

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

Communication from the Chairman of the Panel

The following communication, dated 13 June 2005, addressed to the Dispute Settlement Body (DSB), is circulated in accordance with Article 12.9 of the Dispute Settlement Understanding (DSU).

The Panel in *European Communities – Measures Affecting the Approval and Marketing of Biotech Products* (WT/DS291, WT/DS292 and WT/DS293) indicated in its communication to the DSB of 2 November 2004 (WT/DS291/27, WT/DS292/21, WT/DS293/21) that it expected to issue its final report to the parties by the end of June 2005. However, it will not be possible for the Panel to issue its final report to the parties by that time.

The delay is due to a number of reasons. First, before and after the second substantive meeting, the Panel has had to deal with several important new issues raised by the parties, which has delayed the inception of the Panel's work on its findings. Second, the case is particularly intricate in view of the large number of product applications, and the arguments by the parties entail precise and detailed examination of the information submitted to the Panel. Third, the experts process has produced a vast amount of material which also needs to be reviewed. Human resource limitations and panel members' availability are additional constraints to an expedient termination of our work.

The Panel estimates that it will issue its final report to the parties by the end of October 2005.
