

**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-001**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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

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**Issue History:**

This is a brand new Issue.

**Title:**

Report - Food Protection Manager Certification Committee (FPMCC)

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

Acknowledging the Food Protection Manager Certification Committee (FPMCC) final report with attachments and extending thanks to the Committee members for their work.

**Public Health Significance:**

The credentialing process for *Certified Food Protection Managers* assists in the protection and promotion of food safety by carefully determining the competencies necessary to prevent foodborne illness, unbiased education and training for acquisition of competencies necessary to maintain food safety, and fair assessment practices to ensure that individuals have achieved mastery of these competencies.

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

acknowledgement of the 2021 - 2022 Food Protection Manager Certification Committee (FPMCC) Final Report and thanking the committee members for their work.

The Conference further recommends the continuation of the following charge (from Issue #: 2020 II-001) assigned to the Food Protection Manager Certification Committee (FPMCC), a standing committee, for the 2023-2024 biennium:

To carry out charges assigned via the Conference Issue process and from the Conference Executive Board relating to food protection manager certification and to adopt sound, uniform accreditation standards and procedures that are accepted by the Conference while ensuring that the conference Standard for Accreditation for Food Protection Manager Certification programs and the accreditation process are administered in a fair and responsible manner.

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**Content Documents:**

- "2021-22 FPMCC Final Report"
- "2021-22 FPMCC Final Roster"
- "2023 CFP FPMCC Bylaws with Proposed Changes"
- "2023 CFP Standard for Accreditation of FPM with Proposed Changes"

**Supporting Attachments:**

- "2021-22 FPMCC Minutes"

*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.*

**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-002**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

FPMCC 2 Proposed Changes to the FPMCC Committee Bylaws

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

Approval of the revisions to the Food Protection Manager Certification Committee Bylaws. All revisions are contained within the revised document: "2022 CFP FPMCC Bylaws with Proposed Changes". Strike-through font indicates content being removed and underline indicates content added.

**Public Health Significance:**

The credentialing process for Certified Food Protection Managers assists in the protection and promotion of food safety by carefully determining the competencies necessary to prevent food-borne illness, unbiased education and training for acquisition of competencies necessary to maintain food safety, and fair assessment practices to ensure that individuals have achieved mastery of these competencies. The Bylaws which govern the Food Protection Manager Certification Committee ensure a standardized approach to management of this credential.

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

1. *approval of the revised Food Protection Manager Certification Committee Bylaws (attached to Issue titled: FPMCC Final Report; attachment title: 2022 CFP FPMCC Bylaws with Proposed Changes);*
2. *authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and*
3. *that the revised Bylaws be posted on the CFP website in PDF format.*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-003**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

FPMCC 3 Proposed Changes to the CFP Standard for Accredited FPM Cert. Pgrms

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

Approval of revisions to the Standard for Accreditation of Food Protection Manager Certification Programs.

**Public Health Significance:**

The credentialing process for *Certified Food Protection Managers* assists in the protection and promotion of food safety by carefully determining the competencies necessary to prevent foodborne illness, unbiased education and training for acquisition of competencies necessary to maintain food safety, and fair assessment practices to ensure that individuals have achieved mastery of these competencies.

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

1. *approval of the revised Standard for Accreditation of Food Protection Manager Certification Programs (attached to Issue titled: FPMCC Final Report; attachment title: 2023 CFP Standard for Accreditation of FPM with Proposed Changes);*
2. *authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and*
3. *that the revised Bylaws be posted on the CFP website in PDF format.*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-004**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020 II-004; new or additional information has been included or attached.

**Title:**

FPMCC 4 Response to Issue 2020 II-004

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

At the 2020 Biennial Meeting, the Food Protection Manager Certification Committee was charged to review the impact and feasibility of changing the frequency of required certification examination to a time period not to exceed four years from date of issuance, aligning knowledge demonstration by examination with the routine four-year update and publication of the FDA Retail Food Code. After deliberation, the FPMCC is recommending no change in the frequency of the required certification examination time period from the current maximum of five years.

**Public Health Significance:**

The FPMCC committee thoroughly reviewed the impact and feasibility of reducing the maximum to four years and concluded that no change to the current maximum of five years for certification validity is warranted. The committee met four times to discuss the pros and cons of reducing the period to four years and found the negative impact a change would have on the industry, and jurisdictions where CFPMs are mandated, to be significant. These impacts included:

1. *The Standard currently allows Certification Providers to issue certifications for less than five years if the Provider chooses to.*
2. *Certification Providers must justify to the Accreditation Body that its recertification period is developed using criteria based on changes in regulatory requirements, ongoing changes in technology, information from stakeholders and interested bodies, and other changes associated with scheme requirements.*
3. *Staff shortages within the Food Industry coupled with the increased expense associated with maintaining certification for retail food facilities may place an undue burden on food establishment owners/operators.*

4. *Insufficient evidence exists that more frequent Food Manager Certification renewals would lead to fewer food borne illness outbreaks or improved public health outcomes.*
5. *Given the delay in FDA model Food Code adoption by State/Territorial/Local jurisdictions as well as the time necessary to modify course materials and examinations, decreasing the recertification timeframe to four years may not add a tangible benefit.*

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

No change to the frequency of required Food Protection Manager certification examination validity from the current maximum of five years.

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-005**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Report-Constitution Bylaws and Procedures Committee (CBPC)

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

Acknowledgement of the work completed by the Constitution, Bylaws and Procedures Committee for the 2021-2023 Biennium .

At the 2020 (rescheduled to 2021) Biennial Meeting the CBPC was charged with the following:

1. Issue # 2020 II-006
  - These governing documents be reviewed on a recurrent basis every biennium, prioritized in this manner: 1. Constitution 2. Biennial Meeting/CFP Procedures document 3. Position descriptions 4. Policy documents
  - This language needs to be incorporated into the constitution
2. Issue #2020 II-010 Representation from the Constitution and ByLaws Committee on the Local Regulatory Representation Committee

In addition the Executive Board charged the CBPC with the following actions.

- Constitution, Bylaws, and Procedures (CB&P) Committee to update the "CFP Biennial Meeting/Conference Procedures" document with the policy change regarding membership effective dates and submit the revised document for Board review and approval.
- CB&P Committee to draft an Issue for the 2023 Biennial Meeting to amend the governing documents to reflect the membership effective date change.
- Constitution and Bylaws/Procedures Chair to work with the Executive Assistant to ensure concerns addressed on pages 3-4 in the Executive Assistant's report are merged with activities related to document review and retention. (record retention). CB&P Committee to start review of Policy documents prior to Position Descriptions so that they can provide assistance and direction to the Ad Hoc Committee that will be created April 2023. At the April 2023 Board Meeting, an ad hoc committee is to

be created for the 2023-2025 biennium to address concerns regarding document retention.

- Provide clarifying Constitutional language for Article XV Section 1, Subsection 2 regarding Committees and Federal partners.

### **Public Health Significance:**

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

The CFP Constitution is our foundational document; and therefore needs to be unassailable.

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

Acknowledgement of the 2021-2023 Constitution Bylaws and Procedures Committee Final Report and thanking the committee members for their hard work.

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### **Content Documents:**

- "CBPC Report"
- "Roster"

### **Supporting Attachments:**

- "Governing Policy Document"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-006**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

CBPC #2: CBPC Duties; Constitution Article XVI

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

Acceptance of the Draft of the revised version of the Conference for Food Protection Constitution Bylaws 2021 Article XVI Duties and Responsibilities of Committees Section 3

**Public Health Significance:**

Issue 2020 - II-006 charged the CBPC with recurring review of governing documents to ensure CFP's documents remain consistent with changes made by Assembly or by Board actions. The list of governing documents in recurring order are attached to the Constitution, Bylaws, and Procedures Report, for reference.

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

the Constitution and Bylaws, approved 2021, be updated to include the following language changes in

Article XVI Duties and Responsibilities of Committees

Section 3. The Constitution and Bylaws/Procedures Committee shall submit recommendations to

improve Conference administrative functions through proposals to amend the Constitution and

Bylaws. The committee shall review proposed memorandums of understanding and ensure consistency among governing documents. ~~such as the Constitution and Bylaws, the CFP-Biennial~~

~~Meeting/Procedures document, and other governing documents.~~

Subsection 1. The governing documents be reviewed on a recurrent basis with at least one document or set of documents per biennium cycle. Such review shall occur in succession from one biennium to the next and prioritized in the manner below, unless directed by the Board to accomplish the Conference objectives:

- a. CFP Constitution and Bylaws
- b. CFP Biennial Meeting/Procedures document
- c. Position descriptions
- d. Governing policy documents.

Subsection 2. The Committee shall report all recommendations to the Board prior to Council II deliberation and shall follow the direction of the Board.

*Note: language to be removed indicated by strikethrough, new language added is underlined.*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-007**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

CBPC #3: Federal Partners and Committee Membership Article XV

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

Acceptance of the draft of the revised version of the Conference for Food Protection Constitution Article XV

**Public Health Significance:**

Clarification on Federal Agency participation and membership as consultants and alternates for CFP Committee work.

Federal Agency participation in committee work is vital to the mission of CFP

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

Amending the Conference for Food Protection Constitution and Bylaws 2021 as follows:

Article XV Committees

Section 1. CFP members in good standing may express interest to serve on a committee by forwarding their name to the Executive Assistant following the CFP Biennial Meeting. This list will be used in creation of committee rosters. All appointments to Committees shall be made to provide a balance in representation of the stake holders in the particular matter under consideration.

Subsection 2. Each Federal agency participants (FDA, USDA, CDC) may appoint a consultant and an alternate for each committee. The consultant and alternate participates in committee discussions but does not vote. ~~An alternate may act in the appointed consultant's place if the consultant is unable to attend.~~ Consultants may or may not be CFP members to serve on a committee but shall be members to attend Biennial meetings. Only one person per Federal agency participant who is a non-CFP member per Council Committee is permitted.

*(Note: language to be deleted is in strikethrough and new language is underlined)*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-008**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

CBPC #4: Membership; Constitution Articles III, IV, XVIII

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

Acceptance of the revised version of the Conference for Food Protection Constitution and Bylaws 2021 Articles III, IV, and XVIII regarding Membership and Registration.

**Public Health Significance:**

As CFP moves to a new Registration and Membership Database management system, updated language in regards to membership as part of the biennial meeting registration or paid as a dues only membership is needed. For consistency additional changes in Articles IV and XVIII were also made.

Membership as both dues only and as part of registration are vital to the continuation of the work of CFP, including Committee, Council and Board eligibility.

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

amending the Conference for Food Protection Constitution and Bylaws 2021 as follows:

Article III ~~Registration and Membership~~ Membership and Registration

Section 1. Membership

Subsection 1. Persons who are interested in promoting the objective of CFP as described in Article I may become members of the Conference by applying to the ~~Executive Treasure,~~ using forms provided, and paying the membership fee established by the Board under Article VI, Section 12.

*(Note: Previous Section 5 moved to new Subsection 2)*

~~Section 5~~Subsection 2. Membership in the Conference is classified into constituencies that are representative of the key stakeholder groups which support the objectives of Article 1 and facilitate the requirements of Article IV. The Conference constituencies are defined as follows:

~~Subsection 1~~ a. The Regulatory constituency is comprised of those officers, agents, or authorized representatives having authority over the regulation of food establishments, production, processing, vending, distribution, or have oversight for prevention of foodborne illness in accordance with rules and/or laws in their respective Governmental jurisdiction.

Sub-categories of this constituency include:

1. i. Local Regulator: Government employee or agent representing a territorial division of local government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.
2. ii. State Regulator: Government employee or agent representing a territorial division of state government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.
3. iii. Federal Regulator: Government employee or agent representing a program or agency of the Federal Government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight or other regulatory authority for prevention of foodborne illness or control of pathogens causing foodborne illness.
4. iv. District/Territory Regulator: Government employee or agent representing District of Columbia or one of the six U.S. territories with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.

~~Subsection 2~~ b. The Industry constituency is comprised of those employees, agents, or executives representing business entities that operate food establishment, production, processing, vending, or distribution, or providers of an industry related service to such food operations, or representatives of a professional organization or trade association that promotes, supports, or markets to/for the food industry or its related services. Sub-categories of this constituency include:

1. i. Food Service Industry: Employees, agents, or executives representing business entities that operate food service establishments. Examples include, but are not limited to, restaurants of all sizes/types/styles of service, caterers, military food service, institutional and other health care food service, schools and university food service, common carrier food service (planes, trains, etc.), corporate food service operations, and Government food service.
2. ii. Retail Food Industry: Employees, agents, or executives representing business entities that operate retail food establishments. Examples include, but are not limited to, grocery stores, supermarkets, convenience stores, retail pharmacies, produce markets, roadside stands, department stores, warehouse sales clubs, seafood markets, retail bakeries, military base PX/groceries, liquor stores, and retail food associations.
3. iii. Processing Food Industry: Employees, agents, or executives representing business entities that manufacture, process, package, or label food items for wholesale sale. Examples include, but are not limited to, commercial food manufacturing, canning, packaging, commercial bakeries, commercial meat slaughter and processing, packing houses and distribution centers, farming and



agricultural processing and packing operations, ice processing, packing plants, and food processing trade associations.

4. iv. Vending and Distribution Food Industry: Employees, agents, or executives representing business entities that own and/or operate food companies that vend or distribute food either wholesale or retail. Examples include, but are not limited to, coffee and food vending service companies, service companies, commissaries, food supply chain operators, wholesale distributors, shipping lines, brokers, equipment manufacturers, and suppliers of products and services to operating service companies, and food vending and distribution trade associations.
5. v. Food Industry Support: Employees, agents, or executives representing business entities that provide direct or support services to food service establishments, retail food establishments, processing food operations, vending and distribution food operations, or regulatory agencies. Examples include, but are not limited to, professional organizations, food protection support trade associations, pest control companies, auditing firms, standards associations, consultants, cleaning and sanitation management operations, training and/or testing companies or services, equipment and supply operations, software and technology, dieticians or dietary managers, and media and legal representatives.

~~Subsection 3.~~ c. The Academia constituency is comprised of academic professionals employed by a college or university involved in education or research involving food sciences, food operations, or food safety. Examples include, but are not limited to, professors, adjunct instructors, researchers, teaching assistants, and extension agents.

~~Subsection 4.~~ d. The Consumer constituency is comprised of employees, agents, or executives representing consumer advocacy organizations supporting food safety, food wholesomeness, allergen awareness, food policy matters and food standards and guidelines.

~~Subsection 5.~~ e. The Emeritus constituency is comprised of persons retired or honorably discharged from full-time work and no longer receiving compensation for work related to the Conference's mission. This constituency is designed for those professionals who, prior to retirement, were members of any Conference stakeholder group in good standing of the Conference for Food Protection for at least three biennial cycles (6 years). Previous membership does not have to be in contiguous biennial cycles. An Emeritus member may participate as an attendee/observer in all usual Conference functions such as attending the CFP Biennial Meeting, including workshops, Council deliberations, Assembly of ~~Delegates~~, and social functions. Emeritus members may serve as a member of a Council Committee, as a Council Committee Chair, and participate and vote in constituency caucus meetings. The Board may elect to assign an Emeritus member to participate in other Conference related activities.

~~Subsection 6.~~ f. The Student constituency is comprised of any student enrolled in a two year, four-year, or graduate program in a college or university involving food sciences, food operations, or food safety. A student member may participate as an attendee/observer in all usual Conference functions such as attending the CFP Biennial Meeting, including workshops, Council deliberations, Assembly of ~~Delegates~~, and social functions. Student members may serve as a member of a Council Committee. The Board may elect to assign a student member to participate in other Conference related activities.

Subsection 3 Persons with a current membership are entitled to be on the membership list, apply to be considered for a Council member or Council alternate position, apply to participate on committees, and receive communications of other Conference matters determined by the Board to be of interest to all members of the Conference. The requirements to serve in official CFP capacities, are described under Article IV. Membership renewal may be paid with CFP Biennial Meeting registration or by a dues-only membership.

~~Section 2. Any members interested in promoting the objective in Article I may attend the CFP Biennial Meetings by registering their name, address, and the constituency they represent with the Executive Treasure, using forms provided, and paying the registration fee established by the Board under Article VI, Section 12. Persons may apply for membership and registration at the same time.~~

~~Section 3. Persons paying the Conference membership fee through the Executive Treasurer's office, or by paid registration at the CFP Biennial Meetings, are members of the Conference and are entitled to be on an official list to receive copies of the CFP Biennial Meeting proceedings and other Conference matters determined by the Board to be of interest to all members of the Conference.~~

~~Section 4. Conference membership begins at the time of payment of the membership fee. Membership paid as part of the CFP Biennial Meeting registration begins on the first day of one CFP Biennial Meeting and ends the day prior to the next CFP Biennial Meeting.~~

#### Section 2. Membership Combined with Registration

Subsection 1. Membership included with the CFP Biennial Meeting registration begins at the time of payment, continues through the CFP Biennial Meeting covered by the registration, and expires on the day prior to the Opening Session of the subsequent CFP Biennial Meeting.

Subsection 2. Current membership is not required to register for a CFP Biennial Meeting.

#### Section 3. Dues-Only Membership

Subsection 1. A dues-only membership is available to persons who do not attend a CFP Biennial Meeting, and begins at the time of payment and expires on the day prior to the Opening Session for the next CFP Biennial Meeting. A dues-only membership is usually paid after the Closing Session of a CFP Biennial Meeting. Dues-only membership will not exceed the two (2) years between CFP Biennial Meetings.

### Article IV Composition of Organizational Components and Eligibility Requirements for Service in Official Capacities

Section 1. The Assembly shall consist of persons attending the Conference meeting and qualified as voting delegates under Article XVII, Section 3 and 4.

Section 2. To be eligible to serve on the Board, Councils, Committees, or as Issue Chair or Program Chair; individuals must be current members of the Conference. ~~and must be in attendance at the CFP Biennial Meeting at which they are appointed or elected or shall have attended the CFP Biennial Meeting immediately preceding the one at which they are appointed or elected.~~

### Article XVIII Rules of the CFP Biennial Meeting

Section 1. The current version of the "CFP Biennial Meeting/Conference Procedures" document contains the rules of the Biennial meeting.

