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Note by the secretariat: This document contains some corrections which are not included in the printed distributed version. They are marked with underline and strike-out.

ECONOMIC COMMISSION FOR EUROPE

COMMITTEE FOR TRADE, INDUSTRY AND
ENTERPRISE DEVELOPMENT

Working Party on Agricultural Quality Standards

Sixtieth session

Geneva, 8 to 10 November 2004

Agenda item 9(b)

Terms of reference/ Handbook on the work of the Working Party

Note by the secretariat:

In this document, the secretariat presents a first draft of a “Handbook on the work of the Working Party on Agricultural Quality Standards and its Specialized Sections”. This document consolidates all relevant general documents together with terms of reference and the working procedures into one framework.

This version of the handbook contains the texts of the introduction, the terms of reference and the working procedures. The other annexes mentioned in the introduction are only referenced.

The terms of reference have been written based on provisions from the Geneva Protocol and the analysis of the protocol done by the secretariat in TRADE/WP.7/2001/6. Delegations are invited to examine if any other provisions from the Geneva Protocol need to be included here.

In this version, the procedure for decision taking has been described in more detail. It follows the current practice of seeking to find the widest possible consensus in the groups.

This is a preliminary text, which needs to be discussed in detail in the Working Party. Delegations should also check if there are any other documents that they would want to see included in the annexes.

INTRODUCTION

Goals of the standardization work

One of the principal goals of the United Nations Economic Commission for Europe (UNECE) is to promote greater economic integration of its members. As one activity for achieving this goal, UNECE provides a forum for Governments to develop internationally harmonized standards for agricultural produce that:

- *Facilitate fair international trade and prevent technical barriers to trade: a common trading language for buyers and sellers*
The standards are indicative of actual commercial practice. Negotiations and the establishment of a contract become easier and more transparent. The quality classifications defined in the standards are used as a base for price information. In case of conflict, standards can be used as a reference point for international arbitration.
- *Promote sustainable, high quality production:*
The standards allow producers and their organizations to reduce costs at the production and sales levels and simplify their inventories because they have only one standard to comply with. The standards give them an indication of what is the minimum acceptable on international markets and they can produce, sort, pack and label their products accordingly.
- *Keep unsatisfactory produce from the market:*
The minimum quality requirements in the standards allow countries to remove unsatisfactory produce from the markets and to discourage unfair trade practices e.g. trying to sell immature produce at the beginning of the season when high profits can be made. Immature produce leads to dissatisfaction of customers and influences their choices negatively, which disadvantages those traders who have waited until the produce is mature.
- *Create market transparency for buyers and consumers*
Consumers benefit from the guaranteed quality of the produce and transparency of the market. The presentation, packaging and marking requirements ensure that they receive relevant information on the produce.

History

The Economic Commission for Europe established the Committee on Agricultural Problems on 14 May 1949.

This Committee decided at its first session (Geneva, 3-6 October 1949), on the subject of quality standards for perishable foodstuffs, to set up a Working Party entrusted with the task of:

- (1) Determining common standards for perishable foodstuffs.
- (2) Studying steps to be taken on the international level in order to secure the general adoption of standards, control systems and, if necessary, of proceeding with the preparation of an international convention.

In February 1952, the Working Party found that provisions applicable to all fruit and vegetables could be drafted. It included these general provisions in a protocol, thus adopting a form that, while more flexible than a convention, would go further than mere recommendations in the direction of placing governments under definite obligations.

In 1958, the Working Party adopted the Geneva Protocol on Standardization of Fresh Fruit and Vegetables and Dry and Dried Fruit, which has served since then as a basis for its work. This protocol was revised 1964 and 1985. A standard layout for fresh fruit and vegetables and one for dry and dried produce (fruit) have been developed on the basis of the Geneva Protocol. Groups for the standardization of Meat, Eggs, Seed Potatoes, Early and Ware Potatoes, Pulses and Cut flowers were formed working according to the same principles.

