

**I. CALL TO ORDER**

The meeting was called to order at 8:03 AM by Chairman Mike Hickey.

**II. ROLL CALL**

Roll call was conducted by Ken Moore with the following Board members in attendance:

Kevin Begos (Alternate)	Industry – Region 4
Kathy Brohawn	Task Force I Chair
Robin Downey	Industry - Region 6
Paul DiStefano	FDA Representative
Bill Eisele	Office Manager
Steve Fleetwood	Industry - Region 2
David Fyfe	Northwest Indian Fisheries Commission
Spencer Garrett	NOAA
Johnathan Gerhardt	Non-Producing State
David Guilbeau	Regulatory – Region 5
William Hastback	Regulatory - Region 2
J. Michael Hickey	Regulatory Region 1
Lori Howell	Industry - Region 1
Bill Kramer	EPA Representative
Ken B. Moore	Executive Director
Chris Nelson	Industry – Region 5
Charles Newell	Regulatory – Region 4
Debbie Rouse	Regulatory - Region 3
Larry Simms	Industry - Region 3
Keith Skiles	Vice Chairman / Task Force II Chair
Dawn Smith (Alternate)	Regulatory – Region 6

Board members absent were:

Donna Garren	National Restaurant Association (Consumer Advisor)
Terri Gerhardt	Non-Producing State
Ed Watson	Non-Producing State
Robert Wittman	Program Chairman

Others Present:

Committee chairs, regulatory members, industry members, and others were also present.

**III. EXECUTIVE BOARD**

**A. Vacancies (Ken Moore)**

Ken Moore advised that representatives of Region 4 Industry had recommended the Executive Board appoint Tommy Ward (Florida) to the vacant Region 4 Industry Executive Board vacancy with Kevin Begos (Florida) as the alternate. A motion to approve was made by Charles Newell, seconded by Steve Fleetwood, and approved by the Board with a voice vote.

Ken Moore also advised that representatives of Region 6 Regulatory recommended the Executive Board appoint Maryanne Guichard (Washington) to the vacant Region 6 Regulatory

Executive Board vacancy with Dawn Smith (Oregon) as the alternate. A motion to approve was made by Robin Downey, seconded by Lori Howell, and approved by the Board with a voice vote.

**B. Recognition of Deceased Members (Mike Hickey)**

There was a moment of silence taken in recognition of members Jack Pingree, Roger Holbrook, John Volk, Guy Jackson, and Dan Leonard that had passed away during the previous year. A memorial video of Dan Leonard's life was shared with the Board.

**IV. MINUTES OF SEPTEMBER 11, 2008 MEETING**

Ken Moore advised that Board members had previously reviewed a draft of the September 11, 2008 minutes. A motion to approve the minutes as submitted was made by Lori Howell and seconded by Bill Hastback. The motion carried with a voice vote by the Board.

**V. INTRODUCTORY COMMENTS**

**A. Chairman**

Mike Hickey welcomed everyone and thanked the Board members and Committee members for their participation in the meetings.

**B. FDA**

Paul DiStefano reported on the following items:

- New specialist, Aaron Wozniak, in the Southeast Region; Pacific region will be hiring a third person; Total of 14 Shellfish Specialists
- CFSAN needs another water quality engineer in addition to Greg Goblick and Peter Pirillo; In process of hiring another lab person to assist Linda Chandler
- Total of 35 states (23 coastal and 12 inland) in the program with the addition of Michigan
- FDA has identified ~\$81,000 in additional funds earmarked for activities associated with *Vibrio*
- Don Kraemer indicated in the VMC meeting that FDA will investigate ways to obtain funding to assist in economic assessment study for *Vibriosis*; University of Florida has performed a validation study for an irradiation plant and FDA has concurred.
- FDA is in discussions with NMFS to develop an interagency agreement so NOAA can directly hire industry vessels to monitor federal waters during bloom season (PSP).
- Beyond our Borders Program has established three new foreign offices.

**C. NOAA**

Spencer Garrett reported on the following:

- NMFS is in the process of transferring \$75,000 to ISSC
- Administrative changes occurring in NMFS
- Projects monies will get very scarce for federal agencies
- Anticipates mandatory changes in inspection programs

**D. EPA – Bill Kramer**

- Presented a report outlining EPA's objectives and status on recreational criteria activities
- The presentation will be posted on the ISSC website.
- EPA/ISSC regional water quality workshop's held several years ago were beneficial to State's water quality and beach programs.
- Updates will be posted on EPA's website.

