

**EUROPEAN COMMUNITIES – ANTI-DUMPING MEASURE
ON FARMED SALMON FROM NORWAY**

Request for Consultations by Norway

Addendum

The following communication, dated 27 March 2006, from the delegation of Norway to the delegation of the European Communities and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

On 17 March 2006, Norway requested consultations with the European Communities ("EC") with respect to Council Regulation (EC) No. 85/2006 of 17 January 2006 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of farmed salmon originating in Norway.¹ With respect to this same measure, my authorities have instructed me to clarify the legal basis for Norway's complaint. This clarification supplements, and must be read with, Norway's initial request for consultations.

The EC has determined that farmed Atlantic salmon constitutes a single product, whether or not the farmed salmon consists of whole fish or filleted portions of varying sizes and form. Norway considers that, by virtue of this product determination, the EC's measure is inconsistent, *inter alia*, with the following provisions of the *Anti-Dumping Agreement*:

1. Article 5 of the *Anti-Dumping Agreement*, including Articles 5.1, 5.2, 5.3 and 5.4, because the EC improperly initiated an investigation into a single product that, for purposes of the obligations in this *Agreement*, consists of more than one product;
2. Article 2 of the *Anti-Dumping Agreement*, including Articles 2.1 and 2.6, because the EC made dumping determinations for a single product that, for purposes of the obligations in this *Agreement*, consists of more than one product;
3. Article 3 of the *Anti-Dumping Agreement*, including Articles 3.1, 3.2, 3.4, 3.5 and 3.6, because the EC made an injury determination in relation to the EC domestic industry producing a single product that, for purposes of the obligations in this *Agreement*, consists of more than one product; and,
4. Article 9 of the *Anti-Dumping Agreement*, including Articles 9.1, 9.2 and 9.4, because the EC imposed anti-dumping duties on imports of a single product that, for purposes of the obligations in this *Agreement*, consists of more than one product.

¹ WT/DS337/1.

Norway wishes to emphasize that the issue of the product scope of the EC's measure is also relevant to several claims that are identified in Norway's initial request for consultations.

We look forward to receiving your reply to the present request and to fixing a mutually convenient date for consultations.
