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P R O C E E D I N G S

ASSEMBLY OF VOTING DELEGATES

CONFERENCE FOR FOOD PROTECTION MEETING

April 12, 2006

Hyatt on Capitol Square

Columbus, Ohio

8:30 a.m.

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SHAYNA M. STORTS

REGISTERED PROFESSIONAL REPORTER

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ANDERSON REPORTING SERVICES, INC.

3242 West Henderson Road, Suite A

Columbus, Ohio 43220

(614) 326-0177

FAX (614) 326-0214

1 P R O C E E D I N G S

2 The Assembly of State Voting Delegates for
3 the 2006 Conference for Food Protection was convened
4 at the Hyatt on Capitol Square, Columbus, Ohio, with
5 Janice D. Buchanon, Conference Chair, presiding.

6 - - -

7 THE CHAIR: Good morning. The 2006
8 Conference for Food Protection Assembly of State
9 Voting Delegates is hereby called to order. Before
10 we begin this morning, I'd like to introduce the
11 folks sharing the dais with me. To my right,
12 Mr. Trevor Hayes, our executive director; to his
13 right, John Krakowski, conference Parliamentarian;
14 and then Allen Gelfius, also conference
15 Parliamentarian.

16 To my left, Cory Hedman, Conference Vice
17 Chair; to his left, Elizabeth Nutt, our Resolutions
18 Chair; and she is followed by our Council Chairs,
19 Frank Yiannas, Chair Council I; Vicki Everly, Chair
20 Council II; and Larry Kohl, our Chair for
21 Council III.

22 I'd like to take a moment again to thank
23 all of the voting delegates, the Council chairs, vice
24 chairs and Council members, our parliamentarians, the

1 committee chairs and committee members, you, the
2 conference members, and, of course, our executive
3 board.

4 This has been a most exceptional and
5 enjoyable conference, marked by your determined
6 effort to set a positive example for others to point
7 to when the question is raised: How do organizations
8 work out the position differences among their
9 members? You have redefined collaboration so that it
10 is synonymous with Conference for Food Protection.
11 You have all done an outstanding job and give
12 yourselves a round of applause.

13 (Applause.)

14 And with that, at this time I'll turn it
15 over to our executive director, Mr. Trevor Hayes.

16 TREVOR HAYES: Good morning, everyone.

17 FROM THE FLOOR: Good morning.

18 TREVOR HAYES: I will begin with the roll
19 call of the states. There are a few changes to the
20 delegate roster that was distributed yesterday. If
21 you will please add Dave Reid, Minnesota ag to your
22 roster. And if you will flip the two names for the
23 Michigan delegation, your copy will then be up to
24 date.

1 Tom, you also wish to make a change.

2 Would you like to do that now?

3 TOM LEITZKE (WISCONSIN): Yes. Jackie

4 Owens will serve as the delegate.

5 TREVOR HAYES: Okay. From Wisconsin

6 Jackie Owens will serve as the delegate in place of

7 Tom Leitzke.

8 As I read out the name of your state, I'd

9 like you to respond by indicating the share of the

10 vote you have. If you have a full vote, please so

11 state. If you have less than a full vote, please

12 indicate the share of the vote you have; for

13 instance, one-half or one-third.

14 Alabama?

15 ALABAMA: Full vote.

16 TREVOR HAYES: Thank you. Alaska?

17 ALASKA: Full vote.

18 TREVOR HAYES: Arizona?

19 ARIZONA: Full vote.

20 TREVOR HAYES: Arkansas?

21 ARKANSAS: Full vote.

22 TREVOR HAYES: California?

23 CALIFORNIA: Full vote.

24 TREVOR HAYES: Colorado?

1 COLORADO: Full vote.

2 TREVOR HAYES: Connecticut?

3 CONNECTICUT: Half vote.

4 CONNECTICUT: Half vote.

5 TREVOR HAYES: Thank you. Delaware?

6 DELAWARE: Full vote.

7 TREVOR HAYES: Florida?

8 FLORIDA: One-third.

9 FLORIDA: One-third.

10 FLORIDA: One-third.

11 TREVOR HAYES: Georgia?

12 GEORGIA: One vote.

13 TREVOR HAYES: Hawaii?

14 HAWAII: Full vote.

15 TREVOR HAYES: Idaho?

16 IDAHO: Full vote.

17 TREVOR HAYES: Illinois?

18 ILLINOIS: Full vote.

19 TREVOR HAYES: Indiana?

20 INDIANA: Full vote.

21 TREVOR HAYES: Iowa?

22 IOWA: Full vote.

23 TREVOR HAYES: Kansas?

24 KANSAS: One-half.

1 KANSAS: One-half.

2 TREVOR HAYES: Thank you. Kentucky?

3 KENTUCKY: Full vote.

4 TREVOR HAYES: Louisiana will not be
5 represented.

6 Maine?

7 MAINE: Full vote.

8 TREVOR HAYES: Maryland?

9 MARYLAND: Full vote.

10 TREVOR HAYES: Massachusetts?

11 MASSACHUSETTS: Full vote.

12 TREVOR HAYES: Michigan?

13 MICHIGAN: Full vote.

14 TREVOR HAYES: Minnesota?

15 MINNESOTA: Half vote.

16 MINNESOTA: Half vote.

17 TREVOR HAYES: Thank you. By the way, the
18 roster should also reflect that for Michigan Kevin
19 Besey is the voting delegate.

20 Mississippi?

21 MISSISSIPPI: Full vote.

22 TREVOR HAYES: Missouri?

23 MISSOURI: Full vote.

24 TREVOR HAYES: Montana?

1 MONTANA: Full vote.

2 TREVOR HAYES: Nebraska?

3 NEBRASKA: Full vote.

4 TREVOR HAYES: Nevada?

5 NEVADA: Full vote.

6 TREVOR HAYES: New Hampshire?

7 NEW HAMPSHIRE: Full vote.

8 TREVOR HAYES: New Jersey?

9 NEW JERSEY: Full vote.

10 TREVOR HAYES: New Mexico?

11 NEW MEXICO: Full vote.

12 TREVOR HAYES: New York?

13 NEW YORK: One-half.

14 NEW YORK: Half vote.

15 TREVOR HAYES: Thank you. North Carolina?

16 NORTH CAROLINA: Full vote.

17 TREVOR HAYES: North Dakota?

18 NORTH DAKOTA: Full vote.

19 TREVOR HAYES: Ohio?

20 OHIO: Half vote.

21 OHIO: Half.

22 TREVOR HAYES: And half vote too?

23 OHIO: Half vote, yeah.

24 TREVOR HAYES: Okay. I didn't hear you.

1 Sorry.

2 Oklahoma?

3 OKLAHOMA: Full vote.

4 TREVOR HAYES: Oregon?

5 OREGON: Full vote.

6 TREVOR HAYES: Pennsylvania?

7 PENNSYLVANIA: Full vote.

8 TREVOR HAYES: Rhode Island?

9 RHODE ISLAND: Full vote.

10 TREVOR HAYES: South Carolina?

11 SOUTH CAROLINA: Full vote.

12 TREVOR HAYES: South Dakota, no

13 representation.

14 Tennessee, Lori Lemaster?

15 TENNESSEE: Full vote.

16 TREVOR HAYES: Thank you.

17 Texas?

18 TEXAS: Full vote.

19 TREVOR HAYES: Utah?

20 UTAH: One-half.

21 UTAH: Half vote.

22 TREVOR HAYES: Thank you.

23 Vermont?

24 VERMONT: Full vote.

1 TREVOR HAYES: Virginia?

2 VIRGINIA: Half vote.

3 VIRGINIA: Half vote.

4 TREVOR HAYES: Thank you.

5 Washington?

6 WASHINGTON: Full vote.

7 TREVOR HAYES: West Virginia?

8 WEST VIRGINIA: Full vote.

9 TREVOR HAYES: Wisconsin?

10 WISCONSIN: Half vote.

11 WISCONSIN: One-half vote.

12 TREVOR HAYES: Wyoming?

13 WYOMING: Full vote.

14 TREVOR HAYES: District of Columbia?

15 DISTRICT OF COLUMBIA: A strong half vote.

16 TREVOR HAYES: Thank you.

17 And Puerto Rico?

18 PUERTO RICO: Half vote.

19 FROM THE FLOOR: There should be a change

20 on the roster that Mr. Hoffner from Delaware is the

21 delegate; it should be switched to Maida Graves.

22 TREVOR HAYES: The delegate from Delaware

23 is Maida Graves in place of Robert Hoffner. Thank

24 you.

1 While I present the rest of my report, our
2 parliamentarians will ascertain what constitutes a
3 majority and what constitutes two-thirds for the
4 voting that will ensue.

5 My report to the assembly is as follows:

6 There are 435 registrants at this conference meeting.
7 Our previous highest attendance figure was 353. We
8 have a total of 59 delegates here today representing
9 48 states, the District of Columbia and one
10 territory. Our year end final financial report
11 ending December 31, 2005, reflects a balance in our
12 treasury of \$110,109.

13 Caucus elections to fill positions on the
14 executive board this year resulted in the following
15 members being named: In the state regulatory
16 category, from the southwest for a term extending to
17 2012, Mary Glassburner from Kansas Health; state
18 regulatory northeast 2012 term, Barbara Gerzonich, a
19 returning board member, New York Health; local
20 regulatory from the Midwest, also 2012, Jeff
21 Luedemen, returning board member Bloomington,
22 Minnesota; southeast 2012 new member Bill Hardester
23 from Mecklenburg County Health in North Carolina.

24 In the industry caucus we have in food

1 service for a term until 2012 John Gurrisi from
2 Darden Restaurants, Orlando, Florida; also from
3 industry in the food store category, 2012, Cory
4 Hedman, returning board member from Hannaford
5 Brothers, Scarborough, Maine; and industry-at-large
6 filling the remaining two years of a six-year term is
7 Larry Kohl from Walt Disney World Lake Buena Vista,
8 Florida.

9 In addition, our executive board has
10 affirmed the appointment of the following members to
11 the position of Council Vice Chair; Council I, Pam
12 Williams from Young Brands, Incorporated; Council II,
13 Aggie Hale, Florida Agriculture; and Council III, Ken
14 Rosenwinkel, Jewel-Osco/Albertsons.

15 I would like to at this time also advise
16 you that our 2008 conference meeting will be held
17 April the 11th through the 16th, 2008, at the Omni in
18 San Antonio, Texas. Please mark these dates on your
19 calendar and plan to attend. They are also posted on
20 the conference website at Foodprotect.org. I
21 encourage you to develop a habit of checking the
22 website for news and information updates.

23 The meeting minutes of the 2004 meeting of
24 this assembly have been distributed. Madam Chair,

1 will you entertain a motion to waive the reading of
2 these minutes, please?

3 THE CHAIR: I ask for a motion now to
4 waive the reading of the minutes of the 2004
5 conference.

6 FROM THE FLOOR: So move.

7 THE CHAIR: Is there a second?

8 FROM THE FLOOR: Second.

9 THE CHAIR: Is there discussion? Then all
10 those in favor of waiving the reading of the minutes
11 of the 2004 conference, state so by saying aye.

