

I. CALL TO ORDER

Chairman Mike Hickey called the meeting to order at 11:15 AM.

II. ROLL CALL

Ken Moore conducted roll call and determined a quorum was present to conduct business.

Board Members Present:	Representing:
Mike Hickey	Chairman / Region 1 Regulatory
Keith Skiles	Vice Chair
Ken Moore	ISSC Executive Director
William Eisele	Conference Office Manager
Lori Howell	Region 1 Industry / Task Force II Chair
Cali Alexander	Region 2 Regulatory
Steve Fleetwood	Region 2 Industry
Julie Henderson	Region 3 Regulatory / AFDO Representative
Patti Fowler	Region 4 Regulatory
Tommy Ward	Region 4 Industry
Joe Jewell	Region 5 Regulatory
Al Sunseri	Region 5 Industry
Maryanne Guichard	Region 6 Regulatory
Margaret Barrette	Region 6 Industry
Johnathan Gerhardt	Non-Producing State
Terri Gerhardt	Non-Producing State
Bruce Flippens	Non-Producing State
Paul DiStefano	FDA
Spencer Garrett	NOAA
David Fyfe	Northwest Indian Fisheries Commission
Christopher Blankenship	Patrol Advisor
Chris Nelson	Task Force I Chair
Kirk Wiles	Task Force III Chair

Board Members Absent:

Rob Wittman	Program Chairman
Larry Simms	Region 3 Industry
Bill Kramer	EPA
Greg Pallaske	Conference for Food Protection Representative
Bill Hastback	Past Chairman

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

III. MINUTES

A motion was made by Al Sunseri and seconded by Johnathan Gerhardt to approve the minutes of the January 12 and 13, 2011, Board meetings as submitted. The motion carried with a voice vote by the Board.

IV. INTRODUCTORY COMMENTS

Spencer Garrett made a few brief comments to the Board concerning NOAA/NMFS issues including comments on the Deep Horizon Oil Spill analysis.

V. COMMITTEE REPORTS

A. Executive Committee

1. Grant Updates

Ken Moore provided the following reports on grant updates.

- a. FDA Cooperative Agreement – Received notification from FDA of \$325,000 award (FDA \$275,000 and NOAA \$75,000). Spencer Garrett commented on future of NOAA due to budget cuts. Ken explained this is the first of a 5-year project period with future awards dependent on availability of funds.
- b. FDA Carryover Funds – There was approximately \$32,000 carried over from the fiscal year 2011 award.
- c. FDA Small Conference Grant – Received \$25,000 award to assist State regulators in attending the Biennial Meeting. The amount of assistance requested exceeded the funds available. Approximately 25 attendees were provided funding to attend.
- d. The Nature Conservancy – This grant funded the development of Best Management Practices for Shellfish Restoration study by Dot Leonard. A final report should be received soon after this meeting and the project will be closed out.
- e. Gulf & South Atlantic Fisheries Foundation – At the 2009 Biennial Meeting in New Hampshire the Conference requested the FDA conduct an economic study of the impact of mandatory post harvest processing (PHP). FDA requested the ISSC conduct the consumer survey portion of the study. The Foundation provided \$30,000 to assist in this project. The remainder of funding was provided by the States of Mississippi and Louisiana, and the ISSC General Account. This project will be closed out upon receipt of the final report and payment to the contractor.

2. Financial Statement Year-to-Date

Ken Moore provided explanation of the financial statement and monies that were obligated from the general account (Biennial Meeting costs and final payments to TNC and the Consumer Survey of PHP Oysters).

3. 2012 Budget

Ken Moore presented the 2012 proposed budget to the Board indicating it was similar to the previous year's budget. He explained there is a considerable difference in meeting and non-meeting years operating expenses. Ken advised the Board that the

pending legal matter had been settled and would provide details to Board members upon request. The motion was approved by a voice vote.

