

ANNEX G

REQUEST FOR THE ESTABLISHMENT OF A PANEL

**WORLD TRADE  
ORGANIZATION**

**WT/DS334/4**  
7 February 2006

(06-0525)

Original: English

**TURKEY – MEASURES AFFECTING THE IMPORTATION OF RICE**

Request for the Establishment of a Panel by the United States

The following communication, dated 6 February 2006, from the delegation of the United States to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 6.2 of the DSU.

On 2 November 2005, the United States requested consultations with the Government of Turkey pursuant to Articles 1 and 4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), Article XXII of the *General Agreement on Tariffs and Trade 1994* ("GATT 1994"), Article 6 of the *Agreement on Import Licensing Procedures* ("Import Licensing Agreement"), Article 8 of the *Agreement on Trade-Related Investment Measures* ("TRIMs Agreement"), and Article 19 of the *Agreement on Agriculture* ("Agriculture Agreement") with respect to Turkey's import restrictions on rice from the United States. The United States and Turkey held consultations on 1 December 2005. Unfortunately, those consultations did not resolve the dispute.

Therefore, the United States respectfully requests, pursuant to Article 6 of the DSU, Article 6 of the Import Licensing Agreement, Article 8 of the TRIMs Agreement, and Article 19 of the Agriculture Agreement, that the Dispute Settlement Body ("DSB") establish a panel to examine this matter.

Turkey maintains a number of restrictions on the importation of rice. Under its import regime for rice, Turkey requires an import license to import rice. Turkey operates tariff-rate quotas ("TRQs") for rice imports requiring that, in order to import specified quantities of rice at reduced tariff levels, importers must purchase specified quantities of domestic rice, including from the Turkish Grain Board ("TMO"), Turkish producers, or producer associations ("domestic purchase requirements"). In addition, Turkey denies or fails to grant licenses to import rice at or below the bound rate of duty without domestic purchase, including at the over-quota rate of duty.

The United States understands that the means through which Turkey has maintained this restrictive import regime include:

- Decree No. 96/7794 related to the General Assessment of the Regime Regarding Technical Regulations and Standardization for Foreign Trade (Official Gazette, No. 22541, 1 February 1996, Repeated);
- Decision of the board of ministers: Decree No. 2004/7135 related to the implementation of a tariff quota for certain types of paddy rice and rice types imports (Official Gazette, No. 25439, 20 April 2004);
- A notification related to implementation of tariff quotas for certain types of paddy and rice imports, from the Foreign Trade Undersecretariat (Official Gazette, No. 25445, 27 April 2004);
- Decision of the board of ministers: Decree No. 2004/7333 related to the management of quota and tariff contingent on import (Official Gazette, No. 25473, 26 May 2004);
- Decision of the board of ministers: Decree No. 2004/7756 related to the implementation of a tariff contingent on the import of certain paddy rice and rice types (Official Gazette, No. 25566, 27 August 2004);
- A notification about the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25577, 8 September 2004);
- A communiqué on Standardization in Foreign Trade, Communiqué No. 2005/05 (Official Gazette, No. 25687, 31 December 2004);
- A notification about the amendment of the notification related to the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25767, 26 March 2005);
- A notification about the amendment of the notification related to the implementation of a tariff contingent (customs duty) on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25812, 11 May 2005);
- Decision of the board of ministers: Decree No. 2005/9315 related to the implementation of a tariff contingent on the import of certain types of paddy rice and rice types (Official Gazette, No. 25935, 13 September 2005);
- A notification related to the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25943, 21 September 2005);
- "Letters of Acceptance," including Letter of Acceptance 964 (10 September 2003), Letter of Acceptance 107 (23 January 2004), Letter of Acceptance 905 (28 June 2004), and Letter of Acceptance 1795 (30 December 2004), in which the Minister of Agriculture accepts recommendations from the General Directorate of Protection and Control of the Ministry of Agriculture and Rural Affairs to delay the start date for the period in which import licenses may be granted; and
- any amendments or extensions to these measures, and any related or implementing measures.

