



# Ethics for the Occupational Health and Safety Professional

## Pre-Course Exercises

Asynchronous Version 1.03

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**New Wave Occupational Health and Safety Services**

6 Mountain Ash Court

Dartmouth, Nova Scotia

B2Y4J8

[newwaveohs.com](http://newwaveohs.com)

[contact@newwaveohs.com](mailto:contact@newwaveohs.com)

## Session Objectives

At the end of this session, you will:

- Be more aware about ethical issues
- Have a framework for thinking and talking about ethical issues and be able to analyze ethical challenges based on proposed courses of action
- Understand some factors that impact how people respond to ethical issues
- Understand the purpose and content of the profession's codes of ethics
- Be able to recognize when disclosure and whistleblowing may be appropriate

## Session Outline

- Initial case studies
- Recognizing an ethical issue
- Analyzing an ethical issue (Ethics theories)
- Responses to ethical issues
- The way forward
- Codes of Ethics
- Closing points
- Quiz

## Evaluation

The session will be evaluated in a number of ways.

Your progress will be assessed through:

- A short submission to a closing case study
- A 5 question, open book quiz (pass mark is 3 out of 5)

The session itself will be evaluated through:

- Your feedback on several aspects of the course
- Your assessment of how much your personal knowledge and appreciation of ethics increased during the session.

## Your Needs!!!

In order to make this session as beneficial for you as possible, we ask that you let us know before the course of any:

- specific learning needs you may have; and
- specific accommodation needs, if any.

## In preparation for the course, . . .

In order to improve your experience in our *Ethics for the Occupational Health and Safety Professional* course, we ask you to do the following:

1. Ethics is a very personal subject. To get the most out of this course, we ask you to be prepared to consider the various points we make through the lens of your own experience and thoughts.
  - a. Feel free to contact us at [contact@newwaveohs.com](mailto:contact@newwaveohs.com) with any questions you have about course content or requirements or to discuss any ethical scenarios that come to mind.
2. Pages 3 and 4: Review the case studies included in this handout
  - a. Consider your answers to the case study questions in the spaces provided, along with *WHY* you believe the way you do
3. Page 6: Review the BCRSP Rules of Professional Conduct. Write down any questions or comments you may have.
  - a. As a starting point, are there any ethical or moral principles that the codes do not address?

**Do NOT send your answers in**



# Case Studies

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## Case Study Number One

Kudochem is a multinational company producing chemicals for the agricultural industry.

Kudochem's researchers believe – but cannot prove – that there is a risk related to a production technique for fertilizer. This technique is used in all 17 of Kudochem's plants worldwide. If unaddressed, this new risk might cause a major explosion with multiple fatalities. But that is just a theory with an estimated frequency of actually causing an explosion of once every 100 years across all plants.

It is possible to run tests to prove or disprove the impact of the contributing cause, but the tests would take 5 months to complete. All of the plants run continuously; there is no “downtime”. Your engineers have told you that, without more information (which will take 5 months to get), there is no repair they can do to reduce the risk of an explosion.

Twelve of the 17 plants are old and any shutdown for any reason – even to install equipment to prevent the explosions - is not financially viable. Thus, those plants would close permanently if you shut them down while you performed your tests. Those older plants are in poorer countries with no employment insurance or welfare systems. Thus, 18 500 staff would lose their jobs in those areas. While you can provide “transition support” for laid off staff, you cannot afford to do so for more than one year. After that year, having no other “safety net” and little chance for other employment, most of the staff in poorer countries and their families would likely fall into extreme poverty. Statistically speaking, 47.3% of persons living in extreme poverty die 15 to 20 years earlier than others in the same country.

Put yourself in the place of Kudochem's president. While doing the 5-month long tests to confirm or refute the theory about the risk, do you:

- leave the plants running and run the risk of an explosion?
- shut them down now, knowing that the older plants will never reopen?

Why?

Please do not propose compromise solutions, like close some plants, switch production, etc. To get the most out of this case study, look at it as an all or nothing situation – either all plants stay open for the 5-month long test or all plants close during the 5-

month test (recognizing that, if closed during the tests, 12 of the 17 plants will never be able to reopen).

