

Committee Progress Reports are considered DRAFT until accepted by the Executive Board

The Conference Chair, Executive Director, Council Chair, or Issue Chair may return committee reports, Issues, or attached documents requesting edits to improve clarity or understanding, or to include missing information.

Committee-submitted documents may impact the image, credibility and integrity of the Conference as an organization. With the exception of material that is copyrighted and/or has registration marks, committee generated documents submitted to the Executive Board and via the Issue process (including Issues, reports, and content documents) become the property of the Conference.

COMMITTEE NAME: CONSTITUTION BYLAWS & PROCEDURES COMMITTEE

DATE OF REPORT: *Initial fall progress report* *Spring progress report* *Second fall progress report*

Date submitted: 9/10/2022 **Date amended (if applicable):** [Click here to enter a date.](#) **Date accepted by Executive Board:** [Click here to enter a date.](#)

COMMITTEE ASSIGNMENT: *Council I* *Council II* *Council III* *Executive Board*

REPORT SUBMITTED BY: Davene Sarrocco-Smith

COMMITTEE CHARGE(S):**1. Issue # 2020 II-006**

These governing documents be reviewed on a recurrent basis every biennium, prioritized in this manner: 1. Constitution 2. Biennial Meeting/CFP Procedures document 3. Position descriptions 4. Policy documents

2. Issue # 2020 II-010

Representation from the Constitution and ByLaws Committee on the Local Regulatory Representation Committee

3. Item 1.8.3 from April 2022 Executive Board meeting

- a. Constitution, Bylaws, and Procedures (CB&P) Committee to update the “CFP Biennial Meeting/Conference Procedures” document with the policy change regarding membership effective dates and submit the revised document for Board review and approval.
- b. CB&P Committee to draft an Issue for the 2023 Biennial Meeting to amend the governing documents to reflect the membership effective date change.

4. Item 1.8.3 from April 2022 Executive Board meeting

- a. Constitution and Bylaws/Procedures Chair to work with the Executive Assistant to ensure concerns addressed on pages 3-4 in the Executive Assistant’s report are merged with activities related to document review and retention.
- b. CB&P Committee to start review of Policy documents prior to Position Descriptions so that they can provide assistance and direction to the Ad Hoc Committee that will be created April 2023.
- c. At the April 2023 Board Meeting, an ad hoc committee is to be created for the 2023-2025 biennium to address concerns regarding document retention.

COMMITTEE WORK PLAN AND TIMELINE:

1. Harmonize the CFP Biennial Meeting/Procedures document with the 2021 delegate approved Constitution and ByLaws.
2. Evaluate current policies (2) regarding record retention. Develop CFP document spreadsheet and evaluate those documents pursuant to record retention and provide recommendations.

COMMITTEE ACTIVITIES:

1. Dates of committee meetings or conference calls:

- a. Meetings taking place biweekly: 4/5, 4/19, 5/3, 5/17, 6/7, 6/21, 7/5, 7/19, 8/2, 8/16, 8/30.
- b. Meetings to occur on 9/20/22 & 10/18/22 to accomplish charges.

2. Overview of committee activities:

- a. The CB & P Committee formatted and reorganized the CFP Biennial Meeting/Conference Procedures document as well as harmonized with the current version of the CFP Constitution and Bylaws. The completed draft is a step-by-step process of the CFP's Biennial Meeting and Conference Procedures that a new member could use and understand what and how things take place. Our objective was to provide clarity while being explanatory in this functional procedural document.
- b. Looked at 2 current policies regarding record retention. Developed CFP document spreadsheet using Executive Assistants Board report list. Created standard 8 questions for evaluation of each document on the spreadsheet. Collected recommendations throughout the process to aid in developing final recommendations.
- c. Chair and Vice Chair conferred on item 1.8.3 regarding registration policy change provided to Conference Chair & Vice Chair June 3, 2022.
- d. Vice Chair attended 5-6-22, 6-3-22, 7-15-22, 8-5-22 Local Regulatory Representation Committee meetings.

3. Charges COMPLETED and the rationale for each specific recommendation:

- a. Draft version of CFP Biennial Meeting/Conference Procedures document completed and unanimously approved by committee.
- b. Item 1.8.3 registration policy change.

4. Status of charges still PENDING and activities yet to be completed:

- a. Providing report regarding record retention and two existing policies.

COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:

Board Action is NOT required and therefore the report can be placed on the consent calendar for Board review and acceptance.

Board Action is required for some provision(s) of this report and therefore a verbal report needs to be presented at the Board Meeting.

1. Acknowledgement of Brenda Bacon's constituency changing from Industry to Emeritus.
2. Approval of draft CFP Biennial Meeting/Procedures document.
3. Rescind unconstitutional action items put in place from April 2022 Executive Board meeting.
4. Approval of draft changes to the CFP Constitution and Bylaws Article III Section 4.
5. Approval of draft changes of Constitution and Bylaws Article XV Section 1. Subsection 2.

ATTACHMENTS:

1. Content Documents:

1. Committee Member Roster: See changes noted above under "requested action" No changes to previously approved roster "Committee Members Template" (Excel) available at: [www.foodprotect.org/work/Committee roster](http://www.foodprotect.org/work/Committee%20roster) to be submitted as a PDF attachment to this report.

2. Committee Generated Content Documents:

- a. Draft of proposed CFP Biennial Meeting/Procedures document.

- b. Constitution and Bylaws Article III and unconstitutional EB action item.
- c. Draft change of Constitution and Bylaws Article III Section 4. (membership)
- d. Draft change of Constitution and Bylaws Article XV Section 1. Subsection 2. (committees)

Supporting Attachments (OPTIONAL): *Not applicable*

- 1. Submission form of Issue Amending the Conference for Food Protection Constitution and Bylaws 2021, Article XVI Duties and Responsibilities of Committees, Section 3 as approved by EB ON May 17, 2022.

