

BABY FOOD COUNCIL

Baby Food Standard & Certification Program

Overview of Organization and Terms of Reference

About the Baby Food Council

The Baby Food Council¹ (“Council”) is a group of infant and toddler food companies, supported by key stakeholders, seeking to reduce heavy metals in the companies’ products to as low as reasonably achievable using best-in-class management practices. The Council was created in January 2019 in partnership with Cornell University and the Environmental Defense Fund. All companies that source ingredients, manage the upstream supply chain, and nationally market foods for children six to 24 months of age in the United States are welcome to participate in the Council. Since its creation, Healthy Babies Bright Futures has joined the Council as a member and the American Academy of Pediatrics, the Food and Drug Administration, the U.S. Department of Agriculture, the New York State Department of Agriculture and Markets serve as technical advisors to the effort. Further background on the rationale and development of the Council is in the [May 2019 Charter](#).

These Terms of Reference describe the purpose, responsibilities, constitution, working procedures, and accountability for the Standard.

Purpose of Baby Food Standard and Certification

In July 2020, the Council resolved to establish a Baby Food Standard and Certification Program (“Standard”). The purpose of the Standard is to:

1. Reduce heavy metals in baby food² products to as low as reasonably achievable using best-in-class management practices, while preserving and/or not having any adverse impact on beneficial nutrients;
2. Certify baby food products that comply with the Standard; and
3. Provide logo and supporting materials to enable consumers to identify certified products.

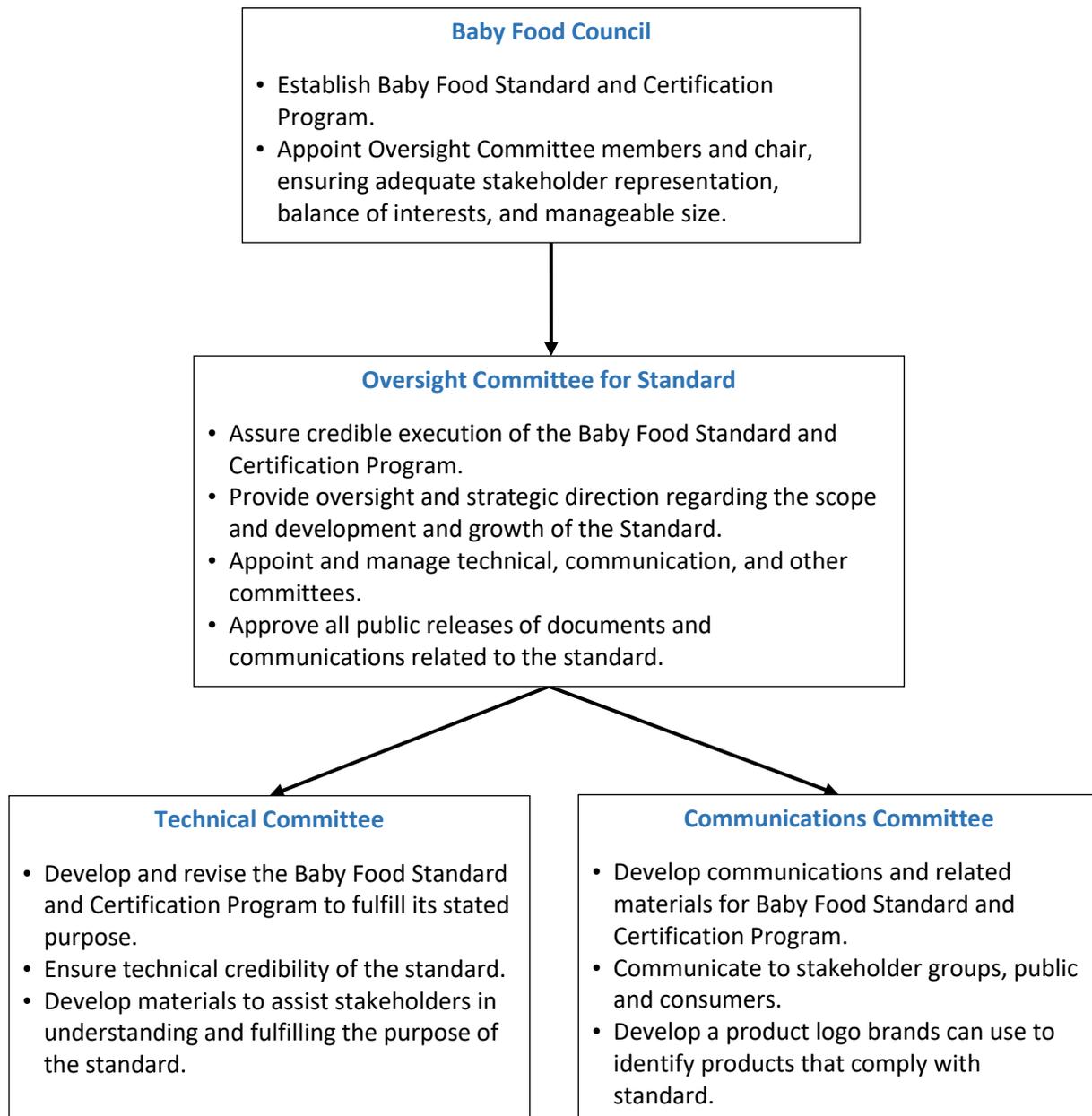
Organizational Structure and Responsibilities

