects a proactive response to anti-terrorism and hoax strategies. Causing physical harm no longer requires physical weapons and manpower. Instead, threatening organizations can do so through the mail, telephone, or most recently the Internet. In 1968, three out of four terrorist attacks were aimed at airlines, or diplomatic, government, and military targets (Mohtadi & Murshid, 2009). This statistic has now changed, as lawful businesses, schools, communities, individuals and other organizations may also find themselves victimized by a malicious hoax or prank.

Hoaxes are included in the diversification trend of threats and crises. Dunn and Allen (2005) find that gossip, rumors, and hoaxes are not a new phenomenon. For example, telephoned bomb threats have been a common way to cause disruption and generate fear for decades. However, computers and the Internet offer a new avenue through which hoaxes and pranks may spread, leading to unprecedented consequences for those exposed to them (Dunn & Allen, 2005). Consequently, these crises of perception present an interesting challenge for crisis response. While hoaxes or pranks are not legitimate threats, in that they are comprised of false claims, they demand a legitimate response from appropriate response agencies. This is because well designed pranks profit from uncertainty and perceptions of vulnerability (Sellnow, Littlefield, Vidoloff, &

Webb, 2009). The best pseudo-crises are generated by capitalizing on the perceptions of vulnerable groups and acting within the boundaries of legitimate claims. In this sense, instigators of hoaxes can produce considerable fear in targets while expending minimal resources. For these reasons, hoaxes and pranks are appealing to anyone wishing to cause an organizational disruption.

Hoaxes are formally described as “deceptive alerts designed to undermine the public’s confidence in an organization, product, service or person” (Veil, Sellnow, & Petrun, 2011, p. 7). Additionally, hoaxes contain false claims of harm, threats of such harm, or discomfiture (Veil et al., 2011). Hoaxes are perpetuated in many different scenarios and have often manifested as false bomb or gun threats, rumors on the Internet, or even as false claims about biological or chemical weapons (most notably with Anthrax). Internet hoaxes gained traction alongside overall Internet use. Kibby (2005) observed that email was the first method used to perpetuate myths, legends, fables, rumors and jokes on the Internet. Those with Internet access could use email to forward virus alerts, chain letters, and various fabricated stories (Kibby, 2005). Fabricated stories included descriptions of events with false warning, petitions, requests for help, and would often ask receivers to continue forwarding the message (Kibby, 2005). Email facilitated the expedited dissemination of false information while simultaneously allowing users to reach multiple end points.

Social networking websites provide additional channels on the Internet through which users can disseminate, collect, and share information. Daniells (2012) notes that Twitter currently has 100 million active users and Facebook boasts 800 million active users. The average Facebook user claims 130 friends, and “like” (i.e. follow) on average

80 pages on the website (Daniells, 2012). Cheong and Lee (2011) state that while these types of social media websites were once confined to discussions of status updates of what people were doing at a given time, they have also evolved to become “a medium of information sharing and dissemination” (p. 45). Rainie, Brenner, and Purcell (2012) find that 46% of adult Internet users post original photos or videos that they created. Another 41% of adult Internet users repost and recycle photos or videos that already exist on the Web (Rainie et al., 2012). In sum, at least 56% of Internet users do either one of the aforementioned activities, which Rainie et al. refer to as “creating” and “curating” (2012).

Social networks can be employed to spread false and malicious information. Twitter has grown to become known as “one of the channels where civilians break news of terrorist activities and use it as a method to notify the public of any latest updates, cries for help, and as an information source for the authorities” (Cheong & Lee, 2011, p. 47). Facebook has also moved from being solely a place to post information about one’s self to being an avenue for multiple activities. Park, Kee, and Valenzuela (2009) find that Facebook is used for socializing, entertainment, self-status seeking, and information seeking. YouTube, a video-sharing website, provides a user-friendly interface to upload pirated or homemade videos, in addition to options that allow users to share content via email, Facebook, Twitter, Google+, orkut, tumblr, Blogger, Myspace, hi5, LinkedIn, and StumbleUpon. As these channels have evolved from being solely micro blogs into mediums that individuals rely on for news, their ability to spread information has become even more legitimate.

Social networking websites are appealing channels to disseminate hoax information because of their propensity to disseminate information at a rapid rate. Izawa (2010) finds that individuals often share information on their social networks when they feel “strongly” about something (p. 29). Additionally, content that is intense, enjoyable, and informative is shared with online networks (Izawa, 2010). Online content is more likely to be shared if it contains violence or nudity, which is often linked to strong emotions (Potter & Golan, 2006; Phelps, Lewis, Mobilio, Perry, & Raman, 2004; Izawa, 2010). One post to Twitter, Facebook, YouTube, or any of their counterparts, can quickly cause a crisis of perception if it involves realistic terroristic threats. When individuals encounter information they believe will be useful to their followers, they can choose to either “post” it to their wall on Facebook or YouTube account or “tweet” it to their followers on Twitter. While the number of connections on social networks varies depending on the individual, some public figures and organizations boast millions of followers. Should a deviant want to perpetuate a hoax, posting information where a highly connected individual or organization encounters it could allow that false information to be instantly shared with millions of followers in a matter of seconds, depending on the specific channel.

In the next section, near miss crises are discussed. Near misses are distressing to individuals involved because they may perceive the event, even if it did not directly affect them, as a legitimate threat.

Near Misses

Smaller accidents can be attributed to what Muermann and Oktem (2002) call near misses, or “weak signals” that “contain a genetic signature of a serious, adverse

effect” (p. 30). Near misses may also include accidents that almost happen but narrowly dissipate prior to manifestation. Phimister, Oktem, Kleindorfer, and Kunreuther (2003) describe these incidents as having the potential to cause loss, but in the end, they actually do not. Even with the absence of loss these incidents can provide insight into activities that could happen (Phimister et al., 2003). Muermann and Oktem (2002) note that these events can be seen as “improvement opportunities,” and can be positive experiences when they are used to improve operations resulting in the possible avoidance of a damaging outcome. Phimister et al. (2003) provide examples of disasters that followed foreshadowing near miss events including the 1986 Space Shuttle Challenger explosion, the 1997 Hindustan refinery explosion in India, the 1999 Paddington train crash, and the 1998 Morton explosion and fire. Tinsley, Dillon, and Madsen (2011) also add the 2010 launch of the Apple iPhone 4 to this list, in addition to Toyota’s car acceleration recall in 2009, Jet Blue’s approach to flying in increment weather, and British Petroleum’s catastrophic oil spill. These events all had smaller near miss indicators that preceded their catastrophic disasters, yet meaningful change was not enacted or noticed when they occurred.

A near miss is also defined as a “special kind of failure to reach a goal, one that comes close to being successful” (Reid, 1986, p. 32). Further, Reid (1986) uses the description of trying to shoot a target, and narrowly missing your intended mark. In this sense, when we miss our target this “gives useful feedback and encourages the player by indicating that success may be within reach” (Reid, 1985, p. 32). Therefore, near misses can also be encouraging to those attempting to succeed at something. Scholars have studied this phenomenon in relation to gambling, and find that often near miss occasions

cognitively place an individual in a position to believe they will soon win (Reid, 1985; Smith & Razzell, 1975; Kahneman & Tversky, 1982). When crises almost “succeed,” (happen) affected audiences become more aware of their potential effects. This realization may also demand specific organizational and individual actions to prepare and respond to the crisis that almost happened but unexpectedly did not. Therefore, there are two types of near misses. The first includes events that have good outcomes, but narrowly missed a negative consequence and secondly events where a positive outcome is almost reached, but is missed by a small margin (Dillon, Tinsley, & Cronin, 2010).

Near misses can be both big and small. As the aforementioned examples indicate, they may also span financial, social, or human losses. Risk researchers have long sought to understand why some individuals may choose to evacuate during an impending hurricane, while other remain apathetic (Dillon et al., 2010). Near misses should provide “unique information for an individual, and therefore should influence his or her behavior beyond the more general information that is provided to a community” (Dillon et al., 2010, p. 443). However, the subjective perceptions of individuals impede the processing of often-important information.

Tinsley et al. (2011) describe seven mechanisms to manage near miss events. These include (1) heeding high pressure, (2) learning from deviations, (3) uncovering root causes of problems, (4) demanding accountability, (5) considering worst-case scenarios, (6) encouraging constant evaluation, and to (7) reward taking responsibility for exposing near misses (Tinsley et al., 2011). When organizations find themselves under overwhelming amounts of pressure, they will be reticent to pause operations to investigate a near miss signal. Secondly, persons or organizations should learn from

deviations. Individuals, when faced with something out of the ordinary, will often look for reasons that will enable them to resume the interrupted behavior or activity and stay “in action” (Weick, Sutcliffe, & Obstfeld, 2005, p. 409). This means that individuals must work to illuminate the real cause of problems. Tinsley et al. (2011) use the example of Apple claiming its iPhone 4 was defective because customers could not hold the phone correctly, when in reality, it was due to a problem with the antenna.

Individuals who report near miss events need to be held accountable for their actions when they decide to either pursue or ignore a near miss signal. Reporting events, or signals, also should be governed through a simple and encouraging structure (Muermann & Oktem, 2002). Worst-case scenarios should be included in plans along with dialogue to assuage fear of reporting negative events. Reporting negative information can be difficult, as those who prepare for or report worst case scenarios can be construed as being alarmists. While preparing for certain risks can seem unrealistic or distant, this belief ignores human history and the “uncertainty of the future” (Noah, Huebner, Darling, & Waeckerle, 2002, p. 256). Prioritization can assist with this process and help organizations or individuals allocate resources. Constant evaluation should frequently reorder priorities, and account for new information. Finally, Tinsley et al. (2011) assert that employees or individuals must be rewarded for reporting near miss incidents. If no perceived benefit is associated with disclosing negative information, few people may place their own well-being behind the well-being of an incident that has yet to occur.

Near misses, like hoaxes, constitute a crisis of perception. Next, the crisis setting of misconstrual is discussed.

Misconstrual

When assessing crises, individuals enact both consequentialist decisions (weighing costs and benefits of alternative choices) and cognitive decisions (nonemotionally and rationally assessing consequences) (Sinaceur, Health, & Cole, 2005). However, individuals may not enact the decision-making process completely devoid of irrationality. Research indicates that persons tasked with measuring risks are often guided by their emotions (Slovic, Finucane, Peters, & MacGregor, 2002). Slovic et al. (2002) speculate that research may have not accounted for irrationality, particularly because of the limited “cognitive focus that characterized psychology” in previous work (p. 56). Slovic, Finucane, Peters, and MacGregor (2004) later established three categories of understanding risk including “risk as feelings,” “risk as analysis,” and “risk as politics” (p. 311). Misconstruing a crisis is a consequence associated with Slovic et al.’s (2004) assertion that risks can be interpreted first and foremost as “feeling,” producing a different outcome than those using a “rational” approach to risk and crisis decision-making (p. 311).

Laypersons piece together constructions of risks from a variety of resources they have available to them. Persons then “construe relevance and meaning from a given risk issue’s myriad messages and relationships,” to arrive at a decision (Sellnow, Ulmer, Seeger, & Littlefield, 2009, p. 8). The term “construe” then means “the public must infer meaning by assessing the importance and accuracy of the information and the authenticity of the source” (Sellnow et al., 2009, p. 8). Misconstrual occurs when lay publics or persons incorrectly construct meaning. The misconstrual of risk affects the decision-making process and in turn may impede effective decision-making.

Misconstrual is well documented in recent literature. In 2009 the Peanut Butter Corporation of America (PCA) was the perpetrator of a widespread salmonella contamination. PCA's product, peanut oil, is used in a variety of products. However, lay publics who needed information to guide their decision-making about whether they should or should not consume implicated products needed to do so without adequate information (Millner, Veil, & Sellnow, 2011). This lack of information produced a misconstrual of perceived risk: Consumers also avoided products (more specifically, peanut butter) that were not implicated in the contamination (Millner et al., 2011). This instance documents an example of consumers choosing to enact overly safe actions. These actions still can have detrimental consequences as businesses that did not violate public health standards lost significant profits and credibility (Millner et al., 2011). Sinaceur et al. (2005) also studied a similar phenomenon in France, as their research indicates that describing animal disease with specific terms can influence the vitality of the beef industry. Labeling a risk as "mad cow" disease versus a technical term such as "Bovine spongiform encephalopathy" (or BSE) evokes different components of the risk decision-making process (Sinaceur et al., 2005, p. 247). In these instances, risk is difficult to ascertain due to a lack of information and to the ability of emotion to dictate risk construction (Millner et al., 2011; Sinaceur et al., 2005). Managing the subjective construction of threat, then, is important for organizations wishing to avoid misconstrual.

Rottenstreich and Hsee (2001) find that events associated with strong feelings can overwhelm our judgment and bring persons to erroneous conclusions. When risk as emotion, or misunderstanding due to lack of analysis or resources, overtakes risk as analysis our decisions are flawed and misguided. As Slovic et al. (2004) note, persons

who are very fearful of crime may choose to buy a handgun for their home. However, what a new gun owner might not consider is that a gun fired in the home is twenty two times more likely to harm oneself or a friend/family member than to harm an unknown or dangerous intruder (Slovic et al., 2004). Future research must consider this subjective misconstrual of events and provide perspective on mechanisms to offer audiences to employ rational risk judgments in their evaluative processes.

Misconstrual creates a false sense of risk. This process can result in misallocated government dollars, ineffective personal protective actions against risks, and a variety of other inappropriate actions that are employed towards risks or crises. Crises of perception, including hoaxes, near misses, and misconstrual, demand various actional strategies to correct risk and crisis understanding. Legitimacy maintenance and improvement is dependent on communication strategies. Thus, strategies are only effective if they accurately label, understand, and respond to the subjective constructions of risk by affected stakeholder groups.

The three aforementioned crises are distinct, but share the characteristic that no physical harm or real risk exists for stakeholders. Conversely, risk in each case is created and generated by stakeholder groups. Each case also details how organizational legitimacy is threatened by false claims of threat or harm. All three crises of perception illustrate how risk, even in subjectively constructed contexts, may pose substantial harm to unaware organizations. Thus, literature guides this study's final three questions:

RQ2: Do communication constraints and opportunities during crises of perception differ by crisis type?

RQ3: To what extent do hoaxes, near misses, and misconstrual of risk obligate organizations to engage in actional legitimacy?

RQ4: Does the obligation for actional legitimacy during crises of perception differ by crisis type?

As crises of perception grow more prevalent in modern society, acceptable substantiated responses to unsubstantiated claims must be further examined.

Summary

This chapter explored the concept of legitimacy and contextual crisis constraints on legitimation strategies. Weber's (1922) concept of legitimacy first articulated this concept as it relates to organizational power. Interest in corporate or business legitimacy gained momentum in the 20th century and has since remained a significant area of inquiry as organizational rhetoric or discourse has become more common. Boyd (2000) adds to the concept of organizational legitimacy by describing actional legitimacy as a means to scrutinize specific organizational policies or procedures. Contextual factors, including hoaxes and pranks, near misses, and misconstrual are described as perceptual challenges for organizations engaging in legitimation strategies. Perceptual crises demand substantial responses from organizations in instances where organizational fault may be misplaced. This paradox creates a precarious situation for communicators unsure of appropriate organizational legitimation strategies. Often, organizational survival and success rest on effective rhetorical strategies following significant procedural changes, events, or other happenings. Following, chapter three explains proposed methods for data analysis.

Chapter Three: Methods

This chapter details the study design used to evaluate communication in each of this dissertation's case studies. To ensure compatibility, each case was examined in a consistent and systematic format. The methodology for this project was developed from the qualitative domain and includes the use of descriptive data, organizational documents, and interviews. Qualitative analysis allows for the incorporation of relevant organizational discourse, and analyzes how these public discussions lead to structural and organizational policy changes. Interviews with organizational members served to confirm and enhance information that is publicly available.

Case studies were also analyzed holistically to answer the research questions addressing communication constraints/opportunities and an obligation to engage in actional legitimacy. The cases were compared with each other to identify the extent to which these constraints/opportunities and obligations to engage in actional legitimacy differ by case type. To execute this process, the value of case studies is discussed and followed by an overview of data sources, sampling design, data collection, analysis, and interpretation.

Case Studies

Analysis for this project emphasized case study research. Babbi (2004) identifies case studies as selections that “focus attention on one or a few instances of some social phenomenon” (p. 293). Often, cases are selected for further scrutiny because they are unique instances or events that are perceived as socially significant. For this project, three cases are presented, including a hoax, a near miss, and a misconstrued event. Ragin and Becker (1992) find that no encompassing consensus exists for defining the limitation of a

case study, as this role changes for each circumstance. A “case” is also defined by Gerring (2007) as a unit observed at a single point in time or over some period of time (p. 19). Thus, in a “study” that attempts to explain behavior of individuals or group events, it is important to note that certain features may be bounded or framed between other designated events.

Case studies provide in-depth descriptions that yield explanatory insights to particular phenomena (Babbie, 2004). In this sense, case studies offer perspective on why events happen, how involved persons or organizations respond, and subsequent consequences. Like other methods, case studies often do not provide evidence of causation, or even correlation, yet they do illuminate processes surrounding significant events, thereby informing the development of conceptual frameworks. Explanatory studies often serve as “the basis for the development of more general, nomothetic theories” (Babbie, 2004, p. 293). Nomothetic theories are those that are generalizable and unbound from specific cases. Extended case studies, then, have the purpose of “discovering flaws in, and then modifying, existing social theories” (Babbie, 2004, p. 293). This project contributes to current crisis literature by using selected cases to clarify and extend the conceptual framework of actional legitimacy. Building this theoretical framework based on case study analysis generates a foundation and rationale for future theory testing and generalizability.

Data Sources

Data for each case study was collected from three sources to provide broad and balanced understanding of the hoax, near miss, and misconstrual cases. These sources included newspapers, organizational documents, and interviews. Several prominent

newspapers offer context to each case, provide a timeline of events, and illustrate national coverage of each crisis. Organizational documents give tangible, public, and calculated statements released to represent an organizational opinion or standpoint to various stakeholder groups. Finally, interviews with key industry or organizational leaders provided confirmation that may otherwise be absent from the description of each case. These sources are each discussed in detail in subsequent sections.

Newspapers

Newspapers serve an important role in contextualizing each case study. Traditionally, historians and social scientists use newspapers for credible, yet informal sources of historical data (Franzosi, 1987; Earl, Martin, McCarthy, & Soule, 2004). Other fields of study, including event analysis in social movements, rely heavily on newspapers for data collection (Barranco & Wisler, 1999). Newspapers provide “long records of historical processes often not available otherwise,” revealing rich facts, accounts from a variety of persons, and unique perspectives on a story in a particular place and time (Franzosi, 1987, p. 14). Other researchers have explored how newspapers guide our prioritization of current events and shape our understanding of issues (Entman, 1993; McCombs & Shaw, 1972). This study does not pursue analytic depth warranted by full content analyses, but rather asserts a need to use newspapers as descriptive vehicles for complex events.

As such, three newspapers including *The Wall Street Journal*, *The New York Times*, and *The Washington Post* offered descriptive data. These papers were selected for their high circulation rates and emphasis on policy and government issues.

According to the Alliance for Audited Media (formerly known as the Audit Bureau of Circulators), these newspapers rank among the top fifteen most highly circulating papers. Circulation rates range from 2,293,798 for the weekday edition of the *Wall Street Journal*, to 674,751 for *The Washington Post* Sunday edition (Alliance for Audited Media, n.d.).

This avenue of data collection is not without its limitations. Researchers argue that newspaper analyses encounter difficulty in establishing validity, avoiding sample selection bias, coding effectively, and offering generalizable conclusions (Franzosi, 1987). These limitations are most often encountered in content analyses that seek to draw larger conclusions about a broad subject area. This project, however, does not generalize findings to make conclusions about newspaper content. For this reason, information collected from newspapers is not time-bound (i.e. limited to only a week or month sample) or proactive in nature. Proactive in this instance means that because this research examines preexisting cases, new information was not collected past May 1, 2013. Occasionally, larger issues are studied and researchers may opt to collect information for a certain time period that requires them to collect articles in real time. Next, organizational documents are discussed as an important source for highlighting organizational communication.

Organizational Documents

This study examined organizational responses tasked with influencing stakeholder legitimacy. This task required evidence of organizational actions and statements. As Crable (1990) notes, organizational rhetoric manifests in public documents or meanings of representation. Toulmin (1972), similar to Kant, isolates several different types of

representation, including “darstellung,” which entails creating and displaying something “to show in an entirely public manner what it comprises, or how it operates” (p. 195).

This publicly constructed depiction influences the private representations individuals generate of the organization. Burke (1969) also describes how outward projections or proclamations to audiences are analyzed for motivations behind the outward projection of a topic.

To comprehend how the actors in each case want to portray themselves to stakeholders, official organizational materials were examined to document legitimacy building efforts (or lack thereof). The nature of official organizational statements depends on external communication channels implemented by the organizations in each scenario. Organizational documents include press releases, financial reports, blogs, Tweets, Facebook posts, YouTube videos, statements posted to websites, government reports, and more. The distinction between organizational documents and other information, however, rests in the nonnegotiable tenet that only extant messages created and released by the organization that they represent are included in this category. This information provides a voice to organizational actors, serving as the chosen external representation provided to stakeholders concerning a risk or crisis event. In the next section the final source of data, interviews, is discussed.

Interviews

To triangulate data and provide confirmation of events in each case, interviews with key organizational figures are included. Individuals selected for interviews were situated to detail a unique and personal account of how their particular involvement with a case unfolded in addition to other relevant information. Interviews provide perspective

and insight on organizational culture, decisions, routines, and traditions. The goal is to add viewpoints by talking with at least one individual in a decision-making role within the organization at the center of the crisis (or an individual from a relevant government agency managing the issue). Individuals tasked with decision-making related to public communication were approached for inclusion. This data is important to provide clarification and organizational context to employed actions. Interviews were semi-structured and confirmatory, and allowed the flow of conversation to commence on relevant topics to cases as the interviewee made them known.

The researcher conducted at least one interview with a relevant organizational member involved in the case, or a representative from a government agency involved in the case. Interviews centered on (a) clarifying and adding information to case studies and (b) confirming case events and actions. In this sense, interviews were outlined to highlight major areas of inquiry concerning each case. However, because interviewees could offer a new perspective on their corresponding case, discussions permitted some flexibility. This flexibility upheld the “continuous nature of qualitative interviewing” and allowed fluid questioning and interview structure (Rubin & Rubin, 1995, p. 46-47). Employing this type of interviewing uncovers previously unknown data irretrievable from other published records, greatly contributing to the overall value of this study. In the next section, sampling for each of these data sources is described.

Sampling

Newspaper articles were collected from LexisNexis databases. The collection archives news articles from 1980 to the present. As the intent of newspaper sources is to provide contextual information to each case study, a representative sample of articles was

not collected. Rather, articles that adequately fit search criteria (described in subsequent sections) were collected and condensed to material that offered relevant description to each case. Samples were bounded by time, in that searches start at the beginning of the month in which they start to capture all possible articles. For example, China's melamine crisis (Case 2) began to break in news outlets in July 2008. Consequently, collection of newspaper articles began on July 1, 2008 and extended to spring 2013. Search criteria for Domino's case (Case 1) began on April 1, 2009 and California's GMO case (Case 3) began on November 1, 2008 when the Government Accountability Office (GAO) released its report to the Committee on Agriculture, Nutrition, and Forestry in the U.S. Senate (and debate about biotechnology started to permeate government discussions).

In addition to newspaper sources, organizational documents were collected to determine the desired projected position of each organization during its perceptual crisis. To accomplish this task, information was collected through the medium the organization opted to employ. Documents that embody the organization's response were collected for analysis. This provided a complete and compelling account of organizational rhetoric and response following the onset of each event.

Finally, interviews were collected from identified industry spokespersons. Individuals were solicited based on their connection to each case. More specifically, persons who work(ed) for the organization during a perceptual crisis or have/had a role in an affected industry were considered for inclusion. Final inclusion in the study was bounded by accessibility, availability, and willingness to participate. In the following section, data collection for each case is more explicitly described.

Data Collection

Data was collected in three waves. First, LexisNexis was used to find relevant news articles for each case. Second, organizational documents were located. Finally, interviews were conducted to confirm findings from the first two phases of data collection. These phases are discussed in detail below. This order was selected because each stage in the data collection sequentially informs the next. For example, the timeline and context provided in the newspaper coverage informed the identification and selection of items from the organizations' external communication. This external communication, in turn, aided the identification of key individuals to interview. Figure 3.1 visually describes the data collection process.

[Figure 3.1 inserted here].

Newspapers

Newspaper articles were collected for each case and condensed to include only articles that offer unique, relevant, and unduplicated information. Each identified newspaper, including *The Wall Street Journal*, *The New York Times*, and *The Washington Post*, was searched independently to locate articles for the three cases. Case 1 is bounded from April 1, 2009 to May 1, 2013. Case 2 is bounded from July 1, 2008 to March 26, 2013. Finally, Case 3 is bounded from November 1, 2008 to May 9, 2013. All articles that appeared in search results were evaluated. Each article that contained new information about the case was saved in an electronic folder for analysis; those containing duplicate or old information were discarded. Articles were evaluated following chronological order. A folder for each case, from each newspaper, remains

stored on the researcher's computer for further or future scrutiny if needed. Review Figure 3.2 for additional elucidation on how newspapers were collected and handled. [Figure 3.2 inserted here].

Organizational Documents

Organizational documents were collected first from organizational websites. Official press releases, reports, blogs, or messages were deemed suitable for recording. Documents discovered from website searches were downloaded and saved to the researcher's computer for analysis. In addition to organizational websites, organizational social media accounts were searched for relevant, extant material addressing each case. Social media data was saved by links (if available) or was analyzed from the Internet if data was not downloadable. Next, organizational documents for each case are discussed in more detail.

Case 1. Case 1 encompassed all of Domino's Pizza's official responses to its YouTube hoax. Organizational data was collected from Domino's website (www.dominosbiz.com/). Domino's also relied on social media to communicate risk and crisis messages to stakeholders, therefore official Domino's Pizza Facebook, Twitter, and YouTube messages were also examined.