Item 3.2b

2012-2014 Issues Committee Roster

Committee Name Constitution, Bylaws and Procedures								
Last Name	First Name	Position (Chair/Member)	Constituency	Employer	City	State	Telephone	Email
Sarocco-Smith	Davene	Chair	Emeritus		Dallas	GA	440-476-2429	davenesarocco@yahoo.com
Dunleavy	Sean	Vice Chair	Emeritus		Howell	MI	517-861-7991	sdunleavy67@gmail.com
Bacon	Brenda	voting	Emeritus 7-22					baconbc@outlook.com
Sanchez	Angela	voting	Industry Retail Food	Amazon	Nashville	TN		ajaynethomas@yahoo.com zanglas@amazon.com
Woodbury	Thomas	Voting	Industry Support	ComplianceMate	Holladay	UT	801-330-9511	thomas.g.woodbury@gmail.com
Sparks	Christopher	voting	Local Regulatory	Houston Health Dept.	Houston	TX		christopher.sparks@houstontx.gov
Burns-Savage	Nikki	voting	Local Regulatory	Southern Nevada Health District	Las Vegas	NV		ntburns@cox.net
Cartagena	Mary	FDA Consultant	Federal Regulatory				240-402-2937	Mary.Cartagena@fda.hhs.gov
Lewis	Glenda	FDA Alternate	Federal Regulatory				240-402-2150	Glenda.Lewis@fda.hhs.gov
Hazard	Tennetta	USDA Consultant	Federal Regulatory					Tennetta.hazard@usda.gov

CONFERENCE FOR FOOD PROTECTION



BIENNIAL MEETING/CONFERENCE PROCEDURES 2022

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Revised & EB approved

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Conference for Food Protection Biennial Meeting/Conference Procedures

I. Introduction

- A. CFP Biennial Meeting/Conference Procedures are intended to supplement the Constitution and Bylaws in the conduct of Conference meetings and other Conference business.

II. ~~Conference~~/CFP Biennial Meeting Orientation

- A. A brief orientation shall be conducted for attendees at the beginning of the CFP Biennial Meeting. The orientation is solely for the purpose of explaining and answering questions relative to the structure of the Conference and procedures governing its operation.

III. Conference Issues

- A. Interested persons may submit Issues pertaining to food safety to the Conference. Issues may also be created as an 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.)
- B. Issue Submission Process
 1. Instructions for Issue submission can be found in the current version of the Issue Preparation and Review Process Checklist on the CFP website.
 2. By the designated deadline, all Standing Committees are required to submit their final committee report, prospective Issue(s), and any **Content and Supporting Documents** ~~accompanying documents~~ to the **Executive Director and Conference Chair** for review and approval. Standing Committee final reports are required to be submitted as an Issue ONLY when Council action is required (e.g., to ~~approve or~~ modify the **CFP Constitution & Bylaws, Voluntary National Retail Food Regulatory Program Standards, Food Protection Manager Certification, etc.**) ~~a CFP governing document or policy~~).
 3. By the designated deadline, all Council Committees ~~by the designated deadline~~ submit their final committee report, prospective Issues, and any **Content and Supporting documents** to the **Council Chair** for review and approval. Council Committee final reports are required to be submitted as an Issue.
 4. ~~Attached Material to Issues~~ Attachments to an Issue may include any **Content Documents and/or Supporting Documents**.

- a. Content Documents are documents that are developed by a CFP Committee.
- b. Supporting Documents are documents that support the Content Document and the Issue's Recommended Solution.
 - i. Supplemental reports, studies and other written materials ~~required to~~ **that support** and help explain an Issue should be submitted as an attachment to that Issue or as a link to an existing document on a publicly accessible website ~~to ensure timely review by the Councils. If that is not possible, written materials~~ relating to an Issue may be made available to Council and Assembly members during CFP biennial Meeting deliberations. Sufficient copies must be provided by the presenters for the Council members and provided in advance to the Council Chair for distribution.

C. **Issue Submission** Acceptance Criteria

1. In order for the Issue to be accepted by the Conference and considered for Council deliberation, all sections of the form must be completed and meet the criteria in **the current version of the Issue Preparation and Review Process Checklist on the CFP website**. The Issue must be described completely, with its impact(s) ~~on retail distribution~~ on the production, processing, packaging, distribution, sale, and service of foods identified.
2. When the recommended solution is to change the wording of a document, such as the Food Code or a Conference document, the portion of the document to be changed must be accurately identified, the change that is requested must be specified (e.g., actual language for replacement, addition, change or deletion), and the recommended language provided.
3. A late-breaking food safety Issue submitted after the deadline may be considered for assignment to a Council if it has first been presented to the ~~Conference Executive Board~~ for review and ~~acceptance~~ approval. The ~~Conference Executive Board~~ shall inform the Issue Chair of its decision to accept or reject any Issue submitted after the Issue deadline.
4. Committee submitted documents may impact the image, credibility and integrity of the Conference as an organization.
 - a. With the exception of material that has been copyrighted and/or has registration marks, committee documents submitted to the ~~Executive Board~~ **online through the Issue Management Program**, including all

work products (Issues; reports; and Content Documents) generated by a Conference Committee become the property of the Conference.

5. **Independent entity** Issues **and** Supporting Documents submitted to the Conference ~~by an independent entity or individual~~ reflect only the submitter's ideas, values, opinions, and findings and those documents do not become the property of the Conference.

- a. An independent entity or individual who submits an Issue with attached Content documentation gives their automatic consent to the Conference to publish that information for dissemination and deliberation.

