

CONFERENCE FOR FOOD PROTECTION



CONFERENCE PROCEDURES 2008

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Prepared by: Constitution and Bylaws / Procedures Committee

As Amended by 2004 Conference Meeting (Chandler, Arizona)

As Amended by 2006 Conference Meeting (Columbus, Ohio)

As Amended by 2008 Conference Meeting (San Antonio, Texas)

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

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 by 150 days prior to the Biennial Meeting.
3. Issue submissions shall be made electronically through the internet. Issues may be submitted 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 Biennial 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.
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.

C. Issue Withdrawal Criteria

1. The Issue submitter can remove the Issue from the Conference before it has been assigned by the Issue Committee to a Council.
2. Once an Issue has been assigned to a Council, the Council is required to review the Issue, and at that time they can vote to remove the Issue.

D. 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.

E. 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 forty (40) 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.

F. 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-III-15 was submitted for the 1998 Biennial Meeting, and is the fifteenth such issue assigned to Council III.

G. 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.

H. 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 or as a link to an existing document on a publicly accessible website 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 Biennial Meeting

deliberations. Sufficient copies must be provided by the presenters for the Council members and provided in advance to the Council Chair for distribution. However, submitters may not expect that such materials will be read due to the press of business at the Biennial Meeting. 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 Biennial Meeting at no charge.
2. Late developing Conference committee updates shall be presented both orally and in writing.

I. 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 Director must be notified of such a meeting. The Executive Director 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 Director. 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 Council Vice-Chair works with the Issue Chair to ensure that the Issue and all supporting documentation and rationale for reassignment is successfully communicated and assigned to the new Council. 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, the submitter 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. Delegate voting options include “Yes,” “No,” or “Abstain.”

If a majority (simple or two-thirds as prescribed in the Constitution) of the voting Delegates vote “Yes” on Issues “accepted as submitted” or “accepted as amended” by the Council (contained in Part 1 of the Council Chair’s report to the Assembly of State Delegates) the action recommended by the Council will be taken.

If a simple majority of Delegates vote “No” on any Issues “accepted as submitted” or accepted as amended” by the Council (contained in Part 1 of the Council Chair’s report to the Assembly of State Delegates) the Conference will take no action on the Issue.

If a simple majority of the voting Delegates vote “Yes” on Issues on which the Council took no action (contained in Part 2 of the Council Chair’s report to the Assembly of State Delegates) the Conference will take no action on the Issue.

If a simple majority of the voting Delegates vote “No” on Issues on which the Council took no action (contained in Part 2 of the Council Chair’s report to the Assembly of State Delegates) the Issue shall be referred to the Executive Board for consideration. The Executive Board will then determine the appropriate action to be taken.

3. The Delegates are asked to identify any Issues from the Council’s report they wish to extract for separate, individual discussion.
4. Issues dealing with the Constitution and Bylaws and Procedures of the Conference are automatically extracted from the Council II report.
5. 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”.
6. 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.
7. Each extracted Issue before the Assembly can be discussed for clarification prior to a vote. Extracted Issues cannot be amended by the Assembly.

8. Any delegate may request the Conference Chair to announce the final vote totals on any Issue to the delegation and recorded in the Conference minutes.

VIII. Committees

A. Ad-Hoc Committees

1. Committees shall be created based on recommendations from Council and approved by the Delegates. Council Chairs shall submit for the Board approval the names of the Committee Chairs and membership of all the Committees assigned to the Council by the Executive Board meeting following the Biennial Meeting.

B. Standing Committees

1. The following standing committees shall be established: the Audit Committee; Constitution and Bylaws/Procedures Committee; Issues Committee; Managers Training, Testing, and Certification Committee; Nominating Committee; Program Committee; Resolutions Committee; and Strategic Planning Committee.

C. 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.

D. 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/CDC) 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.

E. 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.

A Committee Chair's term shall be from appointment and last through the Executive Board Meeting following the next Biennial Meeting.

F. 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.

G. 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.

H. 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.

I. 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 Biennial 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 and Standing Committees that are submitting an Issue 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 ninety (90) days in advance of the Biennial 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 Biennial Meeting to present and discuss the Committee's report.

J. Committee Sign-Up Sheets

At the Conference meeting, the Executive Director 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 at the Fall Board meeting following the Biennial Meeting, unless by mutual agreement an earlier date is appropriate.
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.