Case 2. Case 2 included information on how U.S. government agencies responded to melamine adulteration involving products from China. Organizational data was collected primarily from the FDA's website (www.fda.gov), and the USDA's website (www.usda.gov) when applicable. Relevant social media for each agency was examined, including Facebook, Twitter, and YouTube.

Case 3. Case 3 involved the misconstrual of GE foods in California. Data was collected from the California Secretary of State's Office (<http://www.sos.ca.gov/>) and from the pro-Prop 37 California Right to Know group (<http://www.carighttoknow.org/>). Information from the FDA also provided perspective to the government's response to California's activist movement. Similarly to previous cases, social media, including Facebook, Twitter, and YouTube, was searched for both government agencies.

All material recovered during organizational document searches remains stored in the researcher's computer. Folders for each case contain sub-folders to organize material recovered from each associated organization. Organizational folders contain separate homes for data recovered from each specified media channel. All relevant data collected through these searches was saved for analysis. In the next section, the process used to generate interview data is described.

Interviews

Interviews were obtained in the final phase of data collection. Data was collected using semi-structured phone interviews. Emails were used to initially recruit participants. Those who agreed to participate completed an emailed consent form. Finally, an agreeable time was then established for the interview. The researcher transcribed interview discussions and composed real-time notes. Interview data remains stored on the researcher's password protected personal computer. Interview participants are overviewed in the following paragraphs.

Case 1. Domino's Pizza's Tim McIntyre served as an important point of contact for information surrounding the company's YouTube hoax. Tim McIntyre is Vice

President of Communication at Domino's. He also held this position during the YouTube Crisis.

Case 2. An official in the FDA offered perspective on how industry in the United States responded to China's 2008 melamine crisis. The representative gave insight on specific policy changes. This individual indicated a desire to remain anonymous.

Case 3. Finally, information was gleaned from interviews with both President of GMO Free USA Diana Reeves and Martina Newell-McGloughlin, director of University of Southern California's Biotechnology Research and Education Program. Reeves and McGloughlin agreed to and completed interviews with the researcher through the telephone.

Data collection was completed for phases one and two by May 1, 2013. Institutional Review Board (IRB) approval was obtained for phase three's interviews and was completed by June 1, 2013. Next, analysis and interpretation mechanisms for data are explained.

Analysis and Interpretation

Thematic analysis was used to first compare retrieved newspaper articles and organizational response documents. Boyatzis (1998) explains that identifying themes "at a minimum describes and organizes possible observations or at the maximum interprets aspects of the phenomenon. A theme may be identified at the manifest level (directly observable in the information) or at the latent level (underlying the phenomenon)" (p. vii). This analysis addressed both manifest and latent level themes in the collected data. In addition, Desantis and Ugarriza (2000) define a theme or themes as an "abstract entity that brings meaning and identity to a recurrent [patterned] experience and its variant

manifestations. As such, a theme captures and unifies the nature or basis of the experience into a meaningful whole” (p. 362). Similarly, Auerbach and Silverstein (2003) define themes as “an implicit topic that organizes a group of repeating ideas” (p. 38). This process categorizes sets of data into clusters of ideas that represent higher-level theoretical constructs. Through this process, several themes emerged from newspaper articles and organizational documents.

Data analysis was approached using a psychometric content analysis style. This method seeks to (a) “provide a clinical diagnosis for an individual [or in this instance, organizations] through analysis of messages generated by that individual” and (b) “to measure a psychological trait or state through message analysis” (Neuendorf, 2002, p. 54). Analyzing messages in this manner centers on uncovering what Burke (1969) describes as the outward projections or proclamations to audiences that organizations publicize in responses to certain circumstances. This content analysis distinction is significant for two reasons. First, this project is not solely interested in audience analysis and message impact, but rather in uncovering organizational intent and decision-making. The messages chosen for dissemination in (more minimally) newspapers and significantly in organizationally sanctioned materials document Toulmin’s (1972) “darstellung” or public representation. Secondly, this technique involves a process of validation, where content analysis “is linked with other time-honored diagnostic methods, such as observations of the subject’s behavior” (Neuendorf, 2002, p. 54-55). Newspapers provided descriptions of events, actions, and decisions to contribute to the validation or refutation of organizational responses.

Finally, to ensure that organizational legitimacy responses were correctly interpreted, interviews with key industry spokespersons served as another confirmatory checkpoint. In this sense, the use of different research methods to test for consistent themes strengthens this study's findings. Neuendorf (2002) postulates that triangulation is the best approach for testing hypothesized relationships between variables, as different approaches to data contain various benefits and weaknesses. For example, content analyses of organizational documents may lack contextual details to other societal events, and newspapers may incorrectly describe an organizational decision. However, newspapers contribute rich descriptions of stakeholder responses and organizational actions, whereas organizational documents articulate the first-hand account of the communicator's case-specific response. Interviews confirm and clarify manifested thematic findings. When each data source is explored in conjunction with others, meaningful themes and rich data are most ripe for interpretation. Analysis followed *a posteriori* development of content units and categories. Categories developed as materials were viewed and then compared with multiple sources. Interpretation was guided by data findings.

Procedures for conducting the thematic analysis were guided by a codebook. The primary researcher coded all data. Separate codebooks guided analysis of newspapers, organizational documents, and interviews. Next, analytic procedures are discussed in depth for each data source.

Coding

Butler-Kisber (2010) describes two stages of analysis, beginning with the coarse-grained phase. Actions associated with this stage include "close readings and rereadings

or listening and viewing, dialoguing about what is being revealed, writing reflective and analytic memos and/or keeping a journal or log,” followed by broadly classifying emerging themes (Butler-Kisber, 2010). The second phase of analysis, the fine-grained phase, is when the researcher examines the pieces of data more closely. These “chunks” of data are “reassembled into more refined categories, and are broken down into others, and these are assigned, and reassigned names or codes” (Butler-Kisber, 2010).

Newspaper articles and organizational documents were analyzed first by a coarse-grained phase, followed by the fine-grained approach. Thus, each artifact was examined at least two times. The goal of this process was to construct a “plausible and persuasive explanation of what is transpiring from the emergent themes,” (Butler-Kisber, 2010, p. 31). Following this procedure, smaller units of data were isolated for scrutiny.

The second phase of analysis isolated specific words, phrases, and ideas that represent larger themes. These more specific, discrete units of data generate support for identified abstract concepts or ideas. This manifest content offered qualitative information in the form of quotes or quantitative information in the form of collecting numbers on how many times organizational spokespersons or actions appeared in data sources. Discrete units were grouped as evidence for larger thematic units. Utilizing an inductive approach, data introduced themes, categories, and conclusions.

Finally, holistic coding was employed to interview transcripts to grasp basic themes and issues in the data by absorbing them as a whole rather than line by line (Saldana, 2009). Saldana (2009) notes this approach is particularly useful when studies include multiple forms of data. Interviews clarify and validate data findings from the content analysis of newspapers and organizational documents. This approach permits the

researcher to examine the transcripts as a whole, extracting broad themes and concepts from interviews. Interview validation served as the final step in the interpretation process.

Coding Procedures

All collected materials were documented in codebooks managed by the researcher. Phase one's course-grain approach to analysis produced a codebook accounting for all relevant information found in searches of newspapers and organizational documents. This codebook recorded the date of artifact release, newspaper or organization from which it originated, author, word count, and a section for notes concerning the piece's relevance and themes. Duplicate documents were identified in this phase.

Phase two's fine-grained approach selected unduplicated artifacts with prominent information and themes for final analysis. The purpose of this two-step process was to include quality information, context, and content for each case. Although overall numbers of articles in each theme were noted, quality, or prominence of information, was more important than quantity. The fine-grained phase retained the categories mentioned above, but also included a column to document the rationale for inclusion in this phase by incorporating more detailed notes about the artifact's content.

This project conceptualizes themes as categories, which is a term that encompasses "general phenomena: concepts, constructs, themes, and other types of 'bins' in which to put items that are similar" (Lindlof & Taylor, 2011, p. 246). While categories can be devised in a number of ways, this research is categorized by theory. Existing theory and research can be used in a "deductive fashion or etic fashion" (Lindlof & Taylor, 2011, p. 246). Coding specifically used Dowling and Pfeffer's (1975) three

tactical areas for organizational legitimation to analyze case artifacts. Instances of adaptation, reframing, and identifying were recognized, recorded, and described in the study's codebook. These tactics were marked in the "notes" section described in phase one of coding, but formally assigned to one of the three categories during phase two's fine-grained approach.

In the final phase of coding, the identified categories were compared to the holistic coding from interview transcripts. Final comparisons were documented in memos composed by the researcher. Memos remain stored on the researcher's computer and informed the final dissertation chapter including discussion, conclusions, and implications.

Significance of Data Interpretation

Data and results offered unique insight to legitimation strategies during crisis response. Further, data analysis revealed a novel strategy for assessment of public organizational responses during perceptual crises. Legitimation strategies are commonly used by organizations facing disruption and dissatisfaction from stakeholder groups. This research contributes to the development of more effective risk and crisis communication for organizations. The deliberate and systematic approach to data analysis and interpretation generated a solid foundation for analysis for each case study, resulting in an epistemologically sound research project.

Summary

This chapter explained the methods used for this communication study. The value of case studies was discussed, followed by incorporated data sources, sampling design, data collection, analysis, and interpretation. The qualitative analysis outlined in this

chapter selects and analyzes organizational public discourse and examines how these public discussions lead to structural and organizational change at the policy level. A systematic approach to data collection, sampling, and interpretation results in rich, quality data from which the researcher draws conclusions from in subsequent chapters. Next, chapter four details the first perceptual crisis involving Domino's Pizza.

Figure 3.1

Overview of Coding Procedures

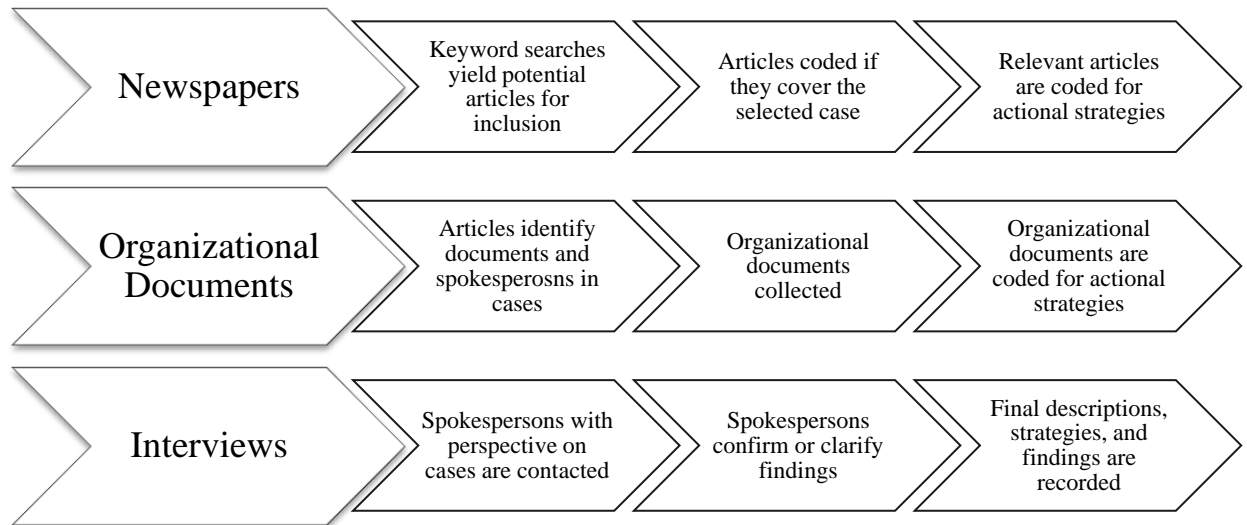


Figure 3.2

Overview of Newspaper Sampling and Collection (LexisNexis)

Step	Process Description
Enter boundaries into LexisNexis search criteria	Searches for this project are bounded by the newspaper outlet (in this instance, <i>The Wall Street Journal</i> , <i>The New York Times</i> , or <i>The Washington Post</i>), time range (each case is bound by important dates, and key words (Case 1 example: “Domino’s Pizza” and “YouTube”).
Save search results in a discrete folder	All results that emerged from the LexisNexis search appear in a listed format organized by date in the database’s system. The list in its entirety is collected and saved for review.
Determine the fit of each article	The researcher read each article to determine its accuracy for covering the case. All articles that discussed the case are moved to a new folder. Articles that contained the keywords used to search but did not refer to the case are omitted from coded articles. Duplicate articles in search results are omitted from coded articles.
Articles used to inform case description	Relevant articles are used to describe each case in detail. Articles also illuminate important organizational documents and spokespersons discussed in media during cases.
Articles used to bolster findings from organizational documents	When relevant, articles also provided more information on organizational response – and served as a point of reference for organizational documents and statements.

Chapter Four: Domino's YouTube Hoax

In 2009, an online source alerted Domino's Pizza (also referred to as Domino's) that an unfavorable video created by two employees was circulating on the video-sharing website YouTube.com (also called YouTube). The grotesque video revealed one of the employees contaminating food that he falsely claimed would eventually be served to customers. Ultimately, over one million viewers watched the prank video, creating a crisis of perception for Domino's Pizza. This chapter analyzes Domino's response to its YouTube crisis. First, Domino's hoax is described using incorporated newspapers to document and illuminate events as they unfolded beginning in spring 2009. Secondly, Domino's case is discussed from the perspective of the hoax literature. Next, artifacts selected for inclusion in this chapter are discussed in detail. Fourthly, actional legitimacy is used as a framework to analyze Domino's response. Finally, implications and conclusions extend this case to broader organizational issues to offer insight to others tasked with responding to similar perceptual crisis.

Hoaxes present a paradox for crisis responders in that they demand a legitimate response to illegitimate claims. Cultivating a thorough and empirical understanding of this paradox is necessary to understand how hoaxes create a crisis of perception. This case is noteworthy in that Domino's largely responded successfully to a situation that had little precedent. However, the case is also ordinary in that any organization might encounter employees that eventually wish to sabotage a current or former employer for myriad reasons. Thus, this case illustrates two points; the first being that this scenario could occur anywhere and to any organization. Secondly, other organizations can learn from this case and prepare for a similar scenario.

The Case

In April 2009, Domino's employees Kristy Hammonds, 31, and Michael Setzer, 32, recorded a video of themselves during working hours in a Domino's franchise in Conover, North Carolina. Hammonds and Setzer's inattention to their duties at Domino's and willingness to joke around on the job demonstrates blatant irresponsible behavior; however, what they recorded during one particular shift is even more disturbing. Hammonds narrates a two-minute video that captures Setzer putting his "boogers" on sandwiches, inserting cheese into his nose before placing it on a sandwich, and "farting" on salami (Swifttallon, 2009a). Hammonds also smiles for the camera stating she "likes to be lazy" and asks Setzer, "You remember the time when you sneezed?" (Swifttallon, 2009a). It is unclear where Setzer sneezed (or on what), but viewers might assume he has engaged in this type of behavior before at Domino's. Hammonds captures the television screen that displays customer orders above Setzer's workstation, implying that the food is being prepared for actual paying customers.

Hammonds carelessly asks in her video, "where are these going?" to get a better idea of who might be receiving the tampered food (Swifttallon, 2009a). In what could be viewed as Hammonds' worst comment, she says "and little do they know that the cheese was in his nose and that there was some lethal gas that ended up on their salami. Now that's how we roll at Domino's!" (Swifttallon, 2009a). Eventually, Hammonds remarks that her "boss lady" could be checking on them soon prompting her to stop recording (Swifttallon, 2009a). Viewers are not shown whether the food was discarded or served to customers. Hammonds eventually uploaded the video to YouTube on April 12, 2009. Those who viewed the video quickly shared it online and instigated widespread

discussion covering the incident at Domino's. Within hours of Hammonds posting the recording, the video accumulated 30,000 views (Liddle, 2009).

By Monday evening April 13, 2009, Domino's Vice President of Communications, Tim McIntyre received a tip about the video from the website Consumerist.com (Clifford, 2009). Consumerist.com bloggers helped Domino's corporate office locate the implicated franchise by deciphering what could be seen outside through a restaurant window (Clifford, 2009). Within three hours of notification, Domino's started search efforts to find the rogue employees (Wall Street Journal, 2009). Eventually, the location of the store was confirmed and the franchise owner was informed of his employees' actions. The next day, April 14, 2009, Domino's fired Hammonds and Setzer and cooperated with the local public health department to sanitize and restore his restaurant (Clifford, 2009). Tuesday morning, Hammonds apologized to the company and emailed, "It was fake and I wish that everyone knew that!!!! I AM SOO SORRY!" (Clifford, 2009, para. 16).

Although the termination of Hammonds and Setzer eliminated any threat to public safety and the public health department was brought into the Conover franchise to restore safe operations, social media discussion and Hammonds' YouTube video remained active. Between April 14-15, video views jumped from 29,000 views to 700,000 (Liddle, 2009). At the end of the day on April 15, the video reached one million views (Liddle, 2009). During this time, discussion of the YouTube video continued to stream on the social networking site Twitter.com (also referred to as Twitter). Unfortunately, YouTube could not fulfill Domino's request to remove the video earlier because Hammonds legally owned the content (Wall Street Journal, 2009). When Hammonds removed the video

from YouTube late April 15, 2009, Domino's continued its crisis response efforts (Clifford, 2009). Hammonds and Setzer soon faced felony charges for distributing prohibited foods and were taken into custody by Conover Police on April 15, 2009. To view a timeline of events surrounding this case, refer to Figure 4.1.

[Figure 4.1 inserted here].

In three full working days, Domino's Pizza was alerted to the employee misbehavior on YouTube, worked with the bloggers of Consumerist.com to locate the implicated store, contacted the owner, fired the rogue employees, and called the local public health department to assess the franchise's condition. However, while the substantial components of this case were completed by Wednesday, Internet response to the video continued to grow. Domino's remained silent on the issue (outside of the initial actions documented above) until Wednesday. Domino's response will be further discussed in subsequent sections. In the next section, hoax literature is used to frame a discussion of Domino's YouTube crisis.

Communication Constraints Specific to Hoaxes

Hoaxes present a challenging scenario for crisis responders. As detailed by the case description, Domino's eliminated the possibility of human or physical harm in three days, (on April 15, 2009) when the restaurant chain fired Hammonds and Setzer and the franchise was under the local public health authority's control. However, at an organizational level, Domino's still faced a legitimacy threat with its consumers. In particular, the company's online audiences remained isolated and uncertain of Domino's response to the crisis. For this reason, the restaurant chain's legitimacy with a growing subset of stakeholders was skeptical. Mazza (1999) finds that legitimacy is awarded or

bestowed to an organization by its stakeholders. Stakeholders also form subjective constructions of legitimacy, and it is this (or their) reality that an organization must attend to (Mazza, 1999). Maintaining and building these relationships is necessary for organizational well-being (Pfeffer & Salancik, 1978). Domino's acted quickly when the blogging community of Consumerist.com alerted them to Hammonds and Setzer's YouTube video. However, what deserved equal attention was the legitimacy crisis developing on the Internet.

Asymmetrical Threats

Hoaxes are appealing to persons wishing to do harm because they constitute a "softer" outlet for perpetrators, allowing them to engage in minimal risk or discomfort while still accomplishing their goals (Mohtadi & Murshid, 2009). In this sense, one criminal can perpetuate false claims on the Internet that grow with each individual who consumes and shares the information. Well-designed pranks often profit from uncertainty and perceptions of vulnerability, yet spread because they are believable (Sellnow, Littlefield, Vidoloff, & Webb, 2009). These deceptive alerts, otherwise known as hoaxes, in turn stand to "undermine the public's confidence in an organization, product, service or person" (Veil, Sellnow, & Petrun, 2011, p. 7).

In the case of Domino's crisis, two rogue employees engaged in grotesque acts with claims of serious food contamination. Hammonds' video, which required two minutes of her time to film and possibly another minute to upload to the Internet, instigated a considerable challenge for Domino's as they worked to reassure the safety of customers and extinguish false claims. The resources required by Hammonds to generate false claims about Domino's Pizza were minimal; however, response actions required by

the franchise owner and Domino's Pizza, Inc. (Domino's Pizza, Inc. refers to the entire restaurant enterprise) were considerably larger. In this sense, hoaxes are an asymmetrical threat: They demand little investment from the perpetrator but an escalating and extensive response from the victimized individual or organization. Consequently, eliminating and minimizing the threat from Internet hoaxes should remain a high priority endeavor for crisis managers.

Asymmetrical threats are amplified and linger on the Internet. Social networks allow users to instantaneously share information with their followers. Twitter, Facebook (Facebook.com), and YouTube all boast millions of users each day. At the time of data collection for this chapter, Twitter claims 100 million users and Facebook notes 800 million active users (Daniells, 2012). Assuredly, both social networks gain more users with each passing day. With no traditional gatekeeper to regulate information, any user may post and/or share information they find newsworthy, interesting, or damaging. Rainie, Brenner, and Purcell (2012) find that 46% of adult Internet users post original photos or videos that they have created. Hammonds is a member of a growing subset of U.S. adults that share personal content regularly on the Internet. Content shared by individuals online is often material about which a person feels "strongly" (Izawa, 2010, p. 29). Hoaxes then, disseminated alongside legitimate or believable context, can quickly fall into this category when a scenario endangers and disturbs viewers. The Internet complicates matters for organizations engaged in rumor crossfire – meaning that organizations must manage competing and often-contradictory viral claims. Not only must they expend considerable resources to combat a claim(s) that costs the perpetrator

little or nothing to create, they also must contend with a living and growing claim that extends itself far past the individual that generated it.

Social Media

The Internet clearly serves as an effective mechanism for spreading false claims. However, another component of this process is that often the Internet serves as an outlet for legitimate and reasonable grievances from customers or stakeholders toward organizations. Review websites such as Zagat.com, Yelp.com, UrbanSpoon.com, and Amazon.com illustrate many instances of patrons reporting on their experience with a particular restaurant, product, or service. Social media websites are also avenues to share legitimate opinions and experiences about a product or organization (Cheong & Lee, 2011). For this reason, less than favorable information about a product or service may be taken seriously until the claim is refuted and discredited. In the next section, social media characteristics and Domino's ability to respond to a hoax are discussed.

Impact of YouTube Video. Unfortunately, not all crises are created equal. Some events or crises are more damaging or disturbing than others. An example of this is clarified by considering the outrage associated with an intentional or terrorist event, compared with a natural disaster. Certainly, intentionally harmful acts are more frightening and debilitating, even if they are less likely to occur. Crisis literature establishes precedent for formulating response strategies acknowledging this distinction based on crisis type (see Chapter Two). Domino's YouTube crisis is defined by several unique characteristics that shaped stakeholder outrage when Hammonds' video went viral. These considerations encompass the offensiveness of Hammonds and Setzer's actions, responsibility of the act, and uncertainty associated with crisis resolution.

Domino's Pizza, as a purveyor of food products, works in an industry where contamination is highly damaging. Contamination of its products when used (i.e., consumed) can result in human sickness or death. Therefore, adulteration of Domino's product is much more serious than a product that is merely admired, collected, worn, etc. Food contaminations are alarming to most persons because unlike other products or materials, food is essential to our survival. The psychological relationship that exists between food and persons is an area of study in and of itself, and is extensively more detailed than can be described here. Rozin (1999) writes that the common western truism "you are what you eat" (p. 14) illustrates that persons view food as an extension of their being. An attack or adulteration of these products is very frightening to most. In this sense, Domino's customers who viewed the YouTube video would be fearful of physical illness – a fear exasperated by the notion that the contamination was not only intentional but orchestrated internally by Domino's employees.

The outrage of Domino's YouTube video is further amplified by the fact that Hammonds and Setzer are contaminating food during their shift, in uniform, in a Domino's restaurant (Swifttallon, 2009a). Coombs and Holladay (2002) find that publics expect more from an organization when it bears responsibility for the crisis. In this instance, Domino's appeared to be fully responsible for product contamination, thus warranting extensive response. Ulmer, Sellnow, and Seeger (2011) argue that organizations have an ethical responsibility when making decisions and/or operational judgments to ensure no harm comes to stakeholders. Aside from Hammonds and Setzer's misbehavior, stakeholders may also assume that something else is wrong at Domino's Pizza, Inc. simply because this event happened. Inferences about Domino's hiring

practices, lack of supervision or training, and unprofessionalism become secondary issues for a public relations team to address when crises emerge internally. For this reason, the impact of this video is intensified from Hammonds and Setzer's status as active employees (at the time of the video) and the location of its recording (inside a Domino's restaurant).

In addition to the circumstances of psychological distress associated with food adulteration and the crisis' internal origination, the YouTube video generated uncertainty with stakeholders. Initially, Domino's remained quiet with its external communication, while choosing to focus organizational efforts on restoring human and physical safety. However, millions of viewers created subjective constructions of Domino's during the organization's lag time between when the video surfaced on YouTube and when social media response began. When gaps emerge, stakeholder's decision-making and understanding of the situation are constrained (Ulmer, Sellnow, & Seeger, 2011). This lack of information is detrimental to promoting self-efficacious actions and poor or absent communication can make organizations look unresponsive or dismissive in addition to violating other best practices in crisis communication (Seeger, 2006). Communicative efforts surrounding a crisis are considerably more difficult when uncertainty is present.

Responding to hoaxes is challenging for organizations, particularly when they emerge on the Internet. In subsequent sections, Domino's response to Hammonds and Setzer's YouTube video is discussed. To begin, case artifacts included in analysis are described. Secondly, each actional strategy is examined to illuminate the size and impact

of Domino's ability to manage and diminish the hoax YouTube Video. Finally, the discussion section describes this case's broader impact and meaning.