12 FROM THE FLOOR: Aye. Those opposed?

13 Motion carried.

14 TREVOR HAYES: Thank you, Madam Chairman.
15 I have something to read briefly here. A quorum must
16 be present. A quorum is defined as the presence of
17 registered voting delegates from at least two-thirds
18 of the states with designated official delegates in
19 attendance at this conference meeting. Each
20 territory in the District of Columbia shall count as
21 one-half a state in constituting a quorum. A
22 two-thirds majority is required to change a procedure
23 adopted at a previous conference or to make changes
24 in the constitution and bylaws. Other actions

1 require a simple majority; yes, no, and abstain are
2 the votes. A Council recommendation cannot be
3 changed. Votes are kept by voice or by a show of
4 hands by the voting delegates. Roll call votes are
5 taken only if requested by a delegate. Thank you.

6 THE CHAIR: Thank you, Trevor.

7 I need to give you some instructions now
8 as to the conduct of the assembly. The first item
9 that I'd like to bring to your attention is that it
10 is absolutely necessary that you turn your pagers,
11 your telephones or other electronic communication
12 devices to either mute or vibrate so as to not disrupt
13 this voting delegate session.

14 Okay. The second item that I'd like to
15 ask of you is that you please try not to leave the
16 room during voting.

17 Now, the next set of information I need to
18 give to you I need you to pay careful attention to.
19 If a delegate wishes to make a motion or speak to an
20 issue, you must come to the microphone, or in the
21 absence of coming to the microphone and standing
22 where you are, you must speak loudly and clearly so
23 as to be audible for our stenographer. You must,
24 however, state your name and affiliation for the

1 record. The Chair, me, will then recognize you.

2 If someone in the audience who is not a
3 voting delegate wishes to speak to an issue, a state
4 delegate must come to the microphone, or stand, as it
5 were, where you are and yield the floor to you. The
6 non-delegate then must state your name and
7 affiliation for the record, and again the Chair will
8 recognize you.

9 Now, traditionally in past delegate
10 sessions, to keep the meeting moving the length of
11 time for debate has been limited. If it is the will
12 of the delegates to do so during this session, I will
13 now entertain a motion to that effect.

14 DEBORAH MARLOW (TEXAS): Deborah Marlow
15 from Texas. I move to limit the total amount for
16 debate to ten minutes with no more than two minutes
17 per speaker.

18 THE CHAIR: Okay. Is there a second?

19 FROM THE FLOOR: Second.

20 THE CHAIR: Okay. So moved. Is there any
21 discussion?

22 Okay. Well, then the limit for debate has
23 been set to a total of ten minutes, presumably
24 starting with the person who requested the extraction

1 speaking first for no more than two minutes, followed
2 by subsequent speakers, each limited to two minutes,
3 so forth and so on, debate or discussion ending at
4 precisely 10 minutes on that issue.

5 Are there any questions on this set of
6 instructions? Okay. With that, then I'll turn the
7 podium over to our parliamentarians for some further
8 instructions.

9 PARLIAMENTARIAN KRAKOWSKI: Good morning,
10 Madam Chair, delegates and my fellow conference
11 members. Congratulations on a great conference. I
12 just wanted to go over some of the processes that
13 we'll be using today for voting.

14 The Chair will begin to invite Council
15 chairs to the podium and Council chairs will give
16 their reports in order. They will then give their
17 reports in two parts. The first part will be the
18 issues that were accepted or accepted as amended; and
19 then the second part will be the issues where no
20 action is recommended by the Council. At that time,
21 the Chair will ask if there are any issues from that
22 Council report that they wish to extract.

23 If there's a delegate that wishes to
24 extract an issue, he or she will come to the

1 microphone or audibly state their name and the issues
2 that they would like to extract. And that will
3 continue until all the issues from that Council's
4 report are extracted.

5 At that time, the Conference Chair will
6 entertain a motion to accept all of the issue
7 recommendations from that Council's report, and there
8 will be a vote. After that is done, each extracted
9 issue will be considered by the assembly. And the
10 time limits have, in fact, been identified.

11 What will happen is that when the
12 extracted issues are considered, the Chair will
13 announce, "I will entertain a motion to accept the
14 Council recommendation for issue," and then state the
15 extracted issue number. And so the person who
16 extracted ideally would come to the microphone and
17 make that motion, and then there is a requirement to
18 have a second, and then there will be the discussion.

19 All of the issues related to bylaws and
20 procedures are automatically extracted from the
21 Council II report. And the Council Chair will
22 entertain a motion to consider all of the bylaws
23 changes in a single vote. The reason why the bylaws
24 and procedures are automatically extracted, because

1 they require a two-thirds vote. All other issues
2 that come before us today require -- regular votes
3 are a simple majority which is 50 percent. The
4 simple majority today will be 25 votes and the
5 two-thirds vote will be 33.

6 And thank you very much. Have a great
7 deliberation.

8 THE CHAIR: I need to correct one item as
9 a point of order. I didn't actually take your vote
10 on the time limit, so I'll go back and do that now.
11 All those in favor of limiting the debate to ten
12 minutes with a total debate time of two minutes per
13 speaker, state so by saying yes.

14 FROM THE FLOOR: Yes.

15 THE CHAIR: Those opposed, please state so
16 by saying no. Motion carried. We will limit the
17 debate to two minutes -- to ten minutes with two
18 minutes per speaker as recommended.

19 Okay. With that then, Frank, will you
20 please give us the report for Council I.

21 FRANK YIANNAS: Good morning, Madam Chair.
22 It was a great honor for me to serve as Chair of
23 Council I, and on behalf of my Vice Chair, Lee
24 Cornman, and Council members, I would like to submit

1 Part 1 of the Council I report.

2 For Part 1 of the report, we have the 13
3 issues accepted as submitted; 15 issues accepted as
4 amended; and we have one minor correction for the
5 record. If I turn your attention to Issue 1-023, the
6 last item in that issue, No. 2, needs to be stricken
7 from the record. That same language appears on
8 Issue 1-022, and that's the correct location.

9 THE CHAIR: Okay. Thank you, Frank. Does
10 anyone wish to extract an issue from Part 1 of
11 Council I?

12 DAVE REID (MINNESOTA): My name is Dave
13 Reid. I'm with the Minnesota Department of
14 Agriculture, and I would like to extract Issue 1-18.

15 THE CHAIR: Thank you. Does anyone wish
16 to extract another issue?

17 Hearing none, then I will now entertain a
18 motion to accept the Council I report --

19 ERNEST JULIAN (RHODE ISLAND): I would
20 like to extract Issue 1 also. Ernest Julian with
21 Rhode Island Department of Health.

22 THE CHAIR: Okay. Does anyone wish to
23 extract another issue from Council I report from
24 Part 1?

1 PATRICK GUZZLE (IDAHO): Patrick Guzzle,
2 Idaho Department of Health and Welfare. I'd like to
3 extract Issue 1-023.

4 THE CHAIR: Does anyone wish to extract
5 another issue?

6 Okay. Then hearing no others, I will now
7 entertain a motion to accept the Council I report
8 minus the extracted issues.

9 DAVID LUDWIG (ARIZONA): Madam Chair,
10 David Ludwig, state of Arizona. I move that we
11 approve the remaining issues for passing.

12 THE CHAIR: Is there a second?

13 PADRAIC JUAREZ (FLORIDA): Second.

14 THE CHAIR: So moved. Is there any
15 discussion? Then all those in favor of accepting the
16 report of Council I -- are there any abstentions?
17 Okay. All those in favor of accepting the report of
18 Council I minus the extracted issues, please indicate
19 so by saying yes.

20 FROM THE FLOOR: Yes.

21 THE CHAIR: All those opposed, please
22 indicate so by saying no. The motion carries.
23 Part 1 of the report is accepted then except for the
24 extracted issues.

1 Okay. For no particular reason, I'm going
2 to take the extracted issues in the order of their
3 request, okay. Then I will now entertain a motion to
4 accept the Council recommendation for Issue 1-18.

5 DAVE REID (MINNESOTA): My name is Dave
6 Reid, again, with the Minnesota Department of
7 Agriculture, and I would like to yield the floor to
8 Lorna Girard.

9 THE CHAIR: I'm actually still waiting for
10 the motion before we go into discussion.

11 DAVE REID (MINNESOTA): So move.

12 THE CHAIR: Is there a second?

13 ERNEST JULIAN (RHODE ISLAND): Second.

14 THE CHAIR: Now, is there any discussion
15 now? Okay. With the reminder that the agreed upon
16 time limit for discussion is ten minutes or two
17 minutes procedure.

18 FROM THE FLOOR: I'd like to yield the
19 floor to Lorna Girard.

20 THE CHAIR: The Chair then recognizes
21 Lorna Girard.

22 LORNA GIRARD (MINNESOTA): My name is
23 Lorna Girard, and I'm with the Minnesota Department
24 of Agriculture, and I believe Issue 1-001 and 1-018

1 were combined with the language that prevails in
2 1-018. And I would like to recommend a no vote to
3 the delegates.

4 This issue or a similar issue was
5 discussed in 2004, and that was Issue 026, as far as
6 eliminating floor drains in walk-in coolers. It
7 passed. It ended up it did go into the 2005 food
8 code as negotiated and they negotiated this with the
9 planning committee. And that actually went to
10 Section 5-402.11(B). So floor drains have been
11 eliminated in walk-in coolers.

12 If this proposal to say equipment does not
13 include refrigerated spaces that are constructed as
14 an integral part of the building goes through, it
15 also means that other equipment requirements will not
16 apply. And that would be for such as 4-101.19,
17 non-food contents construction; 4-301.11, cooling,
18 heating, holding capacities; 4-501.11, good repair
19 and proper adjustment. So with this exclusion of
20 walk-in coolers as a piece of equipment, there are
21 other provisions that will also be affected. Thank
22 you.

23 THE CHAIR: Thank you. Does anyone else
24 wish to speak to this issue?

1 Point of order, will someone yield the
2 floor.

3 DEBORAH MARLOW (TEXAS): Deborah Marlow,
4 Texas Department of Health, yielding to Larry
5 Edwards --

6 THE CHAIR: Would you state your name for
7 the record.

8 DEBORAH MARLOW (TEXAS): Deb Marlow from
9 Texas.

10 LARRY EDWARDS: My name is Larry Edwards
11 from the Food and Marketing Institute.

12 THE CHAIR: Chair recognizes Mr. Edwards
13 then.

14 LARRY EDWARDS: Thank you very much.

15 This issue was put forth as a follow-up to
16 the original recommendation to the conference; that
17 being not only to change in the code the appropriate
18 places, but also a change in the definition.

19 At the 2004 conference, the Council then
20 went through the deliberation process, and it was
21 decided that the appropriate placement in the food
22 code and annexes would be changed, but the definition
23 was not attended to. It was our intent in submitting
24 this issue to clarify further that floor drains in

1 refrigerated places -- spaces should not be included
2 as equipment, it should be addressed as part of the
3 building, as floor drains and that back rooms or
4 walls, floors and ceilings would be. So the intent
5 was never to eliminate the refrigerated space from
6 being addressed by other provisions of the code.