4. State Membership Fees

Ken Moore advised that the only membership fees that needed to be addressed were State memberships. He said the individual membership fees could be changed but thinks it would be inappropriate at this time. Ken explained that Biennial Meeting registration fees include a 2012 and 2013 individual membership. He said that Task Force III directed the appointment of a committee to look at finding other ways to fund the Conference and the proposal that was submitted suggested that 45% of funding for this Conference should come from membership fees. The committee will be reviewing State membership fees. Ken said it may be possible to have the committee's recommendation at the Spring Board meeting. A motion was made by Maryanne Guichard and seconded by Al Sunseri that State membership fees remain at \$600 for 2012. The motion carried with a voice vote by the Board.

5. 2011 Work Plan Evaluation / 2012 Proposed Work Plan

Ken Moore reported that the 2011 Work Plan and the 2012 Proposed Work Plan will be completed at the end of the year. The plans will be distributed to the Board after the first of the year for comments and evaluation. A report will be provided at the 2012 Spring Board meeting.

B. Biotoxin Committee

Ken Moore presented the Biotoxin Committee report to the Board and advised that the Committee requested approval of a recommendation on Proposal 09-101 that under the public health significance section, the last sentence of the first paragraph under DSP Toxins was no longer appropriate and should be removed. Ken informed the Board that this recommendation would be reflected in the 2011 Summary of Actions and Board approval was not required.

C. Education Committee

Ken Moore presented the Education Committee report to the Board with the following recommendations:

1. Recommended development of a central location, possibly on the ISSC website, where existing educational resources would be compiled for use and also recommended that the ISSC write a letter to states and other shellfish related entities requesting an outline of current/upcoming training initiatives and provide links to online resources to be placed in this central location. Ken offered a substitute recommendation that the ISSC contact the designated classification contacts for each State and the regional shellfish industry associations of each region to ask them to identify and provide this information to the ISSC for dissemination. A motion to approve was made by Johnathan Gerhardt and seconded by Al Sunseri. The motion passed with a voice vote by the Board.

2. Johnathan Gerhardt, Chairman of the Education Committee, advised the Board of the committee's recommendation for ISSC to investigate costs of contracting with an outside source to develop online courses for harvesters and dealers and report back to the Board. There was a continued concern about how to successfully implement mandatory training based upon issues such as language barrier, literacy, state resources, continuing education tracking, and internet availability. A motion to approve was made by Johnathan Gerhardt and seconded by Al Sunseri. The motion passed with a voice vote by the Board.

D. Import Assessment Committee

Sandy Shepherd presented the Import Assessment Committee report to the Board. Sandy said the Committee has continued efforts to identify effective steps for addressing concerns associated with shellfish imported from non-MOU countries. The Committee had been made aware of possible discrepancies between federal agency shellfish data (e.g. NMFS and FDA) that show importation of live/fresh NON-MOU shellfish from various countries and the lack of availability of "real time" import data. The Committee members questioned the process used by FDA to screen Non-MOU shellfish and adequately relay the required import information to state authorities to prevent entry. NMFS was not available to answer concerns on data presented showing possible importation of live fresh shellfish from NON-MOU countries such as Australia, Vietnam, and China in 2010 and 2011. More information and assistance is needed from NMFS to help interpret their data.

Sandy also reported that the committee was also made aware of some imports from MOU countries that may not be allowed entry due to possible restrictions on certain species, growing areas, or other parameters depending on the (MOU) between FDA and the foreign government. Concerns were raised concerns that if there were certain restrictions on shellfish from MOU countries, these restrictions should certainly be included in the ICSSL to assist authorities with determining approved source. The FDA Committee representative agreed to review MOU's with foreign governments to determine if there were any restrictions on species or growing areas and advise the Committee.

The Committee made the following recommendations for Board approval.

