

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

Notification of an Agreement with respect to Article 21.3(c) of the DSU

The following communication, dated 19 January 2007, from the delegations of the European Communities, Argentina, Canada and the United States to the Chairman of the Dispute Settlement Body, is circulated at the request of those delegations.

---

At its meeting on 21 November 2006, the Dispute Settlement Body (DSB) adopted the reports of the Panel in the disputes *European Communities – Measures Affecting the Approval and Marketing of Biotech Products* (WT/DS291, 292, 293). At the meeting of the DSB held on 19 December 2006, the European Communities (EC) notified the DSB that the EC intends to implement the recommendations and rulings of the DSB in these disputes, and stated that it would need a reasonable period of time for implementation.

Article 21.3(c) of the DSU provides that, in the absence of an agreement between the parties on a period of time, the reasonable period of time shall be determined "through binding arbitration within 90 days after the date of adoption of the recommendations and rulings". In order to allow sufficient time for the parties to discuss a mutually agreed period, the EC, Argentina, Canada and the United States (i) have agreed that any arbitrations under Article 21.3(c) of the DSU shall be completed no later than 60 days after the date of the appointment of an arbitrator, unless the arbitrator, following consultation with the parties, considers that additional time is required; and (ii) hereby confirm that any awards of the arbitrator (including awards not made within 90 days after the date of adoption of the recommendations and rulings) shall be deemed to be awards of the arbitrator for the purposes of Article 21.3(c) of the DSU in determining the reasonable period of time for the EC to implement the recommendations and rulings of the DSB.

---