

CONFERENCE FOR FOOD PROTECTION



CONSTITUTION AND BYLAWS ~~2018~~ 2021

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Conference for Food Protection Constitution and ByLaws

*As revised ~~July 18, 2018~~ August,
2021*

Preface

The following comments serve as a historical preface to the Constitution and Bylaws for the Conference for Food Protection.

The Conference for Food Protection dates back to the 1971 Conference on Food Protection held in Denver, Colorado. It was sponsored jointly by the Food and Drug Administration (FDA) and the American Public Health Association (APHA). The purpose of the Conference was to provide an inter-professional dialogue on the microbiological aspects of food safety for individuals representing industry, Government, and consumers.

The Second National Conference for Food Protection was held in Washington, D.C. in 1984. The 1984 Conference expanded its scope to cover toxicological as well as microbiological concerns. The purpose of the 1984 Conference was:

“To share perspectives on the toxicological and microbiological aspects of food safety problems in the United States; to identify the needs, direction and opportunities of food production, processing, handling and regulation through the year 1990; and to establish an organization for the continuing study of food safety problems and for promotion of the recommendations of the Conference.”

The 1984 Conference was organized into seven committees: Toxicology; Microbiology; Good Manufacturing and Quality Control; Standards and Regulations; Education and Training; New Foods Processing and Packaging; and Conference Program Committees, with selected individuals also serving as resource persons who prepared “white papers” on various issues that were to be discussed at the Conference. In addition to the Federal, state, and local health officials who had been invited to the 1971 Conference, the 1984 Conference included industry, academic and consumer representatives. The 1984 Conference adopted a recommendation that a continuing Conference organization be established, and that a constitution and bylaws be developed based upon a draft presented at the Conference. It was agreed that the objectives of the Conference would be:

- To identify emerging problems of food safety;
- To address the problems of food safety on a regular basis;
- To formulate recommendations for the solution of the identified problems;
- To follow up on the recommendations of the Conference so that they will be incorporated into public policy and in industry practice;
- To evaluate the effectiveness of the Conference recommendations; and
- To establish a working liaison with professional and trade associations, academic institutions, and Government agencies concerned with food safety.

Following the 1984 Conference, the Constitution and Bylaws were finalized, and the Conference was incorporated in 1985. The National Sanitation Foundation (NSF) agreed

to support the Conference financially, and a Conference Executive Director was hired.

The 1986 Conference for Food Protection was held in Ann Arbor, Michigan. The 1986 Conference was again organized into seven committees representing the major science and technical aspects of food protection. A 25-member Executive Committee selected the topics to be discussed and requested “white papers” from technical experts. In addition to the committees, five Councils were formed representing the interests of the participants at the Conference.

Although the purposes of these Conferences were well established and accepted, the organization and procedures of the Conference were long debated. In the early meetings of the Steering Committee preparing for the 1984 Conference, the idea of emulating the National Conference on Interstate Milk Shipments (NCIMS) was introduced. ~~Individuals working during this Conference to write a new constitution began introducing NCIMS-type structure into the Conference organization.~~ During this Conference, individuals working on a new constitution began introducing NCIMS-type structure into the Conference organization. ~~This was the first step leading to the current Constitution and ByLaws.~~ This effort was the first step leading to the current Constitution and Bylaws.

The second step was action taken at the 1984 Conference to reaffirm the intent to model the Conference after the NCIMS. The following is quoted from the Proceedings of the 1984 Conference:

“An Organizational Model: from the beginning it was the intention of the organizers of the Second National Conference that it should include an effort 'to establish an organization for the continuing study of food safety problems and for the promotion of the recommendations of the Conference'. What the organizers had in mind in making that a goal of the Conference was to establish, in the area of food safety, something akin to the Interstate Milk Shipments Conference and the more recent Interstate Shellfish Sanitation Conference, so that a national dialogue on food safety might continue on a regular, periodic basis.” (Page 369)

“A National Conference for Food Protection should be established as an ongoing Conference and be structured similarly to the National Conference on Interstate Milk Shipments. One of the Conference's primary purposes should be to promote the formulation and use of uniform model laws and regulations among all government agencies to assure uniform interpretations and implementation and to eliminate duplication of services. Its membership should consist of federal, state and local food regulatory officials, academia and representatives from industry. It should be governed by an Executive Board with representatives from federal, state and local agencies and industry.” (Recommendation No. 10, Standards and Regulations Committee -- approved by the Conference, page 266).

The draft Constitution and Bylaws adopted by the 1984 Conference were, according to its authors, not meant to be a fully workable source for forming and operating the Conference model after the NCIMS. It was intended as an interim document that would be upgraded to provide a more authoritative foundation for Conference actions.

The final step in the decision to upgrade the Conference organization was taken at the 1986 Conference. The Program Committee reported that:

"It was the unanimous view of the committee that the Conference should operate as an action organization, existing not merely to identify problems and formulate recommendations, but to resolve issues through the implementation of recommendations, much as the Weights and Measures Conference and the Interstate

Milk Shippers do. Specific recommendations in this regard will be presented prior to the next Conference." (Page 410, Proceedings)

To accomplish this, the 1986 Conference agreed:

- To develop a state regulatory ratification mechanism whereby each of the 50 states will have one vote; and
- To create a Constitution and Bylaws Committee to review the entire Constitution and Bylaws and to formulate recommendations for the Executive Committee to consider.

The Constitution and Bylaws Committee approached the review process with three principal needs in mind. First, the Constitution needed to allow for the continuing study of food safety problems, but with a more limited focus. To achieve this, the following changes were made:

1. The objective of the Conference placed greater emphasis on food safety at the point of ultimate sale to consumers through food services, retail food stores, and food vending, and continued to identify and address problems in production, processing, packaging, distribution, sale, and service of food;
2. The seven committees were condensed into three councils to provide a balance between discussing the science and technology of food safety issues and developing various certification guidelines, procedures, and models. However, as in the other two Conference examples, separate committees in each discipline area could still function to deliberate and review issues.

The second principle that guided the review process was the need for the Conference to be more successful in promoting food safety, mutual respect, and uniformity. This was accomplished through the following changes:

1. The final actions taken by the Conference regarding such items as food safety controls, certification procedures, and Memoranda of Understanding, were to be adopted by the regulatory delegates of the Conference with the advice of industry and other non-regulatory members;
2. The Constitution created a Council on Laws and Regulations; a Council on Administration, Certification, and Education; and a Council on Science and Technology. These Councils provided vehicles by which the Conference could deliberate on all food safety issues and promote more uniform and effective food safety controls.

The final guiding principle was the need to ensure that the Conference would provide a national and, to the extent possible, international dialogue on food safety on a regular, periodic basis, and that this dialogue would be among representatives of regulatory, industry, and other non-regulatory organizations. To accomplish this, the Constitution and Bylaws provided for the following:

1. The name of the Conference remained unchanged consistent with the recommendation made by the 1986 Program Committee. In order to increase international information exchange, the Pan American Health Organization (PAHO) and the World Health Organization (WHO) were added. The Food and Agricultural Organization (FAO) was already a member of the Conference;
2. The role that industry plays in the Conference is substantial. Industry is fully represented on all councils, committees, and the Executive Board. Industry

representatives alternate as Chair and Vice Chair on all councils. Industry representatives are elected through industry caucuses. Industry's concerns and advice are fully considered since problems submitted to the Conference are assigned to one of the councils. Regulatory delegates vote on each council's recommended actions;

3. The Science and Technology Council provided a forum for discussion by all concerned parties of the scientific and technological aspects and principles underlying the problems faced by Government and industry in their mutual goal of trying to provide safe foods for consumers and could include formation of individual committees for each scientific discipline.

The Constitution and Bylaws attempt to intertwine these guiding principles so that in pursuing one, each would be pursued. This interdependence is critically important if the Conference recommendations are going to command the respect of the food regulators and the food industry that would be called upon to implement the recommendations. As was stated by Mr. Archie Holliday in his comments on the 1988 proposed Constitution and Bylaws:

“The most important need for an organization of this kind is to have its recommendations respected by the community called upon to implement them. Without the results of our deliberations commanding the highest respect attainable, getting together to identify and study food safety problems will be of little or no value to enough people to support a viable organization. The strength of the organization structure now being proposed by your Constitution and Bylaws Committee is that it provides the means to balance the interests of regulatory and industry people while providing an open forum for the consideration of ideas from any source. At the same time, matters that are supported by the voting delegates will have endured such a process as to command the utmost of respect.”

The Constitution and Bylaws are one step in an evolving process to develop a viable permanent Conference. ~~The next was also discussed~~ As also stated by Mr. Archie Holliday in his comments on the Constitution:

“One should be careful not to conclude that a food service oriented structure would prohibit the free and open study of the wider range of food safety problems. When the values of NCIMS and ISSC organizational structures are discussed, we often fail to acknowledge the importance of procedures to successful operation of these bodies. Well defined, established procedures will be essential to the effectiveness of the Conference operating under our proposal. Procedures should remain as a separate entity from the Constitution and Bylaws. When the new Constitution and Bylaws are adopted, the Executive Board should immediately begin the process of establishing procedures to be approved by the Conference. It is in this process that attention can be given to how broad the scope of the Conference should be. The adoption and revision of Conference procedures should receive the same careful consideration as the adoption of Conference recommendations.”

The Constitution and Bylaws Committee and the Executive Board believed that the Constitution and Bylaws proposed and accepted at the 1988 Conference provided a workable and proven approach that should be followed to develop an effective voice for present and future issues of food safety.

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.”