7 When it went through Council, the FDA
8 presented their issues, and we all heard those, and
9 but didn't feel that the intent of the issue was to
10 eliminate all those other provisions, the code from
11 addressing this issue.

12 Now, I know some people at the FDA -- I'm
13 kidding -- but I was really hoping -- it went through
14 Council, and it was passed, and I was hoping that the
15 FDA could take that intent and then try and address
16 that once they received the issue from the
17 conference. Thank you.

18 THE CHAIR: Okay. Does anyone else wish
19 to speak to this issue?

20 DAVE REID (MINNESOTA): This is Dave Reid
21 with the Minnesota Department of Agriculture.

22 THE CHAIR: The Chair recognizes Mr. Reid.

23 DAVE REID (MINNESOTA): I would like to
24 yield the floor to a speaker from FDA.

1 defeated.

2 Are there any abstentions for the record?

3 Okay. With that then I will entertain a
4 motion to accept the Council recommendation for
5 Issue 1-023. And if you'll state your name just for
6 our stenographer as you're making the motion, that
7 would be very helpful.

8 PATRICK GUZZLE (IDAHO): Patrick Guzzle,
9 Ohio Department of Health and welfare. So moved.

10 THE CHAIR: Is there a second?

11 DAVID LUDWIG (ARIZONA): Second.

12 THE CHAIR: Is there then any discussion
13 to this issue?

14 PATRICK GUZZLE (IDAHO): Madam Chair,
15 again, Patrick Guzzle, Idaho Department of Health and
16 Welfare.

17 This issue calls for allowing either
18 manual ware-washing in sinks to be installed in a new
19 establishment or mechanical dishwashing, not both. I
20 think we would hopefully recognize that the best
21 practice would be to have both three-compartment
22 sinks or manual ware-washing in addition to
23 mechanical ware-washing.

24 If there is a situation whereby an

1 establishment simply cannot meet that requirement,
2 various provisions already do exist in the code
3 whereby an establishment operator can request a
4 variance to change that.

5 The reason that the state of Idaho feels
6 this is an important issue, we have several rural
7 areas in our state whereby an operator, assuming
8 worse case scenario, power failure or other system
9 failure in that mechanical ware-washing system that
10 might be the only thing installed in that facility is
11 not operable, it may take several hours, possibly
12 several days, before that establishment can contact a
13 sanitarian to have them come out and help them
14 reestablish the operable -- operability of that
15 mechanical ware-washing system. By presenting that
16 possible time frame of several hours or possibly
17 several days, it would require in the state of Idaho
18 at least that that establishment close for that time
19 when the mechanical ware-washing is not operable.

20 Rather than face the possibility of an
21 adverse financial situation for the establishment,
22 the state of Idaho recommends that the current
23 language continue to exist and require both manual
24 ware-washing as well as both mechanical ware-washing

1 in food establishments.

2 THE CHAIR: Thank you. Does anyone else
3 wish to speak to this issue?

4 DAVE GIFFORD (WASHINGTON): Dave Gifford,
5 state of Washington.

6 THE CHAIR: Chair recognizes Mr. Gifford.

7 DAVE GIFFORD (WASHINGTON): This issue was
8 submitted because the code language as stated
9 currently in the 2005 version does not explicitly say
10 you need both sinks and mechanical dishwasher. It
11 states that for manual dishwashing you need to have a
12 three compartment sink and states that if you use
13 mechanical dishwashing you need to follow
14 manufacturers' instructions. But it does not state
15 currently that you need both. So the issue was
16 submitted to clarify that issue.

17 We don't feel like redundancy in this
18 issue is necessarily required. It's not required in
19 other issues. If there is a power failure, the place
20 will close probably anyway due to other reasons. But
21 at the very least, if we do vote down this issue,
22 then it will remain unclear in the code, and maybe we
23 just need to ask the FDA to clarify their position in
24 the code otherwise. But we just want to make it

1 clear that if this issue is voted down, the issue
2 will remain unclear in the code and states will
3 interpret it both ways. Thank you.

4 THE CHAIR: Thank you. Does anyone else
5 wish to speak to the issue?

6 PADRAIC JUAREZ (FLORIDA): Madam Chair,
7 delegates, I'm Patrick Juarez from the state of
8 Florida.

9 THE CHAIR: Chair recognizes Mr. Juarez.

10 PADRAIC JUAREZ (FLORIDA): Thank you. Our
11 point on this particular issue is that we don't
12 require redundancy anywhere else in the code on much
13 more important systems. We don't require that there
14 be an ice block refrigerator in there in case
15 refrigeration goes down. We don't require a wood
16 stove in case the microwaves don't work anymore.

17 We -- I think we all know that that's for
18 foodborne illnesses occurring not so much coming from
19 dishwashing as this is redundancy, and I don't
20 believe anywhere in the public health reasonings does
21 it mention why you have to have redundancy in this
22 particular thing. I would encourage you to accept
23 this issue. Thank you.

24 THE CHAIR: Thank you. Does anyone else

1 wish to speak to the issue? Does someone wish to
2 yield the floor --

3 DAVID LUDWIG (ARIZONA): I'd like to
4 yield -- David Ludwig, state of Arizona. I'd like to
5 yield to this person.

6 KEVIN SMITH (FDA): Morning. Kevin Smith,
7 FDA.

8 THE CHAIR: Chair recognizes Mr. Smith.

9 KEVIN SMITH (FDA): The agency is happy to
10 consider ways that 4.302-12 can be clarified. We
11 believe that the recommended solution doesn't clarify
12 the intent; rather, it changes the intent. We think
13 that it is necessary for the food code to require an
14 establishment be equipped to manually ware-wash its
15 utensils that become soiled. The code currently does
16 not require it done in systems. You don't have to
17 have both manual ware-washing and mechanical, but you
18 do need to be able to be capable of manually
19 ware-washing the equipment that becomes soiled.

20 So while we will consider changes to make
21 that more clear, we don't believe that the
22 recommended solution where it establishes a rule of
23 one or the other is the way to go. We do recognize
24 that there are situations where an exception to that

1 rule is appropriate where you may be able to get by
2 with just only a mechanical ware-washer, but that
3 tends to be in situations where there's either very
4 limited menus or very limited amount of utensils that
5 become soiled. And in that situation we think a
6 variance or a waiver to that requirement is
7 appropriate. But, again, that should be the
8 exception, not the rule. Thank you.

9 THE CHAIR: Thank you. Does anyone else
10 wish to speak to this issue?

11 Okay. Hearing no one else, we will now
12 vote on this issue. All those in favor of accepting
13 the Council recommendation on Issue 1-023, please
14 indicate so by saying yes.

15 FROM THE FLOOR: Yes.

16 THE CHAIR: All those opposed indicate so
17 by saying no.

18 FROM THE FLOOR: No.

19 THE CHAIR: It sounds as though the no's
20 have it, but for the record, are there abstentions
21 that need to be documented?

22 BOB PANICO (OHIO): Bob Panico, Ohio
23 Department of Agriculture. I would like to have a
24 roll call.

1 PARLIAMENTARIAN GELFIUS: Mr. Ludwig, for
2 clarification, were you in abstention?

3 DAVID LUDWIG (ARIZONA): No.

4 THE CHAIR: Mr. Gifford abstained.

5 PARLIAMENTARIAN GELFIUS: Sorry,
6 Mr. Gifford abstained. Wrong Dave. I can't keep
7 them apart.

8 FROM THE FLOOR: I was going to do what he
9 did.

10 PARLIAMENTARIAN GELFIUS: For the record,
11 were there any abstentions on the vote? Okay.

12 THE CHAIR: Thank you. We'll do a roll
13 call vote now, and speak up so that we hear that
14 you're definitely saying yes or no, and your state.

15 TREVOR HAYES: Okay. For the roll call,
16 Alabama?

17 ALABAMA: No.

18 TREVOR HAYES: Alaska?

19 ALASKA: No.

20 TREVOR HAYES: Arizona?

21 ARIZONA: No.

22 TREVOR HAYES: Arkansas?

23 ARKANSAS: No.

24 TREVOR HAYES: California?

1 CALIFORNIA: No.

2 TREVOR HAYES: Colorado?

3 COLORADO: Yes.

4 TREVOR HAYES: Connecticut?

5 CONNECTICUT: No.

6 CONNECTICUT: No. Two half no's.

7 TREVOR HAYES: Thank you. Delaware?

8 DELAWARE: No.

9 TREVOR HAYES: Florida?

10 FLORIDA: Three-thirds yes.

11 TREVOR HAYES: Georgia?

12 GEORGIA: No.

13 TREVOR HAYES: Hawaii?

14 HAWAII: Yes.

15 TREVOR HAYES: Idaho?

16 IDAHO: No.

17 TREVOR HAYES: Illinois?

18 ILLINOIS: Yes.

19 TREVOR HAYES: Indiana?

20 INDIANA: Yes.

21 TREVOR HAYES: Iowa?

22 IOWA: Yes.

23 TREVOR HAYES: Kansas?

24 KANSAS: One-half yes.

1 KANSAS: One-half yes.
2 TREVOR HAYES: Kentucky?
3 KENTUCKY: No.
4 TREVOR HAYES: Louisiana, not here.
5 Maine?
6 MAINE: No.
7 TREVOR HAYES: Maryland?
8 MARYLAND: No.
9 TREVOR HAYES: Massachusetts?
10 MASSACHUSETTS: No.
11 TREVOR HAYES: Michigan?
12 MICHIGAN: Yes.
13 TREVOR HAYES: Minnesota?
14 MINNESOTA: Half no.
15 MINNESOTA: One-half no.
16 TREVOR HAYES: Mississippi?
17 MISSISSIPPI: No.
18 TREVOR HAYES: Missouri?
19 MISSOURI: No.
20 TREVOR HAYES: Montana?
21 MONTANA: No.
22 TREVOR HAYES: Nebraska?
23 NEBRASKA: Yes.
24 TREVOR HAYES: Nevada?