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## Case Study Number Two

In 1970 Ford introduced the Pinto. The Pinto was brought from inception to production in the record time of approximately 25 months (compared to the industry average of 43 months). In addition to the time pressure, the final design was not to exceed either \$2000 in cost or 2000 pounds in weight.

Under normal conditions design, styling, product planning, engineering, etc., were completed prior to production tooling. Because of the foreshortened time frame, however, some of these usually sequential processes were executed in parallel. As a consequence, tooling was already well under way (thus freezing the basic design) when routine crash testing revealed that the Pinto's fuel tank often ruptured when struck from the rear at a relatively low speed (31 mph in crash tests).

There were several possibilities for fixing the problem, including the option of redesigning the tank and its location, which would have produced tank integrity in a high-speed crash. That solution, however, was not only time consuming and expensive, but also consumed trunk space, which was seen as a critical competitive sales factor.

In addition, Ford used a cost-benefit analysis to support the decision. The National Highway Traffic Safety Association (NHTSA, a federal agency) had approved the use of cost-benefit analysis as an appropriate means for establishing automotive safety design standards.

The cost-benefit analysis stated the following:

Costs: \$137,000,000 (Estimated as the costs of a production fix to all similarly designed cars and trucks with the gas tank aft of the axle (12,500,000 vehicles X \$11/vehicle))

Benefits: \$49,530,000 (Estimated as the savings from preventing (180 projected deaths X \$200,000/ death) + (180 projected burn injuries X \$67,000/injury) + (2100 burned cars X \$700/car)).

Was the use of a cost-benefit analysis ethical in the Ford Pinto case? Why or why not?

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# Codes of Ethics

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## Board of Canadian Registered Safety Professionals Code of Ethics

### Revised Code of Ethics Effective January 1, 2016.

The BCRSP is committed to upholding the integrity of the CRSP®/PSAC® designation and an important part of this process is setting, reviewing and enforcing a set of Rules of Professional Conduct or Code of Ethics for certificants. As a condition to obtaining and maintaining certification, each CRSP®/PSAC® must commit to abide by the Code of Ethics as adopted by the BCRSP.

In 2014, the Governing Board initiated a review of the existing CRSP®/PSAC® Code of Ethics. The existing Code was last reviewed and approved in 2005. The review was completed in late 2014 and included an examination of Rules of Conduct/Code of Ethics documents from other credentialing organizations. The BCRSP document was rebranded Rules of Professional Conduct (the Code) to be consistent with the language used in the By-Laws and was reorganized into category headings such as; competence, confidentiality, integrity, etc. As a part of the review process, some supplementary points were added to the Code that were deemed to be missing in the 2005 version.

The revised Rules of Professional Conduct received final approval from the Governing Board in February 2015 and will be in effect **as of January 1 2016**. Please contact the BCRSP office if you have any questions regarding the changes.

### Rules of Professional Conduct

The purpose of the Canadian Registered Safety Professional (CRSP)/Professionnel en sécurité agréé du Canada (PSAC) Rules of Professional Conduct (the Code) is to provide guidance to ensure that each CRSP/PSAC adheres to high standards of integrity and professional competence.

Competence is “the ability to perform a task, function or role up to a set of prescribed standards.”

Preamble: As a condition to obtaining and maintaining certification, each CRSP®/PSAC® commits to abide by the Code as adopted by the Board of Canadian Registered Safety

Professionals (BCRSP). Each CRSP®/PSAC® pledges to subscribe not only to the letter but also to the spirit of the Code in all their professional activities.

### **1. Competence**

Certificants are required to:

- a. Maintain competence in carrying out professional responsibilities and provide services in an honest and diligent manner.
- b. Provide sound judgement in pursuance of their professional duties.
- c. Recognize their professional limitations and perform only those services that may be handled competently based on one's training and experience.
- d. Ensure persons working under their authority or supervision are competent to carry out the tasks assigned to them.

### **2. Integrity**

Certificants are required to:

- a. Maintain honesty, integrity, and objectivity in all professional activities.
- b. Protect and promote the safety and health of people, property and the environment above any consideration of self-interest.
- c. Avoid circumstances where compromise of professional conduct or conflict of interest may arise.
- d. Represent their qualifications and experience accurately and not knowingly make false or misleading statements.

