



## Conference for Food Protection Executive Board

Meeting Minutes from 5/1/2012 Conference Call  
(transcribed from the recording)

Conference Chair LeMaster thanked everyone for calling in then handed the meeting over to Executive Director Lineberry.

### Overview

Lineberry stated that the purpose of the call is to discuss the disposition of Issue I-2012-042, *Creation of Distribution and Storage, Transportation and Delivery Committee*. The 2012 CFP Assembly of Delegates extracted this Issue after the Council voted No Action, thus referring it to the Board for final consideration. Mr. Lineberry suggested that there are four possible directions for the Board to go on this Issue and invited the Board to suggest others.

1. Sustain the “no action” vote of the Council.
2. Reach out to the AFDO food transportation committee, possibly through the participation of Ferko and Gilliam or others on that committee, and have them report back to the 2014 council. AFDO membership may be an issue.
3. Form a CFP committee on the subject of safe transportation and distribution of TCS food which would reach out to the AFDO committee, coordinating CFP and AFDO activities. This committee could report to the Board or the Council, or both.
4. Form an independent CFP committee reporting to council I to work on the subject of safe transportation and distribution of TCS food.

### General Discussion

Nutt stated that she was on Council I and had written herself a note that FDA would be providing guidance documents on this subject. Smith stated that he was not certain what was meant by the term “guidance documents” but that the *Food Safety Modernization Act (FSMA)/Safe Food Transportation Act (SFTA)* does direct FDA to develop regulations that should address some of the concerns in this area, as suggested by others on the call.

Ferko (Issue 042 Author) said he spoke to Lewis to ask what FDA’s position was on this Committee; he stated that Lewis responded that the FDA is fine with the formation of this Committee. Smith clarified that FDA would work with any Committee that the CFP saw fit to create and provide input as with all other CFP Committees.

Levee stated that FSMA regulations and its comment period are not related to the Food Code. He expressed concern that if CFP spent time and effort going through how it should affect the food code, then we are stepping outside the bounds of what CFP should be doing. Roberson

stated that he was not aware of much work being done in this area at FDA and asked what the priority this topic would have for FDA. Smith stated that with so many other rules to be dealt with at OMB, this is not a top priority at this time. He indicated that there was a chance that preventive control rules might be developed sooner and could have have a impact on food distribution and transport to the extent that produces, processors and warehouseers would need to consider receipt and delivery of product in their food safety plans.

## **The Motion**

LeMaster asked for a motion.

Levee moved that we honor Council I's request to sustain No Action on this Issue. The motion was seconded by Rosenwinkel. Discussion ensued.

- Ferko commented that there were several CFP member organizations that support formation of the Committee as indicated by the Assembly of Delegates.
- Morris stated that many Assembly members felt that a guidance document would be helpful.
- Girard suggested that CFP might be able to do something with AFDO.
- Rosenwinkel stated that Council I spoke clearly on this Issue by voting No Action.
- Roberson stated that FDA does have April 2010 guidance for transportation of food and other organizations have guidance documents; information is available for those who need it at this time.
- Girard spoke of a need to gather this info and develop something specifically for the retail sector.
- Radke stated that any guidance documents that can help sectors do a better job would be helpful as foodborne illnesses can sometimes be traced to distribution problems.
- Smith reminded the Board that this discussion was taking the Issue in a direction not stated in the original Issue. He questioned how would we charge this group and how would a Committee develop charges?
- Nutt echoed Smith's concern referring to the fact that the original Issue is not food code-related, and she felt we were stepping outside CFP's purview.
- Smith suggested that the Board come up with a list of any existing documents and identify future needs.
- Levee stated that CFP's mission is different from AFDO's whose business it is to create guidance documents; CFP does not do this routinely.
- Levee encouraged Ferko to take this need to AFDO and encouraged the Board to not move forward with this.
- Smith reminded the Board that we have a large number of Committees for this cycle that will tax the FDA.
- Girard made one final appeal as to the importance of this Issue; Luker expressed agreement.

An unidentified Board member asked to call the question. A 2/3 majority having agreed, debate ended.

## The Vote

LeMaster reiterated that the motion is to sustain Council I's No Action vote. (A Yes vote would mean that the Issue would be disposed of and No Action will be taken on the Recommended Action to Create a Committee.)

<b>Board Member</b>	<b>Yes</b>	<b>No</b>
Luker	Yes	
Gifford	Yes	
Morris	Yes	
Girard		No
Whiting	Yes	
Nutt	Yes	
Gaither	Yes	
Fletcher	Yes	
Mitchell	Yes	
Smith		No
Radke		No
McSwane	Yes	
Klein		No
Rosenwinkel	Yes	
Roberson	Yes	
Garren	Yes	
Eils	Yes	
Levee	Yes	
Stevens-Grobbelaar		No (absentee vote submitted by email)

***The Motion carried with a vote of 14-5. Issue I-2012-042 will receive no further action.***

Smith asked how this decision will be communicated to the membership. Lineberry stated that the meeting minutes will be published on the website.

LeMaster asked for a motion to adjourn (responders were not identified). The meeting was adjourned.