

Conference for Food Protection - Committee FINAL Report

Template approved: 08/14/2013

Committee Final Reports are considered DRAFT until deliberated and acknowledged by the assigned Council at the Biennial Meeting

COMMITTEE NAME: Constitution, Bylaws and Procedures (CBP) Committee

COUNCIL or EXECUTIVE BOARD ASSIGNMENT: Executive Board

DATE OF REPORT: January 7, 2016

SUBMITTED BY: Lee M. Cornman, Chair

COMMITTEE CHARGE(s):

Constitutional Charges, as stated in Article XV, Section 3 of the Constitution:

1. Submit recommendations to improve Conference administrative functions through proposals to amend the Constitution and Bylaws.
2. Review proposed memorandums of understanding and ensure consistency among the memorandums of understanding, the Conference Procedures manual, the Constitution and Bylaws and other working documents.
3. Report all recommendations to the Board prior to Council II deliberations.
4. Follow the direction of the Board.

Issue #: 2014 II-018

Charge: The Conference recommends that the Constitution, Bylaws and Procedures Committee continue work on assigned charges to:

1. Review the Conference for Food Protection governing documents (Conference for Food Protection Constitution and Bylaws, Conference Procedures, Conference Biennial Meeting Manual, position descriptions, conference policies, etc.) to facilitate a merger and conformance of these documents into a comprehensive "Conference for Food Protection Manual." (Originally assigned via Issues 2012 II-001 and 2012 II-004)
2. Review the CFP Commercialism Policy to discern whether it is sufficient to apply to situations where the CFP name or logo is used in an unsanctioned manner by entities other than the CFP. (Originally assigned at the August 2012 Executive Board Meeting).
3. Report back to the Executive Board; and submit recommendations as Issues at the 2016 Biennial Meeting.

COMMITTEE ACTIVITIES AND RECOMMENDATIONS:

1. Progress on Overall Committee Activities:

No constitutional charges were assigned this biennial period.

Issue 2014 II-018 – Item 1: Vicki Everly, Issue Co-Chair and CBP Committee member, volunteered to assist in working on review of the CFP governing documents to facilitate the “merger and conformance of these documents” as directed above. A proposed outline was presented to and approved by the Executive Board at the August 2015 meeting to qualify and quantify the committee direction with this charge. This charge is a large undertaking and will continue during the 2016 – 2018 biennial period. It is anticipated that it will be completed for submittal as an Issue in 2018.

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Issue 2014 II-018 – Item 2 – Revision of CFP Commercialism Policy: Committee identified concern that the current policy was specific to Issues submitted to the Conference for the Biennial Meeting and that it needs to be expanded to encompass broader misuse of the CFP name and/or logo by others. Committee discussion circled around a two-part policy that addresses the Issues themselves and any other Conference/Committee functions. David Crownover volunteered to review and draft a revised issue for consideration and deliberation. This draft was discussed via conference calls and submitted to all committee members for review and final approval. An Issue titled “Revision of CFP Commercialism Policy” was submitted to the CFP Executive Board for review and approval prior to submitting the Issue for deliberation at the 2016 Biennial Meeting.

Committee review and discussion of questions submitted by committee member as provided by constitutional charges:

A CBP Committee member submitted a series of four questions for deliberation and resolution by the committee. These questions were discussed as part of committee conference calls and as part of two CFP Executive Board Meetings. The questions and the subsequent resolutions/action items are as follows:

- 1. Same issues submitted at subsequent Biennial Meetings** – Active discussion on this question and agreement from committee members that some tweaking of the process can be achieved to preclude this from occurring in the future. Based on the committee discussion, Issue Co-Chairs recommended a modification to the Issue submission form to provide declarative information to council members if an Issue was “discussed at a previous Biennial Meeting”; Issue form modification was approved by the Executive Board. In addition, Issue submission instructions have been modified to include “caution” about resubmittal without including new information or science; and, council members will be advised to review previous Issues as homework in prep for the Biennial Meeting.
- 2. Prohibit forming a committee as the recommended solution** – General committee discussion was opposed to a declarative statement of no committees as a recommended solution but there was agreement that further clarification is needed for councils to create clearly stated, achievable charges if committee formation is recommended. There was also an identified need for better instructions to councils when crafting recommended solutions. The Executive Board and Issue Committee are working on this concern.
- 3. Extracted No Action Issues** – Concern was expressed on creating a balance of opponent vs. proponent on an Executive Board committee formed to resolve an Extracted No Action Issue. There was active discussion on the Executive Board with a consensus that committee members will be selected to ensure all sides are represented and that someone on the committee was present during the entire deliberation in council.
- 4. Defining Industry Constituency as relates to Council 1** – Discussion by committee members indicated agreement that participation of non-regulated industry entities continues to grow. There was active discussion on how that may or may not impact the makeup of those identified as industry voting members. There was concern expressed that the Bylaws may be inconsistent with the new constituencies and there is a committee desire to review further. After discussion by the Executive Board, Brenda Bacon, Bill Hardister and Cas Tryba volunteered to continue to look at

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council membership based on new membership categories and to look at regulated vs. non-regulated industry representation.

