

CONFERENCE FOR FOOD PROTECTION, INC.

Executive Board Meeting Minutes APRIL 9-14, 2010

The Westin, Providence, Rhode Island

NOTE: These meeting minutes are compiled as a record of the several Executive Board Meetings held in association with the 2010 Biennial Meeting. Much meeting time was spent discussing events and arrangements specific to the Biennial Meeting and is not recorded here. The information below may also not be presented sequentially.

Members below may have been outgoing or incoming members. Their status at each meeting is not recorded.

Voting members present: Fandrey, Gifford, Gerzonich, Girard, Morris, Coffill, Hardister, Nutt, Mitchell, Roberson, Ferko, Gurrisi, Garren, Hedman, Reimers, McSwane, Smith, Hicks, Otto, Gaither, Klein, LeMaster, Monroe, Kowaclzyk, Levee

Nonvoting members present: Levee, Marlow, Hale, Bhatt, Rosenwinkel, Linton, Hendy, Nutt, Everly, Lineberry, Pippert, Wright, Bacon, Guzzle, Jue

Nonvoting members absent: Nummer

Guests: Voyles, Farrell, Grenawitzke, Hawley, Tart, Nerney, Julian, Radke, Swift, Kohl; Piche; Pallaske; Beach

Opening - Conference Chair David Gifford, Presiding

David Gifford, Conference Chair, called the Executive Board Meeting to order and welcomed everyone to Providence. Executive Director Lineberry read the CFP Anti-Trust Policy to the group.

Assembled CFP members introduced themselves and Executive Assistant Wright marked the attendance roster.

The Board was reminded that the meeting minutes from the August 2009 meeting had been approved by e-ballot.

Local Arrangements Committee Report

Ernie Julian (present), Thomas Nerney (present), Susan Wallace (not present) - LAC Chairs

Co-Chair Julian welcomed everyone to Providence and expressed his appreciation to all of the local volunteers for their hard work preparing for the meeting. He asked that he be contacted if anything is needed and gave his cell phone number.

Executive Staff Reports

Executive Director – Jeff Lineberry

Lineberry reviewed his previously submitted report including review of the program book, a discussion of the added costs of the Providence venue, including the 8% sales tax (nonprofit) waiver that was not approved by the State of Rhode Island. Also reception costs are higher. A \$75 conference and workshop registration for students was offered locally, and there were no takers.

Lineberry announced three Executive Board resignations due to their employer's removal of financial support for travel and/or time off – Ludwig, Coffman, and Williams. Fandrey announced that she is attending her last meeting for the same reason though she has requested reconsideration and is waiting for a response. Lineberry stated that elections will also be held this week to fill the seats of Board members who have resigned (Coffman, Williams, Ludwig) and Reimers (Industry at Large), Ferko (Vending), Girard (Midwest State), Coffill (Northeast Local), and Mitchell (Mid-Atlantic Local). Caucus leadership duties were assigned to Board members as needed.

Lineberry reported that the website worked well for registration thanks to Kevin Hamstra. An attorney was hired to review the website for liabilities: a few recommendations were made that Jeff has addressed.

Two agencies applied for the 2010 Crumbine Award – Oakland County, MI and Salt Lake Valley County, Utah. Chair Gifford will be on the Crumbine Jury.

Executive Treasurer - Eric Pippert

Pippert briefly reviewed his previously submitted report. The transition from old bank to new was completed. He budgeted for a reduction in sponsorships for this meeting but thanks to Orman and his team, we have more sponsorships than last time. LAC's local sponsorship drive also exceeded expectations. The Audit Committee completed a transition audit (Hayes to Pippert) and found no discrepancies. Pippert thanked the FDA for the \$25K travel subsidy; 42 subsidies were given out exceeding last meeting's total. He suggested that the Board eliminate the requirement for Board member's submittal of a travel payment request prior to each Board meeting, however no motion to eliminate this requirement was made. The current \$800 per person approved travel expense subsidy for board members will be used as the basis for budgeting in future. Travel expense reimbursements to Executive Board members have steadily increased over the past few years.

Executive Assistant Report

Wright reviewed registration statistics. 410 registered for the Biennial Meeting and 200 signed up for the workshop. Tally of registrants by constituency - 22 academia (a record), 5 consumers, 225 industry 225 (food service-59, retail stores-46, processors-6, venders-3, Others 111. 155 regulators (55 Federal, 82 State and 22 local). New members number 131.