Since 1997 the Working Party reports to the Committee on Trade, Industry and Enterprise Development. The name of the Working Party was changed to its present name in 2003.

Today, close to 100 internationally harmonized, commercial quality standards have been developed for different agricultural produce: Fresh Fruit and Vegetables, Dry and Dried Produce, Potatoes (Early, Ware and Seed), Eggs and Egg Products, Meat and Cut Flowers.

Standards for fruit juices and quick frozen foods have been elaborated in Joint ECE/Codex Alimentarius Groups of Experts and are now further developed in the relevant Codex bodies.

All issues of commercial quality that have implications for trade can be discussed in different specialized groups, and assistance is offered to countries that are interested in implementing UNECE standards (e.g. training workshops and seminars).

For each standard it is the aim to involve all interested parties in the work (members and non-members of UNECE, international governmental and non-governmental organizations) and to come to a consensus acceptable to all.

Application of UNECE Standards

The standards are widely used in trade (see also Annex 10). Their implementation has been achieved through inclusion in national legislation of countries and through cooperation with other organizations.

Codex Alimentarius Commission

The Working Party and the Joint FAO/WHO Food Standards Programme (Codex Alimentarius Commission) especially the Codex Committee on Fresh Fruit and Vegetables cooperate to achieve harmonization of standards and to avoid duplication of work.

OECD

The OECD Scheme for the Application of International Standards for Fruit and Vegetables adopts the UNECE standards and elaborates explanatory material based on them. Their explanatory material includes color illustrations of specific defects and serves as a tool for interpreting the provisions of the standards as well as promoting their international uniform application.

European Commission

The Working Party and its specialized sections work in cooperation with the European Commission to achieve the closest harmonization possible of UNECE and EC standards to promote trade facilitation. The UNECE standards are taken into account when drafting European Community standards, which are mandatory at all, levels of marketing from producer to the retail level.

At present 36 EU Standards covering 90% of Community trade in fruit and vegetables have been harmonized

with the relevant UNECE Standards.

ABOUT THIS HANDBOOK

The Working Party decided at its 60th session to combine all relevant practical information concerning its terms of reference and working procedures together with the relevant general texts in a handbook serving as a guideline for the work.

This version of the handbook contains the following texts:

- Chapter 1: Terms of Reference
Chapter 2: Current organizational structure
Chapter 3: Working procedures
- Annex 1: Process for elaborating UNECE agricultural quality standards
(as adopted by the Working Party at its fifty-ninth session (see TRADE/WP.7/2003/6/Add.4))
- Annex 2: The UNECE control certificate (to be discussed)
- Annex 3: (a) List of standards for fresh fruit and vegetables
(see http://www.unece.org/trade/agr/standard/fresh/fresh_e.htm);
(b) Standard layout for fresh fruit and vegetables
(as amended by the Working Party at its 59th session see:
<http://www.unece.org/trade/agr/info/layout/layout.htm>)
Definitions to the standard layout (to be developed)
- Annex 4: (a) List of standards for dry and dried produce
(see http://www.unece.org/trade/agr/standard/dry/dry_e.htm);
(b) Standard layout and dry and dried ~~produce~~fruit
(as amended by the Working Party at its 59th session see:
<http://www.unece.org/trade/agr/info/layout/layout.htm>)
(c) Multilingual index of terms and defects for dry and dried ~~produce~~fruit
(see http://www.unece.org/trade/agr/wgroups/ge_02/dictionary/dictionary.doc)
- Annex 5: (a) List of standards for meat
(see http://www.unece.org/trade/agr/standard/fresh/fresh_e.htm);
(b) Standard layout for meat and meat products (to be developed)
- Annex 6: Procedures related to the UNECE Standard for Seed Potatoes.
- Annex 7: List of standards and procedures related to the UNECE Standards for Eggs and Egg Products
- Annex 8: List of standards and procedures related to the UNECE Standards for Cut Flowers
- Annex 9: Acceptances of UNECE Standards
(present version see <http://www.unece.org/trade/agr/info/accept.htm>)
- Annex 10: Guide on the implementation of quality control
(adopted from OECD, see <http://www.unece.org/trade/agr/info/qualcon/qualcon.htm>)
- Annex 11: Exchange of non-conformity information
(adopted from OECD, see <http://www.unece.org/trade/agr/info/noconf/noconf.htm>)

