



CONFERENCE FOR FOOD PROTECTION  
EXECUTIVE BOARD MEETING  
College Park, Maryland  
August 26 – 27, 2014

August 26 8:00AM

**Voting members present:** Kelli Whiting, Kevin Smith, John M. Luker, Bill Hardister, William K. Shaw Jr., Patrick Guzzle, Rebecca Steiner, Kristin Delea, Lisa Staley, Lorna Jensen Girard, Jessica Fletcher, Lori LeMaster, Cassandra Mitchell, Brian Nummer, Sandra B. Eskin, Ken Rosenwinkel, Donna Garren, Larry Eils, Becky Stevens-Grobbelaar, Brenda Bacon, Terry Levee

**Voting members absent:** Dean Finkenbinder, Marlene Gaither

**Non-Voting Members present:** Lee Cornman, James C. Mack, Julie Albrecht, Vicki Everly, David Lawrence, Chris Gordon, Susan Quam, Todd Rossow, Rick Barney

**Non-voting members absent:** Davene Sarrocco-Smith

**Guests:** Glenda Lewis (FDA), Michael Landa (FDA Director, Center for Food Safety and Applied Nutrition FDA), Michael Taylor (FDA Deputy Commissioner of Foods); Julie Henderson (Virginia Environmental Health), Pam Hendren, (Kentucky Food Safety Branch of the State Department of Health)

**Note:** Board members with dual roles on the Executive Board were only captured once, especially if the board member is a voting member.

**Note:** All Executive Board-related reports mentioned in these minutes are posted to the CFP website here: <http://foodprotect.org/administration/executive-board-meetings/?id=39>

**Note:** All Committee-related reports mentioned in these minutes are posted to the CFP Website here: <http://foodprotect.org/work/?id=39>

**Opening – Conference Chair John Luker, Presiding**

Conference Chair Mr. John Luker called the meeting to order and thanked Mr. Kevin Smith and the FDA Center for Food Safety and Applied Nutrition (CFSAN) Headquarters for hosting the Executive Board Meeting. Mr. Luker asked everyone to introduce him or herself. Roll call was taken.

Executive Director Dr. McSwane read the CFP Anti-trust Policy and reminded the members of the Board that it must be followed during all Board meetings. Executive Assistant Aggie Hale recorded a written list of members present.

Dr. McSwane acknowledged guests present.

Dr. McSwane states the Executive Board (EB) Meeting Minutes of May 2-7, 2014 (previously approved via E-ballot), and included in Binder 1, stand approved as written since there were no comments.

## **Executive Staff Reports**

### ***Executive Director – David McSwane***

Dr. McSwane provided a closing summary of the 2014 biennial meeting. He discussed the calendar for this biennial cycle. Dr. McSwane mentioned that letters have been sent to the representatives of CDC and FDA who serve on the CFP Executive Board asking for updated letters of support for the CFP Standards for Accreditation of Food Protection Manager Certification Programs and the programs that are based upon the Standard. A letter of support had not been provided by USDA-FSIS previously. Therefore, a request was sent to the representative from that agency asking for an initial letter of support.

Information was given regarding the next EB meeting to be held on April 21 and 22, 2015 in Boise at the Grove Hotel. He has provided contact information. At this time there is no location for the fall EB meeting. He will work with Conference Direct for accommodations.

**ACTION ITEM:** Motion to accept the Executive Director (ED) report was made by Ms. Bacon and seconded by Mr. Rosenwinkel. A vote was taken and the motion carried.

### ***Executive Treasurer – Eric Pippert***

Mr. Pippert reviewed his previously submitted reports and addressed members' questions. He discussed the travel subsidy and reminded members of the requirements. The ratio of revenue/expense for the 2014 biennial meeting fell below the 3.0 target figure. We will need to watch for ending balance for 2015. The 2014 biennial meeting was a very successful meeting. A change was made on the budget records submitted previously. The EB must approve the draft budget for 2015. Dr. McSwane asked about the workshop monies and Mr. Pippert stated the monies were not separated out from meeting registrations. He will try to work with this issue in the future. It was mentioned that Eventbrite reports total revenues. 2014 was the most expensive meeting to date and is possibly due to food/catering costs.

Mr. Gordon asked about committee expense and miscellaneous expense. He stated he didn't see an actual expenditure report. Mr. Pippert said \$5,000 was the most allotted for any one committee to spend. The miscellaneous category was not detailed. Mr. Rosenwinkel mentioned that in the future perhaps this information should be teased out concerning the expenditures for items where monies were actually spent.

Dr. Garren asked about actual expenditures with respect to actual money spent. She questioned if in fact the numbers were actual rather than estimate. Can report reflect actual monies spent? Mr. Pippert stated money was actually reported on the financial report. However, he understands the point being made. Ms. Delea asked about what the vote regarding the treasurer's report is actually based on. Mr. Pippert stated the vote is on the projection for 2015. A page of the treasurer's report was left out of the binder. A copy of the missing financial report was printed which helped clarify discussion on the budget report.

