

# WORLD TRADE ORGANIZATION

WT/DS291/40  
7 February 2008

(08-0577)

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Original: English

## EUROPEAN COMMUNITIES – MEASURES AFFECTING THE APPROVAL AND MARKETING OF BIOTECH PRODUCTS

### Request by the European Communities for Arbitration under Article 22.6 of the DSU

The following communication, dated 6 February 2008, from the delegation of the European Communities to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 22.6 of the DSU.

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Regarding the dispute *European Communities – Measures Affecting the Approval and Marketing of Biotech Products* (WT/DS291, WT/DS292, WT/DS293), and pursuant to Article 22.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), the European Communities hereby objects to the request made by the United States to the Dispute Settlement Body ("DSB") for authorization to suspend concessions and other obligations with respect to the European Communities under the covered agreements proposed by the United States in document WT/DS291/39.

The level of suspension proposed by the United States is not equivalent to the level of nullification or impairment within the meaning of Article 22.7 of the DSU. The request does not follow either the principles or procedures set forth in Article 22.3 of the DSU.

Accordingly, as required by Article 22.6 of the DSU, the matter shall be referred to arbitration.

A copy of this letter has been sent directly to the United States, Argentina and Canada.

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