1. Recommended that any parameters in the agreements between FDA and foreign competent authorities be included in the ICSSL to assist control authorities with approved source. A motion to approve was made by Maryanne Guichard and seconded by Lori Howell. Following a discussion and an FDA request for additional information the motion was withdrawn. A motion was then made by Spencer Garrett that the ISSC ask FDA and NMFS to jointly review our import product list of shellfish. Dave Wallace seconded the motion which carried with a voice vote by the Board.
2. Recommended that communications be enhanced between federal and state agencies so that "real time" data is dispersed to shellfish authorities to improve import oversight. Ken Moore and Spencer Garrett agreed that this request is impossible. Ken suggested that the Board not take any action on this recommendation until FDA and NMFS review the data and what the data means. He said the Board can then

look at how this information can be dispersed. The motion carried with a voice vote by the Board. Spencer asked for a letter from ISSC to this effect.

E. Patrol Committee

Chris Blankenship reported that the Patrol Committee had discussed several items and identified five issues that could potentially impact the NSSP.

The Committee recommended that shellfish gardening and restoration project issues be highlighted as a continuing issue which may have fiscal impacts on the patrol authority and request any funding source recommendations. The Patrol Committee also wants to highlight to the Executive Board that there may need to be certain requirements of materials used for restoration projects in prohibited or restricted areas. A motion was made by Patti Fowler that the ISSC appoint a committee to develop a proposal for consideration to look into oyster gardening in restricted and prohibited waters regarding patrol, citation, and illness issues. Chris Blankenship offered a friendly amendment to include shellfish restoration. The Board will determine the appropriateness of the proposal. Al Sunseri seconded the motion which was tabled until after the Shellfish Restoration Committee report.

The following items were presented to the Board as information with no action required:

- The Patrol Committee agreed it was important to inform the Executive Board of the potential of reduced enforcement capabilities as the result of budget cuts and shortfalls.
- The Patrol Committee recognized that some of the members of the committee were unable to attend the meeting due to travel restrictions and budget reductions. Several members of the Patrol Committee did receive financial assistance of the ISSC to attend the meeting and the committee hopes such funding can be utilized for future meeting to increase participation.
- The Patrol Committee felt it was important to continue to inform the Executive Board of the Vessel Monitoring Systems (VMS) enforcement tool for use in maintaining compliance with shellfish regulations. Several states are mandating the use of VMS on vessels with previous violations and on vessels of certain sizes and in certain areas.
- The Patrol Committee will conduct outreach to other Patrol element ISSC member states to discuss the possibility of recommending a proposal to use other criteria to more effectively evaluate an effective patrol program.

F. Plant Standardization Committee

Ken Moore advised the Board that the Plant Standardization Committee had met and there were no items presented for discussion.

G. Research Guidance Committee

Ken Moore presented the Research Guidance Committee report for Bob Rheault. The Committee recommended that research should be promoted to determine the spatial, temporal and environmental conditions that affect *Vp* levels in molluscan shellfish. Johnathan Gerhardt made a motion to approve the recommendation that this should be shared with the work group that is going to be looking at *Vp* illnesses and making recommendations to the Board regarding *Vp*. The motion was seconded by Paul DiStefano and carried with a voice vote by the Board.

The Committee also recommended that a new study should be conducted to determine if these control plans have been effective in reducing the levels of these pathogens in shellfish at the retail level. The suite of other pathogens that were included in the 2007 study should also be examined in this future investigation.

The Committee's second recommendation was that the ISSC examine the use of Male Specific Coliphage (MSC) for various regulatory applications and additional research needs to be conducted to determine the appropriateness of future applications of these indicator organisms. The Committee also suggested that additional investigations should be conducted prior to application for other regulatory or risk assessment purposes. Ken said that this method has already been referred to Committee and he suggested that the Board direct this recommendation to that Committee. A motion to approve was made by Maryanne Guichard and seconded by Lori Howell. The motion carried with a voice vote by the Board.