D. Issue **Submission** Rejection Process

1. All Issues must be received ~~in final form~~ **and meet the criteria for acceptance as specified in the current version of the Issue Preparation and Review Process Checklist** by the deadline date. If an Issue received prior to the deadline date does not meet the criteria ~~set forth in IV.B. the Issue Chair will make a reasonable attempt to contact~~ the Issue Chair will notify the submitter in writing that the Issue cannot be accepted as currently written and will be rejected. ~~if not submitted in a finished form the submitter with a brief explanation of the problem. Failure of the submitter to correct and/or resubmit the Issue prior to the deadline date will result in rejection of the Issue.~~
 - a. ~~Issue Chair will notify submitter in writing that Issue cannot be accepted as currently written and will be rejected if not submitted in finished form.~~
 - a. Notification ~~to~~ **will** include specific required changes, deadline date, reference to Issue acceptance criteria, ~~and a recommendation that the Issue can be rewritten and referred to a committee if unable to finalize language.~~
 - b. If ~~the~~ Issue was submitted by a **CFP Council Committee or Standing Committee**, the respective Council Chair ~~will also be notified; and the Executive Director will be notified respectively.~~ **respectively.** regarding Issues submitted by Standing Committees.
 - c. If ~~the~~ submitter is non-responsive, ~~he/she~~ **they** will be notified a second time by the Issue Chair that the Issue ~~will be~~ **is being** rejected ~~if not submitted in a finished form.~~
2. If no response is forthcoming from the submitter after the second notification, the Issue Chair will notify the ~~Executive~~ Director that the Issue is pending rejection.

- a. The ~~Executive~~ Director will evaluate the Issue Chair recommendation for rejection and agree or disagree based on the criteria ~~spelled on in the Conference Procedures~~ for Issue acceptance. The ~~Executive~~ Director may elect to contact the submitter directly.
 - b. If the ~~Executive~~ Director agrees with the Issue Chair's decision to reject, they ~~he/she~~ will forward the Issue to the Conference Chair and Vice Chair for their review.
 - c. The Conference Chair and/or Vice Chair may elect to contact the submitter directly to determine if ~~he/she~~ **they are** is willing to bring the Issue into compliance; ~~thus, the submitter may have one last chance.~~
 - d. If the Conference Chair **and** ~~or~~ Vice Chair do not choose to contact the submitter, the Issue will be rejected.
 - e. If the Conference Chair and Vice Chair disagree as to whether the Issue should be rejected, the matter will be referred to the ~~Executive~~ Board for resolution.
 - f. If the ~~Executive~~ Director disagrees with the Issue Chair and determines the Issue as written meets the **issue criteria** for acceptance requirements, **they** ~~he/she~~ will send the Issue back to the Issue Chair with a written explanation; the Issue Chair may appeal such a finding to the ~~Executive~~ Board.
 - g. ~~At least forty (40) days before the Conference meeting,~~ The submitter of an Issue that does not meet the criteria for acceptance or is not in the jurisdiction of the Conference is notified by the ~~Executive~~ Director with a copy to the Conference Chair and the Issue Chair of the reason(s) why the proposed Issue ~~is not acceptable~~ **was rejected**. ~~A rejected Issue may be considered a "Special Issue" An Issue if accepted by the Board and submitted by the Board to the a Council at the beginning of the CFP Biennial Meeting.~~
3. A "Late Breaking" food safety Issue **can be** submitted after the deadline **and may be presented to the Board**. **The Board may then review and may be** considered for assignment to a Council ~~if it has first been presented to the Board for review and acceptance.~~ The Board shall inform the Issue Chair of its decision to accept or reject any Issue submitted after the Issue deadline.

E. Issue ~~Submission~~ Withdrawal Criteria

1. The Issue submitter can remove the issue from the Conference before it has been assigned by the Issue Committee to a Council. ~~Once it has been assigned to a Council the Issue has to be deliberated by Council. The submitter can reach out to the Council Chair for guidance on how to proceed.~~

F. ~~Accepted Issues Committee~~ Assignment of Issues to Councils

~~Immediately after the deadline for Issue submission, the Issue Chair reviews submitted Issues for their compatibility with the Conference objective, as stated in the Constitution and Bylaws, and for their public health significance and completeness.~~

~~The Issue Chair consults with Issue submitters as needed. Those Issues fulfilling the criteria for acceptance are numbered and assigned to one of three Councils for consideration at the CFP Biennial Meeting:~~

1. The Issue Committee, Council Chairs and Vice Chairs, Constitution and Bylaws Chair and Vice Chair, Conference Chair and Vice Chair work together to assign the Accepted Issues in the appropriate Council for deliberation.

Council I Laws and Regulations

Council II Education, Certification and Administration

Council III Science and Technology

G. Numbering of Issues

1. Each Issue is given a number. The number shall reflect the year, Council assignment, and the sequence within that Council. For example, ~~Issue 1998-III-15 was submitted for the 1998 CFP Biennial Meeting, and is the fifteenth such Issue assigned to Council III.~~ ~~Issue 2020 II-003 was submitted for the 2020 CFP Biennial Meeting and is the third Issue assigned to Council II.~~

H. Issue Packet

1. ~~An Issue Packet shall be sent to~~ ~~At least 40 days preceding the CFP Biennial meeting,~~ all Conference members ~~electronically receive notification that the Issue Packet is available on the CFP website.~~ The Issue Packet contains Issues arranged in the order assigned by the Issue Committee. ~~although the order may be rearranged prior to or during Council meetings based on a variety of considerations.~~

IV. Councils

A. Council Member Application Process

1. New Council members and alternates are selected for the next CFP Biennial Meeting from the applications submitted to the ~~Executive Director~~. All selected Council members and alternates will receive notification of their appointment from the Conference Chair ~~through the Executive Director~~.

