



Conference for Food Protection Executive Board Meeting Minutes

Chicago, IL
August 25 and 26, 2009

Voting members present: Fandrey, Gifford, Gerzonich, Girard, Coffman, Ludwig, Coffill, Hardison, Nutt, Mitchell, Roberson, Ferko, Gurrisi, Garren, Hedman, Reimers, McSwane, Smith, Otto, Barlow for Hicks; Williams on speakerphone.

Voting members absent: None

Nonvoting members present: Levee, Marlow, Hale, Bhatt, Rosenwinkel, Linton, Nutt, Hendy, Jensen, Nummer, Everly, Lineberry, Pippert, Wright

Nonvoting members absent: None

Guests: Aiken, Pallaske, Hernandez, Mulhern (all of US Foodservice/Monarch Brands), Lewis (on speakerphone)

NOTE: *All submitted written Council, Committee and Agency reports referred to in this document are posted online.*

Opening – Conference Chair David Gifford, Presiding

Conference Chair Gifford called the meeting to order at 8:30 am. He welcomed Robert Aiken, CEO of US Foodservice who commended the group for its service and for making the nation's food supply safer through its actions. USFS and CFP member Jorge Hernandez and CFP Board member Frank Ferko welcomed the Board and covered some housekeeping issues. Gifford and others stated that the Board appreciates US Foodservice for hosting this meeting and providing meeting facilities and food.

Executive Director Lineberry read the Anti-trust Policy for the benefit of all assembled. Wright recorded Roll Call while attendees introduced themselves. Gifford reminded the Board that the previous Meeting's Minutes were approved via E-ballot.

Executive Director Report – Jeff Lineberry

Lineberry summarized his previously submitted report, including:

- Lineberry will attend ISSC Meeting to represent CFP on a shellfish issue (see Special Committee Reports below).
- Council Formation process – we received 89 viable member applications.
- 2009 Crumbine Award has been won by Columbus, OH; CFP paid for its share of expenses in supporting this award.

- There have been changes in management at the Westin Hotel; transitions are going smoothly.
- The hotel room rate will be \$153 per night; reservations can be made online.
- Allen Gelfius and Ruth Hendy are set up to be parliamentarians.
- Dee Williams of Jack in the Box will again be Head Scribe and LAC is working with her.
- LAC is looking to industry and academia for additional labor to help out. RI State agency is very small.
- Function space is all booked for the various meetings and Council sessions.
- We will have to pay sales tax; the State of Rhode Island has refused to honor our exemption.
- The food budget may require more negotiation, especially coffee break provisions.
- Lineberry will attend the next LAC meeting on October 19th.
- The registration booklet is completed and will be printed and distributed at the beginning of October.
- There has been discussion at LAC of registration for students at ½ price to include everything except receptions; if approved, it may include 2-year membership. Discussion was postponed.
- Online Conference registration will be available soon; Pippert and Lineberry are finalizing contract with Virtual Merchant. Hedman asked about Virtual Merchant's encryption and liability policies and how CFP would be protected in the event of a problem. Lineberry agreed to look into this.

Executive Treasurer Financial Report – Eric Pippert

Pippert summarized his previously submitted report, including:

- All transitions between Pippert and retired Executive Treasurer Hayes are complete.
- 2008 tax forms have been completed.
- Biennial Meeting projected revenue has been reduced by 25% due to current economic conditions.
- Hotel room block guarantee was successfully reduced.
- Biennial Meeting Grant application with FDA is underway.
- Financial health of the Conference was reviewed (see reports).
- Pippert reviewed Board reimbursement procedures.
- The Board discussed details related to the Biennial Meeting budget.

Executive Assistant Report – Lisa Wright

- CFP currently has 498 members; 4 regulatory and 4 industry members were added since April meeting.
- Wright thanked those who have identified problems or suggested improvements with the website.

Old Business

CFP Issue 2008-I-014 (submitted by Greg Pallaske, US Foodservice) required that an Issue be submitted to the Interstate Shellfish Sanitation Conference. Fred Reimers has been leading CFP's effort to align this Issue with ISSC requirements. The issue that was accepted was not the issue that was drafted by CFP committee Chair, Fred Reimers. ISSC changed the issue and the revised issue was accepted by the ISSC. Lineberry, Reimers and Pallaske will get together and ensure that correct issue is represented by Lineberry at the upcoming ISSC meeting.