H. Shellfish Restoration Committee

Dorothy Leonard presented the Restoration Committee report to the Board. The Committee recommended inclusion of The Nature Conservancy Best Management Practices for Shellfish Restoration in the NSSP as a guidance document. The Committee suggested that before inclusion in the NSSP as a guidance document the BMPs should be reviewed and edited to follow the NSSP format. Ken Moore advised that this recommendation should be submitted as a proposal to the Conference. He suggested the Board review the full report and make further recommendations at a future Board meeting on how to incorporate into a proposal. Maryanne Guichard made a motion to approve Ken's recommendation, which was seconded by Lori Howell. The motion carried with a voice vote by the Board.

Requested that the Executive Board provide \$1,000 sponsorship of the "2012 International Conference on Shellfish Restoration" to be held in Charleston, SC from November 14-17, 2012. A motion to approve was made by Dave Wallace and seconded by Lori Howell. Maryanne Guichard made a substitute motion that consideration of this item be included in the 2012 proposed budget discussion. The motion was seconded by Bruce Flippens and carried with a voice vote by the Board. NOTE: Following consideration of the ISSC 2012 proposed budget, a motion was made by Maryanne Guichard and seconded by Bruce Flippens to provide \$1,000 sponsorship to the "2012 International Conference on Shellfish Restoration". The motion carried with a voice vote by the Board.

A motion was made by Johnathan Gerhardt and seconded by Dave Wallace that the Board hold a discussion at the Spring Board meeting on the shellfish gardening motion made by Patti Fowler during the Patrol Committee report (see V. Committee Reports E. Patrol Committee) along with the shellfish restoration BMPs. The motion carried with a voice vote by the Board.

I. Time Temperature Technology Committee

Maryanne Guichard presented the Committee report to the Board. Ken advised that the Voting Delegates had already accepted this recommendation on Proposal 09-214 to appoint a committee to address Suitable Time-Temperature Monitoring Devices for Shipping Times >4 Hours no action was required by the Board. It was agreed that the Executive Board Chairman will appoint a committee to design a survey, develop criteria for evaluating devices, continue discussions and develop information to post on the ISSC website pertaining to available technologies.

The Committee members had a general discussion on issues relating to time/temperature monitoring devices. Committee members acknowledge that requirements for time/temperature devices are not being uniformly enforced. Concern was raised that the Model Ordinance allows for a choice of measuring ambient temperature of vehicle or product temperature and product temperature should be used. The Committee's industry members discussed barriers to using time/temperature devices. A requirement for temperature to be recorded on the bill of lading was discussed. The Committee felt this was a very important topic and continued discussion is necessary. The Committee also feels that there is a need to develop a more positive survey to encourage broader participation by industry and solicit information on available products. The Committee needs to include different facets of industry as well as regulators.

J. Traceability Committee

Ken Moore reported for Bill Dewey and presented the Traceability Committee report and said that this Committee had spent quite a bit of time on conference calls and time at this meeting looking at technology and how technology could best be used to trace shellfish. Ken advised that the following recommendations were made by the Committee.

1. Recommended that the ISSC Executive Board request Institute of Food Technology (IFT) include shellfish in their pending pilot. If shellfish is not selected, request pricing on consultation to evaluate and/or perform a shellfish traceback and trace forward field study. If IFT is not able to include shellfish as one of the 2 products in their currently funded traceback/traceforward study, ask FDA to fund IFT to conduct a shellfish traceback/traceforward study separately from the FSMA requirement. A motion to approve was made by Johnathan Gerhardt and seconded by Lori Howell. The motion carried with a voice vote by the Board.
2. Requested that if IFT is unable to include recommendation 1 above that the Executive Board engage FDA, the Retail Food Program, the Division of Federal and State Relations, the Office of Regulatory Affairs, the State Training Branch, NOAA, the International Food Protection Training Institute the Conference of Food Protection,

3. The states and local health departments, and others to encourage States to improve record keeping at the retail level specifically with regard to traceability. A motion to approve was made by Lori Howell and seconded by Maryanne Guichard. The motion carried with a voice vote by the Board.
4. Requested that the Executive Board proceed with all due speed in a Traceability Field Study and to seek partners such as the Gulf States Marine Fisheries Commission or the Institute of Food Technology to ensure that the study is completed as soon as possible so we can identify weaknesses in shellfish traceability and seek solutions to those weaknesses. A motion to approve was made by Lori Howell and seconded by Maryanne Guichard. The motion carried with a voice vote by the Board.