The United States considers that these measures are inconsistent with Turkey's obligations under provisions of the GATT 1994, the Import Licensing Agreement, the TRIMs Agreement, and the Agriculture Agreement, specifically:

Denial of, or failure to grant, import licenses to import rice at or below the bound rate of duty

- (1) Article XI:1 of the GATT 1994 because Turkey's denial of, or failure to grant, import licenses for rice at or below the bound rate of duty constitutes a prohibition or restriction on imports other than in the form of duties, taxes, or other charges;
- (2) Article 4.2 of the Agriculture Agreement because Turkey's denial of, or failure to grant, import licenses for rice at or below the bound rate of duty are "measures of the kind which have been required to be converted into ordinary customs duties," such as quantitative import restrictions, discretionary import licensing, and non-tariff measures maintained through a state-trading enterprise, which Members may not resort to or maintain under that Agreement;
- (3) Articles 1.4(a) and (b) of the Import Licensing Agreement and Articles X:1 and X:2 of the GATT 1994 because Turkey has not published its denial of, or failure to grant, import licenses at or below the bound rate of duty and, thus, has neither provided an opportunity for governments and traders to become acquainted with it nor has it provided Members with the opportunity to provide written comments and to discuss those comments upon request;
- (4) Articles 3.3 and 3.5(e) and (f) of the Import Licensing Agreement because Turkey does not approve requests for import licenses at or below the bound rate of duty; does not publish sufficient information for other Members and traders to know that import licenses will not be approved; does not specify a time frame within which import license applications that are submitted will be approved or rejected; does not provide applicants with the reasons for rejection; and does not provide a process for appeal or review in the event of rejection;

Domestic purchase requirements and administration of TRQs for reduced duty imports of rice

- (5) Article 2.1 and paragraph 1(a) of Annex 1 of the TRIMs Agreement because Turkey imposes domestic purchase requirements;
- (6) Article III:4 of the GATT 1994 because Turkey accords imported rice less favorable treatment than domestic rice through the imposition of domestic purchase requirements "affecting [its] internal sale, offering for sale, purchase, transportation, distribution, or use";
- (7) Article XI:1 of the GATT 1994 because Turkey's domestic purchase requirements constitute restrictions on imports other than in the form of duties, taxes, or other charges;
- (8) Article 4.2 of the Agriculture Agreement because the domestic purchase requirements are "measures of the kind which have been required to be converted into ordinary customs duties," such as quantitative import restrictions, discretionary import licensing, and non-tariff measures maintained through a state-trading enterprise, which Members may not resort to or maintain under that Agreement;
- (9) Articles 1.4(a) and (b) and 3.5(b) and (d) of the Import Licensing Agreement and Articles X:1 and X:2 of the GATT 1994 because Turkey does not publish the correct amount of the TRQs to be applied; does not always publish the TRQs to be applied, or changes to the TRQs, within the time periods specified in Article 1.4 and in such a manner as to enable governments and traders to become acquainted with them; and does not provide Members

with the opportunity to provide written comments and to discuss those comments upon request;

- (10) Article 3.5(g) of the Import Licensing Agreement because the periods of import license validity under the TRQs are not of reasonable duration and are so short as to preclude imports;
- (11) Article 3.5(h) of the Import Licensing Agreement because Turkey administers its TRQs in such a way as to discourage the full utilization of quotas;

Other Claims Relating to Turkey's Import Regime

- (12) Article XI:1 of the GATT 1994 because Turkey's domestic purchase requirements, in conjunction with its denial of, or failure to grant, import licenses for rice at or below the bound rate of duty, constitute restrictions on imports other than in the form of duties, taxes, or other charges;
- (13) Article 4.2 of the Agriculture Agreement because Turkey's domestic purchase requirements, in conjunction with its denial of, or failure to grant, import licenses for rice at or below the bound rate of duty, are "measures of the kind which have been required to be converted into ordinary customs duties," such as quantitative import restrictions, discretionary import licensing, and non-tariff measures maintained through a state-trading enterprise, which Members may not resort to or maintain under that Agreement;
- (14) Articles X:3(a) and (b) of the GATT 1994 because Turkey does not administer its import regime in a "uniform, impartial and reasonable manner" and does not maintain tribunals or procedures for promptly reviewing and correcting administrative actions relating to the importation of rice under Turkey's import regime;
- (15) Article 1.2 of the Import Licensing Agreement because the measures Turkey utilizes to implement its import licensing regime are not in conformity with the relevant provisions of the GATT 1994;
- (16) Article 1.3 of the Import Licensing Agreement because Turkey's import licensing regime is not administered in a fair and equitable manner;
- (17) Article 1.5 of the Import Licensing Agreement because Turkey requires information and documentation upon application that are not strictly necessary for the proper functioning of its import licensing regime;
- (18) Article 1.6 of the Import Licensing Agreement because applicants are not provided a reasonable period of time for submitting applications and because applicants have to approach more than one administrative body in connection with their applications;
- (19) Article 3.2 of the Import Licensing Agreement because Turkey's non-automatic import licensing regime has trade-distortive or trade-restrictive effects on imports and is more administratively burdensome than absolutely necessary;
- (20) Article 3.5(a) of the Import Licensing Agreement because Turkey has failed to provide, upon the request of the United States, all relevant information concerning the administration of Turkey's import licensing regime and the import licenses granted over a recent period; and

