

Proceedings of the Conference for Food Protection Meeting

**April 16 – 21, 2004
Chandler, AZ**

**Conference for Food Protection
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Dear Colleagues:

On behalf of the Executive Board I extend greetings to you all. It seems that the two years in between Conferences go by very quickly. The accomplishments of the Council Chairs and Vice Chairs, Committee Chairs and committee members, as well as Conference coordinators in that span of time is quite impressive. Once again we can take pride in the exceptional successes we achieved at the biennial meeting in Chandler, AZ.

I would like to thank all of you who sacrificed your time and shared your talents and expertise in preparation for the 2004 Conference in Chandler. I especially extend admiration and gratitude to our past Chair, Glenda Christy, and our Conference Director and his partner, Trevor and Linda Hayes. I wish to also thank Al Brown, David Ludwig, Karen Reno and the entire Local Arrangements Committee for the phenomenal planning and preparation that culminated in a successful and fun conference. Finally, to each attendee, without whom there would be no conference, thank you.

The mission of the Conference has been and remains very simple: To bring together representatives from the food industry, government, academia and consumer groups to identify emerging food safety problems and collaborate on solutions. Each year we are faced with food safety concerns that challenge us on different levels. Some require us to look at food safety from a perspective different than usual. We are fortunate that so many individuals, agencies, companies and organizations embrace the mission of the Conference for Food Protection. Their determination to build consensus and achieve positive outcomes to issues has resulted in continuous improvements to food safety.

Please join me in welcoming to the Executive Board several new and a few returning individuals as elected representatives of the Conference's many stakeholder groups. They are State Regulatory Agency representatives David Gifford (Washington State Department of Health) and Lorna Girard (Minnesota Department of Agriculture), Local Regulatory Agency representative Jeff Luedeman (City of Bloomington, MN Health Department), Consumer representative Alison Rein (National Consumers League) and Industry representatives Brady Daniels (EcoSure), Frank Ferko (Rare Hospitality International, Inc), and Fred Reimers (HEB Grocery Company). In addition, let me also welcome Lee Cornman, John Gurrisi and David Ludwig, each of whom has been appointed to a Council Vice Chair position.

As you seek ways to become more involved in the Conference's outcomes or if you have concerns, you may contact any Board member easily by locating their name on the Conference's website at www.foodprotect.org. Your involvement will not only strengthen the foundation on which the Conference for Food Protection was built but it will further ensure that consensus and collaboration prevail.

Your next opportunity to be a part of the effort to bring about solutions to food safety issues will be the 2006 Conference in Columbus, Ohio. I look forward to seeing you there.



Janice Buchanon, Chair
Conference for Food Protection

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THE CONFERENCE FOR FOOD PROTECTION

Mission

Though the federal, State, and local governments are primarily responsible for setting food safety standards, many other organizations share a stake in carrying out enforcement of the standards. The Conference for Food Protection brings together representatives from the food industry, government, academia, and consumer organizations to identify and address emerging problems of food safety and to formulate recommendations. The Conference seeks to balance the interests of regulatory and industry people while providing an open forum for the consideration of ideas from any source. The Conference meets at least biennially to provide this forum. Though the Conference has no formal regulatory authority, it is a powerful organization that profoundly influences model laws and regulations among all government agencies and minimizes disparate interpretations and implementation.

History

In 1971, the U.S. Food and Drug Administration and the American Public Health Association sponsored the first Conference for Food Protection in Denver, Colorado. The purpose of this meeting was to provide an interprofessional dialogue on the microbiological aspects of food safety for individuals representing industry, government, and consumers. Not until 1984 did the Conference assume a more permanent role in promoting the formulation and use of uniform model laws and regulations among all government agencies. In that year, the scope was expanded to include toxicological concerns, and a constitution and bylaws document was developed. The Conference was incorporated in 1985. To assist the Conference in its further development, NSF International agreed to provide office services and staff assistance to handle the routine activities of the Conference. Shortly after the 1990 Conference meeting, the Executive Board hired its first executive secretary and began operating on its own, marking the beginning of a new era for the Conference.

Objectives

The Conference for Food Protection promotes food safety and consumer protection by the following:

1. Identifying and addressing problems in the production, processing, packaging, distribution, sale, and service of foods;
2. Focusing on and facilitating the food protection programs governing the foodservice, retail food store, and food vending segments of the food industry;
3. Adopting sound, uniform procedures which will be accepted by food regulatory agencies and industry;

4. Promoting mutual respect and trust by establishing a working liaison among governmental agencies, industry, academic institutions, professional associations, and consumer groups concerned with food safety;
5. Promoting uniformity among States, territories, and the District of Columbia. Territories including American Samoa, Guam, Northern Mariana Islands, Puerto Rico, The Trust Territory, and the U.S. Virgin Islands; and
6. Utilizing the following as the primary channels for dissemination of information:
 - a. The U.S. Department of Agriculture/Food Safety and Inspection Service in matters under its purview, such as food production, meat and poultry processing, and consumer information; and
 - b. The U.S. Public Health Service/Food and Drug Administration in matters under its purview, such as food processing and assistance to food regulatory agencies based on the model food codes and related documents.

Current Organization

The Conference is managed by an Executive Board that includes 22 voting members who represent State food regulatory agencies from each of the CFP regions, local food regulatory agencies from each of the CFP regions, the FDA, USDA/FSIS, the food industry, an academic institution, and consumers. In addition, the Board includes non-voting members as follows: the Chair and Vice-Chair of each of the three Councils; the Program Chair; the Issue Chair; international advisors; and the Executive Director.

Three Councils provide a balance between deliberating the impact of food-related laws and regulations (Council I); developing various administrative, education and certification guidelines and procedures (Council II); and discussing the science and technology of food safety issues (Council III). Separate committees in each discipline may be appointed to deliberate and review issues and make recommendations to each Council. Membership provides for participation by regulatory, industry, consumer, academic, and professional organizations. Non-voting academic and other professional consultants are available to each Council to offer needed advice. Councils deliberate Issues and recommend actions to the Assembly of State Delegates.

Presentation of Issues

The Conference deliberates food safety issues submitted by interested persons on approved forms and within specified time frames. Issues are assigned by the Issues Committee to one of the three Councils for consideration. (See [Appendix J – Issue Submission Form](#) for instructions on completing the form).

Assembly of State Delegates

A delegate is a registrant at a Conference meeting who represents a State, territory, or District of Columbia food regulatory agency responsible for the enforcement of food laws and regulations for food processing, food service, vending, and food stores. The Assembly considers and votes on actions recommended by the Councils.

Future Activities

The Conference has reached consensus on many difficult Food Code issues and a variety of other matters dealing with food safety. Appendix H reflects the Council committees operating through the period 2002-2004. The ongoing business of the Conference can be found by accessing the organizational web site at www.foodprotect.org The electronic age has improved communications and provided opportunity for Issues to be submitted electronically and Issue packets to be made available on compact disk. Ongoing improvements to the Conference web site will facilitate a more streamlined approach to Issue submission and the registration process.

Registration and Affiliation Procedures

If you would like more specific information about the Conference for Food Protection, its Councils or working committees, or are interested in promotion the objectives of the Conference, you may obtain forms to register or become affiliated by downloading the appropriate forms(s) from the above referenced web site or by contacting:

Trevor Hayes, Executive Director
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2004 CONFERENCE ISSUES

Following are the Issues addressed by the 2004 Conference for Food Protection. These Issues were assigned to one of three Councils for deliberation. The three Councils of the Conference are as follows:

- Council I Laws and Regulations
- Council II Administration, Education and Certification
- Council III Science and Technology

Recommendations of the Councils were passed on to the Assembly of Voting Delegates. A Council recommendation of “No Action” reflects the fact that the Issue was deliberated at the Council level but, for a variety of reasons, it was determined that no action was recommended. A “No Action” recommendation could relate to the fact that a particular Issue was combined with another Issue, was determined to be better addressed by another Issue or that it was the wisdom of the Council members that a particular recommendation was not warranted at this time.

As the result of extensive discussion and consensus agreement, it is now standard procedure that the Assembly of Voting Delegates hears all Council recommendations including those recommending “No Action”. As with other Council recommendations, the Assembly members can “accept,” “reject” or “abstain” a Council recommendation, **but cannot change it**. Accordingly, the effect of a vote to reject a “No Action” Issue by the Assembly of Voting Delegates is to refer the matter back to the Executive Board for disposition.

For those Issues pertaining to the FDA Model Food Code, the Conference Board has 45 days from the meeting’s conclusion to submit Assembly-approved recommendations to the Food and Drug Administration. FDA has agreed to review these recommendations and respond to the Conference Executive Board within 60 days of receipt. Recommendations with which FDA concurs will then be included in the text of the forthcoming edition of the Food Code. Those Issues with which FDA does not concur will be brought back to the Executive Board for further discussion and/or remedy and possible resubmission as Issues at the next conference meeting. A similar protocol has also been developed for Issue recommendations that involve the United States Department of Agriculture, Food Safety and Inspection Service (USDA/FSIS).

COUNCIL I – LAWS AND REGULATIONS

Issues and Actions

In this section are the Issues deliberated by Council I. In addition to those Issues originally assigned to Council I (of which there were 31), Issues III-010, III-011, III-012 and III-036 were transferred to Council I from Council III. These Issues were reported out as part of the Council I deliberations.

Issue Number: *Issue Title:*
2004 I-001 **Variance Committee Final Report**

Recommended Solution:

The Conference recommends to accept this report.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [I-001a Variancereport.doc](#)

Issue Number: *Issue Title:*
2004 I-002 **Variations at Retail - Research Endorsement**

Recommended Solution:

The Conference recommends that the Chair write a letter of support to AFDO encouraging them to seek additional CREES grants to expand the research and production of guidance documents in the area of food processing in a food establishment

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 I-003 **Food Recovery Committee Report**

Recommended Solution:

The Conference recommends acceptance of this Food Recovery Committee report.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [I-003a FoodRecoveryReport.doc](#), [I-003b FoodRecoveryTrackChanges.doc](#)

Issue Number: *Issue Title:*
2004 I-004 **Food Recovery Committee Continuation**

Recommended Solution:

The Conference recommends creating a Food Recovery Committee to continue to consider further revisions recommended by the FDA and the Committee members.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/I-004a%20CompGuidance-January2004.pdf

http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/I-004a%20FoodRecoveryGuidance..pdf

Issue Number: *Issue Title:*
2004 I-005 **Plan Review Committee Report**

Recommended Solution:

The Conference recommends acceptance of the Plan Review Committee report.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [I-005a Plan Review Report.doc](#)

Issue Number: *Issue Title:*
2004 I-006 **Final Recommended Guidance for Permanent Outdoor Cooking Operations - 2003**

Recommended Solution:

The Conference recommends acceptance of the Final Recommended Conference for Food Protection Guidance for Permanent Outdoor Cooking Operations – 2003, adding a reference to the document to the FDA Food Code Annex and adding the document to the FDA Plan Review Training program.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [I-006a Recommended Guidance for Permanent Outdoor Cooking Es.doc](#)

Issue Number: *Issue Title:*
2004 I-007 **Plan Review Committee Continuation**

Recommended Solution:

The Conference recommends creation of a 2004 Plan Review committee to resolve outstanding issues in the Mobile Food Units and Pushcarts guidance document and other matters referred to it at the 2004 Conference for Food Protection meeting.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 I-008 **Food Product Traceability Committee Final Report**

Recommended Solution:

The Conference recommends acceptance of this Food Traceability Committee final report and dissolution of this committee.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Attachments: [I-008a Food Product Traceability Report.doc](#)

Issue Number: *Issue Title:*
2004 I-009 **Variations at Retail Committee Final Report**

Recommended Solution:

The Conference recommends acceptance of these Variations at Retail Committee final report and dissolution of this committee.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Attachments: [I-009a Variations at Retail Report - 01-16-2004.doc](#)

http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/I-009b%2074eReference%2018%20AMI%20GMPs.pdf

Issue Number: *Issue Title:*
2004 I-010 **Variances at Retail Committee - AFDO Final Retail Meat & Poultry Processing Guidelines**

Recommended Solution:

The Conference recommends acceptance of the Variances at Retail Committee - AFDO Final Retail Meat & Poultry Processing Guidelines, and recommends sending letters to FDA and USDA to recommend referencing the location of these AFDO guidelines in the appropriate Annex of the FDA Food Code.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [I-010a RetailMeat&Poultry.doc](#),
 [I-010b RetailMeat&Poultry.doc](#),
 Click below for online access to reference material for I-010b
 http://www.foodprotect.org/I_10b_retail_meat_poultry.html

Issue Number: *Issue Title:*
2004 I-011 **Designation of Food Code Provisions as Critical and Non-Critical**

Recommended Solution:

The Conference recommends based on discussion and deliberation that FDA move forward with updating the Food Code usage and application of the term “Critical Item.” The Conference further recommends that FDA:

1. Remove the term "critical item" from the Food Code and replace it with a more appropriate term or terms;
2. Redesignate Food Code provisions in terms of their relationship to the risk factors most likely to contribute to foodborne illness and the public health interventions and good retail practices that result in safer food and protect the consumer; and
3. Work with all stake holders and the Conference for Food Protection on draft proposals and submit as an issue at the 2006 Conference for Food Protection.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Recommended Solution:

The Conference recommends that based on discussion and deliberation,

- (A) FDA revise the definition of "Potentially Hazardous Food" in subparagraph 1-201.10 (B)(65) of the 2001 Food Code in the following way:
- 1-201.10 (B)(65) Potentially Hazardous Food.
- (a) **"Potentially hazardous food"** means a FOOD that requires time and/or temperature control for safety (TCS) to limit pathogen growth or toxin formation."
- (b) **"Potentially hazardous food"** includes:
- (i) An animal *food* (a *food* of animal origin), including fresh shell EGGS, that is raw or heat-treated; a *food* of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; and garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth as specified under Subparagraph (a) of this definition.
 - (ii) A food whose pH/aW interaction is designated as TCS in one of the tables listed in paragraph (d).
- (c) **"Potentially hazardous food"** does not include:
- (i) An air-cooled hard-boiled egg with shell intact, or a shell egg that is not hard-boiled, but has been treated to destroy all viable Salmonellae;
 - (ii) A food whose pH/aw interaction is designated as non-TCS in one of the tables listed in paragraph (d);
 - (iii) A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;
 - (iv) A food for which laboratory evidence demonstrates that time and temperature control for safety is not required, and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or
 - (v) A food that does not support the growth of microorganisms as specified under Subparagraph (a) of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.
- (d) **"Potentially hazardous food"** does not include food that, because of pH, water activity (aw) or the interaction of pH and aw , is considered non-PHF/non-TCS in Table A or B below.

Table A. Control of spores: Product heat-treated to control vegetative cells and PACKAGED.			
Critical a_w values	Critical pH values		
	4.6 or less	> 4.6 – 5.6	> 5.6
0.92 or less	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS
> 0.92 - .95	non-PHF/non-TCS	non-PHF/non-TCS	PA
> 0.95	non-PHF/non-TCS	PA	PA

Table B. Control of vegetative cells and spores: Product not heat-treated or heat-treated but not PACKAGED.				
Critical a_w values	Critical pH values			
	< 4.2	4.2 – 4.6	4.6 – 5.0	> 5.0
< 0.88	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS
0.88 – 0.90	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS	PA
> 0.90 – 0.92	non-PHF/non-TCS	non-PHF/non-TCS	PA	PA
> 0.92	non-PHF/non-TCS	PA	PA	PA

PA = Product Assessment Required

- (B) And that a PHF Committee be named to work with the FDA on this issue, charged to consider the best implementation strategy for state/local regulations and the food service/food store industry to determine whether a food is PHF or not, based on the IFT Report, to determine whether the term PHF or TCS is preferred and to report back to the Conference for Food Protection Executive Board by the 2004 Fall Board Meeting.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/I-012a%20RevisingDefinitionofPHFoodintheFoodCode.pdf

Issue Number:

2004 I-013

Issue Title:

Person in Charge present during food production. Section 2-101.11.

Recommended Solution:

The Conference recommends the Conference Chair send a letter to the FDA Commissioner to urge that this issue be sent to the FDA for resolution through FDA administrative process or brought to the 2006 Conference for Food Protection as an issue.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*

2004 I-014 **Demonstration of Knowledge - "Compliance with the Food Code." Section 2-102.11.**

Recommended Solution:

The Conference recommends that the Conference Chair send a letter to the FDA Commissioner requesting FDA modify Section 2-102.11(A) having no violations of critical items during the current inspection.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*

2004 I-015 **Definition of "Complying with this Code" - Supplement to the 2001 Food Code**

Recommended Solution:

The Conference recommends
No Action because; this was resolved with Issue I-014.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*

2004 I-016 **Receipt of foods when person-in-charge or food employees are not present**

Recommended Solution:

The Conference recommends
No Action because; it is in conflict with the FDA retail food security guide.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-022 **Inform consumers of the risk associated with consumption of fresh untreated juice.**

Recommended Solution:

The Conference recommends
No Action because; this contradicts Code of Federal Regulations and it is not supported by scientific studies.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-023 **Cold Holding of Potentially Hazardous Food**

Recommended Solution:

The Conference recommends
No Action because; many of the state and local programs have adopted 41° F and passage of this issue would cause implementation problems for them and industry. All of Council I members and consultants encourage further work on the resolution of this issue by all stake holders before the Conference for Food Protection 2006.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-024 **Consumer Advisory Modification, Section 3-603.11 Supplement to the 2001 Food Code**

Recommended Solution:

The Conference recommends revising Section 3-603.11(A) of the Supplement to the 2001 Food Code to read: (A) Except as specified in Section 3-401.11(C) and Subparagraph 3-401.11(D)(3) and under Section 3-801.11(C), if an animal FOOD such as beef, EGGS, FISH, lamb, milk, pork, POULTRY, or shellfish is served or sold raw, undercooked or without otherwise being processed to eliminate pathogens, either in READY-TO-EAT form or as an ingredient in another READY-TO-EAT FOOD, the PERMIT HOLDER shall inform CONSUMERS that these foods are a food choice by way of a DISCLOSURE, as specified in paragraph (B) of this section, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means. The Conference also recommends that 3-603.11(C) be deleted.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Rejected**

Issue Number: *Issue Title:*
2004 I-025 **Include instructions for manual warewashing sink set-up**

Recommended Solution:

The Conference recommends No Action because; the issue is adequately addressed in the Food Code, recommended solution is overly prescriptive and does not consider new technologies.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-026 **Clarify that walk-in coolers without prefabricated floors should not be considered equipment as defined in the 2001 Food Code, Paragraph 1-201.10(B)(28)(b) and specify allowances for installation of floor drains in coolers in the 2001 Food, Section 5-402.11 and the FDA Food Establishment Plan Review Guide.**

Recommended Solution:

The Conference recommends that the Plan Review Committee work with the FDA to review the plumbing codes and other related documents to develop a recommended solution and clarifying language to allow floor drains in refrigerated rooms and walk-in coolers. This proposed clarification will be presented to the Conference for Food Protection Executive Board for their consideration and inclusion in the 2005 FDA Food Code, with corresponding appropriate changes to be made to the Plan Review guidance document.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Attachments: [I-026a Floor Drain Attachment 1.doc](#), [I-026b Floor Drain Attachment 2.doc](#)
[I-026c Floor Drain Attachment 3.doc](#), [I-026d Floor Drain Attachment 4.doc](#)
[I-026e Floor Drain Attachment 5.doc](#)

Issue Number: *Issue Title:*
2004 I-027 **Standardization of chemical sanitizer concentration levels and inclusion into FDA Food Code.**

Recommended Solution:

Withdrawn by the submitter.

Council Recommendation:

Assembly Action:

Issue Number: *Issue Title:*
2004 I-028 **Labeling of irradiated raw ground beef reground with other non-irradiated beef for retail sale.**

Recommended Solution:

The Conference recommends No Action Because: Issues already addressed in federal regulations and FDA and USDA have the ability to discuss additions to the Annex of the Food Code without prompting by Conference for Food Protection.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-029 **Guidance for retail facilities regarding beef grinding logs tracking supplier information**

Recommended Solution:

The Conference recommends USDA develop guidance for retail facilities to be posted on an appropriate website recommending that retail grinders maintain the following information:

- names and identification numbers of the inspected establishments supplying the source materials for each lot of raw ground beef produced at the retail store;
- suppliers' (inspected establishments') lot number and production date for the source material used for each lot of ground beef produced at the retail store;
- other information concerning the supplier that would be useful to the supplier if it is later notified of any food safety hazard in the source materials used for a particular lot of ground beef produced at the retail store.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 I-030 **Unsanitary Handling of Drinking Water Coolers**

Recommended Solution:

The Conference recommends that FDA work with all stakeholders to develop and distribute guidelines for proper water and cooler handling through their network of food industry, government, academia and consumer organizations.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Attachments: [I-030a UnsanitaryWatera.doc](#)

Issue Number: *Issue Title:*
2004 I-031 **Reinforce Accountability Inferred By Active Managerial Control.**

Recommended Solution:

The Conference recommends No Action because; it is already referenced in FDA Guidance Documents.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 III-010 **Modify § 3-501.19, Time as a Public Health Control to clarify the meaning and intent of "Immediate Consumption."**

Recommended Solution:

The Conference recommends the Conference Chair send a letter to the FDA Commissioner recommending that FDA reword 3-501.19(A) of the 2001 FDA Food Code to prevent the misinterpretation of "Immediate Consumption" and provide consistency and uniformity with the language in 21 CFR 101.9(j)(2)(ii). The recommended changes to this paragraph should read:

"(A) Except as specified under (B) of this section, if time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of POTENTIALLY HAZARDOUS FOOD before cooking, or for READY-TO-EAT POTENTIALLY HAZARDOUS FOOD that is displayed or held for service or sale where foods are generally consumed immediately where purchased or while the consumer is walking away, including similar foods sold from convenience stores; and food delivery systems or establishments where READY-TO EAT FOODS are delivered to homes or offices.

"or, add a new paragraph (B):

"(B) Take out operations, including retail stores, can use time as a public health control for food purchased that are intended to be consumed near the time of purchase in addition to the FOOD ESTABLISHMENT complying with subparagraphs (A)(1)-(4) of 3-501.19."

Council Recommendation: **Accepted as submitted**

Assembly Action: **Rejected**

Issue Number: *Issue Title:*
2004 III-011 **Expanding the Copper and copper alloy use limitation**

Recommended Solution:

The Conference recommends No Action because; this may already be addressed in the Food Code, and FDA will further clarify if needed.

