

Strategic Affairs Committee Report/Minutes

January 23, 2020

10:30 am – 12:00 pm

Albuquerque, New Mexico

COMMITTEE RECOMMENDATIONS:

- **Report acceptance.**
- **Recommend:**
 - **addition to By-Laws Article V. Add a new section for the Executive Committee as follows:**

Official Publication 2020, Page 90

Insert language below as Section 2. Move each remaining section down one.

Article V – EXECUTIVE COMMITTEE

Section 2: There shall be an Executive Committee composed of the following: The Association’s President, President-Elect, Secretary/Treasurer and the immediate Past President. The Executive Director will participate as a non-voting member.

The Executive Committee shall meet upon call by the President, and three (3) members of the Committee shall constitute a quorum.

Executive Committee will act on behalf of the Board of Directors for time critical decisions, or for items that do not need the attention of the full Board of Directors. They will report all decisions to the Board at the next meeting for recording in the minutes.

- **changing what constitutes a quorum for the AAFCO Board of Directors from three (3) to five (5).**

Official Publication 2020, Page 90

Replace the language in Section 5. Quorum. with:

Five (5) members shall constitute a quorum of any duly called regular or special meeting of the Board of Directors.

- **Recommend adding language to Table 1. Committee Premeeting Deadlines and Responsibilities. Recommend adding language to Table 3. BOD Premeeting Deadlines and Responsibilities.**

Official Publication 2020, Page 95, add:

Table 1. at 40 days. Board liaison should review agenda to make sure all topics are appropriate, and all necessary topics are on the agenda.

Table 1. at 45 days. Committee draft agenda is due.

Official Publication 2020, Page 97, add:

Table 3. at 20 days. Committee liaison to review committee recommendations for alignment with Association’s policies and draw attention to any outstanding problems to committee chair and the President.

BOARD RECOMMENDATIONS:

- **Report accepted – *add date***

ASSOCIATION ACTIONS:

- **Report accepted – *add date***

Full Committee Members:

Linda Morrison	Robert Waltz	Nancy Thiox	Dragan Momcilovic
Dan Danielson	Erin Bubb	Jamey Johnson	Doug Lueders
Shannon Jordre	Ken Bowers	Chad Linton	Mark LeBlanc
Jenny Murphy	Kent Kitade	Ali Kashani (Board Liaison)	
Brenda Snodgrass	Richard Ten Eyck (BIN Coach)	Scott Ziehr	
Stan Cook, Vice Chairperson			

By-Laws Sub-Committee

Ken Bowers	Erin Bubb	Doug Lueders	Richard TenEyck
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Committee Advisors

Dave Fairfield	Dave Dzanis	Bob Ehart	Leah Wilkinson
Nancy K. Cook	Kristi Krafka	Julia Fidenzio	

* Present

Committee Report:

1. Sub-Committee: By-Laws Update (Ken)
 - Accept Sub-Committee report (Appendix 1)
Motion to accept Sub-Committee report - Mark; second - Shannon; Motion carries.
 - a. Recommend contractors sign a Conflict of Interest Disclosure Statement within the contract with AAFCO. Add to Procedures Manual page 8. (See Appendix 1A)
Motion to accept recommendation 1.a. - Ken; second - Mark; MOTION FAILS
Action: COI provisions should be in contracts as appropriate, subject to Board review, By-Laws to consider adding clarification to the Manual of Procedures.
 - b. Recommend addition to By-Laws Article V. (See Appendix 1B) Add a new section for the Executive Committee as follows:
Official Publication 2020, Page 90
Insert language below as Section 2. Move each remaining section down one.

Article V – EXECUTIVE COMMITTEE

Section 2: There shall be an Executive Committee composed of the following: The Association’s President, President-Elect, Secretary/Treasurer and the immediate Past President. The Executive Director will participate as a non-voting member. The Executive Committee shall meet upon call by the President, and three (3) members of the Committee shall constitute a quorum. Executive Committee will act on behalf of the Board of Directors for time critical decisions, or for items that do not need the attention of the full Board of

Directors. They will report all decisions to the Board at the next meeting for recording in the minutes.

