



## CONFERENCE FOR FOOD PROTECTION, INC. SPECIAL EXECUTIVE BOARD MEETING

July 13, 2021

- Meeting called to order at 1:06 PM and adjourned at 4:06 PM (Eastern time).
- Meeting was conducted using the online MS Teams Meeting format.
- Due to the limited time available, this agenda has been abbreviated to include only those items that need to be addressed immediately; therefore, the numbering of agenda items on this document may not match earlier agendas of this Board.
- All agenda items in **red font** are part of the “Consent Calendar” and are addressed under agenda item 1.4.1.
- Minutes are documented in the order listed on the meeting agenda and do not necessarily follow the order of discussion. For brevity, procedural motions such as those to recess/reconvene, or to table/reconsider agenda items are not included unless material to the discussion or a vote was not unanimous. The language for each motion is captured at the time of vote; the specific wording of each edit is not tracked. Also, for brevity, discussion comments and questions have been summarized and similar or repeat comments have been grouped.
- Due to the challenge of conducting voice votes during a virtual meeting, only votes in opposition of the motion and abstentions were requested. Prior to each vote, the Conference Chair restated the motion and then asked if there was any “lack of support for the motion” followed by a request for any “abstentions”; silence was considered support for the motion.

**Voting Board members participating:** Brenda Bacon, Melvin Carter, Amber Daniels, Anne Dolhanyk, Catherine Feeney, Jessica Fletcher, Donna Garren, Keith Jackson, Ann Johnson, Adam Kramer, David Lawrence, Glenda Lewis, Todd Mers, Steve Moris, Todd Rossow, Angela Sanchez, Tim Tewksbury, Kelli Whiting, Christopher Sparks, Christine Sylvis

**Voting Board Members not participating:** Jason Horn, Brian Nummer, Becky Vought

**Ex-officio non-voting Board members participating (includes Standing Committee Chairs):** Christine Applewhite, Joetta DeFrancesco, Patrick Guzzle, Thomas McMahan, Davene Sarrocco-Smith, Angie Wheeler, Sharon Wood

**CFP Executive Staff participating:** Dr. David McSwane, Cliff Nutt, Vicki Everly

*Discussion points include opinions from individuals and do not necessarily reflect the view of the entire Board and may not reflect existing CFP policy or procedure.*

### 1. Opening – Conference Chair David Lawrence, Presiding (Binder 1)

#### 1.1 Call to Order – David Lawrence

Meeting called to order at 1:06 PM (Eastern time) by David Lawrence, Conference Chair.

#### 1.2 Anti-trust Policy – Brenda Bacon

The Anti-trust statement was read in its entirety by Brenda Bacon, Conference Vice-Chair.

#### 1.3 Roll Call / Acknowledgement of Board Members

Roll call was taken by the Conference Chair to establish the presence of a quorum.

Steve Moris announced his resignation from the Kansas Department of Agriculture in late July and his transition to working with AFDO. He acknowledged and thanked the Board members for their work on behalf of CFP. Thank you was extended to Steve for his numerous contributions to this Board.

##### 1.3.1 Acknowledgement of Guests

There were no guests present.

## 1.4 Agenda Review – Opportunity to add new items or move items forward

There were no new items added to the agenda. The purpose of today’s special meeting is to help complete some of the outstanding Board agenda items.

**1.4.1 Consent Calendar** – *All agenda items in red font will be approved with a single motion. Any Board Member may request that a specific agenda item be extracted from the Consent Calendar; doing so means that item will be discussed and voted on separately at the point indicated on this agenda*

The distribution of meeting materials in advance of each meeting is done with the expectation that the Board will review these documents in their entirety to be fully prepared for the meeting.

### 1.4.1a Extraction of Consent Calendar item(s)

There were no items extracted from the Consent Calendar for a separate vote.

### 1.4.1b Approval of Consent Calendar items

<b>Action Item</b>	Motion to approve the Consent Calendar items indicated on the agenda in red font. (Garren/Daniels)
	Above motion passed with no opposition and no abstentions.

## 1.5 Board Meeting Minutes, September 2020 – previously approved via E-vote

Minutes of the most recent Board meeting (March 2021) were previously approved by e-vote and affirmed by consent (see agenda item 1.4.1b).

### 1.5.1 Summary of Board E-votes taken since the September 2020 Board Meeting

E-vote summary approved by consent motion (see agenda item 1.4.1b).