## VI. PROGRAM CHAIRMAN'S REPORT

### A. 2009 Biennial Meeting

Ken Moore advised that the Biennial Meeting will be held at the Radisson Hotel in Manchester, New Hampshire during October 17 – 23, 2009.

Ken said that ISSC had been contacted by several vendors and asked how Board members felt about allowing vendors at the Biennial Meeting. Chris Nelson expressed concerns about the vendors referencing attendance at the meeting as a means of advertising endorsement by the ISSC. Kevin Begos offered to furnish a copy of a vendor agreement that could be used. Lori Howell expressed that this forum could be used as an opportunity for industry education and said a plan could be developed on how to balance both. After further discussion, a motion was made to Lori Howell and seconded by Larry Simms that this item be addressed by the Executive Committee. The motion passed with a voice vote by the Board.

Ken asked the Board for presentation suggestions at the Biennial Meeting Thursday Symposium. Following a discussion, a motion was made by Chris Nelson and seconded by Steve Fleetwood that the Executive Office would plan a Thursday Symposium. The motion passed with a voice vote by the Board.

### B. 2009 Call for Proposals

Ken Moore informed the Board that the 2009 Call for Proposals was sent out March 10, 2009, and the deadline for submitting proposals for consideration at the 2009 Biennial Meeting is June 19, 2009. Distribution of the proposal packages will be July 19, 2009.

### C. Conference Registration and Membership Fees

Ken shared a revised Conference Registration Form with Board materials. He advised the Board that the Executive Committee was recommending the Board approve a conference registration fee that would include a two-year membership. The registration fee would be \$520.00. A motion was made by Steve Fleetwood and seconded by Bill Hastback to approve the conference registration form and fees. The motion carried with a voice vote by the Board.

## VII. COMMITTEE REPORTS

### A. Executive Committee

Mike Hickey referred this report to Ken Moore for presentation to the Board. Grant information was furnished in the Board materials. Ken Moore provided the Board with the following updates on the grant activities.

#### 1. Grant Updates

##### a. FDA Cooperative Agreement

The current budget period for this grant was to end on July 1, 2009. A continuation application for the period July 1, 2009 – June 30, 2010 and a progress report has been submitted to FDA for approval.

##### b. FDA Carryover Funds

A carryover of ~\$90,000 is estimated. The majority of the carryover funds were originally budgeted for the Executive Director salary and a reallocation request will be submitted to the FDA Grants Management Office.

##### c. Small Conference Grant

ISSC received a Notice of Grant Award from FDA in the amount of \$25,000 which will be used to assist State Shellfish Control Authorities to attend the 2009 Biennial Meeting.

- d. Gulf & South Atlantic Fisheries Foundation  
ISSC received grant monies from the Foundation to fund the contract for the Vv Education Facilitator which ended December 31, 2008. Funding was also provided to fund workshops in the Gulf States to discuss development of their Vv Management Plans. A final report has been prepared and submitted to the Foundation.
  - e. SK Grant Application  
Notice has been received that the grant proposal applications submitted were not selected for funding.
2. Financial Statement  
Ken advised the Board that the current financial statement furnished in the Board materials provided balances for cash on hand, money market account, Certificate of Deposit, receivables, and grant account balances. A motion was made by Lori Howell and seconded by Spencer Garrett to accept the report as submitted. The motion carried with a voice vote by the Board.

#### **B. Audit Committee**

Lori Howell advised that the Audit Committee had reviewed the Audit Report for the year ending December 31, 2008, and also participated in a conference call with the audit firm. The auditors were pleased with the process and no deficiencies were noted. The auditors noted continuing improvement in procedures. Staff will be converting the accounting system to Quick Books. A motion was made by Spencer made motion and seconded by Steve Fleetwood to accept the audit report as submitted. The motion carried with a voice vote by the Board.