Motion to accept recommendation 1.b. - Richard; second - Shannon; Motion carries.

- c. Recommend changing what constitutes a quorum for the AAFCO Board of Directors from three (3) to five (5). (See Appendix 1C).

Official Publication 2020, Page 90

Replace the language in Section 5. Quorum. with:

Five (5) members shall constitute a quorum of any duly called regular or special meeting of the Board of Directors.

Motion to accept recommendation 1.c. - Ken; second - Mark; Motion carries.

- d. Recommend adding language to Table 1. *Committee Premeeting Deadlines and Responsibilities*. Recommend adding language to Table 3. *BOD Premeeting Deadlines and Responsibilities*. (See Appendix 1D)

Official Publication 2020, Page 95, add:

Table 1. at 40 days. Board liaison should review agenda to make sure all topics are appropriate, and all necessary topics are on the agenda.

Table 1. at 45 days. Committee draft agenda is due.

Official Publication 2020, Page 97, add:

Table 3. at 20 days. Committee liaison to review committee recommendations for alignment with Association's policies and draw attention to any outstanding problems to committee chair and the President.

Motion to accept recommendation 1.c. - Ken; second - Shannon; Motion carries.

Action: Provide additional detail in the Procedures Manual to make the role of the Board liaison clearer.

- e. Request discussion and possible modification of the incoming President Elect's duties to remove committee membership oversight. Suggest Executive Director fulfill this role.
- President Elect changes annually and is very busy; ED oversight would provide more continuity and process consistency - show of hands, not in favour.
 - Could have ED in charge of process providing information to Committee Coordinator to action.
 - Duty enhances awareness and knowledge of committee activities.
 - Could also rotate Board liaisons to increase familiarity with committee activities in preparation for Committee Coordinator responsibility.

Action: Review Procedures Manual to clarify committee coordinator role and key activities with respect to the process; could include ED as process leader.

- f. Request a discussion of the elimination of the committee coordinator role. This could be rolled into the Executive Director role. BOD Liaison role should be modified to ensure the board liaison is coordinating communication effectively between BOD and Committee Chair and reviewing committee recommendations before submitting to the BOD for acceptance.

- No longer relevant given discussion 1.e. above.
- g. Model Bill referral: Clarification of Life Member ability to vote during general session and on Committees. Does the lack of voting ability impede serving as Committee Chairs in the event of a tie breaking vote?

- By-Laws - interpretation has been that life member voting is only restricted during membership meetings, not committees
- Need clarification with respect to voting ability in Committee, (including Work Group, Task Force, Sub-Committee) work for both life members and multiple representatives of one member organization
- Committee chairs and committee coordinator should review representatives to ensure actions are not skewed by disproportionate representation from a member organization
- General interest is to foster committee active participation, including multiple member representation and voting. It was noted that this is more challenging with small committees. Need good committee management by Chairs.

Action: Make implicit in By-Laws, Section 2 voting, that it is membership meeting voting only. Multiple representatives from one organization and life members can vote during committee activities. Clarify interpretive language in Official Publication and Procedures Manual as well.

2. Strategic Planning 2017-20

- Key progress has been recorded in Attachment 1: Strategic Plan 2017-20 updates from Annual 2019. Edits are in purple text. Progress will be tracked via Attachment 1;

3. Strategic Planning 2021-24

- Priority activities will be identified by Board and Committee chairs in advance of Seminar 2020
- Activities, deliverables and responsibilities will be developed by the Board/Chairs at Seminar 2020.
- Priority goals and activities will be finalized for presentation for member acceptance at Annual 2020 so implementation can begin in 2021.