**ACTION ITEM:** A motion was made by Dr. Garren and seconded by Mr. Eils to accept the treasurer's report and accept the budget for 2015 as amended. A vote was taken and the motion carried.

Ms. Everly asked if actual expenditures for 2013 were on the website. Mr. Pippert stated they are currently on the website. Dr. McSwane stated that he would send this information to everyone during the morning break.

Mr. Smith asked to discuss lunch out of order. Discussion led to a change of plans regarding lunch. Mr. Smith took charge and passed around menus from a local deli to all Board members. Individual orders were taken and meals were being delivered between 12 noon and 12:30pm.

### ***Executive Assistant – Aggie Hale***

Ms. Hale reported that her report would be forwarded to board because it was not in the binder. Dr. McSwane forwarded the EA report via email during the meeting. The report reflects the learning curve involved and some of the work done at the time the report was written.

### **Old Business**

#### ***Review of Standing Committee Chairs and their role on the Executive Board – Lorna Girard***

Ms. Girard presented the recommendations of an ad hoc committee that investigated the role of Standing Committee Chairs and their role on the Board. The most significant change recommended by the work group was that an issue be submitted at the 2016 biennial meeting that would call for amending the current Constitution and Bylaws to add the Chair of the Strategic Planning Committee as a non-voting Ex-officio member of the EB. The other recommendation was that only Executive Board members and Ex-officio non-voting members need to attend the Board meeting, unless invited because there is a need for a face-to face dialogue.

**ACTION ITEM:** A motion was made by Ms. LeMaster to accept the ad hoc committee's report as submitted and to ask the Chair of the Constitution and Bylaws Committee to prepare an issue for the 2016 biennial meeting that would call for the CFP Constitution and Bylaws to be amended to add the Strategic Planning Committee Chair as an Ex-officio non-voting member of the EB. A vote was taken and the motion carried.

There was a discussion on who should notify committee applicants as to their status on a committee. Right now Council Chairs and Committee Chairs' job descriptions currently states they will notify applicants to committees and councils. Mr. Lawrence discussed that he, as committee chair, did notify applicants. Notification was done by emails. Discussion included Dr. McSwane mentioning that technically no one is approved until the board meets and votes.

**ACTION ITEM:** Ms. Bacon made a motion that the ED send letters to individuals who had volunteered to serve on Councils at the biennial meeting to notify them of their status (member, alternate, or not selected). The Council Chair position description will be changed to eliminate this task. Committee Chairs will remain responsible for notifying individuals who have volunteered for a committee of their status (member or alternate at large). The position description for Committee Chairs will stay the same as it is currently written. A vote was taken and the motion carried.

### **EB Issues pending from the 2014 Biennial Meeting:**

***Revised CFP Spokesperson Policy*** - Dr. McSwane stated that a final version of the policy document that was approved at the May 2014 Board meeting was being distributed as an informational item only.

***Letter to Congress*** - The final recommendation of the Assembly of State Delegates for Issue 2014-I-024 was that a letter be sent to all members of the U.S. congress to memorialize the position of the CFP that unpasteurized (raw) fluid milk is a public health hazard unfit for human consumption and that FDA's ban on and enforcement authority against its interstate sale in a form intended for human consumption should be maintained. A draft of the letter was presented to the Board for review and approval.

Dr. Garren suggested waiting until the new Congress starts after the midterm elections. Ms. Eskin suggested that perhaps waiting would not be a good idea as there is a better chance of success if sent to members of the current Congress.

**ACTION ITEM:** Mr. Eils made a motion and Ms. Fletcher seconded to accept the letter as written. A vote was taken and the motion carried.

***Ad hoc Committee on Standards for Documents Published on CFP Website and Peer Reviewed and Non-Peer Reviewed Publications.*** Dr. Garren indicated there wasn't anything to report from the Ad hoc Committee on Standards for Documents Published on CFP Website and Peer Reviewed and Non-Peer Reviewed Publications.

Dr. Garren reported from the Ad hoc Committee on Standards for Documents Published on CFP Website and Peer Reviewed and Non-Peer Reviewed Publications. Dr. Garren asked for volunteers, especially academics. Dr. McSwane volunteered, and the committee is to keep Dr. Schaffner, Ms. Bacon, Dr. Nummer and Dr. Garren. This is not from the 2014 meeting but an EB request.

**Council Reports** - Mr. Luker brought forward the request for Council Reports.

Council I Report – Chris Gordon, Rick Barney

Approval from the EB was requested for committee membership for Council I Committees.