Case Artifacts

Three newspapers were consulted to substantiate this case. A search on LexisNexis Academic, specifically for articles from *The Washington Post* and *The New York Times*, revealed fourteen possible articles discussing Domino's crisis. The search terms "Domino's Pizza" and "YouTube" were used to locate articles containing both terms. Out of these fourteen articles, only one from *The New York Times* directly covered this case. No articles from *The Washington Post* followed Domino's YouTube crisis. Next, a search of *The Wall Street Journal*, conducted on the newspaper's website, yielded seven articles and two web blogs (or blogs) that matched search criteria. Both blogs discussed the Domino's hoax directly, yet no full articles devoted attention to the prank. Five *Wall Street Journal* articles did, however, discuss the crisis in relation to other organizations or social media issues. In total, only 21 articles were identified from the newspaper search. From these artifacts, only three directly covered the YouTube hoax. To contribute to the timeline for this case, four additional articles are included in this chapter. These articles were located through Google's News search. The additional articles originated from *Nation's Restaurant News*, *The Strategist*, *Advertising Age*, and *SlashFood*.

Next, the YouTube video uploaded by Hammonds was included with the response video from Domino's. While Hammonds' original video file was removed in 2009, the clip is still posted on the humor website Break.com. Domino's response video remains accessible on YouTube. Both videos were transcribed. Facebook and Twitter were

included in analyses, as some discussion transferred from YouTube to these social networking websites. Domino's accounts on Twitter (including @DPZinfo and @dominos) and Facebook (facebook.com/Dominos) were consulted for this case. Both Twitter and Facebook accounts used in this study are the U.S. accounts.

Information was also gleaned from an interview with Domino's Vice President of Communication Tim McIntyre, who agreed to and completed a telephone interview with the researcher. The interview was confirmatory and explicated Domino's rationale for response actions.

Lastly, organizational documents were collected to triangulate other sources. The researcher searched Domino's corporate website dominosbiz.com for press releases or other documents that discussed the YouTube hoax. No press releases were written to communicate about this incident. However, four financial reports were incorporated to track Domino's Pizza Inc.'s financial status prior to the YouTube hoax, immediately following the hoax, and two years after the hoax. All four reports fell within Domino's fourth financial quarter.

Using multiple sources of data provides a robust understanding of Domino's response. Consulting newspapers, social media, a Domino's spokesperson, and organizational documents offers perspective on mitigation efforts. In the next section, this case is discussed within the parameters of legitimacy literature.

Domino's Actional Response

Using Boyd's (2000) actional legitimacy framework and Dowling and Pfeffer's (1975) tactical legitimacy bolstering strategies, this section describes Domino's response as it manifested in publicly available artifacts. Additionally, an interview with Domino's

Tim McIntyre provides perspective on decision-making not accessible in open source documents. Incorporating findings from newspapers, social media, a Domino's spokesperson, and organizational documents, this section analyzes crisis responses topically using Dowling and Pfeffer's (1975) prescribed actional strategies. First, adaption of output, goals or methods of operation is discussed. Next, efforts that reframe the definition of social legitimacy to meet the organization's present practices, output, and values are included. Finally, communicative actions that identify with symbols, values, or institutions that have an existing base of social legitimacy concludes legitimation strategy analysis.

Adaption of Output, Goals, or Methods

Domino's Pizza adapted two clear organizational policies to restore legitimacy with stakeholders. These areas included social media use and organizational hiring practices.

Social Media

Prior to the release of the YouTube video, Domino's maintained a nonexistent social media presence. Domino's has maintained an online presence since 1996 when it launched www.dominos.com. However, the company did not accommodate online ordering until 2007 and did not launch social media accounts until 2009. In fact, just as the hoax erupted the company was preparing to launch its Facebook and Twitter pages. Beginning with a YouTube video response to the hoax, followed by additional social media engagement, Domino's demonstrated evolution of its communicative methods of operation.

YouTube. On April 15, 2009, Domino's President Patrick Doyle filmed a two-minute YouTube clip addressing the hoax. The video begins with Doyle acknowledging the situation, apologizing for the incident, and thanking members of the online community for alerting the company to the video (Swifttallon, 2009b). Doyle calmly relays that the matter is being taken "incredibly seriously," and tells viewers that the situation is isolated to the North Carolina franchise (Swifttallon, 2009b). Further, Doyle discloses that the employees behind the video have been dismissed, felony warrants were issued for their arrest, the store in question has been temporarily shut down, and Domino's is "reexamining all of [their] hiring practices" (Swifttallon, 2009b). The video explains the damage caused to the local franchise owner, how many other employees are impacted by this video, and reiterates a commitment to customer satisfaction (Swifttallon, 2009b). Rather than issuing a formal press release to mainstream press, hiring an external crisis team, or bringing in a creative agency, Doyle responded to viewers by delivering his statement directly to the Internet (Flandez, 2009). McIntyre notes that speaking to the affected audience directly influenced Domino's decision to upload the video, as they did not want to "tell fifty million people" if they could speak to a smaller, more targeted audience (personal communication, 2010).

Domino's YouTube channel, dominosvids, is listed as being active from November 5, 2007 to the present; however, prior to April 1, 2009, the channel only hosted ten videos (Dominosvids, 2013). Currently, the channel hosts just fewer than fifty videos (Dominosvids, 2013). Dominosvids (2013) has 2,411 subscribers and 5,124,085 video views. The website is not considerably impressive when considering the number of videos available for consumption or the average number of video views. Perhaps most

remarkable about Domino's integration of YouTube into its organizational practices, is its use as a direct channel to respond to customers on the Internet – customers who were using YouTube to share and comment on the hoax video. Additionally, Domino's Pizza used this change to eventually incorporate YouTube videos into a marketing campaign. This campaign will be discussed more extensively in the next actional section (framing the definition of social legitimacy).

Aside from increased engagement in YouTube as a medium, Domino's also incorporated new employee standards for YouTube. Following the incident, the company instituted strict photography and videography guidelines for employees to follow that were designed to protect Domino's stores and products (McIntyre, personal communication, 2010). The penalty for failure to adhere to organizational guidelines is employment termination (McIntyre, personal communication, 2010). McIntyre relays other challenges faced by the organization involving YouTube, including the need to remain vigilant against similar YouTube pranksters in addition to those who would upload videos for more nefarious reasons (e.g., employees demanding compensation to withhold a potentially damaging video) (personal communication, 2010). While Domino's response to mechanism to this crisis is novel, so too were the organization's enduring video sharing practices following April 2009.

Twitter. In addition to changes on YouTube, Domino's Pizza increased its presence on the social networking websites, Twitter and Facebook. To accompany the released YouTube video, Doyle also initiated Twitter conversations on April 15, 2009. Doyle maintained primary control of @DPZinfo's account, which addressed issues and questions specifically surrounding the crisis, delivered messages that were informal, and

thanked customers for their support (Shankleman, 2009). While Twitter data has since been deleted for the Domino's crisis Twitter account some of these messages are captured in other documents. One tweet stated, "To all that have messaged, RT'd or given a vote of confidence: THANK YOU! It's been a heck of a day, but we're glad to be out here with you" (Shankleman, 2009). While some users expressed a continued loyalty to the brand, others tweeted "I will never eat a Dominos pizza again! Or even never eat anything again!" (Shankleman, 2009).

Shortly after the crisis, @DPZinfo followers climbed to 1,200 followers (Garner, 2009). As of February 11, 2013, this number has dropped to 409 followers (@DPZinfo, 2013). Additionally, @DPZinfo has since deleted all but six tweets, which remind followers to follow its active organizational Twitter account, @dominos. One remaining tweet reads, "our official account is @dominos. Jump over and say hi" (@DPZinfo, 2013). Domino's @dominos account remains active and has 160,354 followers (as of February 11, 2013). The account follows 10,940 Twitterers and boasts over 18,000 tweets (@dominos, 2013). Additionally, this account is maintained by a media team (referred to on Twitter as "the crew") at the company's headquarters in Ann Arbor, MI and links to the company's main website (www.dominos.com).

Facebook. Twitter served as another discussion forum for individuals who viewed the YouTube video online and wanted to know what Domino's was doing to reprimand the rogue employees and reaffirm customer safety. While Facebook did not become a third channel for discussion about the hoax video, it did become another tool used by Domino's to engage stakeholders on social media. Domino's joined Facebook on January 10, 2008, however, the company posted minimal material until 2009 (Domino's

Pizza Facebook, 2013). Currently, the website has 7, 924, 667 likes and actively posts content, including wall postings (text messages on the page's wall), pictures, and videos (Domino's Pizza Facebook, 2013). The website houses other organizational information, including links to the main Domino's website, a mobile ordering page, Domino's Twitter account, and other links to coupons and customer service (Domino's Pizza Facebook, 2013).

Because conversations surrounding the hoax video were not widespread on Facebook, the social networks that demanded organization attention were primarily YouTube and Twitter. However, since April 2009 Domino's has maintained active accounts on all websites. The adoption of these social networking websites illustrates a shift in Domino's presence on online social networking websites. In addition to adopting social networking, Domino's addressed a need to change organizational policy surrounding employee hiring. This organizational change is described in the following section.

Hiring Practices

When Doyle uploaded his video to YouTube quickly describing what the company was doing in response Hammonds and Setzer's video, he relayed important information about crisis progress. In his response, Doyle iterates that Domino's is "reexamining all of [its] hiring practices to make sure that people like this don't make it into [its] stores" (Swifttallon, 2009b). Even though only two employees were linked to the video, Doyle recognized the need for a shift addressing all company employees. McIntyre succinctly acknowledges that "people do stupid things," and many of these "stupid things" have occurred at Domino's locations (personal communication, 2010). It

became clear that Domino's desperately needed to reshape its hiring policy in order to limit the employment of individuals prone to deviant behavior.

As media uncovered more on the rogue employee's backgrounds, reports surfaced that Hammonds was a registered sex offender when she worked at the North Carolina franchise (Flandez, 2009). In fact, this topic became a central focus of some media stories even when Domino's moved towards settling the crisis (McIntyre, personal communication, 2010). This realization spurred questions of franchisee's freedom to hire employees, which was not regulated by overarching corporate guidelines. To this effect, the corporate offices quickly acknowledged that they needed to reconsider prescribed guidelines and basic requirements for all 125,000 Domino's employees (Swifttallon, 2009b).

Domino's adaptations in media policy and hiring procedures both demonstrate a significant shift in how the company engaged in two essential functions for business. The hoax prompted the company to seriously reconsider established organizational tasks and expectations surrounding preexisting behavior, resulting in considerable changes for the corporation after April 2009. Adapting new practices, goals, or methods of operation encompasses one facet to accomplish actional legitimacy strategies. Additionally, organizations may attempt to shift the definitions of social legitimacy to meet the standards of their current practices, goals, or methods of operation.

Reframing the Definition of Social Legitimacy

When Hammonds and Setzer posted the video to the Internet, viewers quickly wanted to know the identity of the featured troubled employees. Doyle's YouTube response highlighted actions being taken against the employees (their dismissal and

arrests) and emphasized an organizational change to reexamine how current hiring practices led to the acquisition of such irresponsible persons. This discussion produced a natural branch from the actual crisis to the root of the problem, which according to McIntyre was “two idiots with a video camera and an awful idea” (Clifford, 2009, para. 9). In its incident response Domino’s reframed the problem to be about two outliers, who did not represent the organization as a whole. In this sense, the organization shifted blame to the implicated employees instead of the company in its entirety. In prompting crisis discussion to place Hammonds and Setzer as the cause of the incident, Domino’s was able to shift social legitimacy to meet its present practices and procedures.

Doyle’s YouTube response explains that “two team members have been dismissed,” and reminds viewers of the “125,000 thousand men and women...around the U.S. and more than 60 countries around the world,” who have not committed wrongdoing (Swifttallon, 2009b). This point was repeating in media, as McIntyre notes, “the majority of people do recognize what this was...that this was a rogue act of two individuals who thought they were being funny” (Flandez, 2009, para. 6). Echoing Doyle’s response from his video, McIntyre continued to say “[the employees] do not represent the 100,000 people who work every day at Domino’s Pizza all over the world” (Flandez, 2009, para. 6). He continued by explaining that managing more than 100,000 people across the United States, and in other countries, will likely result in hiring some individuals that will “do stupid things” (McIntyre, personal communication, 2010). In other words, an organization that is successful most of the time should not be chastised for one instance of failure. In addition, what Domino’s leadership should ask themselves is, “how do you address when people do something stupid” (McIntyre, personal communication, 2010).

Doyle and McIntyre both emphasize that Hammonds and Setzer are only two of over 125,000 employees. Additionally, they discuss that Hammonds and Setzer's "stupid" actions are what caused the crisis, rather than highlighting an organizational deficiency. This actional strategy problematizes the implicated individuals instead of Domino's current hiring (or other) practices. Shifting this distinction encourages stakeholders to reconsider beliefs that Domino's present staffing practices are insufficient.

Dowling and Pfeffer's (1975) final prescribed actional strategy, including communicative actions that identify through symbols, value, or institutions with existing legitimacy, is discussed next. This actional strategy is exemplified by Domino's use of a new advertising campaign.

Identifying with Existing Symbols, Values, or Institutions

Identifying with new symbols, values, or institutions that associate positive characteristics can improve organizational legitimacy. Although circumstantial, Domino's planned to launch a new pizza campaign shortly after the hoax video went viral. It appeared that Domino's also faced another crisis with stakeholders in 2009: Customers needed an improved pizza recipe. In fact, many customers became very vocal about their dislike for Domino's recipe and pizza ingredients. In response to claims that their pizza tasted "like cardboard," they debuted a new recipe accompanied by a creative advertising campaign (About Domino's Pizza, 2013; McIntyre, personal communication, 2010). This campaign launched with a four and a half minute documentary posted to YouTube (pizzaturnaround.com) that not only announced the change, but also included commentary from customers who adamantly shared their distaste for Domino's product.

When Hammonds and Setzer's video emerged on the Internet, Domino's used this disruption to introduce an additional change in organizational practices.

Altering the company's recipe after forty-nine years illustrates significant organizational change. Coupling this transition with a national media campaign further demonstrates the audacity of this institutional shift. At the heart of the campaign, Domino's attempted to portray honesty and transparency as organizational values (McIntyre, personal communication, 2010). To accomplish this task, the company asked customers to show Domino's their pizza, resulting in the "show us your pizza" campaign (McIntyre, personal communication, 2010). The campaign debuted on YouTube, but was also shared on the company's other social networks (Facebook and Twitter). Domino's Pizza's Facebook (2013) continues to promote the campaign: "We think our pizza looks delicious just the way it comes out of the oven. It doesn't need those fancy food photography tricks," and "that's why we asked our customers, the most authentic source for pictures of our pizza, to photograph and upload their own photos." They even encouraged pictures of the "good and the bad," and would use bad experiences to reach out to customers (and distribute a free pizza or two) and/or retrain store staff if needed (McIntyre, personal communication, 2010).

Domino's "show us your pizza" campaign was not a product of crisis response, rather, the plan to launch the campaign had been in development since 2008 (McIntyre, personal communication, 2010). Regardless of intent, the campaign reminded stakeholders that Domino's cares about its customers, maintains ethical standards, and is responsive to stakeholder needs. Reminding stakeholders of its core values is an important distinction to make when longstanding customers are questioning an

organization's legitimacy. In this case, Domino's reiterated its longstanding values of honesty and transparency by investing resources in changing a failing recipe and involving customers in the promotional process. Domino's wanted customers to know they "heard" them and voluntarily "changed" to meet these needs (McIntyre, personal communication, 2010).

Although the campaign was under development at the time the hoax video went viral, Domino's did not anticipate or develop the campaign's use and integration of social media. McIntyre notes that Domino's learned the "real power of social media" from the hoax and wanted to launch elements of the campaign in its newly established networks (personal communication, 2010). By identifying with symbols, values, or institutions that have an existing base of social legitimacy, Domino's achieved Dowling and Pfeffer's (1975) third prescribed actional strategy. The company communicated an interest in honesty and transparency, reaffirmed attention to customer responsiveness, and demonstrated a quick mastery of social networks.

This section detailed actional strategies reached by Domino's Pizza following the company's YouTube hoax. Organizationally, the company adapted its social media practices and acknowledged a need to develop new hiring standards. Secondly, Domino's reframed the definition of legitimacy to bolster existing hiring practices and highlight longstanding success in maintaining a large network of valued employees. Finally, an advertising campaign reminding stakeholders of Domino's organizational values and customer responsiveness served to identify the company with pre-established feelings of positive attributes. The next section explores the implications of these strategies and provides recommendations for generalizable lessons.

Discussion

Domino's YouTube crisis placed the organization in a difficult situation. The organization's leadership needed to decide quickly to either ignore the video (after finding and reprimanding the employees) or to acknowledge it and risk drawing more Internet traffic to the prank. This section begins by discussing Domino's successes and missteps in responding to the hoax. Following, Domino's ability to reach actional legitimation is discussed. Finally, generalizable lessons from the case are presented.

Success and Failures Responding to Consumer Perceptions

The Internet, as discussed in previous sections, can be both advantageous and threatening to an organization. Domino's maintained both a website and online ordering capabilities prior to the hoax YouTube video's release. In this sense, the organization held a positive presence on the Internet: Potential customers could search online for pizza restaurants and place an order through two different options (telephone and www.dominos.com). However, the social networking website YouTube facilitated a reputational crisis for the company when two rogue employees uploaded a grotesque prank video, prompting Domino's Pizza, Inc. to mitigate a crisis not directly attributable to them. Without basis for refutation, the Internet is a forum that can amplify discontent of customers, rogue employees, and other stakeholders. This resource is also available to those who have no relationship with the company, but merely wish to create disruption or harm.

Consumerist.com bloggers noticed Hammonds and Setzer's video soon after it was uploaded. However, the company's lack of social media presence and environmental scanning delayed its organizational response. Environmental scanning and preexisting

online networks could have expedited the company's response. In this sense, false claims and damaging misinformation are much easier to extinguish when exposed networks remain small. Because content is easily spread from person to person on the Internet, like a virus, information is easier to contain when the original hosts are quarantined. Once content replicates by hundreds of thousands of viewers and is uploaded to multiple webpages, removing the content is difficult, if not impossible. Online presence can be difficult for small organizations to maintain. However, Domino's Pizza's 2011 \$6.9 billion in global sales indicates that the company is hardly small and could allocate adequate resources to Internet monitoring (About Domino's Pizza, 2013).

Domino's inability to assess online threats may have also hurt the company in that no preexisting communication strategies were in place to direct the organization in the event of an online reputational threat. On a whim Doyle and a lone cameraman decided to make a video when most of Domino's leadership was on vacation (McIntyre, personal communication, 2010). Their response video was recorded and uploaded to YouTube within 45 minutes of filming (McIntyre, personal communication, 2010). McIntyre notes Doyle's candid, simple, and direct response made YouTube history when traditional organizational responses were replaced with a direct (to the source) message from a company's president (personal communication, 2010). Arguably, Doyle happened to make a good decision that eventually decelerated the hoax video's impact. Although this worked in the company's favor, the success can largely be attributed to luck, rather than successful organizational strategy.

Considering Domino's underdeveloped Internet presence and absence of an online reputational management strategy, the fact that the company's response did not

initially reach Internet audiences is unsurprising. Within three hours of being notified, the company started its search to find Hammonds and Setzer and eventually located the implicated North Carolina franchise (Wall Street Journal, 2009). The next day on April 14, 2009, Domino's fired Hammonds and Setzer and the local public health department investigated the franchise (Clifford, 2009). While these actions are necessary and imperative to mitigating any serious health threat, Internet audiences exposed to the hoax video were unaware that steps were being taken to ensure customer safety. More specifically, although Domino's substantial responses followed protocol, the company's initial lack of communication failed to alleviate stakeholder concern. On Wednesday, April 15, 2009, Doyle's video finally intercepted Internet chatter about the hoax video.

Doyle's organizational interjection successfully alleviated concern, as shown by the drastic reduction in Twitter traffic and video views. Furthermore, the number of views for the president's response video surpassed Hammonds and Setzer's video (McIntyre, personal communication, 2010). Internet discussion surrounding the potential contamination died down when Internet audiences knew that Domino's was responding to the claims. This interjection would have been best delivered on Monday, when the company located the implicated franchise. Earlier communication could have halted video views at tens of thousands instead of the million plus views that eventually accumulated.

Despite Domino's missteps, the pizza company still managed to contain damage by acknowledging the need to reach online stakeholders. The epicenter of this crisis existed online, and Domino's appropriately targeted Internet audiences in its organizational crisis response. In fact, the company only responded to the YouTube video

online. No press releases, press conferences, printed statements, or other traditional correspondence mentioned the hoax video. McIntyre refers to this strategy as mopping up a “spill in one aisle instead of cleaning the whole store” (personal communication, 2010). Domino’s responded to audiences directly via the same channel through which the crisis originated.

By Tuesday, April 15, 2009, the event was no longer a physical crisis in that the franchise was temporarily shut down, the implicated employees were fired, and the company confirmed that contaminated food was never delivered to customers. Unfortunately, the delay in response caused a perceptual threat for the online audiences until Doyle’s message reached them on Wednesday afternoon, April 15, 2009. Domino’s appropriately prioritized the response by initially confirming that customers were never served contaminated food. Even so, stakeholders remained uncertain of this fact until Doyle relayed organizational actions to them in his YouTube response.

Success and Failure in Expressing Actional Legitimacy

Organizational response to the YouTube video eventually reached online stakeholders to mitigate Domino’s Internet-based perceptual crisis. Yet, the company’s targeted online messaging efforts resonated with stakeholders because of its comprehensive actional response. Analysis of actional strategies illustrates Domino’s ability to achieve success in all three of Dowling and Pfeffer’s (1975) prescribed actional strategies. The company quickly adopted new media strategies and promised to revise hiring procedures. Domino’s also reframed the crisis to emphasis the wrongdoing of two employees, in contrast with the rest of its employees who perform their jobs correctly and take pride in serving customers. Finally, the company reminded stakeholders of

Domino's values and concern for customer satisfaction with the launch of the "show us your pizza" campaign.

Domino's Pizza achieved all prescribed levels of actional legitimacy in the wake of its YouTube crisis. They entered the crisis with a positive reputation, made few missteps during the crisis, but engaged in ongoing efforts in post-crisis stages with a new campaign. While it remains impossible to link these actions directly with organizational success, it is noteworthy to acknowledge Domino's financial state. Recently, Domino's Pizza (2009; 2010) climbed from a net income of \$37.9 million in 2007 to \$54 million in 2008. In 2009, this grew to \$79.7 million and eventually to \$87.9 million in 2010 (Domino's Pizza 2010; Domino's Pizza, 2011). The company's success is clear in recent years, growing both before and after the Internet hoax.

Global store expansion is one component of Domino's rapid net income growth. However, at the end of 2009 Domino's reported that domestic store sales also grew 1.4% as related to increased store traffic (2010). In 2010, domestic store sales grew 6.3% in just the fourth financial quarter alone, but jumped to 9.9% when considering the full year (Domino's Pizza, 2011). In fact, 2010 annual domestic store growth was positive for the first time since 2007 (Domino's Pizza, 2011). Domino's expansion reflects the company's success both domestically and internationally. This accomplishment suggests that organizational legitimacy remains strong with stakeholders. President Doyle believes 2010 brought stakeholders a "new Domino's," and was a year that "improve[d] [their] pizza" in the United States, by building "a new base of customers and a stronger base of business from which to grow" (Domino's Pizza, 2011). It seems that Domino's

momentum has yet to subside, and has since continued to grow to a net income of \$105.4 million in 2011 (Domino's Pizza, 2012).

Domino's quick thinking and actional strategies were a recipe for success for the company. In an effort to further distill this information, the next section offers three generalizable lessons followed by conclusions on the case.

Generalizable Lessons

Domino's experience lends three lessons that other practitioners may benefit from. These include knowing social media networks, preparing for change, and finally "going where your stakeholders are."

Know social media. Domino's case illustrates the necessity of performing environmental scanning. Environmental scanning entails continual monitoring of pertinent communication networks to proactively gauge stakeholder needs and sentiment. In this instance, Domino's was fortunate that bloggers contacted the organization to alert them to growing Internet rumors. However, organizations should not rely on outside actors to let them know when something is amiss online. Organizations must be preemptive and perform environmental scanning to find, acknowledge, and participate in online conversations when appropriate. Monitoring Internet discussions demonstrates responsive and proactive behavior, attending to the needs of audiences who may exist primarily or solely online. Additionally, knowing social media also means that organizations will get to know online stakeholders.

Environmental scanning is important for understanding stakeholder issues and building relationships with online and offline audiences. Cultivating relationships builds trust, rapport, and history with stakeholders. Pre-existing relationships and networks are

useful for legitimacy maintenance and building. Pre-existing connections are even more useful for disseminating risk and or crisis messages, especially when those implicated in the crisis need to communicate directly with stakeholders. Domino's would have benefited if existing Twitter and YouTube accounts maintained consistent followers. Instead, the organization scrambled to respond to damaging rumors about its food while simultaneously learning to navigate social media and create connections. Building relationships with stakeholders during the pre-crisis stage is much easier than cultivating relationships after a crisis begins.

Prepare for change. Change can be difficult—particularly for organizations that are large, established, and stationary. It may be tempting for many organizations to resist change as long as they are successful. This process is natural in that past success will embolden future behavior. The best organizations, however, are those that engage in actions, policies, and behaviors congruent with stakeholder expectations while exploring and testing new procedures that could add to current organizational practices. In doing so, organizations learn to both highlight previous success and look to the future for novel and unprecedented opportunity.

Organizations, particularly those selling products that are not subject to constant updates (such as pizza), will sometimes wait until they are forced to change to meet new stakeholder or societal expectations. In most instances, reactionary behavior rarely invokes praise and positive attention. Organizational leadership should be forward looking to guide a company in a direction that would allow it to operate successfully in six months, a year, five years, and ten years in the future. Domino's Pizza was moving in the direction of updating many of its communication systems. Still, Domino's was behind

other organizations that had already mastered prevalent social media such as Facebook, Twitter, and YouTube. Fortunately, the company's ubiquitous physical presence in many ways may have minimized this impact. For example, why would you need a cell phone app to find a store that maintains three locations within eyesight of you? However, smaller and/or newer restaurateurs must be more proactive in looking for future trends if they are to remain at the forefront of general stakeholder expectations.