Section 2. CFP Biennial meeting ~~participation is~~ registration is open to all interested individuals. ~~who choose to become members and attend. Individuals may serve as appointed or elected members on the Board, Councils, and committees, or as a participating registered member.~~

*(Note: Language to be deleted is in strikethrough and language to be added is underlined)*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-009**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC1 Program Standards Committee Report

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

The Conference for Food Protection (CFP) Program Standards Committee seeks Council II's acknowledgment of the committee's final report and thank the committee members for their work and dedication during the 2020-2023 biennium.

**Public Health Significance:**

The Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards) were developed to serve as a guide for regulatory retail food program managers in the design, management, and execution of a retail food program with the public health outcome of reducing foodborne illness risk factors. The Program Standards Committee is a standing committee reporting to the CFP Executive Board. The Committee provides ongoing input to the FDA on issues that arise with the Retail Program Standards. The Committee serves the Conference by indirectly assisting Retail Program Standards enrollees in making progress towards meeting the Retail Program Standards. The Committee continues to work with the FDA internal Program Standards working group and the FDA Clearinghouse Workgroup to clarify and address questions about the Retail Program Standards.

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

1. Acknowledgment of the 2020-2023 Program Standards Committee Final Report; and
2. Thanking the Committee members for their work and dedication during the 2020-2023 biennium.

The Conference further recommends the Program Standards Committee, a CFP standing committee, be charged with the following during the 2023-2025 biennium:

1. Identify inconsistencies in language between all Standards in the Retail Program Standards;

2. Continue review of initiatives (existing, new or under development) involving the training, evaluation and/or certification of food safety inspection officers to ensure the sharing of information and eliminate unnecessary redundancy in the creation of work products or assignments of tasks/responsibilities; and

3. Maintain the "Crosswalk - Requirements for Foodborne Illness Training Programs" document as a resource for content baseline for foodborne illness training.

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**Content Documents:**

- "Program Standards Committee (PSC) FINAL Report"
- "Program Standards Committee Roster"
- "PSC6 Draft Program Standard 2 - NCS Added"
- "PSC7 Program Standards 2022 Standard 3 Requirements"
- "PSC7 Program Standards 2022 Standard 3 Self-Assessment and VA form edits"
- "PSC9 Program Standards 2022 Definitions Edits"
- "PSC9 Program Standards 2022 Standard 5 Edits"
- "PSC10 Draft Standard 6 Establishment File Worksheet Food Code Form 3A Based"
- "PSC11 Draft Standard 6 Standardized Key Crosswalk to the 2017 FDA Food Code"
- "PSC13 Draft Program Standard 2 Additional Exam Based on NCS"
- "PSC15 Proposed Revised Standard 3 Requirement to Include Plan Review"
- "PSC15 Proposed Revised Standard 3 SA VA Form to Include Plan Review"
- "PSC16 Standard 5 Data Collection Template"
- "PSC16 Standard 5 Roadmap Draft 10 22"
- "PSC17 Program Standards 2022 Standard 2 with Crosswalk added"
- "PSC17 Program Standards 2022 Standard 5 with Crosswalk added"

**Supporting Attachments:**

- "PSC Subcommittee 1 Final Report"
- "PSC Subcommittee 2 Final Report"

- "PSC Subcommittee 3 Final Report"
- "PSC Subcommittee 4 Final Report"
- "PSC 1 Final Report Charge 2 supporting attachment"
- "RPSS Post Event Data\_Part1"
- "RPSS Post Event Data\_Part2"
- "RPSS Post Event Data\_Part3"
- "RPSS Post Event Data\_Part4"
- "PSC2 2022 Program Standards Standard 1 Regulatory Foundation"
- "PSC2 CFP Issue 2020 II-031"
- "PSC3 & PSC5 2022 Program Standard 2 Appendix B-1"
- "PSC 4, PSC13 & PSC17 2022 Program Standards 2 Trained Regulatory Staff"
- "PSC5 Course Descriptions and Objectives - FDA38 FDA39"
- "PSC5 AFDO - Risk-based Inspection Methods in Retail FD218"
- "PSC6 & PSC13 National Curriculum Standard"
- "PSC7 2022 Program Standards 3 Inspection Program Based on HACCP Principles"
- "PSC7 RPS 2022 Standard 3 Self-Assessment and Verification Audit form"
- "PSC8 RPS Standard 2 Trained Staff Instructions and Worksheet for a V.A."
- "PSC 8 RPS Standard 6 Compliance Enforcement Inst and Worksheet for a VA"
- "PSC 9 & PSC17 Standard 5 FBI and Food Defense Preparedness and Response"
- "PSC9 2022 Program Standards Definitions"
- "PSC12 2022 Program Standards 8 Program Support and Resources"
- "PSC12 Issue 2020 II-017 Packet"
- "PSC13 IFSS Framework Basic Advanced Feb 2021 Color Chart tab"
- "PSC13 IFSS Framework Basic Advanced Feb 2021 Descriptors tab"
- "PSC13 IFSS Framework Basic Advanced Feb 2021 first tab"
- "PSC14 & PSC15 Plan Review for Food Establishments Guide 2016"
- "PSC15 Annex 3 Ch. 8 Comp & Enf Const Insp and Approval 8-201.12 & 8-203.10"
- "PSC18 www.foodprotect.org - Crosswalk Screenshot"
- "PSC19 Issue 2020 II-033"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-010**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC3 Tracking Versions of Standard 2 Appendix B-1

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

Add a version number and/or date to Appendix B-1 to identify when new or revised courses are added to the Standard for auditing purposes.

**Public Health Significance:**

Appendix B-1 is updated on the FDA Website in real time. Adding a version number and/or revision date to Appendix B-1, as existing training courses are updated and new courses become incorporated, will clarify which required courses should appear in FSIO training records for auditing purposes.

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

A letter be sent to FDA requesting that a version number and/or revision date footnote be added to Appendix B-1 as existing training courses are updated and new courses become available.

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**Supporting Attachments:**

- "PSC Issue #3 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-011**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC4 Change Re-standardization Frequency for staff not standardizing others

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

The current frequency of re-standardization should change from three years to five years for inspection staff who do not standardize others.

**Public Health Significance:**

Agencies are struggling with resources and need to focus on standardizing newer staff instead of the more experienced staff. Staff turnover also has a major impact on meeting the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) Standard 2. Therefore, the change in frequency for re-standardization will lighten the burden for meeting VNRFRPS Standard 2, which involves performing four joint inspections with a "training standard" every three years. For standardization officers, the existing re-standardization frequency of every three years should be maintained.

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

that a letter be sent to FDA requesting the frequency of re-standardization be changed from three years to five years for inspection staff who do not standardize others and maintaining that standardization officers continue to be re-standardized every three years.

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**Supporting Attachments:**

- "PSC Issue #4 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-012**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC5 Add FD218 to Standard 2 Post Curriculum

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

Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Program Standard 2, Trained Regulatory Staff Appendix B-1, Coursework for Food Safety Inspection Officers (FSIO) would be improved by the inclusion of FD218, Risk Based Inspection Methods.

**Public Health Significance:**

VNRFRPS Standard 2 explains that regulatory staff shall have the knowledge, skills, and ability to adequately perform their required duties. Inspectors need proper training to conduct risk-based inspections. Risk-based inspection methodology is not currently included in the key learning objectives of the general education courses in Standard 2. Risk-Based Inspection Methods, FD218, is being considered as an advanced course. But it is foundational to conducting inspections.

The prerequisites for FD218 are Communication Skills for Regulators (CC8011W), FDA Food Code (FD112), and Food Microbiological Control Series (MIC01 through MIC15). Most of which are part of the Standard 2 "pre" curriculum which a food safety inspection officer (FSIO) must complete prior to conducting independent inspections. Annex 5 of the FDA Code specifically covers risk-based inspection methodology. However, not all jurisdictions use the FDA Food Code as their regulatory foundation and may not require their staff to review Annex 5 of the FDA Code.

FD218 is also more accessible now than in the past. The course would have typically been taken at the point an inspector had already been in the field for around two years. Now, the inspectors can access this course a lot more readily because it is offered monthly as an instructor-led virtual course. Given the time frame for Standard 2 curriculum is now 24 months, completion of FD218 in the "post" curriculum is achievable.

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

that a letter be sent to FDA requesting addition of FD218 Risk-Based Inspection Methods to Standard 2 "post" curriculum to be completed prior to standardization and within 24 months of hire or assignment to the regulatory retail food program.

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**Supporting Attachments:**

- "PSC Issue #5 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-013**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Update the Standard 2 Curriculum to include Food Safety Culture

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

Food safety culture is a concept that should be part of the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) Standard 2 to ensure retail food program inspection staff can recognize and progress positive food safety practices in retail food establishments.

**Public Health Significance:**

Food safety culture is a concept necessary for retail food program inspection staff that should be instilled at the beginning of the training process. The addition of food safety culture training to the Standard 2 curriculum will promote awareness of this concept during retail food field inspections to be used to educate and guide retail food establishments to improve the food safety practices led by organizational culture.

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

A letter be sent to FDA requesting that as part of Standard 2, in the "Description of Requirement" section under Step 1: Pre-Inspection Curriculum, add item 5. Food Safety Culture to the list of curriculum areas.

**Step 1: Pre-Inspection Curriculum**

Prior to conducting any type of independent field inspections in retail food establishments, the Food Safety Inspection Officer (FSIO) must satisfactorily complete training in pre-requisite courses designated with a "Pre" in Appendix B-1, for the following curriculum areas:

1. Prevailing statutes, regulations, ordinances (specific laws and regulations to be addressed by each jurisdiction);
2. Public Health Principles;

3. Food Microbiology;
4. Communication Skills;
5. Food Safety Culture

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-014**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC6 Reference National Curriculum Standard in VNRFRPS Standard 2

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

Adding language to VNRFRPS Standard 2 that references the FDA's National Curriculum Standard as a blueprint for Food Safety Inspection Officer training.

**Public Health Significance:**

The requirement summary for VNRFRPS Standard 2 states "The regulatory retail food program inspection staff (Food Safety Inspection Officers - FSIO) shall have the knowledge, skills, and ability to adequately perform their required duties." The National Curriculum Standard (NCS) as part of the Integrated Food Safety System (IFSS) identifies the competencies (knowledge, skills, and abilities) needed by regulatory food protection professionals to successfully perform their job functions, whether they are inspecting retail food, manufactured food, animal food, or unprocessed food facilities. The NCS also provides behavioral anchors (performance indicators) that serve to clarify the competencies and can be used for assessment purposes. Taken together, the competencies and behavioral anchors form "blueprints" that can be used to: develop new courses/training; update existing courses/training; evaluate courses/training for equivalency; and assess individual performance.

The NCS was developed through facilitated sessions with subject matter experts from FDA as well as state and local food safety protection agencies. The NCS is a living document that pertains to regulatory food protection professionals at various stages of their careers: Basic, Advanced, Expert (Specialist), and Leadership (Executive Administration).

At the Basic Level, the regulatory professional would begin with the Gen Eds followed by the Food Foundations topic or content areas prior to specializing in a specific program area, whether it be retail food, manufactured food, animal food, or unprocessed food.

Within the retail component of the NCS, topic or content areas addressed at the Basic Level include Regulatory Foundations for Retail Food Safety, Risk Based Inspections, Non-

Traditional Food Operations, Specialized Processing Methods. At the Advanced Level, topic or content areas include Plan Review and Special Processes.

The attached draft of 2022 Retail Food Program Standard 2 contains proposed language for consideration. Also attached is the current NCS with the Retail Food Framework component.

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

that a letter be sent to FDA requesting that language be added to VNRFRPS Standard 2 page 2-2 to include the NCS as a blueprint for FSIO training as follows (new language is underlined):

**Requirement Summary**

The regulatory retail food program inspection staff (Food Safety Inspection Officers - FSIO) shall have the knowledge, skills, and ability to adequately perform their required duties. These knowledge, skills, and abilities (i.e., competencies) are outlined in the FDA National Curriculum Standard (NCS). The NCS identifies the competencies needed by FSIOs for successful job performance. The NCS has been developed through Cooperative Agreements with FDA, by subject matter experts representing local, state, and federal jurisdictions. Several courses have been developed based on the competencies in the NCS, specifically the "GenEds". The following is a schematic of a 5-step training and standardization process to achieve the required level of competency.

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**Content Documents:**

- "PSC Issue #6 list of content documents"

**Supporting Attachments:**

- "PSC Issue #6 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-015**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC13 Add NCS Exam Option to Standard 2

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

Adding an additional option for a written examination for Food Safety Inspection Officers (FSIOs) under Step 1 Pre-Inspection Curriculum Option 2 to allow a food protection certification examination based on the FDA's National Curriculum Standard (NCS). The written examination would be developed using methods that are psychometrically valid and reliable.

**Public Health Significance:**

The addition of another written examination provides more flexibility and access for FSIOs to demonstrate a basic level of food safety knowledge under Option 2 after completion of the pre-inspection curriculum. The FDA has been building the NCS since 2011, through five-year cooperative agreements with nonprofit food protection organizations. The NCS outlines the competencies needed by FSIOs for successful job performance. The NCS has been developed by subject matter experts representing local, state, and Federal regulatory jurisdictions. A significant number of online training courses have been developed using the competencies established in the NCS. Many FSIOs have already taken NCS training courses through the FDA Learning Management System.

The Partnership for Food Protection (PFP), sponsored by the FDA, Training and Credentialing Committee provides support for the implementation of the NCS including forming the NCS Review Cycle Subcommittee to review the competencies developed in the NCS.

Written exams are being developed based on the competencies outlined in the Basic Level of the NCS which includes the GenEds, Food Foundations, Retail Food, and Manufactured Food. A written exam for the GenEds is in the final stages of implementation and the others are in the pilot testing phase and are expected to be available in 2023.

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

that a letter be sent to FDA requesting that a fifth written examination option be added to VNRFRPS Standard 2, Step 1 Pre-Inspection Curriculum Option 2 stating: on page 2-3 under Option 2 Successful passing of one of the five written examination options (described later in this Standard) for determining if a FSIO has a basic level of food safety knowledge. Adding language on page 2-4 for an additional written examination as follows:

"5. A food protection certification examination based on the National Curriculum Standard that is developed using methods that are psychometrically valid and reliable".

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**Content Documents:**

- "PSC Issue #13 list of content documents"

**Supporting Attachments:**

- "PSC Issue #13 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-016**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Verification Audit guidelines for Standard 2 with regards to Appendix B-1

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

With regular maintenance and updates anticipated for Appendix B-1: Curriculum for Retail Food Safety Inspection Officers, there are no directions or guidelines for determining whether compliance with the Standard would or would not be achieved ONLY if all qualified personnel met the requirements of the most current version of Appendix B-1.

**Public Health Significance:**

Appendix B-1 is a significant resource for FSIOs and is used as a check-list for both self-assessment with compliance to Standard 2 and for verification audits of the same compliance. FDA has noted that Appendix B-1 will be updated on a frequency necessary to keep it a living, current document. While this effort is to be applauded, it has the potential of being unnecessarily disruptive and confusing with regards to understanding whether a jurisdiction and/or FSIO is in compliance with Standard 2. If the jurisdiction or individual was in compliance with an earlier version, are they still in compliance if a new version is released, and for how long? Conformance with Standard 2 should not be up to individual interpretation of the requirements of the elements of the Standard.

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

The assignment of developing the self-audit and verification auditor guidelines that would allow an objective review of a jurisdiction's compliance with Standard 2 with consideration of different versions of Appendix B-1. Recommendation that this be assigned to the Program Standards Committee, to work with FDA to develop recommended guidelines and standards on how to use Appendix B-1 with Standard 2 to determine compliance of staff training with newer and older versions of Appendix B-1.

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-017**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Creation of a sub-committee - Standard 2 non-high risk inspection training

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

The Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Standard 2: Trained Regulatory Staff requires that all staff conducting retail food inspections are trained and standardized in risk categories 3 and 4, as defined in the 2017 Food Code Annex 5, Table 1. This requirement does not allow for a food safety inspection officer (FSIO) to be trained and standardized in only lower risk categories. A training plan allowing for FSIOs to be trained in conducting inspections of lower risk categories is needed to meet staffing and community needs.

**Public Health Significance:**

High-risk retail food inspections, which include complex food preparation, highly susceptible populations, and/or specialized processes, require a higher level of competency. This requires devotion of significant time and resources to complete proper training and standardization. Not all FSIOs need to inspect high-risk facilities as part of their daily duties. A geographical inspection area could have multiple FSIOs, each with different training and experience levels. Many FSIOs are generalists or cross trained in other environmental health disciplines and may be conducting inspections of facilities that also have separate, non-high risk retail facilities such as packaged food stores, storage facilities, farm stands or stores, vending machines, or a small low-risk café attached to the current inspection site. Cross-trained individuals could complete multiple types of inspections, removing the need for a revisit to the same site by more highly trained FSIO, thereby saving time and resources. This would allow non-high risk FSIOs to complete more inspections and encourage more cross-training among generalist inspectors. Those that are trained and standardized on high-risk facilities would be able to focus more time on higher risk facilities, deferring lower risk facilities to sufficiently trained FSIOs operating within their skill sets.

To meet the needs of regulatory authority programs with limited resources, a layered training plan is critical, providing both the necessary and sufficient level of training and practical field experience for each type of inspection to be conducted. Both classroom education time and field training can be tailored for maximum efficiency for the activities within each inspection area. This allows for those human and financial resources to be utilized effectively. It also allows for a gradual development of skill sets for incoming staff and a measured approach, which permits training time to be spread out over the course of a work year. This will ensure that inspection frequency mandates are being met while increasing staff development opportunities. This has specific and measurable benefits to both the regulatory authority and the FSIO.

Many regulatory jurisdictions participate in both VNRFRPS and Manufactured Food Regulatory Program Standards (MFRPS). The MFRPS program, Standard 2-Training Program allows for a layered approach, utilizing a variety of FSIOs conducting inspections at different risk levels, including inspections that are low-risk only. The current MFRPS require a written training plan that ensures all FSIOs receive training required to adequately perform their work assignments. The training plan includes course curriculums, which provide for basic and advanced food inspection training, as well as continuing education opportunities.