K. Vv Illness Review Subcommittee

Lori Howell presented this report to the Board. She advised that the *Vibrio vulnificus* Illness Review Subcommittee met on Wednesday, October 5, 2011 for the limited purpose of reviewing certain aspects of Vv case NV Vv8-14. This case was reported by Nevada and found to meet the criteria for a countable case. The COVIS form indicated that Virginia was the source of the oysters. Virginia asked for the opportunity to present additional information pertaining to the source of the oysters. After reviewing the information presented, including correspondence written following the illness investigation, the Subcommittee determined that it is likely that oysters may have come from another state. Therefore, because the product consumed cannot be traced to a single source state, the case should not count. Lori also reported that the Subcommittee had discussed its role as the Conference moves forward with *Vibrio vulnificus* illness reduction activities. Given that the Conference is moving toward the use of national numbers of *Vibrio vulnificus* illness there may be greater need for the Subcommittee to distinguish between source states.

The Subcommittee recommended that additional guidance be provided for evaluating cases; such as how to determine source states where multiple states are implicated. Ken said it would be more appropriate for the Board to wait until the Conference has received FDA's response to the Summary of Actions. He said at that point in time we will have a much better idea of what the Conference needs to accomplish with the Subcommittee because it could very likely change and suggested tabling action until the Spring Board meeting. Lori Howell made a motion to approve Ken Moore's recommendation on this item which was seconded by Johnathan Gerhardt. The motion carried with a voice vote by the Board.

Following a brief discussion on the previously reported issue relative to the Virginia case, Ken said that because the *Vibrio* Management Committee did not meet that it would be appropriate for the Board to agree with the findings of the Subcommittee. A motion was made by Maryanne Guichard and seconded by Joe Jewell. The motion passed with a voice vote by the Board.

A discussion was held in response to a question on determining the origin of unknown cases. Ken Moore said there are not controls in place for cases that originated from States other than Gulf States. Kirk Wiles commented that the Subcommittee does need guidance and criteria on defining and determining source states. In response to Spencer Garrett,

Ken said that CDC determines source states from the COVIS form so this is not an issue for CDC.

L. Use of Press Committee

Ken Moore presented the Use of Press Committee report to the Board. Ken said the Voting Delegates had referred Proposal 07-305 back to the Use of Press Committee. Ken explained that these recommendations were adopted by the Conference and no action was required by the Board. Following clarification by Maryanne Guichard the following information was submitted to the Board.

- The ISSC will ask that the FDA Core Group coordinate with the ISSC Use of Press Committee to develop use of press protocols.
- Criteria should include whether suspect product has been accounted for and the degree of public health risk. The Code of Federal Regulations protocols for use of press should be a guiding document as was the case for recall protocols developed by ISSC and FDA.
- A work group will be appointed to craft a decision tree using the work done to date and the CFR guidance. Members of the work group will include Leslie Palmer, Chair, Rick Porso, Don Ulstrom, Bill Dewey, Mike Antee, Tom Mahan, Lori Howell, and Mike Hickey.