4. Procedures Manual (Appendix 2)

- Board indicated that SAC should proceed with editing
- Travel Procedures
 - Discussion points from Richard (highlight and blue text in Appendix 2)
- Executive Director and Association Management Firm
 - add section describing Executive Director and Association Management Firm duties/relationship with AAFCO
- Board asked that Conflict of Interest annual completion procedure be added
- Incorporate changes approved in SAC Report, August Annual meeting 2019
- Editor: Kent Kitade

5. Independent Conclusion of GRAS program (Survey 2 report Appendix 3)

- WG (under IDC) Charge: to identify and pursue state acceptable alternatives to CVM review of independent GRAS conclusions. WG Goal: to develop an animal food ingredient review system for independent conclusions of GRAS that is acceptable to all AAFCO member states.
- Board Charge to SAC: consider whether this is the direction that AAFCO wants to go.
- Report circulated and discussed at IDC

- Industry feedback in IDC meeting that there should be 100% buy in; industry interested in re-surveying one member per organization to get clearer picture. IDC ICG WG will consider next steps.

Motion to accept the meeting minutes/report subject to finishing editing - Shannon;
Second - Ken; Motion carries.

Action Item Table:

Responsible	Item	Action	Timing / Status
By-Laws (Ken)	Board Executive and Board quorum/voting provisions	Consider defining executive group. Review Board quorum/voting giving change in number of Directors. Instead of majority, also consider "simple majority".	Complete
By-Laws (Ken)	By-Laws authority regarding Committee recommendations	Investigate whether AAFCO board can kill/amend a committee recommendation (By-Laws, Article VII). Sub-Committee recommends review by legal counsel. Based on counsel's guidance, new language should be drafted in Article VII to clarify.	August 2020
By-Laws (Ken)	COI provisions in contracts	COI provisions should be in contracts as appropriate, subject to Board review, By-Laws to consider adding clarification to the Manual of Procedures.	August 2020
By-Laws (Ken)	Clarify Board Liaison role	Provide additional detail in the Procedures Manual to make the role of the Board liaison clearer respecting review of committee agendas and reports.	August 2020
By-Laws (Ken)	Clarify Committee Coordinator Role	Review Procedures Manual to clarify committee coordinator role and key activities with respect to the process; could include ED as process leader.	August 2020
By-Laws (Ken)	Clarify Life Member and multiple member representative voting	Make implicit in By-Laws, Section 2 voting, that it is membership meeting voting only. Multiple representatives from one organization and life members can vote during committee activities. Clarify interpretive language in Official Publication and Procedures Manual as well.	August 2020
Strategic Affairs (Linda)	Procedures Manual	Consulted Board about making additional edits to the Procedures Manual regarding to travel procedures, Executive Director, Association Management Firm duties, Conflict of Information	August 2020
SAC and IDC (Linda and Richard)	Independent Conclusion of GRAS program	Redo survey with updated questions to add to conversation and confirm continued work on ICG	Complete

APPENDIX 1

By-Laws Sub-Committee report 11/08/19

Sub-Committee Recommendations to SAC:

- 1) Recommend contractors sign a Conflict of Interest Disclosure Statement within the contract with AAFCO. Add to Procedures Manual page 8. See Appendix 1A
- 2) Recommend addition to By-Laws Article V. Add a new section for the Executive Committee. See Appendix 1B
- 3) Recommend changing what constitutes a quorum for the AAFCO Board of Directors from three (3) to five (5). See Appendix 1C.
- 4) Recommend adding language to Table 1. *Committee Premeeting Deadlines and Responsibilities*. Recommend adding language to Table 3. *BOD Premeeting Deadlines and Responsibilities*. See Appendix 1D
- 5) Request discussion and possible modification of the incoming President's duties to remove committee membership oversight. Suggest Executive Director fulfill this role.
- 6) Request a discussion of the elimination of the committee coordinator role. This could be rolled into the Executive Director role. BOD Liaison role should be modified to ensure the board liaison is coordinating communication effectively between BOD and Committee Chair and reviewing committee recommendations before submitting to the BOD for acceptance.