Old Business

Issue 2008-I-014 Third Party Certification of Shellfish Reshippers for the ISSC List

Greg Pallaske of US Foodservice represented CFP at ISSC. CFP supported the issue whereby each state has to have a regulator trained by FDA to do shellfish inspections; without that, a retailer or wholesaler cannot ship product across state lines (unapproved source). Pallaske and Lineberry took the issue to ISSC and it was shot down. This issue has been tossed back and forth between ISSC and FDA for a period of time. In this case, shippers are being penalized for a lack of regulatory action. Discussion ensued with no further action taken. Pallaske will continue to be the CFP liaison to ISSC and report back to the Board on ISSC actions that affect CFP members.

Lineberry and Everly will begin development of a CFP Policy Manual that will become a compendium memorializing actions decided upon by the Board but not finalized in policy.

There was a brief discussion of Biennial meeting proceedings on the CFP website and how they will include Issue attachments that are amended in Council after submission. There was also discussion of the risk of archiving copyrighted material on the website without owner approval. Everly and Lineberry agreed to give these items some thought and will bring ideas back to upcoming board meetings.

Council Reports

Council I Report – Terry Levee/Deborah Marlow

Levee briefly reviewed his previously submitted report. All 3 of the Council Committees completed their charges. He thanked Vice Chair Marlow for her work. His Council will deliberate 26 issues. 6 of which are committee-related Issues.

Council II Report –Aggie Hale/Chirag Bhatt

Hale reviewed her previously submitted report. Council II's 7 Committees met their reporting obligations. Council II will deliberate 35 Issues.

Council III Report - Ken Rosenwinkel/Richard Linton

Rosenwinkel reported that his 4 committees completed their reports. Council III will deliberate 25 Issues.

Gifford asked that a motion be made to accept all Council reports.



Roberson moved and Garren seconded the motion to accept the 3 Council reports. The motion was carried unanimously.

Standing Committee Reports

Constitution, Bylaws/Procedures - Ruth Hendy

Hendy briefly reviewed her previously submitted report. She stated that the Policy manual proposed by Lineberry and Everly (Old Business) is very much needed.

The Executive Board discussed the review and approval of the Constitution, Bylaws, and Procedures Committee Issues submitted to Council II (Committee report and establishment of Robert's Rules as the parliamentary authority of the Conference for Food Protection).



Hedman moved and Reimers seconded the motion to approve the submission to Council II of these Issues. The motion carried unanimously.



Roberson moved and Nutt seconded the motion to accept the Constitution & Bylaws/Procedures Committee Report. The motion carried unanimously.

Program Committee - Brian Nummer (absent)

No written report was submitted for this meeting from the Program Committee.

Issue Committee - Vicki Everly

Everly expressed appreciation to Kevin Hamstra for help with the Web-based Issue Program. She stated that Kevin is absolutely essential for the Issue submission process to be successful and that he was available day and night to respond to CFP needs during the submission period. Everly thanked Wright for help with editing and managing non-committee Issues.

Everly requested that the Board consider two requests (in these minutes identified as A and B below) that are included in her Committee report that should be assigned to Constitution & Bylaws and Issue Committees (language captured below). She stated that a "neutrality guideline" has been discussed at prior Board meetings and was previously agreed upon. Briefly, the Board needs to let Council Chairs and Vice Chairs know when they can and cannot express opinions on Issues so that their opinions are not construed as CFP opinions. Everly recommended that the following language (*in italics*) be referred to the Constitution and Bylaws Committee for their consideration:

(A) Requesting Executive Board review / approval of draft "Neutrality Guideline" outlined below.

Background: at the 2006 and 2008 Biennial Meetings, this guideline was discussed and agreed upon by Council Chairs, Vice Chairs, and the Executive Board; however, there is no record of acceptance.

Council Chairs and Vice-Chairs:

- will not engage in "politicking or lobbying."
- will not try to "sway" the outcome of an Issue.
- may answer questions related to a specific Issue if the intent of the response is to educate or clarify).
- may offer personal opinions in the following situations:
 - --outside of council deliberations, including constituency Consensus Meetings and Caucuses, only with a clarification that one is offering a private opinion and not speaking as the Council Chair or Vice Chair.
 - --during council deliberations, only when one's position as Chair or Vice Chair has been clearly relinquished to someone else (per Robert's Rules of Order).