**HANDBOOK ON THE WORK OF
THE WORKING PARTY
ON AGRICULTURAL QUALITY STANDARDS AND ITS SPECIALIZED SECTIONS¹**

**Chapter 1:
TERMS OF REFERENCE**

The United Nations Economic Commission Working Party on Agricultural Quality Standards and its specialized sections shall be responsible for:

- (1) Elaborating internationally harmonized, commercial quality standards for agricultural produce taking into account of existing national standards or trade practices in the areas of Fresh Fruit and Vegetables, Dry and Dried Produce, Seed Potatoes, Eggs, Cut Flowers and Meat. Other agricultural products can be included if the Working Party considers this necessary and there is no duplication with the work of other organizations.
- (2) Amending existing standards in the light of practical experience and the technical and economic evolution of the market.
- (3) Monitoring the application of the standards based on contributions of participating national/international public administrations, other organizations and the private sector.
- (4) Cooperating with the WTO secretariat to ensure that the standard setting process is in line with WTO rules.
- (5) Cooperating with other standard setting bodies to avoid duplication of work and divergence of standards (Codex Alimentarius Commission, OECD Scheme for the Application of International Standards for Fruit and Vegetables).
- (6) Cooperating with other organizations concerning implementation of the standards with a view to achieving uniformity of methods and results (e.g. OECD Scheme);
- (7) Promoting the application of the standards and offer assistance to countries that are interested in implementing UNECE Standards by organizing workshops on the harmonization of national standards with international commercial standards.
- (8) Assist as necessary in other activities having an implication on trade of agricultural produce (e.g. Cooperation with WHO on the Global Strategy on Diet, Physical Activity and Health).

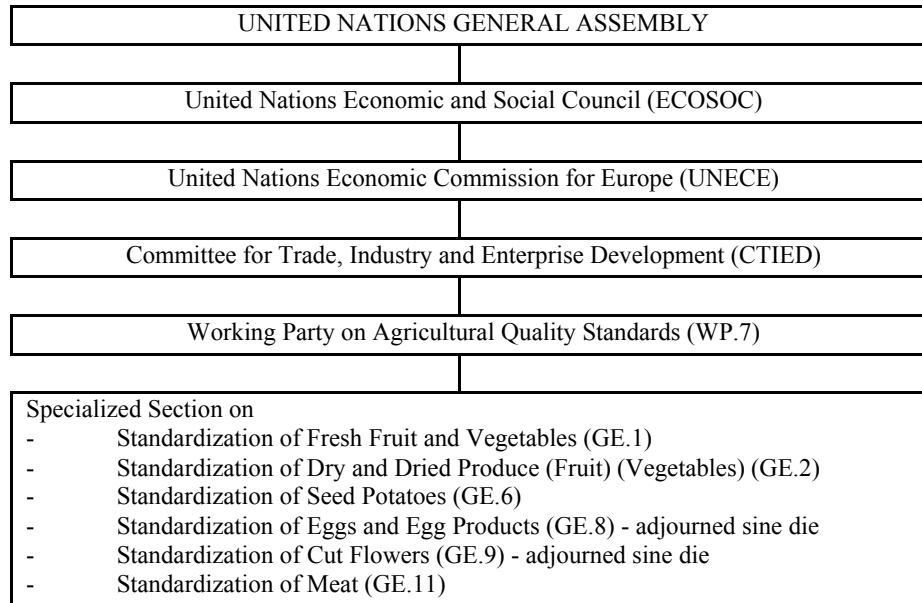
The Working Party and its Specialized Sections shall work in accordance with the Working Procedures defined in Chapter 3 and the relevant annexes to this document.