Go where your stakeholders are. What is most compelling about Domino's YouTube hoax is the need for organizations to meet stakeholders where they exist. With an abundance of platforms that facilitate online discussions, organizations must directly engage in channels that host stakeholders. This is a consequence of our fragmented and isolated modern media. Social media outlets sometimes, but not always, overlap with one another. Traditional and social media may also occasionally overlap (e.g., local, state, and national television news outlets will supplement their shows with a website, Twitter account, etc.) but many times they do not. Domino's successfully dulled its Internet hoax by responding to its crisis where it started: On YouTube. Holding a press conference, issuing a press release, or even updating their website would not have necessarily reached the same persons who learned of the video hoax on YouTube. This case demonstrates how even on the Internet, crises can be relegated to a single corridor of online media. Organizations should consider this factor when disseminating messages, and attend to stakeholders using the most direct and concise mechanism available.

Conclusion

In 2009 "two idiots with a video camera and an awful idea" caught Domino's Pizza off guard (Clifford, 2009, para. 9). In less than one full day, the international

corporation was forced to substantially respond to an Internet hoax instigated by two employees based in North Carolina. Although Internet discussion surrounding the video was damaging, Domino's engaged in actional legitimation strategies that eventually quelled the perceptual crisis. The company's response, while not perfect, successfully engaged stakeholders to reassure the current and future well-being of the organization. As Domino's continues to grow physically and financially, remaining connected to a diverse clientele will likely become even more challenging.

This chapter described an Internet hoax and the subsequent effects on Domino's Pizza, Inc. More specifically, the case discussed actional strategies, success and failures in responding to consumer perceptions, actional legitimacy success and failure, and offered generalizable lessons for other organizational leaders. Next, chapter five extends discussion of perceptual crises moving from an Internet hoax to a near miss event involving adulterated imported food.

Figure 4.1

Timeline of Domino's Hoax Events

Date	Event	Source
Sunday April 12, 2009 (5:00PM-6:00PM)	Video is filmed.	Jacques, 2009
Sunday April 12, 2009 (Evening)	Video posted to YouTube.	Jacques, 2009
Sunday April 12, 2009	Video reaches 29,000 views within hours of posting.	Liddle, 2009
Monday April 13, 2009	Domino's is alerted to the video by Consumerist.com.	Jacques, 2009
Monday April 13, 2009 (Evening)	Domino's identifies the location of the store where the video was filmed.	Jacques, 2009
Tuesday April 14, 2009	Hammonds and Setzer are fired from Domino's.	Clifford, 2009
Tuesday April 14, 2009	Health department inspected the Conover franchise.	Clifford, 2009
Tuesday April 14, 2009	Hammonds apologizes to Domino's in an email.	Clifford, 2009
Tuesday April 14, 2009	Twitter discussion of video picks up.	Jacques, 2009
Tuesday April 14, 2009 (5:00PM)	Video reaches 250,000 views.	Jacques, 2009
Wednesday April 15, 2009	Hammonds and Setzer face felony charges and are taken into custody of Conover Police.	Clifford, 2009
Wednesday April 15, 2009 (12:00PM)	Video surpasses 1 million views.	Clifford, 2009
Wednesday April 15, 2009	Domino's CEO (Doyle) responds in a YouTube video.	York, 2009
Wednesday April 15, 2009	Hammonds removes her video from YouTube.	Clifford, 2009
Wednesday April 15, 2009	Domino's creates @DPZinfo to respond to customers on Twitter.	Clifford, 2009
Wednesday April 15, 2009	Video included in five of the twelve results on the first page of a Google search for "Domino's."	Clifford, 2009

Figure 4.1 (Continued)

Timeline of Domino's Hoax Events

Wednesday April 15, 2009	Domino's video response has 330,000 views when the first press conference is held.	York, 2009
Monday April 20, 2009	A copy of Hammonds' video remains on the Internet and reaches 345,000 views.	York, 2009
Tuesday September 29, 2009	Conover Domino's closes.	Lawinski, 2009
Wednesday March 10, 2010	Setzer sentenced to 24 months of supervised probation, Hammonds awaits trial.	Northrup, 2010
Friday January 25, 2012	Video remains accessible on the Internet.	Swifttallon, 2009a

Chapter Five: Made in China – The Melamine Crisis

The United States has identified an increasing number of imported food products from China that contain unhealthy levels of melamine, an industrial chemical commonly used in plastics, adhesives, dishware, and whiteboards. More specifically, in 2007 pet food from China containing melamine sickened thousands and killed hundreds of pets. In 2008, baby formula in China tested positive for the same chemical. While the case of 2008 infant formula adulteration did not include legally imported food to the United States, the contamination received widespread television and print media coverage (Petrun, 2010). Unsurprisingly, these cases contributed to feelings of uncertainty and lost legitimacy for the country's food safety enforcement mechanisms. This chapter analyzes the U.S. government's response to the 2008 melamine crisis. First, this case is described using relevant newspaper coverage to document events as they occurred beginning in summer 2008. Second, the contamination is discussed from the perspective of near miss literature. Next, artifacts selected for inclusion in this chapter are discussed in detail. Fourth, actional legitimacy is applied as a framework to analyze the U.S. government's response. Finally, implications and conclusions extend this case to offer insight to others tasked with responding to similar perceptual crises.

A near miss event, which can and should prompt learning and adaptation by organizations, is the second type of perceptual crisis discussed in this dissertation. This perceptual crisis can influence decision-makers to consider and respond to a problem without having to actually experience the trauma of a crisis. Near misses may serve as warnings that existing policy and procedures are at risk of serious failure. Conversely, organizations can respond to a near miss with excessive confidence in the existing

system, seeing the near miss as evidence that the system currently in place is effective. Distinguishing between these opposing responses is important as our governments and organizations endure an age of austerity where difficult decisions must be made about how to best ensure safety and security of our food systems with limited resources. Therefore, near miss events offer insight into how this perceptual crisis type may influence future food safety policy and government spending.

The Case

Beginning in September 2008, media reports described burgeoning China-led investigations of all domestic infant formula. Several hundred Chinese infants were mysteriously sickened, and one infant reportedly was killed (Barboza, 2008a). Unfortunately, these numbers would eventually grow to a conservative estimate of three hundred thousand sickened children and six deaths in China (Wong, 2009). These deaths are most likely linked to kidney complications associated with melamine consumption, including kidney stones and renal failure (Barboza, 2008b; Kaufman, 2008; Wong, 2008). Although long-term effects for humans who have ingested large amounts of the chemical remain unknown, some studies indicate that the substance could have long-term effects on humans in addition to the recently documented short-term effects. Though not fully supported, many researchers estimate that melamine consumption can lead to higher rates of cancer (particularly bladder or kidney cancer) (CDC, 2008; WHO, 2009b).

Melamine is a synthetic chemical, commonly used in the production of resins and foams, cleaning products, fertilizers, and pesticides (CDC, 2008). Melamine is not a new threat, nor one solely attributable to use in China. In the 1830s a German scientist invented the substance, composed of nitrogen, carbon, and hydrogen (Pickert, 2008). Its

usefulness was further refined in the 1930s when it was combined with formaldehyde to create a moldable, dishwasher safe material often used in kitchen utensils, containers, or appliances (Pickert, 2008). This compound can and does occasionally enter food products in trace amounts during the manufacturing process; however it is not naturally occurring in food. While low levels of melamine do not have observable toxic effects, larger amounts have an impact on the urinary tract and kidneys of animals (CDC, 2008). Exposure to high doses over time is linked to cases of bladder cancer in animals (CDC, 2008). Similar exposure in humans could conceivably have the same effects.

China's melamine cases in 2007 and 2008 contained significant, rather than trace, amounts of the industrial chemical. The FDA has established that products other than infant formulas with levels of melamine below 2.5 parts per million do not pose a risk to public health (Shin, 2008). Melamine tolerance levels are calculated on an individual basis by assuming 0.63 mg per kg of body weight per day is allowable (WHO, 2009b). Therefore, when regulatory agencies set food standards they must consider the product type under regulatory consideration, how often the product is consumed, and the size of consumers. China's 2007 pet food and 2008 infant formula contaminations are particularly damaging accounts of chemical adulteration because they were found in products sold for consumption by vulnerable populations. Pets and infants both have limited food options available to them, meaning they often consume high amounts of few products. Normal adults typically eat a more diverse diet, which diminishes the probability of them consuming harmful amounts of this chemical. Unfortunately, with these two contamination cases, pets and infants often consume the exact same product each day with very little dietary variation.

In both the 2007 and 2008 melamine contaminations the chemical was intentionally added to products. Melamine, which is often the byproduct of other manufacturing processes, can mimic real proteins, masking low nutrient levels (Barboza, 2008a). Diluting products with this cheap and synthetic substitute allows them to pass and exceed mandated levels of protein for products (particularly important for pet food and infant formulas) while cutting costs. Although this process significantly inflates the net profit for manufacturers, it diminishes both the safety and nutritional quality of implicated products.

U.S. publications reported candid admissions of purposeful adulteration by Chinese manufacturers. For example, *The New York Times* quoted a chemical manager from Hebei Jinglong Fengli Company (on the 2008 scandal), “before the Sanlu scandal, we were not banned from selling melamine to anyone” (Barboza, 2008b, para. 28). Further, the chemical spokesperson mentions he “had heard melamine dealers sell melamine to animal feed companies and food companies. It was common before the Sanlu scandal” (Barboza, 2008b, para. 28). In addition to intentionally adding the chemical to products, private and government officials in China are believed to have been aware of the case as early as August 2008, yet failed to publicize information about implicated products until late September 2008 (Petrun, 2010). This response may have been even further delayed if not for a push from Sanlu’s New Zealand counterpart dairy company, Fonterra, who maintained part ownership of Sanlu (Spegele, 2010).

Sanlu, a Chinese formula distributor equivalent to that of the Gerber Company in the United States, was the first Chinese milk distributor implicated in product contamination. Sanlu has since declared bankruptcy, but the company was formerly the

country's largest dairy product distributor (Wines, 2010). Sanlu was based in the city of Shijiazhuang in Hebei Province (Wong, 2009). The company's product tested positive for levels of melamine over 2500 mg/kg, corresponding to 350 parts per million (ppm) – significantly exceeding the recommended levels for consumable products (WHO, 2009b). An acceptable level of the substance for adult (excluding infants) consumption is most likely estimated to be around one ppm (Bhalla, Grimm, Chertow, & Pao, 2008).

Eventually, several other dairy producing organizations were linked to the contamination. However, they were hardly comparable to Sanlu's high levels of the chemical along with the company's wide-reaching distribution channels (Wong, 2009). China's melamine crisis is troubling because its true impact on the global food supply remains unknown. Since the pet food and infant formula contaminations, melamine has also been found in frozen yogurt, instant coffee, chocolates, Chinese eggs, and fish feed in China (Shin, 2008). In immediate response to the infant formula contamination, 68 countries enacted protective actions against importing contaminated Chinese products illustrating the far-reaching distribution networks of Chinese exports (Bhalla et al., 2008). However, because of the expanse of contaminated products (milk, eggs, animal feed, coffee, other chocolate products) the true extent of penetration into the global food supply cannot be accurately recorded. To better understand the extent of melamine's continued presence in China's food supply, researchers in Hong Kong have tested vegetables, flour, and other meat products to determine other food categories that could have also been adulterated by knowing parties (Barboza, 2008b).

Chinese officials have largely failed to trace these contaminations to any one person or organization. For example, the 2007 pet food contamination was ultimately

blamed on a small export group (Barboza, 2008b). Other reports indicate that recent adulterations occurred by “marginal players,” insinuating the introduction of the chemicals occurred at the farming or distribution levels, suggesting that higher ranking and more powerful officials did not know about the malpractice (Aredy, 2010a, para. 9). In sentencing implicated dairy industry professionals, Chinese courts eventually handed down death sentences to several farmers and incarcerated the head of Sanlu for life (Aredy, 2010a). Sanlu declared bankruptcy after the debacle, and several other smaller dairy producers were shut down (Wines, 2010; Aredy, 2010a). Beijing says that food safety problems are often exaggerated to slow the boom in Chinese imports, and since 2008, the Chinese government has worked to restore its industries back to an economically viable condition (Barboza, 2008a). Unfortunately, international trade partners may be more difficult to convince that the country is able to safely regulate its food supply. For an overview of event occurrences, refer to Figure 5.1.

[Figure 5.1 inserted here].

The United States’ mitigating responsive actions aimed to quell the impact of adulterated products is the subsequent focus of this chapter. More specifically, the U.S. FDA-led response to the contamination is examined to document actions imposed domestically for mitigating China’s propensity for economically adulterating food products. Next, near miss literature is used to frame a discussion on the impacts of near miss events.

Communication Constraints Specific to Near Misses

Near miss events create challenging circumstances for crisis responders. As the case study describes, this crisis originated in China and was the Chinese government’s

responsibility to resolve. However, this crisis also gained traction in the United States from stakeholders who feared the contamination could impact American products. For this reason, the United States, and particularly the FDA, was expected to respond to China's melamine crisis. As predicted, stakeholders perceived the melamine adulteration cases as an alarming near miss, demanding protective actions to minimize future reoccurrences. Stakeholders determine organizational legitimacy; therefore responsive organizations should attend to issues that are important to stakeholders (Mazza, 1999). Responsiveness should also attend to the subjective constructions of legitimacy, illustrating the potential to take action in the future if needed (Mazza, 1999). While the Chinese government promised food safety reform for domestically consumed and exported products, the FDA also reacted to the internationally-based contaminations, illustrating action to what constituted a perceptual crisis in the United States.

Near Misses

Near misses encompass events that could have happened, but did not. Muermann and Oktem (2002) label these occurrences as "weak signals" that might signify a greater problem at hand. Other scholars define near misses as incidents that maintain the potential to cause loss, but fail to actually do so in the end (Phimister, Oktem, Kleindorfer, & Kunreuther, 2003). In this respect, near misses are perceived as damaging events that would cause harm if they reached their full potential. Near misses can be known or unknown. When known, near miss events can and should be used as a catalyst to reevaluate current circumstances to avoid future crises. If a near miss is unknown, its occurrence may not be realized until after a crisis has manifested. Phimister et al. (2003) list events like the 1986 Space Shuttle Challenger explosion, the 1997 Hindustan refinery

explosion in India, the 1999 Paddington train crash, and the 1998 Morton explosion and fire as all containing smaller crises or incidents (near misses) that preceded their major disasters. Noticing near miss incidents (and failure) can be difficult, particularly when employees or stakeholders want business to continue as usual. Near misses can also be discussed in relation to almost reaching a desirable goal or outcome.

When working towards a goal, narrowly missing a target can be an impetus to continue with current activity because success is “almost there.” In this sense, near misses might be a “failure to reach a goal” by a narrow margin (Reid, 1986, p. 32). For example, politicians attempting to pass legislation may narrowly fail to obtain a number of necessary votes. Most would assume this means the legislation was favorable, and merely needs slight alterations to win the remaining votes (as opposed to abandoning the bill and starting over). This distinction is relevant then because two types of near misses may encourage or impede policy. These include situations where the outcomes of an event are good but a negative event almost happened, and when a positive event almost happens but does not (Dillon, Tinsley, & Cronin, 2010). Subjectivity can excessively influence our ability to trust that good events are more likely to happen and bad events are less likely to happen. These suggestions tend to ignore actual or technical risk while simultaneously embracing “risk as feelings” (Slovic, Finucane, Peters, & MacGregor, 2004, p. 311).

The subjective interpretations of stakeholders introduce unique communication challenges for crisis responders. For example, near miss events can create divergent audiences who need divergent risk or crisis communication messages. Dillon et al. (2010) find that impending hurricanes will both cause individuals to quickly evacuate while

others will remain apathetic about a potential natural disaster. Thus, communicators are tasked with understanding how an impending event elicits myriad responses from audiences. In this instance, China's systemic melamine contaminations become a new issue that required forecasting and planning. Even in the absence of a fully manifested crisis, near misses can demand significant organizational resources. Considering, communicators should understand both the impact of near misses and their consequential organizational communication and implemented actions.

China's Past Adulteration Offenses and Response

Part of the U.S. federal government's response to the melamine crisis was bound by past actions and events. Areddy (2010b) notes "problems in Chinese milk in recent years have underscored quality concerns about the nation's food supply, as well as highlight[ed] how company and government officials are sometimes reluctant to publicly recall hazardous products" (para. 7). Furthermore, China has failed to contain melamine contaminations for several consecutive years. In fact, in 2010 the same melamine adulterated infant formula products pulled from shelves in previous years were discovered back in retailer's stores in China (Wall Street Journal World News, 2010). The recalled (and melamine laden) formula was repackaged and recycled into China's market a second time. Midler (2010) finds that the Chinese government's response to past scandals "has been to protect the industry with a government shield, so no one should be surprised when fraud recurs in such an environment" (para. 6). Chinese manufacturers' "pathological focus" on "short-term profitability" makes reporting, responding, and communicating about these issues nearly impossible (Midler, 2010, para. 7).

These egregious actions invariably taint the minds of American stakeholders each time China suffers another serious food contamination. Furthermore, in the west, “safety scandals tend to be sins of omission – an improperly cleaned piece of equipment at a meat processing plant, a poorly designed toy” (Sternberg, 2013, para. 6). In China, conversely, food recalls involve instances of persons deliberately adding poisonous substances to products, injecting chickens with banned hormones and antibiotics, recycling cooking oil, mislabeling products, all while showing no indication of hesitation or remorse (Sternberg, 2013). Chinese consumers are notoriously untrusting of their government, opting to buy foreign infant formula at prices that fetch foreign suppliers a 400 percent profit to avoid domestically manufactured products (Sternberg, 2013). More recent food inspections continue to find instances of food producers using chemical additives to alter food for economic gain (Burkitt, 2011).

The Chinese government’s responses to these occurrences have been unsuccessful in quelling concern in the United States. For example, Connecticut Congresswoman Rosa DeLauro, the previous chairwoman of the House Appropriations Committee’s Agricultural Subcommittee, has “inserted language in appropriations bills prohibiting the USDA from spending money on any activity that would facilitate poultry imports from China” (Wall Street Journal Asia, 2009, para. 2). When asked why, Congresswoman DeLauro says she maintains concerns about Chinese food safety following the spread of avian flu and a “spate of melamine contamination cases in dairy products and pet food” (Wall Street Journal Asia, 2009, para. 2). Eventually President Obama signed an appropriations bill allowing the United States to import poultry products, but only after the USDA received the approval to conduct food safety inspections in China of exports to

the United States (Wall Street Journal Opinion Asia, 2009). Since 2008, U.S. food safety inspectors have maintained a presence in China to prevent future food safety issues. In 2011, the FDA called for increased data sharing and communication with China (in addition to other major trading partners) to identify and prevent high-risk problems in food trade (Burkitt, 2011). Currently, China is slated to tackle structural issues associated with food safety, proposing the formation of a new food and drug administration to handle all issues in a centralized organization (Tejada, 2013).

Adulterated Products in the United States. Clearly, China endures ongoing obstacles with purposeful food adulteration. Fortunately many of these challenges do not directly impact U.S. consumers. In 2009, the USDA submitted melamine and cyanuric acid results on 44 domestically manufactured infant formulas, including powdered, liquid concentrate, and liquid ready-to-use formulas. All tests revealed that samples contained values below the 0.25 mg/kg threshold level (Hilts & Pelletier, 2009). While American products tested within safe threshold limits, the FDA identified implicated Chinese products in several ethnic grocery stores (Bradsher, 2008). However, these products never received FDA approval for import to the United States and were contained to a very specific type of retailer (Bradsher, 2008). Identified products were removed from stores upon discovery. After thoroughly testing U.S. products and ensuring no Chinese products were being sold in the United States, the alarm surrounding infant formula should have lessened. However, response to this issue remains ongoing despite the evidence that China's tainted formula was not present in U.S. infant formula supplies.

The problems facing China's current food safety systems are serious. However, amid China's safety concerns, implicated infant formula was not present in U.S. food

systems. Several other events, including the 2007 pet food recall and other recent food or product contaminations, may have served as near miss warning signals for future recalls. In this sense China's melamine crisis may embody both types of near miss cases. The outcome of the infant formula in the United States was a positive one, in that the contamination was absent from domestic products. The outcome could have been worse if more illegal products were imported to the United States or already present in domestically manufactured products. Conversely, the United States almost entirely escaped implication in the 2008 contamination, but still found some Chinese product within U.S. borders. Both cases warranted U.S. government response to concerned American stakeholders. The complicated task for U.S. government communicators then was to convey a message that was twofold; firstly, they had to acknowledge the severity of the issue while secondly stating that no viable threat existed for American consumers.

Responding to near misses is difficult for organizations tasked with meeting multiple message objectives. In subsequent sections, the FDA's response to China's melamine crisis is discussed. To begin, case artifacts included for analysis are described. Second, each actional strategy is examined from FDA's rhetorical artifacts to illuminate the size and impact of its ability to communicate effectively with U.S. stakeholders. Finally, the discussion section describes this case's broader impact and meaning.

Case Artifacts

Three newspapers were consulted to substantiate this case. A search on LexisNexis Academic, specifically for articles from *The Washington Post* and *The New York Times*, revealed fourteen possible articles discussing China's melamine crisis. The search terms "China" and "Melamine" located articles containing both terms for both

newspapers. *The Washington Post* search resulted in three articles from July 1, 2008 to March 16, 2013. For this reason, the researcher also searched the Washingtonpost.com for additional articles. No additional articles from *The Washington Post* were found. Searching *The New York Times* revealed eleven relevant articles. These articles also fell within July 1, 2008 to March 16, 2013. Search criteria for *The New York Times* included articles and newspaper blogs. Finally, searching *The Wall Street Journal's* archives yielded 70 articles. The search range for *Wall Street Journal* articles was bound from March 16, 2009 to March 16, 2013 due to a four-year restriction on the newspaper's online content. Archives older than four years were not available. *The Wall Street Journal's* fruitful search was constrained to traditional articles because of the breadth and depth of content collected from the initial search. In total, 84 newspaper articles were included in newspaper data for case description.

Next, a search of the FDA's press releases and announcements revealed 22 possible statements about "China" and "Melamine" from 2007 to present (2013). Five links to press statements in the search results included duplicate information. When removed, 17 final statements were found relevant to the analysis. Seven statements from 2007 were included to provide context from the 2007 pet food recalls due to melamine contamination. This recall occurred prior to the infant formula contamination. Remaining statements were from 2008 and 2009. No statements past 2009 were found during document searches. An FDA representative confirmed that press releases are an important form of communication for the agency as he notes that most media is driven "on the press releases we (the FDA) [give]" (personal communication, 2013). Further,

FDA typically relies on national press releases (the documents collected for this study), unless an issue is especially contained to localized areas (personal communication, 2013).

Finally, information was gleaned from an interview with an FDA representative. The representative directly intervened melamine shipments (food and drug imports) from China on the U.S.'s west coast. The representative agreed to and completed a telephone interview with the researcher. The interview was confirmatory and explicated the FDA's rationale for response strategies.

Using multiple sources of data provided a robust understanding of the FDA's response. Consulting newspapers, FDA's press releases, and an FDA representative offered perspective on mitigation efforts. In the next section, this case is discussed within the parameters of legitimacy literature.

FDA's Actional Response

Using Boyd's (2000) actional legitimacy framework and Dowling and Pfeffer's (1975) tactical legitimacy bolstering strategies, this section describes FDA's response as it manifested in publicly available artifacts. Additionally, an interview with an FDA representative provides perspective on decision-making not accessible in open source documents. Incorporating findings from newspapers, press releases, and an FDA employee in this section analyzes crisis responses topically using Dowling and Pfeffer's (1975) prescribed actional strategies. First, adaption of output, goals or methods of operation is discussed. Next, efforts that reframe the definition of social legitimacy to meet the organization's present practices, output, and values are included. Finally, communicative actions that identify through symbols, values, or institutions that have an existing base of social legitimacy concludes legitimation strategy analysis.

Adaption of Output, Goals, or Methods

More complex food systems demanded new solutions from the FDA. In response, the FDA launched a comprehensive reexamination of food safety protection tactics, which spanned prevention, intervention, and response actions. The adaption of output, goals, or methods of operation across all of these stages is discussed in order.

Prevention

Prior to the described instances of melamine contamination, U.S. food regulators did not recognize melamine as a potential food safety threat. The substance existed from manufacturing processes, but assuming the byproduct could infiltrate food systems was not anticipated. The FDA acknowledges that preventing intentional and unintentional contamination of the food system is the best option for safeguarding the U.S. food supply (FDA, 2009). To accomplish this task, a new Food Protection Plan launched in 2007 called for new vulnerability assessments, new tools, and novel science to prevent foodborne illness (FDA, 2009). This report is larger than addressing the melamine contamination, but specifically references this event and China's food safety practices thirteen times in the publicly available plan overview. Preventative actions are discussed next.

Establishing FDA offices abroad. The FDA and the U.S. Department of Health and Human Services (DHHS) traveled to China to address "food safety issues in both countries and to share ideas to address global food safety" (Kwisnek, 2008d). The dialogue touched on both fresh produce outbreaks in the United States and contaminated Chinese products, specifically mentioning the melamine adulteration of dairy products (Kwisnek, 2008d). At the time of the dialogue, the FDA was establishing offices around

the world, including: China, Latin America, India, Europe, and the Middle East (FDA, 2009). Employees staffed in the China office are bilingual, and spend time monitoring the press, visiting local sites, and working with Chinese regulators as representatives of the United States (personal communication, 2013). Additionally, international staff collects data abroad that can be analyzed at home (personal communication, 2013). The FDA began hiring staff for China and India in 2009, and has continued to expand in the past four years.

New testing and assessment tools. A major barrier to preventing melamine contamination of food products has been the inability of the United States to successfully detect the synthetic protein in products. More specifically, melamine was able to pass protein tests because the compound mimicked the properties of real protein. The FDA has since spent time to develop methods capable of detecting melamine and other potentially harmful ingredients in feed and feed ingredients.