The coursework and field training requirements for MFRPS are broken down into three categories, including FSIOs who will only inspect non-high risk food warehouses, FSIOs who will inspect general manufactured food firms, and FSIOs with advanced skill sets who will inspect specific types of specialized processes and/or preventive control inspections. There are specific coursework and training requirements laid out for each level of FSIO within the MFRPS program. Advanced Manufactured inspections including specialized and preventive control inspections require more coursework, field training, and audits before conducting independent inspections. Identifying the training and auditing requirements for non-high risk and high-risk retail food inspections would ensure the development, utilization, standardization, and documentation of proper skill sets for each risk category. Assigning risk levels to facilities and verifying risk levels pre-inspection ensures the FSIO is conducting an inspection within their trained skill set. Allowing non-high risk trained FSIOs for retail food inspections as well will allow for unification of and alignment between the requirements of both VNRFRPS and MFRPS, Standard 2.

A clearinghouse workgroup question has already been developed to address risk category 1 establishments under standard 2, question 16. Field Training for a Food Safety Inspection Officer (FSIO). The workgroup concluded that "if staff members were only trained in risk category 1 establishments, they may be ill equipped to deal with menu changes, process changes, and equipment changes that result in a more complex operation. FSIOs need exposure to a variety of different food establishments to be able to determine if the food establishment is properly categorized, determine the compliance status of Risk Factors and Good Retail Practices (GRPs), determine appropriate immediate corrective action if needed, and promote active managerial control over the risk factors using various strategies. These actions require highly trained, competent professionals." However, training a FSIO in risk level assessment and conducting that assessment prior to starting the inspection, in addition to using previous inspection history, prevents the inspector from conducting an inspection that is beyond their skill level. The risk level of a retail facility should already be identified from inspection history prior to conducting the

inspection. Retail Program Standards already addresses risk assessment in standard 2 and standard 4. In standard 2, the CFP training plan verifies that a trainee reviewed an establishment file for documentation indicating the assigned risk category. Standard 4 quality assurance plan element 3 verifies that the establishment is in the proper risk category and that the required inspection frequency is being met. The FSIO must inform the supervisor when the establishment is not in the proper risk category or when the required frequency is not met. If for some reason, a higher risk level is discovered after the start of the inspection, the inspection should stop until a further trained inspector is available. The same circumstances can happen in manufacturing inspections under MFRPS in which a specialized or preventive control inspection is needed. These circumstances should be rare and any major changes to a facility's menu, equipment, or risk level should be presented to the jurisdiction prior to change. Regardless, the training components of a non-high risk FSIO should still include all listed components of Standard 2 training requirements so that they are highly competent in the risk level in which they have been trained.

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

A sub-committee of the Program Standards Committee be created to develop a training and standardization plan in VNRFRPS, Standard 2 for FSIOs conducting only non-high-risk inspections, similar to MFRPS, Standard 2 training requirements.

The sub-committee will be charged with:

1. Defining a unified system of risk categories, similar to MFRPS, Standard 2, which can be utilized by all organizations operating within VNRFRPS, Standard 2.
2. Identifying appropriate coursework required for each risk level of required inspections.
3. Developing any coursework needed that is not currently available.
4. Creating a feasible timeline for FSIOs to achieve both intellectual and practical skill sets.
5. Adapting documentation and auditing requirements to ensure skill sets are gained and retained.
6. Designing a pathway for FSIOs to escalate to the next level of standardization within the identified system of risk levels.
7. Report back to the next biennial meeting of the Conference for Food Protection.

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**Supporting Attachments:**



- "MFRPS Standards 2"
- "Retail Program Standard 2"
- "Retail Program Standard 4"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-018**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC7 Std 3 Requirements and Self-Assessment & Verification Audit Form Edits

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

Correcting the order of the terms "Validation" and "Verification" in the VNRFRPS Standard 3 Requirements document and the Self-Assessment and Verification Audit form.

**Public Health Significance:**

The HACCP concepts of "Validation" and "Verification" can be confusing concepts. In addition, the reuse of the terms for a regulatory approval of a submitted HACCP plan adds additional confusion. In both cases, the term "Validation" comes before "Verification". By reversing the terminology (Verification and Validation) in the Standard 3 documents, unnecessary additional confusion can be caused.

When creating a HACCP plan, especially for Special Processes at Retail, the process must include concepts and actions that are proven (validated) by a process authority. Once the plan is put into action, Monitoring and Corrective Actions are checked and signed off (Verified) by the person in charge.

When a HACCP plan has been sent to a regulatory authority to be approved to meet a regulatory requirement, the plan is "Validated" by the responsible regulatory authority as being a sound and safe plan. Once the plan has been put into action, a regulatory authority would then do a site visit to "Verify" that the approved plan is being followed.

In the VNRFRPS Standard 3 - Self-Assessment and Verification Audit form, the sixth step refers to the Verification and Validation of the HACCP Plan Policy. The terminology currently used reverses the actual process of approval.

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

that a letter be sent to FDA requesting to modify the VNRFRPS Standard 3 Requirements and Self-Assessment and Verification Audit Form at each use of the terms "Validation and

Verification" by reversing the terminology for "Validation" and "Verification" to reduce confusion and reinforce the correct usage of the terms "Validation" and "Verification".

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**Content Documents:**

- "PSC Issue #7 list of content documents"

**Supporting Attachments:**

- "PSC Issue #7 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-019**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2018 II-18 and 2020 II-023; the recommended solution has been revised.

**Title:**

PSC15 Incorporation of Plan Review into VNRFRPS Standard 3

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

An outcome of the 2020 Biennial Conference for Food Protection (Issue #2020 II-023) was to continue the work of the Plan Review Committee using the previous committee's Preliminary Plan Review Proposal document as a starting point. Specifically, the charges were:

1. The Program Standards committee and FDA staff continue to explore the feasibility of incorporation of plan review functions into the standards either as a stand-alone standard or inserted into the existing standards in the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).
2. Acknowledgement of the Preliminary Plan Review Proposal document to be utilized as a starting point for the Program Standards Committee work on this issue.

**Public Health Significance:**

Plan Review lays the foundation for an operation to be in long term compliance with the FDA Food Code. The facility design, food safety management system, standard operating procedures, and HACCP plans when required should be reviewed and modified as needed prior to operation for the control of the foodborne illness risk factors and prevention of foodborne illness. During the plan review process, the regulatory agency or its designee works in tandem with the food facility operator to set the stage for success in achieving Food Code conformance and developing a food safety culture. A food safety management system needs to be developed preoperationally, prior to the opening inspection and establishment approval. It is recommended that such procedures be written and include information on the following:

- How transmission of foodborne illness is prevented.
- Plans to procure food from approved sources.

- How food is handled to prevent contamination and control risk factors.
- Plans for training staff.
- Procedures for cleaning and sanitizing.

Whether done by the agency or an external partner, plan review gives the regulatory authority a unique opportunity to proactively ensure the safe operation of food services and retail food operations.

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

incorporating plan review into Standard 3 - Inspection Program based on HACCP Principles.

1. Add a new element seven (7) to Standard 3 - Inspection Program based on HACCP Principles to include:

The jurisdiction develops and implements a program policy to require the submission and review of food establishment construction plans, and equipment specifications that is consistent with the FDA Food Code, or the program maintains a written agreement with another entity that is responsible for the plan review process. The jurisdiction should conduct the review of the plans with the establishments food safety management system in mind. This would include a discussion with the operator to determine what procedures, training and monitoring will be done in the establishment to address foodborne illness risk factors.

2. Add language to Standard 3 under Description of Requirement.

Recommended language is:

7. Develops and implements a program policy to require the REGULATORY AUTHORITY to have a review and approval process for the construction plans, equipment specifications, and other information submitted by the PERMIT applicant or PERMIT HOLDER for the FOOD ESTABLISHMENT that is consistent with the requirements of the FDA Food Code. The policy should include a requirement that the REGULATORY AUTHORITY discusses the establishments food safety management system as part of the plan review process. (See definition in Note 2) Contents of the PERMIT applicant's or PERMIT HOLDER's submission must include at least the following information:

a) Intended menu

b) Anticipated volume of FOOD to be stored, prepared, and sold or served

c) Proposed layout, mechanical schematics, construction

d) Proposed EQUIPMENT types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications

e) Standard operating procedures and HACCP plan if applicable, and

f) Other information that may be required by the REGULATORY AUTHORITY for the proper review of the proposed construction, conversion or modification, and procedures for operating a FOOD ESTABLISHMENT, and

g) Documentation of all plan reviews conducted (approval, conditional, denial) or, if the regulatory program does not conduct plan review or shares responsibility for the plan

review with other entities or agencies, there are agreements in place between the agencies and the process for plan review is documented.

3. Add language to Standard 3 under Description of Requirement Documentation.

Recommended language is:

7. Documentation of the food establishment construction plan, and equipment specification review process that includes:

a) Food safety management system plan discussion

b) Intended menu

c) Anticipated volume of FOOD to be stored, prepared, and sold or served

d) Proposed layout, mechanical schematics, construction

e) Proposed EQUIPMENT types, manufacturers, model numbers, locations dimensions, performance capacities, and installation specifications

f) Standard operating procedures and HACCP plan if applicable, and

g) Other information that may be required by the REGULATORY AUTHORITY for the proper review of the proposed construction, conversion or modification, and procedures for operating a FOOD ESTABLISHMENT, and

h) Documentation of all plan reviews conducted (approval, conditional, denial)

or if plan review is conducted externally, documentation of the process (policy, contract, MOU).

4. Add Note 1 to reference the Plan Review for Food Establishment guidance.

Note 1: Through their committee process, the Conference for Food Protection has developed Plan Review for Food Establishment guidance on the CFP web site: [www.foodprotect.org](http://www.foodprotect.org) located under the icon titled, "Conference Developed Guides and Documents" and can be downloaded at <http://www.foodprotect.org/guides-documents/plan-review-for-food-establishments-2016/>.

5. Add Note 2 to define Food Safety Management System.

Food Safety Management System refers to a specific set of actions (e.g., procedures, training, and monitoring) to help achieve active managerial control.

Procedures: A defined set of actions adopted by food service management for accomplishing a task in a way that minimizes food safety risks. Procedures may be oral or written and include who, what, where, when, and how a task should be performed. The goal is to move toward complete, consistent, and primarily written procedures and may include topics such as when to wash your hands, how to set up a 3-compartment sink, how food temperatures are achieved and maintained/monitoring food temperatures.

Training: The process of management's informing employees of the food safety procedures within the food service establishment and teaching employees how to carry them out. Information may be presented in formats such as a set of instructions/illustrations, recipe cards with process instructions, wall charts, wallet cards, or live demonstration. The goal is to provide and document training for all food safety tasks in a format and frequency adequate to ensure employees have the knowledge to carry out the procedures consistently and effectively.

Monitoring: Routine observations and measurements conducted to determine if food safety procedures are being followed. Monitoring systems should include who, what, where, when, and how monitoring is to be performed and may be conducted visually or documented in writing. The goal is to move toward a well-documented system that can be verified and may include use of automated systems, digital thermometers, logs, charts, checklists, and other job aids and tools.

6. Add language to the Self-Assessment and Verification Audit Form - Standard 3 by adding #7.

Recommended language is:

7. The jurisdiction develops and implements a program policy to require the submission and review of food establishment construction plans, and equipment specifications that is consistent with the FDA Food Code, or the program maintains a written agreement with another entity that is responsible for the plan review process. The policy should include a requirement that the REGULATORY AUTHORITY discusses the establishments food safety management system as part of the plan review process.

Specifically, plan review criteria for self-assessment and verification language:

a) The jurisdiction develops and implements a program policy to require the discussion of the establishment food safety management system plan.

b) The jurisdiction develops and implements a program policy to require the submission, review, and approval of establishment construction plans consistent with the FDA Food Code.

c) The jurisdiction develops and implements a program policy to require the submission, review, and approval of equipment specifications consistent with the FDA Food Code.

d) Or the program maintains a written agreement with another entity that is responsible for the plan review process.

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#### **Content Documents:**

- "PSC Issue #15 list of content documents"

**Supporting Attachments:**

- "PSC Issue #15 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-020**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Amend VNRFRPS Standard 3, Inspection Program Based On HACCP Principles

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

Allow jurisdictions to adopt alternative written and implemented policies in relation to the assessment of active managerial control and out-of-compliance foodborne illness risk factor violations.

**Public Health Significance:**

The Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) requires, regardless of the overall assessment of the facility, follow-up activities on all out-of-compliance foodborne illness risk factors and core violations. A reply to a clearing house question clarifies that all priority, priority foundation and core violations should show correction as defined in the food code under sections 8-406.11. "Core violations do not require an immediate on-site correction but follow up should be performed." (see clearing house reply - attachment 1)

Violation compliance rates have remained steady under the current compliance model in the food code. To show compliance with Standard 3, follow-up activities are required for all violations based on clarifying documentation identified from the clearing house. This is very restrictive to regulatory agencies that are looking at alternative methods of enforcement with limited time and resources.

Regulatory programs that are striving to move the needle by developing alternative enforcement systems of assessment while striving to comply with the program standards are restricted to a method of 100% violation return-to-compliance. Operators with strong food safety management systems that incur a few outstanding violations are pulling regulatory program time and resources away from the facilities that are truly struggling and that need regulators' time and attention. There are situations where appropriate corrective actions cannot occur at the time of the inspection but have a very low risk to the public's health. Under the current model, regulators are required to gather documentation of

conformance or a written schedule of compliance for risk factors and low risk core violations.

Because of the nuances in the Standard, regulators are unable to implement alternative compliance assessment models and maintain compliance with the Standard. Facilities that have demonstrated a strong foundation of active managerial control are also required to show resolution of all violations. It is not appropriate to require corrective action and follow-up activities for every situation where core items, and even in some cases risk-factors, are out of compliance but have little to no impact on public health.

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

that a letter be sent to the FDA requesting that the relevant portion of Standard 3 of the most recent VNRFRPS be amended to allow additional latitude for compliance (language to be added is underlined; language to be deleted is in strikethrough format):

Under "Description of Requirement" add asterisks behind 4. c) and the following footnote at the bottom to read:

4. c) Follow-up activities\*\*\*\*

\*\*\*\*Note: jurisdictions using a system that measures the overall compliance of an inspection and the overall active managerial control of an establishment may have a system in which follow-up activities are not required for all violations if:

1. The system is based on the risk of violations.
2. The program has a system that assesses the establishments overall management of food safety risks.
3. The system has criteria in which follow-up activities are required at establishments that do not demonstrate active management of risks.

"Standard 3: Inspection Program Based on HACCP Principles Instructions for Completing the Program Self-Assessment and Verification Audit Form" In the description of how to use the form, modify section 4. c) to read:

4. Corrective Action Policy

c. The jurisdiction has a written and implemented policy that requires follow-up activities on foodborne illness risk factor violations: or a written and implemented policy that:

1. Is based on the risk of violations.
2. Assesses establishments overall management of risks, and
3. follow-up activities are required at establishments that do not demonstrate the active management of risks.

In the audit form, modify Criteria 4 Written and Implemented Corrective Action Policy to read:

c) The jurisdiction has a written and implemented policy that requires follow-up activities on foodborne illness risk factor violations: or a written and implemented policy that:

1. Is based on the risk of violations.
2. Assesses establishments overall management of risks, and

3. follow-up activities are required at establishments that do not demonstrate the active management of risks.

Attachments:

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**Supporting Attachments:**

- "Clearing House Question STND 3 Response"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-021**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Creation of a committee: specialized processes in program standards

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

Incorporation of more specific criteria related to special processes into the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS). The contents of the written policies on variance requests, verification and validation of HACCP plans should be identified in Standard 3 - Inspections based on HACCP Principles. A training plan for staff who conduct verification inspections of approved plans should be identified in Standard 2 - Trained Regulatory Staff.

**Public Health Significance:**

Currently, Standard 2 - Trained Regulatory Staff includes training and standardization for knowledge of HACCP principles but does not require any training or assessment specific to knowledge of specialized processes at retail. FSIOs in some jurisdictions are both validating the variance and/or HACCP plan in addition to conducting field verification inspections. Specialized processes review, approval, and field validation activities require more knowledge and training than traditional HACCP training currently prescribed in Standard 2. Retail Food facilities conducting specialized processes are expected to have knowledge and training for these higher risk processes and the same should be expected from regulatory agencies reviewing and inspecting the same plans. Courses like FD312, Specialized Processes at Retail, are very helpful but are not required and also are not intended to be repeated should changes to the requirements based on science, or the Food Code occur. Continuing education options should be available and incorporated into Standard 2, such as the FD312 online, self-paced prerequisite courses. Options for online, self-paced courses, as well as validation of knowledge for both variance and HACCP review and field verification purposes should be included in the requirements of Standard 2.

Currently, Standard 3 - Inspection Based on HACCP Principles requires a policy for addressing variance requests related to risk factors and interventions as well as a policy for verification and validation of HACCP plans required by the Food Code. The standard does

not prescribe what a quality policy should include, such as what defines a qualified individual for both reviewing a variance and/or HACCP plan and for conducting field verification, what should be included in the variance and/or HACCP validation, the process for approving or denying submissions, frequency of verification audits, etc. Without more specific policy requirements, specialized process review and field verification audits will vary greatly in quality in every jurisdiction. Policies may range from specialized process teams with academia support to jurisdictions with minimal education, training, and/or academia support. Defining what a regulatory specialized process policy and program should include would create consistency among training and implementation of these higher risk processes.

Manufactured Foods Regulatory Program Standards (MFRPS) specifies inspector training specific to each specialized process before an inspector can conduct specialized process inspections. Advanced food inspection training topics for MFRPS include acidified foods, low-acid foods, Seafood HACCP, trace-back investigations, foodborne illness investigations, and Preventive Controls for Human Food. MFRPS Standard 2 only allows FSIOs who have been trained and audited on specific specialized processes to conduct related inspections. MFRPS Standard 3: Inspection program indicates that the inspector is responsible for the review of the manufactured food firm's documents such as schedule process, HACCP plans, process controls, food safety plans, monitoring, verification and deviation or corrective action records. An inspector cannot review these plans until they are trained on each specialized process.

To create and maintain consistency between both manufactured food and retail food regulatory inspection programs which have specialized process programs, it would be beneficial to incorporate training and qualifications requirements into the VNRFRPS similar to those found in the MFRPS.