To implement the Standard, the Council established an Oversight Committee (OC) with a Technical Committee (TC) and Communications Committee (CC) that reported to the OC. Figure 1 describes the relationship between the four entities and summarizes their responsibilities.

¹ The Council has established itself as a 501(c)(3) organization on the auspices of Companies for Causes.

² For the initial phase of the Standard, baby food refers to foods consisting primarily of fruit, vegetable, and grain products marketed for children approximately 6 to 24 months of age.

Figure 1: Organizational Structure and Responsibilities to Develop and Implement Baby Food Standard and Certification



OVERSIGHT COMMITTEE FOR BABY FOOD STANDARD AND CERTIFICATION

Purpose and Responsibilities of Oversight Committee

The OC's purpose and responsibilities are to:

- Provide oversight and strategic direction regarding the scope and development and growth of the Standard.
- Assure that development of the Standard occurs through a free, open, inclusive, and transparent process that includes the opportunity of any interested person to provide views.
- Assure credible execution of the Baby Food Standard and Certification Program.
- Appoint and manage technical, communication, and other committees.
- Approve all public releases of documents and communications related to the standard.

These Terms of Reference describe the purpose, responsibilities, constitution, working procedures, and accountability for the Oversight Committee for the Baby Food Council's Baby Food Standard and Certification Program ("Standard").

Qualifications and Appointment

The Council appoints individuals to the OC to ensure it has the necessary expertise and diversity of stakeholder perspectives to adequately oversee development of the Standard. The Council will announce openings for seats on the OC on the Council's and Standard's websites, and through additional communications coordinated by the OC or Council.

To be considered for appointment to the OC, each candidate must declare any and all conflicts of interest, and once appointed update said declaration as changes occur. Candidates' declarations of interests are kept on file by the Council and OC. The Council will post profiles of all current OC members on the Council's website.

Makeup of the Oversight Committee

The OC must represent a balanced mix of the varied stakeholder interests and ensure a manageable size. Therefore, its representation will be as follows:

- Baby food brands – Representatives of between 4 and 7 companies that: 1) source ingredients; 2) manage the upstream supply chain; and 3) nationally market baby food.
- Growers / Producers – Representatives of between 4 and 7 farmers/farmer organizations and processors of their produce who are subject to the Standard.
- Civil society – 3 to 5 representatives from one or more of the following:
 - Consumer Advocates
 - Scientists / Researchers
 - Environmental NGOs
- Government experts – Representative of federal and state government agencies who serve in a non-voting capacity.

The OC members will select a Chair from its members.

Term Length

OC members serve for a term of three years, with one-third of membership's terms expiring each year. For the first three years of the OC's existence, one-third of the members will serve one-year terms, one-third two-year terms, and one-third three-year terms in order to establish the staggered term dynamic.

The Council will ensure a balance of expertise, institutional memory, and fresh perspectives on the OC. To accomplish this balance, the Council may appoint members to serve consecutive terms and will fill vacated seats at the soonest opportunity.

Obligations of Members

Members of the OC are expected to attend and actively participate in meetings and to assume work outside of the meetings as necessary to research and/or develop work products that are within the OC's purview.

Meetings are generally scheduled for a 1-2 hour duration and occur at least bi-monthly. Longer meetings may be convened in-person from time to time but will always allow for a virtual attendance option. If a member misses more than two meetings consecutively, it is grounds for removal from the OC by the Council.

In between meetings, members may be asked to collaborate and communicate on specific work projects on which they have agreed to serve. Responsiveness to requests for feedback on specific work areas decided by the Council or the OC and to which a member has agreed to serve, as well as to general feedback on deliberations of the entire OC, is expected of all OC members. Consistent lack of responsiveness may be taken as grounds for removal from the OC by the Council.

Time commitment by individuals to serve on the OC is expected to require no more than 10 days for the first year and no more than 5 days per year after then, although members may voluntarily spend more time if they desire and projects warrant.

Meeting Procedures and Dynamics

The OC members will select a Chair from its members to call and run meetings. The Standard facilitator assists the Chair and helps facilitate meeting, scheduling, agenda creation, and acts as the OC's Secretary and records meeting minutes.