Council Recommendation: **No Action**

Assembly Action: **Affirmed**

Issue Number: *Issue Title:*
2004 III-012 **Growing Sprouts in Retail Food Establishments.**

Recommended Solution:

The Conference recommends

- A. Based on discussion and deliberation, that FDA amend Food Code Section 3-502.11 Variance Requirement to add a new subparagraph (H), “Sprouting seeds or beans in a retail food establishment.”
- B. Documents supporting the following would be placed in the Annex or appropriate sites. Because the variance application requires a HACCP Plan, the attached information for retail sprouters is provided as assistance to the food establishment operator who seeks to submit a variance application and HACCP plan to the regulatory authority and to the regulator who will be reviewing the application and plan and inspecting the sprouting process. This solution, both the amendment to the Food Code and the attached information, was chosen to maintain a consistent approach with the guidance already issued by FDA to the commercial sprouting industry, to identify applicable Food Code provisions and to identify EPA/FDA approved treatments which do not have an adverse impact on the germination, sprouting and yield of the sprouts.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirmed**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/III-012a%20GrowingSproutsinRetailFoodEstablishmentsa.pdf

Issue Number: *Issue Title:*
2004 III-036 **Potentially Hazardous Foods Definition Committee**

Recommended Solution:

Withdrawn by the submitter.

Council Recommendation:

Assembly Action:

COUNCIL II – ADMINISTRATION, EDUCATION & CERTIFICATION

Issues and Actions

In this section are the Issues deliberated by Council II. In addition to those Issues originally assigned to this Council, Issue 02-01-18 (referred from Council I) was reported out as part of this report.

Issue Number: *Issue Title:*
2004 II-001 **Amendment to the Conference Constitution and Bylaws – Executive Director**

Recommended Solution:

The Conference recommends
That the Articles and Appendix of the Conference Constitution and Bylaws be amended changing the words Executive Secretary to Executive Director as follows:

Article II - Sections 1 and 3 (twice)
Article III - Sections 1, 2 and 3
Article IV - Section 1, Subsection 4; and Section 4 (twice)
Article V - Section 5 and 10 (twice)
Article VI - Section 2
Article VIII - Opening Paragraph; Sections 1, 2, 3, 4 (twice), 5, 6, 7
Article XIII - Section 2 (twice)
Article XIV - Opening Paragraph;
Article XVI - Section 2, Subsection 4; Section 4 (twice); Section 6 (twice); Sections 7 and 8
Article XVIII – Section 1

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-002 **Amendment to the Conference Procedures Manual – Executive Director**

Recommended Solution:

The Conference recommends
That the Articles of the Conference Procedures Manual be amended as follows changing the words Executive Secretary to Executive Director:

Article IV – Section A, Subsection 3
Article V – Section A, Subsection 2 (twice); Section B
Article VIII – Section H

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-003 **Amendment to the Conference Constitution and Bylaws – Article XVI**

Recommended Solution:

The Conference recommends that the Conference Constitution and Bylaws be amended as set forth:

Article XVI, Sections 4 of the Conference Constitution and Bylaws should be amended to read as follows: “At least one hundred...a notice of the forthcoming meeting. Each notice shall include a current copy of Article II, Section 3 and Article XVI, Sections 2, 3, 4, 5, 6 and 9 of the Constitution and Bylaws.”

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-004 **Amendment to the Conference Procedures Manual – Late-Breaking Issues and Supplemental Material**

Recommended Solution:

The Conference recommends that the Articles of the Conference Procedures Manual set forth in Section 2 of this Issue form be amended as follows:

IV. Conference Issues

A. Issue Submission

1. The Executive Board shall approve an Issue Submission Form.
2. Within the time specified in the Constitution and Bylaws, the Issue Submission Form shall be made available to Conference members and to other interested parties.
3. Issue submissions may be made by mail, FAX, or electronically through the Internet. Issues may be submitted in person to the Executive Board only in the event of a late-breaking food safety Issue. Current instructions for submission and the form are available through the Internet on the Conference web site or from the Executive Secretary.
 - a. For the purpose of this Section a late-breaking food safety Issue is defined as an Issue that specifically relates to an event, practice or circumstance creating a situation requiring the immediate attention of the conference that has occurred between the time of the Conference Issue submission deadline and the Conference meeting.
4. The deadline for Issues and their attachments is the date specified in the Conference Constitution and Bylaws.

B. Issue Acceptance Criteria

1. In order for the Issue to be accepted by the Conference and considered for Council deliberation, all sections of the form must be completed. The Issue must be described completely, with its impact on retail distribution identified. The food protection or public health aspect of the Issue must be clearly stated to be easily understood. A suggested solution or rationale for the Issue must be sufficiently detailed to cover all aspects of the submission.
2. When the recommended solution is to change the wording of a document, such as the Food Code or a Conference document, the portion of the document to be changed must be accurately identified, the change that is requested must be specified (e.g., actual language for replacement, addition, change or deletion), and the recommended language provided.
3. A late-breaking food safety Issue submitted after the deadline may be considered for assignment to a Council if it has first been presented to the Conference Executive Board for review and acceptance. The Conference Executive Board shall inform the Issue Committee Chair of its decision to accept or reject any Issue submitted after the Issue deadline.

G. Supplemental Material to Issues

Supplemental reports, studies and other written materials required to explain an Issue should be submitted as an attachment to that Issue to ensure timely review by the Councils. If that is not possible, written materials relating to an Issue may be made available to Council and Assembly members during Conference deliberations by placing them on the designated information table in the appropriate meeting space. However, submitters may not expect that such materials will be read due to the press of business at the Conference. Therefore, providers may be asked to provide a brief oral summary of those materials during the appropriate Council or other meeting.

1. Conference Board members, Council members and Assembly Delegates will receive supplemental material that has been developed immediately before and during the Conference at no charge.
2. Late developing Conference committee updates shall be presented both orally and in writing.

F. Issues Packet

An Issues Packet shall be sent to all Conference members. The Issues Packet contains Issues arranged in the order assigned by the Issue Committee although the order may be rearranged prior to or during Council meetings based on a variety of considerations.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [II-004a ConferenceProceduresmanualchanges2004.doc](#)

Issue Number: *Issue Title:*
2004 II-005 CFP Food Manager Training Testing and Certification Committee Report.

Recommended Solution:

The Conference recommends accepting the Committee's Report to the Conference.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/II-005a%20MTTCReporttotheExecutiveBoard.pdf

Issue Number: *Issue Title:*
2004 II-006 Conference Standards for Accreditation of Food Protection Manager Certification Programs Edits and Modifications

Recommended Solution:

The Conference recommends amending the Conference Standards for Accreditation of Food Protection Manager Programs (see attached Standards). Additional change to section 7.9 as provided below.

7.9 Misrepresentation – Only organizations whose food safety certification examinations are part of a Conference accredited food protection manager certification program that conforms to all test development and administration criteria contained within Sections 4.0 and 5.0 of this Standard may take reference as being accredited. Organizations whose food safety certification examinations are part of an accredited program will make no reference to the Conference for Food Protection except to state that their program has been so accredited.

The Conference Food Manager Training, Testing and Certification Committee has unanimously approved all edits/modifications to the Standards.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [II-006a CFPStandards01-15-04.doc](#)

Issue Number: *Issue Title:*
2004 II-007 **Conference Standards for Accreditation of Food Protection Manager Certification Programs Annex B Edit**

Recommended Solution:

The Conference recommends removing the Elements of Knowledge from Annex B (see attached Standards)

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [II-007a ANNEXB.doc](#)

Issue Number: *Issue Title:*
2004 II-008 **Food Manager Training, Testing and Certification Committee Bylaws Modifications**

Recommended Solution:

The Conference recommends changing the Food Protection Manager Training, Testing and Certification Committee Bylaws to add to Article I - Objectives, the following:

Section 4. Promote strategies to enhance equivalence among food protection manager certificates issued by certification organizations.

Section 5. Establish and refine policies and standards to which certifying organizations shall conform.

The Conference Food Manager Training, Testing, and Certification Committee has approved all proposed edits to the Bylaws.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [II-008a ProposedAmendedBylaws.doc](#), [II-008b ANNEXD.doc](#)

Issue Number: *Issue Title:*
2004 II-009 **Accredited Program Definition**

Recommended Solution:

The Conference recommends that a letter be sent to FDA to request an amendment to the Food Code to include a new section as follows:

2-102.20 Food Protection Manager Certification

A PERSON IN CHARGE who demonstrates knowledge by being a FOOD protection manager that is certified by a food protection manager certification program that is evaluated and listed by a Conference for Food Protection-recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs will be deemed to comply with Paragraph 2-102.11 (B) of this chapter.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-010 **On Line Food Manager Certification**

Recommended Solution:

The Conference recommends no action.

Reason: Computer based testing is already covered in Section 6 of the Standards for Accreditation of Food Protection Manager Certification Programs. The Standards are not exclusionary to any delivery method. Any certification program that is valid, reliable and legally defensible (as verified by ANSI) can be accredited.

Council Recommendation: **No action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-011 **Interdisciplinary training in foodborne illness investigations**

Recommended Solution:

The Conference recommends that:

1. A multi-disciplinary team training in food borne illness surveillance, outbreak investigation and reporting, such as Epi-Ready, be recognized as critical to the prevention and control of food borne disease,
2. A workgroup of the Program Standards Committee be tasked with cataloguing existing food borne illness investigation training programs, optimizing the training and materials used, and developing recommendations to improve sustainability and rapidly broaden dissemination of the program,
3. This workgroup be formed to include a broad cross section of subject area experts from the scientific, regulatory and industry communities, and
4. This workgroup prepare and publish written reports to the Executive Board by October 2004 to seek approval for implementation by August 2005 together with a report to the Conference in 2006.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-012 **Revision of Standard #5, Foodborne Illness Investigation and Response to include food security / food terrorism preparedness and response.**

Recommended Solution:

The Conference recommends endorsement of the revisions to Standard #5 and Appendix E to include food security/food terrorism preparedness and response (Attachment 1 contains the revision as draft 02-24-04 SS/LMC).

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [II-012a FoodSecurityandFoodTerrorismPreparedness.doc](#)

Issue Number: *Issue Title:*
2004 II-013 **Food Security at retail.**

Recommended Solution:

The Conference recommends that a letter be sent to the FDA requesting that the FDA Food Code include a reference and/or summary of available resources on food security for food establishments. This should include but not be limited to guidance documents provided by regulatory authorities, academia, and industry groups. FDA would reserve the right to determine which links should be included in the Food Code based on consultation with its food security experts.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 II-014 **Guidance regarding safety and security guidelines for the transportation and distribution of meat, poultry, and egg products**

Recommended Solution:

The Conference recommends that Issue 14 has been addressed in Issue 13 and the representative of the original submitter was in agreement.

Council Recommendation: **No Action Combined with II-013** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-015 **Certification of Food Safety Regulation Professionals**

Recommended Solution:

The Conference recommends the acceptance of the Program Standards Committee Work Group 1 report relative to the certification of food safety regulation professionals.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [II-015a RptCertofFdSafetyRegProfessionals.doc](#)

Issue Number: *Issue Title:*
2004 II-016 **Certification of Food Safety Regulation Professionals**

Recommended Solution:

The Conference recommends that the Conference create a 2004 Program Standards Committee and that they be charged with facilitating the recommendations contained within the 2002 Program Standards Committee Work Group report.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-017 **Certification of Health Officials- section 8-402.11**

Recommended Solution:

The Conference recommends a letter be sent to FDA to promote the criteria of Standard #2 as the minimum standard for all entry-level food safety regulatory professionals.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-021 **CFP Inspection Form Committee, Recommended Elements that should be on an Inspection Form and their Justification.**

Recommended Solution:

The Conference recommends the Conference Chair send a letter to the FDA Commissioner requesting that the attached justification be incorporated into the appropriate Annex of the FDA Food Code.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [II-021a InspFormCommJustificationForElementsA.doc](#)

Issue Number: *Issue Title:*
2004 II-022 **CFP Program Standards Committee, Recommendation to Accept Committee Report**

Recommended Solution:

The Conference recommends acceptance of the Conference for Food Protection Program Standards Committee report and the continuation of the Program Standards Committee at least through the 2006 meeting of the Conference for Food Protection.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [II-022a ProgramStandardsCommitteerepor.doc](#),
 [II-022b ProgramStandardsCommitteeMembershipList2002-04.doc](#),
 [II-022c WkGp1PSC MembershipList.doc](#)

Issue Number: *Issue Title:*
2004 II-023 **Baseline Survey Frequency Change**

Recommended Solution:

The Conference recommends changing FDA's Voluntary National Retail Food Regulatory Program Standards, Standard No. 9, baseline survey frequency to a 5-year cycle to match the national survey interval.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: Issue Title:
2004 II-024 Compliance and Enforcement Legal Remedies

Recommended Solution:

The Conference recommends changing FDA's Voluntary National Retail Food Regulatory Program Standards, Standard No. 1 and reflected Appendix A-5 so that criminal OR injunctive OR civil penalties are combined in the same line item (12, 13, 14) and rename it "Legal Remedy".

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-025 CFP endorsement of FDA field testing of the draft Audit Manual For Conducting Voluntary National Retail Food Regulatory Program Standards Self-Assessment Evaluations, 12/03.

Recommended Solution:

The Conference recommends endorsement of FDA field testing of the draft Audit Manual to address its effectiveness, process, and application; FDA report back at the 2006 Conference for Food Protection meeting its findings and consideration of state and tribal feedback.

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: Issue Title:
2004 II-026 Extension of Phase-In Time for Compliance with Risk Factors and Interventions

Recommended Solution:

The Conference recommends changing the "Voluntary National Retail Food Regulatory Program Standards", Standard No. 1 and reflected Appendix A-1 to extend the phase-in time for compliance with 11 of the 11 risk factors and interventions to nine-years (by the third audit).

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-027 Request to consider whether or not a minimum level of food allergy knowledge should be required for managers or persons in charge of retail food establishments.

Recommended Solution:

The Conference recommends that the issue of food allergies be jointly addressed by the Food Allergen Committee of Council III and the Food Manager Training, Testing, and Certification Committee.

The committees would also be charged with presenting their findings in the form of an issue at the 2006 Conference for Food Protection.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 II-028 Creation of Coordinated Educational or Instructional Materials for Emergencies

Recommended Solution:

The Conference recommends that the Conference For Food Protection should form an Emergency Preparedness and Response Committee to review and recommend uniform educational and instructional materials that communicate emergency procedures for food establishments including:

1. A generic emergency management framework with recommended roles and responsibilities for both public and private sectors during imminent health hazards,
2. Specific guidance for the specific scenarios identified in the FDA Model Food Section 8-404.11, Ceasing Operations & Reporting, and
3. Tools that assist food managers to participate in coordinated public and private sector responses to food emergencies.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [II-028a CoordinatedRegulatoryandRetailFoodIndustry.doc](#),
[II-028b FireIndustryEAP.doc](#), [II-028c ImminentHealthHazard130.doc](#),
[II-028d PowerOutageEAG130.doc](#), [II-028e waterEAG130.doc](#)

Issue Number: Issue Title:
**2004 II-029 Special Issue: Amendment to the Constitution and Bylaws of the
Conference – Article V**

Recommended Solution:

The conference recommends that the Conference Constitution and Bylaws, Article V, be amended as follows:

Section 1. The Assembly, with recommendation from a Council or the Board, shall approve or reject all recommendations including those pertaining to the Constitution and Bylaws, any Conference procedures, all Memoranda of Understanding or other formal agreements and other necessary actions including resolutions; and establish Conference policies and positions on all subjects related to the objective of the Conference except as delegated (by the Assembly) to the Board. If a recommendation is approved, it shall be referred to the Board for appropriate disposition. If a “NO ACTION” recommendation is rejected, the issue will be referred to the Board for its disposition.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

COUNCIL III – SCIENCE & TECHNOLOGY

Issues and Actions

In this section are the Issues deliberated by Council III. Issues 02-03-04 and 02-03-05, originally assigned to Council III, have been reported out as part of the Council I report.

Issue Number: *Issue Title:*
2004 III-001 **Acceptance of the Retail HACCP Committee report by the Conference for Food Protection.**

Recommended Solution:

The Conference recommends that the Conference for Food Protection accept the Retail HACCP committee's report. (see attachments).

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Issue Number: *Issue Title:*
2004 III-002 **Endorsement of the FDA HACCP Guides by the Conference of Food Protection.**

Recommended Solution:

The Conference recommends endorsement of both Retail HACCP Committee documents with a recommendation that both industry and regulatory consider implementing the principles of the documents into their respective food safety programs (see attachments).

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [III-002a DRAFT- OPERATOR'SHACCPGUIDE.doc](#),
 [III-002b DRAFT- REGULATOR'SHACCPGUIDE.doc](#)

Issue Number: *Issue Title:*
2004 III-003 **Completion of CFP Retail HACCP Committee Issue No. 02-III-03 to provide feedback to the FDA on the first Retail Food Program Database of Foodborne Illness Risk Factors report issued in 2000 that would help eliminate any confusion on terminology when the second report by the FDA is issued in 2004.**

Recommended Solution:

The Conference recommends that the Conference for Food Protection accept the Retail HACCP Committee's comments as provided to the FDA as they have been sent the comments and suggestions from the committee (see attachment).

Council Recommendation: **Accepted as submitted** *Assembly Action:* **Affirm**

Attachments: [III-003a IllnessRiskFactors.doc](#)

Issue Number: *Issue Title:*
2004 III-004 **Continuation of the CFP Food Allergen Committee**

Recommended Solution:

The conference recommends that the report of the 2002 Conference for Food Protection Allergen committee be accepted.

The Conference further recommends that a 2004 Conference for Food Protection Food Allergen Committee be established to provide recommendations to the Conference of Food Protection that will then be forwarded to the FDA concerning allergens in retail and food service facilities (including but not limited to) for:

1. The development of state and local training programs;
2. The development of food allergen information and resource sheets that can be used by industry, regulatory officials and consumers;
3. Outreach activities regarding food allergen awareness, including reporting procedures (CFSAN adverse events reporting system and /or other mechanisms);

The committee would also be charged with presenting its findings in the form of an issue at the 2006 Conference for Food Protection for possible changes in FDA Food Code.

Council Recommendation: **Accepted as amended** *Assembly Action:* **Affirm**

Attachments: [III-004a AllergenCommitteeReport.doc](#)

Issue Number: *Issue Title:*
2004 III-005 **The 2004 CFP Date Marking Committee Report**

Recommended Solution:

The Conference recommends the acceptance of the Date Marking Committee report.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [III-005a DMCDateMarkingReport.doc](#), [III-005b DMCattachment1.doc](#),
[III-005c DMCattachment2.doc](#), [III-005d DMCattachment3.doc](#),
[III-005e DMCattachment4.doc](#) [III-005f DMCattachment 5.doc](#)

Issue Number: *Issue Title:*
2004 III-006 **Update bibliography reference listed in Annex 2, Section 3-501.17 of the 2001 FDA Food Code.**

Recommended Solution:

Issue withdrawn by submitter.

Council Recommendation:

Assembly Action:

Issue Number: *Issue Title:*
2004 III-007 **Update bibliography references listed in Annex 2, Section 3-501.17 of the 2001 FDA Food Code.**

Recommended Solution:

The Conference recommends that FDA update bibliography references provided in Annex 2 of the current FDA Food Code, Section 3-501.17, by adding the references listed in 2 above to provide current and up-to-date references taken into consideration in developing guidelines for Section 3-501.17.

Two references were deleted by submitter.

FDA Docket No. 99N-1168 and FSIS Docket No. 00-048N. Draft Assessment of the Relative Risk to Public Health from Foodborne Listeria monocytogenese Among Selected Categories of Ready-to-Eat Foods. <http://www.foodsafety.com/~dms/lmrisk.html>

Peterson, B, Ph.D., Barraji, N, Ph.D., Rachman, N, Ph.D., Watters, J, MPH, Novigen Sciences, Inc. International. USDHHS-FDA-CFSAN and USDA-FSIS’s “Draft assessment of the Relative risk to public health from foodborne Listeria monocytogenese among Selected Categories of Ready-to-Eat Foods – A review Prepared for Members of the L.M. Working Group. 2001, Washington D.C. (unpublished).

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-008 **Time Only as a Public Health Control Committee - Council III.**

Recommended Solution:

The Conference recommends that the Conference accept the attached report as amended indicating that the charge to this committee has been completed.

As noted on page 28 of the committee report:

3. There is a scientific consensus that a critical safety limit exists where (A) intrinsic and extrinsic food conditions permit no more than 1-log growth of *Listeria monocytogenes* in product held at cold temperatures and (B) intrinsic and extrinsic food conditions permit no more than 1-log growth of *Clostridium perfringens* in product held at hot temperatures. More research is recommended to further understand acceptable levels of growth during holding and initial levels of pathogens on potentially hazardous foods. For example, it appears that *C. perfringens* can exceed 1-log growth in this time period in an optimal growth medium at optimum growing conditions (95F, 36C), further studies in food systems are needed to “prove” safety in the real world. On the other hand, all simulated cooling scenarios show that *C. perfringens* grows very slowly at temperatures below 70F.
4. In general, the committee feels that the current hot-holding and cold-holding parameters for holding potentially hazardous foods are adequate to ensure safety and are justified by the literature.
5. The science presented in this report suggests that potentially hazardous foods held at cold temperatures, using time only as a public health control, may be safely held for more than 4 hours as long as the food temperature does not exceed 70°F at the warmest portion of the food. As a supplement to the committee report, this committee will be submitting an issue related the use of time alone as public health control at different temperatures.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/III-008a%20finalreport-timeasapublichealthcontrol.pdf

Issue Number: *Issue Title:*
2004 III-009 **Time Only as a Public Health Control for 6 hours.**

Recommended Solution:

The Conference recommends that the Conference Chair send a letter to the FDA Commissioner recommending the following changes to section 3-501.16 (or wherever appropriate) of the FDA Model Food Code.3-501.16 Potentially Hazardous Foods, Hot and Cold Holding.* Add (C) POTENTIALLY HAZARDOUS FOODS may be held out of cold holding temperature control from 41F up to 70F for up to 6 hours if the following procedures are followed:(1) For FOOD that is held without cold holding temperature control, written procedures shall be maintained in the FOOD ESTABLISHMENT for monitoring the warmest portion of the FOOD or an ambient temperature to ensure that temperature does not exceed 70F during the 6 hour holding period (2) The FOOD shall be marked or otherwise identified to indicate the time when the food is removed from cold holding temperature control.(3) The FOOD shall be cooked and served, served if ready-to-eat or discarded, within 6 hours from the point in time when the food is removed from cold holding temperature control.(4) The FOOD in unmarked containers or packages or marked to exceed a 6 hour limit shall be discarded, and (5) Written procedures shall be maintained in the FOOD ESTABLISHMENT and made available to the regulatory authority upon request that ensure compliance with sub paragraphs (1)-(4) of this section.(6) This provision may not be used as a public health control for raw EGGS in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTABLE POPULATION.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-013 **Date Marking of Refrigerated Ready-to-Eat Potentially Hazardous Food**

Recommended Solution:

The Conference recommends no action as issue was discussed and combined with III-017.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-014 **Addition of Cheese Date Marking Exemption to Section 3-501.17(D)**

Recommended Solution:

The Conference recommends the Conference Chair send a letter to the FDA Commissioner to urge the revision of Section 3-501.17 of the of the 2001 FDA Food Code previously accepted by the 2002 CFP, by adding an additional paragraph after 3-501.17(C) stating: "Paragraphs (A) and (B) of this section do not apply to specific cheeses containing certain moisture content meeting the aging standards of 21 CFR Part 133 and maintained under refrigeration as specified in § 3-501.16."