#### **C. Vibrio Management Committee**

Lori Howell presented the VMC Committee report and recommendations as follows:

1. Recommended finalizing three *Vibrio parahaemolyticus* educational brochures for three target audiences (harvesters, dealers/ handlers and consumers) in the 1/3 page (front and back) format). After discussion, a motion was made by David Guilbeau and seconded by Kevin Begos directing the Executive Office to finalize three *Vibrio parahaemolyticus* educational brochures for three target audiences (harvesters, dealers/ handlers and consumers) in the 1/3 page (front and back) format) and share the final brochure with the Board. The motion carried with a voice vote by the Board.
2. Recommended development of an educational brochure targeting all *Vibrios*. After discussion, a motion was made by Bill Eisele and seconded by Paul DiStefano directing the *Vibrio* Education Subcommittee to develop a proposal on what needs to be accomplished for the *Vp* education video. The motion carried with a voice vote by the Board.
3. Recommended that an analysis of all physicians who have taken the on-line courses be obtained and provided to the *Vibrio* Education Subcommittee. After discussion, a motion was made by Chris Nelson and seconded by Spencer Garrett directing the Executive Office provide to the *Vibrio* Education Subcommittee an analysis of all those who have taken the online Vv Education Courses. The motion carried with a voice vote by the Board.
4. Recommended updating the *Vibrio vulnificus* educational brochure with more current statistics; provide information in a single year format; and that positive nutritional information be added. After discussion, a motion was made by Kevin Begos and seconded by Chris Nelson directing the *Vibrio* Education Subcommittee to update current risk of eating raw oysters brochure with more current statistics including information in a

- single year format and positive nutritional information and to research printing on demand for educational brochures. The motion carried with a voice vote by the Board.
5. Recommended the ISSC formally recognize the outstanding job that the State Education Coordinators have done in educating their state residents, doctors, and other health professionals about *Vibrios*. After discussion, a motion was made by Chris Nelson and seconded by Spencer Garrett directing the ISSC send formal recognition letters to the Vv State Coordinators recognizing their outstanding job in educating their state residents, physicians, and other health professionals about *Vibrios*. The motion carried with a voice vote by the Board.
  6. Recommended forming a working group to develop a proposal to be submitted to ISSC for deliberation at the October 2009 Biennial Meeting that would require dealers and harvesters to achieve three hours of education annually in order to be licensed or permitted. The proposal should be drafted to address the types of topics that may be covered in these educational courses; that states should develop courses, but also recognize other courses offered both by other states as well as in the marketplace, such as, for example, Serv-Safe training, participation in academic meetings, on-line courses, and other training avenues. After discussion, a motion was made by Robin Downey and seconded by Chris Nelson to appoint a work group (Robin Downey and Kevin Begos volunteered) to develop a proposal at the 2009 Biennial Meeting that would require dealers and harvesters to achieve three hours of education annually in order to be licensed or permitted. The proposal should be drafted to address the types of topics that may be covered in these educational courses; that states should develop courses, but also recognize other courses offered both by other states as well as in the marketplace, such as, for example, Serv-Safe training, participation in academic meetings, on-line courses, and other training avenues. The motion carried with a voice vote.
  7. Recommended that the Board accept that there is a 13% difference in raw consumption between at-risk and non-at-risk oyster consumers as a piece of information to be used in deliberations concerning the use of the Vv Risk Calculator. After discussion, a motion was made by Charles Newell and seconded by Paul DiStefano with a friendly amendment by Keith Skiles, that the Board acknowledge that there is a 13% difference in raw consumption between at-risk and non-at-risk oyster consumers as a piece of information to be used in deliberations concerning the use of the calculator. The motion carried with a voice vote by the Board.
  8. Recommended forming a work group to further develop a proposal to be submitted to ISSC for deliberation at the October 2009 Biennial Meeting that moves the means of addressing *Vibrio vulnificus* from illness reduction to risk reduction. Also recommended that the *Vibrio* Management Committee be listed as a submitter along with the Molluscan Shellfish Institute, GOIC, PCSGA and ECSGA. After discussion, a motion was made by Chris Nelson and seconded by Paul DiStefano. The motion carried with a voice vote by the Board.
  9. Recommended forming a work group to further develop a proposal to be submitted to ISSC for deliberation at the October 2009 Biennial Meeting that develops a new chapter for Post Harvest Handling that shall include dealer requirements for labeling, HACCP, validation, verification and enforcement, new definitions and other areas. Also recommended that the *Vibrio* Management Committee be listed as a submitter along with the Molluscan Shellfish Institute, GOIC, PCSGA and ECSGA. After discussion, a motion was made by Chris Nelson and seconded by Johnathan Gerhardt directing a work group be appointed to review and edit the proposal that will be submitted to ISSC for deliberation at the October 2009 Biennial Meeting that develop a new chapter for Post Harvest Handling that shall include dealer requirements for labeling, HACCP, validation, verification and enforcement, new definitions and other areas. Also recommended that