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

Preamble

The Conference for Food Protection, hereinafter referred to as the Conference or CFP, is incorporated as a non-profit organization under the laws of the State of Virginia to carry out the objective stated in the Constitution and Bylaws of the Conference.

Constitution and Bylaws

Article I Objective

Section 1. The objective of the Conference shall be to promote food safety and consumer protection by:

Subsection 1. Identifying and addressing problems in the production, processing, packaging, distribution, sale, and service of foods;

Subsection 2. Focusing on and facilitating the food protection programs governing the food service, retail food store, and food vending segments of the food industry;

Subsection 3. Adopting sound, uniform procedures which will be accepted by food regulatory agencies and industry;

Subsection 4. Promoting mutual respect and trust by establishing a working liaison among Governmental agencies, industry, academic institutions, professional associations, and consumer groups concerned with food safety;

Subsection 5. Promoting uniformity among states, territories, and the District of Columbia. Territories include American Samoa, Guam, Northern Mariana Islands, Puerto Rico, The Trust Territory and the U.S. Virgin Islands.

Subsection 6. Utilizing as the primary channels for dissemination of information: The United States Department of Agriculture, Food Safety and Inspection Service (USDA/FSIS) in matters under their purview, such as food production, meat and poultry processing, and consumer information; and The United States Department of Health and Human Services, Public Health Service, Food and Drug Administration (HHS/PHS/FDA) in matters under their purview, such as food processing and assistance to other food regulatory agencies based on the model FDA Food Codes and related documents.

Article II Organization and Operation

Section 1. The Conference shall be directed by the delegates of the states, territories, and District of Columbia, who join together with representatives of regulatory, industry, ~~academic institutions~~ academia, professional associations, and consumer groups to achieve the objective of the Conference.

The Conference shall include an Assembly of State Delegates (hereinafter referred to as the Assembly), an Executive Board (hereinafter referred to as the Board), Officers, an Executive Director (hereinafter referred to as the Director), Executive Assistant, Executive Treasurer, Councils, Council Committees, Standing Committees (~~see Article XIII~~ Article XV Section 2), and any member of the Conference as described in Article III, Sections 1 and 2.

Section 2. The Conference shall meet at least biennially during ~~odd even~~-numbered years with additional meetings as the need arises as determined by the Board.

Section 3. ~~Conference identifies food safety issues by receiving Issues submitted by interested persons. The Conference addresses Issues by assigning them to appropriate Councils or Committees for consideration. Council membership is balanced between government and industry interests. Aspects of Issues may also be assigned to Committees for study, procedure development or for other reasons. All committees that are assigned to a Council shall submit a report to the Council Chair and Conference at least ninety (90) days preceding the CFP Biennial Meeting. Councils then make recommendations to the Assembly, which is composed of delegates designated by the States, each territory and the District of Columbia. The Assembly considers and votes to approve or reject Council recommendations. CFP Biennial Meeting participation is open to all interested individuals who choose to become members and attend. Individuals may serve as appointed or elected members on the Board, Councils, and Committees; or as a participating registered member.~~

~~The Conference shall consider issues related to food safety that are submitted on approved forms and within specified time frames. Any interested person may submit an Issue for consideration. At least one hundred and fifty (150) days preceding the CFP Biennial Meeting, the Executive Director shall notify Conference members of the Conference of the time and place of the CFP Biennial Meeting. Each notice shall include information for submitting Issues, and a statement that all Issues, shall be submitted to the Conference at least ninety (90) days preceding the CFP Biennial Meeting. Issues are to be assigned to appropriate Councils by the Issue Committee. At least forty (40) days preceding the CFP Biennial Meeting, the Executive Director shall make available to members of the Conference copies of the final committee reports and Issues, including Constitution changes that have been received and assigned for CFP Biennial Meeting deliberation.~~

~~The Board may submit special Issues to the Councils at the beginning of the CFP Biennial Meeting as necessary. Councils are to deliberate their Issues and report their recommendations on each to the Assembly. The Assembly considers and votes on recommendations it receives from the Councils.~~

Section 4. Interested persons may submit Issues pertaining to food safety to the Conference. Issues may also be created as outcome of Standing, Council and Adhoc Committees. All Issues shall be submitted to the Conference at least ninety (90) days preceding the CFP Biennial Meeting. (Late-breaking food safety Issues must

follow the current version of the “CFP Biennial Meeting/Conference Procedures” document.) Issues are reviewed and assigned to appropriate Councils by the Issue Committee. At least forty (40) days preceding the CFP Biennial Meeting, the Director shall make the Issues available to members of the Conference. After deliberation, each Council will make recommendations on assigned Issues to the Assembly, which is composed of delegates designated by the states, each territory, and District of Columbia. The Assembly considers and votes to approve or reject Council recommendations.

Subsection 1. Committees assigned to the Board and to Councils will submit periodic reports including a final report no later than ninety days (90) prior to the Biennial Meeting.

Subsection 2. A CFP Issue is a topic submitted for consideration to the Conference by any interested party addressing an identified concern related to retail food safety and offering a recommended solution to that concern.

a. An Issue proposal includes the official Issue Submission Form and all supporting documentation.

Article III Registration and Membership

Section 1. ~~Any persons interested in promoting the objective in Article I may attend the CFP Biennial Meetings by registering their name, address, and the business they represent with the Executive Treasurer using forms provided and paying the registration fee established by the Board under Article V, Section 10 and 12.~~ Persons who are interested in promoting the objective in Article I may become members of the Conference by applying to the Executive Treasurer, using forms provided, and paying the membership fee established by the Board under Article VI, Section 12.

Section 2. ~~Persons who are interested in promoting the objective in Article I but who cannot attend the CFP Biennial Meeting may become members of the Conference by applying to the Executive Treasurer using forms provided and paying the membership fee established by the Board under Article V, Section 12.~~ Any members interested in promoting the objective in Article I may attend the CFP Biennial Meetings by registering their name, address, and the constituency they represent with the Executive Treasurer, using forms provided, and paying the registration fee established by the Board under Article VI, Section 12. Persons may apply for membership and registration at the same time.

Section 3. Persons paying the Conference membership fee through the Executive Treasurer’s office, or by paid registration at the CFP Biennial Meetings, are members of the Conference and are entitled to be on an official list to receive copies of the CFP Biennial Meeting proceedings and other Conference matters determined by the Board to be of interest to all members of the Conference.

Section 4. Conference membership begins at the time of payment of the membership fee. Membership paid as part of the CFP Biennial Meeting registration begins on

the first day of one CFP Biennial Meeting and ends the day prior to the next CFP Biennial Meeting.

Section 5. Membership in the Conference is classified into constituencies that are representative of the key stakeholder groups which support the objectives of Article I and facilitate the requirements of Article IV. The Conference constituencies are defined as follows:

Subsection 1. The Regulatory constituency is comprised of those officers, agents, or authorized representatives having authority over the regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness in accordance with rules and/or laws in their respective Governmental jurisdiction. Sub-categories of this constituency include:

- a. Local Regulator: Government employee or agent representing a territorial division of local government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.
- b. State Regulator: Government employee or agent representing a territorial division of state government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.
- c. Federal Regulator: Government employee or agent representing a program or agency of the Federal Government with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.
- d. District/Territory Regulator: Government employee or agent representing the U.S. District of Columbia or one of the six U.S. territories with responsibility for regulation of food establishments, production, processing, vending, or distribution, or has oversight for prevention of foodborne illness.

Subsection 2. The Industry constituency is comprised of those employees, agents, or executives representing business entities that operate food establishment(s), production, processing, vending, or distribution, or providers of an industry related service to such food operations, or representatives of a professional organization or trade association that promotes, supports, and/or markets to/for the food industry or its related services. Sub-categories of this constituency include:

- a. Food Service Industry: Employees, agents, or executives representing business entities that operate food service establishments. Examples include, but are not limited to, restaurants of all sizes/types/styles of service, caterers, military food service, institutional and other health care food service, schools and university food service, common

carrier food service (planes, trains, etc.), corporate food service operations, and Government food service.

- b. Retail Food Industry: Employees, agents, or executives representing business entities that operate retail food establishments. Examples include, but are not limited to, grocery stores, supermarkets, convenience stores, retail pharmacies, produce markets, roadside stands, department stores, warehouse sales clubs, seafood markets, retail bakeries, military base PX/groceries, liquor stores, and retail food associations.
- c. Processing Food Industry: Employees, agents, or executives representing business entities that manufacture, process, package, or label food items for wholesale sale. Examples include, but are not limited to, commercial food manufacturing, canning, packaging, commercial bakeries, commercial meat slaughter and processing, packing houses and distribution centers, farming and agricultural processing and packing operations, ice processing, packing plants, and food processing trade associations.
- d. Vending and Distribution Food Industry: Employees, agents, or executives representing business entities that own and/or operate food companies that vend or distribute food either wholesale or retail. Examples include, but are not limited to, coffee and food vending service companies, service companies, commissaries, food supply chain operators, wholesale ~~distributor~~ distributors, shipping lines, brokers, equipment manufacturers, and suppliers of products and services to operating service companies, and food vending and distribution trade associations.
- e. Food Industry Support: Employees, agents, or executives representing business entities that provide direct or support services to food service establishments, retail food establishments, processing food operations, vending and distribution food operations, or regulatory agencies. Examples include, but are not limited to, professional organizations, food protection support trade associations, pest control companies, auditing firms, standards associations, consultants, cleaning and sanitation management operations, training and/or testing companies or services, equipment and supply operations, software and technology, dieticians or dietary managers, and media and legal representatives.

Subsection 3. The Academia constituency is comprised of Academic professionals employed by a college or university involved in education or research involving food sciences, food operations, or food safety. Examples include, but are not limited to, professors, adjunct instructors, researchers, teaching assistants, and extension agents.