These terms of reference can be amended by the Working Party as necessary or at the request of a governing body (see Chapter2).

¹ The Specialized Sections of the Working Party on Agricultural Quality Standards are bodies of a standing nature as working parties. The term specialized section has been chosen to express that these groups report to the Working Party.

Chapter 2: CURRENT ORGANIZATIONAL STRUCTURE

The following chart presents the framework of intergovernmental bodies in which the UNECE meetings concerning the elaboration of UNECE Agricultural Quality Standards operate:



The secretariat of the Agricultural Standards Unit is part of the Trade Policy and Governmental Cooperation Branch of the Trade Development and Timber Division of the United Nations Economic Commission for Europe.

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Chapter 3

RULES OF PROCEDURE OF THE WORKING PARTY ON AGRICULTURAL QUALITY STANDARDS AND ITS SPECIALIZED SECTIONS²

In accordance with Rule 52 of the Rules of Procedure of the Economic Commission for Europe, namely that “Subsidiary Bodies shall adopt their own rules of procedure unless otherwise decided by the Commission”, the following procedures are proposed for the Working Party on Agricultural Quality Standards. These procedures update and supersede those agreed by the Working Party at its 53rd session in November 1997.

3.1 Schedule of meetings

Unless otherwise decided by the Committee for Trade, Industry and Enterprise Development, the Working Party and its specialized sections shall meet annually.

The sessions of the Working Party and its Specialized Sections normally take place in Geneva.

3.2 Informal meetings

In addition to their official meetings, the working party and the specialized sections, as parent bodies can delegate tasks to informal groups, which can take the **form** of:

- *Bureau meetings*: meetings of the secretary, chairperson and vice-chairperson and eventually other interested parties. These meetings have as main task to work on follow-up issues of the last session and prepare the next official session.
- *Working groups/ meetings of rapporteurs*: groups formed to achieve a specific task given by the parent body with a time-limited mandate.

The meetings are held in Geneva or at the invitation of a host country. The UNECE secretariat will service these meetings workload permitting and if adequate travel funds are provided.

Invitations to informal meetings will be sent by the secretariat at least 6 weeks before the meeting.

3.3 Participation to the meetings of the Working Party and its specialized sections

All United Nations members can be represented.

Regional economic integration organizations can be represented.

Specialized agencies of the United Nations and other Intergovernmental Organizations can also be represented.

Non-governmental organizations having an interest in the standardization activities can apply for permission for their representatives to attend the meetings of the Working Party and its Specialized Sections by transmitting a justification to the UNECE secretariat. The secretariat will discuss the application with the chairperson of the relevant body who can grant the initial participation to be confirmed by the Working Party or Specialized Section.

3.4 Officers

² ~~The Specialized Sections of the Working Party on Agricultural Quality Standards are bodies of a standing nature as working parties. The term specialized section has been chosen to express that these groups report to the Working Party.~~

The bureau of the Working Party/specialized section is appointed at the end of each session. It consists of a chairperson and up to two vice-chairpersons.

The Chairperson is responsible for:

- Chairing and facilitating the meetings in a fair and open manner in accordance with the decision taking procedure under 3.8.3;
- Summarizing the decisions taken at the end of each item.
- Granting the initial participation to new non-governmental organizations.
- Encouraging rapporteurs to make progress and informal working groups make progress in the intersession-period.
- Delegating tasks to the vice-chairperson(s) as appropriate.
- Calling meetings of the bureau with the secretariat in the intersession-period if this is necessary to prepare the next formal session meetings.
- Presenting the report of the Specialized Section to the Working Party (Chairpersons of the Specialized Sections)
- Presenting the report of the Working Party to the Committee for Trade, Industry and Enterprise Development (Chairperson of the Working Party)
- Presenting the common position of the Working Party/ Specialized Section at relevant meetings of other organizations.
- Assisting the secretariat in the promotion of the work of the Working Party/ Specialized Section.