1 NEVADA: No.

2 TREVOR HAYES: New Hampshire?

3 NEW HAMPSHIRE: No.

4 TREVOR HAYES: New Jersey?

5 NEW JERSEY: No.

6 TREVOR HAYES: New Mexico?

7 NEW MEXICO: No.

8 TREVOR HAYES: New York?

9 NEW YORK: One-half no.

10 NEW YORK: One-half no.

11 TREVOR HAYES: North Carolina?

12 NORTH CAROLINA: No.

13 TREVOR HAYES: North Dakota?

14 NORTH DAKOTA: No.

15 TREVOR HAYES: Ohio?

16 OHIO: One-half yes.

17 OHIO: One-half yes.

18 TREVOR HAYES: Oklahoma?

19 OKLAHOMA: Yes.

20 TREVOR HAYES: Oregon?

21 OREGON: No.

22 TREVOR HAYES: Pennsylvania?

23 PENNSYLVANIA: Yes.

24 TREVOR HAYES: Rhode Island?

1 RHODE ISLAND: No.

2 TREVOR HAYES: South Carolina?

3 SOUTH CAROLINA: No.

4 TREVOR HAYES: South Dakota not here.

5 Tennessee?

6 TENNESSEE: No.

7 TREVOR HAYES: Texas?

8 TEXAS: Yes.

9 TREVOR HAYES: Utah?

10 UTAH: One vote no.

11 TREVOR HAYES: Vermont?

12 VERMONT: No.

13 TREVOR HAYES: Virginia?

14 VIRGINIA: One-half no.

15 VIRGINIA: One-half no.

16 TREVOR HAYES: Washington state?

17 WASHINGTON: Yes.

18 TREVOR HAYES: West Virginia?

19 WEST VIRGINIA: No.

20 TREVOR HAYES: Wisconsin?

21 WISCONSIN: One-half yes.

22 WISCONSIN: One-half yes.

23 TREVOR HAYES: Wyoming?

24 WYOMING: Yes.

1 TREVOR HAYES: DC?

2 DISTRICT OF COLUMBIA: No.

3 TREVOR HAYES: Puerto Rico?

4 PUERTO RICO: No.

5 PARLIAMENTARIAN KRAKOWSKI: The vote was
6 33 no and 16 yes. So...

7 THE CHAIR: All right. Then with that,
8 the motion to accept the Council recommendation for
9 Issue 1-023 is defeated.

10 Okay. Then will you please give us the
11 report for Part 2 of Council I?

12 FRANK YIANNAS: Yes, Madam Chair. For
13 Part 2 of our report, there were 14 issues and
14 Council II recommended no action.

15 THE CHAIR: Okay. Does anyone wish to
16 extract an issue from Part 2 of Council I? Okay.

17 DAVE GIFFORD (WASHINGTON): Madam Chair?

18 THE CHAIR: Mr. Gifford.

19 DAVE GIFFORD (WASHINGTON): Clarification.
20 Did we defeat both 118 and 11 in the same action?

21 THE CHAIR: Because they were combined,
22 yes.

23 DAVE GIFFORD (WASHINGTON): Thank you.

24 THE CHAIR: Hearing then no requests for

1 extractions from Part 2 of the report for Council I,
2 I will now entertain a motion to accept Council I
3 report for Part 2.

4 FROM THE FLOOR: So move.

5 THE CHAIR: Is there a second?

6 FROM THE FLOOR: Second.

7 THE CHAIR: Okay. Is there discussion?

8 Then all those in favor of accepting the report of
9 Council I, Part 2, please state so by saying yes.

10 FROM THE FLOOR: Yes.

11 THE CHAIR: Those opposed state so by
12 saying no.

13 Any abstentions? Okay. Then Part 2 of
14 the report for Council I is accepted. Thank you,
15 Frank.

16 Okay. Then, Vicki, if you would please
17 give us the report for Council II.

18 VICKI EVERLY: Thank you, Madam Chair. It
19 has been an honor and a privilege to have served as
20 Council II Chair during the past two years. I'd like
21 to extend a public note of thanks to your Council
22 Vice Chair, John Gurrisi, our Parliamentarians,
23 scribes, and of course our Council members. All did
24 their part in making our deliberations within

1 Council II a very positive experience.

2 In total, Council II deliberated 45
3 issues; 15 of those were accepted as submitted, 25
4 were accepted as amended. The issues submitted by
5 the CFP constitution and bylaws committee are
6 automatically extracted as they require a two-thirds
7 vote, and as the Parliamentarian stated, he requested
8 that I request a motion to consider Issues 2-001
9 through Issues 2-010 as a single motion.

10 SCOTT GILLIAM (INDIANA): Madam Chair --

11 THE CHAIR: Yes.

12 SCOTT GILLIAM (INDIANA): Scott Gilliam
13 from Indiana. I request a motion to consider all the
14 motions 1 through 10 as a group.

15 THE CHAIR: Is there a second?

16 LINDA WHALEY (WEST VIRGINIA): Second.

17 THE CHAIR: Thank you. Any abstentions?

18 With that then when we come to the extractions we'll
19 consider 2-01 through 2-010 collectively. Thank you.

20 Pardon me. Too much coffee this morning.

21 All those in favor of considering -- is there any
22 discussion again? Then all those in favor of
23 considering Issues 2-01 through 2-010 collectively
24 when extracted state so by saying aye -- I'm sorry,

1 yes.

2 FROM THE FLOOR: Yes.

3 THE CHAIR: Those opposed indicate so by
4 saying no. Any abstentions? Then when we come to
5 the extractions we'll consider them for later. Thank
6 you, Vicki.

7 All right. Then with that then I will now
8 entertain a motion to accept the Council II report.
9 Are there any requests for extractions from
10 Council II other than the 10 automatically extracted
11 items?

12 RONALD KLEIN (ALASKA): Yes. 2-039.

13 PARLIAMENTARIAN GELFIUS: Mr. Klein, would
14 you identify yourself, please.

15 RONALD KLEIN (ALASKA): Yes, Ron Klein,
16 state of Alaska, request extraction of 2-039.

17 THE CHAIR: Are there other requests for
18 extractions? Okay.

19 Point of order, I need to dispense with
20 the 1 through 10 first, if that's okay with you.
21 Okay. Then I will now entertain a motion to accept
22 the Council recommendation for Issues 2-01 through
23 2-010 collectively.

24 FROM THE FLOOR: So move.

1 THE CHAIR: Is there a second?

2 FROM THE FLOOR: Second.

3 THE CHAIR: Any discussion? All those
4 then in favor of accepting the Council recommendation
5 on Issues 01-010, please state so by saying yes.

6 FROM THE FLOOR: Yes.

7 THE CHAIR: Those opposed indicate so by
8 saying no. Any abstentions? Then the Council
9 recommendation for Issues 010 through 010 -- 01
10 through 010 carries.

11 Okay. Yes, sir?

12 RONALD KLEIN (ALASKA): Ron Klein, state
13 of Alaska --

14 PARLIAMENTARIAN KRAKOWSKI: Excuse me,
15 Madam Chair. I think that what we need to do is we
16 need to request a motion to bring it to the table.

17 THE CHAIR: Okay. Just one point of
18 order, sir, then -- I will now entertain a motion to
19 accept the Council recommendation on Issue 2-039.

20 PATRICK GUZZLE (IDAHO): So move.

21 THE CHAIR: Is there a second?

22 RONALD KLEIN (ALASKA): Second.

23 THE CHAIR: Is there any -- now, is there
24 any discussion?

1 PAUL PANICO (OHIO): Paul Panico, Ohio
2 Department of Agriculture.

3 THE CHAIR: Chair recognizes Mr. Panico.

4 PAUL PANICO (OHIO): I recognize the
5 importance of education, but I also need to
6 incorporate the experience factor as well. I oppose
7 this issue.

8 In Ohio in order to be a registered
9 sanitarian you must have a degree. However, we do
10 have grandfather registered sanitarians within the
11 state of Ohio who do not have degrees. My concern
12 with this issue is that it will limit our ability as
13 managers to hire or utilize qualified and experienced
14 staff who are registered sanitarians. Experienced
15 sanitarians will not be able to switch a position
16 within either an agency or between agencies without
17 jeopardizing meeting the FDA standards.

18 An example which is an analogy to
19 something we are currently experiencing within our
20 state in our contract inspection program that we have
21 with FDA, FDA has indicated to us that we must -- our
22 staff doing contract inspections must meet their
23 educational requirements.

24 I have 16 staff in the field, all of which

1 have done FDA inspections in the past. Not all of
2 them meet the FDA educational requirements; however,
3 they are registered sanitarians.

4 FDA has allowed me to utilize the staff
5 who are currently doing the FDA inspections; however,
6 those staff who used to do the inspections a couple
7 of years ago will not be permitted to do those
8 inspections because even though they are an RS within
9 Ohio, they don't have the educational background.
10 It's a limitation of my ability to utilize staff that
11 I currently have on board.

12 It will also jeopardize local Health
13 Department sanitarians who are grandfathered RS's to
14 move within their agency. If they are a generalist
15 in one agency and wish to go to another agency as a
16 food person, moving to that agency may jeopardize
17 that other agency's standards with FDA. So I
18 recommend that we oppose this issue. Thank you.

19 THE CHAIR: Thank you.

20 BECKY VIGUE (MAINE): Good morning, Madam
21 Chair. This is Becky Vigue from the state of Maine.

22 THE CHAIR: Chair recognizes Ms. Vigue.

23 BECKY VIGUE (MAINE): Thank you. Maine is
24 striving to build a quality food safety program

1 worthy of achieving compliance with the FDA voluntary
2 national retail food regulatory program standards.
3 After much consideration, I remain unconvinced that
4 the four-year baccalaureate science degree at issue
5 here must be the sole prerequisite to becoming a
6 trained and certified inspection officer in a quality
7 food safety program. The state of Maine's hiring
8 practices recognize that other professional
9 qualifications, including medical, military, legal
10 and computer backgrounds, as well as comparable
11 inspection investigative experience, can afford
12 excellent professional foundational equivalence to
13 the bachelor's of science degree.

14 If a bachelor's of science becomes the
15 sole prerequisite training standard, Maine will not
16 only not achieve this standard, it will be less
17 motivated to do so. Educational degrees are worthy
18 goals, but should not be the sole prerequisite of
19 competency training standards that excludes already
20 competent professionals. Thank you.

21 THE CHAIR: Thank you.

22 PATRICK GUZZLE (IDAHO): Patrick Guzzle,
23 Idaho Department of Health and Welfare.

24 THE CHAIR: Chair recognizes the delegate

1 from Ohio.

2 PATRICK GUZZLE (IDAHO): Idaho.

3 THE CHAIR: Idaho.

4 PATRICK GUZZLE (IDAHO): Common mistake.

5 State Delegates, I have struggled with
6 this issue for the past several hours. On one hand,
7 I also recognize the value and significant importance
8 that education and training play. On the other hand,
9 I represent a state which was the first state to have
10 all of its health jurisdictions enrolled in the
11 program standards. We've been enrolled now for
12 several years.

13 We are making significant strides in
14 meeting those standards. In spite of the advancement
15 we are making on the standards, there has been and
16 continues to be somewhat of an opposition with some
17 of our local health districts in relationship to how
18 exactly a standard is to be met; however, with that
19 opposition, or at least concerns that have been
20 voiced, we are still making strides.

21 We recognize the program standards to be a
22 measuring stick by which to account or by which to
23 have a program of accountability for our own retail
24 food program in Idaho. We are pleased with the

1 results we are seeing. We believe that we have a
2 very high quality program. However, I do not believe
3 that the standards should be the instrument to
4 dictate to us as regulatory health professionals what
5 our educational background must be.