***Food Recovery Committee*** - Mr. Gordon requested the Food Recovery committee report and roster be postponed until tomorrow (8/27/14).

Dr. Garren made a motion and Mr. Eils seconded to accept the Ice Maker Equipment Cleaning and Sanitizing Committee report, including the committee roster, with the proviso that Kelli Whiting will replace Cassandra Mitchell on the roster. A vote was taken and the motion carried to accept the report and committee roster as amended.

***Plan Review Committee***

**ACTION ITEM:** A motion to accept the Plan Review Committee and roster was made by Mr. Eils and seconded by Ms. Mitchell. A vote was taken and the motion carried.

***Unattended Food Establishments Committee***

**ACTION ITEM:** A motion was made by Ms. Fletcher and seconded by Dr. Garren to accept the Unattended Food Establishments Committee report and roster as amended by adding Rebecca Steiner. A vote was taken and the motion carried.

**Council II Report – Susan Quam, David Lawrence**

Approval from the EB was requested for committee membership for Council II Committees.

***Certification of Food Safety Regulatory Professionals Committee***

**ACTION ITEM:** A motion was made by Mr. Rosenwinkel to accept the report, including the membership roster, for the Certification of Food Safety Regulatory Professionals Committee and was seconded by Mr. Guzzle. A vote was taken and the motion carried.

***Demonstration of Knowledge Committee***

**ACTION ITEM:** Ms. LeMaster made a motion to accept the report and roster for the Demonstration of Knowledge Committee and Dr. Garren seconded the motion. A vote was taken and the motion carried.

### ***Employee Food Safety Training Committee***

**ACTION ITEM:** A motion to accept only the report for the Employee Food Safety Training Committee was made by Ms. LeMaster and seconded by Dr. Garren. A vote was taken and the motion carried.

**ACTION ITEM:** A motion to accept the roster for the Employee Training Committee was made by Ms. LeMaster with the understanding that there is a need for balance by including more retail representation. At this time Mr. Rosenwinkel volunteered to be on the committee. The motion was seconded as amended by Ms. Fletcher.

Dr. Garren asked how choices were made. The Council Chair explained that most volunteers were food service industry and that mostly those who chose the committee as their number one choice were selected.

### ***Interdisciplinary Foodborne Illness Training Committee***

**ACTION ITEM:** A motion to accept the report for the Interdisciplinary Foodborne Illness Training Committee was made by Dr. Garren and seconded by Ms. LeMaster. A vote was taken and the motion carried.

A request was made about having someone with CIFOR experience on the committee. Kristin Delea volunteered to recruit someone from the Centers for Disease Control and Prevention (CDC) to work with this committee.

### **Council III Report – Todd Rossow, Davene Sarrocco-Smith**

Approval from the EB was requested for committee membership for Council III Committees.

### ***Hand Hygiene Committee***

**ACTION ITEM:** A motion was made by Ms. Girard to table the Hand Hygiene report until tomorrow (8/27/14) and seconded by Mr. Rosenwinkel in order to amend the roster by adding members from the retail food constituent group to the committee. A vote was taken and the motion carried.

### ***Listeria Retail Guidelines Committee***

**ACTION ITEM:** A motion was made by Ms. Mitchell and seconded by Ms. Fletcher to table the Listeria Retail Guidelines Committee report until tomorrow (8/27/14) in order to balance the membership of the committee. A vote was taken and the motion carried.

Mr. Shaw stated the Listeria committee lacked consistency and the USDA would rather work on guidelines. Mr. Rossow suggested balancing the committee with more regulatory representation. Mr. Rossow informed the board the committee co-chairs did pull from the members from regulatory that expressed interest and there were not that many. The Council Chairs were to go back to the committee co-chairs to remove some of the industry from the proposed committee to provide better balance. Ms. Girard volunteered to sit on committee.

### **Standing Committee Reports**

**Audit Committee** – Angela Nardone (No audit committee report at this time). Terry Levee, Conference Chair was going to contact Ms. Nardone to confirm that she would serve as Chair of the Audit Committee for the 2014-16 biennium.

**The Constitution and Bylaws/Procedures Committee** – Lee Cornman reported seven Issues were submitted and all issues were accepted at the 2014 Biennial Meeting. The language was incorporated into the Constitution and Bylaw. She requested the review and approval of the committee roster. Currently, the committee is not balanced, being more heavily weighted by members of the industry constituent group at this time. She reported that updating of the Constitution and Bylaws and the Conference Procedures Manual had been completed.

**ACTION ITEM:** A motion to accept the Constitution and Bylaws/Procedures Committee report/roster as submitted was made by Dr. Garren and seconded by Mr. Rosenwinkel. Dr. Garren proposed amending her motion to change the language in the procedures to state that the term "Ad hoc committee" with respect to council committees be removed and changed to state "council committees" so as to clarify that a council committee not be confused with the general term Ad hoc committees and to give Ms. Cornman time to come back with further edits to change all references in the procedures to read "council committees". A vote was taken on the motion as amended and the motion carried.