Sub-Committee Participants present during call on 11/08/19:

Erin Bubb – PA, Richard TenEyck – OR, Ken Bowers – KS.
Doug Lueders – AAFCO life member absent

The By-Laws Sub-Committee discussed our recommendation that contractors sign a Conflict of Interest (COI) disclosure statement. The Sub-Committee discussed that the COI should be signed by any contract service provider. It was decided that vendors that just sell products wouldn't need to sign the COI statement. Recommend Executive Committee review COI statements annually prior to filing.

Also discussed was whether a description of the members of the executive committee and its authority needed to be added to the By-Laws. The By-Laws sub-committee recommends that a new section be added in Article V regarding the executive committee.

Recommend Board of Directors quorum be changed from three to five.

By-Laws Sub-Committee recommends additions to Table 1 and Table 3 in the Committee Guidelines in the OP to further clarify the timeline and content of committee recommendations for BOD approval. Adding timelines for the committee BOD liaison to review the committee report before the board receives it may help in having fewer issues with committee recommendations.

Sub-Committee also recommends a review by legal counsel regarding Article VII and whether the BOD can kill and/or send back a committee recommendation. Based on counsel's guidance, new language should be drafted in Article VII to clarify.

Call was adjourned about 90 minutes.

Appendix 1A

Procedures manual page 8

Insert language to read:

Conflict of Interest

The members of the Board and all AAFCO members/volunteers have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. AAFCO Board members, employees, Committee Chairs, AAFCO Investigators and Contractors will sign the Association of American Feed Control Officials Conflict of Interest Disclosure Statement annually that affirms such person

- a. Has received a copy of the conflict of interest policy,
- b. Has read and understands the policy, and
- c. Has agreed to comply with the policy.

Appendix 1B

Official Publication 2020, Page 90

Insert language below as Section 2. Move each remaining section down one.

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Appendix 1C

Official Publication 2020, Page 90

Replace the language in Section 5. Quorum. with:

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Appendix 1D

Official Publication 2020, Page 95, add:

Table 1. at 40 days. Board liaison should review agenda to make sure all topics are appropriate, and all necessary topics are on the agenda.

Table 1. at 45 days. Committee draft agenda is due.

Official Publication 2020, Page 97, add:

Table 3. at 20 days. Committee liaison to review committee recommendations for alignment with Association’s policies and draw attention to any outstanding problems to committee chair and the President.

APPENDIX 2

TRAVEL PROCEDURES

AAFCO realizes the importance of having effective meetings and this requires committee chairs, investigators, members of the BOD and others to attend. However, sometimes persons serving in these positions are unable to attend meetings without outside financial assistance because of a lack of available travel funds in their agency. AAFCO has a long tradition of assisting control officials, to the extent possible, in attending meetings when it is deemed to be in the best interest of AAFCO to do so.

A control official should request funds for travel from AAFCO only if their agency is unable to provide funds for travel. The official should seek partial travel funds from their agency. Additionally, when requesting AAFCO travel funds, the official should minimize expenses.

Authorization Procedures

- The President is responsible for approving all travel requests. The President may consult with the BOD as necessary or advisable. **In the case of the President's travel, the President Elect is responsible for approving the President's request.**
- All travel requests must be submitted to the AAFCO President and Association Management Firm on the Travel Request Form well in advance of the meeting. The Form can be obtained from the AAFCO website or Association Management Firm. Approval must be obtained before the travel begins.
- Committee chairs and BOD members may make their requests directly to the President.
- Committee members must first submit their requests through their committee chair, who must approve the travel before forwarding the request to the President.
- The chair should justify the requests by explaining why the member's presence is in the best interest of AAFCO.
- Travel advances, **mainly to cover transportation**, are available upon request **and approval**. **Do we want to capture the Airfare purchase policy here (highlight)?**
- The President shall **promptly approve or deny** all requests and send a copy to the person requesting approval, the committee chair (if appropriate), and the Association Management Firm. A copy is to be attached to AAFCO Expense Travel Vouchers after the approved travel has been completed. **A specific timeline should be stated for the President's approval. 5 business days (highlight)? Agree**
- **The person who will be President at the calendar time of travel is responsible for approving the requests and reimbursements. The current President Elect will be responsible for approving proposed travel that takes place during their term as President. Needs rework current does within their year, in consultation with incoming**

Allowances and Receipts

- Room costs will be reimbursed on an actual-cost basis. A receipt is required.

