

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 302

A. TITEL

*Briefwisseling tussen de regering van het Koninkrijk der Nederlanden
en de Voedsel- en Landbouworganisatie van de Verenigde Naties
(FAO) houdende een verdrag betreffende de 38^{ste} zitting van het Codex
Comité voedseladditieven en -verontreinigers te Den Haag van 24 tot
28 april 2006;
Rome, 15 november 2005*

B. TEKST

Nr. I

FOOD AND AGRICULTURE
ORGANIZATION OF THE
UNITED NATIONS

27 September 2005

Our Ref.: CX-711 (Agm)

Thirty-eighth Session of the Codex Committee on Food Additives and
Contaminants The Hague, 24–28 April 2006

Excellency,

I have the honour to refer to the Thirty-eighth Session of the Codex Committee on Food Additives and Contaminants, which is scheduled to be held in The Hague from 24 to 28 April 2006, subject to approval by the Thirty-third Session of the FAO Conference (November 2005), at the kind invitation of the Government of the Kingdom of the Netherlands. The Committee will be preceded by its Working Groups scheduled to be held from 20 to 23 April 2006.

I very much appreciate the generous support of your Government in hosting this Committee over many years.

The Session is being convened within the framework of the Joint FAO/WHO Food Standards Programme. It is my intention to invite all

Members of the FAO/WHO Codex Alimentarius Commission listed in Annex A. Notification of the Session will be given to the international organizations listed in Annex B, which will attend as appropriate according to their specific field of interest.

Furthermore, other Member Nations or Associate Members of FAO and/or WHO, which are not members of the Codex Alimentarius Commission, or States which, while not Members of FAO or WHO, are members of the United Nations, and international organizations in relationship with FAO and/or WHO, may be represented by observers at the Session, should they so request. The total number of participants is expected to be about 300.

The Session will be conducted in English, French and Spanish. The Host Government will be responsible for providing interpreters whose *curricula* are to be cleared by the Chief FAO interpreter.

In order to ensure the smooth functioning of the Session, I should appreciate it if your Government would undertake to apply the following provisions:

1. The Government will exercise all reasonable care to ensure security on the premises in which the Session takes place and to ensure the safety of the officials of FAO and WHO and participants concerned while on such premises. The Government will take whatever steps may be reasonably required in the circumstances to ensure such security and such safety, including such supervision of the premises as may be warranted.

2. The Government recognizes that the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947 (hereinafter referred to as "the Convention") will be applicable to the Session. Accordingly, representatives of Governments and officials of FAO and WHO performing official functions in connection with the Session will enjoy the privileges and immunities provided by Articles V and VI of the Convention. FAO declares that participants from organisations listed in Annex B are experts on mission within the meaning of Annex II and VII to the Convention, and consequently it is agreed that they will enjoy the privileges and immunities provided by those Annexes.

3. Without prejudice to the provisions of the Convention, all persons performing functions in connection with the Session shall enjoy immunity from legal process in respect of words spoken or written in connection with their functions during the Session.

4. Grant visas and all necessary facilities to delegates, observers and consultants attending the Session, provided that the general conditions governing the granting of visas are fulfilled.

5. The Government will deal with any action, claim, or other demand against FAO, WHO or its personnel arising out of:

- (i) injury to person or damage to property in the premises provided for the Session;
- (ii) injury to person or damage to property incurred in using the transportation provided by the Government for the Session;
- (iii) the employment by the Government of temporary personnel for the Government. The Government will hold harmless FAO and WHO and its personnel in respect of any such action, claim or demand, unless these damages were caused by gross negligence or intentionally caused by personnel of FAO or WHO.

6. Without prejudice to their privileges and immunities, it is the duty of all participants enjoying privileges and immunities to respect the laws and regulations of the Netherlands. They also have a duty not to interfere in the internal affairs of the Netherlands.

7. Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to the appropriate provisions of the Convention or of any other applicable agreement, will, unless the parties otherwise agree, be submitted to a tribunal of three arbitrators, one of whom will be appointed by the Director-General of FAO, one by the Government, and the third, who will be the chairman, by the other two arbitrators. If either party does not appoint an arbitrator within three months of the other party having notified the name of its arbitrator, or if the first two arbitrators do not within three months of the appointment or nomination of the second one of them appoint the chairman, then such arbitrator will be nominated by the President of the International Court of Justice at the request of either party to the dispute. Except as otherwise agreed by the parties, the tribunal shall adopt its own rules of procedure, provide for reimbursement of its members and the distribution of expenses between the parties, and take all decisions by a two-thirds majority. Its decisions on all questions of procedure and substance shall be final and, even if rendered in default of one of the parties, be binding on both of them.