Everly further requested that the language below be assigned to the designated committees. She expressed concern about the process for dissemination of information related to Issues between Issue submission and the Biennial Meeting. Gurrisi spoke in full support of this request.

(B) Requesting Executive Board assignment of the following charges to identified Standing Committees with a requirement to report-back to the Executive Board with RECOMMENDATIONS no later than the August 2011 meeting so that any required Issues can be prepared in advance of the 2012 submittal deadline.

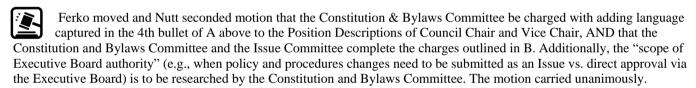
Constitution and Bylaws / Procedures Committee:

• clarify "scope" of activities assigned to Committees, including development of a process for expanding or adding charges between Biennial Meetings).

• clarification of language in Conference Procedures Section VIII D (Appointment of members), (F (Duties of Committee Members and the Chair), and H (Committee Meetings). NOTE: to provide timely guidance, it is recommended that this charge be addressed prior to the August 2010 Executive Board Meeting.

Issue Committee:

- Clarify concerns regarding "final" committee reports, Issues, and attachments, including;
 - -- requirements for content and format.
 - -- instructions regarding the process for review and online submittal.
 - -- clarification of roles of Council Chair and Issue Chair in final approval.
 - -- clarification of when Standing Committee final reports need to be submitted as an Issue.
- Revise, modify, or clarify Issue submittal criteria and review tools, including:
 - -- Issue "rejection" process and procedure, including roles and responsibilities for Committee-submitted documents and "independent" submittals.
 - -- CFP Commercialism Policy as it relates to Issue "attachments" (e.g., peer reviewed articles, industry sponsored studies, letters of recommendation, presentations).
 - -- appropriate location of Issue "endorsements" (i.e., by an organization, agency, or individual) within the Issue submittal documentation.
 - -- final Issue submittal deadline (current deadline of 11:59 PM EST requires East Coast Council Chairs to be on "stand-by" until midnight).
- Clarify concerns regarding "content attachments" (i.e., attachments reviewed and approved by council) that become Conference developed guides and documents, including:
 - -- review and approval process prior to Issue submission.
 - -- development of a "masthead, flag, nameplate, or style guide" to readily identify approved and posted documents as belonging to the Conference.
 - -- archive and posting of documents revised <u>after</u> Issue submittal (currently, the only version routinely archived is the original document attached to the submitted Issue even when the document is revised in council).
- Review and update CFP governing documents and position descriptions regarding the Issue process and responsibilities, including:
 - -- procedures and responsibilities for each biennium.
 - -- tools to facilitate tracking of charges to aid in review of committee reports and attachments.
- Provide guidance regarding protocol for dissemination and sharing of information (for or against an Issue) between finalization of Issues and convening of Councils during biennial meeting.





McSwane moved and Ferko seconded the motion to accept the Issue Committee Report. The motion passed unanimously.

Food Safety Manager Training, Testing and Certification – Joyce Jensen

Jensen reported that 7 Issues have been submitted by the Committee; 1 issue will be heavily debated at the Conference (requirement for a proctor to administer certification examinations). The Committee is looking to identify a person to serve on ACAC. Jim Lewis, who is currently serving, will continue to serve until a replacement is found. Jensen and Vice Chair Hawley have been nominated to continue leading the FSMTTC and, pending approval, will serve to establish workgroups that are in the Committee bylaws as well as meet the assigned charges for the next 2 years.



McSwane moved and Reimers seconded the motion to accept the Food Safety Manager Training, Testing and Certification Report. The motion passed unanimously.

Roy Swift (ANSI) requested time on the agenda and discussed elements of the accreditation program and CFP Standards related to proctoring that will be heavily debated in Council II. ANSI continues to accredit and monitor the three current certification providers. Additionally, 360 Training (a Texas-based test provider) has submitted an application to be accredited by ANSI to CFP Standards. ANSI supports the recommended changes of the Committee regarding separation of training and certification. (Swift's PowerPoint presentation will be available on the 2010 Conference page on the website.)