**Issue Committee**– Vicki Everly/Cassandra Mitchell

Ms. Everly suggested the Issue Committee report be divided into two parts leaving the request of funding of website improvements for tomorrow.

**ACTION ITEM:** A motion to approve the Issue Committee roster was made by Dr. Garren and seconded by Ms. Stevens-Grobbelaar. A vote was taken and the motion carried.

Ms. Everly moved forward with the remainder of the report. She stated that there is still work to be done regarding putting into writing the recommended division of Issue related workload during the biennial meeting. She stated that the Issue Co-Chairs would come back at the next EB meeting with recommendations. She informed the EB that in the online submission process on the web (Issue Management Program – IMP) has not been updated since its inception nor has the Conference Management System (CMS), which supports the Issue process. Mr. Kevin Hamstra (webmaster) has recommended rebuilding the outdated system. The plan entails the upgrade of both programs simultaneously. Part of the request includes instructions for how to use the Issues related programs and for instructions in "how to" submit issues. Funding and payment can be done in stages. (See report submitted for details).

Discussion: Ms. LeMaster reiterated the need to upgrade and Mr. Eils added that the report submitted was thorough.

**ACTION ITEM:** A motion was made by Mr. Eils to amend the budgeted line item for "web site support" to include the \$12,000 needed for the upgrade process and Ms. Fletcher seconded to accept the report including the request by the Issue Chairs for upgrading the system. A vote was taken and the motion carried.

Mr. Pippert reviewed the budget status and the importance of carry over monies to grow rather than go down. However, the funds are there at this time for the upgrade funding. Ms. Everly said the project would be done by spring of 2015 to allow for adequate time for beta testing. Further discussion concerned the method in which Mr. Hamstra would be paid. Can the payment be split between two-year periods? Ms. Everly will discuss this with Mr. Hamstra and report back to Dr. McSwane.

### **Special Committee Reports:**

**Nominating** – Lori LeMaster who is Chair of the committee indicated there is no report at this time.

**Program** – Dr. Julie Albrecht, Chair of the committee submitted a roster but no report.

**ACTION ITEM:** Ms. Staley moved to approve the roster and Ms. LeMaster seconded. A vote was taken and the motion carried.

**Program Standards Committee-** David Lawrence

**ACTION ITEM:** A motion to accept the Program Standards Committee report, including the roster, was made by Ms. LeMaster and seconded by Ms. Staley. A vote was taken and the motion carried.

**Resolutions Committee** – Michael Roberson

**ACTION ITEM:** A motion was made by Ms. Fletcher and seconded by Dr. Garren to accept the roster as submitted, including Mr. Roberson as Chair. During discussion it was recommended that CFP staff update Gina Nicholson's new affiliation and contact information as she is no longer employed by NSF International. A vote was taken and the motion carried.

**Strategic Planning Committee** – James Mack

**ACTION ITEM:** A motion was made by Ms. LeMaster and seconded by Dr. Garren to accept the roster as amended. A vote was taken and the motion carried.

Mr. Mack reported on what the Strategic Planning Committee (SPC) had been doing. The committee has had several meetings to date and has agreed to meet every other month. Mr. Mack brought up the Navigator program and mentioned that it was well received at the recent biennial meeting. The committee will be looking at making improvements to the program prior to the 2016 biennial meeting. The Board discussed a proposal for a study to be conducted on the questionnaire by the SPC to be performed by the University of Houston, Conrad H. Hilton College of Hotel and Restaurant Management. Further discussion was had concerning timelines for this project. Discussion continued concerning publishing by the university and the timing regarding travel and conflict with the Ad hoc committee chaired by Dr. Garren. The question of the biennial meeting being held during the workweek as opposed to the weekend was brought up. It was agreed that this was discussed at the spring meeting and already agreed upon. Dr. McSwane stated that results from university study would not be in effect until 2020. However, a simple survey can be done in the interim period to get a feel for what we may want to do for 2018. Ms. Everly clarified the difference between the "biennial meeting" and the "conference" as an organization. Our organization and title has the term Conference in it, but the biennial meeting is a meeting of the Conference (organization). A copy of the Attendee Meeting Preferences Study was distributed during the meeting.

**ACTION ITEM:** A motion was made by Ms. Bacon and seconded by Ms. LeMaster to accept the Strategic Planning Committee Report. A vote was taken and the motion carried.

**ACTION ITEM:** A motion made by Ms. LeMaster and seconded by Mr. Smith to have the biennial meeting run from Monday-Friday. A vote was taken and the motion carried.

