**Conference for Food Protection**

**2014 Issue Form**

**Internal Number: 026**

**Issue: 2014 II-024**

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| **Council Recommendation:** | Accepted as  Submitted |  | Accepted as Amended |  | No Action |  |
| **Delegate Action:** | Accepted |  | Rejected |  |  |  |

*All information above the line is for conference use only.*

**Title:**

CBP 5 - Board Responsibility Regarding Extracted "No Action" Issues

**Issue you would like the Conference to consider:**

Issue 2012 II-001 directed the 2012 - 2014 Constitution, Bylaws and Procedures Committee to clarify what the Executive Board may, under the Constitution and Bylaws and Conference Procedures, do with extracted "No Action" Issues.

The Biennial Meeting/Conference Procedures Manual currently provides the following:

If a simple majority of the voting Delegates vote "No" on Issues on which the Council took no action (contained in Part II of the Council Chair's report to the Assembly of State Delegates) the Issue shall be referred to the Executive Board for consideration. The Executive Board will then determine the appropriate action to be taken.

The Biennial Meeting Information Manual also provides the following:

Extracted Issues from Part II of a Council Report (Issues that were recommended "No Action") that are rejected by the Assembly are referred to the Executive Board for its consideration.

Essentially, this means that if a Council votes to take "No Action" on an Issue during the Biennial Meeting deliberations, a delegate of the Assembly of States may request that particular Issue be extracted, deliberated and voted upon by the Assembly separately. (See Biennial Meeting/Conference Procedures Manual, Section V Councils and Section VII Assembly of Delegates for further explanation of this full process.) Extracted "No Action" Issues are then forwarded to the Executive Board for consideration and/or appropriate action. No further language in the Bylaws, Procedures or Meeting Manuals provide explanation on what action the Board may take on such extracted Issues.

There is strong support for a procedure to be established to clarify the Executive Board responsibilities. Active discussion and deliberation among the Constitution, Bylaws and Procedures Committee and the Executive Board resulted in a consensus to move "No Action" issues forward with the recommended procedure provided below.

**Public Health Significance:**

The Constitution and Bylaws/Procedure Committee shall submit recommendations to improve the Conference administrative functions through proposals to amend the Constitution and Bylaws and Conference Procedures.

**Recommended Solution: The Conference recommends...:**

amendment of the Biennial Meeting/Conference Procedures Manual by creating a process for consideration of extracted issues in a new Section IX. Extracted Issues, as follows (new language underlined):

IX. Extracted Issues

Extracted "No Action" Issues that are rejected by the Assembly during the biennial meeting are referred to the Executive Board for its consideration. The Executive Board shall deliberate the extracted "No Action" Issue with the option to form a small ad hoc committee of no more than eight members to further deliberate this Issue as needed and provide a final recommendation by the next calendar meeting of the Board. Whenever possible, the committee shall include a member of the Assembly of Delegates who voted to reject the "No Action" and the individual who submitted the original Issue to the Conference, provided that individual is a member of the Conference for Food Protection. The other Executive Board members on this committee shall be comprised of equal regulatory and industry members along with members who may be selected from any other constituency as necessary to provide balance and direction to the committee dependent upon the issue. The actions that may be taken by the Executive Board include: a confirmation of "No Action" on the Issue; support of the Assembly rejection with a recommendation to forward Issue to an existing or created committee to deliberate and resubmit at next biennial meeting; and, other appropriate actions as the Executive Board determines.

**Submitter Information:**

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| Name: | Lee M. Cornman, Chair | | |
| Organization: | Constitution, Bylaws and Procedures Committee | | |
| Address: | Florida Dept of Agriculture and Consumer Services3125 Conner Boulevard, Room 185 | | |
| City/State/Zip: | Tallahassee, FL 32399-1650 | | |
| Telephone: | 850.245.5595 | Fax: | 850.488.7946 |
| E-mail: | Lee.Cornman@FreshFromFlorida.com | | |

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.