The vice-chairperson(s) are responsible for:

- Acting as chairperson in case of absence of the chairperson.
- Attending meetings of the bureau in the intersession-period.
- Any other tasks delegated to them by the chairperson.

3.5 Secretariat

The secretariat is responsible for:

- Preparing draft agendas for the meetings of the Working Party and its specialized sections in cooperation with the relevant chairperson.
- Preparing pre-meeting documentation on request and ensuring that documents are translated and distributed (if received on time).
- Presenting papers written or make interventions ~~oral statements~~ during the sessions as necessary concerning any question under consideration.
- Preparing draft reports during the sessions of the Working Party and its specialized sections.
- Preparing the final report and its annexes and addenda.
- Preparing informal meetings on request from the Working Party and its specialized sections.
- Maintaining a database of contacts for the Working Party and its specialized sections
- Maintaining the home page with up-to-date information on meetings, meeting documentation and the text of all standards and related texts.
- Cooperating with other international organizations by attending their meetings and presenting the views of the Working Party.
- Promoting the work of the Working Party and its specialized sections.
- Coordinating assistance programmes (seminars, training courses etc.) to assist countries in the application of standards to increase their potential to trade, based on the availability of resources.

- Coordinating cross-sectoral activities with other groups within or outside UNECE.

3.6 Pre-session timetable for sessions of the Working Party and the specialized sections

The following timetable has been established to ensure timely publication and translation of documents as well as an orderly preparation of the meetings.

14 weeks before the session:

The secretariat in coordination with the Chairperson prepares a draft agenda (based on the agenda contained in the annex to the last report (see 3.5)) and sends it out with a call for documents by email/fax to regular participants accompanied by an invitation to the meeting.

Chairpersons and Vice-chairpersons will receive a special invitation to attend the Working Party session to present the relevant reports.

14-12 weeks before the session:

Authors inform the secretariat of:

- Subject, length, language, and expected date of submission of documents they intend to send,
- Any additional documents that do not yet appear in the draft agenda
- Eventual cancellations of documents appearing in the draft agenda.

12-10 weeks before the session:

The secretariat (in coordination with the chairperson) prepares the detailed draft agenda and makes it available on the home page as soon as it is finalized.

10 weeks before the session:

Documentation received by this date will be sent for translation and distributed on the homepage and on paper with an official document number.

6 weeks before the session:

Documentation received by this date will be distributed (homepage, paper) in the original language only with an official document number

Any document received later will be given an INF number and be made available on the homepage and in a limited number of paper copies at the session. The authors are advised to bring a sufficient number of paper copies to the session. INF documents can only be discussed if the participants agree.

2 weeks before the session:

Delegations should submit registration forms to the secretariat.

3.7 Pre-session documentation

3.7.1 Prepared by delegations

Documents for sessions should be sent to the secretariat in electronic format (e-mail or diskette).

All proposals must include a written justification

In case of a major revision of a standard the original file for the standard should be obtained from the secretariat

and deletions should be marked with a strike out (~~strike-out~~) and additions or modifications in underlined (underlined).

All work related to standards' development and revision is done in accordance with the procedure described in Annex IV.

3.7.2 Prepared by the secretariat

The secretariat will prepare the following documentation:

- Agenda
- Matters of interest arising from the work of other groups within UNECE
- Matters of interest arising from the work of other international organizations
- Information about application of UNECE standards
- Information on any corrections necessary to UNECE Standards to be sent to the relevant specialized section
- Any other documents requested either by governing bodies or delegations.

3.8 Conduct of business

All work related to standards' development and revision is done in accordance with the procedure described in Annex 1.

3.8.1 Adoption of the agenda

The first item upon the provisional agenda for each session shall be the adoption of the agenda.

3.8.2 Discussions and decisions

At the close of discussion of each agenda item or sub-item the Chairperson will identify the decision(s) taken by the meeting.