**Oyster Advisory Ad hoc Committee**

Ms. LeMaster provided the Oyster Advisory Ad hoc Committee report. The Committee came up with a recommendation to continue the committee to update the Consumer Advisory regarding oysters and report back to 2016 biennial meeting. Ms. LeMaster stated that she could not continue as Chair. Discussion as to who would be available to chair the Prevention of Food Allergen Cross-Contact committee ensued. Mr. Smith asked if it had to be a board member to chair a committee appointed by the EB. Ms. Cornman stated that since the new committee would be a council committee a member outside the board could chair it.

**ACTION ITEM:** A motion to accept the Oyster Ad hoc Committee report and recommendation to create a committee that will report to Council I and back to the Conference during the 2016 biennial meeting was made by Ms. Bacon and seconded by Mr. Rosenwinkel. A vote was taken and the motion carried.

**ACTION ITEM:** A motion was made by Dr. Garren and seconded by Ms. Girard to send a message to all CFP members by the ED on the creation of an Oyster Consumer Advisory Committee for Council I, co-chaired by Ms. Sandra Eskin and Ms. Lisa Staley. The announcement will further state that interest in the committee and its formation will have 30 days from the date of the announcement. A vote was taken and the motion carried.

**ACTION ITEM:** Ms. Sandra Eskin and Ms. Lisa Staley volunteered to co-chair the newly formed Oyster Consumer Advisory committee. Ms. Bacon moved and Ms. Stevens-Grobbelaar seconded to approve Ms. Sandra Eskin and Ms. Lisa Staley as Co-Chairs. A vote was taken and the motion carried.

### ***Allergens Ad hoc Committee***

Ms. Bacon reported on two extracted issues (2014-I-016 and 2014-I-018) regarding allergens. The Ad hoc Committee recommended that the Board take the following measures with regard to these two issues:

#### Issue 2014-I-016

*FSIS Compliance Guidelines - Allergens and Ingredients of Public Health Concern: Identification, Prevention and Control, and Declaration through Labeling*

The Allergen Ad Hoc Committee worked with FSIS during the comment period to include language in the document's "Introduction" which provides more targeted information regarding who would benefit from this document. The Ad Hoc committee recommends that the Board consider taking the following steps:

- On behalf of the CFP Executive Board, the Chair send a letter to FSIS recommending that FSIS consider modifying the introductory sections of the Compliance Guidelines to make it clearer that they were developed for the processing plant setting. The Ad-hoc committee has provided suggested modifications in the attached FSIS Compliance Guidelines.
- On behalf of the CFP Executive Board, the Chair send a letter to FDA recommending that, upon modification of the Compliance Guidelines by FSIS, FDA consider identifying the FSIS Compliance Guidelines among the list of Resources and References contained in Part 9 of Annex 4 of the FDA Food Code.

#### Issue 2014-I-18

*Prevention of Food Allergen cross-Contact* - The Allergen Ad Hoc Committee recommends that the Board should move to act on the following:

- Sustain the recommendation of Council I to take No Action on the Recommended Solution originally submitted in Issue 2014-I-018;
- Acknowledge that while the Conference is not recommending additional allergen control requirements be incorporated into the FDA Food Code at this time, allergen control at retail is important to the CFP;
- Encourage the CFP membership to carefully consider any related issues that may be submitted for deliberation at the 2016 biennial meeting in Boise, Idaho.
- Acknowledge that other organizations have developed or are developing educational and training materials that may assist operators of foodservice and retail establishments seeking to prevent exposing allergic customers to food allergens (these organizations include but are not limited to AFDO, NRA Solutions, FAAN, FARE).



**ACTION ITEM:** A motion was made by Ms. Staley to accept the report submitted by the Allergen Ad hoc Committee as reported/submitted and was seconded by Mr. Rosenwinkel, and that highlights from the report made by Ms. Bacon regarding these extracted issues be communicated via the 2014 biennial meeting information on the website and by sending a blast email to the membership and the delegates. A vote was taken and the motion carried.

### **Special committees and Reports**

Compensation Committee – Mr. Larry Eils, Chair

Dr. McSwane and Mr. Pippert left the room when the Board went into Executive Session to discuss personnel matters related to Dr. McSwane's service agreement for 2014-16 and bonuses for the Executive Staff for 2012-14. Board members may obtain information about this executive session from the Executive Assistant.

**ACTION ITEM:** A motion by Dr. Nummer and seconded by Dr. Garren to accept the service agreement for Dr. McSwane as amended, and that performance criteria be established in conjunction with the EB and the ED. A vote was taken and the motion carried.

**ACTION ITEM:** Ms. Bacon made a motion and Ms. LeMaster seconded that an Ad hoc committee be created to establish the criteria for bonuses for the executive staff. A vote was taken and the motion carried.