6 And the way that it's worded, the food
7 safety inspection officer shall have a bachelor's
8 degree with 30 semester or 45 quarter hours, I think
9 the intent is good, but the word "shall" presents a
10 problem. I think that this will create opposition
11 for other jurisdictions in trying to enroll in the
12 standards. Having gone through several of the
13 standards myself, I would hate to see that happen
14 because the standards are an excellent tool to use to
15 evaluate our programs. Because of that, state of
16 Idaho recommends opposition on this issue.

17 THE CHAIR: Thank you.

18 PRESCILLA NEVES (MASSACHUSETTS): Prescilla
19 Neves, Massachusetts Department of Public Health.

20 THE CHAIR: Chair recognizes Ms. Neves.

21 PRESCILLA NEVES (MASSACHUSETTS): Thank
22 you, Madam Chair. First and foremost, I'd like to my
23 fellow delegates to say I consider this an honor to
24 work with each and every one of you regardless of our

1 differences, and I respectfully request that you
2 consider accepting Council II's wisdom, insight and
3 decision to support a basic college level education
4 requirement for food safety inspection officers. The
5 Health inspector, the sanitarian, the food inspector,
6 whatever you want to call us, is the person who is
7 directly working in the field with industry every
8 day. That is the face of our profession. And they
9 are the ones who are ultimately going to determine
10 the success of each inspection or investigation.
11 They are going to determine the success of the
12 jurisdiction's retail food inspection program and the
13 ability of that program to respond to food
14 emergencies, including outbreaks; and they are also
15 going to determine the level of consumer confidence
16 in our country's retail food industry.

17 The regulatory retail food safety
18 inspection in the country right now is broken. The
19 lack of knowledge and professionalism in retail food
20 inspectors is one of our biggest complaints and
21 jeopardizes the integrity of our system. It's
22 painful to me when people in the profession are
23 defined by the media and perceived by the public and
24 some of our own colleagues in food safety as being

1 the equivalent to Larry the cable man health
2 inspector. It is broken when we care more about the
3 program and the process than we do for the
4 individuals.

5 It's unfair to let people assume that they
6 can be true potters in food safety without a basic
7 college level education that's going to provide them
8 with a solid foundation to build their knowledge,
9 their skills, their abilities relating to conducting
10 food safety assessments and evaluating the complex
11 food systems that are required to investigate
12 foodborne illness, to communicate with industry, the
13 consumers, the media, the public, the healthcare
14 providers, and encouraging active managerial control
15 and participating in the development of appropriate
16 policy and regulations.

17 This is an opportunity for us to take a
18 leadership role, to challenge the process and send a
19 message to the consumer, to our public health
20 officials, to our politicians --

21 PARLIAMENTARIAN GELFIUS: Ms. Neves, it's
22 with great pain that I must tell you you're out of
23 time.

24 PRESCILLA NEVES (MASSACHUSETTS): Okay.

1 Then vote yes. Thank you.

2 (Applause.)

3 THE CHAIR: Do we still have time in the
4 ten minutes remaining?

5 PARLIAMENTARIAN GELFIUS: Yes, we do.

6 THE CHAIR: Is there anyone else?

7 CHRIS GORDON (DC): Yes, Madam
8 Chairperson. Chris Gordon with the District of
9 Columbia would like to yield to the National
10 Restaurant Association.

11 DONNA GARREN (NRA): Thank you. Donna
12 Garren with National Restaurant Association. And I'm
13 not sure I can really duplicate Prescilla's
14 passionate plea to support this issue.

15 I do know that this has been an issue, an
16 ongoing issue, for the conference for close to 12
17 years now. And as an association and those that are
18 inspected by your professionals, we do support any
19 effort by the regulatory community to improve and
20 enhance their education level and professionalism.
21 So thank you.

22 THE CHAIR: Thank you.

23 SANDRA CRAIG (SOUTH CAROLINA): Sandra
24 Craig, South Carolina Department of Health and

1 Environmental Control. I will be brief.

2 I would just like to ask us to slow this
3 process down. I am for education. I am for going
4 for this goal. But we just got these wonderful
5 Standard 2 training standards to work with. Can't we
6 at least give it a couple of years to go? Let's run
7 the pilot program that John was talking about
8 yesterday. Let's let us use this training tool for a
9 year or two. Then if we want to come back in 2008
10 and put this high bar up there, do it then. But
11 South Carolina has not signed up for the standards
12 yet, and this would discourage us from signing up for
13 Standard 2.

14 THE CHAIR: Thank you.

15 PARLIAMENTARIAN GELFIUS: Madam Chair, the
16 time for this discussion has expired.

17 THE CHAIR: Thank you. Our ten minutes
18 has lapsed.

19 DAVE GIFFORD (WASHINGTON): Can we
20 recommend an extension?

21 PARLIAMENTARIAN GELFIUS: You can make a
22 motion for an extension.

23 DAVE GIFFORD (WASHINGTON): I make a
24 motion for an extension.

1 FROM THE FLOOR: Second.

2 THE CHAIR: Is there any discussion on
3 that motion? We will take a vote. All those in
4 favor of extending the period of debate for
5 another --

6 PARLIAMENTARIAN GELFIUS: Another ten
7 minutes.

8 THE CHAIR: -- for another ten minutes,
9 state so by saying yes.

10 FROM THE FLOOR: Yes.

11 THE CHAIR: Those opposed say no.

12 FROM THE FLOOR: No.

13 THE CHAIR: Whoa.

14 PARLIAMENTARIAN GELFIUS: The yes's have
15 it, I believe.

16 THE CHAIR: Okay. We'll extend the period
17 of debate for another ten minutes beginning now, with
18 the gentleman on my left.

19 DAVE REID (MINNESOTA): My name is David
20 Reid with the Minnesota Department of Agriculture,
21 and I would like to yield the floor to Larry Edwards.

22 THE CHAIR: Chair recognizes Mr. Edwards.

23 LARRY EDWARDS: Thank you very much, Madam
24 Chair, and thank you to both the first and second.

1 I won't take long. But at FMI we
2 recognize the hard work of the FDA and the
3 accomplished food protection on this issue, and on
4 these standards that have been placed. These are
5 voluntary standards. We recognize that. We
6 understand that a jurisdiction may or may not elect
7 to enroll in the standards or may or may not elect to
8 take on the standard until they are ready. But they
9 are voluntary standards, and we believe that these
10 are gold standards.

11 It reads in the resolution that this is
12 for new food safety inspection officers, and so I
13 think that's -- again, this is the gold standard. It
14 is out there for all of us to reach to. And we in
15 the retail food industry would like those people
16 walking in the door to have that education. We can
17 talk on the same level about the risk factors and
18 many other things as previously stated.

19 These standards are not to be accomplished
20 overnight, but much over time, and I think they are a
21 very positive stroke coming out of this conference,
22 and we support the education and the training and we
23 support this issue. Thank you.

24 THE CHAIR: Thank you.

1 JAMES BLOOM (ILLINOIS): Jim Bloom with
2 the state of Illinois. I'll make it quick, I
3 promise.

4 For several years Illinois has had a
5 requirement for both registration and a requirement
6 for a bachelor's degree. This year the legislators
7 have allowed the registration act to be sunsetted so
8 it will be eliminated. Now that they removed the
9 registration, then they will eliminate the bachelor's
10 degree requirement.

11 If we have the national standards as a
12 requirement for a bachelor's degree, this will help
13 provide the support that we need, and this will help
14 sell this to the legislators as something that,
15 again, I feel has been going on for quite a few
16 years, and I know for the last two sessions with the
17 conference this has come up. So I basically am just
18 asking for people to vote yes on this.

19 THE CHAIR: Thank you. For the line on
20 the left, I'd like to acknowledge the persons who
21 have not spoken to the issue first before those who
22 have already spoken to the issue.

23 COLLEEN PAULUS (MINNESOTA): Colleen
24 Paulus, Department of Health in Minnesota. I would

1 like to correct the previous speakers' perception
2 that the issue does not grandfather in existing
3 employees. The issue does recognize existing
4 employees and does not have requirement for
5 bachelor's degree. So I just wanted to make sure
6 that people understood that there is a grandfathering
7 clause in the issue.

8 In addition, since we've been here
9 debating this issue at the conference, the news media
10 in Ohio recognizes the importance of having college
11 degrees, and they made this a noteworthy item during
12 their news telecast during this week saying that
13 there's been an increase in college graduates in the
14 state of Ohio. And I'm asking the delegates to also
15 recognize and support this issue saying that we also
16 want to recognize that we have a science-based code
17 that requires a science-based education; and to move
18 us forward into having educated employees --
19 providing the regulations throughout the states. And
20 I would ask that you do support these -- the
21 Council's decision. Thank you.

22 RONALD KLEIN (ALASKA): Ron Klein, state
23 of Alaska.

24 THE CHAIR: Chair recognize Mr. Klein.

1 RONALD KLEIN (ALASKA): Thank you. Just
2 two additional points, new information. First, the
3 proposed standard is flawed in that it does not
4 recognize that an individual may have a bachelor's
5 without the requisite science, and may have a
6 master's degree with the requisite science, that this
7 would not recognize the state's ability to hire that
8 individual and still maintain the direction towards
9 achieving the program standard.

10 Second, I think that that presents a
11 problem for me as a regulatory manager given the
12 succession management issues that I'm faced with with
13 the impending retirement. Thank you.

14 THE CHAIR: Thank you.

15 PARLIAMENTARIAN GELFIUS: Ladies and
16 gentlemen, including the delegates, when a speaker is
17 at the microphone, I must insist that you please give
18 them your attention.

19 PRESCILLA NEVES (MASSACHUSETTS):
20 Prescilla Neves, Massachusetts Department of Public
21 Health.

22 THE CHAIR: Chair recognizes Ms. Neves
23 again.

24 PRESCILLA NEVES (MASSACHUSETTS): Thank

1 you, Madam Chair. I'll try to be brief.

2 Maybe someday there will be a national
3 professional credential that truly reflects the
4 complexity of the service that we provide, but until
5 then, incorporating an educational requirement into
6 the voluntary standards, which is supposed to set
7 that gold bar, is the right thing to do. I applaud
8 Minnesota and the other states who are already doing
9 this.

10 While I know that it may take some time
11 before many others of us, including Massachusetts, my
12 state, before we can do this, before we'll be able to
13 meet the standards, there is -- I know that there are
14 a number of you, there's a growing number of people
15 in our profession who believe that, again, that this
16 is the right thing to do, and to support if you care
17 about the role of the local, state, county folks in
18 food safety.

19 I ask you to support the fine work of
20 Council II and their committees. I ask you to
21 support the voluntary standards. I argue that I will
22 go back if this goes forward and make sure that as
23 many jurisdictions in Massachusetts sign up if you
24 support this. Because, again, it is about education,

1 and I feel that again for those individuals we're
2 supporting the individuals who have a vital role and
3 responsibility in our country's food safety system.
4 Thank you.

5 THE CHAIR: Thank you. Does anyone else
6 wish to speak to this issue? Then if there is no
7 objection from the body on this particular issue, I'm
8 going to ask for a roll call vote on the front end of
9 this issue. Thank you.