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-015 **Section 3-501.17 date marking violation to be identified as a non-critical violation.**

Recommended Solution:

The Conference recommends the conference chairman establish a committee to study the issue of critical items and public health risk and provide its recommendations to the 2006 conference.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-0016 **Section 3-507.17 and 18 – Date marking violation to be identified as a non-critical violation.**

Recommended Solution:

Issue withdrawn by submitter.

Council Recommendation:

Assembly Action:

Issue Number: *Issue Title:*
2004 III-017 **Addition of exempt food to Section 3-501.17**

Recommended Solution:

The Conference recommends the Chair send a letter to the FDA Commissioner to urge the revision of Section 3-501.17 of the 2001 FDA Food Code by listing foods or providing an easy to use table identifying foods that are unlikely to be a significant source of foodborne listeriosis and are exempt from date marking as identified in the LMRA as “Moderate,” “Low” or “Very Low” risk designation groups.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-018 **The Date Marking Provisions Should Be Limited to High-Risk Foods, as Identified in the FDA's Listeria monocytogenes Risk Assessment.**

Recommended Solution:

The Conference recommends no action as issue was discussed and combined with III-017.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-019 **Guidance to control the growth of *Listeria monocytogenes* in post-lethality exposed (ready-to-eat) RTE meat and poultry products at retail**

Recommended Solution:

The conference recommends no action due to being addressed in issue III-20.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Attachments: [III-019a L.mGuidance .doc](#)

Issue Number: *Issue Title:*
2004 III-020 **Identification of sanitation practices, standard operating procedures, and good retail practices to limit post-processing contamination with and growth of *Listeria monocytogenes* in food establishments.**

Recommended Solution:

The Conference recommends that a committee be formed to address the specific cleaning, maintenance, and cross contamination interventions that can be used to control Lm in food establishments. The committee should review the Food Code and all existing materials to identify strengths and gaps in cleaning guidelines in relation to Lm harborage areas within food establishments and, if necessary, should develop a new guidance document for industry and regulators. The committee should include representatives of the FDA, state and local health jurisdictions, and the retail and food service industries. In addition, this committee should be charged to work with FDA and respond to Objective 1 of the FDA "Reducing the Risk of *Listeria monocytogenes* FDA/CDC 2003 Update of the *Listeria* Action Plan". Input from the CFP will ensure a continuation of broad considerations that the food service and retail food industries and state/local regulatory agencies require when considering the use of control interventions for *Listeria monocytogenes* at food establishments.

Council Recommendation: **Accepted as submitted**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-021 **Exception to 14 day shelf life limit**

Recommended Solution:

The Conference recommends no action due to issue being discussed and combined with III-023.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-022 **Regulatory for Cook Chill**

Recommended Solution:

The Conference recommends no action due to issue being discussed and combined with III-023.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-023 **Revise Reduced Oxygen Packaging, Criteria.***

Recommended Solution:

The Conference recommends that a letter be sent to FDA recommending that Section 3-501.12 Reduced Oxygen Packaging, Criteria* in the 2001 Food Code be amended to include additional provisions under a HACCP plan required for cook chill/sous vide processes not for direct distribution to the consumer as follows:

- Pasteurize/cook the product to an internal temperature which meets the minimum time/temperature requirements for that food as specified under 3-401.11 of the 2001 Food Code.
- Once the product has been cooked and sealed in the barrier bag or after it has been cooked in the barrier bag, it must be rapidly cooled from 135°F to 70°F or less in 2 hours, and within 6 hours from 135°F to 41°F or less as specified under 3-501.14 of the 2001 Food Code.
- The product must then be cooled from 41°F to below 38°F in 48 hours or less.
- The bagged product must be stored in a refrigeration unit that is continuously monitored electronically and visually examined twice daily and which maintains a product temperature of 34°F or less.
- Once removed from 34°F, product must be held at 41°F or less and consumed within 72 hours.
- Temperatures of any products transported off-site should be monitored by using verifiable electronic monitoring of time and temperature (i.e., satellite kitchens for schools, hospitals, prisons, etc.).
- Documentation is required to confirm that the cooling and refrigeration time/temperature parameters are met.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/III-023a%20wrgracepatent.pdf

http://www.foodprotect.org/doc/04_issues/FOLDER_ATTACHMENTS/III-023b%20microbialhurdles2.pdf

Issue Number: *Issue Title:*
2004 III-024 **Latex Gloves Prohibited**

Recommended Solution:

The conference recommends that no action be taken because the Federal Food Additives regulations cover the latex glove issue and it is outside the jurisdiction of the Conference for Food Protection.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-025 **Short Task Food Gloves**

Recommended Solution:

The Conference recommends no action be taken because of the FDA's existing requirements for handwashing as directed through the Food Code. In addition FDA cannot mandate third party glove approval and does not recognize trademarks in the Food Code.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-026 **Qualification of Gloves for Food Preparation to Prevent Contamination**

Recommended Solution:

The conference recommends that no action be taken because the Federal Food Additives regulations cover the latex glove issue and it is outside the jurisdiction of the Conference for Food Protection.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-027 **Third Party Certification of Disposable Single Use Food Contact Gloves**

Recommended Solution:

Issue withdrawn by submitter.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-028 **Preventing Contamination from Hands, Section 3-301.11**

Recommended Solution:

The Conference recommends no action be taken as the issue was debated and combined with issue III-029.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-029 **Reducing Norovirus: Prevention of Bare Hand Contact with Ready-to-Eat Foods**

Recommended Solution:

The Conference recommends based on discussion and deliberation, that FDA amend the Food Code to reduce the risk of fecal-oral route transmission of Norovirus and all other fecal oral route microbial foodborne pathogens from the hands of infected food workers, through prevention of BHC with RTE foods. For those instances where BHC must occur, focused control measures must be in place that have been mutually accepted by the industry and the regulator. The written procedures below are based on the latest science available on fecal oral route pathogen transmission, and have been designed to focus emphasis on reducing the risk of viral, protozoan, and bacterial transmission from infected food workers to consumers, through RTE foods.

FDA is asked to amend the Food Code 3-301.11 as follows:

Preventing Contamination by Employees
3-301.11 Preventing Contamination from Hands*

- (A) Food *employees* shall wash their hands as specified under § 2-301.12.
- (B) *Except when washing fruits and vegetables as specified under § 3-302.15 or except as specified in ¶ (D) of this section, food employees may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment.*
- (C) *Food employees shall minimize bare hand and arm contact with exposed food that is not in a ready-to-eat form.*^S
- (D) *FOOD EMPLOYEES not serving a HIGHLY SUSCEPTABLE POPULATION may contact exposed, ready-to-eat food with their bare hands if:*
- (1) The permit holder obtains prior approval from the regulatory authority; and
 - (2) Written procedures are maintained in the food establishment and made available to the regulatory authority upon request that include:
 - (a) For each bare hand contact procedure, a listing of the specific ready-to-eat foods that are touched by bare hands;

- (b) Diagrams and other information showing that handwashing facilities, equipped and maintained as specified under §§ 5-205.11, 6-301.11, 6-301.12, and 6-301.14, are easily assessable and in close proximity to the work station where the bare hand contact procedure is conducted;
- (c) A written employee health policy that details how the food establishment complies with §§ 2-201.11, 2-201.12, 2-201.13, 2-201.14, and 2-201.15, including:
 - (i) Documentation that food employees, to whom conditional offers of employment are made, acknowledge that they are asked information about their health and activities as they relate to diseases that are transmittable through food as specified under § 2-201.11; and
 - (ii) Documentation that food employees acknowledge their responsibilities as specified under § 2-201.14;
- (4) Documentation that FOOD EMPLOYEES acknowledge that they have received training in:
 - (i) *The risks of contacting the specific ready-to-eat foods with bare hands;*
 - (ii) *Proper handwashing as specified under § 2-301.12;*
 - (iii) *When to wash their hands as specified under § 2-301.14;*
 - (iv) *Where to wash their hands as specified under § 2-301.15;*
 - (v) *Proper fingernail maintenance as specified under § 2-302.11;*
 - (vi) *Prohibition of jewelry as specified under § 2-303.11; and*
 - (vii) *Good hygienic practices as related to § § 2-401.11 and 2-401.12;*
- (5) Documentation that hands are washed prior to food preparation and as necessary to prevent cross contamination as specified under § § 2-301.11, 2-301.12, 2-301.14, and 2-301.15 by food employees during all hours of operation when the specific ready-to-eat foods are prepared;
- (6) Documentation that food employees contacting ready-to-eat foods with bare hands utilize two or more of the following control measures to provide additional safeguards to hazards associated with bare hand contact:
 - (i) *Double handwashing;*
 - (ii) *Nail brushes;*
 - (iii) *A hand antiseptic after handwashing as specified under § 2-301.16;*
 - (iv) *Incentive programs that assist or encourage food employees not to work when they*

are ill such as paid sick leave; or

(v) Other control measures approved by the regulatory authority; and

(7) Documentation that corrective actions are taken when subparagraphs (D)(1) -(6) of this section are not followed.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [III-029a Norovirus-PreventionofBareHandContactwithRTEFoods.doc](#),
[III-029b Norovirus-PreventionofBareHandContactwithRTEFoods.doc](#),
[III-029c ovirus-PreventionofBareHandContactwithRTEFoods.doc](#),
[III-029d Norovirus-PreventionofBareHandContactwithRTEFoods.doc](#),
[III-029e Norovirus-PreventionofBareHandContactwithRTEFoods.doc](#)

Issue Number: *Issue Title:*

2004 III-030 Reducing Norovirus: Implementing Effective Employee Health Interventions

Recommended Solution:

The Conference recommends based on discussion and deliberation, that FDA upgrade Employee Health, Section 2-2, Subpart 2-201, of the Food Code (see attachment #2: Proposed Draft of Section 2-2, Subpart 2-201) to include guidance on preventing the transmission of NoV and all other CDC identified frequently transmitted fecal oral route foodborne pathogens, through the exclusion of symptomatic food workers with sudden onset vomiting and/ or diarrhea that cannot be attributed to a non-infectious condition until the employee has been asymptomatic for at least 24 hours, and maintaining the requirement to exclude food workers diagnosed with any of the fecal oral route pathogens identified by CDC, in List I. "Pathogens Often transmitted by Food Contaminated by Infected Persons Who Handle Food", as published in the Federal Register, November 6, 2003, Volume 68, Number 215. The upgrade to section 2-2 will clarify provisions for exclusion and restriction, based on science, and focus on removing infected food workers exhibiting vomiting and/or diarrhea from the food facility, until symptoms have subsided (see attachment #2) (Note that the attachment has not been finalized through the Agency review process).

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [III-030a NorovirusEffectiveEmployeeHealthInterventionsa.doc](#),
[III-030b NorovirusEffectiveEmployeeHealthInterventions.doc](#),
[III-030c NorovirusEffectiveEmployeeHealthInterventionsc.doc](#)

Issue Number: *Issue Title:*

2004 III-031 Allow vacuum packaging of hard and semi-soft cheese at retail food establishments

Recommended Solution:

The Conference recommends that the FDA develop further information concerning cheeses that can be safely vacuum packed at retail and revise annexes or reduced oxygen packaging as appropriate.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Attachments: [III-03 1aCbotincheese.doc](#)

Issue Number: *Issue Title:*

2004 III-032 Provide guidance to retail establishments and restaurants on the handling of steaks that have been blade tenderized.

Recommended Solution:

The Conference recommends that the FDA and USDA work together and submit guidance for blade tenderized products at the 2006 Conference for Food Protection.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*

2004 III-033 Chemical Sanitization Using Quaternary Ammonium Compound Solutions

Recommended Solution:

The conference recommends the conference chair sends a letter to the FDA Commissioner to urge they evaluate and assess section 4-501.114 of the Food Code for time and temperature applications of chemical sanitizers.

Council Recommendation: **Accepted as amended**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*

2004 III-034 Modify cold food holding surface temperatures on open top prep tables and salad bars.

Recommended Solution:

The Conference recommends no action be taken as issue III-009 addressed both time and temperature requirements. In addition, no time requirements were provided with issue 2004-III-034.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

Issue Number: *Issue Title:*
2004 III-035 **Ready to Eat Fruits and Vegetables Committee**

Recommended Solution:

The Conference recommends that no action be taken due to published guidelines for Ready-to-Eat fruits and vegetables now available throughout all segments of the industry.

Council Recommendation: **No Action**

Assembly Action: **Affirm**

APPENDIX COMPENDIUM

Appendix A - Fighting Smart to Win the Food Security and Safety War

Workshop, Conference for Food Protection
San Marcos Resort and Conference Center
Chandler, Arizona, April 17, 2004

Agenda

“Fighting Smart to Win the Food Security and Safety War”

- | | |
|---------------------|--|
| 8:30 – 8:45 am | Opening and Welcome
Catherine Adams, Ph.D., R.D., Program Chair |
| 8:45 – 9:30 am | Keynote Speaker
“ <i>What It Takes to Win the War for Food Security</i> ” <ul style="list-style-type: none">• Curt Mann, Ph.D., Dept. of Homeland Security |
| 9:30 – 10:15 am | “ <i>All Hazards Preparedness: Defending Against Public Health Threats – Intentional or Inadvertent</i> ” <ul style="list-style-type: none">• Robert Brackett, Ph.D., Director, CFSAN, FDA |
| 10:15 – 10:45 am | Break |
| 10:45 am – 12:00 pm | Roundtable Discussion: <i>Funding the Campaign – Finding Dollars for State and Local All-Hazards Preparedness</i> <ul style="list-style-type: none">• Carol Maczka, Ph.D., Assistant Administrator, Office of Food Security & Emergency Preparedness, USDA• Richard Barnes, Director, Division of Federal/State Relations, FDA• Arthur Liang, M.D., MPH, Director, Food Safety Office, CDC |
| 12:00 – 1:30 pm | Lunch (on your own) |
| 1:30 – 2:55 pm | “ <i>War School</i> ” – Case Studies in All-Hazards Preparedness <ul style="list-style-type: none">• David M. Theno, Ph.D., Jack-in-the Box
“<i>On the Front Line</i>”• Joe Corby, New York Department of Health
“<i>Surviving the Northeast Power Outage of 2003</i>”• Kyle Tomlin, BMS CAT
“<i>In the Face of Disaster</i>” |
| 2:55 - 3:00 pm | Summary and Close
Catherine Adams, Ph.D., R.D., Program Chair |

Summary:

The workshop presented perspectives on bioterrorism from strategic leaders to the front line in State and local governments and the food industry. Post September 11th, we are in a virtual “war” on the home front – defending our food chain against acts of intentional contamination. There is leadership from the White House and Federal agencies, State and local agencies and the food industry. The challenges are multi-faceted and require our attention and resources in order to survive and to win.

Curt Mann, PhD - Homeland Security Council, Executive Office of the President

Dr. Mann led with a somber reminder of the events of September 11, 2001. He presented the mission of the Homeland Security Council, to develop and coordinate the implementation of a comprehensive national strategy to detect, prepare for, prevent, protect against and respond to and recover from terrorist attacks within the U.S. This mission was created through the President’s Executive Order 13228, issued on October 8, 2001. He discussed the potential landscape of biological warfare, which could include bacteria, viruses, fungi, rickettsias and toxic agents designed to cause death or disease in men, animals and plants. Dr. Mann presented existing strategies to monitor, mitigate against and respond to potential biological warfare events. He identified the current vulnerability of American agriculture and pointed to the need for Presidential policy. To this end, there is \$568 MM in the 2005 Budget request to fund a national policy to defend agriculture and our food supply.

Robert Brackett, PhD – FDA, Center for Food Safety and Applied Nutrition

Dr. Brackett introduced the terminology of “all hazards preparedness” against public health threats, both intentional and inadvertent. He discussed the difference between traditional food safety threats, including microbiological, chemical and physical; and those issues of food defense which are new to us. Microbiological, chemical and physical threats are present, but the chemical threats include ricin and cyanide instead of environmental chemicals. Dr. Brackett presented food security issues that involve threats from physical intentional contaminants and intentional actions of contamination by personnel. He also presented FDA’s Strategic Action Plan for Food Security, which includes plans for FDA leadership and partnership with industry and state and local governments. The FDA Office of Crisis Management was created in October 2002 as part of the FDA response and preparedness plan. FDA is also acting aggressively as ordered through the Bioterrorism Act of 2002 and is working to implement Homeland Security Presidential Directive 9 as their important contributions to protect the public against food safety and food defense threats of today and tomorrow.

Carol Maczka, PhD, - USDA Food Safety and Inspection Service

Dr. Maczka identified the activities of the FSIS Office of Food Security and Emergency Preparedness that was launched in August 2002. The mission of the Office is to prevent and, if necessary, coordinate a response to intentional attacks on the food supply. She also identified new tools in food defense including the Food Emergency Response Network and Electronic Lab Exchange Network. USDA is actively encouraging industry partnership for improved food defense and is recommending best practices for building better food security programs for the food supply. They are actively training the field workforce to provide vulnerability assessments and improved surveillance for food security threats.

Richard Barnes, FDA, Division of Federal/State Relations

Mr. Barnes spoke about funding the war on bioterrorism. He identified that the Bioterrorism Act of 2002 authorized money to support food defense, but that the law did not itself fund programs. He presented FDA's plans to provide guidance to retailers, processors, importers, cosmetic manufacturers and milk programs for food security prevention measures. Mr. Barnes also reviewed specifics of the Electronic Lab Exchange Network (eLEXNET) which links 54 labs in the US and reflects results of over 160,000 samples for food safety. He also spoke to the improved safeguards provided through implementation of the Food Emergency Response Network in the event of future acts of bioterrorism.

Arthur Liang, MD, MPH – Centers for Disease Control

Dr. Liang presented CDC's food safety programs with an emphasis on existing surveillance tools. The programs include the Vessel Sanitation Program to monitor cruise ship food safety. Other tools include the Environmental Health Specialists Network, Electronic Food Borne Outbreak Reporting System, FoodNet and PulseNet. PulseNet is the web-based network for molecular subtyping for food borne disease surveillance that links FDA, CDC and FSIS. Dr. Liang also presented recent data on food safety from CDC that calls out the top 10 causes of food borne disease. Top agents of infection included viruses from man, *Campylobacter* for poultry and *Salmonella* from animals.

David Theno PhD – Jack-in-the-Box

Dr. Theno presented the industry perspective for food defense and built on the war room analogy. The first actions in food defense are to assess the risks and threats for their severity/consequences, likelihood and our control capability. Risk factors are chemical, biological and physical. They may be point source or broad in scale. They may also be threats from an economic or societal nature. The best defense is a strong offense, and a military strategy/philosophy was thought to work. Actions include:
(1) assess the enemies' and allies' strengths and weaknesses

- (2) assess their capabilities
 - (3) assess your own strengths and weaknesses
 - (4) confirm your own capabilities
 - (5) Implement corrective action for deficiencies.
- Dr. Theno spoke in support of regulatory and industry partnerships and encouraged leadership from the food industry for food defense.

Joe Corby – New York Department of Health

Mr. Corby relayed the story from the front lines of the Northeast power outage that occurred on August 14, 2003. He spoke about the activities in response to the widespread power outage and its impact of food safety. The critical activities included food safety assessments to understand the effect on each establishment, the extent of product abuse, corrective actions required, and education and enforcement needs. He presented the action required by the State Health Department to ensure safety measures were in place and food was disposed of properly, as needed. Mr. Corby called out the critical activities of managing through the crisis to include:

- (a) multi-language capability
- (b) presence of an emergency action plan
- (c) criticality of direct communications
- (d) presence of an incident command center

Importance of government and industry interactions.

Appendix B – Assembly of Voting Delegates

CONFERENCE FOR FOOD PROTECTION ASSEMBLY OF STATE DELEGATES APRIL 21, 2004

The Assembly of State Delegates was called to order by Conference Chair Glenda Christy at approximately 8:30 a.m.

The roll call showed all 50 States and two territories represented. The Delegates and the jurisdictions they represent are reflected in Appendix C of this Proceedings document.

Executive Secretary Report:

- There are 353 registrants at this Conference meeting.
- There are 50 States and two territories represented here today for a total of 60 Delegates.
- The Year-end (January 1 – December 31, 2003) Financial Report reflects a balance of \$72,633.
- Caucus elections to fill Executive Board positions this year resulted in the following members being named:
 - Consumer – Alison Rein, National Consumers League
 - Industry – Brady Daniels, EcoSure
Fred Reimers – HEB Grocery Stores
 - State Regulatory – Lorna Girard, Midwest Region
David Gifford – Pacific Region
Debi Williams – Southeast Region
 - Local Regulatory – Tom Coffill, Northeast
Glenda Christy, Mid-Atlantic
- In addition, your Executive Board has affirmed the appointment of the following members to the position of Council Vice Chair:
 - Council I – Lee Cornman
 - Council II – John Gurrisi
 - Council III – David Ludwig

The 2006 Conference meeting will be held April 7 – 12 in Columbus, Ohio. Please mark that date on your calendars and plan to attend.

The minutes of the 2002 Conference meeting of this Assembly were previously distributed. Chair Christy entertained a motion to waive the reading of these minutes. Motion carried.

The Executive Secretary then read the following: “A quorum must be present. A quorum is defined as the presence of registered voting delegates from at least two-thirds (2/3) of the States with designated official delegates in attendance at the Conference meeting. Each territory and the District of Columbia shall count as one-half (1/2) State in constituting a quorum. A two-thirds majority is required to change a procedure adopted at a previous conference or to make changes in the Constitution and Bylaws. Other actions require a simple majority, unless specifically

covered by Robert Rules of Order. The voting choices are as follows: ‘Yes’, ‘No’ and ‘Abstain’. A Council recommendation cannot be changed. Votes are cast by voice vote or by a show of hands by the Voting Delegates. Roll call votes are taken only if requested by a Delegate.”