### **Federal agency responses to 2014 CFP Recommendations.**

**FDA:** Mr. Smith discussed that of 18 recommendations at the 2014 biennial meeting, 13 were of part 1 (changes to food code) and 5 of part 2. The FDA concurs on 7 recommendations (see FDA response letter). Of Part 2 (other than Food Code) the FDA concurs with all 5. This leaves 6 items with which the FDA does not concur. FDA also felt that Issue I-022, not protecting raw seafood, would not be a positive message with respect to food safety. Issue I-032 eminent health hazard - expected practice, this was a case where the language that went forward was not appropriately underlined. The FDA felt this was an area that would be difficult for some operators to gauge. Issue III-005, reiterated when time as a public health control could be used as far as pre-chilling is concerned. Issue III-021, reduced temperature for steaming food specific to lobster and shrimp. He mentioned that possibly this would be served better if written as an FDA interpretation. Issue III-030, cheese, FDA is currently not comfortable with the proposed language.

### **Recess for the day**

### **Meeting reconvened, August 27 at 8:30AM**

Discussion: There was confusion regarding the proper process regarding Issue 2014-I-016 (allergen issue) and the extraction of the issue. Discussion ensued regarding clarification of the allergen issue and the formation of the ad hoc committee. Further discussion ensued as to the process that went through the 2014 biennial meeting. History was discussed as to the previous allergen committees in previous biennial cycles. Mr. Shaw stated that moving the issue from one council to another led to supporting information not being properly moved from one council to another and led to some confusion. Ms. Everly asked if the EB would like Issue Chairs to provide a guidance document explaining the transfer process.

Ms. Sandra Eskin, offered information on FSMA, FDA's funding of \$50 million yearly. HHS says they need additional \$400 million. First rules become effective 2016

### **Food Protection Manager Certification Committee (FPMCC)**

Mr. Hawley provided his report on behalf of the Food Protection Manager Certification Committee (FPMCC) via conference call (see report in Binder 3). First thing required was to get an amended version of the committee roster approved. Kevin Connell of Wawa (retail Food Industry) replaces Jason Horn of In-N-Out Burger (Food Service Industry) on the roster. There are 2 vacancies for the regulator constituency (one federal and regulatory at large). He reviewed the constituency based on the bylaws of the committee. The committee will meet for the first time in October so he says he will wait. Mr. Hawley mentioned that at the time, the committee felt Ms. Hollenbeck's position with NEHA was considered to represent the regulator constituency as NEHA is a professional association for Environmental Health Professionals.

**ACTION ITEM:** A motion to accept the FPMCC roster as amended was made by Ms. Bacon and seconded by Mr. Rosenwinkel. A vote was taken and the motion passed.

**ACTION ITEM:** A motion to accept the report was made by Mr. Rosenwinkel and seconded by Dr. Garren. A vote was taken and the motion carried.

An email was sent out to the Executive Board on August 26 from Nona Narvaez and Jeff Schaefer, founders of Anaphylaxis & Food Allergy Assn. of MN (AFAA), on the Allergen Ad hoc Committee. It was determined that Ms. Narvaez had asked Mr. Eils when the EB was meeting and that is what prompted the emails. Mr. Levee stated that we should be consistent on solicitation regarding individuals who wish to express their opinions on issues that relate to special interests.

The committee rosters that were tabled on day 1 of the Board meeting (8/26/14) and council reports not previously approved were brought forward:

### ***Council I - Food Recovery Committee roster and Plan Review Committee roster***

**ACTION ITEM:** Ms. Bacon made a motion and it was seconded by Ms. Mitchell to accept the amended Plan Review Committee Roster. A vote was taken and the motion carried.

**ACTION ITEM:** A motion was made by Ms. Bacon and seconded by Ms. Staley for the Food Recovery Committee amended roster to be accepted. A vote was taken and the motion carried.

**ACTION ITEM:** Ms. Bacon made a motion and it was seconded by Mr. Rosenwinkel to accept Council I's report. A vote was taken and the motion carried.

Discussion: Ms. LeMaster asked if a roster roll call is necessary each time. Dr. McSwane said yes it was necessary to do a roll call every time.

Ms. LeMaster asked if the antitrust statement must be said on conference call committee meetings. Dr. McSwane suggested going over the statement the first time and mailing it to everyone for further meetings.

Dr. Garren asked about Eric Davis' member status and what constituency group he is identified with? A review of the CFP database indicated that Mr. Davis is listed as a member of the Food Service Industry constituent group.

### ***Council III – Hand Hygiene and Listeria Retail Guidelines Committee reports and rosters***

Mr. Rossow reviewed the amended rosters. He also requested a USDA representative to assist on the Listeria committee.

**ACTION ITEM:** A motion was made by Ms. Staley and seconded by Dr. Garren to accept the Hand Hygiene Committee Roster as amended. A vote was taken and the motion carried.