## 1.6 Executive Staff Report

### 1.6.1 Executive Treasurer – Cliff Nutt

Cliff Nutt provided a brief overview of his written report including plans for improving financial statements and reporting tools to differentiate organizational and grant funding and expenses.

Executive Treasurer report approved by consent motion (see agenda item 1.4.1b).

## 1.7 Unfinished Business

### 1.7.1 April 2018 – CFP invoice approval policy

The “Invoice Approval Policy” was amended to add a paragraph to clarify “Invoice Submission”:  
*Requests for payments and reimbursements must be accompanied by an invoice or CFP Expense Report Form and receipts. An email (electronic record) with the expense report form attached can act as the signature by the expense report submitter.*

CFP Invoice approval policy approved by consent motion (see agenda item 1.4.1b).

### 1.7.2 September 2020 – Item 1.9.7

#### 1.7.2a – Committee Report Templates

The purpose of revising the Committee Report Templates was to include items that the Board had previously requested.

<b>Action Item</b>	<input type="checkbox"/> EA to upload to the CFP website the Report Templates and the Council Committee Roster and Instructions approved by consent motion as indicated below.
--------------------	--

#### 1.7.2a – Council and Standing Committee Periodic Report Template

Council and Standing Committee Periodic Report Template approved by consent motion (see agenda item 1.4.1b).

## 1.7.2b – Council and Standing Committee Final Report Template

Council and Standing Committee Final Report Template approved by consent motion (see agenda item 1.4.1b).

### 1.7.3 Updating the Council Committee Roster and Instructions (former agenda item 1.9.6)

Updated Council Committee Roster and Instructions approved by consent motion (see agenda item 1.4.1b).

### 1.7.4 Report on Hiring Wild Apricot for Membership Services Management – David McSwane

The Board approved hiring Wild Apricot (WA) for membership management services going forward. That company hosts the platform, but CFP is responsible for uploading information in a format customized to fit with WA's platform. The ad hoc committee had recommended that CFP hire a consultant to assist with the transition; search for that consultant is ongoing.

Due to the additional workload involved with the virtual Biennial Meeting this August, it was felt that taking additional time to complete the transition to WA was in the best interest of the Conference. Therefore, the transition to WA has been postponed until the fall with a goal to complete the process by the end of calendar year 2021. The cost to delay the transition is minimal; there is no charge to CFP to continue to use Eventbrite for the upcoming committee application process, and there is only a small per-person transaction fee for processing payments of any membership dues.

## 1.8 2020 Biennial Meeting Planning

### 1.8.1 Update on Virtual Meeting Platform – David Lawrence

An inordinate amount of time has been required by CFP staff and CFP leadership in working with ConferenceDirect to develop and implement a customized Pathable website and the separate Meeting Pulse voting mechanism for the virtual Biennial Meeting; this work is ongoing.

David Lawrence shared his screen and provided a brief overview of the Pathable site. Board members, speakers, etc. have been given advance access to establish their personal profile and navigate the site to become familiar with the platform. An attendee list for general members will be uploaded to the site after the July 19 early registration deadline with a target date to open the website for all registered attendees on August 2.

A "CFP Library" tab is being developed with links to informative documents on the CFP website:

- A 2-page "Guide to the CFP Issue Process" was created to help first-time attendees understand the overall process from Issue submission to Conference action.
- The Board approved guide to "Editing Issues in Council" has been updated to make it generic for ANY biennial meeting (i.e., reference to specific dates/years removed).
- Links to our current approved governing documents will also be included.

Additional discussion points:

- The best way to provide "Issue status" access in real time is still being discussed and developed.
- Conference Direct has provided a PowerPoint presentation for navigating the Pathable site; this will be shared with registered attendees in advance of the meeting.
- Council Chairs sent emails to all Issue submitters on July 6 providing guidance on presenting their Issue(s) to Council.
- Concern was expressed about the difference between "presenters" (e.g., speakers) and "Issue submitters" as access and capabilities within Pathable will vary between the two roles.

