



# APPLICATION PROCEDURE TO JOIN THE FCC ARBITRATION AND APPEAL PANEL

## 1. Introduction

Voting and Associate Members of the Federation can nominate employees (Applicants) for Council's consideration for appointment as arbitrators within the FCC Arbitration & Appeal Panel (hereafter referred to as "the Panel") pursuant to Rule 1.24 of the Arbitration and Appeal Rules. All applications must be made in respect of Other Than Quality (hereafter referred to as "Technical") Arbitration and, if applicable, Quality Arbitration. Applications in respect of Quality Arbitration can only be done in combination with an application in respect of Technical Arbitration or in case the applicant is already appointed as Technical Arbitrator. Voting and Associate Members should only submit applications in respect of those employees whom they consider to have significant and relevant knowledge and experience of the cocoa trade and the FCC Rules. In this respect **a minimum 5 years' commercial experience of the cocoa trade and the FCC Rules is required.**

This document sets out the procedure to be followed by the FCC Secretariat for approval of applications by the FCC Council for the inclusion of persons in the Panel.

## 2. References

FCC Contract Rules for Cocoa Beans  
FCC Quality, Sampling & Weighing Rules  
FCC Contract Rules for Cocoa Products (CPI, CP2, CP3 & CP4)  
FCC Arbitration and Appeal Rules  
FCC Arbitrators Manual



## **3. Procedure**

### **3.1 Applications to become a Technical Arbitrator**

- 3.1.1 Upon receipt of an application (form available from the FCC website) to join the Panel as a Technical Arbitrator, the Secretariat shall submit the application to the Arbitration and Appeal Committee of the FCC (hereafter referred to as “the A&A Committee”) for initial review and recommendation to the Council as to whether the Applicant is suitable to join the Panel subject to attendance and successful completion of all compulsory FCC arbitrator training courses.
- 3.1.2 Upon confirmation from the A&A Committee that, in their opinion, the Applicant is considered suitable to become a Technical arbitrator, the Secretariat shall then submit the application to the Council for formal consideration with a copy to the A&A Committee.
- 3.1.3 Once the Council’s approval is granted, the applicant will be informed of the decision and of any training requirements that need to be complied with.
- 3.1.4 Subject to confirmation that the applicant has successfully completed all compulsory FCC training courses, the candidate will be considered fully qualified as an FCC Arbitrator and will join the Panel.

### **3.2 Applications to become a Quality Arbitrator**

- 3.2.1 Upon receipt of an application (form available from the FCC website) to join the Panel as a Quality Arbitrator, the Secretariat shall submit the application to the A&A Committee for initial review and recommendation to the Council as to whether the Applicant is suitable to join the Panel subject to attendance and successful completion of all compulsory FCC arbitrator training courses as well as a cocoa quality assessment session.
- 3.2.2 Upon confirmation from the A&A Committee that, in their opinion, the Applicant is considered suitable to become a Quality Arbitrator, the Secretariat shall then submit the application to the Council for formal consideration with a copy to the A&A Committee.



- 3.2.3 Within 6 months from Council's approval and completion of the procedure to become a Technical Arbitrator, the Secretariat shall arrange for the Applicant to attend a cocoa bean quality assessment to be carried out in the presence of two experienced quality arbitrators (Assessors) to be selected by the Secretariat in conjunction with the Senior Arbitrator at a venue to be agreed with the Assessors. The venue shall be at a facility which is suitably equipped with the apparatus set out in section 3 and where the analysis of cocoa beans is customarily carried out (e.g. ICE Europe grading room, or the facility of an FCC Superintendent).
- 3.2.4 Applicants shall demonstrate proficiency in quality assessment in accordance with the FCC Contract and Quality Rules, weighing the sample, sieving its content, measuring broken beans, fragments, foreign matter, flat beans and clusters and drawing the 600g Test Sample (stages 1 to 8 of the attached quality assessment diagram).
- 3.2.5 Applicants shall be assessed on their generic expertise/knowledge of bean count and quality (incidence of defective, slaty beans, violet beans, contamination) by effecting a cut test. In this respect, Applicants shall be required to analyse at least one sealed 2kg (minimum) arbitration sample in accordance with the attached quality assessment diagram (stages 9 to 10) and to perform any further quality analysis deemed necessary by the Applicant in accordance with the FCC Contract and Quality Rules.
- 3.2.6 Upon confirmation from the Assessors that, in their opinion, the Applicant has successfully completed the cocoa bean quality assessment, the Secretariat shall notify the A&A Committee and the Council of the date on which the Applicant has been admitted to the Panel for quality Arbitration and can be appointed by the FCC in formal quality arbitrations alongside senior arbitrators until sufficient experience of FCC quality arbitrations is acquired.