**ACTION ITEM:** Mr. Rosenwinkel motioned and was seconded by Ms. Fletcher to accept the Listeria Committee Roster as amended. A vote was taken and the motion carried.

**ACTION ITEM:** Ms. Mitchell made a motion and Dr. Garren seconded to accept the Listeria and Hand Hygiene Committee reports. A vote was taken and motion carried.

Discussion: Dr. Garren questioned one of the previously listed co-chairs (there were only 2 co-chairs leading this committee), and Mr. Rossow stated it was a typo and he did fix it. Mr. Smith discussed that Mr. Tom Ford wanted to change the charges and he reiterated that the charges couldn't be changed. He brought this up because Mr. Ford is now one of the co-chairs. Mr. Rossow stated this came up in discussion with the co-chairs and they both felt the charges could be completed as written.

### **FDA Guest Speakers:**

Guest Speaker - Mr. Michael M. Landa J.D., Director, Center for Food Safety and Applied Nutrition, was introduced by Mr. Smith. Mr. Landa shared an overview of the functions of CFSAN. He gave a brief description on what the agency is engaged in with the FSMA. He also discussed the publishing of guidelines in the near future. Mr. Landa discussed labeling to be published, hopefully this year. He also discussed the process of looking at internal programs (e.g., chemical safety). He also stated that there are a number of additional positions created to address FSMA, nutrition, organizational structure, and cooperative programs. He mentioned that fiscally the agency has done well thanks to Deputy Commissioner Mr. Mike Taylor. He mentioned that when money is allocated it is a challenge. FSMA is a huge task and is an 8-10 year process to see any success.

Guest Speaker – Mr. Mike R. Taylor J.D., Deputy Commissioner of Foods for the FDA discussed the importance of food safety and that the CFP is a good model for collaboration. He stated he took comfort in being able to work outside the glare of the FSMA process. He discussed the creation of the remaining rules under FSMA and their projected date for completion will be late next year. Then the work will begin on how to implement them. The overall plan is to reduce foodborne illnesses. The FDA is counting on across the board collaboration with state and local agencies for implementation of the rules, especially with produce. He welcomed any questions or suggestions. Dr. Garren asked how the collaboration would be handled? Mr. Taylor explained that collaboration is achieved through states under contract for manufacturing so as not to duplicate effort. Produce is the challenge because in the past there was no mandate for farm inspection. State agencies will play a big part because of their frontline presence and everyone is committed to “educate before you regulate.” Right now it is a work in progress. FSMA is just not new modernization laws and rules but verification is very important to the ongoing process. He stated to look at it as within 5 to 10 years to get a foothold and then it is only the beginning. The agency is looking at a new model to assess the system as a whole rather than to look for adulteration and then use enforcement tools.

Representatives of GFSI (No representative/report at this time)

### **Federal Agency Reports**

**FDA** – Due to time restraints Mr. Kevin Smith stated he would send the EA a copy of the PowerPoint presentation that he had developed for the meeting which would be shared with the Board and posted on the CFP website.

**USDA** – Mr. William Shaw, Jr. reported that on July 22, 2014 the USDA-FSIS published RIN: 0583-A046 – “Records to be Kept by Official Establishments and Retail Stores that Grind Beef Products”. There is a comment period through Oct 22<sup>nd</sup> and a request has already been received to extend the comment period. He mentioned that most likely there would be no response, but if the agency does it will do so in 30 days. He stated 14 comments were made including the CFP guidance document. The rule would modify CFR 9. A request was made to send the EA his report for details. He mentioned the rule was quite comprehensive including the designation for traceback purposes. Another notice of the Federal Register on August the 13<sup>th</sup> concerned raw beef product on official establishments involving

presumptive and confirmed cases and will gather information on tracebacks on presumptive cases and would also perform recalls. Further language includes guidance on sampling and testing. Testing would include *Salmonella* or Shiga toxin-producing *E. coli*. There are two register notices. In general he mentioned now is the time of year for Shiga-toxin testing for official establishments.

**CDC** – Ms. Kristin Delea reported that CDC has released a new e-learning course on Environmental Assessment of Foodborne Illness Outbreaks. The course has proven very successful with 925 people participating to date. The majority of participants are environmental health professionals and others as well, however 64% are environmental health. Some regulators use the course as part of their curriculum. Also the University of New England has embraced the course. Aqua launch collects data of what is collected by environmental health regulators. The CDC is coming out with noroviral vital signs and will be posted on the website. The CDC continues to encourage the adoption and use of the FDA food code. The CIFOR guidelines have been updated on the website. Ms. Delea mentioned that another Cyclospora outbreak has occurred and it is important for all stakeholders to recognize this parasite in food. Lastly, the Office of Nutrition and Nutrition Guidelines has invited the CDC to input and they have agreed to work with this group. Ms. LeMaster said they use the Environmental Health online course provided by the CDC. She recommends it. (See CDC Report)

## **New Business**

### ***Potential Sites for 2018 Biennial Meeting***

Reports: Representatives from Louisville, KY were Ms. Brook Newton with the Convention and Visitors Bureau and Ms. Pam Hendren with the State Food Branch at the Kentucky Department of Public Health. They provided a PowerPoint presentation and presented a packet of material about Louisville as a potential site for the 2018 biennial meeting of the CFP. Dr. McSwane informed them of the Monday-Friday meeting choice.