### **3. Respect in the Workplace**

Certificants are required to:

- a. Support, promote and apply the principles of human rights, equity, dignity and respect in the workplace.
- b. Recognize that discrimination on the basis of race, creed, colour, language, national origin, political or religious affiliation, sex, sexual orientation, age, marital status, family relationship and disability is prohibited.

### **4. Professional Growth**

Certificants are required to:



a. Continue professional development throughout their career and support and encourage fellow CRSPs/PSACs to develop professionally.

## **5. Confidentiality**

Certificants are required to:

a. Protect the confidentiality of all professionally acquired information and disclose such information only when properly authorized or when legally obligated to do so.

## **6. Requirements**

Certificants are required to

a. Keep apprised of all relevant laws, regulations and recognized standards of practice as it relates to their professional duties.

## **7. Support of the Profession and Other Professionals**

Certificants are required to:

a. Uphold the honour and prestige of the profession.

b. Recognize and respect the original work, integrity and ability of their peers.

## **8. Support of the CRSP®/PSAC® Certification**

Certificants are required to:

a. Comply with the relevant provisions of the CRSP®/PSAC® bylaws, policies and certification scheme.

b. Make claims regarding CRSP®/PSAC® certification only with respect to the scope for which certification has been granted.

c. Not use the certification in such a manner as to bring the certification body into disrepute, and not make any statement regarding the certification which the certification body may consider misleading or unauthorized.

d. Discontinue the use of all claims to certification that contains any reference to the certification body or certification upon suspension or withdrawal of certification, and to return any certificates issued by the certification body.

e. Not use the certificate in a misleading manner.

f. Abstain from behaviour that will cause harm to the reputation of the BCRSP and its certificants.

g. Maintain the security of the BCRSP examination information and materials, including the prevention of unauthorized disclosures of test information.

### **9. Accountability (Adherence)**

Each certificant will rely on the BCRSP to protect the integrity of the CRSP/PSAC. The Professional Conduct Committee (PCC) is tasked with ensuring that responsibility is fulfilled in a fair and impartial manner. The PCC will be solely responsible for ensuring BCRSP Policy is followed to investigate complaints or allegation of misconduct against certificants.

Complaints or allegations of misconduct against certificants found to be justified by the PCC will be referred to the Discipline Committee for review.

The BCRSP may disclose any disciplinary or enforcement decision/action against a certificant along with associated information, to other organizations including without limitation, organizations related to health and safety, law enforcement agencies, and regulatory bodies.

For questions and concerns regarding the Code of Ethics please contact the BCRSP office.

# American Board of Industrial Hygiene Code of Ethics

## Introduction

The Board for Global EHS Credentialing (BGC) maintains several EHS voluntary, non-profit, professional credentialing programs. BGC credentialing programs certify qualified environmental, health and safety (EHS) professionals who work to protect, manage, and enhance the health and safety of people and the environment, and who have met the professional knowledge standards established by the Board of Directors.

Regardless of any other professional affiliation, the BGC Code of Ethics (Code) applies to each individual certified by BGC credentialing programs (certificants); and, each individual seeking certification (candidates).

The Code serves as the minimum ethical standards for the professional behavior of BGC certificants and candidates.

The Code is designed to provide both appropriate ethical practice guidelines and enforceable standards of conduct for all certificants and candidates. The Code also serves as a professional resource for EHS professionals, as well as for those served by BGC certificants and candidates.

## Preamble/General Guidelines

The BGC is dedicated to the implementation of appropriate professional standards designed to serve the public, employees, employers, clients and EHS professionals. First and foremost, certificants and candidates give priority to EHS interests related to the protection of people, workplaces and the natural environment.

They are required to act in a manner that promotes integrity and reflects positively on the profession, consistent with accepted ethical and legal standards.

As EHS professionals, certificants and candidates have the obligation to:

- Maintain high standards of integrity and professional conduct
- Accept responsibility for their actions
- Continually seek to maintain and/or enhance their professional capabilities
- Practice with fairness and honesty.

In order to retain their credentials, all those recognized by the BGC are required to act in a professional manner consistent with the certification standards and responsibilities set forth, below.