### 1.8.2 Retail Program Standards Session – Angie Wheeler

Angie Wheeler provided an update on the special session scheduled for August 13. The original goal for the in-person meeting was for "speed dating" to learn about each of the Standards. The new virtual format is titled "Retail Food Program Standards — Stronger Together!" Topics include:

- *New Era Core Element 3.0 on New Business Models and Retail Modernization*
- *Retail Food Safety Regulatory Association Collaborative Formation*
- *Collaborative Grant Activities of Associations*
- *Retail Food Safety Advisory Group: Formation and Expectations*
- *FDA Flexible Spending Model Grant Program administered by NEHA*
- *Self-Assessment/Audit Verification Summary and Gap Analysis Tool, Resources, and Support*

**2. Council and Council Committee Reports (Binder 2)**

*Note: Council Committee Final Reports were submitted as attachments to Issues to be deliberated at the upcoming Biennial Meeting.*

**2.1 Final Council Rosters for the 2020 Biennial Meeting in August 2021**

**2.1.1 Council I – Ann Johnson and Thomas McMahan**

**2.1.2 Council II – Sharon Wood and Joetta DeFrancesco**

**2.1.3 Council III – Dr. Keith Jackson and Christine Applewhite**

Revised rosters were submitted by Council Chairs and provided in the materials disseminated in advance of this meeting. Alternate Council Members approved on these agendas can be moved into a voting position as needed without additional action by the Board.

Council Rosters approved by consent motion (see agenda item 1.4.1b).
--

**3. Standing Committee Reports (Binder 3)**

*Note: no reports required for this special meeting of the Executive Board.*

**4. Special Committees and Reports (Binder 4)**

*Note: no reports required for this special meeting of the Executive Board.*

**5. New Business (Binder 5)**

**5.1 “Finalized” Late Breaking Issue Submissions**

Seven (7) late-breaking Issues (LBI) were submitted by the deadline and have been reviewed by the Issue Chairs. Patrick Guzzle provided a brief background regarding that review process which included parameters outlined in our governing document and the “decision tree” the Board approved for Issues related to Covid. Board members were reminded that their role is NOT to debate the validity of the Issue’s recommended solution; the Board’s role is limited to determining if the Issues meet the criteria of a late-breaking Issue and assignment to a Council for deliberation.

All Issues and their accompanying documents were provided to the Board in advance of this meeting. Issue titles noted in the motions below are taken directly from the Issue submission forms; not from the temporary LBI titles used for discussion purposes.

**LBI #1- 2020 CFP Reusable Containers for TCS Foods**

<b>Action Item</b>	Motion to decline Late-Breaking Issue #1 titled “ <i>Amend Food Code to allow the use of reusable containers for TCS beverages</i> ” because it does NOT meet the criteria for a late-breaking Issue. (Johnson/Garren)
	Above motion passed with no opposition and no abstentions.

**LBI #2 - 2020 CFP Raw, Ready to Eat Seafood**

<b>Action Item</b>	Motion to decline Late-Breaking Issue #2 titled “ <i>Limitations of Growth of Organisms of Public Health Concern – Add requirements for Raw, Ready to Eat Seafood</i> ” because it does NOT meet the criteria for a late-breaking Issue. (Garren/Feeney)
	Above motion passed with no opposition and no abstentions.

**LBI #3 - 2020 CFP Disinfection of Food Contact Surfaces**

<b>Action Items</b>	Motion to ACCEPT Late-Breaking Issue #3 titled “ <i>Amend Food Code: clarify language for disinfection of food-contact surfaces</i> ” as it meets the criteria for a late-breaking Issue with assignment to Council III. (Garren/Johnson)
	Above motion passed with two (2) votes in opposition and two (2) abstentions.

	<input type="checkbox"/> Issue Chairs to assign an Issue number for Council III and prepare the Issue and any accompanying documents for the EA to upload to the CFP website. <input type="checkbox"/> Once uploaded, ED to send a late-breaking Issue announcement to the CFP membership; EA will post a “news” announcement on the homepage. <input type="checkbox"/> Council Leaders to ensure all Council members are notified of the late-breaking Issue documents.
--	--

LBI #4 - 2020 CFP Halt hand to handle contact - Revised BV72921

<b>Action Item</b>	Motion to decline Late-Breaking Issue #4 titled “ <i>Halt Hand to Handle Contact</i> ” because it does NOT meet the criteria for a late-breaking Issue. (Jackson/Daniels)
	Above motion passed with no opposition and no abstentions.

LBI #5 - 2022 CFP submission\_Disinfectants and Sanitizers BV72921 DAB edits

<b>Action Items</b>	Motion to ACCEPT Late-Breaking Issue #5 titled “ <i>Amend Food Code – Define &amp; outline DISINFECTION, modify SANITIZATION definition</i> ” as it meets the criteria for a late-breaking Issue with assignment to Council III. (Rossow/Daniels)
	Above motion passed with three (3) votes in opposition and one (1) abstention.
	<input type="checkbox"/> Issue Chairs to assign an Issue number for Council III and prepare the Issue and any accompanying documents for the EA to upload to the CFP website. <input type="checkbox"/> Once uploaded, ED to send a late-breaking Issue announcement to the CFP membership; EA will post a “news” announcement on the homepage. <input type="checkbox"/> Council Leaders to ensure all Council members are notified of the late-breaking Issue documents.