B. Meeting Arrangements

1. Council Chairs, **Council Members, and Parliamentarians will** meet prior to the Issue deliberation to review and have a common understanding of uniform procedures to be followed during the Council meetings. ~~This meeting is chaired by the Constitution and Bylaws/Procedures Committee Chair and the Parliamentarian will be present to answer any questions.~~
2. A meeting room is assigned to each of the Councils for the duration of the CFP Biennial Meeting. Should Councils wish to meet at other times than scheduled, a notice must be posted as to when and where so all attendees are advised. In addition, the ~~Executive Director~~ must **also** be notified. ~~of such a meeting. The Executive Director and the Chair of the Local Arrangements Committee shall assist in arranging a room.~~
3. Councils will post, ~~in a conspicuous place~~, agendas that show the sequence in which the Issues will be ~~discussed~~ **deliberated** and will update the agenda as they dispense with each Issue. This allows a submitter or interested parties to move from Council to Council to present multiple Issues, if necessary. If there are conflicts in agendas, i.e., where two or more Issues that were submitted by the same person are scheduled for discussion at the same time, the submitter should notify the Council Chairs as soon as a conflict is identified. The Council Chairs will make every effort to rearrange their agendas to accommodate presentation of the Issues by the submitter or the submitter's representative.

C. Conducting Business

1. **Seated at the table are the Council Chair and Vice Chair, Parliamentarian, Council members, and Council Consultants as defined in the current version of the CFP Constitution and Bylaws.**
 - a. **Position Descriptions for everyone seated at the table, with the exception of the Council Consultants, are available on the CFP**

website.

2. Each Council has a Scribe and App Liaison.

- a. The Scribe is pre-selected by the Conference Chair and assigned for the purpose of noting significant information and recommendations generated in each Council. The Scribe should be reasonably free of advocacy positions with the respective Council.
- b. The App Liaison is appointed by the Conference Chair and assigned to disseminate information on the status of Issues using a mobile app.

3. Rules

- a. ~~Before beginning Council deliberations, each Council chair announces the respective rules to be followed, in addition to Robert's Rules of Order, reviews the agenda, schedules, limits of time for deliberation on each Issue by an individual, voting on Issues (i.e. acceptance, no action or referral) and any other pertinent information.~~

Before beginning Council deliberations each Council Chair announces pertinent information and the respective rules to be followed:

- i. Anti-Trust Statement
- ii. Robert's Rules of Order
- iii. Voting on Issues (accept, no action, referral)
- iv. Limits of time for each Issue's deliberation including submitter's presentation time limit

4. Referral of Issues to another Council

- a. If a Council decides by a ~~simple~~ majority vote that it is necessary to refer an Issue to another Council, the Council Chair immediately notifies the Issue Chair. The Council Vice Chair works with the Issue Chair to ensure that the Issue ~~as submitted~~ and all ~~supporting documentation~~ **Content and Supporting Documents** and rationale for reassignment ~~is successfully communicated and assigned~~ to the new Council. The Issue Chair reassigns the Issue and confirms that a notice has been posted ~~on the agendas of all involved Councils.~~ Sufficient copies of ~~The~~ reassigned Issue shall be provided to the ~~new~~ **reassigned** Council for its use in reviewing the Issue. ~~A reassigned Issue is generally considered at the end of the Council agenda or can be grouped with like Issues.~~ **The reassigned Council determines when to hear the reassigned Issue. Generally, it is considered at the end of the Council's assigned Issues.**

5. Presentation of the Issue to Council

- a. The submitter of each Issue, or the submitter's representative, is afforded the opportunity to verbally present the Issue to the Council ~~as it is opened for discussion and to address questions that arise during its deliberation.~~ after the Council Chair announces each Issue. Once a motion is made and deliberation begins the submitter can address questions from the Council members.

6. Council Deliberations ~~and Voting Process~~

- a. Councils deliberate Issues beginning with Issue 001. Should any Council member wish to change the order of ~~discussion~~ **deliberation, or group issues together**, the Council Chair requests a vote by the Council. If acceptable, the Council Chair tells the audience and posts a **notice** with the changes.
- b. ~~The Council Chair reads each Issue to the Council and entertains a motion and a second in order to bring the Issue to the floor for discussion. For discussion purposes, the council chair recognizes members of the council first, the submitter and then those in the audience. Should members of the audience wish to be recognized by the chair, they need to raise their hand, await recognition by the chair, and then step forward to address the Council. The audience may come and go in an orderly fashion should they wish.~~

The Council Chair reads each Issue to the Council and entertains a motion and a second in order to bring the Issue to the floor for deliberation. For deliberation purposes, the Council Chair recognizes members of the Council first, the submitter and then those in the audience. Should members of the audience wish to be recognized by the Council Chair, they need to:

- i. In a virtual format, raise their hand and await recognition by the Council Chair. Once recognized, unmute their microphone, address the Council and then return the microphone to mute.
- ii. In a live format, approach any Council member, preferably before they are seated at the table, and ask if they will recognize you so you may speak about a specific Issue. The Council member once called upon will yield the floor to you and once the Council Chair recognizes you, you will be given the allotted time to speak on that Issue.

7. Council Voting

- a. The following recommendations can be made by a Council and shall begin with the phrase “The Conference recommends...”

~~ACCEPT AS WRITTEN~~ **SUBMITTED**

~~Goes to Assembly of State Delegates as submitted.~~

ACCEPT AS AMENDED

~~Goes to Assembly of State Delegates as submitted.~~

NO ACTION

~~Goes to Assembly of State Delegates as submitted, with reason for “No Action”~~

8. Consensus Building Meetings

- a. The Council Chair may direct Consensus Building meetings be held outside of scheduled Council time to modify verbiage of an Issue to conserve Council time. The meeting participants may include Council members, Issue submitters, and any other individuals as directed by the Council Chair. The result of the Consensus Building meeting is brought back to Council for continued deliberation.

9. Participation in Other Council Meetings

- a. Council members can leave their meeting to participate in other Council meetings for a particular Issue. Council Chairs should be informed ~~told beforehand~~ **in advance of this taking place.** ~~by their members if they are going to do this.~~ Councils post an agenda of Issues along with action status to keep attendees informed and to facilitate scheduling for attendee. Council members are encouraged to participate in all deliberations in their assigned Council.