## I. Responsibilities to BGC credentialing programs, the profession and the public.

A. Certificant and candidate compliance with all organizational rules, policies and legal requirements.

A certificant/candidate must:

1. Comply with laws, regulations, policies and ethical standards governing professional practice.
2. Provide accurate and truthful representations concerning all certification and recertification information.
3. Maintain the security of BGC examination information and materials, including the prevention of unauthorized disclosures of test information.
4. Cooperate with BGC concerning ethics matters and the collection of information related to an ethics matter.
5. Report, upon a reasonable and clear factual basis, apparent violations of the ethics code by certificants and candidates.
6. Refrain from public behavior that is clearly in violation of professional, ethical or legal standards.

## II. Responsibilities to clients, employers, employees and the public.

A. Education, experience, competency and performance of professional services.

A certificant/candidate must:

1. Deliver competent services with objective and independent professional judgment in decisionmaking.
2. Recognize the limitations of one's professional ability and provide services only when qualified.

The certificant/candidate is responsible for determining the limits of his/her own professional abilities based on education, knowledge, skills, practice experience and other relevant considerations.

3. Maintain and respect the confidentiality of sensitive information obtained in the course of professional activities unless: the information is reasonably understood to pertain to unlawful activity; a court or governmental agency lawfully directs the release of the information; the client or the employer expressly authorizes the release of specific

information; or, the failure to release such information would likely result in death or serious physical harm to employees and/or the public.

4. Properly use professional credentials, and provide truthful and accurate representations concerning education, experience, competency and the performance of services.

5. Provide truthful and accurate representations to the public in advertising, public statements or representations, and in the preparation of estimates concerning costs, services and expected results.

6. Recognize and respect the intellectual property rights of others and act in an accurate, truthful and complete manner, including activities related to professional work and research.

7. Affix or authorize the use of any issued BGC organization's seal, stamp, signature or other signifier of certification by the certificant only when the document is prepared by the certificant/candidate or has been fully reviewed and approved by the certificant/candidate. Any such use does not represent BGC approval of the work so endorsed.

8. Communicate clearly, to clients and/or employers, the potential consequences if professional decisions or judgments are overruled or disregarded.

### **B. Conflict of interest and appearance of impropriety. A certificant/candidate must:**

1. Disclose, to clients and/or employers, significant circumstances that could be construed as a conflict of interest or an appearance of impropriety.

2. Avoid conduct that could cause a conflict of interest with a client, employer, employee or the public.

3. Assure that a conflict of interest does not compromise legitimate interests of a client, employer, employee or the public and does not influence or interfere with professional judgments.

4. Refrain from offering or accepting significant payments, gifts or other forms of compensation or benefits in order to secure work or that are intended to influence professional judgment.

**C. Public health, safety and the natural environment. A certificant/candidate must:**

1. Follow appropriate health and safety procedures, in the course of performing professional duties, to protect clients, employers, employees and the public from conditions where injury and damage are reasonably foreseeable.

Any violation of the preceding numbered requirements may result in sanctions up to and including the suspension or removal of credentials awarded by the BGC.

## Canadian Registration Board of Occupational Hygienists Code of Ethics

Registered Occupational Hygienists & Registered Occupational Hygiene Technologists shall:

1. Place the health and safety of workers above all other interests in the performance of their professional work.
2. Direct professional activities toward the protection and improvement of the health, safety, and well-being of all persons.
3. Make every reasonable effort to protect the environment from adverse effects resulting from the performance of their work.
4. Perform their work honestly, objectively, and in accordance with currently accepted professional standards.
5. Respect the privacy of confidential personal, professional, and business information.
6. Participate only in projects or situations that do not place them in personal or business conflicts of interest. This provision is waived if the principal parties to the ROH®'s or ROHT®'s conflict of interest have given their informed, specifically expressed, consent.
7. Conduct themselves with integrity.
8. Maintain a working knowledge of current developments in the profession and a detailed knowledge of areas in which they claim expertise.
9. Promote activities that advance and disseminate occupational hygiene knowledge.
10. Co-operate with the directors of the Canadian Registration Board of Occupational Hygienists in administering this Code of Ethics.

