

**Public Minutes of a Meeting of the
ICE CoT Advisory & Oversight Committee (“Committee”) of
ICE Benchmark Administration (“IBA”)
Boardroom, Milton Gate, 60 Chiswell Street, London EC1Y 4SA
Tuesday, 27 February 2024 - 16:00 UK**

PRESENT: Mr H Poelma (Independent), Chairman
Mr B Clarkson (LDC)
Ms K Halle (ECOM)
Mr J Larrose (Touton)
Mr G Manley (Independent)
Mr C de Ruig (IBA President)
Mr C. Thompson (Volcafe)
Mr W Zimmerman (Barry Callebaut)

APOLOGIES: None

CIRCULATION: IBA website

	<p>Chairman’s Welcome and Apologies The Chairman welcomed the Members to the ICE CoT Advisory & Oversight Committee (ICE CoT AOC) meeting and noted there were no apologies.</p> <p>The Chairman invited the new members to introduce themselves.</p>
	<p>Declaration of Conflicts of Interest None of the Committee Members had any new conflicts to declare.</p>
	<p>Competition Statement IBA read out a competition notice and disclaimer.</p>
	<p>Previous Meeting Full Minutes The full minutes of the ICE CoT Advisory & Oversight Committee meeting held on 17 January 2024 were considered and approved.</p> <p>Public Minutes The public minutes of the ICE CoT Advisory & Oversight Committee meeting held on 17 January 2024 were considered and approved for publication.</p> <p>Matters Arising The Chairman noted that matters arising were either closed or would be covered during the meeting.</p>
	<p>Regulatory Update & ICE Futures Europe Rules Changes The Committee received a regulatory update.</p> <p>IBA informed the Committee that there had been media reports about trade groups and origin countries appealing for EUDR implementation to be delayed and explained that a delay, if there were one, could be achieved by two approaches: either the lengthy legislative procedure of changing the EUDR’s application date, which would involve passing amendments through European Parliament, or more straight-forwardly by the issuance of a no-action letter from the European Commission to the National Competent Authorities.</p>

	<p>IBA advised the Committee that the Exchange had issued three circulars the previous week outlining proposed contract changes related to EUDR for cocoa and coffee, and highlighting the relevant aspects for ICE CoT:</p> <ul style="list-style-type: none"> • all new Exchange stock to be certified from 30 December 2024 would require an EUDR Due Diligence Information (DDI) check; and • ICE Futures Europe would specify the information, procedures and Due Diligence System employed to check the DDI in due course. <p>The Committee discussed the Exchange's rules changes, noting that they may become necessary if the EUDR implementation were delayed.</p>
	<p>Farm Validation Methodology</p> <p>The Committee received an update on the Farm Validation tests and methodology.</p> <p>The Committee discussed the use of polygons vs geolocation points in relation to farm validation tests, noting that polygons were more accurate and the preferred method of farm plotting as tests based on polygons would provide a higher degree of certainty and risk mitigation.</p>
	<p>Physical Flow Traceability Update</p> <p>The Committee noted that work continued on the physical flow validation methodology, which would be implemented alongside the Farm Validation Methodology within ICE CoT.</p> <p>The Committee received the Critical Data for ICE CoT presentation in the meeting materials, noting and discussing the key points.</p> <p>It was agreed that the critical data requirements would need to be aligned with the European Cocoa Association (ECA) protocol requirements for physical flow data, which were expected to be published in the near future.</p> <p>The Committee noted that, in ensuring ICE CoT establishes credibility and wins the industry's and regulators' trust, IBA proposed to obtain an audit of the ICE CoT methodologies and also proposed to perform field audits on a sample of farm and physical flow data as users required assurance that parts of the ICE CoT system would periodically be audited and that it would also act as a repository for audit information.</p> <p>IBA referred to the Physical Flow Traceability presentation in the meeting materials, describing the various levels of traceability information.</p> <p>The Committee discussed the various levels of traceability that would be required from the launch of the ICE CoT system.</p> <p>The Committee agreed that cocoa and coffee should be treated the same as regards to physical flow traceability.</p>
	<p>Confidentiality & Disclosure of Supply Chain Data</p> <p>IBA referred to the Confidentiality & Disclosure of Supply Chain Data presentation in the meeting materials, summarising the key points.</p> <p>The Committee discussed transparency of traceability data and the different levels of confidentiality, noting that ICE CoT users would want all data to be available for any audit requests. The Committee noted the importance of enabling operators to conduct due diligence in line with EUDR requirements and for downstream supply chain actors to be able to ascertain this due diligence was done. The Committee acknowledged that maintaining confidentiality between supply chain actors, where feasible, was a key value add to the ICE CoT proposition.</p>
	<p>ICE CoT TWG Update</p> <p>IBA referred to the Role, Procedures and Terms of Reference for the Technical Working Group (TWG) in the meeting materials, noting the desired skills and competencies of prospective members.</p>

	The Committee noted that the TWG membership would comprise staff from Committee member companies as well as from the wider industry.
	Project Timeline IBA provided an update of the various ICE CoT workstreams, timelines and milestones.
	ICE CoT Approach to EUDR Articles 9, 10 & 11 The Committee discussed and agreed with IBA's proposals to support compliance with the Article 9, 10 & 11 due diligence obligations of operators and traders under the EUDR.
	Any Other Business The Chairman thanked the Committee Members for their attendance and contributions and, with there being no further business to discuss, closed the meeting.

Harold Poelma
Chairman