I should appreciate receiving your Government's acceptance by letter or by telefax of the above responsibilities as soon as possible, so that invitations and documents may be prepared and issued in good time. This letter and your reply will constitute the Agreement covering the Thirty-eighth Session of the Committee.

Accept, Excellency, the assurance of my highest consideration.

DAVID A. HARCHARIK
Officer-in-Charge
General Affairs and Information
Department

*His Excellency
Ewald Wermuth
Permanent Representative of the Kingdom of the Netherlands
to the UN Organisations for Food and Agriculture
Rome*

Annex A

(CX-711 (Agm))

Membership of the Codex Alimentarius Commission

I. Member Nations: (172)

Afghanistan
Albania
Algeria
Angola
Antigua and Barbuda
Argentina
Armenia
Australia
Austria
Bahamas
Bahrain
Bangladesh
Barbados
Belgium
Belize
Benin
Bhutan
Bolivia
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Central African Republic
Chad
Chile

China
Colombia
Congo
Cook Islands
Costa Rica
Côte d'Ivoire
Croatia
Cuba
Cyprus
Czech Republic
Democratic People's Republic of Korea
Democratic Republic of the Congo
Denmark
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Estonia
Ethiopia
Fiji
Finland
France
Gabon
Gambia
Georgia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Honduras
Hungary
Iceland
India
Indonesia
Iran, (Islamic Republic of) Iraq
Ireland
Israel
Italy
Jamaica

Japan
Jordan
Kazakhstan
Kenya
Kiribati
Kuwait
Kyrgyz Republic
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Lithuania
Luxembourg
Madagascar
Malawi
Malaysia
Mali
Malta
Mauritania
Mauritius
Mexico
Micronesia, (Federated States of)
Mongolia
Morocco
Mozambique
Myanmar
Namibia
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Oman
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea

Republic of Moldova
Romania
Russian Federation
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
Saudi Arabia
Senegal
Serbia and Montenegro
Seychelles
Sierra Leone
Singapore
Slovak Republic
Slovenia
Solomon Islands
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Thailand
The Former Yugoslav Republic of Macedonia
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Uganda
Ukraine
United Arab Emirates
United Kingdom
United Republic of Tanzania
United States of America
Uruguay
Vanuatu
Venezuela
Viet Nam
Yemen
Zambia
Zimbabwe

II. Member Organization:

European Community (EC)

Annex B

(CX-711 (Agm))**List of organizations to be invited to the 38th session of the Codex Committee on Food Additives and Contaminants**

United Nations (UN)
 Economic Commission for Africa (ECA)
 Economic Commission for Europe (ECE)
 Economic Commission for Latin America and the Caribbean (ECLAC)
 Economic and Social Commission for Asia and the Pacific (ESCAP)
 Economic and Social Commission for Western Asia (ESCWA)
 United Nations Conference on Trade and Development (UNCTAD)
 United Nations Development Programme (UNDP)
 United Nations Environment Programme (UNEP)
 World Food Programme (WFP)
 International Network of Food Data Systems (INFOODS)
 International Trade Centre UNCTAD/WTO (ITC)
 United Nations Industrial Development Organization (UNIDO)
 International Atomic Energy Agency (IAEA)

Intergovernmental Organizations:

African Groundnut Council (AGC)
 African Regional Organization for Standardization (ARSO)
 African Union (AU)
 African, Caribbean and Pacific Group of States (ACP Group)
 Arab Industrial Development and Mining Organization (AIDMO)
 Asian and Pacific Coconut Community (APCC)
 Asociación Latinoamericana de Integración (ALI)
 Association of Southeast Asian Nations (ASEAN)
 Bureau international des poids et mesures (BIPM)
 Caribbean Community (CARICOM)
 Cocoa Producers' Alliance (CPA)
 Comisión Panamericana de Normas Técnicas (COPANT)
 Comité Regional de Sanidad Vegetal del Cono Sur (COSAV)
 Commission internationale des industries agricoles et alimentaires (CIIAA)
 Comunidad Andina