the *Vibrio* Management Committee be listed as a submitter and that Angela Ruple chair the work group writing the proposal. The motion carried with a voice vote by the Board. [Bill Hastback and Dawn Smith voted against the motion.]

10. Recommended a proposal for Model Ordinance changes to Section II, Chapter II, Risk Assessment and Management, @.05 *Vibrio parahaemolyticus* Control Plan to make changes to “for cooking only” be submitted by the *Vibrio* Management Committee. After discussion, a motion was made by Paul DiStefano and seconded by Keith Skiles approving VMC submission of the “For Cooking Only” proposal for Model Ordinance changes to Section II, Chapter II, Risk Assessment and Management, @.05 *Vibrio parahaemolyticus* Control Plan to make changes to “for cooking only”. The motion carried with a voice vote by the Board.
11. Recommended a proposal for changes to Guidance Document, Section IV, Naturally Occurring Pathogens making changes to “for cooking only” be submitted by the *Vibrio* Management Committee. After discussion, a motion was made by Chris Nelson and seconded by David Guilbeau approving VMC submission of a proposal for changes to Guidance Document, Section IV, Naturally Occurring Pathogens making changes to “For Cooking Only”. The motion carried with a voice vote by the Board.
12. Recommended directing the Validation/Verification Work Group to complete revisions and finalize the so-called background document. This work documents the history of the development of the Validation for *Vibrio vulnificus* for added-safety validation and verification. Also recommended that the “background document” be included in the Guidance Document. This work documents the history of the development of the Validation for *Vibrio vulnificus* for added-safety validation and verification. Paul DiStefano suggested the background document be placed in the NSSP Guide section Public Health Reasons and Explanations rather than Guidance Documents. After discussion, a motion was made by Bill Hastback and seconded by Paul DiStefano directing the Validation/Verification Work Group to complete revisions and finalize the so-called background document and that the “background document” be included in the NSSP Guide Section Public Health Reasons and Explanations rather than the Guidance Document Section. The motion carried with a voice vote by the Board.
13. Requested that Angela Ruple identify the pages of references which are erroneously included in the Validation section of the NSSP Guide that need to be deleted and advise the Executive Office. This is an editorial change only and no action by the Board was required.
14. Recommended directing the Validation/Verification Work Group to deliberate and draft a proposal addressing whether Validation/Verification of Post Harvest Processes should be satisfactory compliance and provide a reference. The draft proposal should be returned to the VMC prior to submission to the conference in June 2009. After discussion, a motion was made by Spencer Garrett and seconded by Chris Nelson directing the Validation/Verification Work Group to deliberate and draft a proposal addressing whether Validation/Verification of Post Harvest Processes should be satisfactory compliance and provide a reference and that the draft proposal should be returned to the VMC prior to submission to the conference in June 2009. The motion carried with a voice vote by the Board.
15. Recommended that a proposal be drafted to make required changes to the NSSP Guide to reflect recent amendments to the Farm Bill which changed the definition of “pasteurized.” After discussion, a motion was made by Spencer Garrett and seconded by Charles Newell directing the Executive Office to review use of word “pasteurized” and submit a proposal to the 2009 Conference that reflects changes as a result of FDA information that recent amendments to the Farm Bill changed the definition of “pasteurized.” The motion carried with a voice vote by the Board.

