

# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 6 ]

[ EXECUTIVE ORDER NO. 2008-09 ]

### Governor's Food Safety Council

December 17, 2008

*Whereas*, the safety and security of the food supply produced and consumed in the Commonwealth is a critical concern for the well-being of Pennsylvania's 12.5 million citizens and their uninterrupted access to a safe, abundant and affordable food supply; and

*Whereas*, the stability of the Commonwealth's number one economic enterprise is at stake when threats are made to the food, fuel and fiber system, as it accounts for \$46.4 billion and supplies more than one million jobs in Pennsylvania; and

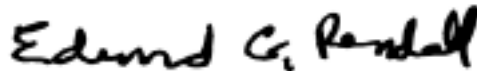
*Whereas*, recognizing that the food supply continuum is comprised of many components and stages from farm-based production to ultimate consumption; and

*Whereas*, there is an increased need for collaboration, planning, prevention and response from numerous governmental agencies, including the Department of Agriculture, Department of Health and agencies directly linked to the public health and emergency response initiatives; and

*Whereas*, threats to the food system are comprised of both naturally occurring pathogens and intentionally introduced agents and establishing food safety is a critical security issue; and

*Whereas*, it has been determined that the Governor and the Commonwealth would benefit from the advice and counsel of an official representative body of food and health safety managers, emergency response community members, policy makers, food producers, food processors, food retailers and agribusiness organizations focused on food safety and defense protocols and processes across all points of the food production spectrum.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Food Safety Council (hereinafter referred to as the "Council") as hereinafter set forth.



Governor

**Fiscal Note:** 2008-09. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

#### Subchapter EE. GOVERNOR'S FOOD SAFETY COUNCIL

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**§ 6.381. Purpose.**

The Governor's Food Safety Council shall do the following:

- (1) Advise the Governor on the development and implementation of food safety and defense protocols and practices in the Commonwealth.
- (2) Provide guidance on prevention, protection, response and recovery to food-related threats.
- (3) Facilitate coordination among Federal, State and local efforts across diverse industry segments such as production agriculture, food processing, food retailers and eating and drinking establishments, and the public health and emergency response communities.

**§ 6.382. Responsibilities.**

The Governor's Food Safety Council (Council) shall do the following:

- (1) Provide guidance and recommendations on the implementation of the Strategy for Agriculture and Food Excellence (S.A.F.E.) Initiative and the protocols and recommendations contained therein.
- (2) Provide guidance on the continued growth/enhancement/expansion of the S.A.F.E. Initiative as science, technology and threats change on the Federal, State and local level.
- (3) Facilitate coordination among the public and private entities that play a role in food safety and defense at the Federal, State and local levels.
- (4) Monitor and evaluate food safety laws and regulations to assess their impact on this Commonwealth.
- (5) Convene two times per year and at the call of the Chairperson of the Council. A simple majority of the members shall constitute a quorum.
- (6) Adopt rules of procedure consistent with this subchapter.

**§ 6.383. Composition.**

The Governor's Food Safety Council (Council) shall consist of the following members:

- (1) The following agency heads of the Commonwealth, or their designees who serve in positions related to the safety and security of the food supply:
  - (i) Secretary of Agriculture, who will serve as Co-Chairperson of the Council.
  - (ii) Secretary of Health, who will serve as Co-Chairperson of the Council.
  - (iii) Director of the Pennsylvania Emergency Management Agency.
  - (iv) Commissioner of the Pennsylvania State Police.
- (2) The Majority and Minority Chairpersons of the Senate of Pennsylvania and the Pennsylvania House of Representatives Agriculture and Rural Affairs Committees.
- (3) Additional members of the public representing the agriculture and food production sectors as well as the public health and emergency management communities. The members of the public will be appointed by and serve at the pleasure of the Governor. A member of the public appointed to the Council under this subsection may have a designee act on the member's behalf, if the member first provides the Chairperson a copy of the member's written designation authorizing the designee to so act. These members will include:
  - (i) Two members representing Local/Act 315 Health Departments.
  - (ii) Three academic members, one of whom shall represent the Agricultural Law Resource and Reference Center.

(iii) Two retail sector members, represented by the Pennsylvania Food Merchants Association and the Pennsylvania Restaurant Association.

(iv) Two processing sector members.

(v) Three agricultural producers representing animal, vegetable and fruit production.

(vi) Two members representing general agricultural organizations in this Commonwealth.

(vii) Two members representing the ports and transportation sector in this Commonwealth, one of whom shall serve as the liaison to the Port of Philadelphia.

(viii) Four members of Federal enforcement agencies representing the Federal Bureau of Investigation; United States Department of Agriculture; Center for Disease Control; and the Food and Drug Administration.

(ix) One member representing the local regional task forces in this Commonwealth.

(x) Two at-large members.

**§ 6.384. Terms of membership.**

The 23 members of the public representing the agriculture and food industry and the public health and emergency response communities will be appointed for terms of 2 years and will continue to serve thereafter until their successors have been appointed. The Governor will fill vacancies that may occur and may remove any member from the Governor's Food Safety Council at his discretion.

**§ 6.385. Compensation.**

Members of the Governor's Food Safety Council (Council) will receive no additional compensation for their service as Council members. Nongovernment members will be reimbursed for travel and related expenses in accordance with Commonwealth policy. See 4 Pa. Code Chapter 40 (relating to travel and subsistence).

**§ 6.386. Staffing.**

The Department of Agriculture shall provide administrative staff resources to support the Governor's Food Safety Council.

**§ 6.387. Cooperation by State agencies.**

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Food Safety Council to carry out its functions effectively.

**§ 6.388. Reports.**

In addition to the recommendations described in this subchapter, the Governor's Food Safety Council (Council) shall submit to the Governor an annual report on the Council's activities.

**§ 6.389. Effective date.**

This subchapter shall take effect immediately.

**§ 6.390. Termination date.**

This subchapter shall remain in effect unless revised or rescinded by the Governor.

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