Subsection 4. The Consumer constituency is comprised of employees, agents, or executives representing consumer advocacy

organizations supporting food safety, food wholesomeness, allergen awareness, food policy matters, and food standards and guidelines.

Subsection 5. The Emeritus constituency is comprised of persons retired or honorably discharged from full-time work and no longer receiving compensation for work related to the Conference's mission. This constituency is designed for those professionals who, prior to retirement, were members of any Conference stakeholder group in good standing of the Conference for Food Protection for at least three biennial cycles (6 years). Previous membership does not have to be in contiguous biennial cycles. An Emeritus member may participate as an attendee/observer in all usual Conference functions such as attending the Biennial Meeting, including workshops, Council deliberations, Assembly of Delegates, and social functions. Emeritus members may serve as a member of a Council Committee, as a Council Committee Chair, and participate and vote in constituency caucus meetings. The ~~Executive Board~~ may elect to assign an Emeritus member to participate in other Conference related activities.

Subsection 6. The Student constituency is comprised of any student enrolled in a two-year, four-year, or graduate program in a college or university involving food sciences, food operations, or food safety. A student member may participate as an attendee/observer in all usual Conference functions such as attending the Biennial Meeting, including workshops, Council deliberations, Assembly of Delegates, and social functions. Student members may serve as a member of a Council Committee. The ~~Executive Board~~ may elect to assign a student member to participate in other Conference related activities.

Article IV **Composition of Organizational Components and Eligibility Requirements for Service in Official Capacities**

Section 1. The Assembly shall consist of persons attending the Conference meeting and qualified as voting delegates under Article XVII, Section ~~5.3~~ and 4.

Section 2. To be eligible to serve on the Board, Councils, Committees, or as Issue Chair or Program Chair; individuals must be members of the Conference and must be in attendance at the CFP Biennial Meeting at which they are appointed or elected, or shall have attended the CFP Biennial Meeting immediately preceding the one at which they are appointed or elected. ~~This requirement in respect to Councils and Committees may be waived by consent of the Board.~~

Section 3. Board Membership

Subsection 1. The Board shall be composed of twenty-three (23) voting members as follows:

- a. Six (6) members from state food regulatory agencies (one from each CFP region);

- b. Six (6) members from local food regulatory agencies (one from each CFP region);
- c. Three (3) members from federal agencies (~~one (1) from FDA, one (1) from USDA, and one (1) from CDC~~) (one each from FDA, USDA, and CDC);
- d. Six (6) members from the food industry with at least one (1) each representing food processing, food service, retail food stores, and ~~food~~ vending and distribution;
- e. One (1) member from an academic institution; and
- f. One (1) member representing consumers.

Subsection 2. Regulatory agency, industry, academic institution, and consumer Board members shall be elected by a caucus of registrants in each respective group. State and local regulatory Board members shall be elected in regional caucuses of regulatory registrants. Federal Regulatory Board members shall be appointed by the head of their agency.

Subsection 3. Such elected Board members shall serve through three (3) general CFP Biennial Meetings of the Conference. Elected Board members may succeed themselves unless reelection would extend the total of consecutive service to more than twelve (12) years. The terms of elected Board members shall be staggered so that one-third (1/3) of the members are elected at each CFP Biennial Meeting.

Subsection 4. The Board shall have non-voting Ex-Officio members as follows:

- a. The Immediate Past Chair of the Board;
- b. The Chair and Vice Chair of each Council;
- c. The Conference Program Chair;
- d. Representatives from regulatory agencies regulating retail food operations in other countries of the world, such as Canada, Mexico, etc.;
- e. The ~~Executive~~ Director, Executive Treasurer, Executive Assistant;
- f. The Conference Issue Chair, and
- g. The Conference Constitution and Bylaws/Procedures Chair.

Section 4. The Board shall elect a Board Chair and Board Vice Chair, who will also serve as the Conference Chair and Conference Vice Chair, from its membership after caucus elections are held during each biennial meeting of the Conference, and

they may retain their positions at the pleasure of the Board as long as they are officially members of the Board. ~~The Board Chair and Vice Chair shall be the Chair and Vice Chair of Conference meetings.~~ The Board shall retain the services of a qualified person to act as an ~~Executive~~ Director, Executive Treasurer, and Executive Assistant. The Executive Treasurer shall be bonded. The compensation of the ~~Executive~~ Director, Executive Treasurer, and Executive Assistant shall be set by the Board.

Section 5. The Immediate Past Board Chair ~~of the Board~~ shall continue to serve on the Board until replaced by the next retiring Conference Chair. If the Immediate Past Board Chair ~~of the Board~~ is unable for any reason to continue to serve on the Board, the position shall remain vacant until filled by the next retiring Conference Chair. Immediate Past Board Chairs shall serve on the Board as non-voting members unless re-elected to the Board in a capacity other than as Immediate Past Chair.

Article V ***Duties of the Assembly and the Board***

Section 1. The Assembly, with recommendation from a Council or the Board, shall accept or reject all recommendations including those pertaining to the Constitution and Bylaws, ~~any Conference procedures,~~ all Memoranda of Understanding or other formal agreements, and other necessary actions including resolutions. ~~;~~ ~~and establish Conference policies and positions on all subjects related to the objective of the Conference except as delegated (by the Assembly) to the Board.~~ If a recommendation is approved, it shall be referred to the Board for appropriate disposition. ~~If a “No Action” recommendation is rejected, the Issue will be referred to the Board for its consideration.~~

Subsection 1. If a recommendation is “ACCEPTED”, it shall be referred to the Board for appropriate disposition.

Subsection 2. If an extracted Issue has a recommendation of “No Action”, it is rejected, and the Issue will be referred to the Board for its consideration.

Article VI ***Duties of the Executive Board***

Section 21. The Board shall manage the affairs of the Conference, adhere to the CFP Constitution and By Laws, and abide by the current CFP Biennial Meeting/Conference Procedures document.

Section 32. The Board may establish operational policies and procedures, with the ~~concurrence~~ approval of two-thirds (2/3) of the voting Board members, that detail management functions and oversight of the Conference organization. Such operational policies and procedures may include, but are not limited to, budget, finances, expenditures, and coordination and implementation of biennial meeting obligations and operations.

- Section 43.** The Board shall meet at least twice a year ~~prior to each the CFP Biennial Meeting and after the meeting closes.~~ The Board Chair shall call special meetings of the Board at any time at the request of two-thirds (2/3) of its voting members. In addition, the Board Chair is empowered to call special meetings of the Board at any time, as the need arises, with the ~~concurrence~~ approval of two-thirds (2/3) of the voting Board members.
- Section 54.** The Board may, at the discretion of the Board Chair, ~~utilize~~ use a mail service, electronic mail, or fax ~~ballots to establish~~ to provide ballots to establish a position, action, or to confirm telephone conference call votes. Only an authorized ballot approved by the Board shall be used. Once such a position or action has been taken, the Board shall notify all Conference members.
- Section 65.** The Board shall direct the Conference Chair, ~~Executive~~ Director, and Program Chair in the preparation of the programs for each meeting of the Conference.
- Section 76.** The Board shall set the time and place of the meetings of the Conference.
- Section 87.** If elected voting members of the Board are unable to participate in a Board meeting, they may not send a substitute, but may forward by mail, email, or FAX, information for consideration by attending members of the Board. Voting and ex- officio members may participate through a telephone conference call.
- Section 98** Voting Board members who fail to attend two (2) consecutive Board meetings, and who fail to show cause why they were absent, may have their positions declared vacant by the Board Chair.
- Section 109.** If a vacancy occurs for any reason in Board membership between biennial meetings, the Board Chair, with ~~concurrence~~ approval of the Board, may fill the vacancy with a person representing the same discipline as the person being replaced until the next biennial meeting, at which time the vacancy shall be filled by a qualified person who is properly elected.
- Section 110.** The Board shall direct the Executive Treasurer to collect registration and membership fees as necessary to defray the costs of the operation of the Conference. The Board shall cause an annual audit to be made of the Executive Treasurer's financial reports.
- Section 1211.** The Board shall authorize the form used to tally votes in meetings of the Board and Assembly.
- Section 1312.** The Board shall establish the registration and membership fees ~~identified in Article III.~~
- Section 1413.** ~~The Board shall approve an annual budget for the fiscal year established by the Board.~~ The Board shall approve a biennial budget prepared and presented by the Executive Treasurer.

Section 1514. ~~The Board shall appoint Committees as necessary to accomplish the Conference objective.~~ The Board shall appoint Adhoc Committees as necessary to accomplish the Conference objective.

Section 1615. The Board shall approve the membership of each Standing Committee.

Article VI-VII Duties of the Conference Chair

Section 1. The Conference Chair shall preside at all meetings of the Assembly and Board, except as provided in Article ~~VII~~, VIII Section 1.

Section 2. The Conference Chair shall assist the ~~Executive~~ Director in arranging CFP Biennial Meetings.

Section 3. The Conference Chair, with the approval of the Board, shall appoint Council Chairs and Vice Chairs.

Section 4. ~~The Chair shall appoint Council consultants required in Article X Regulatory consultants, as required in Article XIII, will be selected for appointment by their respective agencies and presented to the Conference Chair for acceptance to Councils.~~

Section 5. The Conference Chair shall appoint Chairs of the ~~Conference~~ Standing Committees established in Article XV Section 2, with the exception of the Nominating Committee.

Section 6. The Conference Chair, with the approval of the Board, shall appoint qualified persons to Councils and Committees as provided in the Constitution and Bylaws.