M. Laboratory Methods Review Committee

Ken Moore advised the Board that the LMR Committee report needed to be added as an agenda item and the report was distributed to the Board. Ken explained that Recommendation No. 15 involves criteria for evaluation of labs conducting PHP validations. Minimum criteria have been established for evaluation of laboratories conducting PHP validation studies and FDA has begun evaluating labs conducting PHP validation studies. The Committee recommended that FDA create a laboratory evaluation checklist for laboratories conducting PHP validations from the minimum criteria currently established and submit to the LMRC for review and recommendations for approval for use in the NSSP. Patti Fowler, Chair of LMR Committee, said this is very preliminary criteria so far to look at the PHP laboratories and the Committee would like to have these criteria in the same format as other laboratory evaluations for consistency. Patti said the Committee will continue to develop a proposal. In response to Lori Howell, Lizzie Evans said the State LEOs will eventually be performing these evaluations. Al Sunseri made a motion that the Board grant interim approval to this criteria, effective immediately, with the requirement that a proposal will be submitted at the 2013 Biennial Meeting. The motion was seconded by Dave Wallace and carried with a voice vote by the Board.

Ken Moore advised the Board that the LMR Committee recommended approval of the SLV Method Application for Real-Time PCR (qPCR) Assay for the Detection of the Cholera Toxin Gene, ctx as an Emerging Method. Ken said this method was recently used in the Florida outbreak and the Committee believes that this method meets the minimum criteria submission for an Emerging Method and meets an immediate need within the NSSP. A motion to approve was made by Al Sunseri and seconded by Dave Wallace. The motion carried with a voice vote by the Board.

M. Foreign Relations Committee

David Fyfe, Chair of the Foreign Relations Committee, asked for Board concurrence to add a representative from Korea to the committee roster. The Board agreed to the request.

VI. OLD BUSINESS

A. ISSC Consumer Acceptance Survey Report

Ken Moore said this item had been discussed several times during the meeting and no further reporting was needed at this time.

B. RTI Report

Ken Moore said ISSC's role in the RTI Study had previously been explained and asked if any Board members had not had an opportunity to hear FDA's comments on the RTI report. Paul DiStefano agreed to go over the update with Al Sunseri after the Board meeting.

C. California Regulations

Ken Moore reported that the ISSC had recently communicated with the State of California regarding the status of their review of changes needed to accept PHP validations at <3 MPN/gram rather than <3 MPN/gram. They are still under censure by the ISSC and this item will remain on record for updates to the Board. Kirk Wiles commented that this does remain an issue since there is no protocol for <3 MPN/gram.

D. GAO Audit Update

Ken Moore reported that ISSC was notified that GAO is going to release the document to the public on October 11th. Ken said Senator Rosa DeLauro's office had 30 days to review the document and that period will end October 11th. Ken suggested that Board members read the report. He suggested the bottom line will be recommending ISSC and FDA work together to find a better way to address the Vv problem. Cali Alexander asked that this item remain on the Board agenda for discussion at the 2012 Spring Board meeting. Al Sunseri informed the Board that GAO did not respond to requests by approximately twenty Congressional members to include additional items in their audit. Kirk Wiles said he was informed by GAO that items were not added to the audit unless there was a request by the Chair (Senator DeLauro).

E. FDA Interactive Sessions with Industry Regarding the Challenges to Implement PHP

Ken Moore said that Paul DiStefano had previously addressed this item and explained why these meeting have not been held. There were no questions from the Board.

F. FDA Report on Status of EU Audit

Paul DiStefano reported that FDA had completed their equivalency audit of the EU. There were seven countries within the European Union who had requested that FDA look at the EU from an equivalency perspective. He said a lot of information was provided to FDA and based on that information; FDA conducted an on-site audit in the United Kingdom (specifically two of the four countries - England and Scotland). The report is in final draft form within the agency and under heavy scrutiny but has not been issued to the

EU. Paul said he could not go into a lot of detail but the outcome of that draft report clearly says they do not have a program that offers an equivalent level of public health protection. The question has been asked that once that report is provided how does that ultimately affect their decision regarding the opening of their borders to US product. There is some belief that they have deliberately held back on any analysis or decision on our program depending on what we tell them about their program. Paul said an organization called European Food Safety Authority recently did a report on food safety which included shellfish and the findings almost to the letter, support the findings of FDA's report. There has been an ongoing effort to work with the EU to expedite their evaluation and those efforts continue but ultimately it is the decision of the EU. In response to a question by Mike Voisin, Paul said the WTO is aware of this situation and there has been communication suggesting that the WTO get involved to help bring this to resolution. Paul said he would find out if the European Food Safety Authority report is available as a public document.