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

A subcommittee of the Program Standards Committee be created to identify recommendations for incorporating training specific to specialized processes in the Voluntary National Retail Food Regulatory Standards. The committee should consider:

1. The inclusion of training specific to specialized processes in Standard 2 for inspectors conducting validation and verification of variances and HACCP plans including:
  1. Pre- and/or Post-Inspection curriculum
  2. Initial Field Training and Experience
  3. Field Standardization
  4. Continuing Education
  5. Qualifications for inspectors conducting validation and verification for variances and HACCP Plans.
2. Requirements for the Variance Request Policy and Verification and Validation of HACCP Plan Policy required by Standard 3.
3. The committee should report its findings and recommendations to the 2025 Biennial Meeting of the Conference for Food Protection.

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**Supporting Attachments:**

- "MFRPS Standards 2"
- "MFRPS Standards 3"
- "Retail Program Standard 2"
- "Retail Program Standard 2 coursework"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-022**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Report - Employee Food Safety Training Committee (EFSTC)

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

Acknowledging the Employee Food Safety Training Committee (EFSTC) final report with attachments and recognize by extending our sincerest gratitude and appreciation to the Committee members for their commitment and hard work.

**Public Health Significance:**

One of the essential elements needed for protecting public health is food employee training. It is critical to take a proactive approach in preventing food employee skill gaps. This is done by imparting knowledge to further develop the food employee's new skills and providing updates on existing skills.

The Employee Food Safety Training Committee (EFSTC) updated and addressed food employee knowledge, skills, and abilities (KSA) in the following seven areas:

1. Foundations of Food Safety
2. Employee Health Outcomes
3. Personal Hygiene and Handwashing
4. Preventing Cross-Contamination
5. Allergen Control
6. Time and Temperature Control for Safety (TCS)
7. Cleaning and Sanitizing

This bench marking of food employee training assists in identifying KSAs as well as any gaps that may exist. Once these gaps are identified then mitigation strategies can be performed ultimately strengthen the global food supply and protecting public health.

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

acknowledgement of the 2021 - 2023 Employee Food Safety Training Committee (EFSTC) Final Report.

The Conference gratefully appreciates and thanks all Committee Members for their work during the 2021 - 2023 biennium. In addition, special acknowledgement is given to previous Employee Food Safety Training Committee Members from the 2014 - 2016 biennium and 2018 - 2020 biennium for their expertise and commitment to public health.

The Conference further recommends disbanding the Employee Food Safety Training Committee (EFSTC) because the committee successfully updated the CFP "Employee Food Safety Training Guidance Document".

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**Content Documents:**

- "EFST Committee Final Report"
- "Employee Food Safety Guidance Document (2017 FDA Food Code)"

**Supporting Attachments:**

- "A 10.08.2021 EFST Report"
- "B 03.30.2022 EFST Report"
- "C 09.11.2022 EFST Report"
- "D EFST Committee Roster"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-023**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

EFSTC2 Publish Employee Food Safety Training Guidance (2017 FDA Food Code)

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

The Employee Food Safety Training Committee 2 (EFSTC2) recommends publishing the "Employee Food Safety Training Guidance Document (2017 FDA Food Code)" on the CFP website.

**Public Health Significance:**

One of the essential elements needed for protecting public health is food employee training.

It is critical to take a proactive approach in preventing food employee skill gaps, this is done by imparting knowledge to further develop the food employee's new skills and providing updates on existing skills.

The Employee Food Safety Training Committee 2 (EFSTC2) updated and addressed food employee knowledge, skills, and abilities (KSA) in the following seven areas:

1. Foundations of Food Safety
2. Employee Health Outcomes
3. Personal Hygiene and Handwashing
4. Preventing Cross-Contamination
5. Allergen Control
6. Time and Temperature Control for Safety (TCS)
7. Cleaning and Sanitizing

This bench marking of food employee training assists in identifying KSAs; as well as any gaps that may exist. Once these gaps are identified then mitigation strategies can be performed to ultimately strengthen the global food supply and protecting public health.

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

publishing the "Employee Food Safety Training Guidance Document (2017 FDA Food Code)" on the CFP website.

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**Content Documents:**

- "Employee Food Safety Training Guidance Document (2017 FDA Food Code)"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-024**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020-II-010; new or additional information has been included or attached.

**Title:**

Local Regulatory Voting Representation

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

1. Acknowledge the Committee report and thank the Committee members for their time.
2. Acknowledge that the Committee did examine the current By-laws, including an historical perspective and did explore methods to provide representation of local regulators on the Assembly of State Delegates, as charged in Issue 2020-II-010. This work resulted in recommendations to the Board to consider rewriting the responsibilities of Executive Board members.
3. Acknowledge that the Committee did report back to the Executive Board during the October 2022 Executive Board meeting as charged in Issue 2020-II-010. That meeting resulted in the Board accepting rewritten responsibilities of Executive Board members.
4. Acknowledge that the Committee did include representation from the Constitution and By-laws Committee to assist in the development of recommendations and amendments from the findings determined as charged in Issue 2020-II-010. Mr. Sean Dunleavy served as the representative from the Constitution and Bylaws Committee.

Disband the Committee as all charges from Issue 2020-II-010 have been completed.

**Public Health Significance:**

- Foodborne illness in the United States is a major cause of personal distress, preventable illness and death and avoidable economic burden. Scallan, E., Hoekstra, R. M., Angulo, F. J., Tauxe, R. V., Widdowson, M. A., Roy, S. L., ... & Griffin, P. M. (2011). Foodborne illness acquired in the United States-major pathogens. *Emerging infectious diseases*, 17(1), 7.

- Current USDA ERS data estimates the annual cost of foodborne illness for the 15 leading foodborne pathogens, in terms of pain and suffering, reduced productivity, and medical costs to be 17.5 billion dollars. USDA ERS - Cost Estimates of Foodborne Illnesses, 2023 <https://www.ers.usda.gov/data-products/cost-estimates-of-foodborne-illnesses.aspx>
- The Food and Drug Administration (FDA) endeavors to assist approximately 75 state and territorial agencies; however, more than 3,000 local health? departments assume primary responsibility for preventing foodborne illness and for licensing and inspecting establishments within the retail segment of the food industry.

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

Acknowledgement of the 2021-2023 Local Regulatory Voting Representation Committee thanking the committee for their time and disbanding the committee as all charges from Issue 2020-II-10 have been completed.

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**Content Documents:**

- "Local Regulatory Voting Representation Final Report"
- "Local Regulatory Voting Representation Roster"

**Supporting Attachments:**

- "Local Regulatory Voting Representation Minutes 22-II-10"
- "Local Regulatory Voting Representation Survey 22-II-10"
- "Local Regulatory Voting Representation Survey 22-II-10"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-025**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC8 Create Standard 4 Verification Audit Instructions

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

VNRFPS Standard 4, Uniform Inspection Program, does not contain specific verification audit instructions. Other VNRFPS Standards that require file reviews and calculations during the audit process, such as VNRFPS Standard 2, Trained Regulatory Staff and VNRFPS Standard 6, Compliance and Enforcement, contain "INSTRUCTIONS AND WORKSHEET FOR CONDUCTING A VERIFICATION AUDIT".

**Public Health Significance:**

Verification auditors do not have standardized instructions on how to conduct a verification audit on Standard 4 which may result in audits not being assessed equally. There is no guidance on:

- How many retail food inspection staff may fall short of having three field reviews during the five-year self-assessment period and the jurisdiction still meet the Standard (90% of staff for field standardization in Standard 2).
- How many employee quality assurance records to review.
- When additional employee quality assurance records may need to be reviewed.
- The rate of agreement between the verification auditor and the self-assessment to meet the Standard.

VNRFPS Standard 2 verification audit instructions include how to determine the number of employee training records to review, obtain random numbers, select employee training records to review, verify documentation of the completion of the standard training criteria, and make a determination based on the results of the audit. Standard 2 also provides a Verification Audit Worksheet.

VNRFPS Standard 6 verification audit instructions include the number of files to select for the verification audit, when supplemental sampling is required, and the rate of agreement

with the self-assessment to meet the Standard. Standard 6 also provides a Verification Audit Worksheet.

Detailed verification audit instructions to guide the auditor, such as those in VNRFRPS Standards 2 and 6, will help ensure equality during the audit process regardless of the size of the jurisdiction.

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

that a letter be sent to FDA requesting instructions for conducting a verification audit on Standard 4, Uniform Inspection Program, be developed.

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**Supporting Attachments:**

- "PSC Issue #8 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-026**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC9 Edits to Standard 5 and Definitions

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

Editing VNRFRPS Standard 5 and the Program Standards Definitions document to correct errors and achieve consistency with the other Standards.

**Public Health Significance:**

Standard 5 requires the regulatory program to have an established system to detect, collect, investigate, and respond to complaints and emergencies that involve foodborne illness, injury, and intentional and unintentional food contamination. Removing the excessive asterisks, reformatting key terms within the Standard, and expanding on their definitions will make the document less confusing. Using small caps font format to indicate defined terms is already established in the FDA Food Code and implemented in Standard 9.

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

that a letter be sent to FDA requesting to approve the proposed edits to VNRFRPS Standard 5 and the Program Standards Definitions document as described below.

- Remove the footnote from Standard 5 page 5-5 and all corresponding asterisks.
- Expand the definition of "Foodborne Disease Outbreak" to establish that both suspect and confirmed outbreaks fit under this term, on page iv of the Program Standards Definitions document.
  - "12) Foodborne Disease Outbreak - The occurrence of two or more cases of a similar illness resulting from the ingestion of a common food. Foodborne Disease Outbreaks include both Suspect Foodborne Outbreaks and Confirmed Foodborne Disease Outbreaks."
- Expand the definition of "Suspect Foodborne Outbreak", on page vi of the Program Standards Definitions document, to differentiate it from "Foodborne Disease

Outbreak" and to establish that it is a foodborne illness outbreak that is not confirmed.

- "27) Suspect Foodborne Outbreak - Means an incident in which two or more persons experience a similar illness after ingestion of a common food or eating at a common food establishment/gathering that did not meet the definition of a Confirmed Foodborne Disease Outbreak."

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**Content Documents:**

- "PSC Issue #9 list of content documents"

**Supporting Attachments:**

- "PSC Issue #9 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-027**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020 II-033; the recommended solution has been revised.

**Title:**

PSC16 Development of a Roadmap for the requirements in VNRFRPS Standard 5

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

The Program Standards Committee recommends continuation of Issue 2020 II-033 to develop a roadmap for the requirements of VNRFRPS Standard 5. A roadmap was identified as being beneficial to assist enrolled jurisdictions in conducting self-assessments. Templates and examples of required documentation would accompany the roadmap. A first draft of the roadmap has been drafted but was not able to be finalized during this biennium.

**Public Health Significance:**

The FDA Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) offer a systematic approach to, through a continuous improvement process, enhance retail food regulatory programs. The VNRFRPS define and provide a framework designed to accommodate both traditional and emerging approaches of regulatory programs operating within an integrated food safety system. The Program Standards Committee established a subcommittee to address the specific charges in Issue 2020 II-033. The subcommittee comprised of regulators, industry and federal partners determined that Standard 5 was vital in providing procedures, communications and rapid response to food borne illness complaints and outbreaks. Standard 5 is very robust and serves as a crucial step in providing an adequate response to foodborne illness outbreaks. A review of the FDA Program Standards Enrolled Jurisdictions indicated that less than 10% of enrollees meet Standard 5. The subcommittee determined that breaking down the steps would be an approach beneficial to enrolled jurisdictions, particularly smaller jurisdictions with limited resources. The subcommittee began by developing a roadmap explaining the requirements and, in some cases, providing examples and templates of required documentation.

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

The Program Standards committee continue to work on finalizing the roadmap. Part of the Roadmap would include tools and templates, such as the Data Collection Template. Due to the nature of VNRFRPS Standard 5, it is also recommended that the subcommittee formed to work on this issue be made up of a majority of regulators who have experience and understanding of Standard 5.

1. *Charges:*

1. Finalize a Roadmap to assist jurisdictions in understanding the necessary requirements.
  2. Review Standard 5 and make recommendations or amendments for improvements to the Standard
  3. Report back committee findings and recommendations to the next Biennial Meeting
2. Acknowledgement of the Draft Roadmap for Standard 5 document to be utilized as a starting point for the 2023-2025 Program Standards Committee work on this issue.

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**Content Documents:**

- "PSC Issue #16 list of content documents"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-028**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC17 Referencing Crosswalk – Requirements for Foodborne Illness Training

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

Adding notations to Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) Standard 2, Step 5: Continuing Education and Training and incorporated into the note following the Description of Requirement and immediately before Outcome sections.

**Public Health Significance:**

The Program Standards Committee is charged with maintaining the Crosswalk - Requirements for Foodborne Illness Training Program as a resource for foodborne illness training content baseline.

Whereas FDA has recognized that the ultimate goal of all retail food regulatory programs is to reduce or eliminate the occurrence of illnesses and deaths from food produced at the retail level, as currently presented the Crosswalk is not referenced as a resource tool within the VNRFRPS. The Committee endorses the Crosswalk as a reference tool that will benefit programs who are considering implementing foodborne illness training programs.

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

that a letter be sent to FDA requesting incorporation of the "Crosswalk - Requirements for Foodborne Illness Training Programs" as a content reference for foodborne illness training resources within Standard 2 and Standard 5 of the VNRFRPS.

Adding language to Standard 2 on page 8 for an additional activity as follows:

"6. Foodborne illness training referenced in the Crosswalk Requirements for Foodborne Illness Training Programs - Standard 5."

and

Adding language to Standard 5 on page 4-5 as an additional note as follows:

"Note: Regulatory Programs are encouraged to refer to the Crosswalk - Requirements for Foodborne Illness Training Programs located on the CFP website at [www.foodprotect.org](http://www.foodprotect.org) under the Conference-Developed Guides and Documents tab and to also participate in the CDC National Environmental Assessment Reporting System (NEARS). The Crosswalk is a table that identifies training resources that correlate to the requirements listed in Standard 5. NEARS is designed to provide a more comprehensive approach to foodborne disease outbreak investigation and response and will provide a data source to measure the impact of food safety programs to further research and understand foodborne illness causes and prevention. (The following link provides additional information regarding NEARS: <http://www.cdc.gov/nceh/ehs/nears/index.htm> )"

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**Content Documents:**

- "PSC Issue #17 list of content documents"

**Supporting Attachments:**

- "PSC Issue #17 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-029**

**Council Recommendation:**      Accepted as Submitted      \_\_\_\_\_      Accepted as Amended      \_\_\_\_\_      No Action      \_\_\_\_\_

**Delegate Action:**      Accepted      \_\_\_\_\_      Rejected      \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC18 Requirements for Foodborne Illness Training Program Crosswalk Content

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

Creating a user-friendly Crosswalk tool experience and adding resource tools to the CFP website alongside the Crosswalk Requirements for Foodborne Illness Training Programs - Standard 5 so that those using listed resources can find them quickly.

**Public Health Significance:**

The Program Standards Committee is charged with maintaining the Crosswalk - Requirements for Foodborne Illness Training Program as a resource for foodborne illness training content baseline. However, the Crosswalk that was created to identify essential foodborne disease outbreak training educational content references documents that are hard to find on the internet.

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

that the Crosswalk references provided on the CFP website be updated by CFP to include only the most recent version to eliminate confusion. The conference also recommends that a letter be sent to FDA, NEHA and CDC requesting that the resource documents and programs listed within the "Crosswalk - Requirements for Foodborne Illness Training Programs Based on Standard 5" be provided to CFP. It is further recommended that CFP attach these reference documents and programs to the Conference-Developed Guides and Documents along with the Crosswalk Requirements for Foodborne Illness Training Programs - Standard 5 on the CFP website to make them more accessible.

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**Supporting Attachments:**

- "PSC Issue #18 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-030**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020 II-033; the recommended solution has been revised.

**Title:**

PSC19 Continuation of Issue # 2020 II-033

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

The Program Standards Committee (PSC) recommends continuation of Issue # 2020 II-033 Charges 3, 4 & 5 to consider inclusion of specific components and revisions of Standard 5 of the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).

**Public Health Significance:**

The review of VNRFRPS Standard 5 Foodborne Illness and Food Defense Preparedness should be conducted to ensure the most current and important items related to illnesses investigation are included in Standard 5. The PSC was unable to complete these charges and feels that this work should be continued in the next biennium.

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

that the Program Standards Committee be charged with continuing the work from Issue 2020 II-033 Charges 3, 4 and 5 in the next biennium. The following charges should be assigned to the PSC:

1. Review the "Description of Requirements" to ensure the requirements provide program flexibility and include items generally part of a retail food program.
2. Review Standard 5 "Data Review and Analysis" from a sampling of jurisdictions to determine if certain data analysis requirements typically have no or such limited data to make the information not valuable.
3. Review the Center for Disease Control and Prevention's National Environmental Assessment Reporting System (NEARS), Environmental Assessment Training Series (EATS), and Council to Improve Foodborne Outbreak Response (CIFOR) to consider inclusion of specific components in VNRFRPS Standard 5.

4. Present any revisions to VNRFRPS Standard 5 based on these reviews to the 2025 CFP biennial meeting.

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**Supporting Attachments:**

- "PSC Issue #19 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-031**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC10 Standard 6 Establishment File Worksheet Form 3A

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

An additional Compliance and Enforcement Establishment File Worksheet based on FDA Food Code Form 3-A to be included in VNRFRPS Standard 6, Compliance and Enforcement resources.

**Public Health Significance:**

VNRFRPS Standard 6 requires that the program must demonstrate credible follow-up for each violation noted during an inspection, with particular emphasis being placed on risk factors that most often contribute to foodborne illness and public health interventions intended to prevent foodborne illness.

Many jurisdictions use regulations based on the FDA Model Food Code and an inspection report based on the model FDA inspection form found in Annex 7 of the FDA Food Code (Food Inspection Report Form 3-A). Items 1 - 29 on Form 3-A represent foodborne illness risk factors and public health interventions. Risk factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention (CDC) as contributing factors in foodborne illness outbreaks and include: Food from Unsafe Sources, Improper Holding Temperatures, Inadequate Cooking, Contaminated Equipment, and Poor Personal Hygiene. Public health interventions are strategies that can be developed with retail and food service operators to reduce the occurrence of foodborne illness and protect consumer health and include: Demonstration of Knowledge, Employee Health Controls, Controlling Hands as a Vehicle of Contamination, Time and Temperature Parameters for Controlling Pathogens, and the Consumer Advisory.