- Food **and incidentals**, including tips, will be **based** reimbursed on an actual cost basis, itemized by meal each day or using **on the current** U.S. federal per diem rate **for meals and incidentals**.
- Automobile travel will be reimbursed at the **current** U.S. federal rate. The claim should show origin and destination points and total mileage. If automobile instead of air travel is chosen, then the less expensive mode of transportation will be reimbursed.
- Airfare should be the lowest available, which may require advance purchase, *staying over Saturday night??*, economy fare or other restrictions. A receipt is required.
- Taxi, limousine, **Uber, Lyft** or other transportation will be reimbursed at actual cost. A receipt is required. **Gratuities must be documented. Receipts are required** if over \$15. Separate justification must be made for rental cars **and preapproved**.
- Registration fees are refunded as charged. A receipt is required.
- Other expenses on behalf of AAFCO may be considered for payment. In these cases receipts and justification must be provided.

Travel Expense Claims

- A properly completed Travel Expense Form must be submitted to the President and Association Management Firm, along with all appropriate receipts as previously outlined. The Form can be obtained from the AAFCO website or Association Management Firm. **In case of presidential travel, the President Elect will approve reimbursements.**
- All requests for reimbursement must be made within 30 days of travel completion. **(If the request cannot be filed by then, the traveler may seek in writing, an extension from the President).**
- The President shall check the voucher and receipts and compare to the travel request to ensure accuracy and appropriateness. Upon approval, the President shall sign the travel expense voucher and send the original with receipts **(promptly notify)** to the Association Management Firm **(that the travel request is approved for payment). Notify traveler and Association Management. Specify number of business days. 10 (highlight)? agree**
- The Association Management Firm shall promptly issue a payment to the member to reimburse the approved travel expenses.
- If the member received an advance and a refund is due to AAFCO, the member shall promptly reimburse the Association.
- The Association Management Firm shall retain a copy of the approved travel expense claim and travel request.

General Travel Policies

- The BOD attends the AAFCO/FDA Briefing and Planning Meeting in Rockville, MD at AAFCO expense, if FDA funds are not available.
- The President or BOD may appoint members of AAFCO to represent the Association at industry, governmental and other meetings at AAFCO expense when it is deemed in the best interest of AAFCO. Likewise, the President may deny requests for reimbursement for expenses to attend any meetings for which prior approval was not given.

Executive Director

Two weeks prior to the Board meeting at the seminar, the immediate Past President will put together and circulate to the Board, a review and yearly evaluation of the work completed by the Executive Director. At the seminar, the immediate Past President, President, President Elect, and Secretary/Treasurer shall meet with the Executive Director to review performance.

This session will be open for any Board member to attend. The time and place of the review will be announced prior to the seminar. If the Executive Director is not able to attend the seminar, the immediate Past President will solicit comments from the Board and then present the Executive Director a written review at a later date.

If the immediate Past President is not able to attend seminar, the President or President Elect may conduct the assessment. It will also discuss future initiatives the Board sees as valuable.

APPENDIX 3

Independent Conclusion of GRAS - AAFCO Review Process Survey 2 Report

Background

A regulator survey was conducted in the summer of 2016 to determine how states were handling GRAS related issues (e.g. notifications, self-determination) and whether they would accept an AAFCO led process to review GRAS self-determinations. The survey questions are provided for reference at the end of this document. Thirty-two surveys were completed. The results can be found in the FeedBin by searching: GRAS Regulator survey 081516.pdf

A Working Group (WG) was established under IDC (summer 2018) with the charge: to identify and pursue state acceptable alternatives to CVM review of independent GRAS conclusions. The WG Goal was: to develop an animal food ingredient review system for independent conclusions of GRAS that is acceptable to all AAFCO member states.