16. Recommended directing the Validation/Verification work group address the fact that the method currently recommended for confirmation of *V. vulnificus* in validation and verification protocols is no longer in BAM as referenced in the Model Ordinance. After discussion, a motion was made by Robin Downey and seconded by David Guilbeau directing the Validation/Verification work group address the fact that the method currently recommended for confirmation of *V. vulnificus* in validation and verification protocols is no longer in BAM as referenced in the Model Ordinance and eliminate the reference and submit a proposal to change. The motion carried with a voice vote by the Board.
17. Recommended directing the Validation/Verification Work Group develop guidance for validating and verifying time-to-temperature reduction criteria for *Vibrio vulnificus* and *Vibrio parahaemolyticus* and additional time-to-temperature controls. After discussion, a motion was made by Spencer Garrett and seconded by Chris Nelson directing the Validation/Verification Work Group to develop guidance for validating and verifying time-to-temperature reduction criteria for *Vibrio vulnificus* and *Vibrio parahaemolyticus* and additional time-to-temperature controls. The motion carried with a voice vote by the Board.
18. Recommended directing the Validation/Verification Work Group run some initial statistics to look at the feasibility of using end-point testing rather than process validation. After discussion, a motion was made by Spencer Garrett and seconded by Chris Nelson directing the Validation/Verification Work Group to run some initial statistics to look at the feasibility of using end-point testing rather than process validation. The motion carried with a voice vote by the Board.
19. Recommended directing the Gulf States to collect information tracking changes in sales of oysters intended for raw consumption and directs the ISSC Executive Office to form a work group to develop a survey instrument for use by the Gulf States for this purpose. Following discussion, a motion was made by Spencer Garrett and seconded by Bill Hastback directing the Gulf States, with the assistance of the ISSC Executive Office, to collect information tracking changes in sales of oysters intended for raw consumption. Executive Office will appoint a work group to develop a survey instrument to assist Gulf States in collecting this information. The motion carried with a voice vote by the Board.
20. Recommended that FDA fund an Economic Impact Study analyzing the costs/benefits of implementing *Vibrio vulnificus* controls in Gulf States. After discussion, a motion was made by Spencer Garrett and seconded by Chris Nelson approving the recommendation that FDA fund an Economic Impact Study analyzing the costs/benefits of implementing *Vibrio vulnificus* controls in Gulf States.
21. Advised that based in part, upon continuing actions, such as further identifying the percentage of oysters intended for raw consumption and validation and verification of refrigeration controls, the VMC has no objection to the draft *Vibrio vulnificus* management plans submitted by the Gulf states. After a lengthy discussion, a motion was made by Spencer Garrett and seconded by Chris Nelson that the Executive Board acknowledge the Committee's recommendation that based, in part, upon continuing actions, such as further identifying the percentage of oysters intended for raw consumption and validation and verification of refrigeration controls, the Gulf State *Vibrio* Management Plans submitted and reviewed by the VMC are in compliance with Proposal 00-201. The Board also directed the VMC continue to oversee implementation of the Plans. The motion carried with a voice vote by the Board.
22. Recommended that the Conference send a letter to the states concerning the changes that will be implemented; that pre-dawn harvesting can be an important means of achieving the requirements of *Vibrio vulnificus* control plans; and that states should be encouraged to consider pre-dawn harvesting. Following discussion, a motion was made by Kevin

Begos and seconded by Robin Downey directing the ISSC to send a letter to the states concerning the changes that will be implemented; that pre-dawn harvesting can be an important means of achieving the requirements of *Vibrio vulnificus* control plans; and that states should be encouraged to consider pre-dawn harvesting. This information should be shared with the Patrol Committee. The motion carried with a voice vote by the Board.

23. Recommended submitting a proposal addressing time-to temperature post harvest requirements on trucks for *Vibrio parahaemolyticus* control. After discussion, a motion was made by Lori Howell and seconded by Steve Fleetwood approved submission of a proposal addressing time-to temperature post harvest requirements on trucks for *Vibrio parahaemolyticus* control. The motion carried with a voice vote by the Board.

**D. Laboratory Methods Review Committee**

Ken Moore advised the Conference is bogged down with the issue of method approval and he is not sure the process ISSC has in place is serving us very well. He said there is no incentive to some of the submitters to have the method approved by ISSC. The Laboratory Methods Review Committee continues to work on requesting additional information from previous proposals submitted to the Conference. The Board discussed the laboratory methods approval process at length. No action was required by the Board.

**VIII. OLD BUSINESS**

**A. FDA Oyster Retail Study**

Paul DiStefano advised the Board that the FDA Oyster Retail Study will be furnished to the ISSC Executive Office for distribution when available. The report is in draft form and needs to go through the peer review process. No action was required by the Board.