VNRFRPS Standard 6 includes a Compliance and Enforcement Establishment File Worksheet based on the risk factors and interventions. Items 1 - 29 on inspection report Form 3-A are based on the risk factors and interventions. An additional Compliance and Enforcement Establishment File Worksheet based on Form 3-A would help jurisdictions more easily assess the required provisions of Standard 6.

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

that a letter be sent to FDA requesting creation of an additional VNRFRPS Standard 6 Establishment File Worksheet based on the FDA Food Code Form 3-A, Food Establishment Inspection Report, to be included in VNRFRPS Standard 6, Compliance and Enforcement resources.

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**Content Documents:**

- "PSC Issue #10 list of content documents"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-032**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC11 Draft Standard 6 Standardized Key Crosswalk to the 2017 FDA Food Code

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

Update the VNRFRPS Standard 6 - Standardized Key Crosswalk to the 2017 FDA Food Code and remove mention of the former document title "Quick Reference Applicable Food Code Risk Factor Provisions".

**Public Health Significance:**

The current version of VNRFRPS Standard 6 contains a Standardized Key Crosswalk to the 2017 FDA Food Code also known as the Quick Reference Applicable Food Code Risk Factor Provisions. The online version of the Retail Program Standards lists this document as the Quick Reference Applicable Food Code Risk Factor Provisions. The downloadable version of the Retail Program Standards (Voluntary National Retail Food Regulatory Program Standards Compiled) lists this document in the table of contents as Standard 6: Standardized Key Crosswalk to the 2017 FDA Food Code, but when downloaded the file name is "Quick Reference Applicable Food Code Risk Factor Provisions". This document having a file name and website link title which differ from the document's title is confusing.

The crosswalk lists risk factors and public health interventions as identified on the model FDA inspection form found in Annex 7 of the 2017 FDA Food Code (Food Inspection Report Form 3-A) with corresponding Food Code references. It serves as a resource for jurisdictions conducting a self-assessment of VNRFRPS Standard 6 in making comparisons with their code against the 2017 FDA Food Code.

The current version of this document has some errors including:

- The formatting references for PIC,
- The references for adequate handwashing sinks, and
- A typo in Consumer Advisory provided for raw/undercooked foods.

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

that a letter be sent to FDA requesting the VNRFRPS Standard 6 - Standardized Key Crosswalk to the 2017 FDA Food Code be updated with the attached version and replacing "Quick Reference Applicable Food Code Risk Factor Provisions" with "Standard 6 - Standardized Key Crosswalk to the 2017 FDA Food Code" as the file name and website link to the document on the Voluntary National Retail Food Regulatory Program Standards landing page.

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**Content Documents:**

- "PSC Issue #11 list of content documents"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-033**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Amend VNRFRPS Standard 6, Compliance And Enforcement

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

Allow jurisdictions that have adopted alternative inspection programs and enforcement methods to apply those methodologies in determining Standard 6 compliance.

**Public Health Significance:**

While conducting audits, Standard 6 often fails to capture compliance and enforcement activities used by a jurisdiction to achieve compliance.

Many of the enforcement activities that are listed in the Standard: warning letters, re-inspection, citations, fines, permit suspension, hearings, active managerial assessments are never evaluated to ensure they were used appropriately, and consequently the current assessment process defined in Standard 3 and confirmed in Standard 6 often ends with a facility that has had one or more priority or priority foundation violations that were corrected on site at time of inspection on the start point inspection. As a result, a facility satisfies the compliance enforcement process but the Standards may fail to recognize the tools that jurisdictions use to gain compliance with the regulations.

Standard 6 focuses on a demonstrable follow-up for each violation noted during an inspection. There are many violations that have little to no impact on public health that may not need further action by the regulatory authority or the facility until the time of the next inspection (consumer advisories, missing ceiling tiles, cracked floor tiles). This contradicts the intent of Standard 3, which is to model a regulatory program based on HACCP principles and HACCP-focused, risk-based processes. Inspections are based on the type of operation and their inherent food safety risks where the inspection frequency is assigned and regulatory resources are utilized based on the food operations with the greatest risk. However, when it comes to follow-up activities on out-of-compliance violations, the standards only provide one option for compliance, documentation of resolution for all violations.

The description for Standard 6 includes the following statement: "Compliance and enforcement options may vary depending on state and local law", however the current standard does not afford any such options or variability to states and/or local jurisdictions that are attempting alternative methods of facility assessment and violation compliance. The current goal of the Standard is to have facilities achieve 100 percent documented compliance with the regulations for all violations. This approach severely limits states/local programs from developing alternative methods of enforcement.

The instructions for conducting a verification audit of a program on page 6-27 states: "Standard 6 does not dictate a required compliance process. The jurisdiction is free to determine any actions to be taken for violations of its regulations and the progression of consequences for repeated violations. The time frames and triggers for additional actions are also left to the discretion of the jurisdiction." Yet the guide for conducting a verification audit and the reply received from the clearinghouse (attachment #1) clearly does not allow for this type of latitude.

Our suggestion: Allow for alternative means to demonstrate a compliance and enforcement process that does not rely solely on the documented resolution of every violation. Currently, multiple standards (such as Standard 2 and 8) offer alternative ways to achieve conformance, Standard 6 should allow for the same opportunity.

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

that a letter be sent to the FDA requesting that the relevant portion of Standard 6 of the most recent VNRFRPS be amended as specified below.

Standard 6 Compliance and Enforcement, Second paragraph under "Description of Requirement" (page 6-2) and elements be amended as follows:

The program must demonstrate compliance with procedures defined by their jurisdiction which places credible follow-up for each violation noted during an inspection, with particular emphasis being placed on risk factors that most often contribute to foodborne illness and Food Code interventions intended to prevent foodborne illness. The resolution of out-of-compliance risk factors and/or Food Code interventions or action taken based on the defined procedures established by the jurisdiction must be documented in each establishment record. The essential program elements required to meet this standard are:

1. A written step-by-step procedure that describes how compliance and enforcement tools are to be used to achieve compliance.
2. Inspection report form(s) that records and quantifies the compliance status of risk factors and interventions (i.e., IN compliance, OUT of compliance, Not Observed, or Not Applicable).
3. Documentation on the establishment inspection report form or in the establishment file using the statistical method for file selection in the Supplement to Standard 6, Appendix F, where at least 80 percent of sampled establishments meet the following conditions:

a) The inspection and enforcement staff takes compliance and enforcement action according to the procedure (i.e., the staff follow the step-by-step compliance and enforcement procedures when violations occur), and

b) When applicable based on the jurisdictions adopted policies and procedures, Resolution was successfully achieved for all out-of-control risk factors or interventions that were recorded on the selected routine inspection.

"Standard 6 - Compliance and Enforcement Instructions for Completing the Program Self-Assessment and Verification Audit Form" Criteria 2. Assessment of Effectiveness (page 6-8) be amended as follows:

b) The jurisdiction has written documentation verifying that at least 80% of the sampled files follow the agency's step-by-step compliance and enforcement procedures and actions, if applicable, were taken to resolve out-of-compliance risk factors recorded on the selected routine inspection in accordance with the Standard criteria.

"Standard 6 - Compliance and Enforcement Instructions and Worksheet for Conducting a Self-Assessment" be amended as follows:

STEP 3 - Assess the Effectiveness of the Compliance & Enforcement Program  
(page 6-11)

~~Each jurisdiction shall measure the effectiveness of their compliance and enforcement program to determine if the jurisdiction has satisfactorily resolved FBI Risk Factor and Public Health Intervention violations. The results of the review will be used to assess the success of the compliance and enforcement program. The following process are methods that jurisdictions can use for Option 1 (all files reviewed) or for Options 2-3 (randomly selected establishment files or routine inspections).~~

(page 6-13)

Completion of these three items requires a complete review of the selected establishment file. To facilitate the documentation of the file review, the self-assessor may complete the table provided at the bottom of the Establishment File Worksheet. The summary table provides a method for defining the acronyms and notations used on the worksheet to describe the type of compliance and enforcement action taken. The self-assessor must review all the documentation in the establishment file from the "start-point" inspection forward to the current date to determine if the jurisdiction's written procedure was followed. ~~follow-up action was taken and documented for each risk factor and public health intervention that was out of compliance on the "start-point" inspection.~~

The self-assessor must place an "X" in the "File Meets the Standard 6 Criteria" box if:

- ~~The completed Worksheet shows at least one follow-up action in each column where a foodborne illness risk factor or public health intervention violation was marked on the~~

~~"start-point" inspection; and~~

- The jurisdiction's written procedure was followed.

The self-assessor must place an "X" in the "File Does NOT Meet the Standard 6 Criteria box." if:

- ~~The completed Worksheet shows that one or more of the "start-point" violations do not have at least one follow-up activity; or~~
- The jurisdiction's written procedure was not followed for one or more follow-up activities.

"Standard 6 - Compliance and Enforcement Instructions and Worksheet for Conducting a Verification Audit" be amended as follows:

(page 6-27) Step 1 - Verify the Elements in the Written Compliance & Enforcement Program

To meet the criteria of Standard 6, the jurisdiction must have written step-by-step procedures outlining its compliance and enforcement process. The verification auditor should review its compliance and enforcement policies and procedures to ensure that there is clear guidance for staff. The policies and procedures should provide steps and actions to be taken when various categories of violations occur. ~~The policies and procedures should also provide a progression of steps to be taken when violations are not corrected within regulatory or administratively established time frames.~~

(page 6-30) Part III - Verify Self-Assessment findings for each selected establishment file

Review the inspection history in each selected file beginning with the identified "start-point" inspection and moving forward through two additional inspections. ~~Verify that either on-site corrective action, follow-up corrective action or enforcement action occurred by the end of the third inspection for each out-of-compliance risk factor or intervention marked on the start point inspections. In addition, v~~Verify that the actions taken on each violation documented on the "start-point" inspection followed the jurisdiction's written compliance policy and procedures.

In order for an establishment file to meet the Standard 6 criteria, ~~each column marked with a violation at the "start-point" inspection must have a subsequent indication that at least one type of follow-up action was taken, and~~ the jurisdiction's written procedures must have been followed. A single violation on the "start-point" inspection without a final resolution, either correction or compliance/enforcement activity, will result in a determination that the establishment file does not meet the Standard 6 criteria. In any instances where the auditor disagrees with the jurisdiction's self-assessment of a file, the auditor must meet with the jurisdiction's program manager or representative to gain a full understanding of the rationale used for the self-assessment determination.

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**Supporting Attachments:**

- "Clearing House Question STND 6 final"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-034**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

PSC12 Defining Standard 8 Verification Audit Parameters

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

The 2022 addition to VNRFRPS Standard 8 lacks the definition and metrics that would allow verification audits of the Standard to be fully objective and defensible.

**Public Health Significance:**

Updated language in VNRFRPS Standard 8 for "Section 1: Staffing Levels" was much needed. There are now three choices/options within the Standard for ways to ensure that there is adequate staff to ensure inspectional and surveillance system needs are met to reduce risk factors. Two of the choices have clearly defined metrics and parameters around conformance or non-conformance. The third option is vague.

For this option, the guide language is vague: *"A HD can use their own method they feel is appropriate for them to demonstrate adequate staffing levels."* This language could cause confusion for a verification auditor as to whether the jurisdiction was able to demonstrate adequate staffing levels. This could cause subjective and not fully defensible results from the auditor.

There is a need for clear language and parameters for the auditor to work within.

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

that a letter be sent to FDA requesting them to develop a self-audit and verification auditor worksheet that would allow the objective review of a jurisdiction's staffing level to determine compliance with VNRFRPS Standard 8 when using the third option listed in the Standard for evaluating adequate staffing level.

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**Supporting Attachments:**

- "PSC Issue #12 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-035**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2018 II-018; new or additional information has been included or attached.

**Title:**

Standard 8 Staffing Level Criteria

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

The current assessment tool for Standard 8 Staffing Level Criteria located on the CFP website is not the correct workbook intended to be used. The final workbook should replace the draft version on the CFP website to be able to use this tool to its full capacity as intended in Issue: 2020 II-018.

**Public Health Significance:**

The current Standard 8 assessment tool on the CFP website resources contains a draft tab that has caused confusion amongst its users and distorts the staff level outcomes. It is important that the correct assessment tool is provided on the CFP website resources so staffing level criteria can be determined by the method approved at the 2021 CFP Biennial Conference in Issue: 2020 II-018.

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

The Conference recommends that the correct workbook for Standard 8 Staffing Level Criteria titled "Alternative S8 Workbook Model\_3\_4 Risk Code\_2022(1)" replace the workbook titled "Standard-8-re-evaluation-of-stafing-alternative-conformance-workbook-04-19-2022-1 (1)" uploaded in the CFP website.

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**Content Documents:**

- "Alternative S8 Workbook Model\_3\_4 Risk Codes"

**Supporting Attachments:**

- "PSC Issue #2 New assessment tool for Standard 8 Staffing Level Criteria"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-036**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020 II-031; the recommended solution has been revised.

**Title:**

PSC2 Assign 2020 II-031 to CFP Program Standards Committee

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

Regarding 2020-II-031, consensus was reached on drafting an Issue to assign this issue to the CFP Program Standards Committee (PSC). In order to garner more input and support from all stakeholders for potential changes to Standard 1 - Regulatory Foundation, the PSC can then continue working on the issue originally submitted by AFDO at the 2020 biennial meeting. This issue needs further review within the committee process.

**Public Health Significance:**

Due to the vagueness of only meeting 80% of the provisions in the FDA Food Code, many Priority and Priority Foundation requirements may be missing from jurisdictions across the country. Missing Priority and Priority Foundation items will lead to a significant increase in out-of-control foodborne illness risk factors in those jurisdictions that do not fully meet all the provisions in the FDA Food Code.

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

That Issue 2020-II-031 be assigned to the CFP Program Standards Committee with the following charges:

1. Conduct a comprehensive review of all the factors regarding VNRFRPS Standard 1 - Regulatory Foundation and assessment of the 80% code provision requirement to meet the Standard.
2. Provide recommendations to the 2025 CFP biennial meeting.

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**Supporting Attachments:**

- "PSC Issue #2 list of supporting attachments"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-037**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Retail Program Standards Verification Auditor Criteria

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

The establishment of Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) verification auditor criteria is to ensure the required verification audit is completed with quality and integrity to confirm the accuracy of a self-assessment. These criteria should be defined by FDA with stakeholder input and included in the 2026 VNRFRPS Administrative Procedures.

This Issue is being submitted well in advance of implementation to allow for proper notice and awareness to jurisdictions who will need to identify an auditor (that meets the new criteria), and for new auditors who will need to become fully qualified when the new criteria are in place.

**Public Health Significance:**

The VNRFRPS provide a successful model of continuous improvement for state, local, tribal, and territorial retail food protection programs. VNRFRPS Self-Assessment accuracy is verified by the audit, and there is an expectation that auditors have an understanding of the current VNRFRPS and conduct audits with consistency and uniformity. Under the 2022 Administrative Procedures to the VNRFRPS, the sole requirement for an auditor is that the person cannot have responsibility for the day-to-day operations of the jurisdiction requesting the audit.

FDA recognizes that auditors may originate from different segments of the food safety community including regulators, industry representatives or independent companies with varying experience with both conducting audits and working with the VNRFRPS. This can lead to inconsistencies among audits and open audits up to questions of validity.

In order to perform a competent audit of a VNRFRPS self-assessment, auditors must have access to the most current and updated VNRFRPS materials and have a basic

understanding of the audit process. To ensure the utmost integrity of the audit, it is critically important that auditor criteria be defined and included in the Administrative Procedures to the VNRFRPS. The criteria must establish a minimum level of knowledge and comprehension for those conducting audits, but also be achievable and accessible to the diverse pool of auditors from various regulatory and non-regulatory organizations.

During the next two years, FDA will complete a job task analysis (JTA) on the role of the VNRFRPS auditor in collaboration with our state, local, tribal, and territorial retail verification partners. The JTA will identify gaps in the current VNRFRPS training content and allow FDA to establish training more targeted to verification auditors. FDA will work to develop and enhance training, including updating existing Self-Assessment and Verification Audit workshops to address the identified needs of Verification auditors. FDA will use this information to establish initial and on-going maintenance criteria for verification auditors that will meet the needs of auditors to maximize access and ensure a level of quality and integrity in verification audits.

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

that a letter be sent to FDA asking that FDA define qualifications for a Retail Program Standards Auditor, to include attending an FDA-developed Verification Audit workshop and on-going maintenance requirements, and that this change be included in the 2026 VNRFRPS Administrative Procedures.

FDA would report back to the Conference in the 2025 Biennium the status of the verification auditor criteria development.

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-038**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020 11-009; new or additional information has been included or attached.

**Title:**

Report – Food Defense Committee (FDC)

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

The Conference for Food Protection (CFP) FDC seeks Council II's acknowledgment of the committee's final report and to thank the committee members for their work.

**Public Health Significance:**

Food defense, protecting food from intentional adulteration, is an important concept for the entire farm-to-table system, including food establishments (as defined in Model Food Code). As food establishment operators and regulators continue to look at risk factor data and supporting a food safety system approach, the need to protect consumers and retailers from potential food adulteration incidents is paramount. Current food defense resources found in the FDA Food Code are not sufficient to meet the needs of food establishments. There are about 3 pages of reference materials in Annex 2, Section 4 (pages 333-336) of the most current published version of the FDA Model Food Code. Many of these references are difficult to find because of broken/outdated links. Additionally, several of the resources are not designed for food establishments. In addition, Food Defense is not adequately defined or addressed in the FDA Model Food Code. Food Defense is an important topic because there have been several intentional adulteration events related to food establishments in the United States and other countries. Examples include:

- 1984 Rajneeshee attack on 10 salad bars in Oregon (750 illnesses)
- 2002-2003 Nicotine poisoning of retail meats in Michigan (100 illnesses)
- 2009 Pesticide poisonings of salsa at a restaurant in Kansas (40 illnesses)
- 2016 Intentional contamination of RTE food at local grocery stores in Michigan (No illnesses)
- 2017 Intentional contamination of RTE food at restaurants in South Lake Tahoe in California (4 illnesses)

- 2018 Intentional tampering and contamination of food at multiple retail stores in Arizona (No illnesses)
- 2021 Intentional contamination of processed meat and microwaveable products at local stores in London (No illnesses)

The 2021 Biennial Meeting reestablished the FDC to evaluate ways to improve Food Defense awareness for both operators and regulators in food establishments. The committee discussed efforts to protect food from acts of intentional adulteration or tampering. Working with FDA and USDA FSIS, the Committee is providing an updated list of current food defense references to be included in Annex 2, Section 4 of the FDA Model Food Code. We recommend an additional knowledge area under 2-102.11(C) relating to Food Defense in food establishments, an addition to 2-103.11 requiring that a Person in Charge ensure awareness of food defense, and a definition for Food Defense. The Committee worked closely with the FDA Food Defense and Emergency Coordination staff in CFSAN,

including their participation in our committee meetings to discuss our charges. The 2021 - 2023 FDC has completed its charges.