G. *Vibrio* Technology Project

Ken Moore reported that in 2010 the ISSC was awarded \$30,000 to develop PHP technology and it has taken the Conference some time to determine how to best identify the kinds of PHP technology needed. An RFP was developed and three (3) projects were awarded through a committee selection process for a total of \$32,000. The projects included (1) cooking techniques; (2) assisting with validation of *Vp*; and (3) assisting with *Vv* relaying to high salinity areas. Ken said progress reports will be shared with the Board.

H. Proposals

1. Proposal 05-308 ISSC Policy Statement on Consumption of Raw Oysters

Ken Moore reported that Task Force III had a brief discussion on this proposal. Ken said he advised the Task Force that there was no need to take action on this proposal since the Board had discussed this about a year ago and made a decision that given where this conference is relative to PHP that the Board is not prepared at this time to make a decision regarding any possible changes. Ken suggested leaving this as an ongoing item on the Board agenda as we continue to discuss different ways to address *Vv* illnesses.

2. Resolution 09-001 Education Outreach Common Carriers Association

Ken Moore advised that this resolution was adopted at the 2009 Biennial Meeting in New Hampshire. The resolution was adopted so ISSC could try to identify education opportunities for common carrier associations. Ken said he has continued to discussions with various associations but has not found anything productive. He will continue to update Board on the status of this proposal.

I. Board Vacancies

1. Region 6 Regulatory

Maryanne Guichard advised the Board that Dawn Smith was no longer associated with shellfish and the region would like to recommend Jerrod Davis as alternate. A

motion to approve was made by Lori Howell and seconded by Margaret Barrette. The motion carried with a voice vote by the Board.

2. Region 2 Regulatory

Cali Alexander asked the Board to approve Debby Watkins as her alternate. A motion to approve was made and seconded but the Board requested that Cali communicate with Region 2 to confirm acceptance of Debby Watkins as the Board alternate. The Board will be polled afterwards for concurrence.

VII. NEW BUSINESS

A. Executive Board Officer Elections

Bill Eisele reported the Nominating Committee was recommending Keith Skiles as Chairman of the Executive Board. Mike Hickey asked if there were any nominations from the floor. Hearing none Mike made a recommendation that the Board accept the nomination by acclamation. The motion was made by Dave Wallace and seconded by Spencer Garrett. The motion carried with a voice vote by the Board.

Bill Eisele reported the Nominating Committee was recommending Maryanne Guichard as Vice Chair of the Executive Board. Mike Hickey asked if there were any nominations from the floor. Hearing none Mike made a recommendation that the Board accept the nomination by acclamation. The motion was made by Dave Wallace and seconded by Lori Howell. The motion carried with a voice vote by the Board.

B. ISSC and FDA Compliance with Section 114 of the Food Safety Modernization Act

Ken Moore advised that Al Sunseri had asked that this item be added to the Board agenda. Al Sunseri wanted to point out that if there are any changes made in relationship to PHP and its possible requirement in guidance of the NSSP or amendments and FDA concurs with that action this may have to be dealt with. Paul DiStefano commented that the Act is being addressed by FDA. Ken said ISSC does not have the ability to get consensus from the FDA.