**B. Dockside Biotoxin Testing in Federal Waters**

Mike Hickey advised that a draft letter addressing Dockside Testing in Federal Waters previously furnished to Board members for comment. The letter encourages States involved in this pilot to continue to allow this approach. Ken Moore read the Board action taken at the October 2006 meeting which stated "The ISSC Executive Board supports the issuance of fishing permits as referenced in the Federal Register dated Monday, June 19, 2006, Vol 71, No. 117 for surf clams and ocean quahogs. The ISSC Executive Board further recognizes that the issuance of the fishing permit will allow for the conducting of a pilot testing program which will provide an equivalent level of protection as required by the NSSP for Paralytic Shellfish Poisoning (PSP) and further allow for the introduction of new technological innovations and food safety controls within the seafood industry". Ken advised that the intent of the letter is to encourage the Northeast States involved in this pilot to allow the people conducting the project to use the Abraxis Kit side by side with the Jellett Kit.

A motion was made by Lori Howell and seconded by Charles Newell which approved distribution of the referenced letter. The motion carried with a voice vote by the Board.

**C. ISSC Procedure for Handling Travel Assistance Requests**

Ken advised that the Board had previously been furnished a copy of the newly developed ISSC Procedure for Handling Travel Assistance Requests. After a brief discussion, a motion was made by Lori Howell and seconded by Paul DiStefano to adopt the amended travel policy (do not strike cash advances and change state guidelines to federal guidelines). The motion carried with a voice vote by the Board.

## IX. NEW BUSINESS

### A. FDA Status of State Programs

Paul DiStefano presented the FDA Status of State Programs Report:

- Growing area element -19 states -5 states with deficiencies.
- Incomplete sanitary surveys – 8 states.
- Annual reports not being reported.
- Sampling frequency not being conducted.
- Inadequate staffing –3 states FDA wrote a letter to the state addressing their concerns.
- Overall the growing area looked pretty good.
- Control of harvest element -14 states. 207 areas - all deficiencies in the prior year had been corrected. Huge improvement over the last year.
- Plant element - 22 states - 222 dealers. 21 of 22 were in full compliance. One state not in compliance is having problems getting inspections done frequently. Failure to implement HACCP plan.
- No written recall procedures -1 state.
- Failure to purchase shellfish from an approved source –same state.
- Failure to protect shellfish from cross contamination.
- Failure to maintain adequate shipment records – 7 states.

The Board discussed how the industry could obtain a copy of their state's report. Ken and Paul will make a suggestion so industry members can obtain copies of state reports. No action was required by the Board.

### B. 2007 NSSP Guide for the Control of Molluscan Shellfish

Ken Moore advised the Board that the Guide is available on FDA's website through the ISSC website but there is not a user-friendly printable version available. Ken suggested that ISSC post a printable PDF version on the ISSC website with a notation that the official version is posted on the FDA website. No action was required by the Board.

### C. EU Audit

Paul DiStefano presented a report to the Board.

- EU's intent was to compare programs and audit US for EU's approved list.
- EU said US program is sophisticated and well documented and has a uniform program across board.
- US program personnel are well trained and knowledgeable.
- EU acknowledged adequacy of NSSP audits by FDA .
- Recognized there are significant differences.
- One significant difference is that we are a water quality program and they are a meat based program.
- Concerns included inadequate monitoring system for marine water toxins
- FDA is not monitoring state labs at frequency required
- Major concerns with Vv
- EU is due to provide FDA a report next week and FDA has 60 days to respond.

No action was required by the Board.

### D. ISSC Draft Proposal (Shellfish Sanitation Program Records)

Ken Moore advised that members have been furnished a copy of a draft proposal submitted by Bill Kramer for Shellfish Sanitation Program Records to improve communications. Both FDA and NOAA are supportive of submission of the proposal at the Biennial Meeting. A motion was made by Paul DiStefano and seconded by Lori Howell to forward the Shellfish Sanitation

Program Records proposal to the Conference for consideration at the 2009 Biennial Meeting. The motion carried with a voice vote by the Board.

**E. ISSC Program Letters to States and Responses**

Ken Moore advised that the ISSC Executive Office was requested to write letters to several governors and legislative bodies explaining the implication of states not being able to meet the minimum NSSP requirements because of funding. He said copies of the letters were included in the Board materials furnished. No action was required by the Board.