Chair Christy reviewed the general rules and situations that might occur in the conduct of the Assembly meeting: (to paraphrase) “If a delegate intends to speak to an Issue or make a motion, that person needs to come to the microphone in the front of the room and state your name and affiliation. We need to be able to hear you. So please be very careful because we do have a court reporter. We would ask that delegates try not to leave during the voting. Certainly, if it’s an emergency you can leave, but it will expedite the process if you can remain in place. If someone in the audience who is not a voting delegate wishes to speak to any Issue, a delegate must come to the microphone and yield their position to you. You would then be recognized by the Chair to speak. You cannot just appear at the microphone. A delegate must invite you to speak and then we’ll be glad to hear you. I would also ask, if you would please turn off your pagers and cell phones during the duration of this meeting. I am going to turn this over to John Krakowski, our parliamentarian, who is going to give you some information that you need to know. In order to move this process along a little bit more quickly, however, it’s a usual thing that someone makes a motion to limit the discussion. So, at this time, I will entertain a motion to limit debate or discussion on each extracted Issue.”

Motion passed limiting debate to a total of 15 minutes, with the extractor of an Issue limited to three minutes going thereafter up to 15 minutes total.

Parliamentarian Krakowski then announced that a simple majority is a vote of 26. A two-thirds vote, which will be required for any bylaw amendments, is 34. Mr. Krakowski asked “if everyone can remain in the room during the votes so that we will be able to continue with the full quorum that we have present. And I would like to thank everyone’s kind attention to yesterday’s training session. And I’m here if you have any questions. During the conduct of business, if you have a question, please go to the microphone and say, ‘I have a point of information’. And you can direct the information to the Chair and then I will address the issue. Thank you.”

Chair Christy thanked Parliamentarian Krakowski and Council Parliamentarians Allen Gelfius and Margaret Boone.

Chair Christy then provided the following direction: (to paraphrase) “The following is the way that we will proceed with Council reports. We’ll begin with Council I. Charles Otto will give you a report of both Part A (‘accepted as submitted’ and ‘accepted as amended’ recommendations) and Part B (‘no action’ recommendations) of the Council I report. Then, as the Conference Chair, I’ll come back to the podium and give you an opportunity to extract any Issues from his report, if you so desire. Then we will vote on the whole of those Issues remaining in Part A. We’ll then vote separately on each extracted Issue from Part A. We will then vote on the whole of Part B and then any extracted Issues from Part B. Then we’ll continue to Council II with the same procedure, and finally to Council III. With that, Charles, would you like to give us your report, please.”

The Chair of Council I, Charles Otto, was recognized.

Council I Report – Charles Otto, Chair

Part A – Chair Otto announced that 23 Issues were accepted as submitted or accepted as amended, as follows: 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 017, 018, 019, 026, 029, 030, and III-012.

The following Issues were extracted: I-024 and III-010. Issue I-027 was withdrawn.

Chair Christy then entertained a motion to accept Part A of the report minus the extracted Issues. Motion carried.

The extracted Issues were then addressed. Issues I-024 and III-010 were rejected after discussion.

Part B – Chair Otto announced that there were 10 Issues in Part B of the report (“no action” recommendations), as follows: 015, 016, 020, 021, 022, 023, 025, 028, 031, and III-011. Part B of the Council I report was then accepted in its entirety.

The Chair of Council II, Frank Ferko, was recognized.

Council II Report – Frank Ferko, Chair

Chair Ferko announced that 29 Issues were originally assigned to Council II. One Issue was withdrawn and one was combined with another Issue, leaving 27.

Part A – Twenty-six of these Issues were either accepted as submitted or accepted as amended, as follows: 001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 015, 016, 017, 018, 019, 021, 022, 023, 024, 025, 026, 027, 028 and 029. Issue II-020 was withdrawn and Issue II-014 was combined with Issue II-013.

Issues 001, 002, 003, 004 and 029 automatically extracted because they dealt with Constitution and Bylaws or Procedures. Motion carried to accept Part A of Council II report.

Each of the extracted Issues of the Council II report was then separately addressed and each was affirmed.

Part B – Part B of the Council II report contained one Issue – II-010. The “no action” recommendation of the Council was affirmed.

The Chair of Council III, Wayne Derstine, was recognized.

Council III Report – Wayne Derstine, Chair

Chair Derstine announced that 36 Issues were assigned to Council III.

Part A – 18 Issues were accepted as submitted or accepted as amended, as follows: 001, 002, 003, 004, 005, 007, 008, 009, 014, 015, 017, 020, 023, 029, 030, 031, 032 and 033.

Issues III-006, 016 and 027 were withdrawn.

The following Issue was extracted from Part A of the Council III report: III-009, Chair Christy then entertained a motion to accept Part A of the report minus the extracted Issues. Motion carried.

The extracted Issue, III-009, was then addressed and the Council recommendation of “accept as amended” was affirmed.

Part B – The Council III report contained 11 Issues with “no action” recommendations as follows: 013, 018, 019, 021, 022, 024, 025, 026, 028, 034 and 035.

Issue III-024 was extracted from Part B of the Council III report.

Chair Christy then entertained a motion to accept Part B of the report minus the extracted Issue. Motion carried.

The extracted Issue (III-024) was then addressed. Following a roll call vote, the Council recommendation of “no action” was affirmed.

Resolutions of Appreciation

Janice Buchanon, Chair of the Resolutions Committee, was recognized.

- **Resolution #1** – Acknowledging Glenda Christy as Conference Chair.
- **Resolution #2** – Acknowledging Lisa Wright as Conference Vice Chair.
- **Resolution #3** – Acknowledging David Ludwig, Karen Reno, Al Brown, Hans Moesbergen and the Local Arrangements Committee.
- **Resolution #4** – Acknowledging the San Marcos Resort and Conference Center, including Frank Heavlin, Darlene Heavlin and Jacque Eells.
- **Resolution #5** – Acknowledging sponsors of the 2004 Conference meeting, as follows:
 - **GOLD LEVEL** – Albertson’s, CKE Restaurants, Food Marketing Institute, Yum! Brands, Inc., and Underwriters Laboratories.
 - **SILVER LEVEL** – Arizona Food Marketing Alliance and Coca-Cola North America.
 - **BRONZE LEVEL** – Giant of Carlisle, The National Registry of Food Safety Professionals, Safeway and Steritech.
 - **COPPER LEVEL** – Arizona County Directors of Environmental Health Services Association, Burger King, Food Lion, LLC, Hannaford Brothers Company, Jack in the Box, Inc., National Automatic Merchandising Association, and the National Food Processors Association.
- **Resolution #6** – Acknowledging the Food and Drug Administration for its publication of the 2001 Supplement to the Food Code.
- **Resolution #7** – Acknowledging Dr. Cynthia Woodley in her tenure as Chair of the Manager Training, Testing and Certification Committee.

The foregoing Resolutions of Appreciation were affirmed by unanimous vote.

The Conference Chair then entertained a motion to authorize the Executive Secretary and Executive Board to make any editorial changes that might be needed to the Issues or Resolutions prior to their publication. Motion carried.

Chair Christy announced the election of Janice Buchanon of DeKalb County, Georgia as the new Conference Chair and Cory Hedman of Hannaford Bros. as the new Conference Vice Chair.

Chair Christy requested and received a motion to adjourn.

Meeting adjourned at approximately 9:45 a.m.

Respectfully submitted by:

Trevor Hayes,
Executive Director

Appendix C – Conference Delegate Roster

DELEGATE ROSTER – CFP 2004

<i>AFFILIATION</i>	<i>DELEGATE</i>	<i>ALTERNATE</i>	<i>AGENCY</i>
ALABAMA	NEAL DUFFORD*		HEALTH
ALASKA	NANCY NAPOLILLI	KRISTEN RYAN	ENV.CON.
ARIZONA	ROBERT GOMEZ		HEALTH
ARKANSAS	SANDRA LANCASTER	BETTY WILROY	HEALTH
CALIFORNIA	SUSAN STRONG	BEN GALE	HEALTH
COLORADO	JEFF LAWRENCE	PATRICIA KLOCKER	HEALTH
CONNECTICUT	FRANK GREENE ANN ANDREWS	KAREN ROTELLA TRACEY WEEKS	CON. PROT. HEALTH
DELAWARE	ROBERT HOFFNER	DONNA TRADER	HEALTH
FLORIDA	LEE CORNMAN H. WAYNE DERSTINE PADRAIC JUAREZ	DIANN WORZALLA AGGIE HALE RIC MATHIS	PROF REG AG HEALTH
GEORGIA	JANICE BUCHANON JANICE BUCHANON		HEALTH AG
HAWAII	BRIAN J.J. CHOY	LANCE WONG	HEALTH
IDAHO	PATRICK GUZZLE		HEALTH
ILLINOIS	JAMES BLOOM	MARLENA BORDSON	HEALTH
INDIANA	A. SCOTT GILLIAM	MARGARET VOYLES	HEALTH
IOWA	GEORGE HANSEN*		AG
KANSAS	MARY GLASSBURNER GREG FOLEY	EVAN SUMNER	HEALTH AG
KENTUCKY	ANITA TRAVIS	KATHY FOWLER	HEALTH
LOUISIANA	JODY GUIDRY	GEORGE BORDEN	HEALTH
MAINE	REBECCA VIGUE	DAVID L. LIBBY	HEALTH

DELEGATE ROSTER – CFP 2004

<i>AFFILIATION</i>	<i>DELEGATE</i>	<i>ALTERNATE</i>	<i>AGENCY</i>
MARYLAND	ALAN TAYLOR	ALAN BRENCH	HEALTH
MASSACHUSETTS	PRISCILLA NEVES	PAUL J. TIERNEY	HEALTH
MICHIGAN	THOMAS CROOK	BYRON BEERBOWER	AG
MINNESOTA	COLLEEN PAULUS DAVID READ	PAUL ALLWOOD LARRY KRUGER	HEALTH AG
MISSISSIPPI	CHARLENE BRUCE	TIM DARNELL	HEALTH
MISSOURI	MARY FANDREY	SCOTT CLARDY	HEALTH
MONTANA	RON BROOK	TERRY KRANTZ	HEALTH
NEBRASKA	GEORGE H. HANSEN*	JERE FERRAZZO	AG
NEVADA	STEVE GOODE	LINDA NEWTON	HEALTH
NEW HAMPSHIRE	JOHN SEIFERTH	JOYCE WELSH	HEALTH
NEW JERSEY	WILLIAM MANLEY		HEALTH
NEW MEXICO	DARWIN PATTENGALE		HEALTH
NEW YORK	JOE CORBY BARBARA GERZONICH	AL BUGENHAGEN MICHAEL CAMBRIDGE	AG HEALTH
N. CAROLINA	JUDY DAYE	DONNA WANUCHA	ENV/NAT.RES.
N. DAKOTA	KENAN BULLINGER		HEALTH
OHIO	PAUL PANICO TED STROUTH	DARLENE MCDONNELL LAWRENCE HOLBERT	AG HEALTH
OKLAHOMA	TED EVANS	LINDA JONES	HEALTH
OREGON	ELLEN LAYMON		AG
PENNSYLVANIA	SHERI DOVE	GLENDA CHRISTY	HEALTH
RHODE ISLAND	ERNIE JULIAN	SUSAN WALLACE	HEALTH

DELEGATE ROSTER – CFP 2004

<i>AFFILIATION</i>	<i>DELEGATE</i>	<i>ALTERNATE</i>	<i>AGENCY</i>
S. CAROLINA	NEAL DUFFORD*	TODD STEPHENS	HEALTH
S. DAKOTA	DAVID MICKLOS		HEALTH
TENNESSEE	JERRY ROWLAND JERRY ROWLAND		AG HEALTH
TEXAS	STEVE MCANDREW	JOHN LATTIMORE	HEALTH
UTAH	BECKY SHREEVE RONALD MARSDEN	CHRIS S. CERNICH MARK JONES	AG HEALTH
VERMONT	ALFRED B. BURNS	BETH SISCO-CHENG	HEALTH
VIRGINIA	BUD ANDERSON RONALD E. PONZAR	RICK BARHAM	AG HEALTH
WASHINGTON	JENNIFER TEBALDI	DAVE GIFFORD	HEALTH
WEST VIRGINIA	LINDA M. JONES	LINDA K. WHALEY	HEALTH
WISCONSIN	JACQUELINE OWENS GREG PILASKE		AG HEALTH
WYOMING	DEAN FINKENBINDER	LAURIE LEIS	AG
TERRITORY			
PUERTO RICO	RITA GOYTIA COLON	MARIELY ORTIZ	HEALTH
MARIANNAS	JOHN M. TAGABUEL		HEALTH

*Voting Delegate for more than one State by proxy designation
April 21, 2004

Appendix D – Resolutions of Appreciation

CONFERENCE FOR FOOD PROTECTION APRIL 16 – 21, 2004 CHANDLER, ARIZONA

RESOLUTION OF APPRECIATION

WHEREAS, The Conference for Food Protection wishes to commend Glenda Christy for her distinguished service as Chair of the Conference for Food Protection; and

WHEREAS, Glenda has shown her commitment to the Conference for Food Protection by giving unselfishly of her time and energy during the past two years; and

WHEREAS, Glenda's professionalism, organizational skills, and hard work are appreciated by all members of the Conference for Food Protection.

THEREFORE BE IT RESOLVED That the Conference for Food Protection extends its heartfelt thanks this April 21, 2004, to Glenda Christy.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Glenda Christy and to Dr. Bruce Dickson of the Allegheny County Health Department and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Lisa Wright
Vice Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The Conference for Food Protection wishes to commend Lisa Wright for her distinguished service as Vice Chair of the Conference for Food Protection; and

WHEREAS, Lisa has shown her commitment to the Conference for Food Protection by giving unselfishly of her time and energy during the past two years; and

WHEREAS, Lisa's professionalism, organizational skills, and hard work are appreciated by all members of the Conference for Food Protection.

THEREFORE BE IT RESOLVED That the Conference for Food Protection extends its heartfelt thanks this April 21, 2004, to Lisa Wright.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Lisa Wright and to Jack in the Box, Inc. and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The Conference for Food Protection wishes to acknowledge and thank Dr. Cynthia Woodley for her demonstrated knowledge, skills, and expertise while serving as Chair of the Manager Training, Testing and Certification Committee; and

WHEREAS, Cynthia has shown her commitment to the Conference for Food Protection by giving unselfishly of her time, energy, and resources while serving on the committee; and

WHEREAS, Cynthia's expertise, professionalism, organizational skills, and hard work are appreciated by all members of the Conference for Food Protection.

THEREFORE, BE IT RESOLVED That the Conference for Food Protection extends its sincere thanks this April 21, 2004, to Cynthia Woodley.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Dr. Cynthia Woodley and to Professional Testing, Inc. and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The Food and Drug Administration published the 2001 Food Code; and

WHEREAS, The next complete revision to the Food Code will be published by the Food and Drug Administration in 2005; and

WHEREAS, The 2002 Conference for Food Protection Biennial Meeting provided the basis for several Food Code changes through recommendations made at that conference; and

WHEREAS, The Food and Drug Administration, Centers for Disease Control and Prevention, and the United States Department of Agriculture concurred with several of the changes and recommendations; and

WHEREAS, The Food and Drug Administration issued a Supplement to the 2001 Food Code to ensure that the most up-to-date information is available to agencies and stakeholders responsible for mitigating risk factors that contribute to foodborne illness.

THEREFORE, BE IT RESOLVED That the Conference for Food Protection commends and sincerely thanks the Food and Drug Administration for issuance of the Supplement to the 2001 Food Code.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the Commissioner of the Food and Drug Administration, and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The Conference for Food Protection wishes to thank Frank Heavlin, Darlene Heavlin, Jacque Eells, and the staff of the San Marcos Resort and Conference Center for extending their hospitality to the members of the Conference; and

WHEREAS, The staff of the San Marcos Resort and Conference Center have been flexible and extremely cooperative with all the requests of the Conference; and

WHEREAS, The excellent facilities at the San Marcos Resort and Conference Center and the help of the staff provided a meeting conducive to effectively conducting the business of the Conference and facilitating interaction between its members.

THEREFORE, BE IT RESOLVED That the Conference for Food Protection extends its thanks this April 21, 2004, to the staff of the San Marcos Resort and Conference Center for contributing significantly to the success of the 2004 Conference for Food Protection Biennial Meeting.

BE IT FURTHER RESOLVED That a copy of this resolution be presented to Frank Heavlin and the San Marcos Resort and Conference Center and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The Conference for Food Protection wishes to extend its heartfelt thanks to Al Brown, David Ludwig, Karen Reno and Hans Moesbergen and the Local Arrangements Committee and volunteers for the excellent services provided and hospitality extended to attendees of the 2004 Conference for Food Protection Biennial Meeting held in Chandler, Arizona; and

WHEREAS, David, Karen, and Hans demonstrated great dedication in following through with a long-term commitment; and

WHEREAS, The members of the Local Arrangements Committee and volunteers demonstrated their flexibility and willingness to assist the Conference with numerous requests and deadlines.

THEREFORE BE IT RESOLVED That the Conference for Food Protection extends its thanks this April 21, 2004, for contributing significantly to the success of the 2004 Conference for Food Protection Biennial Meeting.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Al Brown, Director of Environmental Services, David Ludwig, Karen Reno and the Local Arrangements Committee and volunteers and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

**CONFERENCE FOR FOOD PROTECTION
APRIL 16 – 21, 2004
CHANDLER, ARIZONA**

RESOLUTION OF APPRECIATION

WHEREAS, The following organizations and companies have given graciously to provide sponsorship support of the 2004 Conference for Food Protection Biennial Meeting at the designated levels:

Gold Level: Albertsons
 CKE Restaurants
 Food Marketing Institute
 Yum! Brands, Inc.
 Underwriters Laboratories

Silver Level: Arizona Food Marketing Alliance
 Coca-Cola North America

Bronze Level: Giant of Carlisle
 National Registry of Food Safety Professionals
 Safeway
 Steritech

Copper Level: Arizona County Directors of Environmental Health Services Association
 Burger King Corporation
 Food Lion LLC
 Hannaford Bros. Co.
 Jack In The Box Inc
 National Automatic Merchandising Association
 National Food Processors Association

WHEREAS, This financial support gives assistance to the Conference for carrying out its mission of bringing together representatives from food industry, government, academia and consumers to identify and address emerging problems of food safety and to formulate recommendations.

THEREFORE BE IT RESOLVED That the Conference for Food Protection sincerely thanks these organizations and companies for their support.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to each organization and company listed above and be published in the Proceedings of the 2004 Conference for Food Protection Biennial Meeting.

Glenda Christy
Chair, Conference for Food Protection

Appendix E – Executive Board Roster

EXECUTIVE BOARD, 2002 - 2004

Chair, Vice Chair, Past Chair, Secretary

Chair – Glenda Christy, Pittsburgh, PA
Vice Chair – Lisa Wright, San Diego, CA
Past Chair – Lydia Strayer, Jackson, MS
Executive Secretary – Trevor Hayes, Gilroy, CA

State Regulatory Agencies

Mid-Atlantic – Bud Anderson, Roanoke, VA
Midwest – Tom Leitzke, Madison, WI
Northeast – Barbara Gerzonich, Troy, NY
Pacific – Vacant
Southeast – Debbie Williams, Tallahassee, FL
Southwest – Sandra Lancaster, Little Rock, AR

Local Regulatory Agencies

Mid-Atlantic – Glenda Christy, Pittsburgh, PA
Midwest – Petrona Lee, Bloomington, MN
Northeast – Thomas Coffill, Boston, MA
Pacific – Ben Gale, San Jose, CA
Southeast – Janice Buchanon, Decatur, GA
Southwest – Elizabeth Nutt, Tulsa, OK

Federal Food Regulatory Agencies

FDA – Faye Feldstein, College Park, MD
USDA – Amelia Sharar, Ph.D., Washington, DC

Academia/Consumer

Academia – Richard Linton, Ph.D., Purdue University, W. Lafayette, IN
Consumer – Linda Golodner, National Consumers League, Washington, DC

Food Industry

Food Processing – Dan Smyly, Ph.D., Atlanta, GA
Food Service – Lisa Wright, San Diego, CA
Food Store – Cory Hedman, Scarborough, ME
Food Vending – Larry Eils, Chicago, IL
At-Large – Tom Chestnut, Orlando, FL
At-Large – Chester England, Miami, FL

Canada

Robert W. Bradbury, Victoria, British Columbia

Program/Issue Chair

Program – Catherine Adams, Ph.D., Chicago, IL
Issue – Marsha Robbins, Phoenix, AZ

Council Chairs/Vice Chairs

Council I Chair – Charles Otto, Atlanta, GA

Council I Vice Chair – Frank Yiannas, Lake Buena Vista, FL

Council II Chair – Frank Ferko, Atlanta, GA

Council II Vice Chair – Vicki Everly, San Jose, CA

Council III Chair – Wayne Derstine, DVM, Tallahassee, FL

Council III Vice Chair – Larry Kohl, Carlisle, PA

Appendix F – Council Membership Rosters

Council I

Charles Otto, *Chair*
USPHS/CDC/VSP
Atlanta, GA

Frank Yiannas, *Vice Chair*
Walt Disney World
Lake Buena Vista, FL

Regulatory

Lee Cornman
FL Dept. of Business & Professional
Regulation
Tallahassee, FL

Lorna Girard
MN Dept. of Agriculture
St. Paul, MN

Clyde Harding
Tulsa Health Dept.
Tulsa, OK

Bradley Killenbeck
Navy Environmental Health Center
Portsmouth, VA

John Lattimore
TX Dept. of Health
Austin, TX

Darlene McDonnell
OH Dept. of Agriculture
Reynoldsburg, OH

James Fry
Springfield-Greene County Health
Department
Springfield, MO

Regulatory (cont.)

Jerry Rowland
Metro Public Health Dept.
Nashville, TN

Keith Winkler
Kings Co. Environmental Health Services
Hanford, CA

Industry

Chester England
Burger King
Miami, FL

Jane Griffith
Wawa, Inc.
Wawa, PA

Steven Grover
National Restaurant Association
Washington, DC

Terry Levee
Winn Dixie Stores, Inc.
Jacksonville, FL

Fred Reimers
HEB Grocery Co.
San Antonio, TX

Peter Rojek
The Great A & P Tea Co., Inc.
Montvale, NJ

John F. Schulz
Marriott International
Washington, DC

Ernie McCullough, Ph.D.
Arby's, Inc.
Fort Lauderdale, FL

Industry (cont.)