6/7/2010

Nominating Committee - Elizabeth Nutt

Nutt reported that the Committee will meet after the caucus elections and discuss Board Nominations. Much preliminary work has been done with regard to soliciting interest of experienced Board members for the Conference Chair and Vice Chair positions, but no final decision could be made pending caucus results. Seven regulatory positions are available - 3 state and 4 local positions; also 2 industry and 1 consumer. Nutt recommends that the Constitution & Bylaws Committee codify makeup of nominating committee and its duties. She also expressed difficulty of waiting until last minute to identify Conference Chair and Vice Chair, but understands the necessity of doing so.

McSwane moved and Roberson seconded the motion to accept the Nominating Committee Report. The motion passed unanimously.

Resolutions Committee - Sheri Morris

Morris reported that there will be 7 resolutions. A certificate of appreciation will be offered for Shirley Bohm, longtime member and recent FDA retiree. Ron Klein from Alaska has requested that a resolution be submitted to the Assembly to recognize the International Food Protection Training Institute of Battle Creek, Michigan for their efforts in support of retail food safety.

All resolutions were approved by the Assembly.



Roberson moved and Nutt seconded the motion to accept the Resolutions Committee Report. The motion passed unanimously.

Audit – Wayne Derstin (absent)

Derstine's written report will be available on the 2010 Conference page on the website

Strategic Planning – Roger Hancock (absent)

Linton summarized the previously submitted Committee report. He stated that the membership survey was sent and there was a 33% response rate. There were a number of highly ranked issues. The respondents felt that CFP should focus more on uniformity in state codes and be more involved in food defense. Linton suggested that the top suggestions be taken forward to the next Strategic Planning Committee for discussion and follow-through.



McSwane moved and Garren seconded the motion to accept the Strategic Planning Committee Report. The motion passed unanimously.

Sponsorship Committee - Greg Orman (national) and Tom Nerney (local); Committee members Hedman and Nicholson

Lineberry reported the very positive sponsorship campaign that resulted in \$81K in sponsorships (18 titanium, 7 gold, and 13 silver). Orman, Hedman and Nicholson have volunteered to lead the committee for the 2012 Biennial Meeting.



Ferko moved and Roberson seconded the motion to accept the Sponsorship Committee Report. The motion passed unanimously.

Food Defense Committee - Frank Ferko

Ferko reported that the charges of the Committee (assisting FDA with the development and testing of the Carver + Shock Training Program) have been completed. He recommended that the Board accept the report and disband the Food Defense Committee. Smith extended FDA's appreciation for CFP's and Ferko's assistance.



Reimers moved and Garren seconded the motion to accept the Sponsorship Committee Report. The motion passed unanimously.

Federal Agency Reports

FDA – Kevin Smith

Smith reported that the FDA is appreciative of the opportunity to be part of the workshop, part of the opening events and also the Sunday morning reports. Dr. Sundlof's Powerpoint presentation will be housed on the CFP website on the 2010 Biennial

Meeting page. Smith reported that Shirley Bohm and Richard Barnes both retired. Barnes has been replaced by Joe Reardon (NC Ag). He also reported that Ellen Laymon (formerly of Oregon Ag has been added to staff. He summarized a number of recent accomplishments including the November publication of the 2009 Food Code. Most code changes came out of CFP. The recommendations from 2010 CFP will be considered by FDA and those approved will be included in a 2011 Food Code Supplement. CFSAN plans to issue a new full code in 2013. Smith further reported that the latest risk factors study will identify trends over a 10-yr period and will be coming out soon (possibly May).

USDA - John Hicks

Hicks reported that there is now an Under Secretary for Food Safety in place. A number of documents will be issued to address the FSIS HACCP rule requirements. The FSIS team has put a focus on looking at food safety at retail. Look for updates on the FSIS website.