**F. 2009 Mississippi Illness Outbreak**

Ken Moore advised that Dale Diaz would like to explain to the Board some facts of this issue. Dale presented background of the 2009 Mississippi illness outbreak (attachments furnished in Board materials) and measures taken in response to the unfortunate events involving suspected Norovirus outbreaks associated with the consumption of oysters from Mississippi growing areas last season. A review of the growing area classification determined a growing area classification problem did not exist. The review included a review of the growing area classification file records; a field review of existing pollution sources; a review of actual and potential intermittent pollution sources, such as vessel waste discharge and wastewater discharge from treatment plant collection systems; and examination of water quality subsequent to the illness outbreak. The growing area was placed in the closed status until verified that the area was properly classified, using current data, in compliance with the NSSP Model Ordinance. The area remained closed for a minimum of 21 days which is required by the National Shellfish Sanitation Program. There was a review of the documentation to trace the shellfish to its source, a review of the classification assigned to the growing area and whether the sanitary survey data supporting that classification is current; and a review of the probability of illegal harvesting from areas classified as restricted, prohibited or in the closed status. Mississippi evaluated the distribution and processing of the shellfish and it was determined that there was no reason to believe a problem existed in the distribution or processing of the shellfish.

After a lengthy discussion by Board members the following motions were made:

A motion was made by Lori Howell and seconded by Bill Eisele to approve Ken Moore's suggestion that the Board task a committee to immediately address product recall and develop a guidance document to provide guidance to states for conducting recalls and how a state should react when an illness occurs. This document will be submitted as a proposal at the Biennial Meeting. The motion passed with a voice vote by the Board.

A motion was made by David Guilbeau and seconded by Chris Nelson to task the Reciprocity Committee to determine if the State of Virginia violated reciprocity during the Mississippi outbreak and recall. The motion carried with a voice vote by the Board.

**G. FDA Draft Policy on 1000:1 Dilution Line**

Paul DiStefano advised that the 1000:1 Dilution policy is in draft form and needs to go through the FDA peer review process. Ken requested that FDA submit this as a proposal for incorporation into the program. In response to Kathy Brohawn, Paul said that this guidance is not presently in the NSSP Guide. No action was required by the Board.

**H. Location of Future Board Meetings**

Spencer Garrett asked that consideration be given to holding future Board meetings at hotels located at destination airports which will be more economical. Ken responded that transportation

costs will continue to be considered when planning future meetings. No action was required by the Board.

**G. PCSGA Robin Downey**

Robin is seeking ideas and suggestion for problems in Washington State DOH shutting down growers because of boaters. Ken suggested that individuals contact Robin directly since this is not a Board issue.

**X. Other Information**

**A. Code of Hygiene Practices for *Vibrios***

Ken Moore advised that as requested at the last meeting, Andy DePaola had provided the Code of Hygiene Practices for *Vibrios* document and the document will be sent electronically to the Board members and posted on the ISSC website. No action was required by the Board.

**XI. Executive Session**

A motion was made by Bill Eisele and seconded by Lori Howell that the Board go into Executive Session. The motion carried with a voice vote by the Board. The Board went into Executive Session at 2:50 PM. A motion was made by Lori Howell and seconded by Johnathan Gerhardt that the Board reconvene in Open Session. The motion carried with a voice vote. The Board returned to Open Session at 3:20 PM. The following matters were considered in Executive Session.

**A. PICC Legal Matter**

Ken Moore provided the Board with an update on the PICC Legal Matter and no action by the Board was required.

**B. Staff Evaluations**

A motion was made by Lori Howell and seconded by Steve Fleetwood that the Board approve the recommendations of the Board concerning staff evaluations and compensation as recorded in Executive Session. The motion carried with a voice vote by the Board.

**C. Executive Director Employment Status**

A motion was made by Lori Howell and seconded by David Guilbeau that the Board approve the recommendation of the Board concerning the Executive Director performance evaluation and employment as recorded in Executive Session. The motion carried with a voice vote by the Board.

**XII. ADJOURNMENT**

A motion was made by Lori Howell and seconded by Johnathan Gerhardt that the meeting be adjourned. The motion carried with a voice vote by the Board and the meeting was adjourned at 3:25 PM.