LBI #6 - 2020 CFP Ozone Sanitizer

<b>Action Item</b>	Motion to decline Late-Breaking Issue #6 titled “ <i>Ozone as a no-rinse Food Contact Surface Sanitizer in the Federal Food Code</i> ” because it does NOT meet the criteria for a late-breaking Issue. (Daniels/Dolhanyk)
	Above motion passed with no opposition and no abstentions.

LBI #7 - 2020 CFP Revised CFP Constitution and Bylaws Preface

*This Issue included:*

- LBI #7 - Content Document - Revision of Preface to the CFP Constitution & Bylaws*
- 1 Revised CFP Constitution and Bylaws Preface*
- 2 Draft Revised Constitution and Bylaws with draft Preface*

David Lawrence opened discussion on late-breaking Issue #7 regarding the change to the CFP Constitution and Bylaws (C&B) to chronicle the impact of the pandemic. The Board had previously approved language by e-vote for an amendment to the preface of the C&B; however, it was felt that the language should be further amended prior to submitting this Issue to Council II for deliberation to clarify additional points related to the delay of the 2020 Biennial Meeting.

Additional points of clarification regarding this Issue recommendation include:

- Clarification of the terms of office for Board members elected at the Biennial Meeting held in August 2021;
- Clarification of the terms of office for Board members with terms scheduled to end in 2022 (as the next biennial meeting is scheduled to be held in 2023, not 2022);
- Clarification regarding the 12-year limit for service on the Board;
- Establishing the date for the first biennial meeting after 2023 (i.e., 2025 or 2026); and
- Determining if the biennial meeting rotation will return to an even year cycle or establish an odd-year cycle.

Discussion points:

- LBI #7 has already been approved by the Board. The question today is about terms of service and whether the last 2 sentences of the suggested Preface edits can be removed to clarify all the questions and concerns.
- A question was raised if the Board can amend its own Issue that was previously voted on and opinions on this varied. It was suggested that we simply document what we are doing

and then decide later if we want it to go into the C&B as a future amendment. However, the Issue Chairs' recommendation is to accept the Issue as late-breaking because it deals with our governing documents and with pandemic circumstances beyond our control.

- Potential Board members need to know their terms of service. There are 20 elected Board positions:
  - ✓ 8 members will be elected in August 2021 (one to fill a vacant position that expires in 2024). These 8 positions include: Mid-Atlantic Region State; Pacific Region State and Local; Southwest Region State and Local; Industry Food Processing; Industry At Large; and Academia;
  - ✓ 7 Board members have a term expiring in 2022; and
  - ✓ 6 terms expire in 2024 (this includes the one vacant position filled in 2021).
- Glenda queried whether CFP is going to maintain an even-year rotation so that the FDA can plan their upcoming Food Code and supplement publication cycles. She stated that the FDA will work with CFP and whatever cycle is eventually determined, but an odd-year cycle may create financial constraints because of other conferences funded during odd years. The following dates have been established for upcoming Food Code editions:
  - ✓ full edition in 2022 (reflecting any recommendations following the August 2021 Biennial Meeting);
  - ✓ supplement in 2024 (after the 2023 Biennial Meeting); and
  - ✓ tentatively, the next full edition in 2026 (assuming a 2025 Biennial Meeting).
- Appointment of incoming Council Chairs and Vice Chairs are confirmed by the Board during each biennial meeting. All current Council Vice Chairs need to be ready to announce their recommendation of an incoming Council Vice Chair for Board approval. These Vice Chairs will serve until the 2023 Biennial Meeting and then move up to Council Chair.