D. Council Reports

1. Upon conclusion of the Council meetings, each Council prepares a report. Each report will have two parts:
 - a. Part I: Issues that were recommended “~~Accepted-As-Written~~ **Submitted**” and Issues that were recommended “~~Accepted~~ As Amended”
 - b. Part II: Issues that were recommended as “No Action”

2. These reports are ~~duplicate~~ and distributed to the CFP Biennial Meeting attendees and posted on the CFP website before the Assembly of State Delegates session.

V. ~~Caucus/Consensus-Building~~ Meetings

- A. ~~Caucus and consensus-building~~ meetings are held at various times during the CFP Biennial Meeting for five groups: academia, consumers, local regulatory agencies, state regulatory agencies, and industry. These meetings enable constituent groups to discuss Issues and elect representatives from their respective constituencies to fill current or pending vacancies on the Board.

VI. ~~Assembly of Delegates~~

- A. Members of the Assembly must be 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.

B. Role of the Assembly

1. The Assembly is to accept, reject, or extract recommendations from the three Councils, including amendments to the CFP Constitution and Bylaws.

- C. Resolutions that have been submitted in writing and have received prior approval by a majority of the Executive the Board shall be presented for voting at the Assembly meeting.

D. Council Reports

1. The Council Chairs present their reports to the Assembly in sequence beginning with Council I, Part I of each Council report is presented first by each Council. After the Part I portion of the reports is completed the Part II portion follows. followed by Council II and ending with Council III.

2. Each Council Chair will structure their report as follows:

- a. Part I: Issues that were recommended “Accept as Submitted” and Issues that were recommended “Accept as Amended”.

- b. Part II: Issues that were recommended “No Action”.

- c. Part III: Issues that were recommended to change the CFP Constitution and Bylaws. (Only applicable to Council II Chair.)

3. The delegates are asked to identify any Issues from **all** the Council reports they wish to extract for individual discussion.
 - a. Each extracted Issue before the Assembly can be discussed for clarification prior to a vote. Extracted Issues can not be amended by the Assembly.
 - b. The Conference Chair asks for a motion to Accept the Council recommendation for each **individual** extracted Issue. A second to the motion is requested for each extracted Issue.
4. Delegate voting options **for the Council reports** include “Yes”, “No”, or “Abstain”.
 - a. If a majority (~~simple or two thirds as prescribed in the Constitution~~) of the voting delegates vote “Yes” on Issues “Accept as Submitted” or “Accept as Amended” by the each Council (~~contained in Part 1 of the Council Chair’s report to the Assembly of State Delegates~~) the action recommended by the each Council will be taken **by the Conference**.
 - b. If a ~~simple~~ majority of delegates vote “No” on any Issues “Accept as Submitted” or “Accept as Amended” by the Council (~~contained in Part I of the Council Chair’s report to the Assembly of State Delegates~~) the Conference will take no action on the Issue.
 - c. If a ~~simple~~ majority of the voting delegates vote “Yes” on Issues on which the Council took “No Action” (~~contained in Part 2 of the Council Chair’s report to the Assembly of State Delegates~~) the Conference will take no action on the Issue.
 - d. If a ~~simple~~ majority of the voting delegates vote “No” on Issues on which the Council took “No Action” (~~contained in Part 2 of the Council Chair’s report to the Assembly of State Delegates~~) the issue shall be referred to the ~~Executive~~ Board for consideration. The ~~Executive~~ Board will then determine the appropriate action to be taken.
 - e. **If two thirds (2/3) of the delegates vote “Yes” to accept Issues involving the CFP Constitution and Bylaws Issues dealing with the Constitution and Bylaws and Procedures of the Conference are automatically extracted from the Council II the report. then the changes will be made to the CFP Constitution and Bylaws document.**
5. The Conference Chair asks for a motion to Accept the Council reports minus the extracted Issues. After the motion is made, the Conference Chair requests

a second to the motion. The Council report minus the extracted Issues, is voted upon. ~~Voting options are Yes, No or Abstain.~~

6. Any delegate may request the Conference Chair to take a role call vote for any Issue.
7. Any delegate may request the Director to announce the final vote totals on any Issue to the delegation. ~~and recorded in the Conference minutes.~~

VII. Extracted “No Action” Issues

- A. Extracted “No Action” Issues that are rejected by the Assembly ~~during the biennial meeting~~ are referred to the Executive Board for its consideration. The Executive Board shall ~~deliberate~~ discuss the extracted “No Action” Issue with the option to form a small Adhoc Committee of no more than eight voting members to further ~~deliberate~~ discuss ~~this~~ the Issue as needed, and provide a final recommendation by ~~the next calendar meeting~~ of the Board ~~meeting following the CFP Biennial Meeting~~.
1. Whenever possible, the Adhoc Committee shall include a member of the Assembly ~~of Delegates~~ who voted to reject the “No Action” and the individual who submitted the original Issue to the Conference, provided that individual is a member of the Conference for Food Protection. The other ~~Executive Board~~ members on this committee shall be comprised of Board members ~~representing both regulatory and industry constituencies and equal regulatory and industry members along with~~ members may be selected from any other constituency as necessary to provide balance and direction to the Adhoc Committee dependent upon the Issue.
 - a. The CDC, FDA, or USDA, if not serving as a voting member, may appoint a non-voting consultant to the Adhoc Committee with an emphasis on expertise specific to the Issue.
2. The actions that may be taken by the Executive Board include:
 - a. A confirmation of “No Action” ~~and no further action is taken;~~
 - b. ~~Reject the Assembly “No Action” decision~~ Support of the Assembly ~~rejection with a recommendation to~~ and forward the Issue to an existing or created committee to ~~deliberate~~ discuss and resubmit the Issue at the next CFP Biennial Meeting;
 - c. And other appropriate actions as the Board determines.