3.8.3 Procedure for decision taking

NOTE: *The procedure for decision taking has been designed in such a way as to promote the widest possible application of the standards in trade. Consensus is first sought between all participants and if that cannot be reached between those representing public standard setting authorities.*

The following procedure shall be applied:

- (1) The Chairperson shall facilitate the discussion striving to reach a consensus on the issue in question between all participants.

If there is consensus the decision is taken and noted in the report.

- (2) If no consensus can be reached in accordance with (1) the Chairperson shall ask the dissenting participants if they agree to let the decision go forward and have their reservation noted in the report of the session.³

³ Reservations should clearly indicate the reason for the reservation and a possible alternative to the issue

If there is consensus a decision is taken and noted together with the dissenting views in the report of the session.

- (3) If the dissenting participants do not agree to the procedure under (2), the Chairperson shall ask all participants if they agree to delay a decision and continue informal discussions in the intersession- period in informal working groups.

If there is consensus, the terms of reference for the informal discussions are determined and the issue is put on the agenda for the next session.

- (4) If no consensus can be reached in accordance with (3) the Chairperson shall ask the representatives of public standard setting authorities⁴ present if there is consensus among them on the issue in question.

If there is consensus among these participants a decision is taken and noted in the report of the session together with the dissenting views of other participants.

- (5) If there is no consensus between the participants mentioned in (4) the Chairperson shall ask the dissenting participants if they agree to let the decision go forward and have their reservation noted

- In the report of the session and/or
- As a footnote to the text in question.³

- (6) If the dissenting participants do not agree to the procedure under (6~~5~~), the Chairperson shall ask the participants mentioned in (4) if they agree to delay a decision and continue informal discussions in the intersession-period in informal working groups.

If one or more participants agree to this, the terms of reference for the informal discussions are determined and the issue is put on the agenda for the next session.

- (7) If none of the participants agrees to the procedure under (6) then it is noted that no decision could be taken on the issue in question, the item is considered as closed and the existing situation remains unchanged.

3.8.4 *Presentation of the work of the Specialized Sections to the Working Party*

The Chairperson of each specialized section will present the report of their group to the Working Party. If the Chairperson cannot attend the meeting and they did not delegate this responsibility to another participant, the secretariat will present the report.

3.8.6~~5~~ *Technical discussions in the Working Party*

Detailed technical discussions cannot be held in the Working Party. Texts requiring further technical discussion must be referred to the appropriate specialized section.

in question (e.g. alternative text/value in the standard)

⁴ Governmental authority setting standards for agricultural products in its area of competence or authority to which governments have delegated the responsibility to do so.

Minor technical points, corrections and changes may be considered and agreed to by the Working Party without returning the document to the specialized section to avoid lengthy delays over minor technical details.

3.8.76 Report

Based on the Chairperson's summaries of each item, the secretariat prepares a short concise summary report reflecting the decisions taken, including revised versions of the working documents. This report is distributed to delegates for formal adoption before the end of the Meeting.

3.9 Post-session work and documentation

The secretariat will prepare the final version of the report and its addenda. A list of follow-up actions and an executive summary of the results of the session will be ~~included~~ added to each report. The annex to the report contains the first draft for the agenda for the next session.

Other addenda to the reports of the specialized sections contain the texts agreed for transmission to the Working Party or any other text (e.g. draft standards), which the specialized section considers important to be translated after the session.

The official text of the standards adopted is made available on the website of the UNECE after the meeting of the Working Party in the three official languages based on the addenda to the Specialized Section reports.

If no consolidated text of the standard in question was published after the Specialized Section meeting, it is published in an addendum to the Working Party report.

The official texts of the standards can normally only be changed through the procedure of revising the standard except in the case of minor editorial amendments and corrections, which will be indicated in the text of the standard. Typing errors can be corrected by the Secretariat.

One of the addenda to the working party report contains the tentative calendar of meetings for the coming year and any amendments necessary to the programme of work.

Every two years the work programme for the new biennium is updated in line with the preparations for the budget and added as an addendum.