In addition to specialized testing mechanisms, FDA released the CARVER self-assessment tool for industry, to “minimize the risk of intentional contamination of food, and conducted training seminars for industry on how to use the tool” (Kwisnek, 2008d). The name is an acronym standing for six attributes used to evaluate targets for attack: Criticality, accessibility, recuperability, vulnerability, effect, and recognizability (FDA, 2010). The CARVER + Shock (tool) “helps food processors protect their products from deliberate contamination” (FDA, 2010). The tool evaluates potential vulnerabilities in supply chains of different foods and is adaptable to many scenarios. Proactively assessing and identifying food vulnerabilities illustrates the necessity of not only protecting against unintentional food outbreaks but also addressing points in the food chain that are open to

intentional human tampering. Since CARVER's initial introduction, the FDA has computerized the process to take companies "through more than 100 question about their facilities and processes to help them identify vulnerable areas" (FDA, 2010).

New FDA positions. In addition to creating new positions abroad to manage this issue, the FDA created an International Notification Coordinator position internally "to manage enhanced information exchanges between the agency and foreign counterpart regulatory authorities" (Kwisnek, 2008d). This position designates an American counterpart to coordinate newly created partnerships with foreign regulatory agencies.

In addition to specific positions, the FDA formed a new standing committee designed to meet regularly and discuss economically motivated adulteration (personal communication, 2013). The group consists of members from all product sectors. The purpose of the group is to discuss "issues of mutual concern" for economic adulteration, with the intent of finding indicators for concern early on (personal communication, 2013). Early indicators in one sector can then trigger further investigations in related sectors, so that with "any luck," the agency can "get a handle on it before it (an economically adulterated event) gets out of control" (personal communication, 2013).

Intervention

Even with preventive measures, an amount of contaminated product can still enter the United States. However, new inspection points can catch contaminated products before they enter retail markets. Two new policies stand to specifically address melamine products. These include new third-party inspections and advanced screening technology at U.S. borders (a collaborative effort with Customs and Border Protection) (Kwisnek, 2008a).

Third-party inspectors. To intercept illegally imported food, bad business deals, and other unsavory trading practices, a solution could be “third-party inspectors” (FDA, 2009). This process is suggested for both food and feed (Kwisnek, 2008d). The FDA first proposed the idea of how a third-party review process for products might work. Next, when the Food Protection Plan was published the FDA sought public comment on the existence and use of third-party certification programs to understand how they could be used with existing inspection processes (FDA, 2009). Additionally, the Food Protection Plan describes pilot testing of this process with Aquacultured Shrimp (FDA, 2009). While this plan was not yet implemented at the time of the 2008 China melamine crisis, the FDA engaged in serious discussion of how to implement objective inspection processes to counteract intentional shipments of contaminated products.

Advanced border technology. In addition to adding another layer of review for imported products, the FDA worked to develop better tools to identify food safety threats at the border (FDA, 2009; Kwisnek, 2008a). New tools include improved electronic screening and using open-source intelligence for imported products entering the United States (FDA, 2009). This system, known as PREDICT, was complete and under review for the final pilot evaluation phase at the time of the 2008 China melamine crisis. PREDICT stands for Predictive Risk-based Evaluation for Dynamic Import Compliance Targeting. FDA teams are also tasked with expanding PREDICT to an FDA-wide tool, ultimately leading to “improving the efficiency of field examinations and sample collections” (FDA, 2009). PREDICT helps import employees work more strategically as they sample incoming shipments, allowing them to “prioritize the workload” (personal communication, 2013). This function also works in conjunction with “prior notice”

indications delivered to staff concerning incoming high-risk shipments (personal communication, 2013). Both of these policy changes provide border staff opportunity to analyze which shipments need the most scrutiny. Improving border-screening systems will sharpen the precision of product sampling – and consequently identifying contaminated products before they are distributed to retailers.

Response

The last layer of new processes developed by the FDA includes response functions. The agency notes “whether contamination is unintentional or deliberate, there is a need to respond to it faster and communicate more effectively with consumers and other partners” (FDA, 2009). Thus, the FDA’s response priorities become identifying and tracking where contaminated products have traveled and communicating the risk to consumers, industry, and other partners. The ability to quickly and successfully accomplish these priorities will protect public health, reduce the economic hardship experienced by affected industries, and maintain consumer confidence (FDA, 2009). To accomplish these tasks, the FDA quickly worked with local and state counterparts to canvas identified vendors to remove contaminated products and hired new staff to improve emergency responses (Kwisnek, 2008d).

Rapid vendor response. Even with several confirmations from Chinese exporters that no contaminated infant formula was exported to the United States, the FDA conducted a significant investigation of vendors carrying Asian products (2,100 total) (Kwisnek, 2008d). This search targeted areas with large Chinese communities, including Los Angeles, San Francisco, Seattle, and New York (Kwisnek, 2008c). Additionally, the FDA awarded Rapid Response Team cooperative agreements to develop, implement,

exercise, and integrate an all-hazards food and food-borne illness response capability to improve reaction times to crises (FDA, 2009). Training development also included 10 incident command system trainings. These actions demonstrate an immediate response to melamine, but also new professional development and techniques for future responses.

Emergency response coordinators. The FDA hired two emergency/complaint response coordinators “to improve its response to emergencies that involve animal feed, including pet food” (Kwisnek, 2008d). Following the drastic contamination of animal feed, which in some instances was fed to animals bred for consumption, the FDA acknowledged the need to increase scanning for animal illness. Expanding personnel to follow this issue suggests that future challenges would benefit from enhancing the agency’s ability to coordinate agency response to animal illness.

The FDA heavily adopted new policies, practices, and techniques in the prevention, intervention, and response stages of responding to a food contamination. These actions demonstrate a systemic overhaul of agency methods. By December 2008, the FDA initiated a multifaceted approach to fortifying U.S. defenses from foodborne illnesses and contaminations that included creating new oversight, establishing offices located directly in China, and strengthening collaborations with local and state partners in the United States. In subsequent sections, reframing legitimacy and identifying with symbols, values, or institutions for social legitimation are discussed.

Reframing the Definition of Social Legitimacy

The FDA’s comprehensive overhaul of policies, practices, and techniques is indicative of a diminished focus on reframing definitions of social legitimacy. To accomplish this response strategy, the FDA would most likely have discussed the

threshold levels of melamine in dairy products. For example, to reposition this issue as less important, the organization could discuss how trace amounts of melamine are not harmful to adult humans or animals that have consumed them. In 2008, the FDA set regulatory standards of 2.5 ppm for melamine and melamine-related compounds for food products other than infant formula (Kwisnek, 2008b). This estimate assumed a “worst case scenario” which projected exposure in 50% of the diet and applies a 10-fold safety factor to the Tolerable Daily Intake (TDI) to account for uncertainties (Kwisnek, 2008b). However, infant formula was not included in this recommendation.

Infant formula was concurrently bound to a zero-tolerance threshold. A press release cites this decision on the agency’s inability “to establish any level of melamine and melamine-related compounds in infant formula that does not raise public health concern” (Kwisnek, 2008b). Considering the uncertainty of the compound and public alarm, the FDA agreed to the zero threshold policy for infant formula products only. This decision was not debated and received no explanation in press releases.

The FDA’s minimal reframing of the issue relays important information of how the agency viewed the adulteration. The agency not only enacted many new responses as detailed in the previous section, but they also did not engage in communication about the event’s severity or relevance. In other words, the FDA quickly responded to public concerns and, if anything, engaged in over-action to certify public safety. In the final actional section, identifying with symbols, values, or institutions is discussed.

Identifying with Existing Symbols, Values, or Institutions

In grappling with the emergence of an uncertain and complex issue, the FDA sought to relay confidence to stakeholders by forging an alliance with domestic partners,

international partners, and internally with organizational leaders. These affiliations suggest the agency's need for support from institutions outside of itself, and further the necessity for diversified resources for crisis mitigation.

Domestic partners. In September 2008, quickly following the onset of the contamination, the FDA discussed inter-organizational collaborations with other U.S. agencies. For example, Kwisnek (2008a, 2008c) notes that the agency worked closely with state and local governments, Customs and Border Protection within the U.S. Department of Homeland Security, the USDA, Centers for Disease Control and Prevention and other federal agencies. The FDA highlighted its cooperating partners for melamine, and reported that they held a meeting with more than 200 federal, state, local, tribal, and territorial partners to address and issue a final rule on Prior Notice of Imported Food shipments. Press releases also note a signed agreement with six U.S. states to form a Rapid Response Team capable of responding to potential threats to our food supply (Kwisnek, 2008d). The FDA also extended to private operations to coordinate with nongovernment entities when appropriate. For example, the agency started to alert private partners to specific problems so they can employ more diligence with organizational practices. A theme of working with domestic partners is woven through the agency's discourse concerning melamine, beginning with the dairy contamination in September 2008 up through the press releases in December 2008.

International partners. In addition to domestic partners, the FDA emphasized a willingness to "collaborate with foreign governments and their regulatory agencies" and an agreement to continuously monitor international reports to help ensure "that potentially contaminated products from foreign sources are examined if imported" to the

United States (Kwisnek, 2008b). Specifically, the New Zealand Food Safety Authority is identified as being an important partner in managing China's melamine crisis (Kwisnek, 2008c). Currently, Congress is pushing the FDA to expand these relationships even further (personal communication, 2013). Declaring a willingness to coordinate response efforts, the FDA employed a multi-lateral approach to managing adulterated products. Arguably, this signifies a more robust and diverse movement for finding a solution to melamine-laden food.

Organizational leaders. Finally, press releases included quotations from two Commissioners of Food and Drugs, including Margaret A. Hamburg, M.D. and Andrew C. von Eschenbach, M.D. (Kelly, 2009; 2008d). Statements from high-ranking FDA representatives indicated issue importance and response from organizational leadership. Leadership recognition was congruent with the agency's willingness to adopt many new outputs, goals and methods.

The FDA affiliated with several domestic and international institutions in responding to imported melamine. Conversely, new values and/or symbols were not particularly emphasized. While bolstering partnerships, the FDA diversified the resources at its disposal to diminish potential melamine contaminations. Further, these partnerships are also a consequence of adopting new policies after the 2008 crisis. For example, in expanding to international locations to establish overseas offices, the FDA simultaneously constructed new partnerships with international food safety regulatory organizations. New domestic policy also spurred novel collaborations between U.S. agencies (particularly between the FDA and Customs and Border Protection). The FDA's multi-lateral response to this issue ultimately demonstrates the need for cooperation and

novel policy solutions. Lastly, including the names of the FDA's Commissioners of Food and Drugs lends credibility to the response by including organizational leadership discussing agency actions.

The FDA's actional response to China's melamine crisis demonstrates a strong shift to new policy in the absence of an actual contamination in the United States. The FDA's adoption of new outputs, goals, and methods illustrates a fast moving and unencumbered acknowledgement of concern for future contaminations. Further, the fact that the agency disregarded attempts to reframe issues surrounding this event strengthens its feelings for proposed and enacted new policies. Finally, expanding agency networks signifies new institutional partners to bring legitimacy to the FDA's mitigation efforts, particularly when it comes to preventative actions. In the following section, a discussion of these actions describes the impact of FDA's actional response.

Discussion

The FDA significantly adapted its strategies by 2009 after news of China's dairy contaminations erupted throughout 2008. However, aside from several illegal products found in ethnic grocery stores, no melamine-laden products entered the U.S. food supply. The FDA's actional strategies to China's regulatory problems suggest that the agency adopted policy based on a near miss scenario – constituted by three unique case attributes. The melamine contamination is unique from other food risks or crises in that the case is: (a) Deliberate, (b) systemic, and (c) unresolved. Next, these facets, and how they constitute a near miss, are described. Following, the communicative functions employed by FDA elucidate how the U.S. government managed the perceived threat of melamine.

Deliberate Intent

Near misses provide warning that existing policy and procedures are at risk of serious failure. Unfortunately, accepting and acknowledging the need for change can be met with resistance. Organizational change can be difficult to justify after a near miss and can invite criticism when such change is not associated with concrete or easily observable evidence. In this case, the FDA proposed robust changes to policies and procedures.

China's melamine crisis disrupted existing FDA policy because the contamination posed new concerns for the agency that it was not prepared to manage. The agency was particularly unprepared to handle an intentional instance of food contamination. An FDA import specialist notes China's tactical strategies for blatantly evading U.S. regulations:

Everyone is trying to beat this and we are playing games. That's an example of, you know, one of the things that makes it more difficult. You know you have a country identified that will just ship the product through one of two other countries before it comes into the U.S. It makes it that much more difficult to identify where the problem is. (personal communication, 2013)

Prior to the melamine cases, the primary cause of food or drug contamination was assumed to be unintentional or accidental human failure at worst. For example, foodborne pathogens may damage one shipment of products if the refrigeration on a truck fails, or an employee accidentally contaminates a batch of product by including ingredients that were scheduled to be discarded. These types of errors result in a much smaller volume of product contamination, whereas intentional additives can be added to products at a steady and widespread rate.

China's melamine case differs in that products were adulterated for economic gain over years, spanning products from rice and wheat proteins to powdered and liquid milk, eggs, animal feed, and finished products such as cakes, candy, biscuits, and coffee. The intentional use of melamine turned an issue of contamination into a systemic failure. Moreover, China's regulatory agencies could not contain the systemic spread of product within or outside the country because the chemical was purposefully added and disguised in order to evade detection. Additionally, Chinese manufacturers "play games" with U.S. regulatory officials: They knowingly dodge U.S. quality control policies to cheat the system in the hopes of earning a higher profit (personal communication, 2013). The function of intentionality changes the manner that U.S. agencies must conceptualize and communicate the threat to consumers.

Systems Inundation

Melamine's deliberate introduction into food systems also means that the chemical enters new products and markets before regulators can anticipate its arrival. In fact, this function is mentioned by an FDA representative who says, "well you know melamine was one thing that started our thinking about these kinds of [widespread] problems" (personal communication, 2013). This issue transcended the ability of the FDA to ban a type of import, implement larger sampling of consistently poor-performing repeat offenders, or change the handling practices of a specific company or shipment. Typical actions that could be used to curb the growth of contaminations lost their vitality as economic adulteration transcended the contained and manageable portions of the food supply to encompass many products, in many countries, consistently over time.

The United States' initial systems (particularly border systems/sampling staff that monitor imports) effectively caught adulterated products at the border in 2008 (personal communication, 2013). Still, at the time, the FDA did not have the appropriate capabilities to stop or minimize the threat of products contaminated with melamine from harming U.S. consumers. China's growing amount of economically motivated contaminations prompted U.S. regulations to largely overhaul strategic thinking about protecting the U.S. food supply. Fortunately, this process happened prior to any detrimental event on the homeland. The FDA's actional and communicative response to these changing systems was extensive – and these changes were relayed to consumers in organizational press releases. By proactively preparing for an emerging threat, the government demonstrates its ability to learn from current events, and constructively respond to melamine as a near miss event. Newly emerging systems demanded new operational and regulatory capabilities from the U.S. government. The FDA's introduction of new actions illustrates the agency's acceptance of these demands, in absence of a fully manifested crisis in the United States.

Unfulfilled Resolution

When this dissertation was drafted, China continued to grapple with regulating melamine domestically. Regardless, China's issues provide no indication that melamine poses any health concerns to U.S. citizens. When asked to discuss how this issue will reach resolution in the United States, an FDA representative notes: "You know who is to say it [melamine] might not come in in some other way?" (personal communication, 2013). In other words, adulteration might be reduced in one product or industry, but contaminants are likely to reemerge in another. This ambiguity and uncertainty leaves

little room for any feeling of resolution and security. Rather, it should instill a sense of urgency in regulators to prepare for the unexpected, and to make few assumptions about which products are harmful and which products are safe.

Uncertainty surrounding resolution suggests that even though melamine did not pose harm to U.S. consumers in 2008, it remains a realistic threat as the trade between the United States and China remains vigorous. The Chinese government prosecuted farmers, manufacturers, and Sanlu's leadership in response to the 2008 contamination. However, melamine has yet to be eradicated from the food system and families still remain fearful the contaminant remains in infant formula. This reality imposes challenging consequences for those who trade with China, as even close trade partners will not know with certainty if the country's exports are genuine.

China's melamine crisis prompted the United States to engage in actional strategies to mitigate potential harm. Melamine's functions of intentionality, systemic contamination, and unfulfilled resolution failures positioned this event as a near miss crisis – resulting in significant policy and procedural changes in the United States. These changes were largely communicated by the adaption of output, goals, and methods. Similarly, the myriad actions described in this section are FDA's most clear communication that the agency is preparing for and protecting against a future melamine contamination in the United States.

Communicating Change

The FDA relied heavily on press releases to provide updates about the melamine investigation, its organizational response, and to general reassurance that no threat to U.S. consumers existed. However, these changes were not widely communicated to domestic

stakeholders. Organizational press releases can be difficult to find and do not always attract attention from mass media. Petrun (2010) finds that television media reported basic information about the case as it unfolded in fall 2008, but most coverage heavily emphasized health affects incurred by sickened children and the drastic penalties (death or life in prison) given to individuals tried for economic adulteration. Rarely did media outlets discuss policy changes.

For example, *The Washington Post* and *The New York Times* seldom discussed (only two articles of the newspapers above) the FDA in stories covering melamine. In failing to link regulatory solutions to discussed problems, solutions are omitted from public discourse. Even though the FDA engaged in comprehensive policy reform (see the first actional category – adaption of outputs, goals, and methods), U.S. stakeholders were not introduced to “FDA success.” FDA success means that instances of successful organizational action should be communicated and evaluated. Typically, organizational failure to create, maintain, or improve existing policy is heavily emphasized in media discussion surrounding government agencies. Of equal importance is knowing what works and why in combating issues, particularly because this describes a more complete picture of actional strategies.

The FDA should generate more press releases to thoroughly document organizational action and response. Ideally, communication surrounding the success of each proposed policy change could solidify the necessity of these changes and assure stakeholders that not only are actions being taken by the FDA to minimize a threat of melamine in our food systems, but also that these actions are working. Unfortunately, it remains difficult to access information confirming or denying the success of these

programs (unless internal access for organizational members is available). More specifically, if the FDA begins a more accurate strategic sampling procedure at the border they may find more contaminated shipments using less manpower. This would both increase the effectiveness of the agency by decreasing the amount of contaminated food entering the U.S. supply while concurrently decreasing the expense to U.S. taxpayers. However, an achievement like this would rarely make headlines.

In addition to infrequently linking policy action to the case, the FDA provides a broad overview of adopted changes in its press releases. This breadth provides a brief summary of overall sweeping changes in the agency's prevention, intervention, and response capabilities. What remain missing are summaries of each of these changes, and what the adoption of these changes will accomplish. This missing link potentially impedes the translational element that consumers need to learn more about the U.S. government's response to melamine.

U.S. consumers, in addition to Chinese consumers, have little faith in the Chinese government to maintain the integrity of the country's food systems (Bate, 2013). Many Chinese now risk arrest for illegally transporting foreign brands of infant formula into China from Hong Kong. Currently, Beijing regulates that buyers only purchase two cans of formula per day – and failure to adhere to these limits can result in up to two years in prison and a \$64,500 fine (Bate, 2013). Conversely, melamine remains a non-issue in the United States, where most infant formula safety issues encompass preparation and foodborne illness (e.g., the need to refrigerate formula to reduce bacteria growth). Adulterated formula remains unlikely in the United States, unless parents shop in ethnic

stores or locations where counterfeit products might be sold illegally. Properly prioritizing risk in the United States is important to place product risk in perspective.

Near miss events demand substantial responses from organizations even in the absence of a legitimate threat. In this case, the FDA was tasked with managing an emerging security issue before it actually impacted the United States. As the melamine case worsened in China, the FDA relied on press releases to communicate an organizational response to the crisis. These responses demonstrate a willingness to learn from this non-crisis as the FDA proactively adapted its output, goals, and methods to meet an evolving food safety landscape. From this process, several generalizable lessons are revealed.

Generalizable Lessons

The FDA's response to China's melamine crisis suggests three lessons other practitioners may benefit from. These include accepting uncertainty, responding to public concern, and documenting success.

Accept Uncertainty. Emerging and novel risks do not have easily discernible answers. In this case, the FDA accepted the uncertainty of the scenario and released information as it became available. This included updates when investigations were still in progress to the finalized results of comprehensive organizational reform. The agency was correct to provide updates early and often, even when in some instances little new information was available.

This process lets consumers know that the issue, or in this instance the discovery of any of China's tainted milk in the United States, is an ongoing priority for the responding agency. Near misses may or may not draw attention to an issue. In fact, many

times they may go completely unnoticed. Depending on the visibility of a near miss, organizations may need to adjust communication about the issue accordingly. As near misses often signal the failure of existing policy or procedure, a near miss event may be an early indication of impending policy change. Being prepared to communicate early and often with stakeholders who may not be directly affected by the event is essential.

Respond to Public Concern. Near misses are perceived as damaging events that would cause harm if and when they reach their full potential. Melamine was covered in U.S. media even though it was not a physical threat to U.S. consumers. This coverage prompted an unprecedented explanation from FDA offices. In fact, the FDA received “complaints at a rate it had never seen before or since...over thousands and thousands [of calls] over a three to four month period” (personal communication, 2013). To meet these needs, staffs were redirected from other duties to respond to worried and frustrated callers seeking information, fact checking, and requesting advice. FDA officials knew melamine was not present in any infant formulas sold within the United States, but they still responded to consumer concern.

Near miss events can yield strong emotions, especially if consumers feel they have narrowly missed being harmed. Acknowledging consumer concern and engaging in candid conversations can dispel misinformation. Updating stakeholders on current events and on what is being done to ensure a full crisis does not manifest is also a wise response strategy. Perceptual crises are inherently subjective, and, to many, a near miss can seem like the beginning of a crisis. If a crisis is not realistic, or if precautions have been taken to safeguard against an emerging threat, organizations should share this with stakeholders so they can reconsider the severity of the situation.

Document Success. One of the most challenging tasks of communication surrounding near misses is discussing what went right. Fortunately for U.S. consumers, adulterated Chinese products were not imported to domestic markets. Contaminated shipments were intercepted at U.S. borders, and illegally imported products were recovered from ethnic grocery stores. Many of the FDA's existing safety mechanisms have worked in monitoring the food supply and protecting against adulterated products. The problem remains in conveying the amount of harm that the FDA has worked to avoid in tangible and relatable terms.

Clearly, failure is not only more interesting for media to report, but also often easier to understand. Communicating cases of near miss should highlight processes and operations that ended successfully, providing as much evidence for the success as possible. This process can be both proactive (discussing anticipated benefits) and retroactive (documents positive changes over time). The FDA could emphasize current policies and procedures and how they have shaped positive outcomes, providing commentary on agency success for keeping adulterated products out of the United States. Other organizations should similarly remember to discuss success along with failed components of policy or operations that produced a near miss scenario.

Conclusion

Beginning in 2008, China's dairy industry experienced an economically motivated contamination of powdered and liquid infant formula. The country's premier manufacturer, Sanlu, was linked to the contamination when 300,000 infants were sickened and six others died from kidney complications. The FDA confirmed no legal products entered the United States, yet U.S. regulators still engaged in robust planning

and communication surrounding this emerging security threat. The agency's responsiveness largely manifested in a highly publicized food safety plan, enacted in 2009. Communicating these changes to U.S. consumers demonstrates the FDA's ability to effectively plan for, and respond to, a near miss warning signal.

This chapter described a near miss crisis and the subsequent effects on FDA's policy. More specifically, the case discussed the challenges associated with near misses, FDA's actional strategies, and offered generalizable lessons for other organizational leaders. Next, chapter six extends discussion of perceptual crises moving from a near miss to a case of misconstrual involving GE food or biotechnology.

Figure 5.1

Timeline of China's Melamine Crisis

Date	Event	Source
2004	13 Chinese infants are killed from drinking counterfeit Sanlu formula.	Bradsher, 2008
2007	16 pets are killed and thousands sickened by tainted pet foods from China.	Bradsher, 2008
November, 2007	FDA releases the Food Protection Plan.	FDA, 2009
March, 2008	FDA engages in a bilateral meeting with China to discuss Administration of Quality, Supervision, Inspection, and Quarantine (AQSIQ).	FDA, 2009
March, 2008	Sanlu receives complaints about dairy products from customers.	Barboza, 2008a
September 12, 2008	China announces nationwide inquiry into the safety of infant formulas.	Bradsher, 2008
September 14, 2008	- One infant death and 432 others with kidney problems reported. - Sanlu ordered to shut down all powdered milk production.	Barboza, 2008a
September 26, 2008	Melamine discovered in Mr. Brown instant coffee and milk tea products (stemming from Chinese ingredients).	Kwisnek, 2008c
October 4, 2008	FDA sets threshold limit for melamine in food.	Kaufman, 2008
October 8, 2008	Three infant deaths and 53,000 others sickened reported in China.	Wong, 2008
October 6, 2008	Melamine discovered in Blue Cat Flavor drinks.	Kwisnek, 2008c

Figure 5.1 (Continued)

Timeline of China's Melamine Crisis

October 31, 2008	Chinese regulators widen search for contaminated products to animal feed supplies.	Barboza, 2008b
November 14, 2008	U.S. blocks all shipments of Chinese products that contain milk or milk based cargo.	Shin, 2008
December 23, 2008	Sanlu filed for bankruptcy.	BBC News, 2010
January 11, 2009	China says a total of 6 died and 296,000 children fell ill from tainted products.	BBC News, 2010; Spencer, 2008
January 20, 2009	Lawyers file a lawsuit against 22 dairy companies linked to melamine contamination.	Wong, 2009
January 21-22, 2009	Sentences delivered to 21 individuals for melamine involvement, including two death sentences.	BBC News, 2010
January 2, 2010	Shanghai Panda Dairy shuts down, after tested products still contain melamine.	Areddy, 2010a
February 10, 2010	Chinese officials search for 170 tons of contaminated milk powder that remain on retailer shelves in China.	Midler, 2010
March 5, 2010	Three Chinese dairy officials (Panda Dairy Co.) sentenced to up to five years in prison.	Areddy, 2010b
August 12, 2010	Chinese milk supplier and dairy giant Fonterra is questioned about its products when Chinese infants are found to have abnormal hormone levels.	Spegele, 2010
April 16, 2013	Chinese mothers travel to Hong Kong to buy international brands of formula in bulk.	Bate, 2013

Chapter Six: California's Proposition 37 – A Case of Misconstrued Risk

The November 2012 election cycle brought a new food labeling measure to the table in the state of California, known as Prop 37. Prop 37, legally entitled The California Right to Know Genetically Engineered Food Act, received enough signatures from California residents to appear on the state's ballot. The legislation would become the first of its kind to require GE products to be labeled. Prop 37 specifically reads that, "manipulating genes and inserting them into organisms is an imprecise process," and further "the results are not always predictable or controllable, and they can lead to adverse health or environmental consequences" (Bowen, 2012, p. 110). Policy supporters feel that consumers have a right to know whether food is genetically engineered or not. As such, these products should be distinctly labeled so consumers know which foods have been genetically engineered. While some California residents support the proposed policy, other citizens, government agencies, and industry leaders took issue with the proposition's claims that little science exists to back assertions of harm associated with GE products. Further, labeling GE products to comply with Prop 37 could cause a ripple effect of costs throughout private and public industry.