Section 7. The Conference Chair shall appoint a Local Arrangements Committee to assist in planning the physical facilities for the next CFP Biennial Meeting.

Section 8. The Conference Chair shall appoint a parliamentarian to advise on matters of parliamentary procedures at Board and Assembly meetings.

Section 9. The Conference Chair, with Board approval, may retain ~~clerical~~ administrative assistance for the Conference.

Section 10. Between Conference meetings, the Conference Chair shall require from each Council Chair a report at least twice a year regarding the status of implementation of each approved recommendation originating in the respective Council. ~~and~~ ~~†~~ This information shall be provided to the Conference participants.

Section 11. The Conference Chair shall perform all other responsibilities and duties as detailed in the Conference Chair position description.

Article VII-VIII Duties of the Conference Vice Chair

- Section 1.** In the event the Conference Chair is unable to perform the duties of the Chair, the Conference Vice Chair shall act as Chair.
- Section 2.** When acting as Conference Chair, the Vice Chair shall perform all the necessary duties for the Conference as outlined in Article ~~VII~~VII.
- Section 3.** The C o n f e r e n c e Vice Chair shall perform all other responsibilities and duties as detailed in the Conference Vice Chair Position Description.

Article VIII-IX Duties of the Executive Director

- Section 1.** The ~~Executive~~ Director shall ensure that the minutes of each meeting of the Assembly and the Board are recorded and transcribed.
- Section 2.** The ~~Executive~~ Director shall tally and record all voting of the Assembly on a form authorized by the Board.
- Section 3.** The ~~Executive~~ Director shall notify all members of the time and place of the next CFP Biennial Meeting, and of Issues that are to be deliberated.
- Section 4.** The ~~Executive~~ Director shall accomplish the duties outlined in Article VI, Section ~~10_5~~; and Article ~~XVII~~, XIX, Section 1, Subsections 2, 3, 4, and Sections ~~4_5~~ and 6.
- Section 5.** The ~~Executive~~ Director shall maintain an up-to-date list of the qualified delegates designated as required by Article ~~XIV~~.XVII Sections 2, 3, and 4.
- Section 6.** The ~~Executive~~ Director shall retain, subject to Board's approval, a qualified person to serve as Executive Assistant, and shall direct and oversee duties assigned to the Executive Assistant.
- Section 7.** The ~~Executive~~ Director shall perform all other responsibilities and duties as detailed in the ~~Executive~~ Director position description.

Article IXX Duties of the Executive Treasurer

- Section 1.** The Executive Treasurer shall collect registration and membership fees and shall pay bills as directed by the Board. The Executive Treasurer shall obtain a receipt for all disbursements and shall make all such receipts a part of Board records.
- Section 2.** The Executive Treasurer shall prepare a proposed ~~annual~~ biennial budget for presentation to the Board.
- Section 3.** The Executive Treasurer shall prepare all budget and financial reports.

Section 4. The Executive Treasurer shall perform all other responsibilities and duties as detailed in the Executive Treasurer position description.

Article X-XI Duties of the Executive Assistant

Section 1. The Executive Assistant manages the information on the CFP website, with the assistance of the ~~Executive~~ Director and a professional webmaster, and publishes the CFP newsletter.

Section 2. The Executive Assistant maintains the CFP membership database, creates reports and rosters, and develops mailing lists.

Section 3. The Executive Assistant assists the ~~Executive~~ Director with development of a ~~Standard Operating Procedures Manual to include~~ position descriptions, Board policies, and scripts for presentations, and is responsible for their maintenance.

Section 4. The Executive Assistant records, transcribes, and distributes Board meeting minutes.

Section 5. The Executive Assistant assists the ~~Executive~~ Director with the Delegate process to include outreach and rosters.

Section 6. The Executive Assistant assists the ~~Executive~~ Director with the preparation of the biennial meeting program, provides onsite assistance to the Director at the biennial meeting, and compiles biennial meeting proceedings with the assistance of the ~~Executive~~ Director.

Section 7. The Executive Assistant shall perform all other responsibilities and duties as detailed in the Executive Assistant position description.

Article XI-XII Councils

Section 1. There shall exist three (3) Councils in the Conference to provide for continuity of action in carrying out the objective of the Conference. The Councils shall be known as:

Council I: Laws and Regulations;

Council II: Administration, Education, and Certification;

Council III: Science and Technology.

~~Subsection 1. The Councils shall be known as Council I, Council II and Council III.~~

Section 2. Each Council shall have a Chair, Vice Chair, and twenty (20) other members to be appointed by the Conference Chair with the approval of the Board. ~~Except as specified in Article X, Section 3, Subsection 3, t~~ The term for a Council member shall begin at appointment and expires upon adjournment of that the fall Board meeting following the CFP Biennial Meeting. If a Council member cannot attend a CFP Biennial Meeting, the member's term expires, and the

Conference Chair may appoint a member who can attend the Council meeting during the CFP Biennial Meeting.

Subsection 1. Of the twenty-two (22) members of Councils I and II, nine (9) members plus one C o u n c i l Chair or Vice Chair shall be selected from regulatory agencies, one (1) shall be from a national, state, or local consumer organization, one (1) shall be from academia, and nine (9) members plus one Council Chair or Vice Chair from industry.

Subsection 2. Eight (8) of the food regulatory agency representatives on Councils I and II shall be equally apportioned among state and local agencies and two (2) members ~~shall~~ can be from the territories, District of Columbia, or Federal jurisdictions that regulate commercial or institutional operations. If two (2) members cannot be obtained from the territories, District of Columbia, or Federal food inspection programs, these positions may be filled from state or local food regulatory agencies. The ten (10) industry representatives shall be apportioned so at least one (1) member represents food processing, two (2) members represent food service, two (2) members represent retail food ~~stores~~, and one (1) member represents food vending and distribution.

Subsection 3. Of the twenty-two (22) members of Council III, at least five (5) shall be from state and local regulatory agencies, at least five (5) from industry, up to ten (10) at-large, plus a Council Chair and Vice Chair. The industry representatives shall include at least one (1) each from food processing, food service, retail food ~~stores~~ and food vending and distribution. At- large members may include members representing Federal agencies, academia, and other stakeholder groups.

Subsection 4. If sufficient designated members are not available at a CFP Biennial Meeting to complete a Council's membership, the Conference Chair may appoint other members to the Council so long as the balance between regulatory and industry is maintained as specified.

Section 3. The Council Chair and Vice Chair shall select twenty (20) Council members from persons holding membership in the Conference, and offer their names for Conference Chair appointment and Board confirmation.

Subsection 1. The Council Chair shall, after appointment, serve through one (1) CFP Biennial Meeting. The Council Vice Chair shall, after appointment, serve through two (2) consecutive CFP Biennial Meetings, one (1) as Vice Chair and the second as Chair.

Subsection 2. On Councils I and II, when the Council Chair represents a food regulatory agency, the Vice Chair shall be an industry representative. If the Council Chair represents industry, the Vice Chair shall be a food regulatory agency representative. The Chair and Vice Chair from Council III shall be from one of the following disciplines: Regulatory, Industry, or Academia, and at no time shall both the Chair and Vice Chair represent the same ~~group~~ constituency.

Subsection 3. The term for the Council Chair and Vice Chair shall begin at the conclusion of the scheduled CFP Biennial Meeting and expire upon adjournment of the following last through the fall Board meeting following the next biennial CFP Biennial Meeting. At the end of the outgoing Council Chair's term, the Vice Chair shall assume the position of Council Chair, and a new Vice Chair shall be appointed as set forth in Subsection 2 of this Section.

Section 4. Each member of the Council, other than the Vice Chair, shall have one vote. The Council Chair shall only vote to break a tie. The Council Vice Chair shall only vote when acting as Chair.

Article XII-XIII Council Consultants

Section 1. The following agencies and international organizations may each provide a non-voting consultant for each of the Councils:

- Centers for Disease Control and Prevention (CDC);
- U. S. Environmental Protection Agency (EPA);
- U. S. Food and Drug Administration (FDA);
- U. S. Department of Agriculture (USDA);
- Food and Agriculture Organization (FAO);
- Pan American Health Organization (PAHO);
- World Health Organization (WHO);
- The Dominion of Canada; and
- Others as deemed appropriate by the Board.

Article XIII-XIV Duties and Responsibilities of Councils

Section 1. Councils shall deliberate on all assigned Issues. Council Chairs shall report the recommendations of their Councils to the Assembly under Article XIX.
(See also current CFP Biennial Meeting/Conference Procedures document.)

Subsection 1. Recommendations are:

- a. "Accept as Submitted"
- b. "Accept as Amended"
- c. "No Action"

Subsection 2. When a Council recommends "No Action" on an assigned Issue, the Council shall specify/identify the reason why "No Action" was taken and it shall be recorded by the Scribe and confirmed by the Council Chair.

Section 12. Council I: Council on Laws and Regulations

~~**Subsection 1.** Issues submitted to the Conference dealing with laws, regulations and model codes governing the safety of food shall be assigned to Council I by the Conference Issue Committee.~~

Section 23. Council II: Council on Administration, Education, and Certification

~~**Subsection 1.** Issues submitted to the Conference dealing with matters relating to the Constitution and Bylaws, Conference procedures, memoranda of understanding, program evaluation, education, training and certification and the like shall be assigned to Council II by the Conference Issue Committee.~~

Section 34. Council III: Council on Science and Technology

~~**Subsection 1** Issues submitted to the Conference dealing with science and technology shall be assigned to Council III by the Conference Issue Committee.~~

~~**Section 4.** Councils shall deliberate on all assigned Issues. Council Chairs shall report the recommendations of their Councils to the Assembly.~~

~~**Section 5.** When a Council recommends “No Action” on an assigned Issue, the Council Chair shall record the reason why “No Action” was recommended~~

Section 65. Duties of the Councils between CFP Biennial Meetings

Subsection 1. Following the CFP Biennial Meeting, the Conference Chair shall contact the Council Chairs to review the recommendations approved by the Assembly, of State Delegates and to plan for the implementation of approved recommendations originating in their respective Councils.