Richmond, VA representatives, Julie Henderson, Emily Runion and Kelly Walker also provided a PowerPoint presentation about Richmond, VA as a potential site for the 2018 biennial meeting.

### ***Developing a list of specific reasons that Councils should choose from when recommending "No Action" on an issue.*** – Kevin Smith

Mr. Smith passed around a handout for consideration by the EB. He brought up the need for language to express the reasons for "no action" and for CFP to develop a set of standards (see language for situations that required a "no action". Ms. Everly and Ms. Mitchell stated they would work on language and bring it back to the EB in March.

Issues accepted by the Assembly of Delegates at the 2014 biennial meeting had a recommended solution of "Let FDA figure out what to do." There is concern that such a vague recommendation could result in the issue not being addressed.

**ACTION ITEM:** Mr. Guzzle made motion and Ms. Bacon seconded to take the information from Mr. Smith and give it to Issue Chairs to provide input and further deliberate the issue. A vote was taken and the motion carried.

Dr. Nummer asked Mr. Smith if there is any reference to food service or just retail stores regarding grinding meats. Mr. Smith stated that it is defined as a facility that grinds and sells. Therefore, either retail or foodservice would apply if they do the same thing.

Dr. Nummer requested the issue be taken out of order to address part 2 III-022. Question: if FDA doesn't do anything how is this brought forward? Mr. Smith stated that the recommendation that came forward was to modify 3-411. He stated the FDA would not just stick something in the food code but perhaps would provide a proposal in some way or would come back to the next biennial meeting or work with a submitter. Mr. Smith stated the FDA would within days notify the CFP of answers to

recommendations. Dr. McSwane stated the letter from FDA will be posted on the CFP website once received.

**Instruction Sheet for State Delegates** – Marlene Gaither - Table this until spring meeting

**Sustaining Memberships for Sponsors** – Dr. McSwane stated some of the corporate sponsors found it difficult to be solicited every other year. Perhaps a sustaining sponsorship e.g. a yearly amount would make it easier for them to budget and plan ahead. Billing would be yearly? Mostly the national sponsorships are concerned. Discussion seems to be positive on the industry side. Further comments contributed to this being a good idea.

**ACTION ITEM:** A Motion was made by Dr. Garren and seconded by Mr. Rosenwinkel to work with the Sponsorship Committee co-chairs and to report back by the spring EB meeting. A Vote was taken and motion carried.

Mr. Hawley made a request for a federal representative for an at large position on the FPMCC. The question was asked as to how often the committee met. Ms. Quam said the committee met two times a year with one being a face to face meeting. Subgroups of the committee may meet more frequently. Mr. Guzzle mentioned historically meetings are often piggybacked on EB meetings.

**Orientation Manual for new Executive Board members** – Dr. McSwane requested for any suggestions as board members to the new orientation presentation done on Monday.

Spring 2015 Executive Board Meeting – April 21-22, 2015 in Boise, Idaho

Mr. Levee asked for a volunteer to chair the compensation committee. Dr. Nummer offered to do it.

The Audit Chair is currently Ms. Angela Nardone, but at this time there is no confirmation that she will consider the current chair position.

Dr. McSwane asked what is the will of the board about the onsite assessment visits for the two candidates to host the 2018 biennial meeting? Ms. Everly mentioned there were no price quotes for Richmond at this time.

**ACTION ITEM:** A motion was made by Mr. Smith and was seconded by Ms. Staley for the ED to explore both venues. A vote was taken and motion carried.

Dr. McSwane stated that he would get information beforehand on prices.

Dr. Garren stated that GFSI is currently waiting to get more materials before presenting them and there is a retail certification working group, which is 95% complete for accreditation of their organization. The next item on their agenda will be catering.

Last issue is the fall meeting. What is the will of the board, Park City Utah or Nashville Tennessee? A straw vote was taken and Park City, Utah was chosen. Dr. Nummer stated he would check the Utah venue.

It was suggested and agreed that the Board should consider extending the second day of the Board meeting to at least 2:00 p.m. to assure that adequate time is available to conduct the business of the Board without rushing. Board members were asked to check their travel schedules and then let Dr. McSwane know who will need to stay over on Wednesday night if the meeting in Boise doesn't adjourn until 2:00 p.m. or possibly later.

**Adjournment**