10 TREVOR HAYES: As I read the name of your
11 state, please indicate yes or no.

12 Alabama?

13 ALABAMA: Yes.

14 PARLIAMENTARIAN GELFIUS: I'm sorry.

15 Could he we repeat Alabama's vote?

16 TREVOR HAYES: Yes.

17 Alaska?

18 ALASKA: No.

19 TREVOR HAYES: Arizona?

20 ARIZONA: Yes.

21 TREVOR HAYES: Arkansas?

22 ARKANSAS: Yes.

23 TREVOR HAYES: California?

24 CALIFORNIA: Yes.

1 TREVOR HAYES: Colorado?

2 COLORADO: Yes.

3 TREVOR HAYES: Connecticut?

4 CONNECTICUT: Point of information. We're

5 voting on withdrawing the recommendation of

6 Council II?

7 PARLIAMENTARIAN KRAKOWSKI: No, you are

8 voting on accepting the recommendation of Council II.

9 That's the vote before you.

10 CONNECTICUT: One-half yes.

11 CONNECTICUT: One-half yes.

12 TREVOR HAYES: Delaware?

13 DELAWARE: No.

14 TREVOR HAYES: Florida?

15 FLORIDA: Florida Ag, one-third no.

16 FLORIDA: Florida Health, one-third yes.

17 FLORIDA: Florida Professional Regulation,

18 one-third no.

19 TREVOR HAYES: Georgia?

20 GEORGIA: Yes.

21 TREVOR HAYES: Hawaii?

22 HAWAII: Yes.

23 TREVOR HAYES: Idaho?

24 IDAHO: No.

1 TREVOR HAYES: Illinois?
2 ILLINOIS: Yes.
3 TREVOR HAYES: Indiana?
4 INDIANA: Yes.
5 TREVOR HAYES: Iowa?
6 IOWA: Yes.
7 TREVOR HAYES: Kansas?
8 KANSAS: One-half yes.
9 KANSAS: One-half yes.
10 TREVOR HAYES: Kentucky?
11 KENTUCKY: Yes.
12 TREVOR HAYES: Maine?
13 MAINE: No.
14 TREVOR HAYES: Maryland?
15 MARYLAND: Yes.
16 TREVOR HAYES: Massachusetts?
17 MASSACHUSETTS: Yes.
18 TREVOR HAYES: Really? Michigan?
19 MICHIGAN: Yes.
20 TREVOR HAYES: Minnesota?
21 MINNESOTA: Half yes.
22 MINNESOTA: Half yes.
23 TREVOR HAYES: Mississippi?
24 MISSISSIPPI: Yes.

1 TREVOR HAYES: Missouri?
2 MISSOURI: Yes.
3 TREVOR HAYES: Montana?
4 MONTANA: Yes.
5 TREVOR HAYES: Nebraska?
6 NEBRASKA: Yes.
7 TREVOR HAYES: Nevada?
8 NEVADA: No.
9 TREVOR HAYES: New Hampshire?
10 NEW HAMPSHIRE: Yes.
11 TREVOR HAYES: New Jersey?
12 NEW JERSEY: Yes.
13 TREVOR HAYES: New Mexico?
14 NEW MEXICO: Yes.
15 TREVOR HAYES: New York?
16 NEW YORK: One-half yes.
17 NEW YORK: One-half yes.
18 TREVOR HAYES: North Carolina?
19 NORTH CAROLINA: Yes.
20 TREVOR HAYES: North Dakota?
21 NORTH DAKOTA: Yes.
22 TREVOR HAYES: Ohio?
23 OHIO: One-half no.
24 OHIO: One-half no.

1 TREVOR HAYES: Oklahoma?
2 OKLAHOMA: Yes.
3 TREVOR HAYES: Oregon?
4 OREGON: Yes.
5 TREVOR HAYES: Pennsylvania?
6 PENNSYLVANIA: No.
7 TREVOR HAYES: Rhode Island?
8 RHODE ISLAND: Yes.
9 TREVOR HAYES: South Carolina?
10 SOUTH CAROLINA: No.
11 TREVOR HAYES: Tennessee?
12 TENNESSEE: Yes.
13 TREVOR HAYES: Texas?
14 TEXAS: Yes.
15 TREVOR HAYES: Utah?
16 UTAH: One full vote yes.
17 TREVOR HAYES: Vermont?
18 VERMONT: No.
19 TREVOR HAYES: Virginia?
20 VIRGINIA: One-half yes.
21 VIRGINIA: One-half yes.
22 TREVOR HAYES: Washington state?
23 WASHINGTON: Yes.
24 TREVOR HAYES: West Virginia?

1 WEST VIRGINIA: Yes.

2 TREVOR HAYES: Wisconsin?

3 WISCONSIN: One-half no.

4 WISCONSIN: One-half yes.

5 TREVOR HAYES: Wyoming?

6 WYOMING: Yes.

7 TREVOR HAYES: DC?

8 DISTRICT OF COLUMBIA: Yes.

9 TREVOR HAYES: Puerto Rico?

10 PUERTO RICO: Yes.

11 THE CHAIR: The motion to accept the

12 Council recommendation on Issue 2-039 carries.

13 (Applause.)

14 However, in my haste to dispense with that

15 business, I neglected to get your official

16 inclination on the remaining issues in the report of

17 Part 1 from Council II. Therefore, I will go back

18 and document your official vote on that. I'll now

19 entertain a motion to accept the Council II report

20 minus that single extracted issue.

21 DAVID LUDWIG (ARIZONA): So move.

22 THE CHAIR: Is there a second?

23 MARY GLASSBURNER (KANSAS): Second.

24 THE CHAIR: Is there any discussion? Then

1 all those in favor of accepting the report of Part 1
2 of Council II's report minus the extracted issue,
3 please indicate so by saying yes.

4 FROM THE FLOOR: Yes.

5 THE CHAIR: Those opposed indicate so by
6 saying no.

7 Any abstentions? Then the motion carries
8 and the report Part 1 from Council II is accepted.

9 Vicki, can you please give us your report
10 for Part 2?

11 VICKI EVERLY: Yes. Part 2, Council II
12 recommended no action on all five issues. Thank you.

13 THE CHAIR: Does anyone wish to extract an
14 issue from Part 2 of Council II? Okay. Hearing
15 none, I now entertain a motion to accept the Council
16 report for Part 2.

17 DAVID LUDWIG (ARIZONA): Madam Chair, I so
18 move.

19 THE CHAIR: Is there a second?

20 JAMES BLOOM (ILLINOIS): Second.

21 THE CHAIR: Is there discussion? Then all
22 those in favor of accepting the report of Council II
23 for Part 2, please indicate so by saying yes.

24 FROM THE FLOOR: Yes.

1 THE CHAIR: All those opposed, please
2 indicate by saying no.

3 Any abstentions? Thank you, Vicki.

4 Okay. Larry, can you please give us your
5 report.

6 LARRY KOHL: Thank you, Madam Chair.

7 First I'd like to begin with a thank-you for the
8 opportunity to serve the Council for Food Protection
9 as the Council III Chair. On behalf of Dave Ludwig
10 and our regulatory industry academia and consumer
11 members, we are pleased to offer our Council III
12 report.

13 Part 1, we have 14 issues that were
14 accepted as submitted or accepted as amended in the
15 report. And the report is contained in the yellow
16 issues recommendations.

17 THE CHAIR: Okay. Thank you, Larry.

18 Does anyone wish to extract an issue from
19 Part 1 of the report?

20 TED EVANS (OKLAHOMA): Ted Evans from
21 Oklahoma.

22 THE CHAIR: Chair recognizes the gentleman
23 from Oklahoma.

24 TED EVANS (OKLAHOMA): I'd like to extract

1 3-019.

2 THE CHAIR: Does anyone wish to extract
3 another issue?

4 Okay. Hearing none, I will now entertain
5 a motion to accept the Council report minus the
6 extracted issue.

7 DAVID LUDWIG (ARIZONA): Madam Chair, I so
8 move. David Ludwig, state of Arizona.

9 THE CHAIR: Thank you, Mr. Ludwig. Is
10 there a second?

11 PAUL PANICO (OHIO): Second.

12 THE CHAIR: Thank you. Any discussion?
13 Then all those in favor of accepting the report of
14 Council III, Part 1, minus the one extracted issue,
15 please indicate so by saying yes.

16 FROM THE FLOOR: Yes.

17 THE CHAIR: Those opposed, please indicate
18 so by saying no. Any abstentions? Then the motion
19 carries to accept the report minus the one extracted
20 issues.

21 I will now then entertain a motion to
22 accept the Council recommendation for Issue 3-019.

23 PARLIAMENTARIAN KRAKOWSKI: Someone
24 needs to make that motion.

1 thought was of value was an increased focus on the
2 need for changing human behavior in relation to hand
3 washing. Our concern about the proposal as -- the
4 solution as we have it is that neither of those two
5 goals would be met, and that the results of the
6 deliberations of this committee will be somewhat
7 unfocused. I'm further concerned that they may delve
8 into the science behind hand washing, per se, rather
9 than focusing on the two primary issues that we think
10 are important; interpretation of the code and
11 changing behavior. Thank you.

12 THE CHAIR: Thank you. Does anyone else
13 wish to speak to this issue?

14 Hearing none, we will now vote on the
15 issue. All those in favor of accepting the Council
16 recommendation on Issue 3-019, please indicate so by
17 saying yes.

18 FROM THE FLOOR: Yes.

19 THE CHAIR: All of those opposed, indicate
20 so by saying no.

21 FROM THE FLOOR: No.

22 THE CHAIR: Okay. I think that calls for
23 another roll call.

24 FROM THE FLOOR: I make a motion we do a

1 hand vote.

2 TREVOR HAYES: We can do that?

3 PARLIAMENTARIAN KRAKOWSKI: Well, we
4 could -- we can certainly do that if that is the will
5 of the body. The only challenge, my friends from
6 Florida, and the like minded families that have split
7 votes, so if the -- if there can be an agreement, we
8 can do a hand vote if there's an agreement that
9 people who have split votes will wait -- will vote in
10 a separate section. We'll do full votes first, then
11 we'll do half votes, and we'll do third votes, if
12 necessary.

13 PARLIAMENTARIAN GELFIUS: Just do roll
14 call.

15 FROM THE FLOOR: Roll call.

16 FROM THE FLOOR: Never mind.

17 THE CHAIR: Trevor, you have the floor.

18 TREVOR HAYES: Okay. Roll call vote.

19 Alabama?

20 ALABAMA: Yes.

21 TREVOR HAYES: Alaska?

22 ALASKA: No.

23 TREVOR HAYES: Arizona?

24 ARIZONA: Yes.

1 TREVOR HAYES: Arkansas?
2 ARKANSAS: No.
3 TREVOR HAYES: California?
4 CALIFORNIA: No.
5 TREVOR HAYES: Colorado?
6 COLORADO: Yes.
7 TREVOR HAYES: Connecticut?
8 CONNECTICUT: Half yes.
9 CONNECTICUT: Half yes.
10 TREVOR HAYES: Delaware?
11 DELAWARE: Yes.
12 TREVOR HAYES: Florida?
13 FLORIDA: Three-thirds yes.
14 TREVOR HAYES: Georgia?
15 GEORGIA: No.
16 TREVOR HAYES: Hawaii?
17 HAWAII: No.
18 TREVOR HAYES: Idaho?
19 IDAHO: No.
20 TREVOR HAYES: Illinois?
21 ILLINOIS: Yes.
22 TREVOR HAYES: Indiana?
23 INDIANA: Yes.
24 TREVOR HAYES: Iowa?