Conseil permanent de la Convention internationale de Stresa sur l'emploi
 des appellations d'origine et dénominations de fromages (Stresa Con-
 vention)
 Conseil phytosanitaire interafricain (CPIA)
 Council of Europe (CE)
 Economic Community of West African States (ECOWAS/CEDEAO)
 European and Mediterranean Plant Protection Organization (EPPO)
 European Free Trade Association (EFTA)
 Institut international du froid/International Institute of Refrigeration (IIF/
 IIR)
 Instituto de Nutrición de Centro América y Panamá (INCAP)
 Inter-American Institute for Cooperation on Agriculture (IICA)
 International Cocoa Organization (ICO)
 International Olive Oil Council (IOOC)
 International Pepper Community (IPC)
 League of Arab States (LAS)
 Mercado Común del Sur (MERCOSUR)
 Office international de la vigne et du vin (OIV)
 Office international des épizooties (OIE)
 Organisation africaine et malgache du café (OAMCAF)
 Organisation for Economic Co-operation and Development (OECD)
 Organisation internationale de métrologie légale (OIML)
 Organization of American States (OAS)
 Organismo Internacional Regional de Sanidad Agropecuaria (OIRSA)
 Pacific Community (PC)
 Pan American Health Organization (PAHO)
 Secretaría Permanente del Tratado General de Integración Económica
 Centroamericana (SIECA)
 Sistema Económico Latinoamericano (SELA)
 South Asian Association for Regional Cooperation (SAARC)
 Southern African Development Community (SADC)
 Standardization and Metrology Organization for Gulf Cooperation Coun-
 cil Countries (SMOGCCC)
 Union douanière et économique de l'Afrique centrale (UDEAC/CACEU)
 West Africa Rice Development Association (WARDA)
 World Trade Organization (WTO/OMC)

International Non-Governmental Organizations:

49th Parallel Biotechnology Consortium (49P)
 American Oil Chemists' Society (AOCS)
 AOAC International (AOAC International)
 Arab Federation for Consumers (AFC)
 ASEAN Vegetable Oils Club (AVOC)
 Asociación Latinoamericana de Avicultura (ALA)

Asociación Latinoamericana y del Caribe de Ciencia y Tecnología de los Alimentos (Latin American and Caribbean Food Science and Technology Association) (ALACCTA)
 Association des amidonneries de céréales de l'UE (AAC)
 Association des industries des aliments diététiques de l'Union européenne (IDACE)
 Association des industries des glaces alimentaires de la CEE (EUROGLACES)
 Association européenne des exploitations frigorifiques (AEEF)
 Association européenne pour le droit de l'alimentation (AEDA/EFLA)
 Association internationale de la distribution (AIDA)
 Association internationale des industries de bouillons et potages (AIIBP)/
 Fédération des Associations de L'industrie des Bouillons et Potages de la CEE (FAIBP) (AIIBP/FAIBP)
 Association internationale pour le développement des gommages naturels (AIDGUM)
 Association of American Feed Control Officials (AAFCO)
 Association of European Coeliac Societies (AOECS)
 Association of International Industrial Irradiation (AIII)
 Association of Manufacturers of Fermentation Enzyme Products (AMFEP)
 Association of Sorbitol Producers within the EC (ASPEC)
 Association of the European Self-Medication Industry (AESGP)
 BIOPOLYMER International (BIOPOLYMER)
 Biotechnology Industry Organization (BIO)
 Caribbean Food and Nutrition Institute (CFNI)
 Center for Science in the Public Interest (CSPI)
 Centre de liaison des industries transformatrices de viandes de l'UE (CLITRAVI)
 Chambre de commerce internationale (ICC)
 Comité de liaison de l'agrumiculture méditerranéenne (CLAM)
 Comité des fabricants d'acide glutamique de l'UE (COFAG)
 Comité du commerce des céréales, aliments du bétail, oléagineux, huiles et graisses et agrofournitures de l'Union Européenne (COCERAL)
 Comité européen des fabricants de sucre (CEFS)
 Comité permanent international du vinaigre (CPIV)
 Commission intersyndicale des déshydrateurs européens (CIDE)
 Confédération des industries agro-alimentaires de l'UE (CIAA)
 Confédération internationale du commerce et de l'industrie des pailles fourrages tourbes et dérivés (CICIP)
 Confédération internationale du commerce et des industries des légumes secs (CICILS)
 Conseil européen de l'industrie chimique (European Chemical Industry Council) (CEFIC)
 Consumers International (CI)
 Council for Responsible Nutrition (CRN)
 Crop Life International (GCPF)