VIII. Committees ~~Members~~ Selections ~~Sign-Up~~

- A. Conference members interested in working on Council Committees and Standing Committees will be offered the opportunity to provide an application with their specific interests. Email notification will be sent to all current Conference members notifying them of the committees available within two weeks of completion of the CFP Biennial Meeting. The opening and closing date for the application with their specific interests will also be included. This opportunity shall be available for 30 calendar days.
 1. After the committee formation process is completed, and only during the ~~first year of the biennium~~, 12 months following the CFP Biennial Meeting, a new CFP member may request appointment only as a ~~an at-large~~, non-voting member on a CFP Council or Standing Committee.

IX. All Committees

- A. Committees ~~may~~ convene during the two years ~~before~~ ~~between~~ the Conference CFP Biennial Meetings. ~~to complete discussions of the Issues assigned to them.~~
- B. Committee Chair
 1. A Committee Chair's term shall be from appointment ~~and last~~ through ~~adjournment of the next CFP Biennial Meeting~~ ~~the Executive Board Meeting following the next CFP Biennial Meeting.~~ ~~Committee charge is completed or until replaced, whichever occurs first.~~ Under direction and guidance from the Council Chair,
 2. Committee Chairs shall develop a work plan and establish time frames to accomplish their work plan. A Committee Chair may appoint subcommittees in order to accomplish the work plan.
 3. The Committee Chair shall promote mutual respect and trust by establishing a working liaison among governmental agencies, industry, academic institutions, professional associations, and consumer groups concerned with food safety.
- C. Committee Member
 1. Committee Member's term shall be from appointment through adjournment of the next CFP Biennial Meeting.

D. Duties of Committee Members and the Committee Chair

1. **Voting and non-voting alternate** committee members shall make every effort to attend meetings and participate ~~in conference calls.~~
2. Before beginning committee meetings, each Committee Chair announces the respective rules to be followed, ~~in addition to Robert's Rules of Order,~~ **reminder of Anti-Trust statement**, reviews the agenda, and any other pertinent information.
3. Only voting members of the committee can vote on items brought before the committee. A quorum must be participating to adopt a motion. A quorum is defined as a ~~simple~~ majority of **voting** committee members.
4. **All** committee members shall have the responsibility to notify the Committee Chair of their inability to attend a committee meeting ~~or participate in a conference call at least fifteen days prior to the scheduled meeting or conference call.~~
5. **All** committee members shall have the responsibility to complete work assignments within the time frames designated by the Committee Chair (s) or to notify the Committee Chair ~~or the Committee Chair's designee~~ of their inability to complete a work assignment.
6. If **voting** committee members are unable to fulfill their obligation, they are to notify the Committee Chair immediately so that the Committee Chair may appoint a **non-voting alternate to a voting member status.** ~~replacement.~~ Members who are unable to attend a meeting may not send a substitute, but may forward material for committee consideration. **to the Committee Chair.**
7. A committee member who does not participate in ~~two consecutive meetings and/or conference calls~~ shall have their continued participation as committee members assessed by the Committee Chair and evaluated by the committee. The committee member may be subject to removal from the committee.
 - a. Removal of a committee member for failure to perform duties as specified **in the current version of CFP Biennial Meeting/Conference Procedures document,** ~~above~~ shall require the concurrence ~~to~~ of 2/3 of the voting members of the committee. ~~to generate a recommendation for~~ **The** removal ~~that is then~~ forwarded to the Board for review and determination of action.

E. Committee Reports

1. Periodic Status Report

- a. The Conference Chair or the Chair's designee establishes a calendar for submission of ~~interim and final~~ committee reports.
- b. ~~Council~~ Committee Chairs shall submit ~~an interim~~ status reports of committee activities to the Conference Chair **or Council Chair** no later than thirty (30) days prior to each ~~Executive Board~~ meeting that does not coincide with a **CFP Biennial Meeting**.
- c. The Conference Chair can send a report back to a ~~Council~~ Committee Chair with a request that a committee work further on its report.
- d. ~~Council~~ Committee **Chair and Council Chair** shall be prepared to discuss the ~~interim~~ report(s) at each ~~Executive Board Meetings~~.

F. **Committee's Final Report**

- 1. All Committee Chairs and Council Chairs submit a Final Report to the Conference Chair.

X. **Additional Considerations for the Composition and Scope of Council Committees**

- A. **Council** Committees shall be created based on recommendations from Councils and approved by the ~~Assembly~~ Delegates.

- 1. Council Chairs shall submit ~~for the Board approval~~ the names of the **Council Committee Chairs for Conference Chair acceptance**.

B. **Council Committee Membership**

- 1. Whenever possible, depending upon the nature of the Issue, membership of the **Council** Committees should be made up of representatives from around the country and from regulatory, industry, consumers, and academia. No more than one person per agency, company, or organization may serve as a voting member on a Council Committee.
- 2. A CFP member may serve as a voting member on no more than one Council Committee during a biennium.
- 3. CFP members who are not selected to serve as a voting member of a Council Committee may serve as ~~an at-large~~, a non-voting member on no more than two Council Committees during a biennium.

4. Section “X. B. 2” and “X. B. 3.” of this document may be suspended at the behest of the Board with 2/3 majority of the Board to drive effective Council Committees and achieve Conference objectives.
5. Federal partner agencies (FDA, USDA, and CDC) can appoint consultants who **have expertise specific to an Issue** who are not CFP members. ~~Federal partner agencies (FDA, USDA, and CDC) can appoint consultants who are not CFP members to a Council Committee who has. for the 2018-2020 biennium. No more than one non-member consultant will be permitted per agency per Council Committee.~~

C. Council Committee Membership Approval Process

1. ~~Council Committee Chairs shall submit the names of membership of all Committees~~ Council Committee members to the Council Chair.
2. The Council Chair submits the Council Committees’ members to the Board for approval no later than the ~~assigned to the Council by the Executive Board~~ meeting following the CFP Biennial Meeting.