C. Louisiana Evaluation

Gordon LeBlanc of the Louisiana Department of Health and Hospitals and Mark Schexnayder of the Louisiana Department of Wildlife & Fisheries commented on the Louisiana evaluation report from FDA to the Board. Paul DiStefano briefed the Board on some of the issues and critical deficiencies found during the evaluation:

- 4 or 5 vessels were boarded; statistical information provided indicated that the levels of problems found are broad based problems; Louisiana deals with approximately 800 boats;
- Time temperature logs were being filled out the day prior to boats leaving docks in the mornings;
- Time temperature checks to document proper cool down were not being conducted;
- PHP facility visited was applying a PHP process that has not been validated. Product was being labeled;

- Records at the PHP facility visited indicated performing single sample monthly verification (three are required);
 - Found significant problems with refrigeration of white tag product being placed in refrigeration;
 - Inadequate refrigeration and oysters were being put in off coolers;
 - Coolers were not turned on until harvest and shellstock was not cooled to required internal temperature;
 - State has made efforts for corrective actions;
- Hopes State and industry will work together resolve some of these concerns .

Ken Moore stated that time temperature requirements have been in effect since 2010 and that States have an obligation to ensure their plans are being implemented. Paul said there is a clear indication that this is an across-the-board problem. Ken said the purpose of this agenda item was to ask Louisiana what kind of help is needed by the State to become compliant and the degree of non-compliance by the State. After additional comments from Board members, Maryanne Guichard suggested that this issue be addressed again at the next Board meeting with Louisiana present. After further discussion Lori Howell made a motion that the ISSC write a letter to FDA requesting completion and finalization of the Louisiana evaluation report within ten days with submission of the report to the State for their response within the thirty day comment period. The motion was seconded by Maryanne Guichard and passed with a voice vote by the Board.

D. Procedures for Appointing Task Force Members

Ken Moore referred the Board to the ISSC Constitution, Bylaws, and Procedures Article I Section 2 and explained the procedure for appointing task force members. Ken then asked if Board members thought the language or procedure needed to be rewritten. No action was taken by the Board.

VIII. OTHER INFORMATION

Spencer Garrett spoke to the Board about his career in shellfish and informed the Board that he would be retiring some time in 2012. He expressed his pleasure in serving on the Executive Board and thanked the Board for their support.

Ken Moore expressed his appreciation to outgoing Chairman Mike Hickey and his service to the Board. Mike responded that it has also been his pleasure to serve as Chairman of the Board.

IX. EXECUTIVE SESSION

A motion was made by Maryanne Guichard and seconded by Lori Howell that the Board convene to Executive Session (3:47 PM). The motion carried with a voice vote by the Board.

The Chairman reconvened open session of the Board meeting and a motion to formally adopt the items considered in Executive Session was made by Lori Howell and seconded by Steve Fleetwood. The motion carried with a voice vote by the Board.

X. APPOINTMENT OF SHIPPING & RECEIVING COMMITTEE

Ken Moore advised the Board that Conference action on Proposal 11-201 Part B, directed the Board to appoint the Shipping & Receiving Committee. Ken recommended approval of the following appointments.

Region 1 Regulatory	Eric Hickey (Massachusetts)
Region 1 Industry	Lori Howell (Maine)
Region 2 Regulatory	Dave Carey (Connecticut)
Region 2 Industry	Steve Fleetwood (New Jersey)
Region 3 Regulatory	Erin Butler (Maryland)
Region 3 Industry	Tim Parsons (Virginia)
Region 4 Regulatory	Steve Murphey (North Carolina)
Region 4 Industry	Tommy Ward (Florida)
Region 5 Regulatory	Kirk Wiles (Texas)
Region 5 Industry	Chris Nelson (Alabama)
Region 6 Regulatory	Rick Porso (Washington)
Region 6 Industry	Bill Dewey (Washington)
FDA	To be Determined by the Agency
NOAA	To be Determined by the Agency
EPA	To be Determined by the Agency
Advisors	To be Determined by the Executive Director & Chairman

A motion to approve was made by Maryanne Guichard and seconded by Lori Howell. The Board approved the motion with a voice vote.

XI. ADJOURN

Upon a motion by Spencer Garrett and seconded by Paul DiStefano, the meeting was adjourned by the Chairman at 4:00 PM.