Dale Yamnik
Yum! Brands, Inc.
Lone Tree, CO

Consumer

Ken Kelly
Center for Science in the Public Interest
Washington, DC

Academia

Joseph Eifert, Ph.D.
Virginia Tech
Blacksburg, VA

Consultants

Carole Thomas, USDA/FSIS, Washington,
DC
Richard Barnes, FDA, Rockville, MD

Council II

Frank Ferko, *Chair*
Rare Hospitality International
Atlanta, GA

Vicki Everly, *Vice Chair*
Santa Clara County Department of
Environmental Health.
San Jose, CA

Regulatory

Ernie Julian, Ph.D.
RI Department of Health
Providence, RI

Bud Anderson
VA Department of Agriculture
Roanoke, VA

Pricilla Neves
MA Department of Public Health
Jamaica Plain, MA

Aggie Rodriguez-Hale
FL Department of Agriculture
Tallahassee, FL

Elizabeth Nutt
Tulsa Health Department
Tulsa, OK

Chirag Bhatt
City of Houston
Houston, TX

Joyce Jensen
Lincoln-Lancaster County Health
Department
Lincoln, NE

Robert Odette
Navy Environmental Health Center
Portsmouth, VA

Regulatory (cont.)

Dianne Benjamin
Department of Veterans Affairs
Brooklyn, NY

Industry

Roger Hancock
Albertson's, Inc.
Boise, ID

Robert A. Brown
Shaw's Supermarkets
West Bridgewater, MA

Mary Sandford
Burger King Corporation
Miami, FL

John Gurrisi
Darden Restaurants, Inc.
Orlando, FL

Jorge Hernandez
NRA Educational Foundation
Chicago, IL

Charles McGuffey
7-Eleven, Inc.
Dallas, TX

Stephen Posey
Brinker International
Dallas, TX

Nigel Haverson
Chadwick House Group
London, England

Karen Bewig
Yum! Brands, Inc.
Des Peres, MO

Consumer

Linda Golodner
National Consumers League
Washington, DC

Academia

David McSwane
University of Indiana
Indianapolis, IN

Consultants

Bessie Berry, USDA/FSIS, Beltsville, MD
Glenda Lewis, FDA, College Park, MD

Council III

Wayne Derstine, DVM, *Chair*
FL Department of Agriculture and
Consumer Services
Tallahassee, FL

Larry Kohl, *Vice Chair*
Giant Food Stores
Carlisle, PA

Regulatory

Mary Fandrey
MO Department of Health and Senior
Services
Jefferson City, MO

Joseph Corby
NY Department of Agriculture and Markets
Albany, NY

Frank Greene
CT Department of Consumer Protection
Hartford, CT

Deborah Marlow
TX Department of Health
Austin, TX

David Gifford
WA State Department of Health
Olympia, WA

Robert Jue
Central District Health Department
Boise, ID

Ben Gale
Santa Clara County Department of
Environmental Health
San Jose, CA

Morris Potter
Food and Drug Administration
Atlanta, GA

Regulatory (cont.)

Paul Allwood
MN State Department of Health
St. Paul, MN

Industry

Pam Williams
Yum! Brands, Inc.
Alpharetta, GA

Brenda Bacon
Harris Teeter, Inc.
Matthews, NC

Jennifer Tong
National Restaurant Association
Washington, DC

Michael Magner
Sheetz, Inc.
Altoona, PA

Kenneth Rosenwinkel
Jewel-Osco/Albertsons
Melrose Park, IL

Chuck Catlin
Darden Restaurants
Scottsdale, AZ

Larry Eils
National Automatic Merchandising
Association
Chicago, IL

Gale Prince
The Kroger Company
Cincinnati, OH

Jenny Scott
National Food Processors Association
Washington, DC

Consumer

Benjamin Cohen
Center for Science in the Public Interest
Washington, DC

Academia

Richard Linton, Ph.D.
Purdue University
West Lafayette, IN

Consultants

Amelia Sharar, Ph.D., USDA/FSIS,
Washington, DC
Dr. Arthur Miller, FDA, College Park, MD

Appendix G – Committees Assigned to the Executive Board

CONFERENCE FOR FOOD PROTECTION – 2002/2004

COMMITTEES ASSIGNED TO THE EXECUTIVE BOARD

Constitution & Bylaws/Procedures

Larry Eils, Chair
NAMA, Chicago, IL

Barbara Gerzonich
NY Department of Health

Paul Panico
OH Department of Agriculture

Linda Jones
OK Department of Health/Consumer Services

Tim Lane
UT Department of Health

Ben Gale
Santa Clara County Department of Environmental Health

Thomas Coffill
Boston Health Department, MA

Elizabeth Nutt
Tulsa City/County Health Department, OK

Tom Chestnut
Darden Restaurants, Orlando, FL

Marsha Robbins
HACCPplus.com, Phoenix, AZ

John Krakowski
City Harvest, NY

Lisa Wright
Jack in the Box, San Diego, CA

Linda Golodner
National Consumers League, Washington, DC

Elizabeth Harden
FDA, College Park, MD

Kevin Smith
FDA, College Park, MD

Ralph Stafko
USDA/FSIS, Washington, DC

Manager Training, Testing and Certification

Cynthia D. Woodley, Chair
Professional Testing, Inc.

John Gurrisi, Vice Chair
Darden Restaurants

Lee Cornman
FL Department of Business & Professional Regulation

Aggie Hale
FL Department of Agriculture

Sheri Dove
PA Department of Agriculture

Joyce Jensen
Lincoln-Lancaster County Health Department, NE

Vicki Everly
Santa Clara County Department of Environmental Health, CA

Sam Churchill
Peoria City/County Health Department, IL

Tom Dickey
NEHA

Jim Lewis
NSF International

Karen Bewig
Yum! Brands, Inc.

Lisa Wright
Jack in the Box

Edward J. Lump
WI Restaurant Association

Susan Quam (Alternate)
WI Restaurant Association

Glen Garey
TX Restaurant Association

Roger Hancock
Albertson's

Tim Weigner
Food Marketing Institute

Nancy Cooper
Costco Wholesale

Jane Griffith
Wawa, Inc.

Stephen Posey
Brinker International

John Schulz
Marriott International

Katherine Church
Dietary Managers Association

Jorge Hernandez
Educational Foundation, NRA

Doug Campbell
Experior Assessments

Alan Bugbee
*National Registry of Food Safety
Professionals*

David McSwane
Indiana University

Angela Fraser
NC State University

Laurie Haller
National Consumers League

Rich Vergili
Culinary Institute of America

John Marcello
FDA, Phoenix, AZ

Rose Mary Ammons
Tampa, FL

Marsha Robbins
HACCPplus.com

Consultants:

Art Banks
FDA/College Park, MD

Loraine Cannon/Bessie Berry
USDA

Audit

Wayne Derstine
*FL Department of Agriculture and
Consumer Services*

Elizabeth Nutt
Tulsa City/County Health Department, OK

Vicki Everly
*Santa Clara County Environmental Health
Department, CA*

Program

Catherine Adams, Ph.D.
McDonalds, Chicago, IL

Resolutions

Janice Buchanon
DeKalb County Environmental Health, GA

Issue

Marsha Robbins
*HACCPplus.com
Phoenix, AZ*

Charles Otto
*USPHS/CDC/VSP
Atlanta, GA*

Frank Ferko
*Rare Hospitality International
Atlanta, GA*

Wayne Derstine
*FL Department of Agriculture and
Consumer Services*

Linda Golodner
*National Consumers League
Washington, DC*
Charles McGuffey
7-Eleven, Dallas, TX

Mary Sandford
Burger King, Miami, FL

Michael Diskin
Allegheny County Health Department, PA

Alternates

Frank Yiannas
*Walt Disney World
Lake Buena Vista, FL*

Vicki Everly
*Santa Clara County Environmental Health
Department, CA*

Larry Kohl
*Giant Food Stores
Carlisle, PA*

Strategic Planning

Steve McAndrew, Chair
TX Department of Health

Irving Bell
Lexington, KY

Gale Prince
The Kroger Company, Cincinnati, OH

Bob Harrington
*City of Casper/Natrona County Health
Department, WY*

Faye Feldstein
*FDA/CFR
College Park, MD*

Ralph Stafko
*USDA/FSIS
Washington, DC*

Appendix H – Committees Assigned to Councils

CONFERENCE FOR FOOD PROTECTION – 2002/2004

COMMITTEES ASSIGNED TO COUNCILS

COUNCIL I

Plan Review

Roger W. Fortman, Chair
NC Department of Environmental Health

Richard N. Sanchez
*Sacramento County Environmental
Management Department, CA*

Peter Rojek
Great Atlantic and Pacific Tea Company

Thomas Chestnut
Darden Restaurants

Timothy Weigner
Food Marketing Institute

D. L. Lancaster
NSF (Retired)

Todd M. Stephens
*SC Department of Health and
Environmental Control*

Rick Petersen
Stamford Health Department, CT

Karen Reid
*West Hartford-Bloomfield Health District,
CT*

Jennifer Tong
NRA

Thomas Blewitt
Underwriters Laboratories

John Canner
Culinary Institute of America

James Ball
Food Lion

James L. Fry
*Springfield-Greene County Health
Department, MO*

Thomas Goodfellow
*Boston Inspectional Services Department,
MA*

Richard V. Holloway
City of Bloomington, MN

Linda H. Jones
OK Department of Health

Diane Gorch
Ingham County Health Department, MI

John F. Schulz
Marriott International

Ruth K. Yong
The Kroger Company

Shaji George
Walt Disney World Company

Jerry Rowland
Metro Health Department, Nashville, TN

Jorge A. Hernandez
Educational Foundation, NRA

Consultant:

John Schrade
FDA

Food Product Traceability

Kristen Forrestal, Chair
Darden Restaurants

Darlene McDonnell
OH Department of Agriculture

Cory Hedman
Hannaford Bros.

Becky Stevens-Grobbelaar
Yum Brands, Inc.

Mike Hillyer
Wal Mart

Consultants:

Don Edwards
USDA/FSIS/DEO

Mischelle Ledet
FDA/CFSAN

Food Recovery

Chet England, Chair
Burger King

Nancy Napolilli
AK Dept. of Environmental Conservation

Robin Rose
*Washoe County District Health Department,
NV*

David Stull
*Columbia-Boone County Health
Department, MO*

Lolita Ada
Daily Bread Food Bank

Roger Hancock
Albertson's

John Krakowski
City Harvest

Chris Rebstock
America's Second Harvest

Ken Rosenwinkel
Jewel-Osco

Linda Golodner
National Consumers League

Consultants:

Linda Singletary
USDA/FSIS

Britt L. Pratt
FDA

**Variations for Meat and Poultry
Processing at Retail**

Mike Hillyer, Chair
Wal-Mart Stores

Darlene McDonnell
OH Department of Agriculture

Dale Yamnik
Albertson's

Gary Coleman
Underwriters Laboratories

John Marcy, Ph. D
University of Arkansas

Consultants:

Carl Custer
USDA/FSIA

Jeanette Lyon
FDA/CFSAN/RFITT (retired)

Variance

Padraic Juarez, Chair
FL Department of Health

Don Nelson
Nelson-Jameson

Consultants:

Jon Woody
FDA/CFSAN/RFITT

Linda Singletary
USDA/FSIS

COUNCIL II

Program Standards

David McSwane, Co-Chair
Indiana University

Diann Worzalla, Co-Chair
FL Division of Hotels and Restaurants

Bud Anderson
VA Department of Agriculture

Charlene Bruce
MS Department of Health

Jean Hayden
OH Department of Health

Tim Lane
UT Department of Health

Lee Cornman
*FL Department of Business & Professional
Regulation*

Vicky Everly
*Santa Clara County Department of
Environmental Health, CA*

David Ludwig
*Maricopa County Environmental Services,
AZ*

Susan O'Malley
Clark County Health District, NV

Jerry Rowland
Metro Health Department, Nashville, TN

Alan Bugbee
*National Registry of Food Safety
Professionals*

Doug Campbell
Experior Assessments

Robert Casey
Chemstar

Jorge Hernandez
Educational Foundation, NRA

Tim Weigner
Food Marketing Institute

Consultants:

Moshe Dreyfuss
USDA

Linda Collins
FDA

Inspection Form

Lorna Girard, Co-Chair
MN Department of Agriculture

Dale Yamnik, Co-Chair
Albertson's

Rebecca Vique
ME Bureau of Health

Melinda Scarborough
GA Department of Human Resources

Linda Jones
OK Department of Health

Bruce Morden
CA Department of Health Services

M. David Lawrence
Fairfax County Health Department, VA

David Ludwig
*Maricopa County Environmental Services,
AZ*

Robin Rose
*Washoe County District Health Department,
NV*

Steve Crosier
Metro Health Department, Nashville, TN

Janice Buchanon
*DeKalb County Division of Environmental
Health, GA*

Dennis Eastin
FDA, Dallas, TX

Ray Duffill
FDA, Stoneham, MA

Kim Livsey
FDA, Atlanta, GA

Lawrence C. Edwards
FDA, College Park, MD

John Zimmermann
Sodexo

Tom Blewitt
UL Laboratories

Chuck Catlin
Red Lobster

Mike Kissel
CKE Restaurants

LeAnn Chuboff
Chicago, IL

Brady Daniels
Ecosure

Steve Grover
NRA

Ruth Yong
The Kroger Company

Pam H. Williams
Yum! Brands, Inc.

Consultant:

Wendy Fanaselle (Consultant)
FDA/CFSAN

Manager Training, Testing and Certification

Note: Standing Committee – reports to the Executive Board (see above)

COUNCIL III

Date Marking

Cas Tryba, Co-Chair
Big Y Foods

Frank Greene, Co-Chair
CT Department of Consumer Protection

Sheri Dove
PA Department of Agriculture

Wayne Kopp
WI Department of Agriculture, Trade & Consumer Protection

Deborah Marlow
TX Department of Health

Alaric Mathis
FL Department of Health

Cynthia Walker
Department of Business & Professional Regulation

Chirag Bhatt
City of Houston, TX

Petrona Lee
City of Bloomington, MN

Cassandra Mitchell-Baker
Fairfax County Health Department, VA

Karen Reid
West Hartford-Bloomfield Health District, CT

Jeanette Lyon
FDA/CFSAN (retired)

Larry Eils
NAMA

Sandra Fabian
Wawa, Inc.

Lydia R. Frass
Winn-Dixie Stores

Kristie Grzywinski
Educational Foundation, NRA

Mark Keefer
United Supermarkets

Gale Prince
The Kroger Company

Fred Reimers
H-E-B Grocery Company

Kenneth Rosenwinkel
Jewel-Osco (Albertson's)

Thomas L. Schwarz
International Inflight Food Service Association

Jenny Scott
National Food Processors Association

Tim Weigner
Food Marketing Institute

Craig Wilson
Costco Wholesale

Martin Weidmann
Cornell University, NY

Charlotte Christin
Center for Science in the Public Interest

Consultants:

Shawn Eblen
FDA

Carl Custer/Amelia Sharar
USDA/FSIS

Potentially Hazardous Foods Definition

Alfred Bugenhagen, Co-Chair
NY Department of Agriculture and Markets

Carl Custer, Co-Chair
USDA/FSIS

Shirley Bohm
FDA/CFSAN

Sheri Dove
PA Department of Agriculture

Mary Fandrey
MO Department of Health

Roger Fortman
NC Department of Environmental Health

Susan Grayson
NC Department of Environmental Health

Linda Jones
OK State Department of Health

John Lattimore
TX Department of Health

Ric Mathis
FL Department of Health

Becky Shreeve
UT Department of Agriculture and Food

Petrona Lee
City of Bloomington, MN

John Powell
FDA, Gurnee, IL

Jane Griffith
Wawa, Inc.

Jill Hollingsworth
Food Marketing Institute

Tim Lawlis
Bob Evans Farms

Dr. William McCullough
Arby's

Maryanne Sanders
NSF International

Thomas Schwarz
International Inflight Food Service Association

Jenny Scott
National Food Processors Association

Casimir Tryba
Big Y Foods

Ellen Vestergaard
Silliker, Inc.

Valerie Wayland
Mrs. Smith's Bakeries, LLC

Pam Williams
Yum! Brands, Inc.

Ruth Yong
The Kroger Company

Richard Linton
Purdue University, IN

Michelle Varran
Washtenaw Community College, MI

Charlotte Christin
Center for Science in the Public Interest

Consultants:

Ray Beaulieu
FDA/CFSAN (Retired)

Frank Busta
University of MN

Morris Potter
FDA/CFSAN

Alan Tart
FDA, Atlanta, GA

Jeanette Lyon
FDA/CFSAN

Carl Custer/Amelia Sharar
USDA/FSIS

Food Allergens

Steven Grover (Co-Chair)
National Restaurant Association

Benjamin Cohen (Co-Chair)
Center for Science in the Public Interest

Shirley B. Bohm
FDA/CFSAN

Jacqueline Owens
*WI Department of Agriculture, Trade &
Consumer Protection*

Dr. Judith S. Schreiber
NY Attorney General's Office

Susan M. Wallace
RI Department of Health

Brenda R. Clark
Alcorn County Health Department, MS

Jeff Gans
*Santa Clara County Department of
Environmental Health, CA*

Frank Guido
Westchester County Health Department, NY

Gina R. Nicholson
Columbus Health Department, OH

Kathy Gombas
FDA/CFSAN

Ana Hooper
Darden Restaurants

Chester R. England, III
Burger King Corporation

Geri F. Jones
Steak N Shake Corp.

Dr. William E. McCullough
Arby's, Inc.

Scott Brooks
Yum! Brands, Inc.

Stephen Posey
Brinker International

Thomas L. Schwarz
*International Inflight Foodservice
Association*

Dagmar Farr
Food Marketing Institute

Kenneth Rosenwinkel
Jewel-Osco (Albertson's)

Cory Hedman
Hannaford Bros. Company

Michael Magner
Price Chopper Supermarkets

LeAnn B. Chuboff
Educational Foundation, NRA

Dr. Sue Hefle
University of NE

Dr. Scott Sicherer
Mount Sinai School of Medicine, NY

Anne Clark
River Forest, IL

Anne Munoz-Furlong
Food Allergy & Anaphylaxis Network

Dean Palin
New York, NY

Amie Rappoport
Food Allergy Initiative

Catherine Tretheway
NY Nut Allergy Awareness Group

Consultant:

Jon Woody
FDA/CFSAN

HACCP

Pam Hogan-Williams, Co-Chair
Yum! Brands, Inc.

Debra K. Williams, Co-Chair
FL Department of Agriculture & Consumer Services

Charlene Bruce
MS Department of Health

Byron Beerbower
MI Department of Agriculture

Dean Finkenbinder
WY Department of Agriculture

Priscilla Neves
MA Department of Public Health

Nancy Napolilli
AK Department of Environmental Conservation

Valerie Aliski
Environmental Services & Consultations

Janice Buchanon
DeKalb County Public Health Department, GA

Faye Feldstein
FDA/CFSAN

Jennifer Tong
National Restaurant Association

Roger Hancock
Albertson's

Mike Letry
Darden Restaurants

Ruth Yong
The Kroger Company

Brady Daniels
Ecosure

Sharon LeGault
Cooper Instrument Corporation

Dr. William E. McCullough
Arby's, Inc.

Pamela Ross-Kung
Ross-Kung Management Consultants

Mary-Ann Hogue
Steritech

Timothy Weigner
Food Marketing Institute

Consultants:
Amelia Sharar
USDA/FSIS

Alan Tart
FDA, Atlanta, GA

Pathogen Growth

Richard H. Linton, Chair
Purdue University, IN

Linda Jones
OK Department of Health

Cassandra Mitchell-Baker
Fairfax County Health Department, VA

Paul Allwood
MN Department of Health

Karen Bewig
Yum! Brands, Inc.

Jill Hollingsworth
Food Marketing Institute

Dale Yamnik
Albertson's

Geri Jones
Steak N Shake Corp.

Kristina Barlow
Center for Science in the Public Interest

Consultants:

Brian Shawn Eblen
FDA/CFSAN

Paul Uhler
USDA/FSIS

Ready-to-Eat Fruits and Vegetables

Negu Beru
FDA

Rene Cardinal
*Fresh Produce Safety
Canadian Government*

Michelle Smith, Ph.D.
FDA/CFSAN

Trevor Suslow
UC Davis

Larry Beuchat
University of Georgia

Roger Becker
Apio, Inc.

Craig Bowden
Davis Fresh Technologies

Laura Dunn
Silliker Laboratories Group, Inc.

Joe Furuike
Driscoll Strawberry Associates, Inc.

Donna Garren, Chair
UFFVA

Brett Harrell
The Nunes Company

Mike Hillyer
Wal-Mart Stores

Toni Hofer
Raley's

Jennylynd James
Dole Food Company, Inc.

Mahipal Reddy Kunduru, Ph.D.
Dole Fresh Vegetables, Inc.

Les Lipschutz
Del Monte Fresh Produce N.A., Inc.

Gale Prince
The Kroger Company

Wilfred Sumner
Scientific Certification Systems

Tony Valenzuela
Natureripe Berry Growers

Robert Whitaker
NewStar

Devon Zagory
Davis Fresh Technologies

Brian Zomorodi
Ready Pac Produce

Consultant:

Kevin Smith
FDA/CFSAN

Appendix I - Committee Listings, 2004 - 2006

CONFERENCE FOR FOOD PROTECTION, INC. COMMITTEE LISTING 2004 - 2006

COUNCIL I

Food Recovery
TCS Food Implementation
Plan Review

COUNCIL II

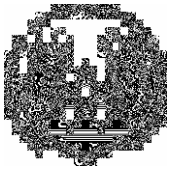
Program Standards
 Workgroup I – Certification of Food Safety Regulation Professionals
 Workgroup II – Interdisciplinary Food Borne Illness Training Programs
Inspection Form
Emergency Preparedness and Response

COUNCIL III

Allergen
Datemarking as Critical Violations
Listeria monocytogenes Intervention

EXECUTIVE BOARD

Constitution & Bylaws/Procedures
Program
Issue
Resolutions
Audit
Strategic Planning
Manager Training, Testing & Certification



Appendix J – Issue Submission Form

Conference for Food Protection

2004 ISSUE FORM

Deadline Feb 2, 2004

Issue # 2004

Internal #

Council Recommendation: Accepted as Submitted _____ Accepted as Amended _____ No Action _____

Delegate Action: Accepted _____ Rejected _____

All information above the line is for conference use only.