CDC - Charles Otto

Otto spoke of the virtual meeting between CFP leadership and CDC leadership to explain the relationship between the 2 groups. He thanked Gifford and Lineberry for joining them to help CDC officials understand the importance of this relationship. Otto also expressed appreciation for the hospitality extended to Michael Beach. Otto reported on many projects including:

- Ongoing project about water interruption in association with EPA and American Waterworks Association. Goal is to
 improve individual responses to such events and evaluate the public health implication of drought. The final rewrite of
 this program is underway. Otto referred Board members to view the CDC healthy water webpage at
 http://www.cdc.gov/healthywater/.
- New training initiatives first 5 of 15 training programs to go online in the next few months; home study courses provide great preparation for credentialing exams and continuing education; environmental health training and emergency response courses; over 9000 "graduates" thus far; insect and rodent control course is focusing on bed bugs a re-emerging health issue.
- EHS-NET project is soliciting for the next participants in their program.
- Cruise ship program is updating all guidelines incorporating 2009 food code.
- Rapid response teams with FDA are training with epi-ready course;
- Reorganization of National Center of Infectious Disease.
- Morris Potter retired and no appointment has yet been made to fill his position.
- CDC is looking to re-shore up state and local food programs
- The new director, Dr. Thomas Frieden is a very aggressive manager at CDC. He is spearheading many initiatives, and food safety is of top priority.

Dr Liang will be replacing Otto during CFP's next 2-yr cycle. The Board expressed its appreciation for Otto's participation and continuing commitment to CFP.

New Business

Kate Piche (NRA, guest) reported that some individuals have expressed an interest in having teleconferencing or web conferencing available during council deliberation. The NRA has volunteered their services to do that and is willing to budget for those. Board discussion ensued; comments included offering a webinar may impact registration and could be a detriment; may encourage more local involvement; may or may not be interactive; logistically complicated to open up lines beyond a possible Issue presenter; may be of benefit to do a time-delayed recording that is available.



Ferko moved and Gurrisi seconded the motion to assign review of this concept to the Strategic Planning Committee. The motion passed unanimously.

Lineberry reported that a suggestion was made to have a CFP Twitter account that would allow members to twitter updates concerning Council deliberations and decisions. This will be looked into for the 2012 meeting.

Caucus Election Review and Introduction of New Board Members

Current Board Members welcomed <u>new Board voting members</u> Marlene Gaither (Pacific Local), Sarah Klein (Consumer), Lori LeMaster (Southeast State), Ned Monroe (Vending), Sue Kowalczyk (Mid-West Local), and Terry Levee (Industry at Large).

No candidates filled the NE local regulatory seat. Gerzonich stated that she spoke with Mohegan Tribal Government representative, Jessica Fletcher, who will look into seeing if she can serve. If not, Gerzonich will seek someone out.

Election of Conference Chair and Vice Chair

Nominating Committee Chair Elizabeth Nutt presented to the Board the Committee's <u>nominees for 2012 Vice Chair position</u>, <u>Michael Roberson</u>, and <u>Chair position</u>, <u>Mary Fandry</u>.



Reimers moved and Garren seconded the motion to accept the Nominating Committee's nominees. The motion passed unanimously.

Lineberry and Fandry explained that both spoke to her supervisor. Lineberry assured the supervisor that normal Board financial reimbursement for travel would apply during her period of service. Her agency agreed to support her continued Board position and authorized her to accept the Chair position if offered. Fandry and Roberson thanked the Board for their support and confidence. Fandry stated that the offer was a humbling moment for her and that they would both work hard to fulfill their duties as well as Gifford and Gurrisi had done.

Election of 2010-2012 Council Vice Chairs

Council Chairs asked for Board approval of their nominees for Vice Chair of their respective Councils:

- Council I Chair Deborah Marlow introduced Brenda Bacon. Bacon has attended CFP several times in the past, has served on Committees, and is an employee of Harris Teeter (Retail Food Stores).
- Council II Chair Chirag Bhatt nominated Patrick Guzzle. Guzzle has attended four Biennial Meetings, has participated on Committees and has served on Council II. Guzzle is employed by the Idaho Department of Health and Welfare (Regulatory – State).
- Council III Chair Linton nominated Robert (Bob) Jue. Jue has attended five Biennial Meetings, has served on a number of Committees, and has served on Council. Jue is employed by the Central District Health Department, Boise, ID (Regulatory – Local).



Reimers moved and McSwane seconded the motion to accept the Council Chairs' nominees for Vice Chairs. The motion passed unanimously.