Subsection 2. ~~During the period between biennial meetings,~~ The Council Chairs shall monitor, encourage, and proactively support the progress of implementation of approved recommendations originating in their respective Councils.

Subsection 3. Council Chairs shall prepare a written report on the status of implementation of approved recommendations originating in their respective Councils or on the activities of committees assigned to their Council. These reports shall be submitted to the Conference Chair thirty (30) days prior to each Board meeting, or more frequently at the request of the Conference Chair.

Subsection 4. ~~The new Council Chairs shall submit for Board approval the names of Council Committee Chairs and membership of all committees assigned to their Council to the Conference Chair for approval by no later than the by fall Board meeting following the CFP Biennial Meeting.~~

Article XIV-XV Committees

~~**Section 1.** All appointments to Conference Committees shall be made to provide a balance in representation of the stakeholders in the particular matter under consideration.~~

~~**Subsection 1.** The incoming Council Chairs appoint the Chairs of each Committee formed within their Council with the concurrence of the Conference Chair. The Conference Chair will confirm the appointment of the Committee Chair and then notify the person of their appointment. Once confirmed, the Committee Chair will select the remaining members of the Committee and submit them to the Conference Chair for final Board approval.~~

~~**Subsection 2.** Federal participants (FDA/USDA/CDC) may appoint a member and an alternate for each Committee. The member participates in discussion but does not vote. The alternate may act in the member's place if the member is unable to attend.~~

Section 1. CFP members in good standing may express interest to serve on a committee by forwarding their name to the Executive Assistant following the CFP Biennial Meeting. This list will be used in creation of committee rosters. All appointments to Committees shall be made to provide a balance in representation of the stake holders in the particular matter under consideration.

Subsection 1. The incoming Council Chairs will select Council Committee Chairs for each committee formed within their Council, and present those names to the Conference Chair for acceptance. The Conference Chair will notify the persons of their appointment. Once confirmed, the Council Chairs and Council Committee Chairs will select the remaining members of the Council Committees. The Council Chairs will submit full committee rosters to the Conference Chair for final Board approval.

Subsection 2. Federal participants (FDA, USDA, CDC) may appoint a consultant and an alternate for each committee. The consultant participates in committee discussions but does not vote. An alternate may act in the appointed consultant's place if the consultant is unable to attend. Consultants may or may not be CFP members to serve on a committee, but shall be members to attend Biennial meetings. Only one Federal participant who is a non-CFP member per Council Committee is permitted.

Subsection 3. Committees may vote to invite a non-member to present pertinent information related to the committee's charges. Non-members will not have a vote, nor will they participate in debate or discussion.

Section 2. The following standing committees shall be established:

~~**Subsection 1.** Audit Committee;~~

~~**Subsection 2.** Constitution and Bylaws/Procedures Committee;~~

~~**Subsection 3.** Finance Committee;~~

~~**Subsection 4.** Issue Committee;~~

~~**Subsection 5.** Food Protection Manager Certification Committee;~~

~~**Subsection 6.** Nominating Committee;~~

~~**Subsection 7.** Program Committee;~~

~~**Subsection 8.** Program Standards Committee;~~

~~**Subsection 9.** Publications Committee;~~

~~**Subsection 10.** Resolutions Committee; and~~

~~**Subsection 11.** Strategic Planning Committee.~~

- Issue Committee
- Program Committee
- Constitution and Bylaws/Procedures Committee
- Resolutions Committee
- Audit Committee
- Food Protection Manager Certification Committee (FPMCC)
- Program Standards Committee
- Finance Committee
- Nominating Committee
- Strategic Planning Committee (SPC)
- Publications Committee

Section 3. Other committees may be established by the Board as necessary to accomplish the Conference objectives. ~~Such committees may be for the purpose of focusing Conference resources around specific scientific disciplines, for studying multi-faceted issues, for developing new procedures or for other purposes.~~

Subsection 1. Local Arrangements Committee shall be established for each CFP Biennial Meeting.

Section 4. A Standing Committee may establish its own bylaws ~~establishing~~ and operational procedures that may include, but are not limited to, objectives, organization and operation, duties, and responsibilities. Bylaws of a committee must be approved by the Board.

Section 5. No later than the Fall Board meeting following the CFP Biennial Meeting, the Standing Committee Chairs shall submit the names of their members to the Board for approval.

Article XV-XVI Duties and Responsibilities of Committees

Section 1. The Issue Committee shall review all Issues submitted at least ninety (90) days before the CFP Biennial Meeting. ~~The Issue Committee~~ This Committee shall assign ~~for Council deliberation~~ those Issues that have met the ~~Issue~~ acceptance criteria specified in the ~~Conference Procedures Manual~~ current CFP Biennial Meeting/Conference Procedures document. Issue assignments shall be made in accordance with Article ~~XII, Section 1, Subsection 1; Section 2, Subsection 1; and Section 3, Subsection 1.~~ XIV Sections 2-4.

Section 2. The Program Committee shall be responsible for the educational workshop, and the reports and updates session at the biennial meeting.

Section 3. The Constitution and Bylaws/Procedures Committee shall submit recommendations to improve Conference administrative functions through proposals to amend the Constitution and Bylaws. The Committee shall review proposed memorandums of understanding and ensure consistency among governing documents such as ~~the memorandum of understanding, Conference~~

~~Procedures manual~~ the Constitution and ByLaws, the CFP Biennial Meeting/Procedures document, the Constitution and Bylaws, and other working governing documents. The C ommittee shall report all recommendations to the Board prior to Council II deliberation, and shall follow the direction of the Board.

Section 4. The Resolutions Committee shall report to the Board. Except for “thank you” resolutions, the Resolutions Committee shall prepare all ~~necessary~~ resolutions for Board approval.

Section 5. The Audit Committee shall report to the Board. and shall audit the Conference’s financial records annually. In addition, Additionally, a certified public accountant shall conduct an audit of the Conference’s financial records at least every 4 years. ~~Except when a certified public accountant conducts an audit of the Conference’s financial records, the Audit Committee shall audit the Conference’s financial records annually.~~

Section 6. The Food Protection Manager Certification Committee shall report to the Board, ~~The Food Protection Manager Certification Committee~~ and shall work with the accreditation organization for food protection manager certification programs in order to:

Subsection 1. Establish and refine policies and standards to which certifiers must conform in order for them to be accredited;

Subsection 2. Provide Conference input ~~into the development of~~ on accreditation standards for certifying organizations specific to food protection manager certification programs;

Subsection 3. Develop strategies for enhancing equivalence among food protection manager certificates issued by certifiers; and

Subsection 4. Promote universal acceptance of certificates issued by accredited certifiers.

Section 7. The Program Standards Committee shall report to the Board ~~The Program Standards Committee~~ and shall provide ongoing input to the FDA on issues that arise with the Voluntary National Retail Food Regulatory Program Standards.

Subsection 1. The Committee shall serve the Conference by indirectly assisting Voluntary National Retail Food Regulatory Program Standards enrollees in achieving ~~making~~ progress towards meeting the Standards.

Section 8. The Finance Committee shall report to the ~~Executive Board~~ and ~~The Finance Committee~~ shall provide financial oversight for the Conference. ~~Duties of the Finance Committee shall include budgting and finanacial planning, financial reporting, and the creation and monitoring of internal controls and accountability policies~~ The Finance Committee will ~~include between~~ consist of 5 to 7

members from the ~~Executive Board, The Finance Committee membership~~ and should be reflective of the Conference membership. Members will serve a term of at least two (2) years.

Subsection 1. The Finance Committee responsibilities include:

- a. Budgeting and Financial Planning
 - i. Develop ~~an annual~~ a biennial operating budget with staff.
 - ii. Approve the budget within the Finance Committee.
 - iii. Monitor adherence to the budget.
 - iv. Set long-range financial goals along with funding strategies to achieve them.
 - v. Develop multi-year operating budgets that integrate strategic plan objectives and initiatives.
 - vi. Present all financial goals and proposals to the ~~CFP's Executive Board~~ for approval.
- b. Reporting
 - i. Develop useful and readable report formats with staff.
 - ii. Work with staff to develop a list of desired reports noting the level of detail, frequency, deadlines, and recipients of these reports.
 - iii. Work with staff to understand the implications of the reports.
 - iv. Present the financial reports to the full Board.
- c. Internal Controls and Accountability Policies
 - i. Create, approve, and update (as necessary) policies that help ensure the assets of the Conference are protected.
 - ii. Ensure policies and procedures for financial transactions are documented in a manual, and that the manual is reviewed annually and updated as necessary.
 - iii. Ensure approved financial policies and procedures are being followed.

Section 9. The Nominating Committee shall report to the ~~Executive Board~~. The ~~Nominating Committee~~ shall provide to the Board a list of viable candidates for Conference Chair and ~~Vice Conference~~ Vice Chair prior to each Biennial Meeting.