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

*Acknowledgement of the 2021- 2023 Food Defense Committee Final Report, thanking the committee members for the completed work, and disbanding the committee because all assigned charges have been completed.*

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**Content Documents:**

- "Food Defense Committee Final Report - CFP Executive Board"
- "Food Defense Employee Orientation"

**Supporting Attachments:**

- "Food Defense roster 2120-2023 3 21 2022"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-039**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

FDC Issue 2–Amend 2022 FDA Food Code to add food defense rule under 2-102

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

The committee voted YES, it is appropriate and recommends an additional knowledge area under 2-102.11(C) relating to Food Defense in food establishments. The committee also voted to propose two additional recommendations as appropriate:

ADD - 2-102.11 (C) (18) Explaining steps that are taken to prevent intentional ADULTERATION by CONSUMERS, FOOD EMPLOYEES, or other persons including monitoring operations, ingredients, supplies, and finished products for unusual or suspicious activities, and similar FOOD DEFENSE activities.

The committee also voted to propose these two additional recommendations as appropriate:

ADD - FOOD DEFENSE Definition:

1-201.10 "FOOD DEFENSE" is the effort to protect food from acts of intentional ADULTERATION.

ADD - 2-103.11 (Q) EMPLOYEES are aware of food defense, such as signs of intentional acts of ADULTERATION as it relates to their assigned duties and report suspicious activity to the PERSON IN CHARGE.

**Public Health Significance:**

Food establishment personnel play a key role in protecting food from someone intent on adulterating or tampering with the food to either cause illness or death on a large scale. These proposed updates to the 2022 FDA model Food Code describe steps that managers and persons in charge should take to promote employee awareness and report any suspicion of food adulteration or product tampering. It is not intended to require that all food employees attend a formal training or pass a test that is part of an accredited program.

In addition, Food Defense is not adequately defined or addressed in the 2022 FDA Model Food Code. Food Defense is an important topic because there have been several

intentional adulteration events related to food establishments in the United States and other countries. Examples include:

- 1984 Rajneeshee attack on 10 salad bars in Oregon (750 illnesses)
- 2002-2003 Nicotine poisoning of retail meats in Michigan (100 illnesses)
- 2009 Pesticide poisonings of salsa at a restaurant in Kansas (40 illnesses)
- 2016 Intentional contamination of RTE food at local grocery stores in Michigan (No illnesses)
- 2017 Intentional contamination of RTE food at restaurants in South Lake Tahoe in California (4 illnesses)
- 2018 Intentional tampering and contamination of food at multiple retail stores in Arizona (No illnesses)
- 2021 Intentional contamination of processed meat and microwaveable products at local stores in London (No illnesses)

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

*A letter be sent to the FDA requesting that the most current edition of the Food Code be amended as follows (new language is underlined):*

*2-102.11 (C) (18) Explaining steps that are taken to prevent intentional adulteration by CONSUMERS, EMPLOYEES, or other persons including monitoring operations, ingredients, supplies, and finished products for unusual or suspicious activities, and similar food defense activities.*

*2-103.11 (Q) EMPLOYEES are aware of food defense, such as signs of intentional acts of adulteration as it relates to their assigned duties and report suspicious activity to the PERSON IN CHARGE.*

*1-201.10 (B) "Food Defense" is the effort to protect food from acts of intentional adulteration.*

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-040**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

FDC Issue 3 – Amend FDA Food Code, Annex 2, Sect. 4 Food Defense references

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

Working with FDA and USDA FSIS, the FDC is providing current food defense references to be included in Annex 2, Section 4 of the 2022 FDA model Food Code.

**Public Health Significance:**

The current food defense references in Annex 2, Section 4 of the FDA model Food Code are outdated and do not provide current guidance by FDA, USDA FSIS, industry trade associations and other agencies. The proposed annex information provides links to FDA, USDA FSIS, industry trade associations and other agencies for current usable guidance for food defense guidance in food establishments. Food defense is an increasing food safety issue. Restaurant and retail food service managers need to be aware of food defense issues; know steps that their facility can take to prevent intentional contamination; and monitor operations, ingredients, supplies, and finished products for unusual or suspicious activities; and similar food defense activities.

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

***A letter be sent to FDA requesting that the 2022 Food Code be amended to include updated references to Annex 2, Section 4, Food Defense Guidance from Farm to Table as follows (the entire Annex 2, Section 4 will be replaced with the updated, underlined language below):***

**4. FOOD DEFENSE GUIDANCE FROM FARM TO TABLE**

The following is a summary of available resources on food defense that is of interest to the retail and food service food community. This listing is provided below and is not all-inclusive. It contains links to websites and describes publications from federal agencies (primarily FDA, CDC, and USDA) and industry groups with information of interest for regulators, industry, and consumers. Responsibility for updating the web pages lies with

the listed organization and those listed are up to date as of the printing of the current Food Code.

U.S. Food and Drug Administration:

The FDA has developed food defense tools, resources, and regulation and guidance documents to help food establishments and food facilities prevent, prepare for, respond to, and recover from acts of intentional adulteration of the food supply.

These resources can be found by visiting Food Defense | FDA ([www.fda.gov/food/food-defense](http://www.fda.gov/food/food-defense)) website or by searching U.S. Food and Drug Administration ([fda.gov](http://fda.gov)) on the FDA website includes:

- Guidance for Industry: Food Security Preventive Measures Guidance for Retail Food Stores and Food Service Establishments: This guidance is designed as an aid to operators of retail food stores and food service establishments (for example, bakeries, bars, bed-and-breakfast operations, cafeterias, camps, child and adult day care providers, church kitchens, commissaries, community fundraisers, convenience stores, fairs, food banks, grocery stores, interstate conveyances, meal services for home-bound persons, mobile food carts, restaurants, and vending machine operators). This guidance identifies the kinds of preventive measures they may take to minimize the risk that food under their control will be subject to tampering or other malicious, criminal, or terrorist actions.
- Food Defense 101 - Front-line Employee Training: The web-based course provides front-line employees with simple procedures to protect the food supply against an intentional attack.
- Food Defense Plan Builder: This is a user-friendly tool designed to help owners and operators of a food facility in the development of a food defense plan that is specific to their facility. The plan builder is designed for food manufacturers and processors but can also be used by retail and foodservice operators to develop food defense plans.
- Food Related Emergency Exercise Bundle (FREE-B): Exercise scenarios based on both intentional and unintentional food contamination events. FREE-B assists government regulatory and public health agencies in assessing the readiness of their entity to respond to a food contamination event. The FREE-B is designed to allow for multiple jurisdictions and organizations (medical community, private sector, law enforcement, first responder communities) to 'play' with the host agency, or, quite simply, for an individual agency to test their own plans, protocols, and procedures independently.
- Food Defense Mitigation Strategies Database (FDMSD): Online database designed to help owners and operators of a food facility with identifying mitigation strategies to protect the food against intentional adulteration. The FDMSD includes mitigation strategies for some common points, steps, and procedures that are often found at food facilities.
- "See Something, Say Something" Poster: FDA collaborated with partner agencies in the Food and Agriculture Sector Council to develop a poster for food facilities and food establishments to raise awareness of the indicators of terrorism and terrorism-



related crime, as well as the importance of reporting suspicious activity to state and local law enforcement.

#### Other FDA Resources:

- To report an emergency involving food, drugs, medical devices, dietary supplements, or cosmetics, call 1-866-300-4374 or 1-301-796-8240.
- To report a problem with FDA-regulated products by phone: Call 1-888-INFO-FDA (1-888-463-6332) or Consumer Complaint Coordinators | FDA.
- Use the MedWatch Online Voluntary Reporting Form (fda.gov) to report adverse events with human food and medical products.
- Use the Safety Reporting Portal (hhs.gov) online form to report problems with pet food, dietary supplements, and tobacco products. This form also accepts mandatory reports, such as Reportable Food Registry for Industry.

#### U.S. Department of Agriculture

USDA Food Safety and Inspection Service (FSIS) promotes food defense by encouraging establishments to voluntarily adopt a functional food defense plan; implement food defense practices (including inside, outside, and personnel security measures); and conduct training and exercises to ensure preparedness. (Note: resources may be found by searching Home | Food Safety and Inspection Service (usda.gov) for keywords Food Defense, Security, and other similar keywords or visiting Food Defense | Food Safety and Inspection Service (usda.gov)).

Food Defense | Food Safety and Inspection Service (usda.gov): This site discusses a comprehensive approach that addresses food safety, food defense, and food security considerations improves resilience and protects public health.

- Food Defense for In-Commerce Firms: Provides resources and information on food safety and food defense for in-commerce firms.
- Food Defense Guidelines for the transportation and Distribution of Meat, Poultry and Processed Egg Products: The FSIS Food Defense Guidelines for the Transportation and Distribution of Meat, Poultry, and Processed Egg Products is designed to assist those handling food products during transportation and storage. These guidelines provide a list of defense measures that can be taken to prevent intentional contamination of meat, poultry, and processed egg products during loading, unloading, transportation, and in-transit storage.

#### USDA Food and Nutrition Resources (FNS) for Schools:

- A Biosecurity Checklist - School Foodservice Programs | Missouri Department of Elementary and Secondary Education (mo.gov): USDA FNS has prepared a Biosecurity Checklist for School Foodservice Programs for developing a biosecurity management plan. Its purpose is to help protect the health of the children and adults in the school by strengthening the safety of the foodservice operation.
- Emergency\_readiness\_plan\_a\_guide\_for\_the\_school\_foodservice\_operation.pdf (hhs.gov): Emergency Readiness Plan: Forms for the School Foodservice Operation includes several prototype forms to assist foodservice professionals when writing an emergency readiness plan.

- Responding\_Food\_Recall\_FNS\_05302014.pdf (azureedge.us): Provides an overview of the recall process for USDA foods with a focus on school meals programs. Particular attention is given to the roles of various entities in communicating information to ensure that recalls are handled in a timely and effective manner.

#### Other USDA Resources:

- USDA Meat & Poultry Hotline: 1-888-MPHotline (1-888-674-6854).

#### Industry Publications:

A variety of resource are available from industry groups. (Note: these documents may also be found by searching for keywords Food Defense, Security, and other similar keywords):

- National Restaurant Association | National Restaurant Association: provides access to security information and guidelines targeted specifically the restaurant industry.
- FMI | The Food Industry Association: provides access to security information and guidelines targeted specifically to food retailers.
- FMI | Voice of The Food Industry Blog: provides access to information.
- Conference-Developed Guides and Documents | Conference for Food Protection: Provides guidance documents related to retail food safety.

#### Guidance on Responding to Food Emergencies

- Environmental Health Services Program Home | EHS | CDC: This site provides free tools and guidance, training, and research for environmental health practitioners and programs serving states, tribes, localities, and territories.
- Information on Specific Types of Emergencies| Emergency Preparedness and Response (cdc.gov): Provides resources for preparedness and response to specific types of emergencies.
- Conference for Food Protection: Provides resources, specifically emergency action plan information: Emergency Action Plan for Retail Food Establishments | Conference of Food Protection)

#### 4. FOOD DEFENSE GUIDANCE FROM FARM TO TABLE

~~The following is a summary of available resources on food defense that is of interest to the retail and food service food community. This listing is provided below and is not all-inclusive. It contains links to publications from federal regulatory agencies (primarily FDA, CDC, and USDA) and industry groups with information of interest to regulators, industry, and consumers. Responsibility for updating the web pages lies with the listed organization and those listed are up to date as of the printing of the 2005 Food Code.~~

#### ~~FDA Publications:~~

~~These guidance documents identify the kinds of preventive measures that food establishment and food processing operators may take to minimize risks to food under their control, from tampering or other malicious, criminal, or terrorist actions:~~

- ~~Retail Food Stores and Food Service Establishments: Food Security~~

~~Preventive Measures Guidance at~~

~~<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/FoodDefense/ucm082751.htm>~~

~~• Food Producers, Processors, and Transporters: Food Security Preventive Measures Guidance at~~

~~<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/FoodDefense/ucm083075.htm>~~

~~Annex 2 – References~~

~~333~~

~~• Dairy Farms, Bulk Milk Transporters, Bulk Milk Transfer Stations and Fluid Milk Processors Food Security Preventive Measures Guidance at~~

~~<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/FoodDefense/ucm083049.htm>~~

~~• Importers and Filers: Food Security Preventive Measures Guidance at~~

~~<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/FoodDefense/ucm078978.htm>~~

~~• The Bioterrorism Act of 2002 at:~~

~~<http://www.fda.gov/RegulatoryInformation/Legislation/ucm148797.htm>~~

~~USDA Publications:~~

~~• Food Safety and Inspection Service (FSIS) Security Guidelines for Food Processors at~~

~~[https://www.fsis.usda.gov/wps/wcm/connect/457116e6-dccb-494a-a419-62d07d4123a4/PHVv2Homeland\\_Food\\_SecuritySecurity\\_Guide.pdf?MOD=AJPERES](https://www.fsis.usda.gov/wps/wcm/connect/457116e6-dccb-494a-a419-62d07d4123a4/PHVv2Homeland_Food_SecuritySecurity_Guide.pdf?MOD=AJPERES)~~

~~• FSIS Guidelines "Keep America's Food Safe" at~~

~~<https://www.fsis.usda.gov/wps/portal/fsis/topics/food-defense-and-emergencyresponse/preparation-and-prevention/guidance-documents/security-guidelines/keepamericas-food-safe>~~

~~This guidance is designed to assist transporters, warehouses, distributors, retailers, and restaurants with enhancing their security programs to further protect the food supply from contamination due to criminal or terrorist acts.~~

~~• FSIS Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry and Egg Products at:~~

~~[https://www.fsis.usda.gov/shared/PDF/Transportation\\_Security\\_Guidelines.pdf](https://www.fsis.usda.gov/shared/PDF/Transportation_Security_Guidelines.pdf)~~

~~This guidance contains recommendations to ensure the security of food products through all phases of the distribution process.~~

~~Annex 2 – References~~

## Annex 2—References

Additional information on FSIS food security guidance publications is available over the Internet at <http://www.fsis.usda.gov>.

## Industry Publications:

- National Restaurant Association. Information for restaurants can be found on the National Restaurant Association's web page at <http://www.restaurant.org>.

- Food Marketing Institute (FMI) Security Information and Resources web page at <http://www.fmi.org/foodsafety/> provides access to security information and guidelines targeted specifically to food retailers.

## Guidance on Responding to Food Emergencies:

- Centers for Disease Control and Prevention (CDC) Emergency Preparedness and Response information can be found at <https://www.cdc.gov/nceh/ehs/etp/food.htm>.

- USDA—Food and Nutrition Service food emergency publication, Responding to a Food Recall at <https://www.fns.usda.gov/responding-food-recall-proceduresrecalls-usda-foods>

- FDA's Office of Emergency Operations at 301-443-1240 for FDA regulated products and FSIS Technical Service Center at 1-800-233-3935 for USDA-regulated products.

- Conference for Food Protection (CFP) Emergency Action Plan for Retail Food Establishments, 2nd Edition can be found at <http://www.foodprotect.org/>

## Food Defense and Emergency Guidance of Interest to Schools:

- A Biosecurity Checklist for School Foodservice: Developing a Biosecurity Management Plan

The document is from the USDA—Food and Nutrition Service and provides information for school food service managers. It can be found at

<https://dese.mo.gov/sites/default/files/BiosecurityRevisedChecklist.pdf>. The exact link to the checklist is <http://foodbiosecurity.nfsmi.org/FSManager.php>.

- USDA—Food and Nutrition Service food emergency publication, Emergency Readiness Plan: A Guide for the School Foodservice Operation at: <http://www.nfsmi.org/documentlibraryfiles/PDF/20080207044955.pdf>

## Defense Guidance of Interest to Consumers:

- Food Safety and Security: What Consumers Need to Know, at

~~<http://www.fsis.usda.gov/wps/portal/fsis/topics/food-safety-education/getanswers/food-safety-fact-sheets/emergency-preparedness/food-safety-and-security/what-consumers-need-to-know>~~

• ~~Food Tampering: An Extra Ounce of Caution, at~~

~~<http://www.fda.gov/Food/ResourcesForYou/Consumers/ucm079137.htm>~~

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-041**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

FDC Issue 4 – Approval and Posting of Food Defense Guidance Document

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

As a part of our work to promote Food Defense in food establishments, the Food Defense Committee (FDC) developed a guidance document outlining best practices to provide a safe environment, being vigilant to prevent acts of adulteration or product tampering. Consider approval of the guidance document to be posted on the CFP website for conference-developed guides and documents.

**Public Health Significance:**

Food establishments can utilize this guidance document to promote employee awareness. Having a written simple guidance checklist with important steps may prevent major illness incidence and promote public health.

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

That the Food Defense Guidance Document attached to issue 1, be approved, and posted to the CFP website as a usable Word document and authorize the Conference to make any necessary edits prior to posting to assure consistency of format and non-technical content; edits will not affect the technical content of the document.

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**Supporting Attachments:**

- "Food Defense Guidance Document"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-042**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Report – Food Safety Management System (FSMS) Committee

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

The Food Safety Management System (FSMS) Committee asks the Conference to acknowledge their final report and thank the committee members for their efforts and hard work.

**Public Health Significance:**

At the 2020/2021 Biennial Meeting of the Conference for Food Protection, the Food Safety Management System (FSMS) Committee was created and charged (Issue: 2020-II-030) to work with stakeholders such as, but not limited to, the Retail Food Safety Regulatory Association Collaborative to identify recommendations for developing and implementing documented, Hazard Analysis Critical Control Point (HACCP) principles-based Food Safety Management Systems (FSMSs) in all food establishments to support FDA's blueprint for a New Era of Smarter Food Safety.