## Canadian Society of Safety Engineering Code of Ethics

As a professional body, the Canadian Society of Safety Engineering (CSSE) has a duty to provide guidance to its members on standards of behaviour and ethical conduct.

The CSSE Code of Ethics is a set of principles and guidelines for CSSE members to establish high standards of integrity in pursuing their professional duties and upholding the honour and dignity of the profession.

Members have an ethical responsibility to respect the integrity of their relationships with the Public, Employers and Clients, including Prospective Employers and Clients, other CSSE Members and the Society as well as other safety professionals.

### With the public,

#### **Members shall**

hold paramount the safety, health and welfare of the public and promote the value of the profession in protecting the public good

### With employers and clients,

#### **Members shall**

- represent their professional qualifications, knowledge, skills, and experience openly and accurately
- declare any potential or real conflict of interest and refrain from endeavours that abuse their professional affiliation and secure personal advantage
- seek equal consideration of all valid points of view
- provide accurate and independent advice and identify any limitations to proposed solutions
- respect and maintain the client's or employer's confidentiality to the extent possible

### In seeking employment,

#### **Members shall**

compete fairly and transparently with other Members, represent their own work and not discredit or reflect unfavourably on the work of other safety professionals

### With other members and the society,

#### **Members shall**

- demonstrate personal professional development and improvement by maintaining up-to-date professional skills
- contribute to the exchange of knowledge, skills, and experience within the profession



- uphold the professional reputation of other Members and also report inappropriate behaviour
- truthfully represent their own work and acknowledge collaboration and external sources of information and guidance

## **Certified Health and Safety Consultant Code of Ethics**

Members who have earned the CHSC certification of the CSSE, using sound judgement and working directly with their clients to complete assignments in a professional manner, shall:

1. Possess and maintain the required knowledge, skills and training to be proficient and relevant in the provision of service.
2. Conduct themselves in a manner that maintains the highest degree of integrity, honesty, fairness and quality in their businesses.
3. Employ effective and efficient business practices that add to the quality of service.
4. Uphold the honour and dignity of the health and safety profession.
5. Practice positive inter-personal and communication skills.
6. Maintain a professional and objective manner and compete fairly with other consultants.
7. Have empathy for the client and the assignment.
8. Deal honestly with those areas that may be deemed a conflict of interest.
9. Actively promote and support the association, its members and its objectives.
10. Adhere to the CSSE Code of Ethics.

# American Industrial Hygiene Association Code of Ethics

## Ethical Principles

The Board for Global EHS Credentialing® (BGC) maintains an enforceable Code of Ethics for all BGC-certified professionals, applicants, and examinees. In response, the American Industrial Hygiene Association (AIHA) and the American Conference of Governmental Industrial Hygienists (ACGIH) have created a set of Member Ethical Principles that complement the Code of Ethics.

This Principles document is based on the same concepts as the BGC Code of Ethics, were based on collective input from both AIHA and ACGIH members, and were subsequently approved by both the AIHA and ACGIH Boards of Directors subsequently. These Principles promote ethical professional practices and strongly encourage members to understand their ethical responsibilities.

## Member Ethical Principles

Approved May 2007; Revised May 2017

The AIHA and ACGIH are nonprofit voluntary professional membership associations dedicated to the advancement of the field of industrial hygiene, and the protection of health and safety. Therefore, we support quality professional standards and practices, and expect our respective members to meet such standards.

In support of these important purposes, we promote ethical professional practices and strongly encourage members to understand ethical responsibilities. As a matter of professional competence and public confidence, members are expected to conduct themselves consistent with applicable ethics standards, including those of the American Board of Industrial Hygiene (ABIH).

Accordingly, we have adopted the following member ethical principles in order to guide the members, support the profession, and protect health and safety.

1. Responsibilities to the Professional Organizations, the Profession and the Public.
  - a. In order to satisfy organizational and legal policies and rules, members should:
  - b. Comply with laws, regulations, policies, and ethical standards governing professional practice of industrial hygiene and related activities, including those of professional associations and credentialing organizations.