D. Council Committee Scope of Work

1. ~~Committees may convene during the two years before the Conference meeting to complete discussions of the Issues assigned to them. The assignments are a result of previous Council recommendations that were passed by the Assembly of Delegates. Committees can also convene just prior to the Conference meeting at the Conference meeting site. The Council Committee’s scope of work is limited to charges accepted by the Assembly.~~
2. ~~Committees may address new Issues, i.e., Issues submitted for the current year’s meeting, which have been assigned to the Council, if the Council Chair and Vice Chair deem it appropriate. The Conference Vice Chair works with each Council Committee Chair to ensure that Council Committees work on their assigned charges and report back to their respective Councils in a timely manner.~~
3. If a Council Committee ~~deliberates~~ **discussed** an Issue and by majority vote determines that clarification of the Issue is needed, ~~specificity of Issue parameters for completion of Issue charges is needed, or that an Issue charge exceeds the mission of the Conference,~~ the Council Committee ~~may~~ **will** seek guidance from the ~~Executive Board~~ through the Council Chair.
 - a. ~~The Council Chair shall submit the identified concerns with the Committee’s recommendation for clarification of the Issue to the Executive Board for review and deliberation. On behalf of the Assembly, the Executive Board may provide necessary clarification of~~

direction or purpose of the Issue charge to maintain the Conference mission. All pertinent correspondence between the Council Committee and the Executive Board shall be included in the Council Committee's final report and presented to the Council at the next CFP Biennial Meeting. The final report shall also include documentation and clarification regarding the original charges.

XI. Additional Considerations for the Composition and Scope of Standing Committees

1. ~~The following standing committees shall be established: the Audit Committee; Constitution, Bylaws and Procedures Committee; Finance Committee; Issue Committee; Food Protection Manager Certification Committee; Nominating Committee; Program Committee; Program Standards Committee; Publications Committee; Resolutions Committee; and Strategic Planning Committee.~~
 - A. The Standing Committees are listed and explained in the current version of the CFP Constitution and Bylaws.
 1. The Conference Chair appoints the Standing Committee Chairs.
 - B. Standing Committee Membership
 1. Whenever possible, membership of the Standing Committees should be made up of representatives from around the country and from regulatory, industry, consumers, and academia.
 - C. Standing Committee Members Approval Process
 1. The Standing Committee Chairs shall submit the names of Standing Committee members to the Board for approval no later than the Board meeting following the CFP Biennial Meeting.
 - D. Standing Committee Scope of Work
 1. The scope of work is in the current version of the CFP Constitution and Bylaws.
 2. The assignments can also be a result of Council recommendations that were passed by the Assembly.
 3. The Board can charge a Standing Committee with work as necessary to accomplish the Conference objective.

XII. Conference Recommendations Relating to the FDA Food Code

A. ~~Conference recommendations to State and local governments and others that pertain to retail food protection matters and that may therefore have relevance to the FDA Food Code are conveyed to the FDA in the following manner. Conference recommendations that have relevance to the FDA Food Code will be conveyed to the FDA, USDA, and CDC in the following manner:~~

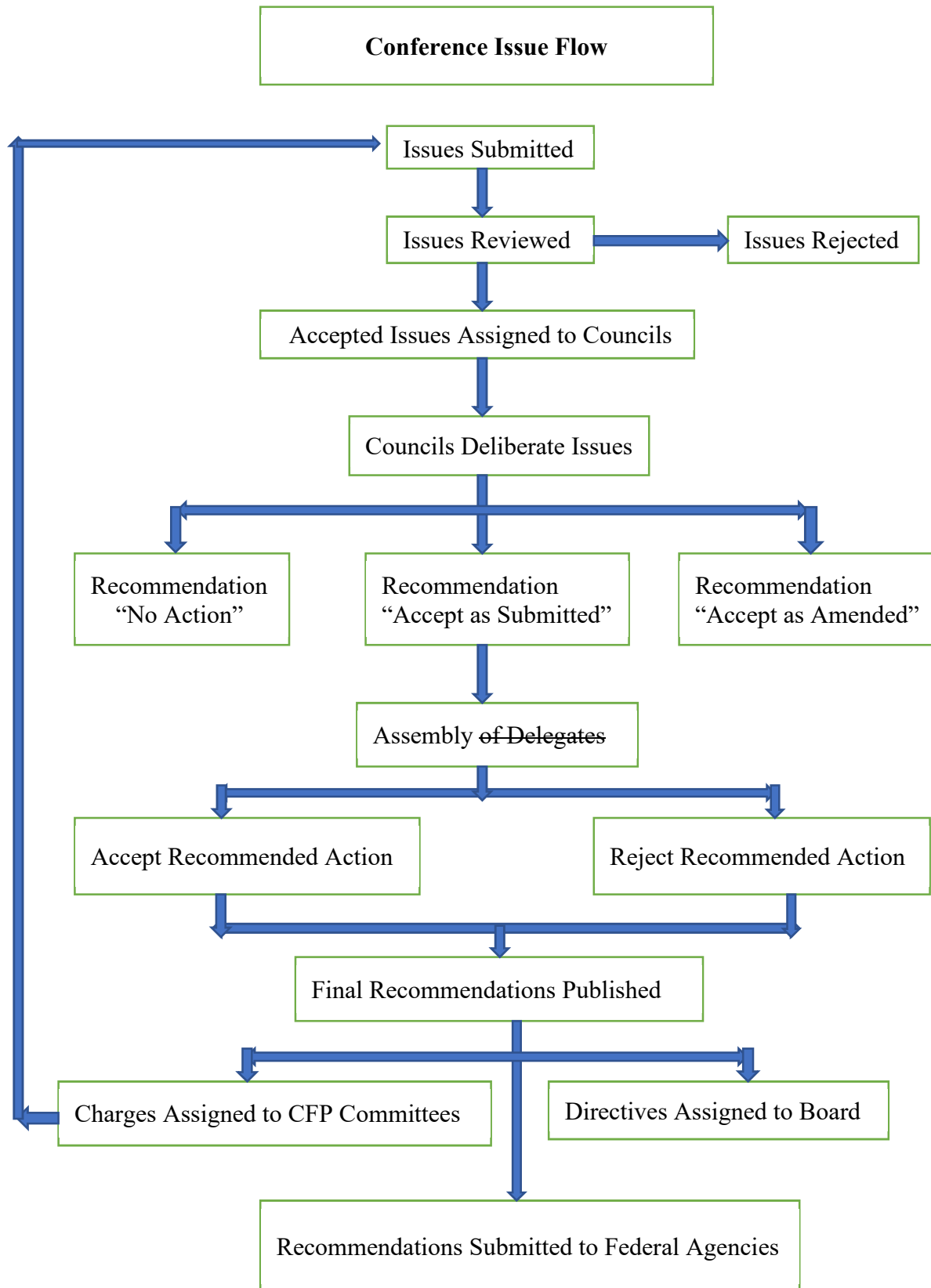
1. ~~The Conference Chair will convey to the FDA and USDA any recommendations that relate to the Food Code within 45 days of the CFP Biennial Meeting. Within 45 days of the CFP Biennial Meeting, the Conference Chair will send a letter to each federal agency with the Conference recommendations.~~
2. ~~The FDA and USDA will review and reconsider any material forwarded by the Conference. The FDA and USDA will respond in writing to the Conference Chair on each recommendation from the Conference. The FDA and USDA will make every effort to provide these written comments within 60 days of its receipt of the recommendations. The federal agencies will respond in writing, if applicable, to the Conference Chair on each recommendation from the Conference. The federal agencies will make every attempt to provide these written recommendations within 60 days of receipt.~~
3. ~~The FDA and USDA will be available to discuss any Issue with the Conference Executive Board in an effort to explore any concerns and identify mutually acceptable approaches for their resolution. The FDA and USDA will arrange to have appropriate staff available so that this discussion may occur at the Fall Board meeting following the CFP Biennial Meeting, unless by mutual agreement an earlier date is appropriate. The federal agencies will be available to discuss any Issue with the Board in an effort to explore any concerns and identify mutually acceptable approaches for their resolution. The federal agencies will arrange to have staff available so that this discussion may occur during the Board meeting following the CFP Biennial Meeting unless by mutual agreement an earlier date is appropriate.~~
4. ~~The FDA and USDA will provide a written update to the Conference Chair as a follow up on each recommendation no later than 6 months prior to the next CFP Biennial Meeting. The federal agencies will provide a written update, if applicable, to the Conference Chair as a follow up on each recommendation not later than four months prior to the next CFP Biennial meeting.~~
5. ~~The responses from the FDA and USDA will be posted on the Conference's website as soon as possible. Response letters from the~~