EAN International (EAN)
 Enzyme Technical Association (ETA)
 Euro Commerce (EUROCOMMERCE)
 Europe-Africa-Caribbean-Pacific Liaison Committee for the Promotion of Tropical Fruits, Off-Season Vegetables, Flowers, Ornamental Plants and Spices (COLEACP)
 European Animal Fat Processors Association (UNEGA)
 European Animal Protein Association (EAPA)
 European Association for Bioindustries (EUROPABIO)
 European Association of Advertizing Agencies (EAAA)
 European Cocoa Association (ECA)
 European Dairy Association (EDA)
 European Federation of Allergy and Airways Diseases Patients' Association (EFA)
 European Federation of Associations of Health Product Manufacturers (EHPM)
 European Feed Manufacturers' Federation (FEFAC)
 European Flavour and Fragrance Association (EFFA)
 European Food and Feed Cultures Association (EFFCA)
 European Food Emulsifier Manufacturers' Association (EFEMA)
 European Food Information Council (EUFIC)
 European Fresh Produce Importers' Association (CIMO)
 European Heart Network (EHN)
 European Natural SoyFoods Manufacturers Association (ENSA)
 European Network of Childbirth Associations (ENCA)
 European Organization for Quality (EOQ)
 European Salt Producers' Association (ESPA)
 European Society for Paediatric Gastroenterology Hepatology and Nutrition (ESPGHAN)
 European Vegetable Protein Federation (EUVEPRO)
 Federación Panamericana de Lechería (FEPALE)
 Fédération de l'industrie de l'huilerie de la CE (FEDIOL)
 Fédération des industries des sauces condimentaires, de la moutarde et des fruits et légumes préparés à l'huile et au vinaigre de l'UE (FIC EUROPE)
 Fédération européenne du commerce en fruits secs, conserves, épices et miel (FRUCOM)
 Fédération internationale des associations d'apiculture (APIMONDIA)
 Fédération internationale des producteurs agricoles (IFAP)
 Fédération internationale des vins et spiritueux (FIVS)
 Federation of European Food Additives and Food Enzymes Industries (ELC)
 Federation of Oils, Seeds and Fats Associations International (FOSFA International)
 Grain and Feed Trade Association (GAFTA)
 Greenpeace International (GREENPEACE)
 Groupement des Associations Meunières des Pays de l'UE (GAM)

Groupement international des Sources d'Eaux Naturelles et d'Eaux Conditionnées (GISENEC)
Industry Council for Development (ICD)
Institut européen des industries de la gomme de caroube (INEC)
Institute of Food Technologists (IFT)
Inter-American Bar Association (IABA)
International Accreditation Forum (IAF)
International Alliance of Dietary/Food Supplement Associations (IADSA)
International Association for Cereal Science and Technology (IACST)
International Association of Consumer Food Organizations (IACFO)
International Association of Fish Inspectors (IAFI)
International Association of Seed Crushers (IASC)
International Auditor and Training Certification Association (IATCA)
International Baby Food Action Network (IBFAN)
International Banana Association (IBA)
International Biotechnology Forum (IBF)
International Bottled Water Association (IBWA)
International Cocoa Trades Federation (ICTF)
International Commission for Uniform Methods of Sugar Analysis (ICUMSA)
International Commission on Microbiological Specifications for Foods (ICMSF)
International Cooperative Alliance (ICA)
International Council of Grocery Manufacturers Associations (ICGMA)
International Dairy Federation (IDF/FIL)
International Diabetes Federation (IDF/FID)
International Egg Commission (IEC)
International Federation for Animal Health (IFAH)
International Federation of Agricultural Journalists (IFAJ)
International Federation of Chewing Gum Associations (IFCGA)
International Federation of Fruit Juice Producers (IFU)
International Federation of Glucose Industries (IFGI)
International Federation of Margarine Associations (IFMA)
International Federation of Organic Agriculture Movements (IFOAM)
International Feed Industry Federation (IFIF)
International Fishmeal and Fish Oil Organisation (IFFO)
International Food Additives Council (IFAC)
International Food Information Service (IFIS)
International Frozen Foods Association (IFFA)
International Glutamate Technical Committee (IGTC)
International Hydrolyzed Protein Council (IHPC)
International Institute for Applied Systems Analysis (IIASA)
International Lactation Consultant Association (ILCA)
International Life Sciences Institute (ILSI)
International Nut Council (INC)