Section 10. ~~The Strategic Planning Committee (SPC) shall report to the Executive Board. The Strategic Planning Committee shall provide an active leadership role in THIS developing both long term and short term goals that will enhance and sustain the relevance and viability of the Conference for Food Protection. To accomplish these goals the SPC will include such activities as:~~

~~**Subsection 1.** Anticipate changing business and regulatory environment;~~

~~**Subsection 2.** Assess membership satisfaction of the CFP and its processes;~~

~~**Subsection 3.** Identify changing expectations of CFP members;~~

~~**Subsection 4.** Explore ways to build membership;~~

~~**Subsection 5.** Assist in efforts to communicate more effectively with membership;~~

~~**Subsection 6.** Expand outreach to collaborate and partner with organizations of similar public safety goals.~~

~~**Subsection 7.** Search for viable funding sources to ensure long term financial sustainability.~~

Section 10. The Strategic Planning Committee (SPC) shall report to the Board, and shall advise the Board on the current and future direction for CFP. This Committee shall make recommendations to keep the CFP relevant and increase the viability and growth of the organization. The SPC will actively engage CFP Committees and the Board by:

Subsection 1. Positioning CFP to respond to changes in the business and regulatory environment by staying abreast of changing needs to keep CFP a viable and relevant organization.

Subsection 2. Assessing member satisfaction, exploring ways to increase membership, improving communication with members, and responding to membership's changing expectations of CFP, its programs, services, and the Biennial meeting.

Subsection 3. Finding ways for CFP to collaborate/partner with organizations that hold similar values and interests in retail food safety.

Subsection 4. Sustaining the financial stability of CFP by seeking new, increased, or alternative sources of funding.

Section 11. The Publications Committee shall report to the Executive Board ~~and The Publications Committee shall~~ make recommendations to the Board to establish, maintain, and improve Conference publications regarding Conference endorsement, copyright, scientific and regulatory accuracy, and external publication approval. The Committee shall report all publication recommendations to the Board for approval prior to internal publication and revisions or external publication.

Section 12. All Committees, including Standing Committees, shall submit their reports for the Board meetings ~~in a timely prescribed manner as specified under Article II, Section 3~~ as follows:

Subsection 1. Committees assigned to a Council shall submit their report to their respective Councils ~~Chairs~~; and

Subsection 2. Standing Committees shall submit their report to the Conference Chair and Executive Director.

Section 13. Council Committee Size and Constituency: Committee membership discussion is limited to Council Committees only. ~~Membership on Standing Committees or Executive Board Adhoc Committees is defined by the CFP Executive Board.~~

Subsection 1. Committee size.

Voting membership for Council Committees should be comprised of at least eleven (11) voting members, with a maximum of no more than twenty-three (23) voting members.

- a. Minimum size: Voting membership for a minimum size Council committee is the Chair, Vice Chair, one (1) representative from state regulatory, one (1) representative from local regulatory, two (2) representatives from industry, one (1) from an academic institution, one (1) consumer representative, and three elective (3) representatives who ~~which~~ may be selected from any Conference constituency with an emphasis on expertise specific to the Committee's charge(s).
- b. Maximum size: Voting membership for a maximum size Council committee is the Chair, Vice Chair, four (4) representatives from state regulatory, four (4) representatives from local regulatory, eight (8) representatives from industry, one (1) from an academic institution, one (1) consumer representative, and three elective (3) representatives who ~~that~~ may be selected from any Conference constituency with an emphasis on expertise specific to the Committee's charge(s).
- c. Any committee comprised of membership numbers between the minimum and maximum shall make every reasonable effort to maintain constituency balances.

Subsection 2. The Chair and Vice Chair of a Council Committee may be selected from any of the Conference constituencies as approved by the ~~Council Chair and the Executive Board~~, Conference Chair, provided each is from a different constituency. If a Council Committee Chair does not receive sufficient volunteers in the appropriate constituencies, they shall confer with the Council Chair to seek volunteers from the Conference membership, making every reasonable effort to maintain constituency balances. The Council Committee Chair, in consultation ~~conference~~ with the Council Chair ~~and/or Executive Board~~, shall have the flexibility to fill vacancies in the voting membership with unbalanced constituency representation if deemed necessary to reach a minimum of eleven (11) voting ~~committee~~ members. All proposed Council Committee members must be approved by the ~~Executive Board~~. ~~in accordance with Article XIII, Section 6, Subsection 4 of the Constitution and Bylaws.~~

Subsection 3. A maximum of twenty-three (23) voting members are permitted on a Council Committee. All volunteers not selected for a voting position shall be offered an "at-large" non-voting position on the Council Committee. There is no limit to the number of at-large non-voting members that may participate. At-large members will be included and ~~can allowed to~~ participate in all Council Committee functions, including but not limited to; meetings, conference calls, emails, deliberations,

research, and activities. At-large members ~~but~~ will not have an individual vote on Council Committee actions. All voting members and at-large non-voting members shall be identified as such on the Council Committee roster along with their respective constituency.

Subsection 4. In the event a Council Committee voting member departs, ~~such~~ Committee during a biennial cycle, an at-large member of the same constituency as the departing member shall be selected by the Council Committee Chair to fill the vacancy, subject to approval by the Council Chair and ~~Executive Board. in accordance with Article XIII, Section 6, Subsection 4 of the Constitution and Bylaws.~~ If a Council Committee voting member changes constituency during a biennial cycle, and there is no vacancy in that member's new constituency, the member will need to transition from service as a voting member ~~on that Committee and may continue to serve as~~ to an at-large non-voting member for the remainder of the biennial cycle. This transition will occur upon notification to the Council Committee Chair.

Subsection 5. ~~A Council Committee Chair who~~ The Chair of a council committee that continues over more than one biennial cycle shall assess the immediate previous Council Committee membership to ensure at least 50% of the ongoing Committee's voting membership are new members that did not serve as voting members on the immediate previous Committee. This ~~provision~~ will ensure that an increased number of at-large members or others have an opportunity to participate as a voting members ~~over time when there are a large number of volunteers.~~

Article XVI-XVII Duties of States, Territories and District of Columbia

Section 1. The states, territories, and ~~the~~ District of Columbia shall be responsible for ~~designating and~~ keeping the ~~Executive~~ Director informed of the name(s) and address(es) of the person(s) designated to represent them in the Assembly.

Section 2. The food regulatory agency or agencies in each state, territory and District of Columbia participating in the CFP Biennial Meeting will receive from the Director at least one hundred and fifty (150) days prior to the CFP Biennial, a notice of the forthcoming meeting. Each notice shall include a current copy of Article II, Section 3 and Article XVIII and XIX of the current version of the Constitution and Bylaws.

Section 3. Each Agency shall report to the Director the following information, using approved forms:

Subsection 1. The agency's authority and responsibility over the regulation of food establishments, production, processing, vending, or distribution, or the oversight for prevention of foodborne illness;

Subsection 2. The name of the delegate and the alternate, if any; and

Subsection 3. Designation of the vote to which that person is entitled, whether one (1) vote or a fraction of one (1) vote.

Section 4. In the event that more than one (1) delegate is designated and the sum of the votes designated for the delegates is greater than one (1), the Director shall reject, void, and return the reports to the agencies for correction. Such revision shall be submitted to the Director at least forty-five (45) days before the CFP Biennial Meeting.

Article XVII-XVIII Rules of the CFP Biennial Meeting

Section 1. The current version of the “CFP Biennial Meeting/Conference Procedures” document contains the rules of the Biennial meeting.

Section 12. CFP Biennial meeting participation is open to all interested individuals who choose to become members and attend. Individuals may serve as appointed or elected members on the Board, Councils, and committees, or as a participating registered member.

Section 23. CFP Biennial Meetings shall be of at least two (2) days duration, except this requirement may be waived for special meetings called by the Board.

Section 34. Except for additional meetings as provided for in Article II, Section 2, the Conference will meet each even-numbered year.

Section 45. Robert’s Rules of Order shall prevail unless specified rules are established.

Section 56. FDA, CDC, and USDA reports shall be presented.

Article XVIII-XIX Rules of the Assembly

Section 1. Meetings of the Assembly shall be conducted as follows:

Subsection 1. Call to order by the Conference Chair;

Subsection 2. Roll call by the Director of states, territories, and District of Columbia, and the announcement of the names of the delegates who will vote for each in the Assembly;

Subsection 3. The Director calls for a vote to approve ~~Approval~~ of the minutes of the previous meeting;

Subsection 4. Reports from the ~~of the~~ Executive Director and Executive Treasurer;

Subsection 5. Council Chair reports, resolutions, and other new business;

Subsection 6. Assembly voting (see the current CFP Biennial Meeting/Conference Procedures document);

Subsection 7. Authorization that may be required by the Assembly for the Board to conclude and implement any necessary recommendations prior to the next CFP Biennial Meeting; and

Subsection 8. Adjournment.

Section 2. ~~Each state shall be entitled to one (1) full vote and each territory and the District of Columbia shall be entitled to one half (1/2) vote in the Assembly. When a state has more than one (1) state food regulatory agency enforcing food laws and regulations for food processing, food service, retail food stores and food vending, the vote may be divided into appropriate fractions. State agencies within each state must agree among themselves regarding apportioning the one vote. Only a registrant at the CFP Biennial Meeting who is the designated representative of a state, territory, or District of Columbia can be a delegate in the Assembly.~~

Section 3. ~~Only a registrant at the CFP Biennial Meeting who is a representative of a state, territory or District of Columbia food regulatory agency responsible for the enforcement of food laws and regulations for food processing, food service, retail food stores or food vending is entitled to be a delegate in the Assembly. When any state is represented by more than one food regulatory agency, the vote may be cast together as one vote or separately as a fraction of a vote. Representatives of states with more than one regulatory agency delegate certified in compliance with the provisions of Section 4 of this Section may, during any meeting of the Assembly, reassign their voting privilege to another duly certified delegate from their state by giving written notice of such action to the Conference Chair. When a state is represented by only one agency, the state's delegate may cast a full vote for that state in the Assembly.~~

Section 3. Each state shall be entitled to one (1) full vote, and each territory and District of Columbia shall be entitled to one-half (1/2) vote in the Assembly

Section 4. ~~At least one hundred and fifty (150) days prior to a CFP Biennial Meeting the Executive Director shall send to the food regulatory agency or agencies in each state, territory and District of Columbia participating in the CFP Biennial Meeting a notice of the forthcoming meeting. Each notice shall include a current copy of Article II, Section 3 and Article XVII XVIII, Sections 2 through 6 and 9 of the Constitution and Bylaws.~~

Section 4. When any state is represented by more than one food regulatory agency, the vote may be divided into appropriate fractions or may be cast together as one vote. Representatives of states with more than one regulatory agency delegate, in compliance with Section 2 of this Article, can reassign their voting privilege to another duly certified delegate from their state by giving written notice of such action to the Conference Chair.