Lineberry reported that ISSC has requested that CFP provide a Board member to act in advisory position on retail issues. Reimers will ask Ken Moore, ISSC Executive Director what the CFP role would be from their perspective.

Fred Reimers and Lorna Girard summarized the Committee report dealing with this extracted Issue. The conclusion of the Committee is: "Based on the charge given to this committee by the Executive Board, the committee recommends that the 2008 III-020 issue should be revised and resubmitted to differentiate the requirement to control "unpreserved fishery products" subjected to ROP either by the manufacturer and shipped to the retailer or the retailer subjecting unpreserved fishery products to any ROP at retail. Since this hazard has been researched by the FDA and NFI, they should be involved with the revision and resubmission to the 2010 CFP."

Girard recommended that the Board should take some deliberate action even if it is no action; Gifford asks for motion

 Hedman moved and McSwane seconded motion to acknowledge the research of the ad hoc Board Committee, endorse the committee's recommendation of No Action with further recommendation that the original submitter resubmit this Issue at the 2010 Biennial Meeting if so desired. The motion passed unanimously.

Council Reports

Note: Names of proposed Council members who were accepted and/or rejected are not stated in the notes below and will be announced formally via letters from Lineberry.

Council I – Terry Levee/Deborah Marlow

Levee and Marlow summarized the previously submitted Council I Summary report. Individual Committee reports are posted on the website.

- Plan Review Committee is finally up and going with a new chair (Liza Frias) and actively addressing its charge. Shirley Bohm (FDA) will be advising this Committee.
- TCS committee is very actively pursuing its charge.
- Criticality Committee is moving along with subcommittees developing an outline and powerpoint model for the education implementation piece of this Committee's charge. The Committee is writing letters to testing companies to make sure the new terminology is implemented in their materials. A FAQs document is being developed

 Roberson moved and Reimers seconded the motion to accept the Council I Report. The motion passed unanimously.

Levee reviewed the proposed 2010 Council I membership roster. Levee and Marlow worked toward a goal of mixing experienced and new members. The roster still requires some adjustment.

 Reimers moved and Garren seconded the motion to accept the Council I roster as written with specified changes and another academic approval to be made electronically. Motion passed unanimously.

The Board discussed the process of Council formation and how each Council Chair struggles with how to make selections efficiently and sensibly to meet the goals of the Conference. McSwane recommended that we tap the Academic members to fill slots such as Consumer slots that are going empty. The Board

expressed general agreement. Hale distributed forms that she used that retain all the names of applicants and list the reasons why or why not each person was selected for the Council.



Gurrisi/Ferko made a motion to appoint Everly as ad hoc Committee Chair to develop a Council Formation Guidance Document.

Smith reminded the Board that Federal members must meet strict requirements to be voting members, otherwise they are to be viewed as advisors.

Council II – Aggie Hale/Chirag Bhatt

Hale referred the Board to the excellent reports submitted by the Committee Chairs that are on the website. She verbally reported that all Committees are active and meeting their charges.



Garren moved and Roberson seconded the motion to accept the Council II report. The motion was approved unanimously.

Hale distributed copies of the forms that she used to help with reviewing Council II applications.



Girard/McSwane moved to accept the Council II roster with one change. The motion carried unanimously.

Council III Report – Ken Rosenwinkel/Rich Linton

Individual Committee reports and the Council III summary are posted on the website.

- Rosenwinkel reported that the Allergen Committee has worked hard developing educational materials that will fulfill their charge. The Committee may provide an overview of the materials at the Biennial Meeting on Sunday morning if time allows.
- The Hot Holding Committee is completing a major survey project by gathering information from operators; 75 surveys have been collected, data collation is underway, and recommendations will be forthcoming as an Issue.
- The Sanitizer Committee is making great progress on recommending changes to the food code. Levee reviewed some changes to the Sanitizer Committee Roster.
- The Blade Tenderization Committee is making progress as well; they are seeking consensus, and have added advisors to help with the science aspect of their charge.