International Office of Cocoa, Chocolate and Sugar Confectionery (IOCCC)
 International Organization for Standardization (ISO)
 International Organization of Spice Trade Associations (IOSTA)
 International Organization of the Flavour Industry (IOFI)
 International Peanut Forum (IPF)
 International Pectin Producers' Association (IPPA)
 International Seed Federation (ISF)
 International Society of Citriculture (ISC)
 International Soft Drink Council (ISDC)
 International Special Dietary Foods Industries (ISDI)
 International Sweeteners Association (ISA)
 International Union of Biological Sciences (IUBS)
 International Union of Food Science and Technology (IUFoST)
 International Union of Microbiological Societies (IUMS)
 International Union of Nutritional Sciences (IUNS)
 International Union of Pure and Applied Chemistry (IUPAC)
 International Wheat Gluten Association (IWGA)
 National Health Federation (NHF)
 Natural Food Colours Association (NATCOL)
 Nordic Committee on Food Analysis (NMKL)
 Organisation des fabricants de produits cellulosiques alimentaires (OFCA)
 Organisation européenne des industries transformatrices de fruits et légumes (OEITFL)
 Pesticides Action Network (PAN)
 The International Federation of Environmental Health (IFEH)
 Transfrigoroute International (TI)
 Union européenne des industries de transformation de la pomme de terre (UEITP)
 Union européenne du commerce du bétail et de la viande (UECBV)
 Working Group on Prolamin Analysis and Toxicity (WGPAT)
 World Association for Animal Production (WAAP)
 World Association of Seaweed Producers (MARINALG International)
 World Federation of Advertizers (WFA)
 World Medical Association (WMA)
 World Processing Tomato Council (WPTC)
 World Renderers Organization (WRO)
 World Self-Medication Industry (WSMI)
 World Sugar Research Organization (WSRO)
 World Veterinary Association (WVA)

Nr II

Permanent Representation of the Kingdom of the Netherlands to the
United Nations Organisations for Food and Agriculture

Rome, 15 November 2005

No. ROF-2005/458
EW/mvr

Subject: Thirty-eighth Session of the Codex Committee on Food Additives and Contaminants,
The Hague, 24–28 April 2006

Dear Mr Harcharik,

I have the honour to refer to your letter CX-711 of 27 September 2005, relating to an agreement to be concluded between the Government of the Kingdom of the Netherlands and the Food and Agriculture Organization of the United Nations (FAO) concerning the Thirty-eighth Session of the Codex Committee on Food Additives and Contaminants, which is scheduled to be held in The Hague from 24 to 28 April 2006, which reads as follows:

(Zoals in Nr. I)

I am authorized by the Government of the Kingdom of the Netherlands to state that it agrees to the proposals regarding the organization of the Session and to state that the Government of the Kingdom of the Netherlands considers your letter and my reply as together constituting an Agreement between the Government of the Kingdom of the Netherlands and the Food and Agriculture Organization of the United Nations in respect of the Thirty-eighth Session of the Codex Committee on Food Additives and Contaminants, which shall enter into force on the date of this reply and shall remain in force for the duration of the Session and for such additional period as is necessary for its preparation and winding up, the total duration of this Agreement, however, not to exceed one year.

Please accept, Sir, the assurances of my highest consideration.

Yours sincerely,

(sd) EWALD WERMUTH

Ewald Wermuth
Ambassador

Permanent Representative

Mr David A. Harcharik
Officer-in-Charge
General Affairs and Information Department
F.A.O.
Via delle Terme di Caracalla
Rome

D. PARLEMENT

Het in de brieven vervatte verdrag behoefde ingevolge artikel 7, onderdeel c, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de brieven vervatte verdrag zijn ingevolge het in de laatste alinea van brief Nr. II gestelde op 15 november 2005 in werking getreden en zullen ingevolge diezelfde alinea niet langer dan een jaar van kracht zijn.

Wat betreft het Koninkrijk der Nederlanden, geldt het verdrag alleen voor Nederland.

J. VERWIJZINGEN

Titel	: Handvest van de Verenigde Naties; San Francisco, 26 juni 1945
Tekst	: <i>Trb.</i> 1979, 37 (Engels en Frans) <i>Trb.</i> 1987, 113 (vertaling)
Laatste <i>Trb.</i>	: <i>Trb.</i> 2004, 240
Titel	: Statuut van de Voedsel- en Landbouworganisatie van de Verenigde Naties; Quebec, 16 oktober 1945
Tekst	: <i>Trb.</i> 1996, 341 (geconsolideerde Engelse tekst)
Titel	: Statuut van de Wereldgezondheidsorganisatie; New York 22 juli 1946
Tekst	: <i>Trb.</i> 1948, 182 (Frans, Engels en vertaling)
Laatste <i>Trb.</i>	: <i>Trb.</i> 1998, 255
Titel	: Statuut van het Internationaal Gerechtshof; San Francisco, 26 juni 1945
Tekst	: <i>Trb.</i> 1971, 55 (Engels, Frans en vertaling)
Laatste <i>Trb.</i>	: <i>Trb.</i> 1997, 106

Titel : Verdrag nopens de voorrechten en immuniteiten van
de gespecialiseerde organisaties;
New York, 21 november 1947
Tekst : *Trb.* 1949, 67 (Engels, Frans en vertaling)
Laatste Trb. : *Trb.* 2004, 59

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het onderhavige verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *vijfde* december 2005.

De Minister van Buitenlandse Zaken,

B. R. BOT