This chapter analyzes misconstrued risk messages surrounding Prop 37 from the "California Right to Know" activist group, and describes the FDA's position. First, the case of Prop 37 in California is explained using incorporated newspapers to document and illuminate events as they unfolded beginning in fall of 2012. Second, GE labeling is discussed from the perspective of misconstrual literature. Next, artifacts selected for inclusion in this chapter are discussed in detail. Fourth, the FDA's position is described and actional legitimacy is used as a framework to analyze California Right to Know's

press releases surrounding GE foods. Finally, implications and conclusions extend this case to broader organizational issues to offer insight to others tasked with responding to similar perceptual crises.

Misconstrual is the final perceptual crisis discussed in this dissertation.

Misconstrual, like hoaxes and near misses, demands legitimate responses to illegitimate claims. Discussing how misconstrued risk impacts and strains resources is an important task in increasing understanding of misappropriated claims about a risk. This particular case is noteworthy because it details how state policy can first be spurred by activist movements, influence and garner national attention, and shift discussion from the technical aspects of risk to emotional arguments in an effort to pass policy. While the focus of this chapter centers on Prop 37, misconstrued risk could indeed spur other types of policy debates in the United States. Therefore, it is necessary to both understand how legislation builds support for its cause based on incomplete or inconsistent claims, and what responding organizations (and those affected by the policy) can do to respond. Next, California's Prop 37 case is overviewed.

The Case

November 6, 2012 became a milestone for those working towards policy supporting the “dinner party” in America. In California, a natural and organic food movement yielded a petition with enough signatures to introduce Prop 37 to state voters. The policy reads “government scientists have stated that the artificial insertion of DNA into plants, a technique unique to genetic engineering, can cause a variety of significant problems with plant foods” (Bowen, 2012, p. 110). In response to these “significant problems,” the mandatory labeling of foods produced through genetic engineering can

“provide a critical method for tracking the potential health effects of eating genetically engineered foods” (Bowen, 2012). California residents concerned with the effects of GE products brought the issue to a debate at the state level, by adding this proposition to the ballot with eleven other propositions.

Pamm Larry, a 56-year-old activist, initiated the petition for Prop 37 to appear on California’s ballot. A former grower of organic herbs and flowers, Larry personally spearheaded the campaign to require product labeling (Jargon & Berry, 2012). The pronounced farmer, midwife, businesswoman, and “gutsy grandmother” of three quit her day job to educate herself about GMOs and ballot initiatives to tackle the United States’ “modern day food system(s),” which she believes are responsible for unhealthy and artificial food (Spiegelman, 2012, para. 7). She began the process by driving to local festivals and farmers markets to collect enough signatures to propel Prop 37 forward. While Larry only recently started her campaign, GE foods have actually been present in American food systems for about twenty years.

GE food was introduced to U.S. markets in the 1990s, when farmers began using crops that were bred to repel pests and/or withstand herbicides. The FDA (2013a) currently defines genetic engineering as methodology used by scientists “to introduce new traits or characteristics to an organism.” The FDA (2013a) also notes in its primary definition of the term a strategic choice to use the term genetically engineered instead of “genetically modified” (or Genetically Modified Organisms (GMOs)) as the latter is “the more precise term.” Since 1986, the U.S. federal government has employed a coordinated framework to manage agricultural biotechnology. The USDA (2013) defines the broader term of “biotechnology” as the processes of “breeding techniques that alter living

organisms, or parts of organisms, to make or modify products; improve plants or animals; or develop microorganisms for specific agricultural uses.” These processes are guided, tested, and approved by three agencies including the USDA’s Animal and Plant Health Inspection Service (APHIS), the EPA, and DHHS’ FDA. Currently, according to the Non-GMO Project, 93% of soy, 88% of field corn, 94% of cotton, and more than 90% of canola seed and sugar beets in the United States are genetically engineered (Beecher, 2013). Inevitably, these products are incorporated into other American made foods as ingredients, which disseminate GE products into thousands of finalized products available to consumers.

Prop 37 is touted as one of the first pieces of policy that would usher in a new era of food reform and governance in the United States. Pushing for labeling of products in the state would demand further attention from national regulators and industries. Products would require substantive (i.e. costly) changes to comply with the state’s new law. However, Prop 37 would not be the first time California has enacted drastic policy changes in this manner. The state’s initiative process has been used by voters for decades, providing an avenue for a “last- or first-ditch way for issues that politicians aren’t yet ready to touch” to go to the public, including the tax rebellion of the 1970s (Prop 13) or medical marijuana in the 1990s (Prop 215) (Pollan, 2012, para. 2). These propositions in turn prompt direct political discussions – including discussions in Washington, D.C. (Pollan, 2012). Passing Prop 37 would mean many changes for not only California voters, but also for local, state, and national industries, governments, and regulatory bodies.

Should Prop 37 pass, consumers could expect to have the cost passed on to them from the food industry. Walsh (2012) writes that opponents to the bill claim it would cost

consumers an extra \$400 a year in grocery bills. This cost, while not clearly defined by opponents in news articles, is attributable to increased cost to grow, manufacture, and sell non-GMO ingredients. Consumer costs are attributable to foreseeable challenges passed onto industry, including creation costs for new labeling, navigating potential lawsuits for non-compliance, and remaking or abandoning old products. A supporter of labeling, President A.C. Gallo of Whole Foods, states that products without GMOs “are more expensive based on tighter supplies of non-GMO ingredients” (Beecher, 2013, para. 18). The “No on 37” group, a coalition of those who do not support the proposition, find that changing just the packaging associated with the policy would cost \$300 to \$800 million – should companies want to adapt their products and business to meet new state standards (Jargon & Berry, 2012).

Aside from the cost incurred by consumers and industry, projected costs extend to government agencies to regulate and implement the law. California Secretary of State Debra Bowen estimates that California would incur an increased cost ranging from “a few hundred thousand dollars to over \$1 million annually” to regulate the new labeling system. This figure does not include potential litigation resulting from possible violations of the new requirements (Bowen, 2012, p. 55). Both supporters and oppositionists to the policy, in one way or another, acknowledge the significant financial burden that passing the bill would create. Interestingly, while consensus exists on increased costs for many stakeholder groups, overall consensus about the benefit or necessity of labeling GE foods has not been achieved. This divide is evident in newspapers collected to describe this case.

Support for Proposition 37

Supporters of Prop 37 assert that GE food is simply not as healthy as its naturally grown counterpart. This argument is attributed to the fact that engineering allows crops “to be super resistant to chemical herbicides, chemicals that will kill pretty much everything except the specified crop” (Bittman, 2012c, para. 4). Engineering efforts allow weeds surrounding crops to be killed, while the produce remains resistant to herbicide or pesticide distributed to fields. Along with overuse of chemicals, the “largely untested nature of G.M.O.’s themselves” causes alarm (Bittman, 2012c, para. 8). Prop 37 supporters assert they simply have a “right to know what’s in their food,” and industry non-compliance indicates failure to disclose important dietary information (Specter, 2012, para. 2). Other support is bolstered by the fact that more than 50 other countries require labeling of GE products (Bittman, 2012c). In addition to uncertainty associated with chemicals, concern for overall health, and a desire to know what they are eating, many supporters see the policy as pushing businesses to be more transparent.

Prop 37 was born in farmer’s markets and local farms, whereas the movement’s opponent is what supporters call “big food,” or large food manufacturers. These corporations include companies like ConAgra, Smuckers, Hormel, Kellogg, Coca-Cola, and Pepsi-Co, among others (Bittman, 2012a). One of the most noteworthy opponents to the legislation is the agricultural giant Monsanto. Monsanto contributed \$4.2 million to defeat Prop 37 in August 2012 (Bittman, 2012b). Supporters of Prop 37 vehemently despise and distrust large organizations that they believe are overly concerned with profits rather than consumer health. Bittman (2012c) writes that “six of the top funders are the six largest pesticide companies, and three of them are European companies that

can't grow G.M.O.s in their own countries" (para. 19). The idea of industry padding the pockets of decision-makers extends back to 1992, when the FDA deemed GE foods as equivalent (or no different than) natural foods. Pollan (2012) writes that this determination:

Represented a breathtaking exercise of both political power (the F.D.A. policy was co-written by a lawyer whose former firm worked for Monsanto) and product positioning: these new crops were revolutionary enough...to deserve patent protection and government support, yet at the same time the food made from them was no different than it ever was, so did not need to be labeled. (para. 7)

As the November election grew closer, the California Secretary of State estimated that Kraft Foods Group Inc., Coca Cola Co., Monsanto Co., and other food and agricultural heavy hitters contributed more than \$40.9 million to a campaign that persuaded California voters to reject the measure (Jargon & Berry, 2012). Clearly taking a different approach to the policy, industry officials found the proposed legislation troubling. They began engaging in campaign efforts to ensure that Prop 37 would not gain enough momentum to become law.

Opposition to Proposition 37

Labeling GE food is seen as unnecessary to many in the food industry because humans have selectively bred and perpetuated desirable crops and animals for thousands of years (Ritter & Borenstein). This process, which has been refined by gene engineering, "is a proven way to reduce disease, protect from insects and increase the food supply to curb world hunger" (Ritter & Borenstein, 2012, para. 12). Genetic engineering, unlike natural selection or breeding techniques, is more accurate and predictable than trying to

control natural pollination or breeding livestock. Martina Newell McGloghlin, director of the University of California's Biotechnology Research and Education Program, notes "genetic engineering is more precise and predictable, yet it is regulated up the wazoo" (Ritter & Borenstein, 2012, para. 20). In any respect, "all the food we eat, whether Brussels sprouts or pork bellies, has been modified by mankind" (Specter, 2012, para. 3).

Unlike natural processes, GE foods have also been studied "hundreds of times over the past two decades, the National Academy of Sciences, the British Royal Academy, and scores of other scientific bodies have concluded they are no more dangerous than other foods" (Specter, 2012, para. 4). The American Medical Association (AMA) has said that GE crops "pose no new or different risks than any other crop, and there is no scientific reason to believe they would be any more risky" (Specter, 2012, para. 4). The problem, then, rests with the fact that arbitrary labeling would provide undue concern from consumers, leading them to avoid foods that contain ingredients that do no harm (Jargon & Berry, 2012). A Kraft Foods representative said the measure "could disrupt [the company's] ability to meet consumer demand for [its] products, increase costs for California consumers and increase frivolous lawsuits against businesses" (Jargon & Berry, 2012, para. 14).

The effects of stripping the GE food industry of operational capacity by requiring labeling and other bans are serious. For example, Tomson (2010) writes that U.S. sugar production could have been cut by 20% if farmers were banned from planting genetically modified beets. In 2010, a judge threw out the USDA's initial approval for the use of genetically modified seeds, saying "it hadn't done enough research into the environmental impact" (Tomson, 2010, para. 2). Berezow (2012) notes that GE food

research has produced a line of reduced allergen dairy milk, bananas in Africa that are resistant to a devastating bacterium that damages the livelihood of millions of people, healthier papayas in Hawaii (now saved from a ringspot virus), and an overall *decreased* use of insecticides because of increased crop resistance.

Prop 37 became the topic of a very public debate among industry spokespersons, activist groups, the USDA, the EPA, and most centrally the FDA. As November 6, 2012 neared, margins grew closer together as both sides gained momentum to inch towards a narrowly split decision.

The Results

Earlier in 2012, polls showed that passing Prop 37 was strongly supported in California (Walsh, 2012). Beginning in October, polls fluctuated to show narrower margins. While Prop 37 failed to pass with 52.9% voting against the mandate (in comparison with 47.1% voting in favor of the legislation), this closely split initiative indicates significant support for both sides of the issue (California Secretary of State, 2012). To date, momentum has yet to subside and supporters of the initiative remain focused on altering content in the Farm Bill to encourage labeling systems of GE food. In March 2013, an activist group called “JustLabelIt” reported that 14 states were considering bills similar to Prop 37, including Washington, Iowa, Illinois, Minnesota, Vermont New York, and Maryland (Leschin-Hoar, 2013). In May 2013, Vermont’s House of Representatives became the first state to pass a bill similar to Prop 37 that requires GE food to be labeled (Wilce, 2013). The State Senate, however, has not yet accepted the Vermont bill. In addition to Vermont’s success, certain retailers, including Whole Foods grocery store, are considering setting their own standards for GE food.

Whole Foods is imposing a deadline for its suppliers to label GE foods by 2018 (Leschin-Hoar, 2013). Other companies, such as Kellogg's (a traditionally strong opponent of GE labeling), are now segmenting certain branches of their products to be GE free (including Kellogg's GoLean cereals and granola bars) (Leschin-Hoar, 2013).

Even though Prop 37 failed to pass in California, the policy generated changes in both government and private industry. However, the claim that labeling GE food is necessary to prevent detrimental health effects has yet to be substantiated with scientific or empirical evidence. In this respect, the claims by supporters of Prop 37 that GE products are known to cause harm are misconstrued. The next section discusses this case as it relates to misconstrual.

Communication Constraints Specific to Misconstrual

Laypersons, or those who do not have a background or expertise in a topic, piece together constructions of risk from a variety of familiar resources. Persons "construe relevance and meaning from a given risk issue's myriad messages and relationships," to arrive at a decision (Sellnow, Ulmer, Seeger, & Littlefield, 2009, p. 8). Construe specifically means "the public must infer meaning by assessing the importance and accuracy of the information and the authenticity of the source" (Sellnow et al., 2009, p. 8). Conversely, misconstrual occurs when laypersons incorrectly construct meaning. This misconstrued meaning affects decision-making processes, and in turn may impede persons from arriving at the most ideal choice.

Events associated with strong feelings can overwhelm judgment and bring persons to erroneous conclusions (Rottenstreich & Hsee, 2001). When risk as emotion overtakes risk as analysis, choices can become flawed or misguided. Further, research

suggests that persons tasked with measuring risks are often in fact guided by their emotions (Slovic, Finucane, Peters, & MacGregor, 2002). Slovic, Finucane, Peters, and MacGregor (2004) elaborate that risk is actually best discussed in three categories, including “risk as feelings,” “risk as analysis,” and “risk as politics” (p. 311).

Misconstruing risk is a consequence associated with Slovic et al.’s (2004) assertion that risks can be interpreted first and foremost as “feeling,” producing a different outcome than those using a “rational” approach to decision-making (p. 311).

Sinaceur, Heath, and Cole (2005) find that persons enact both consequentialist decisions (weighing costs and benefits of alternative choices) and cognitive decisions (nonemotionally and rationally assessing consequences) during risk deliberations. However, individuals may not always act rationally. In fact, Sinaceur et al. (2005) tested food-labeling alternatives in France and found that describing an animal disease with different terms can influence the vitality of the beef industry. For example, labeling risk as “mad cow” disease instead of “Bovine spongiform encephalopathy” (or BSE) evokes different components of the risk-decision-making process even though the terms describe the same disease (Sinaceur et al., 2005, p. 247). Managing the subjective construction of threat becomes important for organizations wishing to avoid misconstrual. As Sinaceur et al. (2005) discovered terminology alone is enough to disrupt the vitality of the beef industry. Unnecessary disruptions to business can harm organizational legitimacy, growth, and increase the cost of product to end-users.

Similar to the beef industry’s fear of the term “mad cow disease,” food purveyors who rely on GE products worry that activist groups will falsely represent what is currently a sanctioned process for cultivating food. As Rottenstreich and Hsee (2001)

describe, events associated with strong feelings can overwhelm judgment and produce erroneous conclusions. This emotional push can overwhelm technical assessments of risk and allow irrationality into decision-making. Food is a particularly powerful topic of discussion. Not surprisingly, if consumers truly believe they are either (1) eating food that is harmful to them, and/or (2) being manipulated by unscrupulous organizations, they would choose to organize and petition to seek meaningful change to regulate GE products. The problem, however, is that no empirical evidence is available to suggest that more risk is associated with GE food than naturally bred products to incorporate desirable characteristics. Further, enacting policy to counter unsubstantiated risk creates undue fear and cost to stakeholders.

A lack of information increases the odds that a decision-maker will not select an option that yields the most benefit. Simply stated, persons can make better decisions about risks when they have accurate, timely, and complete information. Millner, Veil, and Sellnow (2011) explain challenges associated with the 2009 Peanut Butter Corporation (PCA) peanut paste recall. In this instance, lay publics needed information to guide their decision-making process concerning whether or not they should consume peanut products. Unfortunately, little information was released and the public misconstrued the risk of contaminated peanut paste to extend to the entire peanut butter industry, which was an incorrect risk assessment (Millner et al., 2011). In this case, consumers decided to engage in overly cautious actions and avoided a product that was not included in the recall. PCA's case is significant in that it demonstrates the arbitrary associations that can be implied by consumers. A similar arbitrary association to GE foods would not only devastate the vitality and legitimacy of one product, or one type of

product, but rather the composition of the U.S. food supply. If GE foods fall from favor with voters and the United States begins to pursue stricter regulations, this would impact agricultural methods, yield expectancies, domestic trade, international trade, and total food costs. It would also influence the ability of the United States to grow needed food to meet an increasing national and international demand.

The challenge of misconstrual is to first understand what is missing or misinterpreted by decision-makers. Secondly, communicators need to determine the best way in which to reconcile this gap in information. In this instance, scientists, experts, academics, and regulators should consider what is known about this topic and share this knowledge with general audiences. However, transferring or imparting knowledge to groups that need it is rarely this easy.

Misconstrual poses communication challenges to those tasked with explicating technical information to audiences that may maintain high levels of emotion about an issue (in this instance, about the healthfulness and environmental impact of GE foods). In the following section, case artifacts used to describe and explore this case are documented. Next, the FDA's rationale for decision-making is described. Following, case artifacts are presented to illustrate actional strategies of GE opponents.

Case Artifacts

Three newspapers are consulted to support this case. A search on LexisNexis Academic, specifically for articles from *The Washington Post* and *The New York Times*, revealed six possible articles discussing GE food. Articles collected fell between November 1, 2008, and May 9, 2013. The search terms "California" and "GMO" were used to locate articles containing both terms. While this text refers to food as "genetically

engineered,” overwhelmingly media favored the term “genetically modified organism.” To locate more articles, GMO was also used in search terms. Four articles from *The New York Times* directly covered this case. No articles from *The Washington Post* followed the food debate in California. However, to capture more articles, search terms were expanded to “California” and “Biotechnology” which yielded two *Washington Post* articles. Next, a search of *The Wall Street Journal* produced twelve results. Of these twelve possible articles, four videos, which appeared in results, were eliminated and three articles were found to be irrelevant. Unwanted material removed, the *Wall Street Journal* contained five articles including the terms “California” and “GMO.” Eleven articles in total were found to be relevant to this case from searches.

To ensure all relevant articles for this case were collected for *The Wall Street Journal*, the researcher substituted database search terms to be “California” and “Biotechnology” to verify term accuracy. These terms produced broader topical articles on a wide variety of biotech issues and were not relevant to this case. When sorting through search results, the same relevant articles (from the California and GMO search) appeared and did not add additional articles for review. Five additional articles that contributed to the timeline of this case were included in this chapter. These articles were located through Google’s News search. The additional articles originated from *The Huffington Post*, *The New Yorker*, *Time*, *Voice of San Diego*, and *Food Safety News*.

Next, organizational documents from the FDA and California Right to Know are included to document actional strategies. First, organizational documents from the FDA illuminate the regulatory agency’s perspective on GE safety and legitimacy. The FDA documents include the: Federal Food, Drug, and Cosmetic Act; Statement of Policy –

Foods Derived from New Plant Varieties; Completed Consultations on Bioengineered Foods, Guidance for Industry: Voluntary Labeling Indicating Whether Foods Have or Have Not Been Developed Using Bioengineering; Draft Guidance; and several FDA webpages that discuss GE foods. FDA documents were selected for their presence in citations from newspapers and prominence in searching for GE information on the regulatory agency's website. Second, press releases from the California "Right to Know" campaign provide insight to a pro-GE labeling group. California Right to Know endorses Prop 37 and is acknowledged by the state of California's voting materials for voter's that want to receive more information on the issue. In total, 51 press releases were included for analysis (the 51 press releases include all organizational press releases posted online).

Information was also gleaned from interviews with Martina Newell-McGloughlin, director of University of Southern California's Biotechnology Research and Education Program, and President of GMO Free USA, Diana Reeves. McGloughlin and Reeves agreed to and completed interviews with the researcher via telephone. Interviews were confirmatory and explicated communication surrounding the labeling of GE food.

Using multiple sources of data provides a robust understanding of both the FDA and a GMO advocacy group's response to this issue. Consulting newspapers, organizational documents, and two organizational leaders offers perspective on risk communication from both sides. In the next section, this case is discussed within the parameters of legitimacy literature.

FDA Actional Responses Surrounding GE Foods

2012 was a busy year for groups like California Right to Know, yet not necessarily for agencies tasked with regulation – including the FDA. In fact, the FDA

engaged in minimal public communication during the California debates and campaigns. Until recently, (it is not clear on what date exactly) the agency maintained few resources online that directly addressed GE food. On May 29, 1992, the FDA published its statement of, “Policy: Foods Derived from New Plant Varieties,” constituting the founding document on GE food. In 1992, the FDA determined that the “intended expression product or products presents in foods derived from new plant varieties will typically be proteins or substances produced by the action of protein enzymes, such as carbohydrates and fats and oils.” These substances, being already present in consumed foods, pose an “unlikely” safety concern and thus would not “warrant formal premarket review and approval by the FDA” (FDA, 1992).

Compositionally, GE food is no different than non-GE food. Considering, FDA’s Federal Food, Drug, and Cosmetic Act mandated (Section 403) that food should not be misbranded or misleading; a stipulation that was needed to ensure the credibility and safety of products for consumers. Section 403, however, also applies to mislabeling products for benefits, increased nutritional quality, or other attributes. As the FDA finds GE food to be compositionally similar to traditional varieties, labeling GE food differently is at odds with the agencies’ guiding operations. The FDA’s document entitled, “Guidance for Industry: Voluntary Labeling Indicating Whether Foods Have or Have Not Been Developed Using Bioengineering; Draft Guidance,” explains that “if a bioengineered food is significantly different from its traditional counterpart such that the common or unusual name no longer adequately describes the new food,” the product’s name would need to change (FDA, 2001). GE foods are genetically similar to their counterparts, and consequently must be treated the same as non-engineered products.

To date, the FDA remains mum about public debate surrounding GE food. The agency has updated its website to include a new homepage that centralizes information about GE plants. The FDA also compiled a document titled, “FDA’s Role in Regulating Safety of GE Foods,” in addition to a “Questions and Answers on Food from Genetically Engineered Plants” (FDA, 2013b; FDA, 2013a). The document that discusses regulation and safety describes plant-breeding methodology, safety, and briefly mentions the organization’s stance towards GE foods and labeling. Specifically relating to organizational views, the document states, “the agency neither supports GE plants based on their perceived benefits nor opposes them based on their perceived risks” (FDA, 2013b). The agency is most concerned that U.S. foods are “safe and otherwise in compliance with the FD+C Act and applicable regulations” (FDA, 2013b). FDA’s frequently asked questions page covers ten common questions, ranging from “what is genetic engineering” to “how is the safety of food from a genetically engineered plant evaluated?” (FDA, 2013a). Responses to questions are short and contain minimal jargon.

The FDA maintains a passive role, engaging in minimal educational outreach or communication. In fact, searches for “Proposition 37” or “Prop 37” on the agency’s website return no results.

In summary, this section detailed actional strategies by FDA’s non-response to California’s Prop 37. The next section explores contested messages surrounding Prop 37, propagated by activist group California Right to Know.

Actional Responses Surrounding GE Foods:

Contested Messages

Using Boyd's (2000) actional legitimacy framework and Dowling and Pfeffer's (1975) tactical legitimacy bolstering strategies, this section describes California Right to Know's response to support labeling GE food as it manifested in publicly available artifacts. Additionally, an interview with GMO Free USA's Diana Reeves provides perspective on the movement not accessible in open source documents. The implications of communication from Prop 37 policy supporters and the FDA are further analyzed in the discussion section.

Adaption of Output, Goals, or Methods

GE labeling supporters worked to gain legitimacy with stakeholders by using several strategies. The most emphasized adaption strategies include establishing media presence and coalition building.

Media

On May 20, 2012, Prop 37 was officially welcomed by the California Secretary of State's Office to the November 2012 ballot. Prior to this day, the movement focused on gaining enough momentum to initiate the ballot introduction process, accomplished by obtaining enough California state resident signatures. Officially introducing this measure to the ballot signaled a turning point for the movement, which first incorporated the creation of supportive media.