All 5 sections below the line must be completed before the Issue will be reviewed for assignment to Council.

PLEASE READ THE INSTRUCTIONS DOCUMENT PRIOR TO COMPLETING THE FORM. Press Tab key to move forward to the next field and Shift and Tab keys to move backward. You can also use the 4 arrows to navigate within and between text boxes. Boxes will expand to accommodate additional text. Copy and paste may be used.

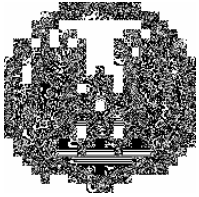
1. Title: [Briefly describe the purpose of this Issue.]

2. Issue you would like the Conference to consider: [Explain in detail the Issue that concerns you. List relevant references.]

3. Public Health Significance: [Completely describe what impact this Issue will have on food service, retail food or vending.]

4. Recommended Solution: [State as precisely as possible what action you would like the Conference to take to address this Issue. Cite the **specific** type of change, location (page and line), and exact wording to be changed in a document, such as the Food Code or Conference document.] **The Conference recommends.....**

5. Submitter:			
Name:			
Organization:			
Address:			
City/State/Zip:			
Telephone:		Fax:	
E-mail:			



Conference for Food Protection ISSUE FORM AND SUBMISSION INSTRUCTIONS

DEADLINE for Issue Submission: midnight February 2, 2004 PST.

All Issues received after midnight on this date will be rejected.

There is a benefit to early submission. If the Issue does not meet submission criteria, the Issue Committee Chairperson will have time to contact the submitter to request the additions or changes. If the Issue form is resubmitted by the deadline and meets the submission criteria, it will be referred to the Issue Committee for Council assignment.

Issues will be posted on the home page www.foodprotect.org at least 30 days prior to the Conference meeting.

UPDATED ELECTRONIC FORM

The 2004 Issue form has been updated. The Issue form is a locked MS WORD template. Fonts, color, size, style and margins are all preset for standardization purposes.

- Please read all instructions prior to completing the form.
- To enter text, Press Tab key to move forward to the next field. Press and hold the Shift key and press the Tab key to move backward. You can also use the 4 arrows to navigate within and between text boxes. Boxes will expand to accommodate additional text.
- Please note that Spell Check is not available in the MS WORD electronic form. You must spell check your document before placing text in the form. Other font features such as bold and underline are also not supported.
- Copy and paste may be used. You may type information in another file and then cut and paste into the official Issue form. All text will be automatically converted to the template format (Arial 12). Remember to spell check your document before copying and pasting.
Underline and bold formats will be removed when you copy into the form.
- Before sending your Issue, please print it out on your printer to make sure it prints correctly. When possible please try on several printers. This will help the Conference minimize problems associated with printing WORD documents on multiple printers.

GENERAL INSTRUCTIONS

- All **five (5) sections** of the Issue form must be completed before the Issue can be reviewed for assignment to Council.
- **Please be concise and limit the Issue to two (2) pages.**
- All text must be readable in black and white. No colored text, background, or highlighting will appear.
- File Naming Instruction – save files in MS WORD (*file name.doc*).
- Please limit title length to 70 characters. Your Issue title should describe the purpose of the Issue. For instance, “Handwashing” is an inadequate title, but “New Technologies Hand Sinks” would be more explanatory. Your file name may be changed by the Conference.
- Attachments must be in MS WORD (.doc) or Adobe Acrobat (.pdf). If your Issue needs supporting documentation or further explanation, please provide the documents on disk, CD, or as an E-mail attachment. Attachments should bear the same title as the Issue and be identified in sequence (for example “New technologies hand sinks a”, “New technologies hand sinks b”, etc.).
- Accuracy and detail in all sections helps the Issue Committee and Council members understand the Issue.
- An example of a properly prepared Issue is included in this package and online at the Conference website. The Conference strongly recommends that you have several associates review and comment upon your Issue prior to submission. This will minimize changes needed prior to Issue assignment.
- **Your presence at the Conference and Council meetings will greatly assist discussion of your Issue. If you cannot attend please make sure that someone can represent you by answering questions.**

ISSUE SUBMISSION

- Issues must be submitted electronically as a Microsoft WORD (.doc file) ONLY. The WORD document can be sent as an E-mail attachment or individual file on a disk or CD. Direct on-line submission is not offered due to the complexities of Issue preparation. Faxed or other hard copy submissions are unacceptable.
- Please submit one Issue per file saved. If submitting by disk or CD, several Issues can be included on one disk or CD. If submitting as an e-mail attachment, several Issues (individual files) may be attached to one e-mail message.
- Receipt of Issues will be confirmed by Issue Chairperson: Marsha Robbins (marsha@HACCPplus.com)
- **Issues received after the deadline of February 2, 2004 PST will not be accepted.**

COMMERCIALISM

The Conference for Food Protection has a strict policy on commercialism during meetings and on Issues. Issues that endorse a brand name or a commercial proprietary process will not be accepted.

PLEASE SEND ISSUES TO:

E-mail: TWHgilroy@aol.com

Disks and CD's may be sent to:
Trevor Hayes, Executive Secretary
Conference for Food Protection
1085 Denio Avenue
Gilroy, CA 95020-9206

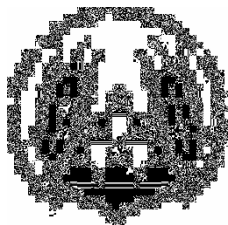
If you need additional information or support,
please check the Conference website.

Website: www.foodprotect.org

If you are unable to find the information you
need, please contact our administrative office.

Tel/Fax: 408/848-2255

Appendix K – Membership Application Form



Conference for Food Protection, Inc. Membership Application

The Conference for Food Protection (CFP) is open to anyone interested in food safety. Membership is required for appointment to Council or to a committee. CFP dues are \$50* (USD) for all or any portion of the two-year period from the end of one Conference to the registration period preceding the next Conference. Conference attendance will automatically renew your membership for the following two-year period. If you are unable to attend a Conference, you must renew your membership to remain in good standing. If your contact information changes, please advise our administrative offices accordingly.

Name: _____

Nickname: _____

Title: _____

Organization: _____

Address: _____

City: _____ State: _____ Zip + four: _____

Phone: _____ Fax: _____

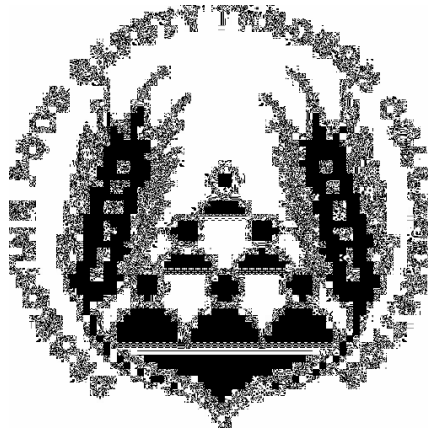
Email: _____

Please make checks payable to CONFERENCE FOR FOOD PROTECTION (Federal Tax ID# 31-1161343) and send your completed application and remittance to our administrative offices at the address shown below.

**Conference for Food Protection
Trevor Hayes, Executive Director
1085 Denio Avenue
Gilroy, CA 95020-9206**

**Phone/Fax 408.848.2255
Email: TWHgilroy@aol.com
Web Address: www.foodprotect.org**

CONFERENCE FOR FOOD PROTECTION



CONSTITUTION AND BYLAWS 2004

Trevor Hayes, Executive Director
1085 Denio Avenue
Gilroy, CA 95020-9206
Telephone/FAX: 408/848-2255
E-mail: twhgilroy@aol.com
Website: www.foodprotect.org

Conference for Food Protection Constitution and Bylaws

As revised April 21, 2004

Preface

The following comments serve as a historical preface to the Constitution and Bylaws for the Conference for Food Protection.

The Conference for Food Protection dates back to the 1971 Conference on Food Protection held in Denver, Colorado. It was sponsored jointly by the Food and Drug Administration (FDA) and the American Public Health Association (APHA). The purpose of the Conference was to provide an inter-professional dialogue on the microbiological aspects of food safety for individuals representing industry, government and consumers.

The Second National Conference for Food Protection was held in Washington, D.C. in 1984. The 1984 Conference expanded its scope to cover toxicological, as well as microbiological concerns. The purpose of the 1984 Conference was:

“To share perspectives on the toxicological and microbiological aspects of food safety problems in the United States; to identify the needs, direction and opportunities of food production, processing, handling and regulation through the year 1990; and to establish an organization for the continuing study of food safety problems and for promotion of the recommendations of the Conference.”

The 1984 Conference was organized into seven committees: Toxicology; Microbiology; Good Manufacturing and Quality Control; Standards and Regulations; Education and Training; New Foods Processing and Packaging; and Conference Program Committees, with selected individuals also serving as resource persons who prepared “white papers” on various issues that were to be discussed at the Conference. In addition to the federal, State and local health officials who had been invited to the 1971 Conference, the 1984 Conference included industry, academic and consumer representatives. The 1984 Conference adopted a recommendation that a continuing conference organization be established and that a constitution and bylaws be developed based upon a draft presented at the Conference. It was agreed that the objectives of the Conference would be:

- To identify emerging problems of food safety;
- To address the problems of food safety on a regular basis;
- To formulate recommendations for the solution of the identified problems;
- To follow up on the recommendations of the Conference so that they will be incorporated into public policy and in industry practice;

- To evaluate the effectiveness of the Conference recommendations; and
- To establish a working liaison with professional and trade associations, academic institutions and government agencies concerned with food safety.

Following the 1984 Conference, the Constitution and Bylaws were finalized and the Conference was incorporated in 1985. The National Sanitation Foundation (NSF) agreed to support the Conference financially and a Conference Executive Director was hired.

The 1986 Conference for Food Protection was held in Ann Arbor, Michigan. The 1986 Conference was again organized into seven committees representing the major science and technical aspects of food protection. A 25-member Executive Committee selected the topics to be discussed and requested “white papers” from technical experts. In addition to the committees, five Councils were formed representing the interests of the participants at the Conference.

Although the purposes of these Conferences were well established and accepted, the organization and procedures of the Conference were long debated. In the early meetings of the Steering Committee preparing for the 1984 Conference, the idea of emulating the National Conference on Interstate Milk Shipments (NCIMS) was introduced. Individuals working during this Conference to write a new constitution began introducing NCIMS-type structure into the Conference organization. This was the first step leading to the current Constitution and Bylaws.

The second step was action taken at the 1984 Conference to reaffirm the intent to model the Conference after the NCIMS. The following is quoted from the Proceedings of the 1984 Conference:

“An Organizational Model: from the beginning it was the intention of the organizers of the Second National Conference that it should include an effort 'to establish an organization for the continuing study of food safety problems and for the promotion of the recommendations of the Conference'. What the organizers had in mind in making that a goal of the Conference was to establish, in the area of food safety, something akin to the Interstate Milk Shipments Conference and the more recent Interstate Shellfish Sanitation Conference, so that a national dialogue on food safety might continue on a regular, periodic basis.” (page 369)

“A National Conference for Food Protection should be established as an ongoing conference and be structured similarly to the National Conference on Interstate Milk Shipments. One of the Conference's primary purposes should be to promote the formulation and use of uniform model laws and regulations among all government agencies to assure uniform interpretations and implementation and to eliminate duplication of services. Its membership should consist of federal, State and local food regulatory officials, academia and representatives from industry. It should be governed by an Executive Board with representatives from federal, State and local agencies and industry.” (Recommendation No. 10, Standards and Regulations Committee -- approved by the Conference, page 266).

The draft Constitution and Bylaws adopted by the 1984 Conference were, according to its authors, not meant to be a fully workable source for forming and operating the conference model after the NCIMS. It was intended as an interim document that would be upgraded to provide a more authoritative foundation for Conference actions.

The final step in the decision to upgrade the Conference organization was taken at the 1986 Conference. The Program Committee reported that:

"It was the unanimous view of the committee that the Conference should operate as an action organization, existing not merely to identify problems and formulate recommendations, but to resolve issues through the implementation of recommendations, much as the Weights and Measures Conference and the Interstate Milk Shippers do. Specific recommendations in this regard will be presented prior to the next conference." (page 410, Proceedings)

To accomplish this, the 1986 Conference agreed:

- To develop a State regulatory ratification mechanism whereby each of the 50 States will have one vote; and
- To create a Constitution and Bylaws Committee to review the entire Constitution and Bylaws and to formulate recommendations for the Executive Committee to consider.

The Constitution and Bylaws Committee approached the review process with three principal needs in mind. First, the Constitution needed to allow for the continuing study of food safety problems, but with a more limited focus. To achieve this, the following changes were made:

1. The objective of the Conference placed greater emphasis on food safety at the point of ultimate sale to consumers through food services, retail food stores and food vending, and continued to identify and address problems in production, processing, packaging, distribution, sale and service of food;
2. The seven committees were condensed into three councils to provide a balance between discussing the science and technology of food safety issues and developing various certification guidelines, procedures and models; however, as in the other two Conference examples, separate committees in each discipline area could still function to deliberate and review issues.

The second principle that guided the review process was the need for the Conference to be more successful in promoting food safety, mutual respect and uniformity. This was accomplished through the following changes:

1. The final actions taken by the Conference regarding such items as food safety controls, certification procedures and Memoranda of Understanding, were to be adopted by the regulatory delegates of the Conference with the advice of industry and other non-regulatory members;
2. The Constitution created a Council on Laws and Regulations; a Council on Administration, Certification and Education; and a Council on Science and Technology that provided vehicles by which the Conference could deliberate on all food safety issues and promote more uniform and effective food safety controls.

The final guiding principle was the need to ensure that the Conference would provide a national and, to the extent possible, international dialogue on food safety on a regular, periodic basis; and that this dialogue would be among representatives of regulatory, industry and other non-regulatory organizations. To accomplish this, the Constitution and Bylaws provided for the following:

1. The name of the Conference remained unchanged consistent with the recommendation made by the 1986 Program Committee. In order to increase international information exchange, the Pan American Health Organization (PAHO) and the World Health Organization (WHO) were added. The Food and Agricultural Organization (FAO) was already a member of the Conference;
2. The role that industry plays in the Conference is substantial. Industry is fully represented on all councils, committees and the Executive Board. Industry representatives alternate as Chair and Vice-Chair on all councils. Industry representatives are elected through industry caucuses. Industry's concerns and advice are fully considered since problems submitted to the Conference are assigned to one of the councils. Regulatory delegates vote on each council's recommended actions;
3. The Science and Technology Council provided a forum for discussion by all concerned parties of the scientific and technological aspects and principles underlying the problems faced by government and industry in their mutual goal of trying to provide safe foods for consumers and could include formation of individual committees for each scientific discipline.

The Constitution and Bylaws attempt to intertwine these guiding principles so that in pursuing one, each would be pursued. This interdependence is critically important if the Conference recommendations are going to command the respect of the food regulators and the food industry who would be called upon to implement the recommendations. As was stated by Mr. Archie Holliday in his comments on the 1988 proposed Constitution and Bylaws:

“The most important need for an organization of this kind is to have its recommendations respected by the community called upon to implement them. Without the results of our deliberations commanding the highest respect

attainable, getting together to identify and study food safety problems will be of little or no value to enough people to support a viable organization. The strength of the organization structure now being proposed by your Constitution and Bylaws Committee is that it provides the means to balance the interests of regulatory and industry people while providing an open forum for the consideration of ideas from any source. At the same time, matters that are supported by the voting delegates will have endured such a process as to command the utmost of respect.”

The Constitution and Bylaws are one step in an evolving process to develop a viable permanent Conference. The next was also discussed by Mr. Archie Holliday in his comments on the Constitution:

“One should be careful not to conclude that a food service oriented structure would prohibit the free and open study of the wider range of food safety problems. When the values of NCIMS and ISSC organizational structures are discussed, we often fail to acknowledge the importance of procedures to successful operation of these bodies. Well defined, established procedures will be essential to the effectiveness of the Conference operating under our proposal. Procedures should remain as a separate entity from the Constitution and Bylaws. When the new Constitution and Bylaws are adopted, the Executive Board should immediately begin the process of establishing procedures to be approved by the Conference. It is in this process that attention can be given to how broad the scope of the Conference should be. The adoption and revision of Conference procedures should receive the same careful consideration as the adoption of Conference recommendations.”

The Constitution and Bylaws Committee and the Executive Board believed that the Constitution and Bylaws proposed and accepted at the 1988 Conference provided a workable and proven approach that should be followed to develop an effective voice for present and future issues of food safety.

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Preamble

The Conference for Food Protection, hereinafter referred to as the Conference, is incorporated as a non-profit organization under the laws of the State of Virginia to carry out the objective stated in the Constitution and Bylaws of the Conference.

Constitution and Bylaws

Article I Objective

Section 1. The objective of the Conference shall be to promote food safety and consumer protection by:

Subsection 1. Identifying and addressing problems in the production, processing, packaging, distribution, sale and service of foods;

Subsection 2. Focusing on and facilitating the food protection programs governing the food service, retail food store and food vending segments of the food industry;

Subsection 3. Adopting sound, uniform procedures which will be accepted by food regulatory agencies and industry;

Subsection 4. Promoting mutual respect and trust by establishing a working liaison among governmental agencies, industry, academic institutions, professional associations and consumer groups concerned with food safety;

Subsection 5. Promoting uniformity among States, territories and the District of Columbia. Territories include American Samoa, Guam, Northern Mariana Islands, Puerto Rico, The Trust Territory and the U.S. Virgin Islands.

Subsection 6. Utilizing as the primary channels for dissemination of information:

The United States Department of Agriculture/Food Safety and Inspection Service (USDA/FSIS) in matters under their purview, such as food production, meat and poultry processing and consumer information; and The United States Department of Health and Human Services/Public Health Service/Food and Drug Administration (HHS/PHS/FDA) in matters under their purview, such as food processing and assistance to food regulatory agencies based on the model food codes and related documents.

Article II Organization and Operation

Section 1. The Conference shall be directed by the delegates of the States, territories and District of Columbia, who join together with representatives of industry, academic institutions, professional associations and consumer groups to achieve the objective of the Conference.

The Conference shall include an Assembly of State Delegates, hereinafter referred to as the Assembly; an Executive Board, hereinafter referred to as the Board; officers; an Executive Director, Councils; Committees; a Program Chair; an Issue Chair, and any member of the Conference as described in Article III, Sections 1 and 2.

Section 2. The Conference shall meet at least biennially during even-numbered years with additional meetings as the need arises as determined by the Board.

Section 3. The Conference identifies food safety issues by receiving Issues submitted by interested persons. The Conference addresses Issues by assigning them to appropriate Councils or Committees for consideration. Council membership is balanced between government and industry interests. Aspects of Issues may also be assigned to Committees for study, procedure development or for other reasons. All committees that are assigned to a Council shall submit a report to the Council Chair and Conference at least seventy-five (75) days preceding the Conference meeting. Councils then make recommendations to the Assembly, which is composed of delegates designated by the States and territories. The Assembly considers and votes to approve or reject Council recommendations. Conference participation is open to all interested individuals who choose to become members and attend. Individuals may serve as appointed or elected officials on the Board, Councils, and Committees; or as a participating registered member in attendance at the Conference meeting.

The Conference shall consider issues related to food safety that are submitted on approved forms and within specified time frames. Any interested person may submit an Issue for consideration. At least one hundred and twenty (120) days preceding the Conference meeting, the Executive Director shall notify members of the Conference of the time and place of the Conference meeting and of issues that are to be voted on under “unfinished business”. Each notice shall include approved forms for submitting Issues, including proposed changes to the Constitution and Bylaws, and a statement that all Issues, including constitutional changes, shall be submitted to the Conference on the approved forms at least seventy-five (75) days preceding the Conference meeting. Issues are to be assigned to appropriate Councils by the Issue Committee. At least thirty (30) days preceding the Conference meeting, the Executive Director shall make available to members of the Conference copies of the final committee reports and Issues,

including Constitution changes that have been received and assigned for Conference deliberation.

The Board may submit special Issues to the Councils at the beginning of the Conference meeting as necessary.

Councils are to deliberate their Issues and report their recommendations on each to the Assembly. The Assembly considers and votes on recommendations it receives from the Councils.

Article III Registration and Membership

- Section 1.** Any persons interested in promoting the objective in Article I may attend the Conference meetings by registering their name, address, and the business they represent with the Executive Director and paying the registration fee established by the Board under Article V, Section 11.
- Section 2.** Persons who are interested in promoting the objective in Article I but who can not attend the Conference meeting may become members of the Conference by applying to the Executive Director using forms provided and paying the membership fee established by the Board under Article V, Section 12.
- Section 3.** Persons paying the Conference membership fee through the Executive Director's office or by paid registration at the Conference meetings are members of the Conference and are entitled to be on an official list to receive copies of the Conference proceedings and other Conference matters determined by the Board to be of interest to all members of the Conference.
- Section 4.** Conference membership is for the time period from the first day of one Conference meeting and ends the day prior to the next biennial Conference meeting.

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 XVI, Section 5.
- Section 2.** To be eligible to serve on the Board, Councils, Committees, or as Issue Chair or Program Chair; individuals must be members of the Conference and must be in attendance at the Conference meeting at which they are appointed or elected; or shall have attended the Conference meeting immediately preceding the one at which they are appointed or elected. This requirement in respect to Councils and Committees may be waived by consent of the Board.
- Section 3.** Board Membership

Subsection 1. The Board shall be composed of twenty-two (22) voting members as follows:

- a) Six (6) members from State food regulatory agencies (one (1) from each CFP region);
- b) Six (6) members from local food regulatory agencies (one (1) from each CFP region);
- c) Two (2) members from federal regulatory agencies (one (1) from FDA, one (1) from FSIS);
- d) Six (6) members from the food industry with at least one (1) each representing food processing, food service, retail food stores and food vending;
- e) One (1) member from an academic institution; and
- f) One (1) member representing consumers.

Subsection 2. Regulatory agency, industry, academic institution and consumer Board members shall be elected by a caucus of registrants in each respective group. State and local regulatory Board members shall be elected in regional caucuses of regulatory registrants. Federal regulatory Board members shall be appointed by the head of their agency.

Subsection 3. Such elected Board members shall serve through three (3) general meetings of the Conference. Elected Board members may succeed themselves unless reelection would extend the total of consecutive service to more than twelve (12) years.

The terms of elected Board members shall be staggered so that one-third (1/3) of the members are elected at each Conference meeting.