Ludwig moved and Garren seconded the motion to accept the Council III report with recommended changes to the Sanitizer Committee Roster. The motion carried unanimously.

Standing Committee Reports

Constitution, Bylaws, and Procedures – Ruth Hendy

Hendy reviewed her previously submitted report. Issues that will be submitted to the Conference include establishing Roberts Rules as our Parliamentary Authority, establishment of a quorum for Executive Board Meetings, revising the audit policy, and further defining membership constituencies. The committee has several other topics under consideration and recommendations may be forthcoming.



Reimers moved and McSwane seconded the motion to accept the Constitution and Bylaws Committee Report. The motion carried unanimously.

Program – Brian Nummer

Nummer summarized the Program Committee's activities. He reported that he is having success at getting confirmation of workshop presentations.



Reimers moved and Ferko seconded the motion to accept the Program Committee Report. The motion carried unanimously.

Food Managers Training, Testing and Certification – Joyce Jensen

Jensen summarized the written Committee Report. She reported that the Committee will bring 7 Issues to the Conference. She also asked for Board approval to make one change to the Membership roster.



McSwane moved and Roberson seconded the motion to accept the MTTC Committee Report including one suggested change to the membership. The motion carried unanimously.

Resolutions Committee – Sheri Morris

No report other than to ask for recommendations for resolutions.

Nominating – Elizabeth Nutt

No report other than to state the Committee is identifying those who will be eligible for Conference Chair and Vice Chair for 2010.

Audit – Wayne Derstine (absent)

No report.

Strategic Planning – Roger Hancock (absent)

Committee Member Gerzonich spoke briefly on the Committee's direction. Perhaps the Board needs to provide greater direction to this committee. For example: Do we think CFP should expand scope beyond retail/Food Code? Should we get involved in labeling? Members of the Board tossed ideas around. Several suggestions were made for Committee Member Linton to share with the SPC.



Nutt moved and Roberson seconded the motion to accept the Strategic Planning Committee Report with caveat that Linton will provide notes of this discussion to the Committee. The motion carried unanimously.

Issue Committee – Vicki Everly

Everly summarized previously submitted Committee Report and requested the Board consider 3 actions:

- Approve Issue Review Process Checklist
- Approve CFP Committee Final Report Template
- Recommend improvements to the Issue Committee structure to more effectively manage

responsibilities and workload.



Hedman moved and Ferko seconded the motion to accept the two documents above. The motion carried unanimously.

Everly and Lewis led a discussion with the Board about archiving Issue attachments that reflect revisions of original Issue attachments. Currently, the electronic Issue program does not provide a means for capturing those revisions. Glenda Lewis from FDA participated in the discussion by phone and referred to a particular instance where the written revisions were needed. McSwane suggested that each Committee Chair assume responsibility for any revised documents. Lewis stated that it be responsibility shared by the Committee Chair, Council Chair and Scribe. Everly also suggested it may be acceptable for scribe to capture minor changes in the body of the Council recommendation. More extensive revisions could not be handled this way because of Council time. The Board agrees that these versions need to be archived on the website. Everly will work with the key players and identify a way to capture this information in future and who will be responsible for it.



Ludwig moved and Roberson seconded the motion to accept the Issue Committee report and approve identifying a method to archive documents that are revised in Council. The motion passed unanimously.

Special Committee Reports

Sponsorship (ad hoc) – Greg Orman

Orman handed out revised Sponsorship forms and reviewed his process for obtaining sponsorships. Nicholson and Hedman form Committee with him. Budget for this year is \$50,000. They are encouraged that this is achievable. LAC will be pursuing local opportunities for in kind donations and possible financial donations.

Local Arrangements Committee – Thomas Nerney and Cas Tybra, Co-Chairs (both absent)

Lineberry summarized activities of the LAC, including:

- LAC arrangements are well underway.
- A/V equipment and printers have been indentified.
- Keynote speaker global master chef is confirmed.
- The Mayor and Governor will be invited.
- Jeff requested that Otto, Barlow and Smith provide names of whom to invite from Federal agencies.
- Lineberry will be attending the next meeting of the LAC in Providence.