federal agencies will be posted on the Conference's website when received.

XIII. Temporary Adjustment due to the Pandemic

- A. ~~Current Executive~~ Board members as of July 2021 can serve (or complete if appointed as a replacement) one seven year term and no more than thirteen years if re-elected to the Board position for a consecutive second term. Existing language in Article IV of the Constitution and Bylaws shall apply to ~~Executive~~ Board members newly elected or appointed on or after August 19, 2021.

DRAFT



From April 2022 EB meeting minutes, Item 1.8.3 Action Item reads

Motion to approve the following as policy: (Jackson / Huffman)

1. Effective with the launch of registration for the 2023 Biennial Meeting:
 - a. Once online registration for the next biennial meeting is made available (e.g., October of even number years), membership for any new or non-contiguous member becomes effective the date payment is made (or the date payment is received if a check is mailed), and membership will be valid from that date through the entirety of the upcoming (new) biennium.
 - b. Prior to the launch of the next biennial meeting registration, all membership dues payments will be applied to the current biennium and that membership will expire on the day before the upcoming (new) biennial meeting.
 - c. All membership materials and applications will be updated to include this clarification.
2. This change will be added to the current version of the “CFP Biennial Meeting/Conference Procedures” document and voted on by the Executive Board to allow for implementation for the 2023 Biennial Meeting.
3. Charge the Constitution, Bylaws, and Procedures (CB&P) Committee with preparing a draft Issue for the 2023 Biennial Meeting to amend the governing documents to reflect this change.

Above motion passed with no objections and no abstentions.

Item 1.8.3 from the April 2022 EB Meeting was reviewed by CB & P Chair (Davene Sarrocco-Smith) and Vice Chair (Sean Dunleavy) and submitted on 6-3-22 to Conference Chair (Becky Vought) and Vice Chair (Todd Rossow). It was agreed to bring this information to the Fall EB meeting.

Constitution and Bylaws Article III Section 4 states:

“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.”

After reviewing the exact wording of the Constitution and how prescriptive the existing language is and after much discussion, it is the CB & P Chair and Vice Chair’s opinion that nothing can be added to the CFP Biennial Meeting/Procedure document to accommodate the concerns for this upcoming biennial without violating or being in direct conflict with our Constitution.

Therefore, the aforementioned Action items 1a, 1c, and 2 are Unconstitutional and can not be executed. Executive Board minutes must reflect this violation of the Constitution.

ARTICLE III SECTION 4 MEMBERSHIP

PROPOSED language change to the CFP Constitution and Bylaws submitted for October 2022 EB meeting.

CFP Constitution and Bylaws Article III Section 4

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.~~

Item 3.2f

ARTICLE XV SECTION 1. SUBSECTION 2. COMMITTEES

PROPOSED language change to the CFP Constitution and Bylaws submitted for October 2022 EB meeting.

CFP Constitution and Bylaws Article XV Committees

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 2. ~~Each Federal agency participants~~ (FDA, USDA, CDC) may appoint a consultant and an alternate for each committee. The consultants participate in committee discussions but does not vote. ~~Each Federal agency can choose An an~~ alternate that may act in the appointed consultant's place if the appointed 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 ~~person per Federal agency participant~~ who is a non-CFP member per Council Committee is permitted.