<b>Action Items</b>	<p>Motion to table LBI #7 titled <i>“2020 CFP Revised CFP Constitution and Bylaws Preface”</i> and form a Board ad hoc committee with the charges to: (Daniels/Sparks)</p> <ol style="list-style-type: none"> <li>1) Refine Board term limits;</li> <li>2) Bring back a written recommendation as to when to hold the biennial meeting following the previously scheduled 2023 Biennial Meeting, and whether we return to an even-year cycle or stay with an odd-year cycle; and</li> <li>3) Report back to the Board by July 30, 2021.</li> </ol> <p>For reference only (not part of the motion above), the proposed language to add to the Preface is included here in underline format:</p> <p><u>On March 11, 2020, the Novel Coronavirus disease, COVID-19, was declared a pandemic by the World Health Organization. On March 13, 2020, the United States declared a national emergency concerning the Covid-19 outbreak. The Executive Board acted on March 19, 2020, to postpone the 2020 Biennial Meeting originally scheduled to begin on March 29, 2020. The Executive Board members serving on March 19, 2020, continued to serve in their capacity until the 2020 Biennial Meeting was held virtually August 15-21, 2021. The Executive Board took administrative actions necessary to maintain working efficiency of the Conference during the pandemic.”</u></p> <p><u>All Caucuses met during the virtual Biennial Meeting, to elect Executive Board members whose terms expired in 2020. With the year and a half postponement of the Biennial Meeting some Executive Board members exceeded the six- and twelve-year term limits. These term limits affected by the postponement of the Biennial Meeting will resume as established by the Constitution and Bylaws after the 2023 Biennial Meeting. The Biennial Meeting cycle resumed to being held on even-numbered years starting in 2026.</u></p>
	<p>Above motion passed with no opposition and no abstentions.</p>
	<p><input type="checkbox"/> Members of the Board ad hoc Committee: Christine Applewhite, Patrick Guzzle, Davene Sarrocco-Smith, Chris Sparks, and Todd Rossow.</p> <p><input type="checkbox"/> Any additional volunteers for this Committee are to contact David Lawrence.</p> <p><input type="checkbox"/> An evote will be conducted to clarify the questions regarding Board member terms and approve final language for late-breaking Issue #7.</p>
	<p></p>

**5.2 Proposal to establish an “Employer Food Safety Training Committee” new committee at the 2021 Biennial Meeting per Issue 2018-II-001. This would be a council II Committee that is charged with reviewing the Employee Food Safety Training Guidance Document for possible updates – Vicki Everly**

Vicki Everly provided background as to why this Issue is brought forward at this time. The original Issue from 2018 required establishment of a committee in 2022. The only question for the Board to address is if this committee should be established now, in 2021, or at the 2023 Biennial Meeting.

<b>Action Item</b>	Motion to move forward and establish an “Employer Food Safety Training Committee” at the Biennial Meeting in August 2021 with a report back requirement at the 2023 Biennial Meeting. (Jackson/Johnson)
	Above motion passed with no opposition and no abstentions.
	<input type="checkbox"/> An Employee Food Safety Training Committee assigned to Council II is to be added to the Council Committee list for membership recruitment after the August 2021 Biennial Meeting; committee is charged to: <ul style="list-style-type: none"> <li>✓ Review the CFP “<i>Employee Food Safety Training Guidance Document</i>” for possible updates (assigned via Issue 2018-II-001); and</li> <li>✓ Report their recommendations at the 2023 Biennial Meeting.</li> </ul>

**5.3 Appointment of Representatives to the Retail Food Safety Regulatory Association Collaborative for the next biennium that will start in August 2021 and end in April 2023 – David Lawrence**

David Lawrence provided background and stated this agenda item is to introduce the topic of appointing these positions for the new biennium.

The ground rules of the Retail Food Safety Regulatory Association Collaborative (Collaborative) entitle each member association to appoint 3 members. The Board decided that, during the formative years of the Collaborative, it was in the best interest of the Conference to have the ED, and Conference Chair and Vice Chair represent CFP.

- Executive Director, Dave McSwain currently serves.
- Conference Chair and Vice Chair, David Lawrence and Brenda Bacon, currently serve and have also worked closely as CFP volunteers with NACCHO grant activities.

Discussion points:

- These positions have required a major investment of time from each representative.
- David Lawrence is willing to continue in this role; he plans to retire next year but plans to remain active in CFP as an emeritus member.
- Brenda is also willing to continue serving with the understanding that she will retire next year, and her position could be filled at that time.
- CFP is the only member organization that represents industry constituencies; therefore, Brenda recommends that CFP continue to have one of our positions on the Collaborative be filled by an industry member. The National Restaurant Association expressed interest in participating on the Collaborative in the future.
- The need to maintain historical knowledge of the Collaborative and maintain continuity within our representatives should be an important consideration.
- Concern was expressed about changing representatives given the shortened period between biennial meetings in 2021 and 2023.

More discussion will be held at the August 2021 Board meetings regarding appointments to the Collaborative for the new biennium.

**6. Adjournment**

<b>Action Item</b>	Motion to adjourn at 4:06 PM Eastern time. (Daniels/Garren)
	Above motion passed with no opposition and no abstentions.