1 IOWA: No.

2 TREVOR HAYES: Kansas?

3 KANSAS: One-half no.

4 KANSAS: One-half no.

5 TREVOR HAYES: Kentucky?

6 KENTUCKY: No.

7 TREVOR HAYES: Louisiana?

8 FROM THE FLOOR: Not here.

9 TREVOR HAYES: Not here. Sorry.

10 Maine?

11 MAINE: No.

12 TREVOR HAYES: Maryland?

13 MARYLAND: No.

14 TREVOR HAYES: Massachusetts?

15 MASSACHUSETTS: Yes.

16 TREVOR HAYES: Michigan?

17 MICHIGAN: Yes.

18 TREVOR HAYES: Minnesota?

19 MINNESOTA: Half no.

20 MINNESOTA: Half no.

21 TREVOR HAYES: Mississippi?

22 MISSISSIPPI: Yes.

23 TREVOR HAYES: Missouri?

24 MISSOURI: No.

1 TREVOR HAYES: Montana?
2 MONTANA: No.
3 TREVOR HAYES: Nebraska?
4 NEBRASKA: No.
5 TREVOR HAYES: Nevada?
6 NEVADA: No.
7 TREVOR HAYES: New Hampshire?
8 NEW HAMPSHIRE: No.
9 TREVOR HAYES: New Jersey?
10 NEW JERSEY: Yes.
11 TREVOR HAYES: New Mexico?
12 NEW MEXICO: Yes.
13 TREVOR HAYES: New York?
14 NEW YORK: One-half yes.
15 NEW YORK: One-half yes.
16 TREVOR HAYES: North Carolina?
17 NORTH CAROLINA: No.
18 TREVOR HAYES: North Dakota?
19 NORTH DAKOTA: No.
20 TREVOR HAYES: Ohio?
21 OHIO: One-half yes.
22 OHIO: One-half yes.
23 TREVOR HAYES: Oklahoma?
24 OKLAHOMA: No.

1 TREVOR HAYES: Oregon?
2 OREGON: Yes.
3 TREVOR HAYES: Pennsylvania?
4 PENNSYLVANIA: Yes.
5 TREVOR HAYES: Rhode Island?
6 RHODE ISLAND: Yes.
7 TREVOR HAYES: South Carolina?
8 SOUTH CAROLINA: No.
9 TREVOR HAYES: Tennessee?
10 TENNESSEE: No.
11 TREVOR HAYES: Texas?
12 TEXAS: No.
13 TREVOR HAYES: Utah?
14 UTAH: One vote no.
15 TREVOR HAYES: Vermont?
16 VERMONT: No.
17 TREVOR HAYES: Virginia?
18 VIRGINIA: One-half no.
19 VIRGINIA: One-half no.
20 TREVOR HAYES: Washington state?
21 WASHINGTON: Yes.
22 TREVOR HAYES: West Virginia?
23 WEST VIRGINIA: No.
24 TREVOR HAYES: Wisconsin?

1 WISCONSIN: One-half yes.

2 WISCONSIN: One-half yes.

3 TREVOR HAYES: Wyoming?

4 WYOMING: No.

5 TREVOR HAYES: DC?

6 DISTRICT OF COLUMBIA: No.

7 TREVOR HAYES: Puerto Rico?

8 PUERTO RICO: No.

9 THE CHAIR: Then the motion to accept the
10 Council recommendation on Issue 2-019 (sic) is
11 defeated. 3-019 is defeated. Sorry.

12 Larry, give us the report on Part 2.

13 LARRY KOHL: Thank you. Part 2, we had
14 ten issues that were categorized as a no action by
15 the Council.

16 THE CHAIR: Okay. Does anyone wish to
17 extract any issues from Part 2 of Council III's
18 report?

19 SHERI DOVE (PENNSYLVANIA): Sheri Dove
20 with the Pennsylvania Department of Agriculture. I'd
21 like to extract 3-14.

22 THE CHAIR: Does anyone wish to extract
23 another issue?

24 Then hearing none, I will entertain a

1 motion to accept Part 2 of Council III's report minus
2 the one extracted issue.

3 SHERI DOVE (PENNSYLVANIA): Sheri Dove,
4 Pennsylvania Department of Agriculture. So move.

5 THE CHAIR: Is there a second.

6 SCOTT GILLIAM (INDIANA): Second.

7 THE CHAIR: Is there any discussion? Then
8 all those in favor of accepting Part 2 of
9 Council III's report, minus the one extracted issue,
10 please indicate so by saying yes.

11 FROM THE FLOOR: Yes.

12 THE CHAIR: Those opposed, indicate so by
13 saying no. Any abstentions? Then Part 2 of
14 Council III's report is accepted minus the extracted
15 issue.

16 I will now entertain a motion to accept
17 the Council recommendation for Issue 3-014.

18 SANDRA CRAIG (SOUTH CAROLINA): Sandra
19 Craig, South Carolina, so move.

20 THE CHAIR: Is there a second?

21 JAMES BLOOM (ILLINOIS): Second.

22 THE CHAIR: Is there any discussion?

23 SHERI DOVE (PENNSYLVANIA): Sheri Dove,
24 Pennsylvania Department of Agriculture.

1 THE CHAIR: Chair recognizes you.

2 SHERI DOVE (PENNSYLVANIA): This issue was
3 basically brought before the Council because there is
4 a disconnect in the food code as it relates to
5 reduced oxygen packaged fish. That section of the
6 code requires that fish be kept frozen before, during
7 and after packaging. That does not allow within the
8 food code for an appropriate thawing method.

9 Council's reason was that there is a
10 thawing method in the code, but part of the problem
11 is you cannot -- if you reduce oxygen packaged fish
12 and it must be kept frozen, you cannot thaw it under
13 refrigeration currently.

14 The whole issue just at this point needs
15 addressed by FDA, and at this point I'd like to
16 recognize FDA if they would like to speak to the
17 issue.

18 SHIRLEY BOHM (FDA): Shirley Bohm, FDA.

19 THE CHAIR: Chair recognizes Ms. Bohm.

20 SHIRLEY BOHM (FDA): Thank you. I think
21 there may have been some misunderstanding of the
22 issue itself during the discussion. There -- I
23 agree -- we agree that there is perhaps a gap in
24 the -- in the food code, because it -- while it does

1 address thawing, proper thawing of foods, it does not
2 address thawing of reduced oxygen packaged foods or,
3 for example, frozen fish.

4 Whether it's done at the commercial level
5 or whether it's done at the retail level, there is a
6 concern of a long period of thawing at refrigerated
7 temperatures of 41, because non-proteolytic C bot,
8 which is a common contaminant of seafood, does
9 germinate and could potentially produce toxin at
10 appropriate refrigerated temperatures in an anaerobic
11 package; for example, the vacuum packaged fish.

12 So we agree that there is a need to
13 address thawing of vacuum packaged products, whether
14 they are done at the commercial level or at the
15 retail level, and that should be -- should be fixed.
16 So we would ask that you -- let's see. How does this
17 go now? That you vote no on no action; is that
18 correct?

19 FROM THE FLOOR: Correct.

20 SHIRLEY BOHM (FDA): So that it would be
21 referred to the board and that we could address that.

22 LINDA WHALEY (WEST VIRGINIA): Madam
23 Chair, Linda Whaley, West Virginia.

24 THE CHAIR: Chair recognizes the delegate

1 from West Virginia.

2 LINDA WHALEY (WEST VIRGINIA): Madam, I
3 would like to relinquish my time at the podium to
4 Mr. Gale Prince from the Food Marketing Institute.

5 GALE PRINCE (FMI): Gale Prince with the
6 Kroger Company, also a member of the Food Marketing
7 Institute.

8 THE CHAIR: Chair recognizes Mr. Prince.

9 GALE PRINCE (FMI): Madam Chairman and
10 Delegates, there was considerable discussion. I
11 should also mention that I'm a member of Council III,
12 and I went through the long discussion on this
13 particular issue. And we believe that the science on
14 the thawing of this particular product does not
15 require that the package actually be broken as was
16 indicated in the issue that was submitted. And on
17 top of that, we were concerned in breaking that
18 particular seal if we would add further contamination
19 to the particular product that was maybe greater than
20 what we started out with.

21 In the thawing in the package, the
22 spoilage organisms that are present would cause an
23 odor so that the spoilage would certainly be evident
24 long before the toxin was produced in the product

1 from that standpoint. Therefore, I would suggest
2 that you think about the science and consider the way
3 that it was handled in Council III as a no action
4 item.

5 THE CHAIR: Does anyone else wish to speak
6 to this issue? Then hearing no one else, we will now
7 vote on the issue. All those in favor of accepting
8 the Council recommendation on Issue 3-014, please
9 indicate so by saying yes.

10 FROM THE FLOOR: Yes.

11 THE CHAIR: Those opposed indicate so by
12 saying no.

13 FROM THE FLOOR: No.

14 THE CHAIR: Then the motion to accept the
15 Council recommendation on Issue 3-014 is defeated.

16 Okay. I think that's it. I'd like to
17 thank you again for all of your hard work. Give
18 yourselves a big hand. This was a laborious task.

19 (Applause.)

20 And I'd like to personally commend you
21 with the efficiency that you managed the delegation
22 or deliberation of all the issues in this conference.

23 With that I will now turn the podium over
24 to Ms. Elizabeth Nutt, chair of the resolutions

1 committee, to come forward and give us her report.

2 ELIZABETH NUTT: Thank you, Madam Chair.

3 Yes, my name is Elizabeth Nutt, and for
4 those of you who are old enough to remember the
5 Almond Joy/Mounds commercials, yes, I always feel
6 like one.

7 I would first like to recognize my
8 committee, Cory Hedman, Sandra Landcaster and Lorna
9 Girard. They were very easy to work with. They
10 pretty much did everything I asked them to do.

11 I'll make these brief because I know
12 people have plane reservations, et cetera, that they
13 are trying to make. So the first resolution of
14 appreciation that the conference would like to
15 present is recognition of the Hyatt on Capitol
16 Square. This has been one of the nicest hotels I
17 have stayed at. I enjoyed the lighting feature in
18 your room where the lights just gradually got bright.
19 I thought that was very nice. And I thought that the
20 nice lady in the elevator had a very nice, pleasant
21 voice.

22 I did have one complaint, however, or
23 concern. I guess it's probably just me. I'm a
24 little bit directionally challenged. And I never

1 could get my bearings on where the conference rooms
2 were; if it was on the second floor, legislative,
3 executive -- I was in Council II, I never could find
4 my Council room. And finally Ben Gale referenced the
5 room; he said, "Don't you remember, that's the room
6 that the Saturday reception the bar was in." And
7 after that, I could find my way.