At the request of the Local Arrangements Committee, Lineberry opened a discussion of the feasibility of offering reduced price registrations to students. Much discussion occurred resulting in the following final motions:



Nutt moved and Coffman seconded the motion to seek out student registrations that will include receptions. The motion passed unanimously.



Garren moved and Ludwig seconded the motion to set registration at food and beverage cost – \$75 for student attendee of Biennial Meeting including receptions. The motion passed unanimously.



Ludwig moved and Coffman seconded motion (amended by McSwane) to offer a \$50 fee for students to attend the workshop.

LAC will be encouraged to reach out to schools in Providence/Boston and in between to encourage attendance, perhaps have a meeting hosted by CFP academics to mentor them.

Federal Agency Reports

FDA – Kevin Smith

Smith reviewed various topics of interest to the Board, including:

- 2009 FDA Food Code is not out yet but it is very close to point where it will be posted on the web. It will be printed in 2 separate spiral bound volumes – code/index and annex. It will be available possibly in September;
- Office reorganization has been completed and is designed to help follow food-related matters more closely; Michael Taylor likely to become Deputy Commissioner for Foods. He has a good understanding of cooperative programs.
- CFSAN changes – Janice Oliver has retired. Jeff will send her an appreciation letter from CFP.
- CFSAN's new deputy director, Laura Tarantino.
- Office of Food Safety has new members as well; 3 new special assistants to Nega Buru- Jenny Scott, Jim Gorney, and Kathy Gompas.
- ORA Deputy Director is Joe Reardon.
- Richard Barnes and Gary German are retiring in January.
- 2 new Regional Specialists will be announced in central region; there has been one Specialist change in the SE Region.
- David Acheson left agency at end of July; Michael Taylor is expected to replace Dr. Acheson. (see above)
- Voluntary Standards Program going well;
- 2009 risk factor report will be out this fall; it is the 3rd separate data collection and analysis over 10 years;
- The Food Safety Enhancement Act has led to an increase in rulemaking and guidance document development at FDA.
- Guidance documents have come out on leafy greens, tomatoes and melons. These new recommendations reinforce what the Food Code already requires at retail.
- Reportable food requirement – anyone regulated by FDA with knowledge of reasonable probability of illness from a food product will be obligated to report it through an electronic portal.
- September 8, 2009 is the Congressionally mandated date set for activation of an electronic web portal for reporting contaminated food. This reporting requirement applies to food that has left the owner's control. Many questions still are pending on the application of this requirement to companies that retain control of food products from manufacturing through retail. Will they fall under the reporting requirement?
- Newly published Egg safety rules require a Salmonella control plan for egg producers.
- The Code of Federal Regulations Good Manufacturing Practices for Human Food will be revamped with completion expected in May of 2010;
- International Food Protection training (FDA/Kellogg Foundation) is now in full swing. Information is available on the next session scheduled for October 6, 2009.

- Development of a satellite broadcast on employee health is underway and is scheduled for November 19th.
- Regional Retail Food Seminars are still ongoing. Southwest is next.
- Reimers requested FDA and other regulatory representatives provide their reports in writing as there is too much detailed information to capture in the notes. Agency representatives agreed to do so.
- Board members request that Smith keep us informed of pending issues that may affect the retail industry; especially those that afford the opportunity for member/constituent input or comment.

USDA – Kristina Barlow for John Hicks

Barlow stated that she appreciates the opportunity to attend the CFP Executive Board Meeting in Hicks' place. She apologized on Hicks behalf for his absence. Barlow is Food Safety and Inspection Service (FSIS) *Listeria monocytogenes* policy lead, a microbiologist, and has been with the agency for 7 years. She writes policy for *L. monocytogenes* sampling. Her agency is seeking to be more active with retail.