A quorum of the OC is needed in order to constitute an official meeting and is attained by a majority of OC members being present. A quorum is needed for any official decision to be made.

The OC strives for consensus in its decisions, consensus being defined as the absence of sustained opposition to any given decision. In cases where consensus cannot be reached, the Chair will table a vote until a subsequent meeting with the intention that OC members strive to bridge gaps in the interim. If at the subsequent meeting consensus still cannot be reached, a decision may be carried by a two-thirds vote of the OC members present; dissenting opinions are duly recorded.

The OC may welcome guests to meetings to observe, and in specific cases provide comments for the OC's considerations, based on their own request to attend or via invitation from the OC or one of its members subject to consent by the OC.

Accountability, Transparency, and Performance Monitoring

The OC is accountable to stakeholders through a process that allows stakeholders transparent access to Standard activities by using the Standard's website as the primary nexus of information and avenue of contact. Much of stakeholder participation happens through actions of the Technical and Communications Committees.

The OC is responsible for assuring effective stakeholder engagement through mapping stakeholders, monitoring participation, and achieving a reasonably balanced body of input to the Standard's development through outreach activities during formally announced distinct public consultation periods although the also OC maintains an "open door" to receive communications at any time through its website. Furthermore, the OC responds to concerns and complaints lodged by stakeholders, via a formal Complaints Procedure³ published on its website.

The OC will record meeting results in official minutes published on the Council's and Standard's websites once approved by the OC and reviewed by the Council, either in their entirety or in summary form as appropriate to protect confidential information.

Stakeholder input to the OC regarding public consultations on the Standard and other Standard documents are also summarized and published on the Council's and Standard's websites.

The OC may receive inquiries about its work at any time through its or the Council's website. Consideration of inquiries shall be a recurring agenda topic for all OC meetings. The OC responds to each inquiry individually as appropriate.

The Council receives updates from the OC on its activities including, but not limited to, Standard developments, stakeholder concerns, formal complaints, or other issues where the OC requests guidance or the Council raises specific inquiries.

³ Refer to the published procedure for further details.

TECHNICAL COMMITTEE FOR BABY FOOD STANDARD AND CERTIFICATION

Purpose and Responsibilities of Technical Committee

The Technical Committee's (TC) purpose and responsibilities are to:

- Develop and revise the Baby Food Standard and Certification Program to fulfill its stated purpose.
- Ensure technical credibility of the standard.
- Welcome, receive, and consider input to the content of the Standard from any interested party as part of the Standard's development process.
- Develop materials to assist stakeholders in understanding and fulfilling the purpose of the standard.

These Terms of Reference describe the purpose, responsibilities, constitution, working procedures, and accountability for the Technical Committee for the Baby Food Council's Baby Food Standard and Certification Program ("Standard").

Qualifications and Appointment

The Oversight Committee (OC) appoints individuals to the TC to ensure it has the necessary expertise and diversity of stakeholder perspectives to adequately develop the Standard. The OC will announce openings for seats on the TC on the Standard's websites, and through additional communications coordinated by the OC.

To be considered for appointment to the TC, each candidate must declare any and all conflicts of interest, and once appointed update said declaration as changes occur. Candidates' declarations of interests are kept on file by the TC. The OC will post profiles of all current TC members on the Standard's website.

Makeup of the Technical Committee

The TC must represent a balanced mix of the varied stakeholder interests and ensure a manageable size. It will seek participation from persons with expertise across a full spectrum of stakeholder interests pertaining to the Standard:

- Farmers
- Primary processors
- Product manufacturers
- Baby food brands
- Science / Research
- Consumer Advocacy
- Laboratory / Analytical experts
- Government representatives
- Certification bodies

Term Length

The OC will ensure a balance of expertise, institutional memory, and fresh perspectives on the TC. To accomplish this balance, the Council may appoint members to serve a specific term length and limit consecutive terms.

Obligations of Members

Members of the TC are expected to attend and actively participate in meetings and to assume work outside of the meetings as necessary to research and/or develop work products that are within the TC's purview, which is set by the OC.

Meetings are generally scheduled for a two-hour duration and occur as needed to develop or revise the Standard. This implies that meeting frequency will be higher during intensive development/revision periods and less frequent in between. Longer meetings may be convened in-person from time to time but will always allow for a virtual attendance option.

In between meetings, members may be asked to collaborate and communicate on specific work projects on which they have agreed to serve. Responsiveness to requests for feedback on specific work areas decided by the TC and to which a member has agreed to serve, as well as to general feedback on deliberations of the entire TC, is expected of all TC members. Consistent lack of responsiveness may be taken as grounds for removal from the TC by the OC.

Time commitment by individuals to serve on the TC is expected to require no more than 10 days for the first year and no more than 5 days per year after then, although members may voluntarily spend more time if they desire and projects warrant.