The FSMS Committee identified barriers to the universal voluntary development and implementation of documented FSMSs consistent with Annex 4 of the Food Code, solutions for overcoming the identified barriers; and provided recommendations for how to promote the solutions.

The committee also conducted a pros/cons assessment of including a requirement for the development and implementation of documented FSMSs in a future edition of the Food Code taking into consideration the hurdles/challenges involved in such a requirement. We also considered how a requirement to proactively control foodborne illness risk factor occurrence might best be incorporated while recognizing the diversity within the retail and food service industries.

The committee developed recommendations on next steps to promote awareness and education for the universal development and implementation of documented FSMSs consistent with Annex 4.



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

acknowledgement of the committee's Final Report and thanking the committee members for their work.

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**Content Documents:**

- "2021-2023 FSMS Committee Roster"
- "2021-2023 FSMS Committee Final Report"
- "FSMS Findings Report"

**Supporting Attachments:**

- "2021-2023 FSMS Committee Meeting Minutes"
- "2021-2023 FSMS Committee Attendance Log"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-043**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

FSMS #2 Amend Food Code – Define Active Managerial Control and FSMS

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

Amend the most current edition of the FDA Food Code to include Active Managerial Control (AMC) and Food Safety Management Systems (FSMSs) in the definitions in Chapter 1 and incorporate AMC and FSMS into the duties of the person in charge in § 2-103.11.

**Public Health Significance:**

In order to make a positive impact on foodborne illness, retail and food service operators must achieve active managerial control of the risk factors contributing to foodborne illness.

As described in Annex 4, active managerial control means the purposeful incorporation of specific actions or procedures by industry management into the operation of their businesses to attain control over foodborne illness risk factors. It embodies a preventive rather than reactive approach to food safety through a continuous system of monitoring and verification.

The concept of AMC is already contained in the Food Code under the duties of the person in charge in § 2-103.1, but the term is not defined or used in Chapters 1-8, and only used in the annex, preface and the table of contents. The term "active managerial control" is cited 110 times in the Food Code including the annexes.

The FDA Report on the Occurrence of Foodborne Illness Risk Factors in Fast Food and Full-service Restaurants, 2013-2014 (FDA 2018) support the concept that operators of retail food establishments must be proactive and implement food safety management systems that will prevent, eliminate, or reduce the occurrence of foodborne illness risk factors. By reducing the occurrence of foodborne illness risk factors, foodborne illnesses can also be reduced.

FSMSs play an important role in controlling hazards in retail operations by incorporating a specific set of actions (e.g., procedures, training, and monitoring) to help achieve active

managerial control of foodborne illness risk factors. The term AMC is used to describe industry's responsibility for developing and implementing food safety management systems to prevent, eliminate, or reduce the occurrence of foodborne illness risk factors. Ultimately, responsibility for food safety at the retail level lies with retail and food service operators and their ability to develop and maintain effective food safety management systems.

The 2017 FDA Food Code annexes reference "food safety management system" 53 times. Annex 4 supports/recommends the development and implementation of FSMSs and the elements of an effective food safety management system are described. However, the term FSMS is not defined or used in Chapters 1-8.

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

that a letter be sent to the FDA requesting that the most current edition of the Food Code be amended as follows:

1. Section 2-103.11 Person in Charge be amended as follows (language to be removed is marked with strikethrough and language added is marked with underline format):

2-103.11 Person in Charge. The PERSON IN CHARGE shall ~~ensure that~~ maintain active managerial control by ensuring:

2. The voluntary use of food safety management systems be incorporated into the duties of the person in charge in §2-103.11 Person in Charge.
3. The definition of active managerial control be added to §1-201.10 Statement of Application and Listing of Terms.
  - o The definition may be taken from Annex 4 which states "Active managerial control means the purposeful incorporation of specific actions or procedures by industry management into the operation of their business to attain control over foodborne illness risk factors."
4. The definition of Food Safety Management Systems be added to §1-201.10 Statement of Application and Listing of Terms.
  - o The Food Code does not contain a definition of food safety management systems. While working on the charges of Issue 2020-II-030, the CFP Food Safety Management System Committee composed a definition of food safety management systems. This definition is proposed: "Food safety management systems refer to a specific set of actions (e.g., procedures, training, and monitoring) to help achieve active managerial control."
    - Procedures (P): A defined set of actions adopted by food service management for accomplishing a task in a way that minimizes food safety risks. Procedures may be oral or written and include who, what, where, when, and how a task should be performed. The goal is to move toward complete, consistent, and primarily written procedures and may include topics such as when to wash your hands, how to set up a 3-compartment sink, how food temperatures are achieved and maintained/monitoring food temperatures.

- Training (T): The process of management's informing employees of the food safety procedures within the food service establishment and teaching employees how to carry them out. Information may be presented in formats such as a set of instructions/illustrations, recipe cards with process instructions, wall charts, wallet cards, or live demonstration. The goal is to provide and document training for all food safety tasks in a format and frequency adequate to ensure employees have the knowledge to carry out the procedures consistently and effectively.
- Monitoring (M): Routine observations and measurements conducted to determine if food safety procedures are being followed. Monitoring systems should include who, what, where, when, and how monitoring is to be performed and may be conducted visually or documented in writing. The goal is to move toward a well-documented system that can be verified and may include use of automated systems, digital thermometers, logs, charts, checklists, and other job aids and tools."

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**Supporting Attachments:**

- "FDA Report on the Occurrence of Foodborne Illness Risk Factors- Restaurants"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-044**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

FSMS #3 Re-create FSMS Committee

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

The Food Safety Management System (FSMS) Committee be reestablished to continue to identify recommendations for developing and implementing documented, HACCP principles-based Food Safety Management Systems (FSMSs) in all food establishments to support FDA's blueprint for a New Era of Smarter Food Safety.

**Public Health Significance:**

FSMSs are an important concept that needs further development to educate regulators and industry on the topic, increase awareness on the benefits of FSMSs, develop tools and resources for establishments to implement FSMSs, and the incorporation of FSMSs into future editions of the Food Code.

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

The Food Safety Management System (FSMS) Committee be reestablished with the following charges:

1. Collaborate with the Retail Food Safety Regulatory Association Collaborative to create resources for establishments to develop FSMSs.
  - o a. Toolbox may include instructions how to create a SOP, draft SOP templates, job aids, case studies, etc. The committee should consider reviewing the "Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles."
  - o b. Review the CDC EHS-Net project on employee health and consider collaborating to build on the results to further expand a framework to address employee health FSMSs.
2. Review 2021-2023 FSMS Committee - Committee Charges Report and identify specific items to develop remedies.

3. Develop recommendations on next steps to promote universal development and implementation of documented FSMSs to be included in a future edition of the Food Code.
  - o a. Conduct a gap analysis of Food Code § 2-103.11 to identify opportunities to incorporate FSMSs into the duties of the person in charge.
4. Collaborate with the Retail Food Safety Regulatory Association Collaborative to conduct a cost/benefit analysis of implemented FSMSs.
5. Report the committee's findings and recommendations at the next Biennial Meeting of the Conference for Food Protection. Surrender

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-045**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

FSMS #4 – Create FSMS Committee as Standing Committee

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

Convert the current Food Safety Management System (FSMS) Council Committee to a new Standing Committee and add duties and charges to the Constitution and Bylaws for the FSMS Committee.

The 2021 CFP Meeting established the FSMS Committee. During the process of completing their charges, the committee identified much more work needed in this initiative. They foresee future endeavors in harmonizing person in charge responsibilities in the FDA Food Code to include the implementation of FSMS, providing additional resources for establishments to develop written FSMSs, and aid in development of a foundation to build a positive food safety culture.

**Public Health Significance:**

The FDA Food Code emphasizes the need for risk-based preventive controls and daily active managerial control (AMC) of the risk factors contributing to foodborne illness in food establishments. AMC is "the purposeful incorporation of specific actions or procedures by industry management into the operation of their business to attain control over foodborne illness risk factors". AMC involves the proactive identification and prevention of food safety hazards through a continuous system of monitoring and verification procedures for performing critical operational steps in a food preparation process. Two strategies supporting AMC efforts in food establishments have received growing attention: The presence of a Certified Food Protection Manager (CFPM) and the implementation of FSMSs.

Inadequate FSMSs are thought to contribute to the worldwide burden of foodborne disease (Luning et al., 2008). For example, HACCP has been shown to have positive effects on food safety, but the poor implementation of HACCP has been described as a precursor to foodborne outbreaks (Cormier, 2007; Luning et al., 2009; Ropkins and Beck, 2000).

The 2013-2024 FDA Retail Food Risk Factor Study examines the occurrence of foodborne illness risk factors, food safety practices, and behaviors in food establishments. In the 2013-2014 Restaurant Data Collection study, the agency investigated the relationship between FSMSs, CFPM, and the occurrence of foodborne illness risk factors from 2013 to 2014. FSMSs were the strongest predictor of data items being out-of-compliance in both fast food and full-service restaurants. The average number of out-of-compliance data items was greatly reduced when there was a well-developed FSMS in place. This was true for both fast food restaurants and full-service restaurants. On average, restaurants with well-developed FSMSs had less than half as many risk factors and food safety practices that were out-of-compliance than restaurants with non-existent FSMSs.

Following the October 2010 release of the FDA Trend Analysis Report on the Occurrence of Foodborne Illness Risk Factors in Selected Institutional Foodservice, Restaurant, and Retail Food Store Facility Types (1998-2008), the FDA launched its Retail Food Safety Initiative which further emphasized the need for industry to establish food safety management systems and actively monitor compliance with those systems to reduce the occurrence of risk factors in retail operations.

In recognition of the importance of FSMSs in managing food safety hazards, the USDA has required all public schools to have a food safety plan based on process HACCP principles since 2005. Schools that do not meet this mandate are in jeopardy of losing their federal funds. The FDA collaborated with USDA on the development of the food safety plan model.

Despite over 20 years of promotion of voluntary FSMSs, widespread adoption of the Food Code across the U.S., and other ongoing food safety prevention efforts at the retail level, foodborne illness from retail establishments continues to be a substantial public health burden that must be addressed in novel ways.

The 2021-2023 FSMS Committee completed the charges of identifying barriers to the universal voluntary development and implementation of documented FSMSs. The Committee identified solutions for overcoming the barriers, conducted a pros/cons assessment of including a requirement for food establishments to develop and implement FSMSs in a future edition of the Food Code, and developed recommendations on next steps to promote universal development and implementation of documented FSMSs consistent with Annex 4. The FSMS Committee should work with the Retail Food Safety Regulatory Association Collaborative and other identified stakeholders. A Standing Committee will allow for charges to be assigned as they are identified without the re-creation of the committee each biennium. Future assignments to the FSMS Standing Committee may include:

- reviewing the findings of the 2021-2023 FSMS Committee to identify specific items to develop remedies for
- creating resources to aid retail food establishments in developing FSMSs
- reviewing the CDC EHS-Net project on employee health and consider collaborating to address the employee health component in FSMSs, and
- conducting a cost/benefit analysis of implemented FSMSs.

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



1.) Amend the CFP Constitution and Bylaws 2021, Article XV Committees, Section 2 to include a new Food Safety Management System Committee (new language is underlined):

Article XV Committees

Section 2. The following Standing Committees shall be established:

- Issue Committee
- Program Committee
- Constitution and Bylaws/Procedures Committee
- Resolutions Committee
- Audit Committee
- Food Protection Manager Certification Committee (FPMCC)
- Program Standards Committee
- Finance Committee
- Nominating Committee
- Strategic Planning Committee (SPC)
- Publications Committee
- Food Safety Management System (FSMS)

2.) Amend the CFP Constitution and Bylaws 2021, Article XVI Duties and Responsibilities of Committees to include a new Section 12 which describes the purpose of the Food Safety Management System Committee and the current Sections 12 and 13 be renumbered to accommodate the change (new language is underlined):

Section 12. The Food Safety Management System Committee shall report to the Board and shall have the objective of incorporating Food Safety Management Systems into everyday activities of retail food establishments and provide ongoing development of resources to assist the food safety community in achieving active managerial control of foodborne illness risk factors.

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**Supporting Attachments:**

- "Reference for FSMS #4 – Create FSMS Committee as Standing Committee"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-046**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Report - Digital Food Safety System Committee (DFSSC)

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

The Conference for Food Protection (CFP) Digital Food Safety System Committee seeks Council II's acknowledgment of the committee's final report and expression of thanks to the committee members for their work.

**Public Health Significance:**

The Digital Food Safety System Committee was established at the 2020 CFP Biennial Meeting (Issue 2020-II-021). The committee was charged to identify existing best practices, guidance documents, and research related to the use of digital food safety management systems including digital temperature monitoring equipment. This information has been reviewed and compiled by the committee members into a guidance document titled Draft General Best Practice Guidelines for Digital Food Safety Management Systems (DFSMS). This guidance document has been created for use and/or reference for industry and regulatory authorities to provide general knowledge and awareness around technology as use of these systems continues to increase in the retail food industry. The committee also reviewed, discussed, and has provided recommendations around appropriate methods to share the committee's work which completes the final charge of the committee.

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

1. Acknowledgement of the Digital Food Safety System Committee Final Report.
2. Thank the voting members, at large non-voting members, federal consultants and observers for their dedication and hard work.
3. Disband the committee; all assigned charges have been completed.

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**Content Documents:**

- "Digital Food Safety System Committee Final Report"
- "Digital Food Safety System Committee Member Roster"
- "General Best Practice Guidelines for Digital Food Safety Management"

**Supporting Attachments:**

- "Original CFP Issue\_2020\_II\_021"
- "DFSSC Meeting Minutes"
- "DFSSC Definitions"
- "Computerized Systems in Food Processing\_FDA"
- "SubCommittee Draft DFSS Best Practices Doc"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-047**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

DFSSC 2 - Approve and Post General Best Practice Guidelines

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

The Conference for Food Protection (CFP) Digital Food Safety System Committee seeks Council II's approval of the General Best Practice Guidelines for Digital Food Safety Management Systems and posting of the document to the CFP website.

**Public Health Significance:**

The Digital Food Safety System Committee was established at the 2020 CFP Biennial Meeting (Issue 2020-II-021). The committee was charged to identify existing best practice, guidance documents, and research related to the use of digital food safety management systems including digital temperature monitoring equipment. This information has been reviewed and compiled by the committee members to establish a guidance document, General Best Practice Guidelines for Digital Food Safety Management Systems, intended for use and/or reference by industry and regulatory authorities as the adoption of technology platforms continues to increase in the retail food industry.

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

1. Approval of the committee generated draft guidance document entitled "DRAFT General Best Practice Guidelines for Digital Food Safety Management Systems" (See document attached to Issue titled: Report - Digital Food Safety System Committee (DFSSC)).
2. Posting of the guidance document on the CFP website in a downloadable format with functional hyperlinks; and
3. Authorizing the Conference to make any additional edits prior to posting the document to assure consistency of format and non-technical content; edits will not affect the technical content of the document.

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-048**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

DFSSC 3 - Amend Food Code Annexes to Include Reference to Guidance Document

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

The Conference for Food Protection (CFP) Digital Food Safety System Committee requests Annexes 2 and 4 (or the location deemed appropriate by the FDA) of the FDA Food Code be amended to include/reference the document titled "General Best Practice Guidelines for Digital Food Safety Management Systems". The Committee recognizes that FDA may implement this solution in a different manner than what is written here and supports this action.

**Public Health Significance:**

The 2020 biennial meeting established the formation of the Digital Food Safety System Committee to identify existing best practice, guidance documents, and research related to the use of digital food safety management systems including digital temperature monitoring equipment. The committee was also charged with determining appropriate methods of sharing the committee's work, including but not limited to a recommendation that a letter be sent to FDA requesting that the Food Code, Annex 4 (Management of Food Safety Practices - Achieving Active Managerial Control of Foodborne Illness Risk Factors), Annex 2 (References, Part 3-Supporting Documents) be amended by adding references to the new guidance document as well as any existing guidance documents that the committee recommends, and the posting of information on the CFP website. This information has been reviewed and compiled by the committee members to establish a guidance document, General Best Practice Guidelines for Digital Food Safety Management Systems, intended for use and/or reference by industry and regulatory authorities as the adoption of technology platforms continues to increase in the retail food industry.

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

A letter be sent to FDA requesting that the current version of the FDA Model Food Code Annex 4 - Management of Food Safety Practices - Achieving Active Managerial Control of

Foodborne Illness Risk Factors, and Annex 2 - References, 3. Supporting Documents be amended by including a reference to the "General Best Practice Guidelines for Digital Food Safety Management Systems" (document is attached to Issue titled: Report - Digital Food Safety System Committee (DFSSC)).

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-049**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2020-II-011; new or additional information has been included or attached.

**Title:**

Report – Allergen Committee

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

Acknowledgement of the 2021 - 2023 Allergen Committee Final Report and thanking the committee members for the completed work.

**Public Health Significance:**

Food allergies and sensitivities impact at least 3% of the human population. Researchers estimate that 32 million Americans have food allergies, including 5.6 million children under age 18 - that is roughly two children in every classroom.<sup>1, 2, 3</sup>

Studies published in 2018 and 2019 estimate the number of Americans of all ages who have convincing symptoms of allergy to specific foods: shellfish(8.2 million), milk (6.1 million), peanut (6.1 million), tree nuts (3.9 million), egg (2.6 million) fin fish (2.6 million), wheat (2.4 million), soy (1.9 million), sesame (0.7 million).<sup>1, 4</sup>

Managing allergen exposure is the only reliable method of reducing the incidence of life-threatening allergic reactions. There must be clear communication between the consumer and the food worker to control for allergens in the flow of food. It was recognized by the previous Allergen Committee that a framework be developed to provide useful training and educational materials to foods workers, management, and the public.