Online presence. California Right to Know maintains an Internet home at www.carighttoknow.org. This homepage is dedicated solely to Prop 37, and includes sections for news, a blog, events, and endorsements. The page features videos (discussed

more in the following section), and fact sections. It also lists endorsements for both sides of the debate, and links to several social media accounts. In total, California Right to Know maintains Facebook, Twitter, YouTube, Pinterest, Google+, and Reddit accounts and links on its homepage. Press releases are archived on the website, and direct consumers to website materials for additional information. The California Right to Know Facebook page (<https://www.facebook.com/carighttoknow>) was created on March 30, 2012 and the page's first post was a call to action for more ballot signatures. California Right to Know's presence on Twitter is accessible from May 24, 2012, when the account first tweeted about U.S. Senator Lisa Murkowski's argument against GE salmon (@CARightToKnow, 2012). To date, Facebook, Twitter, and Pinterest accounts remain active (showing activity in the past week – as of May 30, 2013), whereas YouTube, Google+, and Reddit have been unattended for a month or more. From April 2012 to November 2012, GE labeling supporters organized a robust online presence. In addition, labeling advocates also produced and aired television and radio advertisements.

Traditional media. On August 27, 2012 California Right to Know announced the organization's first television ad that "presents the history of notoriously inaccurate corporate health claims, including falsehoods from some of the very same corporations now funding the No on 37 campaign" (Malkan, 2012b). On September 13, 2012, the organization announced a "six figure ad buy" to "connect California voters to the importance of knowing what's in the foods they eat for breakfast, lunch, and dinner" (Fulbright, 2012c). Three radio ads, similar in content but designed to air during different times of day (including breakfast, lunch, and dinner time slots) kicked off an initial push on the radio (Fulbright, 2012c). On October 26, 2012, Right to Know announced a

“seven-figure television ad buy” to air a new “Food is Love” advertisement (Fulbright, 2012e). While Right to Know did not disclose the total amount spent on advertising, the organization asked for donations online to cover television advertising fees. Radio and television ads were featured on the organization’s website, with full transcriptions included in press releases.

California Right to Know invested both considerable time and money to widely disseminate their pro-GE food labeling message. The group also heavily engaged in coalition building – which the group frequently communicated to stakeholders.

Coalition Building

To illustrate policy acceptance, California Right to Know publicized its new partner organizations. In fact, the organization’s first press release on April 30, 2012, notes that a “wide ranging coalition of consumer, public health, and environmental organizations, food companies, and individuals” submitted the California Right to Know Genetically Engineered Food Act to the State Attorney General (Fulbright, 2012a). Highlights about organizations that offered support for the measure often received their own, stand-alone press release. Fulbright’s (2012b) release entitled “health care providers support GMO labeling” solely documents health care oriented groups who are supportive of labeling. For example, a June 20, 2012 release specifically mentions that the AMA has not reached consensus on GE foods, and also lists medical groups that endorse the policy. Groups mentioned include American Public Health Association, Physicians for Social Responsibility – Los Angeles, San Francisco, and Sacramento, American Academy of Environmental Medicine, among others (Fulbright, 2012b). Other releases discuss endorsements from celebrities, consumers, public health industries, farming groups,

medial organizations, political candidates, women, mothers, authors, chefs, and faith/spiritual groups (California Right to Know, n.d.). In total, the organization lists 3,817 official endorsements (California Right to Know, n.d.).

Diana Reeves, President of GMO Free USA, also acknowledges that coalition building is an important component of generating support for GE food labeling. Reeves notes that her group will reach out to supporters to tell them to “contact their own senators and representatives, and ask them to co-sponsor [the bill]” (personal communication, 2013). Fundamentally, support for Prop 37 is “all grassroots,” and relies on volunteers to both organize and petition legislators (Reeves, personal communication, 2013).

Advocacy group California Right to Know both quickly adapted and increased its media presence and a diverse network of coalitions. In addition to greatly increasing its media reach and networks, the organization reframes what is socially legitimate. The next section describes how California Right to Know shifted discussion of the necessity of labeling policy, and directly engaged in discussion over the science behind current policies.

Reframing the Definition of Social Legitimacy

Labeling advocates rely on redefining legitimacy standards for consumer expectations. This redefinition of legitimacy is initially enacted by pushing a “right to know” belief about GE food, followed by reframing expectations surrounding current biotechnology science.

Right To Know

Expectations surrounding food and drug information evolved as the FDA shaped early regulations concerning the safety and authenticity of U.S. food. With the development of food regulations, consumers can expect to know the general composition of products (ingredients, nutritional value, etc.). Other product details are more recently contested. For example, labeling calories in restaurants and providing Country of Origin Labeling (COOL) are two novel debates in the labeling industry. In this sense, perceptions of the extent of “right to know” issues are not solidified. Prop 37 advocates see genetic engineering as a characteristic worthy of sharing – hence adding GE foods to preexisting labeling expectations. The “right to know” campaign, then, attempts to extend currently accepted consumer expectations.

The “right to know” about GE properties was a staple of campaign communication from the beginning of pro-Prop 37 messaging. As evidenced in the organization’s namesake and first press release, pro-labeling advocates, such as Robyn O’Brien, author and founder of the Allergy Kids Foundation, assert that Californians have “a right to know what’s in the food [they] eat and feed [their] children” (Fulbright, 2012a). Also heavily emphasized is the assumption that those opposed to labeling are trying to hide information from consumers. California Right to Know’s television advertisement states:

We’ve heard the false corporate health claims before . . . Cigarettes aren’t harmful. DDT is safe. Agent Orange is harmless. Now they say genetically engineered food is safe. If Monsanto and Dow think these foods are safe, why are they fighting our right to know what’s in our food? (Malkan, 2012b)

Unabashedly, California Right to Know views labeling GE food as another fundamental right. The organization's press releases acknowledge the need to know about GE food, something that Reeves also identifies. Reeves notes that, "we want it [bioengineered food] out, it shouldn't be fed to kids, you know" (personal communication, 2013). Additionally, Reeves emphasizes the importance of a book written by an author whose daughter experienced an anaphylactic allergic response to an Eggo waffle and Yoplait yogurt. Both foods "are chalked full of GMOs," so the problem is that "without any testing... there's really no evidence that they're safe and without labeling there's no accountability" (Reeves, personal communication, 2013). Thus, California Right to Know insists parents need labels to avoid GE products and to protect their families. Secondly, the Prop 37 supporters reframe and reinterpret the scientific justification for labeling GE food.

Science Is Unsupported

Currently, the FDA allows GE food because there is no known evidence documenting any detrimental outcomes. This absence of negative outcomes could signal safety; but to Prop 37 advocates, absence is interpreted to mean "more testing is needed." Malkan (2012b) states that the AMA and the World Health Organization/ United Nations "have said mandatory safety studies should be required," and to date the United States has failed to meet such standards. Furthermore, the U.S. federal government "requires no safety studies for genetically engineered foods," and no long-term human trials for GE food have been implemented (Malkan, 2012b). Reeves echoes this sentiment noting "there really has not been any testing" and "no evidence" that GE foods are safe (personal communication 2013). Closer to the election, a California Right to Know press

release argued that blatant misrepresentations of “the positions of leading science, professional, academic organizations and government agencies” have plagued their campaign to deliver accurate information to consumers (Malkan, 2012f). Further, the only group that concludes biotech foods are safe is the American Council on Science and Health, “which happens to be a notorious front group for the pesticide and climate change deniers” (Malkan, 2012f).

Studies that support alarming findings about GE food are also shared in press releases. On September 19, 2012, California Right to Know’s press release entitled “BREAKING: Massive Tumors in Rats Fed GMO Corn in First Ever Long-Term Study” reports findings published in the journal of *Food and Chemical Toxicology* that indicate GE corn yielded mammary tumors, kidney and liver damage and other serious illnesses in rats (Malkan, 2012c). On September 25, 2012, Malkan (2012d) writes that Russia suspended the import and use of Monsanto’s GE corn, and the French government called for an investigation into GMOs. The same release notes, “the U.S. Food and Drug Administration has not reacted to the study” (Malkan, 2012d).

Prop 37 supporters reframe information about the science behind GE food. Pro-Prop 37 press releases specify that credible health and professional agencies generally acknowledge uncertainty surrounding GE food. Releases also suggest emerging science finds GE foods are harmful to animals. Next, identification with grassroots organizations and democratic values is discussed.

Identifying with Existing Symbols, Values, or Institutions

One of California Right to Know’s most abundant points is that Prop 37 is a bill introduced by California consumers, to benefit California consumers. This homegrown

measure is the culmination of democracy at work – which stands in stark contrast to elite organizations that wish to suppress the wishes of average California consumers.

Grassroots Movement and Democracy

In the past, “efforts to enact labeling laws in Congress and the California legislature have been blocked by big food and chemical company lobbyists” (Fulbright, 2012a). Conversely, in April 2012, opinion polls indicated, “over 90 percent of California voters support the labeling of genetically engineered foods” (Fulbright, 2012a). Prop 37 then, represents the will of the people working together to overcome the few who wish to block the legislation. This dichotomous relationship positions the issue as a debate between two groups, consisting of “multi-national food and agrichemical companies” and “moms and grandmothers” who gathered enough petition signatures at farmer’s markets and local groceries (Malkan, 2012a).

Gearing up for a “David versus Goliath fight,” California Right to Know discusses the legislation as an uphill battle against “multi-billion dollar businesses” and parents who “want to make informed choices” about what their families and children eat (Malkan, 2012a; Fulbright, 2012d). Further, because those pushing for Prop 37 do not have infinite resources, they must fight anti-Prop 37 organizations by coming at them “from every angle,” ultimately leading to victory by defeating Goliath-like entities with “death by a thousand cuts” (Reeves, personal communication, 2013). In identifying with families, local and small businesses, and the majority of California consumers, California Right to Know positions Prop 37 as an organically and widely-supported bill free from lobbyist groups and for-profit businesses. The purportedly well-intentioned legislation sounds appealing to those who view large food and agricultural companies unfavorably,

even outside of labeling. This association could be one of the campaign's most powerful arguments – a topic touched on again in the discussion section.

California Right to Know and the pro-labeling movement engage in all of Dowling and Pfeffer's (1975) tactical legitimacy bolstering strategies, suggesting a robust actional legitimation effect. The next section explores the implications of these strategies and provides recommendations for generalizable lessons.

Discussion

In examining the positions of the FDA and pro-labeling groups like California Right to Know, it becomes difficult to ascertain whose story is legitimate. Furthermore, U.S. consumers are left unsure of whether they should or need to worry about GE food. Consumers may also be unsure whether or not the FDA is effectively regulating food and if multi-national companies are insensitive to the public's well-being. This section begins with a discussion of successes and missteps in responding to the risk misconstrual of Prop 37. Following, California Right to Know's ability to reach actional legitimation is discussed. Finally, generalizable lessons from the case are presented.

Success and Failure in Responding to Consumer Perceptions

California residents who signed California Right to Know's petition committed themselves in support of labeling GE food. Further, many of these consumers believe that GE food is not only different from naturally produced food, but also that it is potentially harmful. These consumers construed or "infer[ed] meaning by assessing the importance and accuracy of the information and the authenticity of the source" to reach a conclusion that GE products pose significant risks (Sellnow et al., 2009, p. 8). Many in the scientific community believe that misconstrual has occurred in the case of GE food. As

McGloghlin notes, several California counties (like Marin and Mendocino) have passed GE labeling laws locally (personal communication, 2013). Some bills, however, like Mendocino's, are "so poorly written," they "describe DNA as a complex protein" although it is actually a nucleic acid (McGloghlin, personal communication, 2013). Past local bills "also refer to mixing of species" however, "all of Mendocino, and in fact, all of production vineyards involve grafting one variety of grape onto another" (McGloghlin, personal communication, 2013). If local laws successfully passed into state law, and were subsequently enforced, those who propelled the bill forward would "already not [be] in compliance with their own law" (McGloghlin, personal communication 2013).

Twenty years after the FDA released its initial statement of policy on new plant varieties; the agency has yet to find any human health consequences connected with GE food. Foods from GE plants "must meet the same requirements, including safety requirements, as foods from traditionally bred plants" (FDA, 2013a). Nutritional assessments for GE foods "that have been evaluated by FDA through the consultation process have shown that foods are generally as nutritious as foods from comparable traditionally bred plants" (FDA, 2013a). Additionally, GE foods evaluated by the FDA "have not been more likely to cause an allergic or toxic reaction than foods from traditionally bred plants" (FDA, 2013a). All of the FDA's testing (performed by scientists with backgrounds in "genetic engineering, toxicology, chemistry, nutrition" etc.) indicates no significant differences between GE food and traditionally bred varieties (FDA, 2013a).

The emerging gap between existing science and consumer perceptions is growing. As additional states consider following in Vermont's footsteps, misconstrual should be

addressed. Two areas that are in need of improvement include the technical risk associated with GE food and current FDA regulation standards.

Groups like California Right to Know claim that GE food should be regarded and responded to in a manner congruent with that of cigarettes, DDT, and Agent Orange (Malkan, 2012b). The above products carry the potential for severe health risks. However, claims associating GE food with the risk levels evidenced by these products is incorrect. While cigarettes for example show clear association with several types of cancer, the FDA has not established associations between GE food consumption and negative human health outcomes.

In beginning to alleviate misconstrued information, consumers must recognize misappropriated risks. This task is not impossible. For example, misconstrued risks were once associated with microwaves. James Murray, a professor of animal sciences at the University of California at Davis, says that fears surrounding GE foods sound similar to “concerns about microwave ovens, which some people initially thought would give off dangerous radiation” (Ritter & Borenstein, 2010, para. 35). Learning the technical outcomes of consuming GE foods is imperative; yet instead of learning new information about technology (as is the case with the introduction of a microwave), learning entails diving into the compositional similarity of GE and naturally bred food.

Secondly, the FDA suffers from a lack of recognition of current regulations. For example, in a California Right to Know press release, a spokesperson is quoted saying “it is a scandal that the FDA, EPA, and companies like Monsanto have failed to do long-term testing over the past decade. Until further research is done we should have a moratorium on new approval of GE crops and labeling” (Malkan, 2012e). According to

the FDA, “foods, such as fruits, vegetables, grains, and their byproducts, derived from plant varieties developed by the new methods of genetic modification are regulated within the existing framework of the act...that [applies] to foods developed by traditional plant breeding” (FDA, 1992). Arguably, GE food is even safer than traditionally bred varieties. McGloghlin states that, “genetic engineering is more precise and predictable” than traditionally bred products, yet it is “regulated up the wazoo” (Ritter & Borenstein, 2010, para. 20). Not only is GE food more carefully constructed compositionally than traditionally bred varieties, allowing scientists to remove unwanted traits, it is more heavily scrutinized.

Both perceptions of technical risk and regulatory oversight of GE food are arguably misconstrued by Prop 37 supporters. While misappropriated risk may exist absent from media and activist attention, both variables additionally blur the gap between perceptual risk and actual risk. These components, evidenced by California Right to Know, are described next.

Success and Failure in Expressing Actional Legitimacy

California Right to Know successfully expressed actional legitimation strategies, and narrowly missed success in enacting new labeling laws in the state. Prop 37’s 47.1% favorability in the November 2012 election indicates significant support for both sides of the issue (California Secretary of State, 2012). Analysis of actional strategies illustrates the activist group’s ability to achieve success in all three of Dowling and Pfeffer’s (1975) prescribed actional strategies. California Right to Know quickly adapted and increased both its media presence and a diverse network of coalitions. They also reframed information about the science behind GE food, and communicated messages of

uncertainty surrounding the validity of testing of products. Thirdly, a strong push to create identification with grassroots organizations and democratic values further helped bolster legitimacy for the movement.

Labeling GE food as a perceptual crisis gaining legitimacy – exemplified by its narrow margin of failure in California and other concurrent deliberations in states around the United States. As activist groups increase momentum to support future efforts for GE food labeling and restriction, communication efforts that combat risk misconstrual is necessary for consumers to make an informed choice about the foods they buy and consume. California Right to Know’s emotionally charged messages (particularly concerning the people’s “right to know” and the multi-national companies involved) are effective in garnering support for labeling. Grassroots support for labeling initiatives remains engaged throughout the United States and counter-communication remains lacking to provide a balanced perspective on the issue.

Actional legitimacy surrounding the defense of GE products should be improved. To begin, as the major regulator of GE products, the FDA must publicly rationalize the agency’s decisions for regulation strategies. Recently, the FDA has not enacted any actional legitimation strategies. This inaction is supported by the organization with the preface that it is neither its job to “support GE plants based on their perceived benefits,” or “oppose them based on their perceived risks” (FDA, 2013b). Understandably, the FDA is not an activist group. In fact, the organization’s legitimacy is upheld by remaining neutral to inconclusive debates on food, drugs, and cosmetics. At the same time, it is important to communicate why a natural stance is acceptable for this topic. Doing so

would be based on the agency's findings that the foods are compositionally equivalent to one another.

Organizational policy and precedent limit the FDA's range of communication options. The agency is also unable to serve as an advocate on issues like genetic engineering because of its need to remain an objective regulatory agency. It is, however, completely within the FDA's capacity to rationalize and clarify decisions surrounding new biotechnology and the implications for these products. Understanding these decisions increases organizational transparency and show consumers that the agency is engaging in ongoing monitoring, cataloguing, regulation, and testing of genetic engineering and other innovations. Failure to improve this transparency could lend further legitimacy to activist groups who claim the FDA is not regulating GE food.

Additionally, groups outside the FDA who advocate for GE food, including outside of the labeling issue, should work to increase public discussion surrounding the benefits associated with GE food. In prior sections of this chapter, benefits including reduced allergens, bacterium, viruses, and insecticides are noted as being associated with GE foods (Berezow, 2012). Biotechnology will be even more important in the next ten to twenty years as climate change and a growing global population put more strain on current agricultural practices and yields. Without biotechnology, current agricultural outputs will struggle to feed four billion people, let alone the current seven billion or projected nine billion in coming years (McGloghlin, personal communication, 2013). More communication by those who see advantages to biotechnology are needed to reframe misconstrued evidence. Additionally, identification with positive outcomes of the technology could also contribute to countering the existing misinformation campaigns

surrounding GE food. In the next section, California's case of misconstrual is broadened to offer insight for future scenarios.

Generalizable Lessons

California Right to Know's actional strategies and failed counter-communicative attempts for GE food labeling has contributed to risk misconstrual surrounding GE food. In an effort to further distill this information, the next section offers three generalizable lessons followed by conclusions on the case.

Not-for-profit organizations must communicate decision-making. Political sensitivities and policy limit the FDA from speaking out about GE food. Counter-arguments have since been offered from for-profit organizations like Monsanto, Dow Agrosciences, Pepsico, Nestle, Coca-Cola, ConAgra, Kellogg Company, and more. The problem with these and similar organizations spearheading anti-labeling measures, is that consumers assume that these organizations have a self-motivated or vested interest in their decision. Although this may be true, a lack of credibility disempowers the counter-communication before information or discussion can even commence.

Prop 37 supporters benefit from their seemingly financially unmotivated coalition. Future scenarios, which involve an organization countering activist or grassroots coalitions, should consider if they are the best spokesperson for actional strategies. Ideally, organizations that do not directly benefit financially from decisions should lead communication efforts. Objectivity of all parties might be discussed – and biases should be disclosed openly.

Proactive strategies are essential. Secondly, benefits associated with genetic engineering should be actively communicated. Failure to insert support and credibility for

GE food allows public sentiment to default to those who dominate the active discussion. In addition, those who oppose GE food are often those that will not directly benefit from it. For example, in some California “counties, clearly in places like Marin and Mendocino where they don’t grow biotech products or GMOs at this point in time” are the places where labeling laws were “relatively easy to pass” (McGloghlin, personal communication, 2013). Some of the California counties that passed local laws similar to Prop 37 are home to organic farmers or industry that is not impacted by GE food. In this sense, advocates are not working towards removing health risks from GE food consumption (which continues to be a main argument associated with the necessity for labeling), but rather working towards stabilizing or diminishing future competitors.

New scientific and technological advances will be met by skepticism from consumers and organizational leaders. Justification and evidence of the benefits should be provided upon introduction of new innovations to consumers. Questions surrounding risks should be addressed and responded to – otherwise default arguments may fill-in gaps of missing information. Misinformation can be used to effectively quell entirely safe products, arbitrarily denying positive outcomes and benefits.

Incorrect science should be refuted. A consistent issue surrounding GE food involves debate on what science, or empirical testing, supports. In California’s case, both Prop 37 supporters and opposition cite science to validate their claims. In fact, Malkan (2012e) writes “the US Food and Drug Administration requires no safety testing of GMOs, despite the opinions by the World Health Organization and American Medical Association” (para. 9). At the same time, the AMA is quoted elsewhere as believing GE food “pose[s] no new or different risks than any other crop, and there is no scientific

reason to believe they would be any more risky” (Specter, 2012, para. 4). Conflicting evidence is difficult to follow, and should be clarified by those agencies whose mission is to protect consumers.

Unfortunately, some may even use science more deceptively. When asked what was most surprising about discussing GE food with the media and the public, McGloghlin says she has a hard time listening to colleagues who:

Are against the technology not because they have any question from a scientific perspective, but because of their concern with this notion of multinational ownership...and then they come out with justification from a scientific perspective (against genetic engineering), which is, to me, utterly inappropriate for a scientist. (personal communication, 2013)

The notion of infallible and objective science can be damaging to the food industry, but many others as well. False, deceptive, or subjective statements should be questioned and those who knowingly disseminate misconstrued information should be identified.

Unfortunately, complex topics like genetic engineering can be difficult for laypersons to criticize, which is why scientific experts, academics, and other relevant spokespersons should actively communicate about the validity behind scientific claims.

Conclusion

Twenty years after the FDA developed policy concerning GE foods, a resurgence of debate and criticism arose over the issue in California. Supporters of Prop 37 launched a campaign in the state to pass legislation by popular vote in the November 2012 election. Policy advocates assert that opponents to the bill claim “a) there's no proof that G.M.O.'s are harmful to humans, and b) studies demonstrating that they might be are largely

flawed. Point B might even be true, although since the chemical companies largely control the research, it's hard to tell” (Bittman, 2012c, para. 2). Opponents to labeling find that many supporters “don’t actually have a genuine issue...but when you drill down you realize what their real issue is, their real issue is Monsanto” (McGloghlin, personal communication, 2013). Unfortunately, emotional tensions between local, organic, or natural coalitions and multi-national corporations have misconstrued the actual risk levels associated with GE food. This arbitrary calculation stands to provoke unnecessary and costly changes in the food system, should other states continue pursuing similar labeling measures. As groups like California Right to Know continue to campaign and control the public dialogue, scientists, regulators, and companies will have a difficult time presenting counterarguments unless changes are orchestrated to improve current actional legitimation strategies.

This chapter described risk misconstrual and the subsequent effects on food labeling policy. More specifically, the case discussed actional strategies, success and failures in responding to consumer perceptions, actional legitimacy success and failure, and offered generalizable lessons for other cases of risk misconstrual. Next, chapter seven extends discussion to encompass all three perceptual threats including hoaxes, near misses, and risk misconstrual.

Chapter Seven: Discussion and Conclusions

Risk perceptions are volatile. The subjective construction of threats, caused by conflation of risk as feelings, analysis, and politics, can produce unwieldy decision-making and inappropriate crisis response. This dissertation discusses three crises of perception, spanning a YouTube hoax, an economic adulteration near miss, and misconstrued risk in food biotechnology in California. In exploring these cases, information is gleaned from both conceptualizing new crisis types and in identifying actional strategies employed by responding organizations. This chapter provides discussion across cases, answering proposed research questions, and solidifies observations collected from the three cases.

Currently, much crisis literature covers post-crisis response to actualized events. In other words, practitioners and academics may best understand what to do when risk has already manifested into crisis. Perceptual crises are not as easily discernible or demanding. Directing attention to this distinction, this study's research questions asked:

RQ1: What communication constraints and opportunities do organizations face when responding to crises of perception?

RQ2: Do communication constraints and opportunities during crises of perception differ by crisis type?

Discussion first encompasses constraints and opportunities associated with perceptual crises, as relating to the case studies, and then bridges to specific characteristics of hoaxes, near misses, and misconstrual.

Communication Constraints

Perceptual crises challenge responders by demanding substantial responses to unsubstantiated claims. Unfortunately, this substantial response is not always easy to enact. Two constraints cut across cases, including organizational agency to act on behalf of emerging issues and associated preemptive resources. These constraints are briefly explained followed by examples from each case.

One of the greatest challenges associated with perceptual crises is bolstering the wherewithal to produce decisions surrounding emerging issues. Organizational legitimacy is fluid: Dependent upon shifting public perceptions (Boyd, 2000). Public sentiment, then, dictates legitimacy when processing many variables outside of an organization's control – a phenomenon well recognized by Perrow (1999). The greatest challenge for an organization is to be on the forefront of discussions and to lead public discourse about its business. However, as national and international organizational structures continue to be a dominant business model, these operations will face difficulty in remaining nimble enough to adapt to emerging issues. Moreover, these large national or international structures will make maintaining legitimacy with stakeholders increasingly difficult. The diffusion of operations, expanding market reach, and need to focus on profits for growth and survival are at odds with other goals of relational maintenance, promoting social responsibility, and specializing in one market's needs.

Second, organizations must equip themselves to respond to emerging and unknown issues. This process demands physical resources and the ability to accept uncertainty and occasional loss. Occasional loss can also mean accepting that some preparation resources will not be used if risk does not actually manifest to crisis. When

budgets are tight and organizational survival trumps other objectives, advocating for proactive risk preparation becomes secondary to other tangible needs. In this sense it can be tempting to diminish risk resources after several cycles of unused mitigation resources pile up. However, organizations should not let the absence of crisis deter them from engaging in proactive protective behavior.

In addition to difficulties associated with preparation in absence of crisis, Phimister, Oktem, Kleindorfer, and Kunreuther (2003) note the difficulty associated with preparing for crises even with existing warning signals. In these situations warnings are not guarantees that appropriate preparations will occur (e.g., the 1986 Space Shuttle Challenger explosion or the 1998 Morton explosion and fire). In this sense, organizations are constrained by organizational cultures that demand evidence of crises prior to taking action. Much like insurance offers financial reimbursement for automobile accidents, or health insurance covers ailments yet to be incurred, organizations should act within their means to resource responders so that they are prepared to act when an event occurs. Evidence of these constraints is further exemplified by discussing each case.