Miscellaneous New Business

Hendy stated that the Constitution &Bylaws Committee has a duty to submit recommendations to amend C&B. Between now and the August Board Meeting, the Committee will review instances where wording needs to be amended to distinguish between Biennial Meeting and Conference. She also stated that it is the Committee's goal to eventually have 3 three documents: Conference Biennial Meeting Procedures, Constitution &Bylaws, and CFP Policies and Procedures Manual. Hendy seeks board approval to do so. Everly stated that she supports the need; no one spoke of a lack of need to do this. There was a tacit approval to pursue these goals. No vote was taken.

Ferko stated that a letter should go to resigned Board members who have not received their agency's support to continue CFP participation. Lineberry stated that he has done this twice before (Indiana) and (Delaware). Indiana worked, Delaware did not. He will write letters in future to encourage continued participation.

Wright reviewed the Committee Formation process that will be done over the next few months. Wright will solicit committee interest through a blast email (sent during the meeting to all members), combine those with the lists of those who signed up at the meeting, and send those lists to Council Chairs by mid-May. Council Chairs will then identify chairs and work with the chairs to make up each committee. E-voting will be used for Board approval of the committees and will expedite their getting to work before the August Board meeting.

Roberson and Cornman advised the Board that the Council II Committee, Certification of Food Safety Professionals Workgroup, has an ongoing charge to implement a pilot project. Marcello, Kendrick, Cornman and others will organize the pilot project. They asked for confirmation of continuation of the pilot group till the new committee is formed.



Roberson moved and Reimers seconded the motion to accept the continued development of the pilot project. The motion passed unanimously.

Gifford mentioned that it was time to forma new Compensation Committee because service agreements are to expire after the August Board Meeting. Volunteers for the Committee were Nutt, Roberson, Hedman, and Gurrisi.



McSwane moved and Garren seconded the motion to accept newly formed Compensation Committee members. The motion passed unanimously.

The August 2010 Executive Board Meeting will be held August 24-25 at US FoodService Headquarters, Rosemont, Illinois, August 24-25. Hotel costs are expected to be \$109 per night. Lineberry will provide details soon. Levee thanked Ferko and US Foodservice for providing meeting space for the Board.

2012 Biennial Meeting will be held in Indianapolis, Indiana, April 13-18, 2012 at the Hyatt Regency downtown. All meetings will be held at the hotel. Five people from the Indianapolis Local Arrangements Committee have been attending the Rhode Island Meeting. Stephanie Mohn has already started working for LAC looking for support to help underwrite local arrangements. Voyles, Farrell, Gilliam and Whiting are on the Committee.

2014 Biennial Meeting Search – Cornman reported that Florida is ready and willing to host in 2014; however, the Board felt is would be appropriate to form a search committee to see if there is any other agency interested in hosting.



Levee moved and Garren seconded the motion to form a 2014 site search committee.

LeMaster volunteered to contact states in the Southeast Region to see if there is any interest. Bacon, Cornman, and possibly Hardister will join with LeMaster for this search and return suggestions to Lineberry by June 1. Lineberry would then seek the Board's 2014 site selection by evote.

After the Assembly of Delegates meeting, new Conference Chair Fandry called a Board meeting to order. She thanked the Board for selecting her for chair and said that she is looking to the Board for support and advice. The following topics were briefly addressed:

- letters will need to go to FDA extracted Issues will go to board.
- letter to agencies will summarize all other actions; Nutt and Gifford have examples.
- Nutt recommended that there be a list of Issues made that will go to the respective agencies and that Fandry/Lineberry acquire the name of the person to whom the letter needs to be sent.
- Smith and Hicks will be happy to work with letter writers to ensure they are directed to the proper person.
- 2014 site search committee will report back by June 1 and choices will be up for evote.
- Assembly authorization for editorial changes noted on the agenda was not dealt with.
- Smith and Hicks will provide Wright with Agency names for each committee.
- Linton clarified selection of committee chair/vice chair.
- Issue # I-005 has been referred to Board by assembly; Hendy will clarify what Board does with extracted issues. Roberson offered to head up a committee to collect input; Klein suggested that we may draft a letter to USDA to support their rulemaking as first step;

Gifford moved and Garren seconded the motion that Lineberry send a letter to support USDA rulemaking where pinned/injected meat will be labeled as such. After much discussion, and an agreement that the letter will be shared with the Board before it is sent, the motion passed unanimously.

The Executive Board Meeting was adjourned by 11 am on August 14th, 2010.