## 4. Requirements after approval

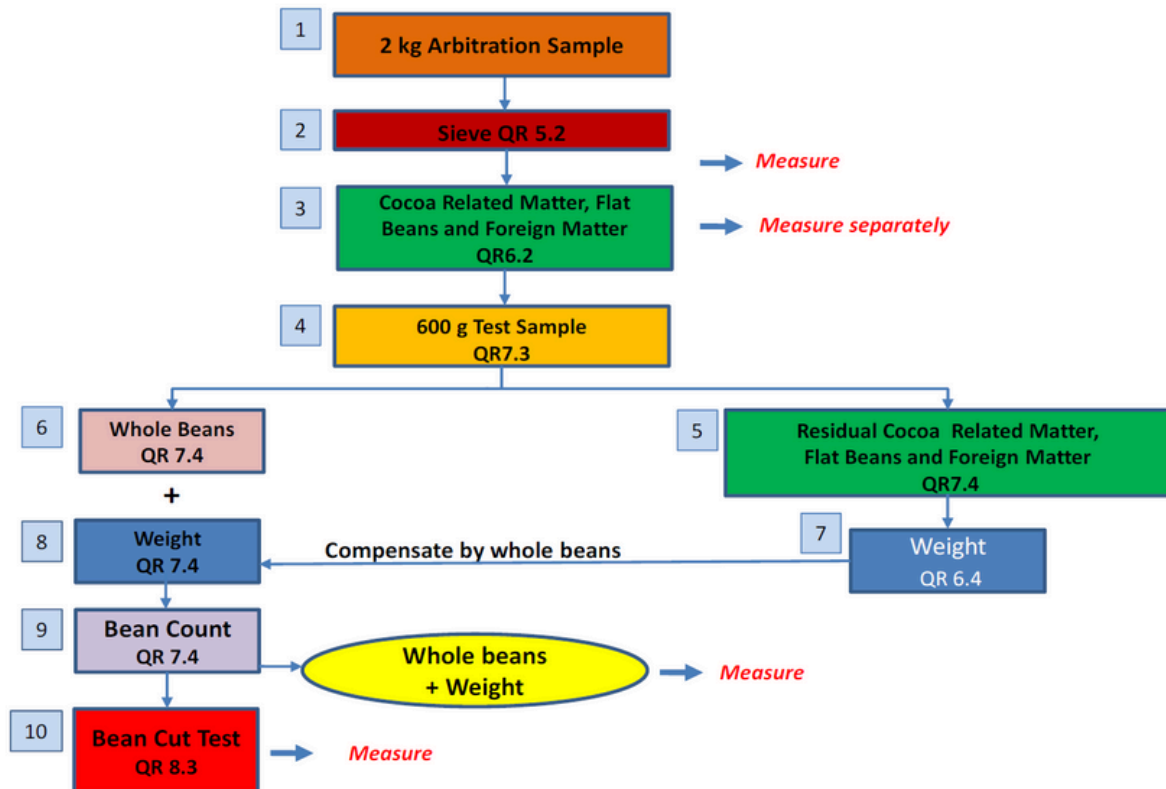
All approved Technical and Quality Arbitrators shall be required to regularly attend any Arbitrator Training Courses which may be conducted from time to time by the Federation to provide arbitrators with comprehensive knowledge and guidance on key areas of the **arbitration process under the FCC Rules**.





## Quality Assessment Diagram

### Cocoa Beans Quality Assessment Diagram



## Apparatus

- accurate digital weighing scales
- 5mm rounded hole sieve
- flat bottomed shovel
- sharp knives/blades
- cutting table
- area for layout out of beans for analysis
- room with natural light or artificial light to replicate