Subsection 4. The Board shall have non-voting Ex-Officio members as follows:

- a) The Immediate Past Chair of the Board;
- b) The Chair and Vice Chair of each Council;
- c) The Conference Program Chair;

- d) A representative from Canada (Health Canada/Health Protection Branch), the Pan American Health Organization (PAHO), the World Health Organization (WHO), and the Food and Agriculture Organization (FAO);
- e) The Executive Director; and
- f) The Conference Issue Chair.

Section 4. The Board shall elect a Chair and Vice-Chair from its membership after each biennial meeting of the Conference and they may retain their positions at the pleasure of the Board as long as they are officially members of the Board. The Board Chair and Vice-Chair shall be the Chair and Vice-Chair of Conference meetings. The Board shall retain the services of a qualified person to act as an Executive Director. The Executive Director shall be bonded, have no vote on the Board or in the Conference meetings and shall perform all duties outlined in Article VIII. The compensation of the Executive Director shall be set by the Board.

Section 5. The Immediate Past Chair of the Board shall continue to serve on the Board until replaced by the next retiring Chair. If the Immediate Past Chair of the Board is unable for any reason to continue to serve on the Board, the position shall remain vacant until filled by the next retiring Chair. Immediate Past Chairs shall serve on the Board as non-voting members unless re-elected to the Board in a capacity other than as Immediate Past Chair.

Article V Duties of the Assembly and the Board

Section 1. The Assembly with recommendation from a Council or the Board shall approve or reject all recommendations including those pertaining to the Constitution and Bylaws, any Conference procedures, all Memoranda of Understanding or other formal agreements and other necessary actions including resolutions; and establish Conference policies and positions on all subjects related to the objective of the Conference except as delegated (by the Assembly) to the Board. If a recommendation is approved, it shall be referred to the Board for appropriate disposition. If a “No Action” recommendation is rejected, the Issue will be referred to the Board for its consideration.

Section 2. The Board shall manage the affairs of the Conference.

Section 3. The Board shall meet prior to each Conference meeting and after the meeting closes. The Chair shall call special meetings of the Board at any time at the request of two-thirds (2/3) of its voting members. In addition, the Chair is empowered to call special meetings of the Board at any time, as the need arises, with the concurrence of two-thirds (2/3) of the voting Board members.

- Section 4.** The Board may, at the discretion of the Chair, utilize a mail service, electronic mail, or fax ballots to establish a position, action or confirm telephone conference call votes. Only an authorized ballot approved by the Board shall be used. Once such a position or action has been taken, the Board shall notify all Conference members.
- Section 5.** The Board shall direct the Chair, Executive Director, and Program Chair in the preparation of the programs for each meeting of the Conference.
- Section 6.** The Board shall set the time and place of the meetings of the Conference.
- Section 7.** If voting members of the Board are unable to participate in a Board meeting, they may not send a substitute, but may forward by mail information for consideration by attending members of the Board. Voting members may participate through a telephone conference call.
- Section 8.** Voting Board members who fail to attend two (2) consecutive Board meetings and who fail to show cause why they were absent may have their positions declared vacant by the Chair.
- Section 9.** If a vacancy occurs for any reason in Board membership between biennial meetings, the Chair with concurrence of the Board may fill the vacancy with a person representing the same discipline as the person being replaced until the next biennial meeting at which time the vacancy shall be filled by a qualified person who is properly elected.
- Section 10.** The Board shall direct the Executive Director to collect registration and membership fees as necessary to defray the costs of the operation of the Conference. The Board shall cause an annual audit to be made of the Executive Director's financial reports.
- Section 11.** The Board shall authorize the form used to tally votes in meetings of the Board and Assembly.
- Section 12.** The Board shall establish the registration and membership fees identified in Article III.
- Section 13.** The Board shall approve an annual budget for the fiscal year established by the Board.
- Section 14.** The Board shall appoint Committees as necessary to accomplish the Conference objective.

Article VI Duties of the Chair

- Section 1.** The Chair shall preside at all meetings of the Assembly and Board, except as provided in Article VII, Section 1.
- Section 2.** The Chair shall assist the Executive Director in arranging Conference meetings.
- Section 3.** The Chair with the approval of the Board shall appoint Council Chairs and Vice-Chairs.
- Section 4.** The Chair shall appoint Council consultants required in Article X.
- Section 5.** The Chair shall appoint an Issue Chair and a Program Chair.
- Section 6.** The Chair, with the approval of the Board, shall appoint qualified persons to Councils and Committees as provided in the Constitution and Bylaws.
- Section 7.** The Chair shall appoint a Local Arrangements Committee to assist in planning the physical facilities for the next Conference meeting.
- Section 8.** The Chair shall appoint a parliamentarian to advise on matters of parliamentary procedures at Board and Assembly meetings.
- Section 9.** The Chair, with Board approval, may retain clerical assistance for the Conference.
- Section 10.** Between Conference meetings the Chair shall require from each Council Chair a report of the status of implementation of each approved recommendation originating in the respective Council and this information shall be provided to the Conference participants.

Article VII Duties of the Vice-Chair

- Section 1.** In the event the Chair is unable to perform the duties of the Chair, the Vice-Chair shall act as Chair.
- Section 2.** When acting as Chair, the Vice-Chair shall perform all the necessary duties for the Conference as outlined in Article VI.

Article VIII Duties of the Executive Director

- Section 1.** The Executive Director shall record the minutes of each meeting of the Assembly and the Board.
- Section 2.** The Executive Director shall tally and record all voting of the Assembly on a form authorized by the Board.
- Section 3.** The Executive Director shall notify all members of the time and place of the next Conference meeting, and of Issues that are to be deliberated.

- Section 4.** The Executive Director shall collect registration and membership fees and shall pay all bills as directed by the Board. The Executive Director shall obtain a receipt for all disbursements and shall make all such receipts a part of Board records.
- Section 5.** The Executive Director shall accomplish the duties outlined in Article VI, Section 10; Article XV, Section 1; and Article XVI, Section 1, Subsections 2, 3, 4, and Section 4.
- Section 6.** The Executive Director shall prepare a proposed annual budget for presentation to the Board.
- Section 7.** The Executive Director shall maintain an up-to-date list of the qualified delegates designated as required by Article XIV.

Article IX Councils

- Section 1.** There shall exist three (3) Councils in the Conference to provide for continuity of action in carrying out the objective of the Conference.
- Subsection 1.* The Councils shall be known as Council I, Council II and Council III.
- Section 2.** Each Council shall have a Chair, Vice-Chair and twenty (20) other members to be appointed by the Conference Chair with the approval of the Board. Except as specified in Article IX, Section 3, Subsection 3, the term for a Council member shall begin at appointment and expires upon adjournment of the fall Board meeting following the Conference meeting. If a Council member cannot attend a Conference meeting, the member's term expires and the Conference Chair may appoint a member who can attend the Council meeting during the Conference meeting.
- Subsection 1.* Of the twenty-two (22) members of Councils I and II, nine (9) plus one Chair or Vice-Chair shall be selected from regulatory agencies; one (1) shall be from a national, state or local consumer organization; one (1) shall be from academia; and nine (9) plus one Chair or Vice-Chair from industry.
- Subsection 2.* Eight (8) of the food regulatory agency representatives on Councils I and II shall be equally apportioned among state and local agencies and two (2) members shall be from the territories, District of Columbia, or federal jurisdictions that regulate commercial or institutional operations. If two (2) members can not be obtained from the territories, District

of Columbia or federal food inspection programs, these positions may be filled from State or local food regulatory agencies. The ten (10) industry representatives shall be apportioned so at least one (1) member represents food processing, two (2) members represent food service, two (2) members represent retail food stores and one (1) member represents food vending.

Subsection 3. Of the twenty-two (22) members of Council III at least five (5) shall be from State and local regulatory agencies, at least five (5) from industry and the remainder at-large. The industry representatives shall include at least one (1) each from food processing, food service, retail food stores and food vending. At large members may include members representing federal agencies and other interest groups.

Subsection 4. If sufficient designated members are not available at a Conference meeting to complete a Council's membership, the Conference Chair may appoint other members to the Council so long as the balance between regulatory and industry is maintained as specified.

Section 3. The Council Chair and Vice-Chair shall select twenty (20) Council members from persons holding membership in the Conference and offer their names for Conference Chair appointment and Board confirmation.

Subsection 1. The Council Chair shall, after appointment, serve through one (1) Conference meeting. The Council Vice-Chair shall, after appointment, serve through two (2) consecutive Conference meetings, one (1) as Vice-Chair and the second as Chair.

Subsection 2. On Councils I and II when the Council Chair represents a food regulatory agency, the Vice-Chair shall be an industry representative. If the Council Chair represents industry, the Vice-Chair shall be a food regulatory agency representative.

Subsection 3. The term for the Council Chair and Vice-Chair shall begin at the conclusion of the scheduled Conference meeting and last through the fall Board meeting following the next biennial Conference meeting. At the end of the outgoing Chair's term, the Vice-Chair shall assume the position of

Chair and a new Vice-Chair shall be appointed as set forth in Subsection 2 of this Section.

Section 4. Each member of the Council, other than the Vice-Chair, shall have one vote. The Council Chair shall only vote to break a tie. The Council Vice Chair shall only vote when acting as Chair.

Article X Council Consultants

The following Federal agencies and international organizations may each provide a non-voting consultant for each of the Councils:

- a. Centers for Disease Control;
- b. Environmental Protection Agency;
- c. Food and Drug Administration;
- d. Department of Agriculture;
- e. Food and Agriculture Organization;
- f. Pan American Health Organization;
- g. World Health Organization;
- h. The Dominion of Canada; and
- i. Others as deemed appropriate by the Board.

Article XI Duties and Responsibilities of Councils

Section 1. Council I: Council on Laws and Regulations

Subsection 1. Issues submitted to the Conference dealing with laws, regulations and model codes governing the safety of food shall be assigned to Council I by the Conference Issue Committee.

Section 2. Council II: Council on Administration, Education, and Certification

Subsection 1. Issues submitted to the Conference dealing with matters relating to the Constitution and Bylaws, Conference procedures, memoranda of understanding, program evaluation, education, training and certification and the like

shall be assigned to Council II by the Conference Issue Committee.

Section 3. Council III: Council on Science and Technology

Subsection 1. Issues submitted to the Conference dealing with science and technology shall be assigned to Council III by the Conference Issue Committee.

Section 4. Councils shall deliberate on all assigned Issues. Council Chairs shall report the recommendations of their Councils to the Assembly.

Section 5. When a Council recommends “No Action” on an assigned Issue, the Council Chair shall record the reason why “No Action” was recommended.

Section 6. Duties of the Councils Between Conference Meetings

Subsection 1. Following the Conference meeting, the Conference Chair shall contact the Council Chairs to review the recommendations approved by the Assembly of State Delegates and to plan for the implementation of approved recommendations originating in their respective Councils.

Subsection 2. During the period between Conference meetings, the Council Chairs, working with their respective Council members, shall track the progress of implementation of approved recommendations originating in their respective Councils.

Subsection 3. Council Chairs shall prepare a written report on the status of implementation of approved recommendations originating in their respective Councils or on the activities of committees assigned to their Council. These reports shall be submitted to the Conference Chair 30 days prior to each Board meeting or more frequently at the request of the Conference Chair.

Subsection 4. The new Council Chairs shall submit for Board approval the names of committee chairs and membership of all committees assigned to their Council by the fall Board meeting following the Conference meeting.

Article XII Committees

Section 1. All appointments to Conference Committees shall be made to provide a balance in representation of the stakeholders in the particular matter under consideration.

Section 2. The following standing committees shall be established:

- a. Program Committee;
- b. Constitution and Bylaws/Procedures Committee;
- c. Resolutions Committee;
- d. Audit Committee;
- e. Food Protection Managers Training, Testing and Certification Committee; and
- f. Issue Committee

Section 3. Other committees may be established as necessary to accomplish the Conference objective. Such committees may be for the purpose of focusing Conference resources around specific scientific disciplines, for studying multi-faceted issues, for developing new procedures or for other purposes.

Subsection 1. Local Arrangements Committee shall be established for each Conference meeting.

Section 4. A committee may establish its own bylaws establishing operational procedures that may include, but are not limited to, objectives, organization and operation, duties and responsibilities. Bylaws of a committee must be approved by the Board.

Article XIII Duties of the Committees

Section 1. The Issue Committee shall review all Issues submitted at least seventy-five (75) days before the Conference meeting. The Issue Committee shall assign for Council deliberation those Issues that have met the Issue acceptance criteria specified in the Conference Procedures Manual. Issue assignments shall be made in accordance with Article XI, Section 1, Subsection 1, Section 2, Subsection 1 and Section 3, Subsection 1.

Section 2. The Program Committee shall assist the Executive Director and Chair in planning and arranging all Conference meetings and shall assist the Executive Director in the preparation of programs for each Conference meeting.

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 the memorandums of understanding, the Conference Procedures manual, the Constitution and Bylaws and other working documents. The Committee shall report all recommendations to the Board prior to Council II deliberation and shall follow the direction of the Board.

Section 4. The Resolutions Committee shall report to the Board. Except for thank you resolutions, the Resolutions Committee shall prepare all necessary resolutions for Board approval.

Section 5. The Audit Committee shall report to the Board. Except when a certified public accountant conducts an audit of the Conference's financial records, the Audit Committee shall audit the Conference's financial records annually.

Section 6. The Food Protection Managers Training, Testing and Certification Committee shall report to the Board. The Food Protection Managers Training, Testing and Certification Committee shall work with the accreditation organization for food protection manager certification programs to:

- a. establish and refine policies and standards to which certifiers must conform in order for them to be accredited;
- b. provide Conference input into the development of accreditation standards for certifying organizations specific to food protection manager certification programs;
- c. develop strategies for enhancing equivalence among food protection manager certificates issued by certifiers; and
- d. promote universal acceptance of certificates issued by accredited certifiers.

Section 7. All Committees shall submit a report to be received by the Council Chair and the Conference in a timely manner as specified under Article II, Section 3.

Article XIV Duties of States, Territories and District of Columbia

The States, territories and the District of Columbia shall be responsible for designating and keeping the Executive Director informed of the name(s) and address(es) of the person(s) designated to represent them in the Assembly.

Article XV Rules of the Conference Meeting

- Section 1.** Registration – All participants must register.
- Section 2.** Conference meetings shall be at least two (2) days duration except this requirement may be waived for special meetings called by the Board.
- Section 3.** Except for additional meetings as provided for in Article II, Section 2, the Conference will meet each even numbered year.
- Section 4.** Robert’s Rules of Order shall prevail, unless specified rules are established.
- Section 5.** FDA, CDC, and USDA Reports shall be presented.

Article XVI Rules of the Assembly

- Section 1.** Meetings of the Assembly shall include the following:
- Subsection 1.* Call to order by the Chair;
 - Subsection 2.* Roll call of States, Territories and the District of Columbia and the announcement of the names of the delegates who will vote for each in the Assembly;
 - Subsection 3.* Approval of the minutes of the previous meeting;
 - Subsection 4.* *Report of the Executive Director;*
 - Subsection 5.* Council Chair Reports, Resolutions and other new business;
 - Subsection 6.* Assembly voting;
 - Subsection 7.* Authorization that may be required by the Assembly for the Board to conclude and implement any necessary recommendations prior to the next Conference meeting; and
 - Subsection 8.* Adjournment.
- Section 2.** Each State shall be entitled to one (1) full vote and each territory and the District of Columbia shall be entitled to one-half (½) vote in the Assembly. When a State has more than one (1) State food regulatory agency enforcing food laws and regulations for food processing, food service, retail food stores and food vending,

the vote may be divided into appropriate fractions. State agencies within each State must agree among themselves regarding apportioning the one (1) vote.

Section 3. Only a registrant at the Conference meeting who is a representative of a State, territory or District of Columbia food regulatory agency responsible for the enforcement of food laws and regulations for food processing, food service, retail food stores or food vending is entitled to be a delegate in the Assembly. When any State is represented by more than one food regulatory agency, the vote may be cast together as one vote or separately as a fraction of a vote. Representatives of States with more than one regulatory agency delegate certified in compliance with the provisions of Section 4 of this Section may, during any meeting of the Assembly, reassign their voting privilege to another duly certified delegate from their State by giving written notice of such action to the Conference Chair. When a State is represented by only one agency, the State's delegate may cast a full vote for that State in the Assembly.

Section 4. At least one hundred and twenty (120) days prior to a Conference meeting the Executive Director shall send to the food regulatory agency or agencies in each State, territory and District of Columbia participating in the Conference a notice of the forthcoming meeting. Each notice shall include a current copy of Article II, Section 3 and Article XVI, Sections 2 through 6 and 9 of the Constitution and Bylaws.

Section 5. Each Agency shall report to the Executive Director on approved forms the following:

Subsection 1. The agency's officially designated regulatory responsibility regarding food processing, food service, retail food stores and food vending;

Subsection 2. The name of the delegate and the alternate, if any; and

Subsection 3. Designation of the vote to which that person is entitled, whether one (1) vote or a fraction of one (1) vote.

Section 6. In the event that more than one (1) delegate is designated and the sum of the votes designated for the delegates is greater than one (1), the Executive Director shall reject, void and return the reports to the agencies for correction. Such revision shall be submitted to the Executive Director at least forty-five (45) days before the Conference meeting.

Section 7. Delegates shall record their names with the Executive Director and shall cast their votes in the Assembly when called by announcing "yes", "no" or "abstain" for one (1) vote; or "yes", "no" or "abstain" for the appropriate fraction of one (1) vote.

Section 8. Voting in the Assembly shall be recorded by the Executive Director as “yes”, “no” or “abstain”.

Section 9. If delegates wish to caucus, they may pass when their names are called for the purpose of caucusing and then shall vote when the second roll is called.

Section 10. To adopt in the Assembly:

Subsection 1. A quorum must be present. A quorum is defined as the presence of registered voting delegates from at least two-thirds (2/3) of the States with designated official delegates in attendance at the Conference meeting. Each territory and the District of Columbia shall count as one half (1/2) State in constituting a quorum.

Subsection 2. To change a procedure adopted at a previous Conference meeting or to make a change in the Constitution and Bylaws requires a two-thirds (2/3) majority vote.

Subsection 3. Other actions require a simple majority unless specifically covered by Robert’s Rules of Order.

Article XVII Dissolution of the Conference

Section 1. Upon the dissolution of the Conference, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or tax code, or shall be distributed to the federal government, or to a State or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

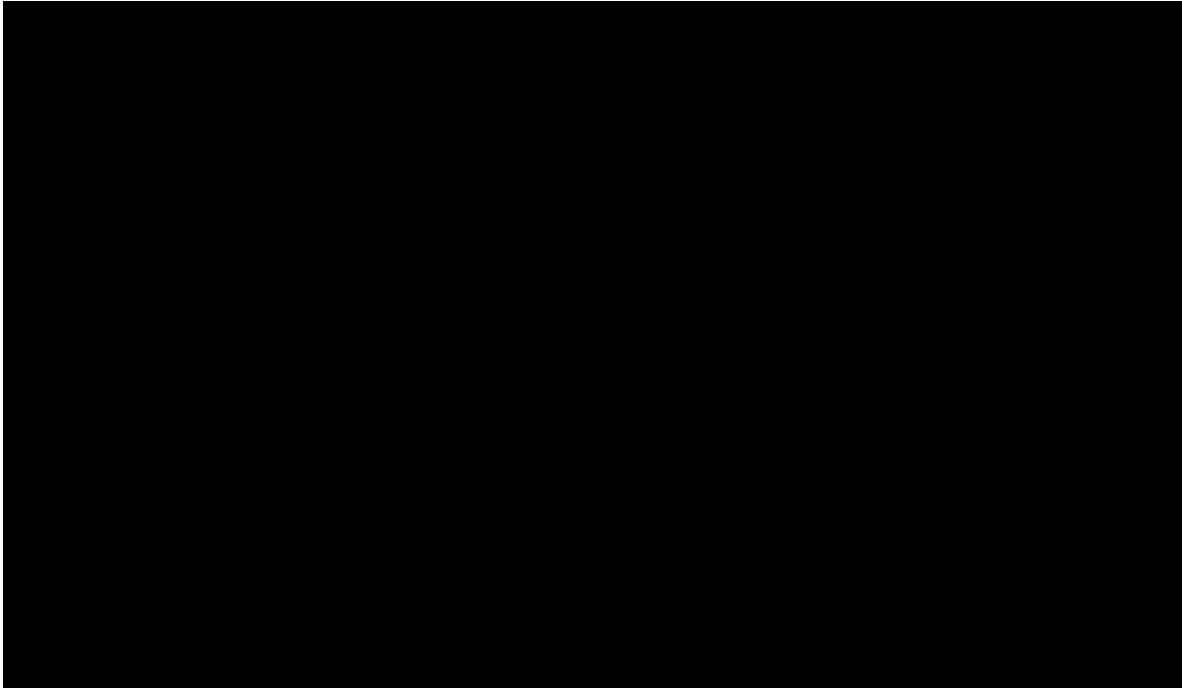
Article XVIII Amendments to the Constitution and Bylaws

Section 1. The Constitution and Bylaws may be amended at a duly called Conference meeting, the delegates having had thirty (30) days notice from the Executive Director of such proposal to amend as provided in Article II, Section 3 and Article VIII, Section 3.

Section 2. Amendments to the Constitution and Bylaws will become effective at the close of the meeting at which they are adopted.