**References**

1. Gupta RS, Warren CM, Smith BM, Jiang J, Blumenstock JA, Davis MM, Schleimer RP, Nadeau KC. Prevalence and Severity of Food Allergies Among US Adults. JAMA Network Open 2019; 2(1):e185630.doi:10.1001/jamanetworkopen.2018.5630.
2. United States Census Bureau Quick Facts (2015 and 2016 estimates).
3. Gupta RS, Warren CM, Smith BM, Blumenstock JA, Jiang J, Davis MM, Nadeau KC. The Public Health Impact of Parent-Reported Childhood Food Allergies in the United States. Pediatrics 2018; 142(6):e20181235.

4. Warren CM, Chadha AS, Sicherer SH, Jiang J, Gupta RS. Prevalence and Severity of Sesame Allergy in the United States. JAMA Network Open 2019; 2(8):e199144. doi:10.1001/jamanetworkopen.2019.9144.

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

Acknowledgement of the 2021 - 2023 Allergen Committee (AC) Report, and thanks the committee members for the completed work.

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**Content Documents:**

- "Allergen Committee (AC) Final Report to the Executive Board"
- "Allergen Committee Member Roster"
- "Major Food Allergen Framework"
- "SUMMARY – Major Food Allergen Framework"

**Supporting Attachments:**

- "Allergen Committee Meeting Minutes"
- "Allergen Committee Meeting Attendance"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-050**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Allergen Committee 2 Publish "Major Food Allergen Framework" and SUMMARY

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

The "Major Food Allergen Framework" is meant to be a useful tool for food employees to understand and control for the Major Food Allergens in food intended for consumers, and we request that this document, and its Summary, be posted on CFPs website, making it accessible.

**Public Health Significance:**

Food allergies are experienced by approximately 32 million people in the United States each year,<sup>1,2,3</sup> with more than 170 foods being reported to cause these reactions.<sup>4</sup> Every three minutes, a food allergy reaction sends someone to the emergency room.<sup>5</sup>

It is estimated that the Major Food Allergens have the greatest impact on the US population, with millions reporting convincing symptoms of allergic reactions to shellfish (8.2 million), milk (6.1 million), peanut (6.1 million), tree nuts (3.9 million), egg (2.6 million), fin fish (2.6 million), wheat (2.4 million), soy (1.9 million), sesame (0.7 million).<sup>6</sup>

The most common food allergies in children are to peanut, milk, shellfish, and tree nut; where as the most common food allergies experienced in adults are to shellfish, milk, peanut, and tree nut.<sup>7</sup>

Reports suggest that most fatal food allergy reactions are triggered by food consumed outside the home,<sup>8,9,10</sup> with ingestion of an allergen the concern for severe reactions.<sup>11,12</sup>

Avoiding allergens requires careful reading of labels and stringent cleaning procedures, as even trace amounts of a food allergen can cause a reaction.<sup>13,14,15,16</sup> In the US, advisory/precautionary labeling is voluntary. The terms do not reflect specific risks, and random product testing has found allergen levels ranging from undetectable to amounts that can cause allergic reactions.<sup>17</sup> Given this uncertainty in the marketplace, it is important to understand how to control for the nine Major Food Allergens as defined by the 2022 Food Code.

## References

1. Gupta RS, Warren CM, Smith BM, Jiang J, Blumenstock JA, Davis MM, Schleimer RP, Nadeau KC. Prevalence and Severity of Food Allergies Among US Adults. *JAMA Network Open* 2019; 2(1):e185630.doi:10.1001/jamanetworkopen.2018.5630.
2. United States Census Bureau Quick Facts (2015 and 2016 estimates).
3. Gupta RS, Warren CM, Smith BM, Blumenstock JA, Jiang J, Davis MM, Nadeau KC. The Public Health Impact of Parent-Reported Childhood Food Allergies in the United States. *Pediatrics* 2018; 142(6):e20181235.
4. NIAID-Sponsored Expert Panel. Guidelines for the diagnosis and management of food allergy in the United States: Report of the NIAID-sponsored expert panel. *J Allergy Clin Immunol*. 2010; 126(6):S1- 58.
5. Clark S, Espinola J, Rudders SA, Banerji, A, Camargo CA. Frequency of US emergency department visits
6. Warren CM, Chadha AS, Sicherer SH, Jiang J, Gupta RS. Prevalence and Severity of Sesame Allergy in the United States. *JAMA Network Open* 2019; 2(8):e199144. doi:10.1001/jamanetworkopen.2019.9144.
7. Kamdar TA, Peterson S, Lau CH, Saltoun CA, Gupta RS, & Bryce PJ. Prevalence and characteristics of adult-onset food allergy. *J Allergy Clin Immunol Pract*. 2015; 3(1):114-115.e1.
8. Bock SA, Muñoz-Furlong A, Sampson HA. Further fatalities caused by anaphylactic reactions to food, 2001-2006. *J Allergy Clin Immunol*. 2007; 119(4):1016-1018.
9. Bock SA, Muñoz-Furlong A, Sampson HA. Fatalities due to anaphylactic reactions to foods. *J Allergy Clin Immunol*. 2001; 107(1):191-193.
10. Sampson HA, Mendelson L, Rosen J. Fatal and near-fatal anaphylactic reactions to food in children and adolescents. *N Engl J Med*.1992; 327(6):380-384.
11. Greenhawt MJ, McMorris MS, Furlong TJ. Self-reported allergic reactions to peanut and tree nuts on commercial airlines. *J Allergy Clin Immunol*. 2009; 124(3):598-599.
12. Comstock SS, DeMera R, Vega L, Boren EJ, Deanne S, Haapanen LA, Teuber SS. Allergic reactions to peanuts, tree nuts, and seeds aboard commercial airliners. *Ann Allergy Asthma Immunol*. 2008; 101:51-56.
13. Yunginger JW, Gauerke MB, Jones RT, Dahlberg MJE, Ackerman SJ. Use of radioimmunoassay to determine the nature, quantity and source of allergenic contamination of sunflower butter. *J Food Prot*. 1983; 46:625-628.
14. Jones R, Squillace D, Yunginger J. Anaphylaxis in a milk-allergic child after ingestion of milk contaminated kosher-pareve-labeled "dairy-free" dessert. *Ann Allergy*. 1992; 68:223-227.
15. Hourihane J, Kilbrun S, Nordlee J, et al. An evaluation of the sensitivity of subjects with peanut allergy to very low doses of peanut: a randomized, double-blind, placebo-controlled food challenge study. *J Allergy Clin Immunol*. 1997; 100:596-600.
16. Ford LS, Taylor SL, Pacenza R, Niemann LM, Lambrecht DM, Sicherer SH. Food allergen advisory labeling and product contamination with egg, milk, and peanut. *J Allergy Clin Immunol*. 2010; 126(2):384-385.

17. Ford LS, Taylor SL, Pacenza R, Niemann LM, Lambrecht DM, Sicherer SH. Food allergen advisory labeling and product contamination with egg, milk, and peanut. J Allergy Clin Immunol. 2010; 126(2):384-385.

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

1. Acceptance of the committee-generated document entitled, "Major Food Allergen Framework" (attached as content to this Issue);

and

2. Authorizing the Conference to make any necessary edits prior to posting the document on the CFP website to assure consistency of format and non-technical content; edits will not affect the technical content of the document;

and

3. Prior to posting the final document on the CFP website in PDF format, it will be reviewed to remove any potential violations of the CFP Commercialism and Comity Policy;

and

4. Removal of the CFP-approved document, "Food Allergy Notifications: A Guidance for Industry," from the CFP website as it is now addressed within the document, "Major Food Allergen Framework."

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**Content Documents:**

- "Major Food Allergen Framework"
- "Summary – Major Food Allergen Framework"

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-051**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Allergen Committee 3 Amend Annex 2 "References" Section of the Food Code.

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

The document, "Major Food Allergen Framework" contains critical guidance and information about food allergens and was developed to provide support to both food service workers and consumers. Annex 2 of the FDA Model Food Code, entitled "References", provides information in support of provisions throughout the Code, and is the location where Food Allergens could be housed. By adding to the existing list, item "5. Food Allergens", a predictable space within Annex 2 is created where guidance and resources can now be listed and into the future.

**Public Health Significance:**

The Food Code is a model for safeguarding public health and ensuring food is unadulterated and honestly presented when offered to the consumer. It represents FDA's best advice for a uniform system of provisions that address the safety and protection of food offered at retail and in food service.

This model is offered for adoption by local, state, and federal governmental jurisdictions for administration by the various departments, agencies, bureaus, divisions, and other units within each jurisdiction that have been delegated compliance responsibilities for food service, retail food stores, or food vending operations. Alternatives that offer an equivalent level of public health protection to ensure that food at retail and foodservice is safe are recognized in this model."<sup>1</sup>

In addition, the FDA Code contains a series of annexes which provide the backup information (scientific data, references, or rational, etc.) for the guidelines in each chapter. If one wishes to further understand the reasoning behind the Food Code, the Annexes provide that information.

By publishing the "Major Food Allergen Framework" within the Annex of the Food Code, FDA will be further clarifying its satisfaction of the CFP Issue 2008-III-06, which deals with educating people around food allergens and promoting food allergy awareness.<sup>2</sup> Once

included as, or part of, an Annex, additional framework documents could be listed, including any future CFP-published documents around allergen control and the prevention of cross-contact.

#### References

- (1) FDA Food Code, page i (PDF page 3)
- (2) FDA Food Code, page 350 - 351 (PDF pages 406 - 407)

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

1. A letter be sent to FDA requesting that Annex 2 "References", or other location where deemed appropriate by FDA, of the most current edition of the Food Code be amended as follows:

*FDA Food Code, page 290 (PDF page 323)*

Insert "5. Food Allergens" and dedicate this section to food allergen references including the "Major Food Allergen Framework" with the direct link to the CFP website where the document is housed.

Possible introductory paragraph, "5. The following is a summary of available resources on Food Allergens that is of interest to the retail and food service community. This listing is provided below and is not all inclusive. Responsibility for updating the web pages lies with the listed organization."

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-052**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Issue History:**

This is a brand new Issue.

**Title:**

Allergen Committee 4 Re-create the Allergen Committee

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

Re-creation of the Allergen Committee would allow the expansion of the document "Major Food Allergen Framework" to provide further guidance around cross-contact, allergen control, tools, and information pertaining to non-major food allergens.

**Public Health Significance:**

Dealing with food allergies can be overwhelming for a consumer as well as a food worker. The effects of a food-induced allergic reaction range from bothersome to potentially deadly. There is no cure, so anyone with a food allergy must vigilantly avoid the foods that trigger a reaction.<sup>1</sup> This places pressure on food workers to understand allergenic ingredients and how they appear in products, including non-major food allergens. It also makes it crucial that messaging around cross-contact be aimed at both the food worker *and* the consumer<sup>2</sup>.

A "framework" is defined as, "a set of principles, ideas, etc. that you use when you are forming your decisions and judgments."<sup>3</sup> Cross-contact describes the inadvertent introduction of an allergen into a product that would not intentionally contain that allergen as an ingredient.

While most cross-contact can be avoided through control of the environment during food production and preparation, only cross-contact by Major Food Allergens is currently addressed, so guidance falls short of comprehensive cross-contact control for food allergens.

In an effort to reduce the incidence of food allergic reactions, including those provoked by non-Major Food Allergens, the development of a comprehensive framework around allergen control within Retail Food operations is necessary. Clear, concise, uniform messaging around cross-contact<sup>4</sup>, what it is and how to avoid it, is essential to this framework.

References



1. Retrieved November 9, 2022, from, <https://www.health.harvard.edu/healthbeat/6-tips-for-managing-food-allergies/>
2. Article "CUSTOMER JOURNEYS: How to Keep Customers Connected and Coming Back" retrieved November 9, 2022, from <https://www.salesforce.com/products/marketing-cloud/best-practices/customer-journeys/>
3. Definition retrieved November 9, 2022, from <https://www.macmillandictionary.com/us/dictionary/american/framework>
4. Article "Avoiding Cross-Contamination and Cross-Contact in Commercial Kitchens" retrieved November 9, 2022, from <https://modernrestaurantmanagement.com/avoiding-cross-contamination-and-cross-contact-in-commercial-kitchens/>

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

Re-creation of the Allergen Committee with the following charges:

1. Using existing research and resources to expand upon the "Major Food Allergen Framework" to include:
  - a. Guidance on how to control non-major food allergen cross-contact, including during receiving, storage, holding, preparation (including knowledge of preparation methods), and service.
  - b. Identify and gather existing research and resources to form an "Allergen Control Toolkit", (which could include checklists, infographics, allergen matrix for all products, etc.) that can be used by food workers to better understand allergen control.
  - c. Identify and establish tools (such as SOPs, standardized menus, ingredient lists, quality assurance, etc.) to support the PIC when training food workers around notifying a Consumer about food allergens.
  - d. Update the document "Major Food Allergen Framework" to include the gathered information from steps a - c.
2. Recommend changes to the Food Code that support retail food establishments to operationalize framework to prevent and control food allergic reactions.
3. Report back findings and recommendations to the next Biennial Meeting of the Conference for Food Protection.

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**Conference for Food Protection  
2023 Issue Form**

**Issue: 2023 II-053**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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**Issue History:**

This is a brand new Issue.

**Title:**

Create a CFP Technology Solutions Standing Committee

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

This Issue proposes creating a new Standing Committee and adding duties and charges to the Constitution and Bylaws for a CFP Technology Solutions Standing Committee.

In April 2019, the CFP Strategic Planning Committee proposed to the Board the creation of a new Standing Committee to work under the general charge to:

- *Define the known channels of communication (Website/Email/Mobile App/Social), their architecture and function for the membership.*
- *Define the functions for engagement at the Biennial meeting and Ongoing Sustainment Biennial Meeting (App/Website/Social Media: Virtual Conference/Council Tracking or "Blogs"/Navigator).*
- *Sustaining/Ongoing:*
  - *Member-Facing (Mobile App/Social Media/Website Revision: News/Reports/Virtual Roundtables/Multiformat Info Sharing/Forums)*
  - *Volunteer-Facing (App/Website: Volunteer Portal/Volunteer Committee Forums or "workrooms")*
- *Define "user needs" (Member - Biennial Meeting/Member - Ongoing/Volunteer Ongoing)*

In September 2020, the Board established an ad hoc Digital Engagement Committee to investigate options for managing membership services and services related to biennial meetings; committee charges included:

1. *Work with Conference leadership to identify membership services and services related to Biennial Meetings that are: a. Provided through the current contract with Eventbrite; and b. Needed in addition to the services provided by Eventbrite to best serve CFP members.*
2. *Conduct research for potential replacement vendors.*

3. *Obtain cost estimates for the most viable vendor packages; and*
4. *Report recommendations back at the April 2021 Board meeting.*

An ad hoc Digital Engagement Committee was reappointed by the Board for the 2021-2023 biennium with the following charges:

1. *Ensure CFP's biennial meeting app (e.g., Attendify) is ready for next biennial meeting. The app must meet or exceed the features/functionality of the last meeting.*
2. *Explore and make recommendation to board for "people resources" needed to sustain CFP's digital/technology strategy (e.g., Wild Apricot database admin, social media admin, digital/technology committee).*
3. *Explore CFP needs and pros/cons of making the Ad Hoc Digital Engagement Committee a standing committee and make recommendation to board prior to next CFP meeting.*
4. *Compile prioritized list of future website needs/improvements (functionality, aesthetics, content, etc.) and requirements, which can be used to gather bids for website redesign services.*
5. *Identify video conference and document storage/sharing solution needs and requirements, identify potential solutions, explore costs, and make recommendation to the board.*

During completion of the 2021-2023 charges (above), the committee identified ongoing work activity needed to enhance CFP technology solutions and simplify and encourage member engagement. The ad hoc committee foresees work beyond the 2023-2025 biennium with charges that include but are not limited to identifying, vetting, and recommending:

1. *document sharing and collaboration solutions,*
2. *website redesign/optimization,*
3. *process optimization,*
4. *social media and communication solutions,*
5. *ongoing technology solution support.*

In fulfillment of charge #3 for the 2021-2023 biennium, the CFP Board has approved the submittal of this Issue to convert the ad hoc Digital Engagement Committee to a new Standing Committee.

The purpose of a standing Digital Engagement and Technology Solutions committee will be to engage and bring value to CFP membership by identifying, researching, and recommending digital/technology solutions. In determining our recommended charges, the current ad hoc committee does not believe hybrid or virtual biennial meeting solution sourcing or IT problem solving should be a function of this committee because the biennial meeting requires specialized event planning focus, and troubleshooting requires IT skill capabilities beyond those of a typical CFP volunteer.

**Public Health Significance:**

The mission and operational work of the Conference for Food Protection is dependent upon the engagement of its members, volunteers (board/committees/councils), and partner organizations. Prior membership surveys have identified opportunities for CFP to better leverage technology to remove member engagement barriers including locating information, streamlining staff and volunteer time commitments, optimizing communication, and sharing strategic and operational decisions across committees, etc. Modern engagement and technology solutions will better attract and enable next generations of CFP members to engage more easily to continue CFP's public health focused mission and operations.

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

1.) Amend the CFP Constitution and Bylaws 2021, Article XV Committees, Section 2 to include a new bullet for the Digital Engagement and Technology Solutions Committee (new language is underlined):

Article XV Committees

Section 2. The following Standing Committees shall be established:

- Issue Committee
- Program Committee
- Constitution and Bylaws/Procedures Committee
- Resolutions Committee
- Audit Committee
- Food Protection Manager Certification Committee (FPMCC)
- Program Standards Committee
- Finance Committee
- Nominating Committee
- Strategic Planning Committee (SPC)
- Publications Committee
- Digital Engagement and Technology Solutions Committee (DETS)

2.) Amend the CFP Constitution and Bylaws 2021, Article XVI Duties and Responsibilities of Committees, to insert a new Section 12 which describes the duties of the Digital Engagement and Technology Solutions Committee, and the current Sections 12 and 13 be renumbered to accommodate the change (new language is underlined).

Section 12. The Digital Engagement and Technology Solutions Committee shall report to the Board and shall have the objective of identifying, vetting, and recommending digital engagement and technology solutions which brings value to membership, encourages engagement with CFP, and improves internal processes. This committee will also work with the Board to identify and prioritize digital technology activities for each biennium.

The Conference also recommends the Digital Engagement and Technology Solutions Committee be charged during the 2023-2025 biennium to identify, vet, and recommend to the CFP Board:

- 1) *document sharing and collaboration solutions,*
- 2) *website redesign/optimization,*
- 3) *social media and communication solutions.*

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