8 So the conference would like to recognize
9 and thank staff of the Hyatt hotel, Mr. Dirk Bengel,
10 Troy Hammond, Suzanne Render, Chef David Wolf, Anthie
11 Constantinidis. It's hard for an Okie. And Matthew
12 Aufferderheide.

13 PARLIAMENTARIAN GELFIUS: Leave it alone.

14 ELIZABETH NUTT: Yeah, really. If you
15 want the spelling of these, I can give those to you.

16 They went beyond the call of duty. The
17 Hyatt was superbly located and provided a stately
18 environment which was extremely conducive to our
19 workings. I think we can all recognize that. A copy
20 of this resolution will be given to these individuals
21 and also be posted in the proceedings of the biennial
22 conference.

23 Our second resolution is in recognition of
24 our wonderful sponsors who made this conference very,

1 very successful. As you may recall, we did add a
2 third, an additional level to the sponsorship. At
3 the first level, the titanium level, we had
4 contributors from Ahold USA, Albertsons, Bob Evans
5 Farms, Chemstar, CK and E Restaurants, Ecolab, Food
6 Marketing Institute, Johnson Diversey, the Kroger
7 Company, National Registry of Food Safety
8 Professionals, the National Restaurant Association,
9 the Ohio Department of Health, Wendy's International,
10 and Yum! Brands, Incorporated. And if there's
11 individuals from these groups, would you please stand
12 up and be recognized.

13 (Applause.)

14 The gold level contributors were Darden
15 Restaurants, Inc., Publix Supermarkets and
16 Underwriters Laboratories, Inc. If there are
17 individuals from these organizations, please stand
18 and be recognized.

19 (Applause.)

20 At the silver level we had the Coca-Cola
21 Company and Wegman's. Are there any members?

22 (Applause.)

23 At the bronze level we had Burger King
24 Corporation. I know there's somebody. Yes.

1 (Applause.)

2 At the copper level we had contributors
3 from Big Y Foods, Inc., Food Lion, LLC, Food Products
4 Association, Hannaford Brothers Company, Jack In The
5 Box, Inc., and the National Automatic Merchandising
6 Association. Are any individuals here?

7 (Applause.)

8 With these contributions and support, this
9 allowed the conference to carry out their mission
10 from food -- to bring together food representatives
11 in the food industry; regulatory, academia and
12 government, so we appreciate their contributions, and
13 this resolution will also be published in the
14 proceedings.

15 The next resolution is in acknowledgment
16 to the National Alliance for Food Safety and
17 Security. This organization, with the help of
18 Mr. Richard Linton, gave a generous contribution to
19 our workshop. This workshop was the most highly
20 attended workshop in our history with 55 percent of
21 our attendees attending. It was excellently
22 coordinated by Mr. Linton and Mr. Eils. And it
23 allowed for the conference to bring in some very
24 talented speakers which provided excellent expertise

1 in the area of controlling and educating on Listeria
2 monocytogenes. So we would like to thank them as
3 well for their excellent contributing to further our
4 mission of food safety.

5 (Applause.)

6 The conference would also like to
7 acknowledge the following individuals of whom I'm
8 sure you will recognize, and I believe many of them
9 have become our friends. These people you will
10 recognize immediately. And these are the members of
11 the -- I'll probably get all emotional. They have
12 been so good. The local arrangements committee:
13 Mr. Bob Kramer, Gina Nicholson of the Columbus Health
14 Department, Ms. Barbara Hunt of Wendy's International
15 and Jim Ward of the Kroger Company. I have lots of
16 words on this paper describing their excellent
17 creativity, their enthusiasm, their spiritedness, but
18 I think you all can show them better than I

19 (Applause.)

20 Just maybe a slight correction. I hope I
21 did not skip over in the sponsors resolution
22 Underwriters Laboratory, Inc., at the gold level.
23 And also the hotel staff is now here, if we would
24 please let them see our sincere appreciation for

1 their...

2 (Applause.)

3 Our next acknowledgment is for an
4 individual who you may not recognize his name, but
5 his contribution to the conference will change our
6 workings forever. This gentleman is Mr. Kevin
7 Hamstra. Mr. Hamstra is a computer specialist with
8 the Purdue University. And through his extensive
9 personal time and outstanding service, he
10 coordinated, programmed the electronic inspection
11 issue submission process on our website. And for
12 that we are very grateful.

13 Mr. Hamstra was very easy to work with,
14 very patient, and it has enhanced the proceedings
15 tremendously in our issue submission process, so we
16 would like to recognize Mr. Hamstra.

17 (Applause.)

18 And you've heard the saying that behind
19 every man there is a good woman. This next
20 individual was also very instrumental in promoting
21 the electronic submission process, and that is
22 Ms. Marsha Robbins. Many of you recognize
23 Ms. Marsha.

24 (Applause.)

1 Marsha has shown an extreme dedication in
2 contribution to this conference. She has been
3 involved at least with the issues committee since
4 1992. She has presided over the food code workshop
5 in '96 and the HACCP workshop in 1998. She has shown
6 much, much dedication and much, much patience to our
7 issue submitters, and we would like to thank her for
8 her outstanding time and effort. Thank you, Marsha.

9 (Applause.)

10 I did look up in the dictionary for this
11 next individual, I looked up the definition of the
12 word "gentleman." And it said things like man of
13 respectable character, distinguished and mannerly.
14 But what it should have said was Charles Otto.

15 (Applause.)

16 Mr. Otto, we recognized Charles at the
17 beginning of the conference, but we would like to
18 make it more formal with our resolution thanking him
19 for his personal initiative, his professionalism, his
20 organizational skills and hard work. He is enhancing
21 our website and again bringing the conference into
22 the 21st century. And thank you so much, Charles.

23 (Applause.)

24 This next resolution is a resolution

1 acknowledging the tremendous work for our illustrious
2 Vice Chair, Mr. Cory Hedman. Cory has given us a lot
3 of insight, hard work for the past two years as vice
4 chair, keeping Janice in line.

5 THE CHAIR: Always a task.

6 ELIZABETH NUTT: We would like to thank
7 him again for all of his hard work and distinguished
8 service as Vice Chair. Thank you, Cory.

9 (Applause.)

10 And, of course, last, but not least, we
11 would like to recognize Ms. Janice Buchanon for her
12 distinguished service as our Vice Chair -- excuse me,
13 as our Conference Chair. Bumping you.

14 THE CHAIR: At this point I'm so tired...

15 ELIZABETH NUTT: I have enjoyed every
16 minute of working with, Ms. Janet. She is very
17 professional. She has such grace and eloquence. I
18 think that the conference again has -- has advanced
19 tremendously under her leadership and guidance.

20 And we also have a plaque for you,
21 Ms. Janice. If you'd stand up. I'll read this to
22 you. It's very pretty. There's no battery in it.

23 "The Conference of Food Protection
24 recognizes Ms. Janice Buchanon, 2005/2006 Conference

1 Chair, for her valuable contribution of time and her
2 skillful, balanced and gracious leadership in
3 promoting, collaborating and advancing the conference
4 mission."

5 Thank you so much, Janice.

6 (Applause.)

7 THE CHAIR: I'll try to get through the
8 rest of this without crying.

9 Thank you, Elizabeth. Thank you for those
10 kind words especially.

11 I'd like to ask all those in favor of
12 approving the resolutions, now that I can have you
13 say aye again, please indicate so by saying aye.

14 FROM THE FLOOR: Aye.

15 THE CHAIR: Any opposed? Then thank you,
16 Elizabeth.

17 Then at this point I need a formal motion
18 from someone to authorize our executive director and
19 the executive board to make any editorial changes
20 that might be needed to the issues or resolutions
21 prior to their publication.

22 WAYNE DERSTINE (FLORIDA): So move.

23 THE CHAIR: Is there a second?

24 MARY GLASSBURNER (KANSAS): Second.

1 THE CHAIR: Then all those in favor of
2 this authorization, please indicate so by saying aye.

3 FROM THE FLOOR: Aye.

4 THE CHAIR: Any opposed? Motion carries.
5 Thank you.

6 Before I adjourn, I would like to announce
7 that a new conference chair and vice chair have been
8 selected, thankfully. Elizabeth Nutt from Tulsa
9 City, Oklahoma, is our new Conference Chair; and
10 Larry Kohl with Walt Disney World Company is our Vice
11 Chair. Would both of you please stand.

12 (Applause.)

13 Congratulations to both of you, and thank
14 you for assuming this responsibility.

15 And I've been asked to make an
16 announcement to the body before we completely
17 adjourn, that if you'd like to participate in the
18 pilot project included in Issue 2-036 which was
19 accepted, please give your business card to Mr. John
20 Marcello. John, are you in the room someplace?
21 Okay. Would you please find John before you leave
22 the hotel or this room and give him your business
23 card if you're interested in participating in the
24 pilot project.

1 I have to say that I really need to thank
2 everyone for making this one of the most rewarding
3 experiences of my lifetime. I have ranked this
4 experience in the top five best experiences of my
5 professional career, and actually for me personally
6 as an individual. It has really been a privilege and
7 an honor to serve you as your Chair for the last two
8 years. But I have to tell you, without a doubt, the
9 person sitting over here to my right has really been
10 the individual that has held up my wings constantly.
11 And I need to thank you, Trevor, one more time
12 publicly for being so efficient -- I don't know which
13 of us is going to cry more now -- for being so
14 efficient, so thorough and always on top of things;
15 and making this a true joy for me to do this. Thank
16 you, Trevor.

17 (Applause.)

18 Because Elizabeth has already told you,
19 behind every good man there's a woman somewhere,
20 Linda, can you please stand up.

21 (Applause.)

22 That likewise, Linda is one of the most
23 detailed individuals I have ever met anywhere,
24 professionally, personally, otherwise, in my entire

1 life. You have no comprehension of the degree of
2 insight and detail she puts in a daily basis into
3 ensuring that we have a comfortable and successful
4 conference every two years. Linda, thank you again.

5 (Applause.)

6 Okay. Unless there is further business, I
7 will entertain a motion to adjourn this meeting.

8 WAYNE DERSTINE (FLORIDA): So move.

9 PADRAIC JUAREZ (FLORIDA): Seconded.

10 THE CHAIR: Is there any discussion? Then
11 all those in favor of adjourning the 2006 Conference
12 for Food Protection session of the voting delegates,
13 please indicate so by saying aye.

14 FROM THE FLOOR: Aye.

15 THE CHAIR: Any opposed? We stand
16 adjourned. Thank you again.

17 - - -

18 And, thereupon, the Conference was
19 adjourned at 10:17 a.m.

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C-E-R-T-I-F-I-C-A-T-E

I do hereby certify that the foregoing is a true, correct and complete written transcript of the proceedings in this matter, taken by me on the 12th day of April, 2006, and transcribed from my stenographic notes.

Shayna M. Storts, RPR
April 24, 2006

My commission expires 6-12-08