Section 5. ~~Each Agency shall report to the Executive Director on approved forms the following:~~

Subsection 1. ~~The agency's officially designated regulatory responsibility regarding food processing, food service, retail food stores and food vending~~

Subsection 2. ~~The name of the delegate and the alternate, if any; and~~

~~**Subsection 3.** Designation of the vote to which that person is entitled, whether one (1) vote or a fraction of one (1) vote.~~

~~**Section 6.** In the event that more than one (1) delegate is designated and the sum of the votes designated for the delegates is greater than one (1), the Executive Director shall reject, void and return the reports to the agencies for correction. Such revision shall be submitted to the Executive Director at least forty five (45) days before the CFP Biennial Meeting.~~

Section 75. Delegates shall record their names with the Executive Director and shall cast their votes in the Assembly when called by announcing “yes,” “no,” or “abstain” for one (1) vote; or “yes,” “no,” or “abstain” for the appropriate fraction of one (1) vote.

Section 86. Voting in the Assembly shall be recorded by the Executive Director as “yes,” “no,” or “abstain,”

Section 97. If delegates wish to caucus, they may “pass” when their names are called for the purpose of caucusing, and then shall vote when the second roll is called.

Section 108. To adopt in the Assembly:

Subsection 1. A quorum must be present. A quorum is defined as the presence of registered voting delegates from at least two-thirds (2/3) of the states with designated official delegates in attendance at the CFP Biennial Meeting. Each territory and District of Columbia shall count as one half (1/2) state in constituting a quorum.

~~**Subsection 2.** To change a procedure adopted at a previous CFP Biennial Meeting or~~
To make a change in the Constitution and Bylaws requires a two-thirds (2/3) majority vote.

Subsection 3. Other actions require a simple majority unless specifically covered by Robert’s Rules of Order.

Article XIX-XX Parliamentary Authority

Section 1. The rules of parliamentary procedure comprised in the current edition of Roberts Rules of Order, Newly Revised, shall govern all proceedings of the Conference and the Executive Board, subject to such special rules as have been or may be adopted.

Article XX-XXI Dissolution of the Conference

Section 1. Upon the dissolution of the Conference, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or tax code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for

such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Article XXI-XXII Amendments to the Constitution and Bylaws

Section 1. The Constitution and Bylaws may be amended at a duly called CFP Biennial Meeting, the delegates having had ~~thirty~~ forty (40) days notice from the ~~Executive~~ Director of such proposal to amend as provided in Article II, Section 3 and Article ~~VIII, Section 3.~~ XVI, Section 3.

Section 2. Amendments to the Constitution and Bylaws will become effective at the close of the biennial meeting at which they are adopted.

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Appendix

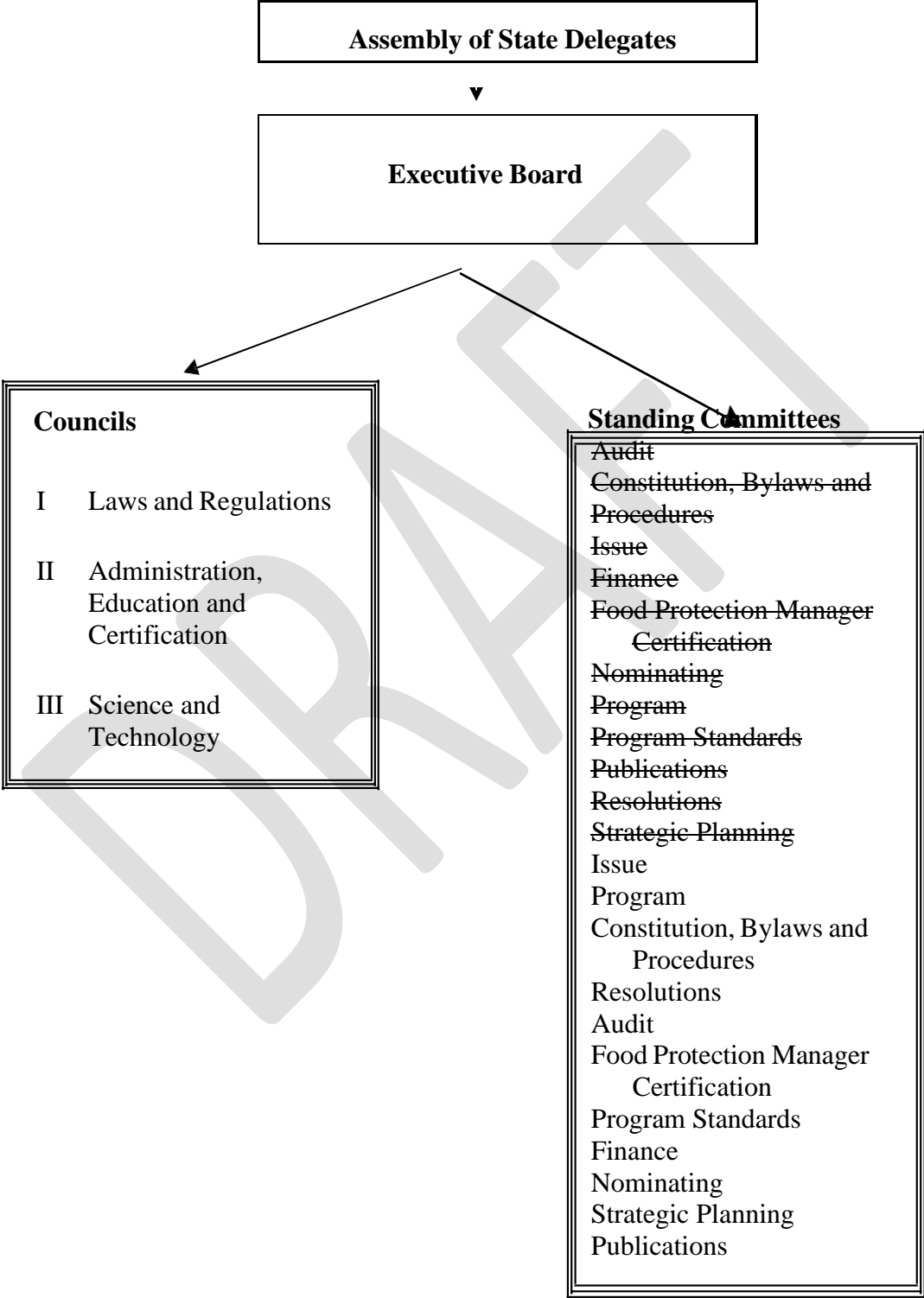
Map of CFP Regions*



Non-contiguous states and territories not shown on map
 *Used in Allocating Members of Executive Board

| Mid-Atlantic | Midwest | Pacific | Southeast | Northeast | Southwest |
|--------------|---------|---------|-----------|-----------|-----------|
| DE | IL | AK | AL | CT | AR |
| DC | IN | AS | FL | MA | CO |
| KY | MI | AZ | GA | ME | IA |
| MD | MN | CA | LA | NH | KS |
| OH | ND | CM | MS | NY | MO |
| NJ | SD | GU | NC | RI | NE |
| PA | WI | HI | PR | VT | NM |
| VA | | ID | SC | | OK |
| WV | | MT | TN | | TX |
| | | NV | VI | | UT |
| | | OR | | | WY |
| | | TT | | | |
| | | WA | | | |

Conference for Food Protection Organizational Chart



Organizational Structure Composition

Assembly of State Delegates

- Role:** Approves or rejects all Council recommendations
- Chair and Vice Chair:** Conference Chair and Conference Vice Chair preside at meetings of the Assembly
- Delegates:** Designated by 57 food regulatory agencies representing:
50 states
6 territories
- American Samoa
 - Guam
 - Northern Mariana Islands
 - Puerto Rico
 - Trust Territory
 - U.S. Virgin Islands
- 1 District of Columbia
- Voting:** 53 ½ total possible
- Fifty (50) states have 1 vote each. Those states with multiple state regulatory jurisdictions may ~~divide vote equitably~~ cast their vote as one or separating as a fraction of one.
- 6 territories and District of Columbia have ½ votes each

Executive Board

| | |
|------------------------------|---|
| Role: | Manages the affairs of the Conference |
| Chair and Vice Chair: | <u>Board Chair and Board Vice Chair are also the Conference Chair and Conference Vice Chair</u> Elected from Board Voting Membership |
| Members: | Twenty-three (23) elected to stagger terms by caucus of registrants in each respective <u>constituency</u> group. Federal members are appointed by agency head. |
| Voting | 6 state regulatory agencies (1 each per CFP Region) 6 local regulatory agencies (1 each per CFP Region) 3 Federal agencies (FDA, USDA, and CDC)) 6 Food Industries 1 Academic Institution 1 Consumer Representative |
| Non-Voting Ex-Officio | 1 Immediate Past <u>Conference</u> Chair 3 Chairs' of each Council 3 Vice Chairs' of each Council 1 Program Chair 1 Issue Chair 1 Constitution and Bylaws/Procedures Chair 1 Program Standards Chair 1 Finance Committee Chair 4 International Representatives (i.e., Canada, Mexico, etc.) 1 Executive Director 1 Executive Treasurer 1 Executive Assistant |

Councils

Role: Deliberate assigned Issues and develop recommendations for Assembly consideration

Council Chairs and Vice Chairs: ~~2 appointed by Conference Chair with approval of~~ Approved by the Board.