2. Recommendations for consideration by Council:

The Constitution, Bylaws and Procedures Committee recommends continued work to:

1. Review the Conference for Food Protection governing documents (*Conference for Food Protection Constitution and Bylaws, Conference Procedures, Conference Biennial Meeting Manual*, position descriptions, conference policies, etc.) to facilitate a merger and conformance of these documents into a comprehensive "Conference for Food Protection Manual." (Issues 2012 II-001, 2012 II-004 and 2014 II-018).
2. Review Industry constituency on Council 1.
3. Report back to the Executive Board; and submit recommendations as Issues at the 2018 Biennial Meeting.

This committee further recommends approval of the draft "Revision of CFP Commercialism Policy."

CFP ISSUES TO BE SUBMITTED BY COMMITTEE:

"Report - Constitution, Bylaws and Procedures Committee Final Report"

"CBP 2 – Revision of CFP Commercialism Policy": See Issue 2014 II-018 – Item 2 above. The Constitution, Bylaws and Procedures Committee has developed an Issue as charged and provided the following recommendation (new language is underlined):

COMMERCIALISM POLICY (established 2000)

PURPOSE

This policy has been developed by the Executive Board to establish guidelines for the use of:

1. commercial names, logos, or other information in Issues submitted to the Conference and in Issues or documents developed through the Conference for Food Protection (CFP) committee process and.
2. the use of Conference for Food Protection intellectual property including the Conference for Food Protection name and/or logo, without the express approval of the CFP Executive Board.

POLICY

Approval for use of the Conference for Food Protection name and/or logo is done through request and approval via the Conference for Food Protection Executive Board.

Issue Submission:

The Conference for Food Protection shall not endorse the use of a product, process or service by brand name.

Issues submitted for consideration at a Biennial Meeting will be reviewed; and those where brand names are used in the Issue, rationale or solution will be rejected.

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The Issue Submission Form will contain a statement that reads, "It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process."

Intellectual Property:

The use of Conference for Food Protection (CFP) name and/or logo for commercial, promotional and/or endorsement purposes is prohibited by any entity other than the CFP without the express approval of the CFP Executive Board. Prohibited usage may include, but is not limited to research, press releases, product promotions, etc.

Attachments:

Content Documents: (documents requiring Council review; approval or acknowledgement is requested in "recommended solution")

- 1. Attachment A Constitution, Bylaws and Procedures Committee Final Report Issue**

Supporting Attachments: (documents submitted to provide background information to Council)

- 2. Attachment B Constitution, Bylaws and Procedures Committee Roster**

Submitter Information:

I am a first time Issue submitter (checking this box will enable the Council Chair to contact you in advance of the Biennial Meeting to answer any questions about the process involved in presenting Issues to Council)

	Contact #1	Contact #2
Name	Lee M. Cornman	
Organization	CFP Constitution, Bylaws and Procedures Committee	
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Telephone	850.245.5595 / 850.245.5547	

COMMITTEE MEMBER ROSTER (attached):

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Committee Name:

Committee Name: 2014 - 2016 Constitution, Bylaws and Procedures

Last Name	First Name	Position (Chair/Member)	Constituency	Employer	City	State	Telephone	Email
Comman	Lee	Chair	State	FL Dept. of Ag & Cons. Svcs	Tallahassee	FL	850.245.5595	lee.cornman@freshfromflorida.com
Hardister	Bill	Member	Local	Mecklenburg Co. HD	Charlotte	NC	704.336.5533	bill.hardister@mecklenburgcountync.gov
Gaither	Marlene	Member	Local	Coconino County HD	Flagstaff	AZ	928.679.8761	mgaither@coconino.az.gov
Everly	Vicki	Member	Local	City of Berkeley Env Health	Berkeley	CA	510.501.0417	vicki.everly2@gmail.com
Ball	James	Member	Industry	The Fresh Market	Greensboro	NC	336.217.4080	jamesball@thefreshmarket.net
Bacon	Brenda	Member	Industry	Harris Teeter	Matthews	NC	704.844.4443	bbacon@harristeeter.com
Tryba	Cas	Member	Industry	Big Y Foods	Springfield	MA	413.504.4451	tryba@bigy.com
Luebke	Geoff	Member	Industry	FL Rest & Lodging Assoc	Tallahassee	FL	850.224.2250 X249	geoff@fria.org
Crownover	David	Member	Industry	NRA ServSafe	Chicago	IL	312.715.5396	dcrownover@restaurant.org
Zameska	George	Member	Industry	Paster Training	Gilbertsville	PA	610.970.1776	george.zameska@pastertraining.com
Glenda	Lewis	FDA Consultant	Federal	FDA	College Park	MD	240.402.2150	glenda.lewis@fda.hhs.gov
Liggins	Girvan	FDA Consultant	Federal	FDA	College Park	MD	301.436.2937	girvan.liggins@fda.hhs.gov