Appendix

Map of CFP Regions*



Non-contiguous states and territories not shown on map

*Used in Allocating Members of Executive Board

<u>Mid-Atlantic</u>	<u>Midwest</u>	<u>Pacific</u>	<u>Southeast</u>	<u>Northeast</u>	<u>Southwest</u>
DE	IL	AK	AL	CT	AR
DC	IN	AS	FL	MA	CO
KY	MI	AZ	GA	ME	IA
MD	MN	CA	LA	NH	KS
OH	ND	CM	MS	NY	MO
NJ	SD	GU	NC	RI	NE
PA	WI	HI	PR	VT	NM
VA		ID	SC		OK
WV		MT	TN		TX
		NV	VI		UT
		OR			WY
		TT			
		WA			

Conference for Food Protection Organizational Chart

Assembly of State Delegates

Executive Board

Councils

- I Laws and Regulations
- II Administration, Education & Certification
- III Science and Technology

Standing Committees

- *Program
- *Issue
- *Food Protection Mgr Training, Testing and Certification
- *Constitution, Bylaws/ Procedures
- *Resolutions
- *Audit

Organizational Structure Composition Assembly of State Delegates

Role:	Approves or rejects all Council recommendations
Chair and Vice-Chair:	Conference Chair and Vice-Chair preside at meetings of the Assembly
Delegates:	Designated by 57 food regulatory agencies representing: 50 States 6 Territories <ul style="list-style-type: none">• American Samoa• Guam• Northern Mariana Islands• Puerto Rico• Trust Territory• U.S. Virgin Islands 1 District of Columbia
Voting:	53 ^{1/2} total possible 50 States have 1 vote each; those States with multiple State regulatory jurisdictions may divide vote equitably 6 Territories and DC have ½ vote each

Executive Board

- Role:** Manages the affairs of the Conference
- Chair and Vice-Chair:** Elected from Board Voting Membership
- Members:** 22 elected to staggered terms by caucus of registrants in each respective group; federal members are appointed by agency head

Voting

- 6 State regulatory agencies (1 each per CFP Region)
- 6 Local regulatory agencies (1 each per CFP Region)
- 2 Federal Agencies (FDA and USDA)
- 6 Food Industry
- 1 Academic Institution
- 1 Consumer Representative

Non-Voting Ex-Officio

- 1 Immediate Past Chair
- 3 Chair of each Council
- 1 Program Chair
- 1 Issue Chair
- 4 Canada & International Organizations (FAO, WHO, PAHO)
- 1 Executive Director

Councils

- Role:** Deliberate assigned Issues and develop recommendations for Assembly consideration
- Chairs and Vice-Chairs:** 2 appointed by Conference Chair with approval of Board. For Councils I and II, if the Chair has a regulatory affiliation, the Vice-Chair is to be an industry affiliate, and vice versa. The Chair affiliation alternates back and forth each term.
- Members:** 20 selected by Council Chair and Vice-Chair for appointment by Conference Chair with approval of Board

I. Council on Laws and Regulations

Regulatory (including Chair or Vice Chair)

- 4 Local
- 4 State
- 2 Territorial, DC
or Federal

Industry (including Chair or Vice Chair)

- 1 Food Processing
- 2 Food Service
- 2 Food Store
- 1 Food Vending
- 4 Not specified

Consumer and Academia

- 1 Consumer
- 1 Academic

II. Council on Administration, Education and Certification

Membership allocated as shown in Council I

III. Council on Science and Technology

- 5 Regulatory agencies (min.) selected from State and Local
- 5 Food industry (min.) with at least 1 each from food processing, food service, food stores and food vending
- 10 At-large including consumer and academia and may include federal and other

Consultants: 9 possible

4 Designated Federal Agencies

3 Designated International Organizations

Additional if necessary, as deemed by the Board.

Voting: Chair votes only to break a tie; Vice-Chair does not vote.

Committees

Appointments

All appointments to Conference Committees shall be made to provide a balance in representation of the stakeholders in the particular matter under consideration.

Standing Committees

Issue Committee

Role: Reviews all Issues submitted to Conference and assigns to Councils for deliberation.

Chair: Appointed by Conference Chair

Program Committee

Role: Assists in planning and arranging of Conference meeting.

Chair: Appointed by Conference Chair

Constitution and Bylaws/Procedures Committee

Role: Submits recommendations to improve Conference administrative functions through proposals to amend the Constitution and Bylaws. Reviews proposed memoranda of understanding and ensure consistency among the memoranda of understanding, the Conference Procedures manual, the Constitution and Bylaws and other working documents. Reports all recommendations to the Board prior to Council II deliberation and follows the direction of the Board

Chair: Appointed by Conference Chair

Resolutions Committee

Role: Reports to the Board. Except for thank you resolutions, the Resolutions Committee prepares all necessary resolutions for Board approval

Chair: Appointed by Conference Chair

Audit Committee

Role: Reports to the Board. Except when a certified public accountant conducts an audit of the Conference's financial records, the Audit Committee audits the Conference's financial records annually.

Chair: Appointed by Conference Chair

Food Protection Managers Training, Testing and Certification Committee

Role: Reports to the Board. Works with the accreditation organization for food protection manager certification programs to:

- a. establish and refine policies and standards to which certifiers may conform in order for them to be accredited;
- b. provide Conference input into the development of accreditation standards for certifying organizations specific to food protection manager certification programs;
- c. develop strategies for enhancing equivalence among food protection manager certificates issued by certifiers; and
- d. promote universal acceptance of certificates issued by accredited certifiers.

Chair: Appointed by Conference Chair

Other Committees

Appointed as needed to carry out Conference objective

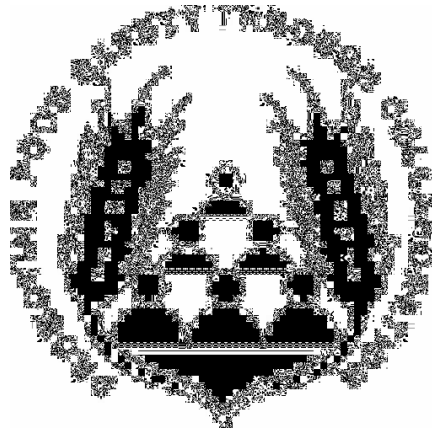
Timeline for Conference Activities

This chart outlines the “When, Whom and What” of actions that are to be taken.

Time	1	2 & 3	4	5 & 6	7
Line	0-----0-----	0-----0-----	0-----0-----	0-----0-----	--0-----
Days	-120	-75	-30	During Conference	Afterwards

1. At least 120 days preceding Conference meeting	Executive Director (Art. II, Sec. 3 and Art. XV, Sec. 5, Sub 3)	Announces to members the time and place of Conference meeting, and provides forms for submitting Issues and proposals
2. By 75 days preceding Conference meeting	Any person (Art. II, Sec. 3) Program Committee (Art. II, Sec. 3 and Art. XIII, Sec. 1)	May submit Issues which must be submitted on approved forms by this deadline Reviews properly submitted Issues and assigns each for Council deliberation
3. By 75 days preceding Conference meeting	All Committees (Article II, Section 3)	Shall submit a report to the appropriate Council and Conference
4. By 30 days preceding Conference meeting	Executive Director (Article II, Section 3)	Make available to members Committee reports and copies of Issues which have been properly submitted and assigned to Council
5. During Conference meeting	Councils (Art. II, Sec. 3 and Art. XI, Sec. 4)	Deliberate assigned Issues and develop recommended actions for Assembly consideration
6. During Conference meeting	Assembly (Art. V, Sec. 1)	Approves or rejects actions recommended by Councils Submits approved actions to States and Board for implementation May return rejected actions to originating body explaining basis for rejection or reassignment
7. Following Conference meeting	Board (Art. V, Sec. 1)	Distributes Assembly actions to Conference members for implementation

CONFERENCE FOR FOOD PROTECTION



CONFERENCE PROCEDURES 2004

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- I. Introduction
- II. Conference Orientation
- III. Conference Resolutions
- IV. Conference Issues
- V. Councils
- VI. Caucus/Consensus Building Meetings
- VII. Assembly of Delegates
- VIII. Committees
- IX. Conference Recommendations Relating to the FDA Food Code

Prepared by: Constitution and Bylaws / Procedures Committee

As Amended by 2004 Conference Meeting (Chandler, Arizona)

Conference for Food Protection Conference Procedures

I. Introduction

Conference Procedures are intended to supplement the Constitution and Bylaws in the conduct of Conference meetings and other Conference business.

II. Conference Orientation

A brief orientation shall be conducted for attendees at the beginning of the Conference meeting. The orientation is solely for the purpose of explaining and answering questions relative to the structure of the Conference and procedures governing its operation.

III. Conference Resolutions

Resolutions that have been submitted in writing and have received prior approval by a majority of the Executive Board shall be presented for voting at the Assembly meeting.

IV. Conference Issues

A. Issue Submission Form

1. The Executive Board shall approve an Issue Submission Form.
2. Within the time specified in the Constitution and Bylaws, the Issue Submission Form shall be made available to Conference members and to and interested parties.
3. Issue submissions may be made by mail, FAX, or electronically through the internet. Issues may be submitted in person to the Executive Board only in the event of a late-breaking food safety Issue. Current instructions for submission and the form are available through the internet on the Conference web site or from the Executive Director.
 - a. For the purpose of this Section a late-breaking food safety Issue is defined as an Issue that specifically relates to an event, practice or circumstance creating a situation requiring the immediate attention of the Conference that has occurred between the deadline of the Conference Issue submission deadline and the Conference meeting.
4. The deadline for Issues and their attachments is the date specified in the Constitution and Bylaws.

B. Issue Acceptance Criteria

1. In order for the Issue to be accepted by the Conference and considered for Council deliberation, all sections of the form must be completed. The Issue must be described completely, with its impact on retail distribution identified. The food protection or public health aspect of the Issue must be clearly stated to be easily understood. A suggested solution or rationale for the Issue must be sufficiently detailed to cover all aspects of the submission.
2. When the recommended solution is to change the wording of a document, such as the Food Code or a Conference document, the portion of the document to be changed must be accurately identified, the change that is requested must be specified (e.g., actual language for replacement, addition, change or deletion), and the recommended language provided.

C. Issue Committee Assignment of Issues to Councils

1. Immediately after the deadline for Issue submission, the Issue Committee reviews submitted Issues for their compatibility with the Conference objective, as stated in the Constitution and Bylaws, and for their public health significance and completeness.
2. The Committee Chair consults with Issue submitters as needed. Those Issues fulfilling the criteria for acceptance are numbered and assigned to one of three Councils for consideration at the Conference meeting:

Council I	--	Laws and Regulations
Council II	--	Education, Certification and Administration
Council III	--	Science and Technology
3. Once an Issue is assigned to a Council, it may be given to a Committee to review in depth and develop a position for the Council to consider at the meeting. For a limited number of key Issues, Council Chairs may request a white paper be developed.

D. Issue Rejection Process

1. All Issues must be received in final form by the deadline date. If an Issue received prior to the deadline date does not meet the criteria set forth in IV. B., the Issue Chair will make a reasonable attempt to contact the submitter with a brief explanation of the problem. Failure of the submitter to correct and/or resubmit the Issue prior

to the deadline date will result in rejection of the Issue.

2. At least thirty (30) days before the Conference meeting, the submitter of an Issue that does not meet the criteria for acceptance or is not in the jurisdiction of the Conference is notified with a copy to the Conference Chair of the reason(s) why the proposed Issue is not acceptable. A rejected Issue may be considered a "Special Issue" if accepted by the Board and submitted by the Board to the Council at the beginning of the Conference meeting.

E. Numbering of Issues

Each Issue is given a number. The number shall reflect the year, Council assignment, and the sequence within that Council. For example, Issue 98-03-15 is the fifteenth Issue submitted for the 1998 Conference meeting that is assigned to Council III.

F. Presentation of the Issue to the Council

The submitter of each Issue, or the submitter's representative, is afforded the opportunity to verbally present the Issue to the Council as it is opened for discussion and to address questions that arise during its deliberation.

G. Supplemental Material to Issues

Supplemental reports, studies and other written materials required to explain an Issue should be submitted as an attachment to that Issue to ensure timely review by the Councils. If that is not possible, written materials relating to an Issue may be made available to Council and Assembly members during Conference deliberations by placing them on the designated information table in the appropriate meeting space. However, submitters may not expect that such materials will be read due to the press of business at the Conference. Therefore, providers may be asked to provide a brief oral summary of those materials during the appropriate Council or other meeting.

1. Conference Board members, Council members and Assembly Delegates will receive supplemental material that has been developed immediately before and during the Conference at no charge.
2. Late developing Conference committee updates shall be presented both orally and in writing.

H. Issues Packet

An Issues Packet shall be sent to all Conference members. The Issues Packet contains Issues arranged in the order assigned by the Issue Committee although

the order may be rearranged prior to or during Council meetings based on a variety of considerations.

V. Councils

A. Meeting Arrangements

1. Council Chairs meet prior to the Issue deliberation to review and have a common understanding of uniform procedures to be followed during the Council meetings. This meeting is chaired by the Constitution and Bylaws/Procedures Committee Chair and the Parliamentarian will be present to answer any questions.
2. A meeting room is assigned to each of the Councils for the duration of the Conference meeting. Should Councils wish to meet at other times than scheduled, a notice must be posted as to when and where so all attendees are advised. In addition, the Executive Secretary must be notified of such a meeting. The Executive Secretary and the Chair of the Local Arrangements Committee shall assist in arranging a room.
3. Councils will post, in a conspicuous place, agendas that show the sequence in which the Issues will be discussed and will update the agenda as they dispense with each Issue. This allows a submitter or interested parties to move from Council to Council to present multiple Issues, if necessary.
4. If there are conflicts in agendas, i.e., where two or more Issues that were submitted by the same person are scheduled for discussion at the same time, the submitter should notify the Council Chairs as soon as a conflict is identified. The Council Chairs will make every effort to rearrange their agendas to accommodate presentation of the Issues by the submitter or the submitter's representative.

B. Council Member Application Process

New Council members and alternates are selected for the next Conference meeting from applications submitted to the Executive Secretary. All selected Council members and alternates will receive notification of their appointment from the Council Chair.

C. Conducting Business

1. Rules

Before beginning Council deliberations, each Council Chair announces the respective rules to be followed, in addition to Robert's Rules of Order, reviews the agenda, schedules, limits of time for deliberation on each Issue by any individual, voting on Issues (i.e., acceptance, no action or referral) and any other pertinent information.

2. Referral of Issues to Another Council

If a Council decides by a simple majority vote that it is necessary to refer an Issue to another Council, the Council Chair immediately notifies the Issue chair. The Issue Chair reassigns the Issue and confirms that a notice has been posted on the agendas of all involved Councils. Sufficient copies of the reassigned Issue shall be provided to the new Council for its use in reviewing the Issue. A reassigned Issue is generally considered at the end of the Council agenda or can be grouped with like Issues.

3. Recorder

Each Council has a recorder pre-selected by the Conference Chair assigned for the purpose of noting significant information and recommendations generated in that Council. The recorder should be reasonably free of advocacy positions with the respective Council.

4. Participation in Other Council Meetings

Council members can leave their meeting to participate in other Council meetings for a particular Issue. Council Chairs should be told beforehand by their members if they are going to do this. Councils post an agenda of Issues along with action status to keep attendees informed and to facilitate scheduling for attendee. Council members are encouraged to participate in all deliberations in their assigned Council.

5. Council Deliberations and Voting Process

- a. Councils deliberate Issues beginning with Issue 01. Should any Council member wish to change the order of discussion, the Chair requests a vote by the Council. If acceptable, the Chair tells the audience and posts a note on the door of the meeting room with the changes. Issues addressing similar subjects may be grouped under one Issue by consent of the Council members. A note describing the groupings is also posted on the door.

- b. The Council Chair reads each Issue to the Council and entertains a motion and a second in order to bring the Issue to the floor for discussion. For discussion purposes, the Council Chair recognizes members of the Council first and then those in the audience. Should members of the audience wish to be recognized by the Chair, they need to raise their hand, await recognition by the Chair, and then step forward to address the Council. The audience may come and go in an orderly fashion should they wish.
- c. The following recommendations can be made by a Council:
 - **ACCEPT AS WRITTEN**
Goes to Assembly of State Delegates as submitted.
 - **ACCEPT AS AMENDED**
Goes to Assembly of State Delegates as amended.
 - **NO ACTION**
Goes to the Assembly of State Delegates as submitted, with reason for “No Action.”

In all cases the recommendation shall begin with the phrase “The Conference recommends...”

- 6. Council Reports
 - a. Upon conclusion of the Council meetings, each Council prepares a report. Each report will have two parts:
 - (1) Part I: Issues that were recommended “Accepted As Written” and Issues that were recommended “Accepted As Amended”;
 - (2) Part II: Issues that were recommended as “No Action”
 - b. These reports are duplicated and distributed to the Conference attendees before the Assembly of State Delegates session.

VI. Caucus/Consensus Building Meetings

Caucus and consensus building meetings are held at various times during the Conference meeting for five groups: academia, consumers, local regulatory agencies, state regulatory agencies and industry. These meetings enable constituent groups to:

1. Select representatives from their respective groups to fill current or pending vacancies on the Conference Executive Board; and
2. Discuss proposed issues or issues that have been deliberated by the Councils.

VII. Assembly of Delegates

A. Role of the Assembly

The Assembly is to approve or reject recommendations from the three Councils, including amendments to the Constitution and Bylaws.

B. Workings of the Assembly

1. The Council Chairs present their reports to the Assembly in sequence beginning with Council I. Part I of each Council report is presented first by each Council. After the Part I portion of the reports is completed the Part II portion follows.
2. The Delegates are asked to identify any Issues from the Council's report they wish to extract for separate, individual discussion.
3. Issues dealing with the Constitution and Bylaws and Procedures of the Conference are automatically extracted from the Council II report.
4. The Conference Chair asks for a motion to accept the Council report minus the extracted Issues. After the motion is made, the Conference Chair requests a second to the motion. The Council report, minus the extracted issues, is voted upon. Voting options are "Yes", "No", or "Abstain".
5. The Conference Chair asks for a motion to accept the Council recommendation for each extracted Issue. A second to the motion is requested for each extracted Issue.

6. Each extracted Issue before the Assembly can be discussed for clarification prior to a vote. Extracted Issues cannot be amended by the Assembly.
7. Delegates voting options are “Yes”, “No”, or “Abstain”.

VIII. Committees

A. Committee Membership

Whenever possible, depending upon the nature of the Issue, membership of the Committees should be made up of representatives from around the country and from regulatory, industry, consumers and academia.

B. Appointment of Members

1. The incoming Council Chairs appoint the Chairs of each Committee formed within their Council with the concurrence of the Conference Chair. The Conference Chair will confirm the appointment of the Committee Chair and then notify the person of their appointment. Once confirmed, the Committee Chair will select the remaining members of the Committee and submit them to the Conference Chair for final Board approval. Accepting a committee chair or member assignment requires a commitment of time and resources as described in the Constitution and Bylaws.
2. Federal participants (FDA/USDA) may appoint a member and an alternate for each Committee. The member participates in discussion but does not vote. The alternate may act in the member's place if the member is unable to attend.

C. Committee Chair

Committee Chairs serve until the Committee charge is completed or until replaced, whichever occurs first. Under direction and guidance from the Council chair, Committee Chairs shall develop a work plan and establish time frames to accomplish their work plan. A Committee Chair may appoint subcommittees in order to accomplish the work plan. The Conference Chair or the Chair's designee establishes a calendar for submission of interim and final Committee reports.

D. Duties of Committee members and the Chair

1. Committee members shall make every effort to attend meetings and participate in conference calls.

2. Committee members shall have the responsibility to notify the Committee Chair of their inability to attend a committee meeting or participate in a conference call at least fifteen days prior to the scheduled meeting or conference call.
3. Committee members shall have the responsibility to review for comment any standards, reports, recommendations, Issues, or other committee documents distributed within the time frames designated by the committee.
4. Committee members shall have the responsibility to complete work assignments within time frames designated by the committee or to notify the committee Chair or the Chair's designee of their inability to complete a work assignment.
5. A committee member who does not participate in two consecutive meetings and/or conference calls shall have their continued participation as committee members assessed by the committee Chair and evaluated by the committee. The committee member may be subject to removal from the committee. Removal of a committee member for failure to perform duties as specified above, shall require the concurrence to of 2/3 of the voting members of the committee.

E. Term of the Committee

A Committee ceases to exist when its function has been completed and an Issue has been submitted and deliberated at the Conference meeting unless it is a standing Committee, or the Council or Executive Board re-authorizes the Committee to continue to work on the Issue under consideration.

F. Committee Meetings

1. Committees may convene during the two years before the Conference meeting to complete discussions of the Issues assigned to them. The assignments are a result of previous Council recommendations that were passed by the Assembly of State Delegates. Committees can also convene just prior to the Conference meeting at the Conference meeting site.
2. If Committee members are unable to fulfill their obligation, they are to notify the Committee Chair immediately so that the Committee Chair may appoint a replacement. Members who are unable to attend a meeting may not send a substitute, but may forward any material for Committee consideration.

3. Committees may address new Issues, i.e., Issues submitted for the current year's meeting, which have been assigned to the Council, if the Council Chair and Vice-Chair deem it appropriate. The Conference Vice-Chair works with each Council Chair to ensure that Council Committees work on their assigned charges and report back to their respective Councils in a timely manner.
4. Before beginning committee meetings, each committee chair announces the respective rules to be followed, in addition to Robert's Rules of Order, reviews the agenda, and any other pertinent information. Only members of the committee can vote on items brought before the committee. A quorum must be participating to adopt a motion. A quorum is defined as a simple majority of committee members.

G. Committee Reports

1. Periodic Status Report

Council Chairs shall submit an interim status report of Committee activities to the Conference Chair no later than thirty (30) days prior to each Executive Board meeting that does not coincide with a Conference meeting. The Conference Chair can send a report back to a Council Chair with a request that a committee work further on its report. Council Chairs shall be prepared to discuss the interim report(s) at each Executive Board meeting.

2. Final Report

Committees that are assigned to a Council shall provide a final report of their activities to the Council with a recommendation in the form of an Issue submitted for Conference deliberation. This shall be done seventy-five (75) days in advance of the Conference meeting as specified in Article II, Section 3, of the Constitution and Bylaws with the report attached to the pertinent Issue.

The Committee Chair or the Committee Chair's designee should be present when the Council meets during the Conference meeting to present and discuss the Committee's report.

H. Committee Sign-Up Sheets

At the Conference meeting, the Executive Secretary will post sign-up sheets for members interested in working on standing and ad hoc Committees.

IX. Conference Recommendations Relating to the FDA Food Code

Conference recommendations to State and local governments and others that pertain to retail food protection matters and that may therefore have relevance to the FDA Food Code are conveyed to the FDA in the following manner.

1. The Conference Chair will convey to the FDA and USDA any recommendations that relate to the Food Code within 45 days of the Conference meeting.
2. The FDA and USDA will review and reconsider any material forwarded by the Conference. The FDA and USDA will respond in writing to the Conference Chair on each recommendation from the Conference. The FDA and USDA will make every effort to provide these written comments within 60 days of its receipt of the recommendations.
3. The FDA and USDA will be available to discuss any Issue with the Conference Executive Board in an effort to explore any concerns and identify mutually acceptable approaches for their resolution. The FDA and USDA will arrange to have appropriate staff available so that this discussion may occur within approximately 30 days of the FDA's and USDA's reply to the Conference.
4. The FDA and USDA will provide a written update to the Conference Chair as a follow up on each recommendation no later than 6 months prior to the next Conference.
5. The responses from the FDA and USDA will be posted on the Conference's website as soon as possible.

Appendix N – Registration List

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