For Councils I and II, if the Chair has a regulatory affiliation, the Vice Chair is to be an industry affiliate, and vice versa. The Council Chair affiliation alternates back and forth each term.

Council III Chair and Vice Chair can be from regulatory, industry, and academia. The Council Chair and Vice Chair cannot be from the same constituency.

Council Members: 20 selected by Council Chair and Vice Chair for appointment by Conference Chair with approval of the Board

- I. Council on Laws and Regulations
 - Regulatory (including Council Chair or Vice Chair)
 - 4 local
 - 4 states
 - 2 territorial, District of Columbia, or Federal
 - Industry (including Council Chair or Vice Chair)
 - 1 ~~Food~~ Processing
 - 2 Food Service
 - 2 ~~Food Store~~ Retail Food
 - 1 ~~Food~~ Vending and Distribution
 - 4 not specified
 - Consumer and Academia
 - 1 Consumer
 - 1 ~~Academic~~ Academia
- II. Council on Administration, Education, and Certification
Membership allocated as shown in Council I
- III. Council on Science and Technology
 - 5 Regulatory ~~agencies (min.)~~ selected from state and local
 - 5 Food Industry ~~(min.)~~ with at least 1 each from ~~food~~ processing, food service, retail food, ~~stores~~ and ~~food~~ vending and distribution;
 - 10 At-large ~~including consumer and academia and may include federal and other~~ may include academia, consumer, Federal agencies, and other stakeholders

Consultants: 9 possible
4 Designated Federal agencies

3 Designated international organizations
additional if necessary, as deemed by the Board.

Voting:

Council Chair votes only to break a tie; Council Vice Chair does not vote.

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Standing Committees

Appointments

All appointments to Conference Committees and shall be made to provide a balance in representation of the stakeholders in the particular matter under consideration.

Audit Committee

Role: — Except when a certified public accountant conducts an audit of the Conference's financial records, the Audit Committee audits the Conference's financial records annually. Committee reports to the Board.

Chair: — Appointed by Conference

Constitution and Bylaws/Procedures Committee

Role: — Submits recommendations to improve Conference administrative functions through proposals to amend the Constitution and Bylaws. Reviews proposed memoranda of understanding and ensure consistency among the memoranda of understanding, the Conference Procedures manual, the Constitution and Bylaws and other working documents. Reports all recommendations to the Board prior to Council II deliberation and follows the direction of the Board. Committee reports to the Board.

Chair: — Appointed by Conference Chair

Issue Committee

Role: — Reviews all Issues submitted to Conference and assigns to Councils for deliberation. Committee reports to the Board.

Chair: — Appointed by Conference Chair

Food Protection Manager Certification Committee

Role: Reports to the Board. Works with the accreditation organization for food protection manager certification programs to:

- a. Establish and refine policies and standards to which certifiers may conform in order for them to be accredited;
- b. Provide Conference input into the development of accreditation standards for certifying organizations specific to food protection manager certification programs;
- c. Develop strategies for enhancing equivalence among food protection manager certificates issued by certifiers; and
- d. Promote universal acceptance of certificates issued by accredited certifiers.

Chair: — Appointed by Conference Chair

Nominating Committee

Role: — Selects the nominees for the Conference Chair and Vice Chair.
—— Committee reports to the Board.

Chair: — Immediate Past Chair of the Conference

Program Committee

Role: — Assists in planning and arranging of CFP Biennial Meeting.
—— Committee reports to the Board.

~~Chair: Appointed by Conference Chair~~

~~***Publications Committee***~~

~~**Role:** To establish, maintain, and improve Conference publications regarding Conference endorsement, copyright, scientific and regulatory accuracy, and external publication approval.~~

~~Chair: Appointed by Conference Chair~~

~~***Program Standards Committee***~~

~~**Role:** Provide ongoing input to the FDA on issues that arise with the Voluntary National Retail Food Regulatory Program Standards.~~

~~Chair: Appointed by Conference Chair~~

~~***Resolutions Committee***~~

~~**Role:** Except for thank you resolutions, the Resolutions Committee prepares all necessary resolutions for Board approval. Committee reports to the Board.~~

~~Chair: Appointed by Conference Chair~~

~~***Strategic Planning Committee***~~

~~**Role:** Provide an active leadership role in developing both long term and short term goals that will enhance and sustain the relevance and viability of the Conference for Food Protection.~~

~~Chair: Appointed by Conference Chair~~

~~***Finance Committee***~~

~~**Role:** Provide financial oversight for the Conference including but not limited to budgeting and financial planning, financial reporting, and the creation and monitoring of internal controls and accountability policies.~~

~~Chair: Appointed by Conference Chair~~

~~***Other Committees***~~

~~Appointed as needed to carry out Conference objectives.~~

Standing Committees

All Standing Committee Chairs are appointed by the Conference Chair. The Standing Committees shall attempt to provide a balance in representation of the stakeholders in the particular matter under consideration. Standing Committees report to the Board.

Standing Committees:

Issue Committee

Role: Reviews all Issues submitted to Conference and assign them to Councils for deliberation.

Program Committee

Role: Responsible for the Educational Workshop and the Reports and Updates session of the Biennial meeting.

Constitution and Bylaws/Procedures Committee

Role: The Constitution and Bylaws/Procedures Committee shall submit recommendations to improve Conference administrative functions through proposals to amend the Constitution and Bylaws. The Committee shall review proposed memorandums of understanding and ensure consistency among governing documents such as, the Constitution and Bylaws, the CFP Biennial Meeting/Procedures document, and other governing documents. The Committee shall report all recommendations to the Board prior to Council II deliberation, and shall follow the direction of the Board.

Resolutions Committee

Role: Except for thank you resolutions, the Resolutions Committee prepares all necessary resolutions.

Audit Committee

Role: In addition to when a certified public accountant conducts an audit of the Conference's financial records, the Audit Committee audits the Conference's financial records annually.

Food Protection Manager Certification Committee

Role: Works with the accreditation organization for food protection manager certification programs to:

1. Establish and refine policies and standards to which certifiers may conform in order for them to be accredited;
2. Provide recommendations to the Conference on accreditation standards for certifying organizations specific to food protection manager certification programs;
3. Develop strategies for enhancing equivalence among food protection manager certificates issued by certifiers; and
4. Promote universal acceptance of certificates issued by accredited certifiers.

Program Standards Committee

Role: Provide ongoing input to the FDA on issues that arise with the Voluntary National Retail Food Regulatory Program Standards.

Finance Committee

Role: Provide financial oversight that includes budgeting, financial planning, reporting, internal controls and accountability policies.

Nominating Committee

Role: Selects the nominees for the Conference Chair and Vice Chair.

Strategic Planning Committee

Role: Advise the Board on the current and future direction for CFP. This Committee shall make recommendations to keep the CFP relevant and increase the viability and growth of the organization.

Publications Committee

Role: To establish, maintain, and improve Conference publications regarding Conference endorsement, copyright, scientific and regulatory accuracy, and external publication approval.

Other Adhoc Committees

Appointed by the Board as needed to carry out Conference objectives.

Timeline for Conference Activities

This chart outlines the “When, Whom and What” of actions that are to be taken.

| Time | 1 | 2 & 3 | 4 | 5 & 6 | 7 |
|------|--------------------------|-------|-----|-------------------|-------------|
| Line | 0-----0-----0-----0----- | | | | -----0----- |
| Days | -150 | -90 | -40 | During Conference | Afterwards |

| | | |
|---|---|--|
| 1. At least 150 days preceding CFP Biennial Meeting | Executive Director (Article II, Section. 3 and Art. XVII, Sec. 4) | Announces to members the time and place of CFP Biennial Meeting, and provides forms for submitting Issues and proposals |
| 2. By 90 days preceding CFP Biennial Meeting | Any person (Article. II, Section. 3 4) | May submit Issues on approved forms by this deadline |
| | Program Issue Committee (Article. II, Section. 3 4 and Art. XIV, Sec. 1) <u>Article XVI, Section 1</u>) | Reviews properly submitted Issues and assigns each for Council deliberation |
| 3. By 90 days preceding CFP Biennial Meeting | All committees (Article II, Section 3 4, subsection 1) | Shall submit a report to the appropriate Council and Conference |
| 4. By 40 days preceding CFP Biennial Meeting | Executive Director (Article II, Section 3 4) | Makes available to members committee reports and copies of Issues which have been properly submitted and assigned to Council |
| 5. During CFP Biennial Meeting | Councils (Article. II, Section 3 4 and Art. XII, Sec. 4) <u>Article XIV Section 1</u> | Deliberate assigned Issues and develop recommended actions for Assembly consideration |
| 6. During CFP Biennial Meeting | Assembly (Article V, Sec. 1) | Approves or rejects actions recommended by Councils |
| 7. Following CFP Biennial Meeting | Board (Article. V VI, Section 1) | Submits approved actions to states and Board for implementation May return rejected actions to originating body explaining basis for rejection or reassignment Distributes Assembly actions to Conference members for implementation |