The Strategic Affairs Committee was charged by the Board (January 2019) to consider whether AAFCO should continue this work. The relevant question from the 2016 regulator survey is number 6:

Would your state support the AAFCO organization's establishment of a process that provides expert review of industry GRAS self determinations to base an AAFCO defined ingredient?

Responses to this question:

Yes - 22

Probably (with conditions) - 5

No - 2

Action

The SAC determined that a follow up survey should be utilized to assess member support at this time.

A one question survey, slightly modifying former question 6, was used to facilitate responses. The pre-amble was:

AAFCO surveyed members in July 2016 regarding AAFCO establishing a process to provide expert review of independent conclusions of GRAS which was supported. A working group has been established to address this.

This is a second survey to touch base to see if members still support this work.

The survey title and header information was:

Independent Conclusions of GRAS (ICG) - AAFCO review process

Member survey to obtain information on support for AAFCO establishing a process that provides

expert review of independent conclusions of GRAS for an animal food ingredient. This is the second survey to reaffirm support; original July 2016.

The question was:

Would your state support AAFCO establishing a process that provides expert review of independent conclusions of GRAS for an animal food ingredient?

The response options were yes or no with a comment option as well.

The survey was opened on November 25th. Each time a member signed in to the FeedBin they were prompted to complete the survey. The response rate was very low. A reminder was also sent to prompt uptake. The survey was left open until January 19th.

There were 24 member responses with 68% supporting AAFCO proceeding. Conversely 31% were not in favour. A number of the 24 were from the same state but it was not possible to determine if they had voted the same or differently.

The first survey was not a straight yes/no format. Opinions could be provided as well. It was difficult to determine if the opinions were part of the yes/no respondents. So, the report didn't give a percentage for comparison. The clear yes no answers showed 22 yes versus 2 no.

Both surveys, indicate that the majority of member respondents are interested in AAFCO pursuing a path to address independent conclusions of GRAS. A lack of response was assumed to mean neutral opinion on the subject.

The Board were apprised January 19th, 2020. Since IDC meets before SAC, the information was provided to them for their ICG working group so they can proceed. Their activities were on hold while SAC re-surveyed members.

Linda Morrison
Strategic Affairs Committee

Reference information

Survey 1 (July 2016)

Preamble text:

GRAS Notifications Regulator Survey

The AAFCO IDC requests your cooperation in completing a brief 7 question survey to understand how your state views Generally Recognized As Safe (GRAS) substances for use in animal food. Please complete by 7/15/16.

Questions:

1. Does your state currently allow distribution of GRAS substances with animal food intended uses which have been submitted to FDA, reviewed, and received a No Question Letter from FDA (as demonstrated on the FDA website)? (Answer: yes, no, it depends)
2. Would your state allow distribution of an ingredient based on a simple OP listing of GRAS substances with animal food intended uses that the FDA had issued a No Questions Letter? The listing would be similar to what is provided for food additives and GRAS regulations in section 100, where there is no specific definition. (Answer: yes, no, it depends)
3. Would your state accept as adequate for the basis of distribution a specific ingredient definition established through a yet to be determined IDC process which is based on the FDA issued GRAS No Question Letter in response to filed GRAS Notifications. (Answer: yes, no, comments)
4. Does your state accept as a basis for distribution a company's self-determination of GRAS status of the intended use of a substance? (Answer: yes, no, comments)
5. Would your state accept as a basis for distribution a GRAS or other safety determination for use of a substance made or supported by another state? (Answer: yes, no, comments)
6. Would your state support the AAFCO organization's establishment of a process that provides expert review of industry GRAS self determinations to base an AAFCO defined ingredient? (Answer: yes, no, comments)
7. Do you have any additional comments? (space to explain above answers or provide additional information) (Answer: open text box)