Hoaxes

Domino's response to the grotesque YouTube video filmed in a North Carolina franchise illustrates the necessity of adaptation for organizations. Domino's President Patrick Doyle's response video, however successful, is still somewhat attributable to luck and fast thinking. In fact, Vice President of Communication Tim McIntyre notes that this video was made when most of the company's leadership was on vacation and unable to comment on the response (personal communication, 2010). Prior to the 2009 video, Domino's maintained traditional means of communication, such as broadcast media and

press releases, that would have been ineffective in breaching social communication discussions. This deviation from organizational precedent has since become standard for other CEOs of large companies engaging in apologia or other explanations.

Near Misses

China's melamine crisis shows how organizational adaptations to changing environmental conditions are constrained by diffused responsibility. Encompassing the Chinese and United States' governments, in addition to private entities (i.e., Sanlu), many wondered: Who should have responded to the threat of contaminated powdered and liquid milk? In the United States, this responsibility fell to the FDA even though the crisis erupted abroad and was contained to China. Highly coupled systems provide ambiguity for communication "duties," and even more ambiguity surrounding preparation costs (who is paying for response actions and damages associated with the risk/ crisis)?

Misconstrual

Finally, Prop 37's emergence in California suggests the need for constant monitoring and prediction of changing sentiment. Regulated for over 20 years in the United States, the safety of GE foods has not changed since 1992. What has changed is public association of GE food and its relationship with multi-national organizations. Identifying new sources of contention, which can harm legitimacy, is imperative for maintaining science and technology that stand to benefit food production and accessibility. Unfortunately, uncovering the root of changing perceptions is labor intensive, time consuming, and costly. The ability to constantly monitor and track these overarching assumptions certainly constrains the ability of organizations and agencies to address these issues in public communication.

Managing communication constraints is a formidable task. Unsubstantiated claims are demanding of organizational time and physical resources. Uncertainty can also arise concerning true derived benefits (i.e. positive outcomes) from organizational initiatives. Still, perceptual crises offer opportunities for responders. These are further explained in the following section.

Communication Opportunities

Organizational responses surrounding perceptual threats are as important to recognize as the foreseeable challenges. Organizational activities, whether they are inherently “good” or “bad,” generate response from stakeholders. In this sense, subjective interpretations of organizational practices or policy can produce negative perceptions surrounding positive actions, or positive perceptions surrounding negative or detrimental actions. What also matters is how these actions are explained and defended. As Crable (1990) finds, organizations are the “true rhetors” of the latter half of the twentieth century, and consequently organizational communication will “determine the significance of the act” in questions (p. 127; Hearit, 1995, p. 1). Communication then is an opportunity to illustrate responsiveness and engage in learning.

Communication surrounding a perceptual threat indicates responsiveness. Response, which Weber (1922) notes can occur through varying actions, is that means through which stakeholders learn of an organization’s empathy and concern. Acknowledging stakeholder sentiment is of the utmost importance, as stakeholders are the means through which legitimacy is bestowed (Massey, 2001). Navigating perceptual threats is challenging in that they are difficult to see (e.g., they are more hidden than full blown crises) and they may not be widespread (i.e., they are still isolated). The

opportunity then rests in an organization's ability to know its stakeholders well enough to recognize when something is wrong, and to respond before they are required to do so. This recognition and response would suggest a very observant and concerned effort, which speaks to the organization's relationships with stakeholders and its priorities. Ultimately, responsive organizations are enduring organizations.

Second, perceptual crises often provide learning opportunities for organizations. Learning can occur in pre-crisis, crisis, or post-crisis phases. For example, emerging risks can prompt organizations to engage in new activities during pre-crisis stages. As organizations consider appropriate responses to emerging risks, they can express a commitment to learning and to developing new strategies. During crises, organizations have the chance to demonstrate that they have learned from others or past mistakes. In post-crisis, more detailed expressions of learning should illustrate changes taken by an organization to avoid or better prepare for future crises. Ongoing learning, whether the learning is direct and from the organization's own experiences or vicarious, is an opportunity to evolve in absence of a full-blown catastrophe. Learning from perceptual threats is smart, but especially so when there is possibility to learn from the mistakes or experiences of others. Finally, organizations can also learn vicariously from their own perceptual threats. Perceptual threats that do not evolve into crises can serve as an important warning signal for organizations to adapt behaviors, reframe expectations, or identify with other more positive institutions or symbols.

Perceptual threats offer opportunities to showcase organizational responsiveness and learning. Successfully managing these threats will not only allow an organization to maintain current operations, but possibly improve legitimacy with stakeholders and better

prepare for emerging risks or likely crises. Next, instances of both responsiveness and learning are illustrated in this study's cases.

Hoaxes

Domino's case demonstrates the benefits of responding directly to stakeholders. By responding directly to users on YouTube and Twitter, Doyle and his communication team mopped up a "spill in one aisle instead of the whole store" (McIntyre, personal communication, 2010). In using social media channels preferred by a subset of stakeholders, Domino's also communicated with customers on its own turf, rather than turning to pre-established company methods. Domino's did wait three days before engaging stakeholders online, which received criticism from some journalists, yet the pizza company's willingness to respond via YouTube and tweets allowed the company to bounce back from the social media scandal without lasting harm (Domino's Pizza, 2011). Domino's also used the social media crisis to launch themselves into a new era with social media accounts, an improved pizza recipe, and a corresponding advertising campaign – propelling the over 50-year-old company into continued financial success domestically and internationally (Domino's Pizza, 2009; Domino's Pizza, 2010).

Near Misses

Near misses serve as invaluable learning opportunities. The FDA, in responding to melamine contaminations in China, vicariously learned from the international crisis and emboldened the United States' food safety mechanisms. Upon learning of melamine contaminations in 2007 and 2008, the agency enacted the Food Protection Plan and drastically changed programs, personnel, and communication strategies to ensure China's systemic adulteration problem did not reach U.S. soil. The FDA's response to the issue

occurred without an actual crisis prompting organizational changes, and the agency vicariously learned through China's challenges. This learning demonstrates the organization's ability to use a near miss to accomplish preemptive actions – minimizing risks before they manifest to crisis. Changes in sampling techniques at U.S. borders, new satellite offices in China, and innovative technology to identify synthetic protein in products will limit the spread of future adulterated Chinese products before they can harm U.S. consumers.

Misconstrual

California's Prop 37 demonstrates a communicative failure surrounding biotechnology. As identified in the case, growing subsets of U.S. consumers are fearful and untrusting of not only GE food, but also private companies and federal regulatory agencies. Groups like California Right to Know use compelling communication campaigns to disperse emotionally charged and well-argued propaganda. What is missing in these campaigns is "science's side," or the voice behind the benefits of biotechnology. The FDA, one of three organizations that monitor GE food, neither endorses nor opposes the use of biotechnology in food. Private companies serve as poor spokespersons as consumers question the motives of organizations that profit from products they champion. Other potential spokespersons, such as academics, may choose not to speak out so they can remain objective or anonymous (McGloghlin, personal communication, 2013). Unsurprisingly, communication from companies that stand to profit from GE foods is met with skepticism. To date GE food poses many benefits (e.g., reduced allergens, bacterium, viruses, insecticides, etc.), yet U.S. consumers continue to receive misinformation about GE food or ignore messages from sources they find lacking in

credibility. Currently, biotechnology is missing the opportunity to engage in public dialogue about the positive outcomes of growing and selling GE food.

Perceptual threats offer both challenges and opportunities for responders. The three cases in this dissertation highlight characteristics that constrain communication and discuss actualized opportunities. The next section discusses the similarities and differences in communication strategy considering hoaxes, near misses, and cases of misconstrual.

Crisis Type Differences

Hoaxes, near misses, and cases of misconstrual are similar in that in all three cases, the perceptual threats warrant a strategic response. What differentiates each case is the origin of communication surrounding the issue and the consequences of communicative action. For example, responsibility for communication is associated with the original source; and the impact of disseminated messages arguably guides the form of response.

Hoaxes, or other pranks, can be perpetrated inside or outside of an organization. In Domino's case, the organization was bound to a response because it was their employees who uploaded an incriminating YouTube video. However, if a similar prank video of persons not affiliated with Domino's were uploaded the company would have been a victim instead of part of the problem. In addition, because it was uncertain whether contaminated food was distributed to customers, a robust response was needed immediately to assuage alarm over the improperly handled food. Therefore, internal hoaxes are distinct from those enacted by an outsider to an organization. Domino's situation was particularly worsened by the fact that rogue employees filmed their video

during working hours, in their uniforms, inside of a franchise that could have been located anywhere in the United States.

The outcome of Domino's hoax video was outrage from online stakeholders, yet the actual risk was non-existent. Contaminated food was never delivered and both employees were fired. Although immature and irresponsible, the Domino's employees also meant no harm. Other hoaxes or pranks are not always as innocuous. Bomb threats, social media posts about school shootings, or false anthrax or ricin-laden letters certainly differ from Setzer and Hammonds' prank. The affiliation and motives of the perpetrator demand varying levels of response from implicated organizations during crisis, which varies in each situation. In contrast, if a prank is purely in jest and clearly will produce no harm, it could be in an organization's best interest to initiate no response (Veil, Petrun, & Roberts, 2012).

Near misses are distinguishable from hoaxes in that they are framed to be either positive or negative. China's melamine crisis illuminates an instance where communication surrounding a negative event produced protective behaviors against a potentially serious and purposeful threat to the U.S. food supply. The opposite, communication surrounding a positive near miss, is not threatening. Rather, organizations may wish to promote near success to bolster legitimacy with stakeholders (e.g., a vote almost passes the U.S. Congress and this is important to convey to policy supporters). The necessity to communicate surrounding a near miss is not as steadfast as an intentional hoax, and is also more diffused than threats orchestrated against a single organization (as in the case with Domino's).

The outcome of near misses will also alter the necessity of risk or crisis response. Severe near misses, those that are associated with high physical, social, or financial risk, will attract considerably more publicity. The FDA's response to melamine was heightened for several reasons, but is likely due to the deliberate intent of merchants in China to contaminate food for economic gain, the inundation of contaminant throughout the country's food supply, and continued failure to reach a resolution. Considering the characteristics of the melamine case, other regulatory agencies, including those in the United States, needed to communicate reasons for why this crisis will not permeate U.S. systems. This near miss was not anonymous, and certainly did not go unnoticed. However, other instances of near misses could go undetected, thereby not requiring the same level of attention.

Misconstrual is more ambiguous than a near miss or hoax, and special attention is needed to discern how risk is misconstrued and who is responsible (if anyone) for that misconstrual. California's Prop 37 is a manifestation of misconstrued risk of biotechnology in California, propagated by advocacy groups and those who oppose "big food and chemical company lobbyists" (Fulbright, 2012a). Claims originated from groups who advocate on behalf of average citizens and those who "want to make informed choices" about what their families and children eat (Fulbright, 2012d). What is less understood is the motive of such groups (e.g., industries and companies that sell organic products) and the inability to inform from others (e.g., the FDA and academics). Unlike hoaxes, misconstrual is not always purposeful, though in some instances misinformation very well could be intentional. The opportunity and rationale for responding to misconstrual is to achieve true informed consent for stakeholders. Doing so requires

providing accurate and balanced information so that decisions are made considering whole truths.

Risk misconstrual outcomes are not as obvious as those associated with hoaxes or near misses. In fact, risk misconstrual may be the most difficult perceptual threat to manage because there may be no observable action to suggest that a problem exists. Misconstrual may only be represented as it was in California – in changing poll numbers indicating support or opposition for Prop 37. Misconstrual could mean responders need to simply engage in discussion to ensure that accurate information is shared. Arguably, the clearest indication that adjusting information is needed for misconstrued risk is the call for policy change at a state or national level. Unfortunately, waiting until change is evident at this level may be too late to successfully influence public opinion before a policy decision is made.

Perceptual crises involving misconstrued risk will likely have serious implications in coming decades as voters make decisions concerning complex topics, including healthcare, technology, foreign policy, financial systems and more. Ongoing monitoring and frequently revisiting public sentiment about highly technical policy, especially controversial policy, is important in discovering opportunities for comment and to provide adjusting information to stand next to questionable or emotional arguments.

Engaging in Actional Legitimacy

Crisis characteristics become more apparent from discussion of opportunities and constraints associated with each scenario. What is also clear is that each crisis type indicates the importance of situational factors for communication and decision-making. Considering both crisis distinctions and situational factors associated with each case,

Boyd's (2000) actional legitimacy is used to identify the most useful strategies for responding to hoaxes, near misses, and misconstrual. The following description also relies on Dowling and Pfeffer's (1975) tactical legitimacy building strategies to highlight key strategies for each crisis type. To further provide perspective on demands associated with each crisis type, this study posed the following:

RQ3: To what extent to hoaxes, near misses, and misconstrual of risk obligate organizations to engage in actional legitimacy?

RQ4: Does the obligation for actional legitimacy during crises of perception differ by crisis type?

The outcome of actional strategies for each case is described next.

Hoaxes

Domino's Pizza enacted a robust response to its hoax video. The company adopted new media strategies on Facebook, Twitter, and YouTube, and reconsidered hiring procedures. The company reframed the definition of social legitimacy in differentiating the rogue employees from the other "125,000 thousand men and women" employees who have not engaged in wrongdoing (Swifttallon, 2009b). Immediately following the crisis, Domino's also launched a new pizza recipe and advertising campaign. This launch relied on Domino's standards of honesty and transparency to highlight the organization's longstanding history with stakeholders. Reaching all prescribed levels of actional legitimacy left little room for failure, and while Domino's may have made slight missteps during the crisis (i.e. not communicating quickly enough online), they emerged with a positive reputation post-incident.

Although Domino's responded successfully, the company may have had little choice. In waiting to see if the online crisis would die down, Hammonds and Setzer's video merely attracted more viewers. This growth was the turning point in deciding when and how to act. Should the video have reached 30,000 views (as it did within hours of being posted) and then subsequently slowed or declined in growth, interjecting a message acknowledging the hoax from President Doyle would not have been necessary. The company cautiously waited to see how the situation evolved, and then engaged in communication via the Internet. The rapid escalation of the crisis leads some to argue that Domino's response was several days too late. Predicting the spread of online content is not always possible – yet there are means through which to gauge the “virility” of content. Violent, sexual, or unexpected news will travel fast (Poter & Golan, 2006; Phelps, Lewis, Mobilio, Perry, & Raman, 2004; Izawa, 2010). Communicators should consider the nature of the hoax in question, and situational factors surrounding the hoax perpetrator, the organization, and receptivity of stakeholders.

Near Misses

The FDA's response to melamine is thorough, accounting for responses spanning prevention, intervention, and response actions. During the intervention phase, the FDA considered hiring third party inspectors and implemented advanced border technology (e.g., PREDICT). Should melamine enter the U.S. food supply, the FDA readied with rapid vendor response teams and new emergency response coordinators. Following the 2008 contamination, the agency did not engage in reframing efforts. More specifically, in not refuting the significance of the melamine near miss, regulatory agencies acknowledged the severity of a possible contamination and did not pursue reframing

techniques. Conversely, reframing techniques may have been more useful should they have decided not to enact more robust changes. Finally, identifying with domestic partners (e.g. U.S. Customs and Border Protection), international partners, and organizational leaders assisted the agency in generating true structural changes in food safety and security.

The characteristics associated with China's melamine crisis obligated the United States to respond. Most importantly the intentionality associated with economic adulteration obliged U.S. regulators to seek immediate solutions to food laden with melamine. Conversely, unintentional product contaminations may have yielded smaller, if any, changes to food safety mechanisms. Unlike ever before, regulators were faced with business partners who "play[ed] games" with markets – generating new filler substances to boost profitability, shipping illegal items through multiple countries to avoid shipping tracking, and concealing important health information to evade repercussions (FDA representative, personal communication, 2013). U.S. agencies tasked with monitoring the quality of Chinese products could not ignore this issue. Engaging in non-action in this case would likely bring more physical and financial harm to U.S. consumers, particularly as it became clearer that China was not changing food safety standards on its own (or at least changing their standards fast enough).

Misconstrual

Required actional responses to misconstrual are less clear than in the aforementioned cases, and responsibility is more diffused. Prop 37 gained momentum in California as advocacy groups brought a controversial amendment to the state ballot in November 2012. California Right to Know engaged in coalition building, traditional and

social media campaigns to gather momentum for policy change. Supporters also reframed arguments surrounding GE food, and pushed claims that consumers had a “right to know” what was in their food. The group also asserted that the science behind biotechnology was fallible and unproven. Finally, California Right to Know worked to identify its cause as a “grassroots movement,” which represented the people of California, rather than the interests of greedy corporations. As the FDA maintains an objective stance on the practice of genetic engineering, the organization cannot be obligated to communicate about GE food. This stands even though many consumers maintain expectations that the FDA should be an opinion leader on food issues. However, misinformation and missing spokespersons for biotechnology are creating knowledge gaps in public dialogue.

The challenge in this instance is that obligation for counter-communication lacks direction. Recognition that the FDA is bound to objectivity and precedent helps rationalize its absence from the debate, but the question remains: Who should advocate for biotechnology? To date, private entities like Monsanto, who profit from these endeavors, are unconvincing. The best option for counter-communication will rest with those who benefit from GE food, but do not receive profits from the technology. For example, developing countries are reaping benefits from GE food, including reduced food diseases, increased protection from insects and more crop yields (Ritter & Borenstein, 2012). Organizations that facilitate international outreach, farmers who benefit from biotechnology, or even their families, would all be exceptional examples of the benefits of GE food. Still, these individuals do not have a direct obligation to address misconstrual of genetic engineering. This obligation is spread among the scientific community who are aware of GE food’s positive outcomes, and ethical risk

communication should drive professionals to objectively discuss risks and benefits. Unfortunately, too often other attributes associated with GE food, such as multi-national corporate ownership of biotechnology, push professionals to respond differently to scientific evidence.

Identifying responsibility, or obligation, to perceptual threats guides actional strategies. From this study, it appears that the strongest approaches employ two or more of Dowling and Pfeffer's (1975) legitimacy building techniques. In the following section, larger implications discuss broader impact of perceptual threats. Following, suggestions for future research and conclusions are provided.

Implications

Actional legitimacy theory offers practitioners guidance for future risk and crisis mitigation. This section offers practical recommendations for each crisis type. Within each crisis, suggestions concerning pre-crisis, crisis, and post-crisis phases are offered. Following, suggestions are made for future research.

Domino's case suggests that issues monitoring pre-crisis is essential to identify emerging risks and manage issues before they erupt to a full crisis. If a third party did not alert Domino's to the hoax video, it could have been much longer before the company was able to respond. Media monitoring and actively engaging in ongoing dialogue with stakeholders should remain a priority for organizations that have the means to staff a communications team. Should a hoax gain traction, responders should employ ample caution and question the validity of threat. Hoaxes or pranks are alarming, and it is important to consider the context and impact of the act. If stakeholders view the incident as a joke, addressing the issue may be a waste time and money. However, if prank

allegations are serious, non-response may not be an option. Lastly, practitioners should express lessons learned following a hoax incident. Mainly, they should seek to answer the questions: “Why did this happen” and “What will we do differently”? A key tenet of Domino’s response was ensuring that similar incidents would not occur again in the future – something that the company has upheld since 2009. McIntyre notes that after the YouTube hoax, new policy for the company mandated termination for any employees engaging in similar online behavior (personal communication, 2010). Since 2009, consistent monitoring also continues to address online conflict and contributes to relationship building (McIntyre, personal communication, 2010).

Unlike hoaxes, near misses are more predictable. Known vulnerabilities, warning signals, and strategic predictions should prompt pre-crisis planning. While there is no guarantee failure will happen, responders should have a crisis plan in place in case it does. Crises that almost happen can be highly emotionally charged – and cause high outrage even in absence of actual risk or damage. Stakeholders in the United States responded strongly to China’s melamine scare, and the FDA reacted appropriately with a robust and longitudinal response. Post-crisis, organizations should also express learning and emphasize what will be done differently to avoid future eruptions of crisis. Post-crisis response is extremely important for near misses. Stakeholders need to know what will change to ensure history does not repeat itself.

While post-crisis response is most important to near misses, pre-crisis issues monitoring is essential to misconstrual management. Misconstrual grows over time, and is exasperated by complacency. Organizations should engage in issues monitoring to track and respond to public sentiment for important issues. This is especially true when

entities stand to profit from winning an idea war – as is the case with biotechnology. In many ways, industry benefits from both sides of Prop 37. On one side, agrochemical companies like Monsanto benefit from the absence of labeling laws identifying engineered products. On the other, organic industries stand to profit from passing Prop 37. General consumers may be unaware of who profits from decision-making, and communication campaigns are not always entirely transparent. Ongoing monitoring should identify misinformation and provide alternative information for arguments.

Manifested misconstrual demands that communicators discuss the emerging issue often and consider all levels of audience comprehension. Misconstrual happens over time, and in the case of biotechnology, brought hundreds of thousands of Californians to the ballot to vote for and against Prop 37. Counter-communication needs to be equally as comprehensive and address all interested parties all while using meaningful and functional language. In the end, crisis communication should extend to post-crisis efforts: Focusing on constant issue management and the sharing needed or missing information. Achieving true impact in combating misconstrual requires an investment and ongoing commitment. For example, California Right to Know worked for over a year to communicate what the FDA contended was misconstrued evidence against GE food. Conversely, a similar for-profit or non-profit entity arguing the opposite was nowhere near as visible promoting counter-communication. Pre-crisis monitoring and response will ideally tackle misconstrual issues before they are unmanageable, and before they reach a point of no return.

This section distilled several key points from each crisis type to address future decision-making and actional legitimacy. Finally, limitations, future research, and conclusions are provided.

Limitations

This project specifically focused on threats involving food. Hoaxes, near misses, and misconstrual cases in non-food related scenarios are also needed to extend understanding of these threats. Perceptual threats associated with food could elicit different reactions than non-food related incidents. This potential distinction should be investigated further, and could begin with case studies.

Next, this dissertation used a case study approach to describe perceptual threats. While the case study approach is valuable for in-depth, initial explanatory information, the method is neither generalizable nor predictive in nature. Additional research that explores these issues using surveys and experiments, for example, would be extremely valuable in more accurately measuring the impact of perceptual threats on individuals. Working towards predictive understanding is also important for mapping future risk and crisis communication responses.

Finally, the three perceptual threats described here merely begin the description of subjective risk and crises. These three cases are not all encompassing of perceptual threats and more work is needed to understand additional forms of perceptual risks and crises. In the following paragraphs, next steps for research are presented.

Future Research

The theory of actional legitimacy proved insightful for this communication study. Future research should first begin by applying these concepts to other situational threats

such as workplace safety, diverse public health issues, or political scenarios. Applying actional legitimacy to new topical areas will further uncover the theory's generalizability. In addition, this study revealed that the effectiveness of actional legitimacy could vary based on the context of the perceptual crisis. If, for example, the hoax or near miss is seen as inconsequential, drawing further attention to the event with actional legitimacy strategies may be unnecessary or even harmful. Thus, further research is needed to distinguish the contexts for when actional legitimacy is and is not appropriate.

Second, this study revealed the potential for new media channels to both create and resolve perceptual crises. Monitoring social media discussions appears relevant to all three crisis types examined in this study. For example, social media was used to create and attenuate Domino's crisis, to express concern over Chinese food imports, and to challenge existing confidence in biotechnology. Clearly, new media have a direct impact on an organization's ability to develop and maintain social legitimacy. Future research should focus on how potential perceptual crises can be monitored and addressed through social media.

Third, this study focused on organizations and organizational spokespersons. This focus is fitting with previous work that has applied actional legitimacy to perceptual crises. Future research should expand this focus to specifically test the responses of public stakeholders to various communication strategies designed to foster actional legitimacy. This shift in focus would involve message testing using surveys and laboratory experiments. Shifting to a consumer-oriented focus would create an opportunity to further advance the theory of actional legitimacy. Ultimately, an expanded

focus that allows for such message testing can move the theory toward a more predictive level.

Finally, actional legitimacy is only one theoretical lens that has relevance to perceptual crises. Future research could focus on perceptual crises using theories and conceptual frameworks such as organizational mindfulness, high reliability organizations, and focusing events. Each of these theories addresses different levels or types of communication that are relevant for analyzing perceptual crises. Thus, viewing perceptual crises from a variety of theoretical perspectives would provide a more comprehensive understanding of how these events emerge and how they can best be resolved.

Conclusion

This dissertation began by rationalizing the necessity of studying perceptual threats. Using three perceptual crises, including a hoax, near miss, and misconstrual crises, this dissertation illustrates the consequences of substantial responses to unsubstantiated claims. Outcomes associated with Domino's YouTube hoax, China's melamine crisis in the United States, and Prop 37 in California, exemplify the impact of unsubstantiated claims on associated organizations. This study further determined the viability of actional legitimacy and observed variance in communication challenges in differing crisis contexts. Understanding the impact of illegitimate claims, and appropriate communication response strategies is important for correcting false information. Communicators have a responsibility to use concise, clear, and ethical communication strategies to ensure stakeholders have necessary knowledge to engage in informed

decision-making. Actional legitimacy is one such corrective and useful communicative framework that responders should continue to consider in future risk and crisis scenarios.

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III. FELLOWSHIPS

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IV. AWARDS

Westley Award for Excellence in Mass Communication Theory and Research	2012
College of Communication and Information Graduate Teaching Award	2012
Francis F. Busta Poster Competition Second Place Award	2010
University of Kentucky Dean's List	2006 – 2008
University of Kentucky Panhellenic Academic Excellence Award	2006 – 2008
University of Kentucky Top 100 Campus Leader	2006

V. SCHOLARLY PUBLICATIONS

- Veil, S. R., Petrun, E. L., & Roberts, H. (2012). Issue management gone awry: When not to respond to an online reputational threat. *Corporate Reputation Review*, 15, 319-332. doi: 10.1057/crr.2012.18
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VI. TEXTBOOKS

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