Meeting Procedures and Dynamics

The OC shall appoint a Chairperson from among the TC's constituents to call and run meetings. The facilitator for Standard assists the Chair and helps facilitate meeting scheduling, agenda creation, and acts as the TC's Secretary recording of meeting minutes.

The TC strives for consensus in its recommendations, consensus being defined as the absence of sustained opposition to any given decision. In cases where consensus cannot be reached, a decision may be carried by a majority vote of the TC members, with dissenting opinions specified to the OC.

Guests may be welcomed to meetings to observe, and in specific cases provide comments for the TC's considerations, based on their own request to attend or via invitation from the TC or one of its members subject to consent by the TC.

Accountability, Transparency, and Performance Monitoring

Meeting results are recorded in official minutes, and these are published on the Standard's website once approved by the OC, either in their entirety or in summary form as appropriate to protect confidential information.

The TC may receive inquiries about its work at any time through the Council's or the Standard's website. Consideration of inquiries shall be a recurring agenda topic for all TC meetings. The TC responds to each inquiry individually as appropriate.

The TC is accountable to and overseen by the OC. The OC makes such decisions on membership after considering relevant stakeholder input and in line with these Terms of Reference. The OC is responsible for assuring that the proceedings of the TC follow these Terms of Reference.

The TC's primary purpose is to develop and revise as necessary the content of the Standard and related technical resources.

COMMUNICATIONS COMMITTEE FOR BABY FOOD STANDARD AND CERTIFICATION

Purpose and Responsibilities of Communications Committee

The Communications Committee's (CC) purpose and responsibilities are to:

- Develop communications and related materials for the Baby Food Standard and Certification Program.
- Communicate to stakeholder groups, public and consumers.
- Develop a product logo brands can use to identify products that comply with standard.

These Terms of Reference describe the purpose, responsibilities, constitution, working procedures, and accountability for the Communications Committee for the Baby Food Council's Baby Food Standard and Certification Program ("Standard").

Qualifications and Appointment

The Oversight Committee (OC) appoints individuals to the CC to ensure it has the necessary expertise and diversity of stakeholder perspectives to adequately develop communications related to the Standard. The OC will announce openings for seats on the CC on the Standard's websites, and through additional communications coordinated by the OC.

To be considered for appointment to the OC, each candidate must declare any and all conflicts of interest, and once appointed update said declaration as changes occur. Candidates' declarations of interests are kept on file by the OC. The OC will post profiles of all current CC members on the Standard's website.

Makeup of the Communications Committee

The CC seeks to represent the interests of the Council and reflect a balance of stakeholder interests including the following:

- Baby food brands
- Scientists / Researchers
- Retailers
- Consumer Advocates
- Regulatory claims experts
- Farmers
- Processors

Obligations of Members

Members of the CC are expected to attend and actively participate in meetings and to assume work identified by the OC or the CC itself. If a member misses more than two meetings consecutively, it is grounds for removal from the CC by the OC.

In between meetings, members may be asked to collaborate and communicate on specific work projects on which they have agreed to serve. Responsiveness to requests for feedback on specific work areas decided by the CC and to which a member has agreed to serve, as well as to general feedback on work and deliberations of the entire CC, is expected of all CC members. Consistent lack of responsiveness may be taken as grounds for removal from the CC by the OC.

Time commitment by individuals to serve on the OC is expected to require no more than 10 days for the first year and no more than 5 days per year after then, although members may voluntarily spend more time if they desire and projects warrant.

Term Length

The OC will ensure a balance of expertise, institutional memory, and fresh perspectives on the CC. To accomplish this balance, the Council may appoint members to serve a specific term length and limit consecutive terms and will fill vacated seats at the soonest opportunity.

Meeting Procedures and Dynamics

The OC shall appoint a Chairperson from among the CC's constituents to call and run meetings. The facilitator for the Standard assists the Chair and helps facilitate meeting scheduling, agenda creation, and acts as the CC's Secretary recording of meeting minutes.

The CC strives for consensus in its recommendations, consensus being defined as the absence of sustained opposition to any given decision. In cases where consensus cannot be reached, a decision may be carried by a majority vote of the CC members, with dissenting opinions specified to the OC.

Guests may be welcomed to meetings to observe, and in specific cases provide comments for the CC's considerations, based on their own request to attend or via invitation from the CC or one of its members subject to consent by the CC.

Accountability, Transparency, and Performance Monitoring

Meeting results are recorded in official minutes, and these are published on the Standard's website once approved by the OC, either in their entirety or in summary form as appropriate to protect confidential information.

The CC may receive inquiries about its work at any time through the Council's or the Standard's website. Consideration of inquiries shall be a recurring agenda topic for all CC meetings. The CC responds to each inquiry individually as appropriate.