Barlow reviewed the following FSIS topics:

- FSIS personnel are basically the same. FSIS still doesn't have an Undersecretary though it is possibly going to be Dan Englejohn. The new Deputy Undersecretary is Harold Mandes.
- FSIS is in the process of making a rule for ground beef recordkeeping at retail. The logs will help with tracking suppliers in foodborne illness investigations.
- The CFP committee on blade tenderization of beef met with FSIS officials to discuss the risks associated with needle tenderized beef and known outbreaks. FSIS is looking at rulemaking to address this issue since current labeling requirements do not identify tenderized beef on the package.
- FSIS and FDA have initiated a joint risk assessment for *L. monocytogenes* at retail. They have published a comparative risk assessment now available on the FSIS website. Results show that 83% of foodborne illness from *L. monocytogenes* is caused by deli meat sliced at retail. FSIS is looking for assistance to help identify where risks lay in RTE foods at retail. A small scale study in DC area is being completed (15 establishments).
- USDA is developing solutions to *L. monocytogenes* contamination and interventions.
- Board members offered suggestions with regard to partnering with Local Agencies to help with developing guidance and interventions to reduce the risk of *L. monocytogenes* contamination at retail.
- FSIS is looking for retailers that will assist FSIS in the *L. monocytogenes* data collection process; Barlow asked Board to please offer suggestions.

CDC – Charles Otto

- CDC's new Director is Thomas Frieden, MD, MPH, formerly with the New York Department of Health and Mental Hygiene.
- 1000 people have been taken out of the organization and reassigned to other parts of CDC.
- Go to www.foodsafetyworkinggroup.gov to see the work of Arthur Liang and others who have been working with the President's Food Safety Working Group.
- New budget for 2010 will expand and improve best practices for outbreak response – looking at multi-jurisdictional and multi disciplinary outbreaks;
- Agency is reforming the Division of Foodborne Disease.
- The National Environmental Health Conference will be held in Atlanta, October 26-28.
- Carol Selman has written a public health document for the Journal of Food Protection; it will be available this fall.
- CDC will be providing a H1N1 weblink to stay in touch with latest data and advisories.

New Business

Wright reminded the Board and Chairs that written reports are required by the CFP procedures. Member rosters are not to be embedded in report. Consultants to the Committees and Councils are to be listed as Advisors to the Committee and not as members. A request will be sent out this fall for *verified* membership rosters to include in the Biennial Meeting program booklet.

Gifford opened the topic of selecting a site for the 2014 Biennial Meeting. It is supposed to be held in the Southeast Region. Lee Cornman stated that discussions have been ongoing between Florida's 3 sister agencies, the Florida Restaurant Association and CFP members in Florida. They are interested in going into discussions with CFP. Orlando offers the best bargain in April. All assembled see Florida as a viable opportunity for 2014.



Reimers moved and Nutt seconded motion to have CFP select Florida as the site location for the 2014 Biennial Meeting. The motion carried unanimously.

Lineberry raised subject of how to manage submission of proposed Issues dealing with amendments to the CFP Constitution and Bylaws or Procedures. It is his responsibility to receive and review them prior to their entry into the electronic Issue Submission Program. Discussion resulted in recommendation that the Conference Vice Chair assist Lineberry when necessary and that other Board members be identified as reviewers if needed. Garren expressed willingness to assist with review. Hendy advised that Board members must take e-votes to approve each C&B Issue prior to final submission.

Changes recommended by the Constitution and Bylaws and Procedures Committee with respect to maintenance and amendments to CFP policies and procedures are not subject to Council or Assembly of Delegates approval. The Executive Director is responsible for overseeing those policy and procedures updates and again can ask Board members for assistance and approval. Gifford advised that all documents be dated or carry a revision number. Everly will submit a list of the documents to Lineberry.

The Board discussed the date and location of the August 2010 Executive Board meeting. Ferko again offered US Foodservice as host of next year's meeting.



Reimers moved and Gurrisi seconded the motion to meet in Chicago next year probably 24-25 August with possible change of date. Motion carried unanimously.

Adjournment

Chair Gifford thanked US Foodservice for hosting and Ferko for coordinating the meeting facilities. Gifford then adjourned the meeting. The next meeting of the Executive Board will be in conjunction with the 2010 Biennial Meeting in Providence, Rhode Island.