- c. Provide accurate and truthful information to professional associations and credentialing organizations.
  - d. Cooperate with professional associations and credentialing organizations concerning ethics matters and the collection of information related to an ethics matter.
  - e. Report apparent violations of applicable professional organizations' ethical standards to appropriate organizations and agencies upon a reasonable and clear factual basis.
  - f. Refrain from any public behavior that is clearly in violation of accepted professional, ethical or legal standards.
  - g. Promote equal opportunity and diversity in professional activities.
  - h. Support and disseminate the association's ethics principles to other professionals.
2. Responsibilities to Clients, Employers, Employees and the Public.
- a. In order to provide ethical professional services, members should:
    - i. Deliver competent services in a timely manner, and with objective and independent professional judgment in decisionmaking.
    - ii. Recognize the limitations of one's professional ability, and provide services only when qualified. The member is responsible for determining the limits of his/her own professional abilities based on education, knowledge, skills, practice experience, and other relevant considerations.
    - iii. Provide appropriate professional referrals when unable to provide competent professional assistance.
    - iv. Maintain and respect the confidentiality of sensitive information obtained in the course of professional or related activities unless: the information pertains to an illegal activity; a court or governmental agency lawfully directs the release of the information; the client/employer expressly authorizes the release of specific information; or, the failure to release such information would likely result in death or serious physical harm to employees and/or the public.
    - v. Properly use professional credentials and provide truthful and accurate representations concerning education, experience, competency and the performance of services.
    - vi. Provide truthful and accurate representations to the public in advertising, public statements/ representations, and in the preparation of estimates concerning costs, services, and expected results.

- vii. Recognize and respect the intellectual property rights of others, and act in an accurate, truthful, and complete manner, including activities related to professional work and research.
  - viii. Affix or authorize the use of one's seal, stamp or signature only when the document is prepared by the certificant/candidate or someone under his/her direction and control.
  - ix. Refrain from business activities and practices that unlawfully restrict competition.
- b. In order to satisfy organizational policies and legal requirements concerning possible conflicts of interest and similar issues, members should:
- i. Disclose to clients or employers significant circumstances that could be construed as a conflict of interest, or an appearance of impropriety.
  - ii. Avoid conduct that could cause a conflict of interest with a client, employer, employee, or the public.
  - iii. Assure that a conflict of interest does not compromise legitimate interests of a client, employer, employee, or the public and does not influence/interfere with professional judgments.
  - iv. Refrain from offering, or accepting inappropriate payments, gifts, or other forms of compensation or benefits in order to secure work, or that are intended to influence professional judgment.
- c. In order to satisfy organizational policies and legal requirements concerning public health and safety, members should:
- i. Follow appropriate health and safety procedures in the course of performing professional work to protect clients, employers, employees, and the public from conditions where injury and damage are reasonably foreseeable.
  - ii. Inform appropriate management representatives and/or governmental bodies of violations of legal and regulatory requirements when obligated or otherwise clearly appropriate.
  - iii. Make reasonable efforts to ensure that the results of industrial hygiene assessments are communicated to exposed populations.

## Engineers NS Code of Ethics

Professional engineers shall conduct themselves in an honourable and ethical manner. Professional engineers shall uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, professional engineers shall:

1. Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace;
2. Offer services, advise on or undertake engineering assignments only in areas of their competence and practise in a careful and diligent manner;
3. Act as faithful agents of their clients or employers, maintain confidentiality and avoid conflicts of interest;
4. Keep themselves informed in order to maintain their competence, strive to advance the body of knowledge within which they practise and provide opportunities for the professional development of their subordinates;
5. Conduct themselves with equity, fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due, and accept, as well as give, honest and fair professional criticism;
6. Present clearly to employers and clients the possible consequences if engineering decisions or judgements are overruled or disregarded;
7. Report to their association or other appropriate agencies any illegal or unethical engineering decisions or practices by engineers or others; and
8. Be aware of and ensure that clients and employers are made aware of societal and environmental consequences of actions or projects and endeavor to interpret engineering issues to the public in an objective and truthful manner.
9. Treat equitably and promote the equitable treatment of all clients, colleagues and coworkers, regardless of race, religion, gender, sexual orientation, age, physical or mental ability, marital or family status, and national origin

# Notes

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