- (21) Articles 5.1, 5.2, 5.3, and 5.4 of the Import Licensing Agreement because Turkey has failed to notify its import licensing regime for rice.

Turkey's measures also appear to nullify or impair the benefits accruing to the United States directly or indirectly under the cited agreements.

Accordingly, the United States requests that a Panel be established with standard terms of reference as set out in Article 7.1 of the DSU.



## **ANNEX H**

### **WORKING PROCEDURES FOR THE PANEL**

1. The Panel will work according to the normal working procedures as set out in the DSU and its Appendix 3 as well as certain additional procedures, as follows:
2. The panel shall meet in closed session. The parties to the dispute, and interested third parties, shall be present at the meetings only when invited by the Panel to appear before it.
3. The deliberations of the Panel and the documents submitted to it shall be kept confidential. Nothing in the DSU shall preclude a party to a dispute from disclosing statements of its own positions to the public. Members shall treat as confidential information submitted by another Member to the Panel which that Member has designated as confidential. As provided in Article 18.2 of the DSU, where a party to a dispute submits a confidential version of its written submissions to the Panel, it shall also, upon request of a Member, provide a non-confidential summary of the information contained in its submissions that could be disclosed to the public.
4. Before the first substantive meeting of the Panel with the parties, the parties to the dispute shall transmit to the Panel written submissions in which they present the facts of the case and their arguments.
5. At its first substantive meeting with the parties, the Panel shall ask the United States to present its case. Subsequently, and still at the same meeting, Turkey will be asked to present its point of view. Third parties will be asked to present their views thereafter at the separate session of the same meeting set aside for that purpose.
6. All third parties which have notified their interest in the dispute to the Dispute Settlement Body shall be invited in writing to present their views during a session of the first substantive meeting of the panel set aside for that purpose. All such third parties may be present during the entirety of this session.
7. Formal rebuttals shall be made at a second substantive meeting of the Panel. Turkey shall have the right to take the floor first to be followed by the United States. The parties shall submit, prior to that meeting, written rebuttals to the Panel.
8. The Panel may at any time put questions to the parties and ask them for explanations either in the course of a meeting with the parties or in writing. In addition, the parties shall be permitted to ask questions to each other and to third parties. Answers to questions shall be submitted in writing by the date(s) specified by the Panel. Third parties shall not be permitted to ask questions to the parties or to other third parties.
9. The parties to the dispute and any third party invited to present its views in accordance with Article 10 of the DSU shall make available to the Panel and the other party a written version of their oral statements, preferably at the end of the meeting, and in any event not later than the day following the meeting. Parties and third parties are encouraged to provide the Panel and other participants in the meeting with a provisional written version of their oral statements at the time the oral statement is presented.
10. In the interest of full transparency, the presentations, rebuttals and statements referred to in paragraphs 5 to 9 of these working procedures shall be made in the presence of the parties. Moreover, each party's written submissions, including any comments on the descriptive part of the report,

responses to questions put by the Panel and comments on responses made by other parties, shall be made available to the other party.

11. Within seven (7) days following the submission of a written submission or oral statement to the Panel, the parties are invited to provide the Panel with an executive summary of the factual and arguments sections contained therein, as applicable. These executive summaries will be used only for the purpose of assisting the Panel in drafting a concise factual and arguments section of the Panel Report so as to facilitate timely translation and circulation of the Panel report to the Members. They shall not serve in any way as a substitute for the submissions of the parties. Each summary to be provided by each party shall not exceed ten (10) pages in length. The third parties are also invited to submit an executive summary seven (7) days after the third-party session including in separate sections the summary of their written and oral submissions, as applicable, and shall not exceed three (3) pages in length. The Panel may, in light of further developments, allow the parties and third parties to submit longer summaries.

12. Any request for a preliminary ruling, including rulings on jurisdictional issues, to be made by the Panel shall be submitted no later than in a party's first written submission. If a party requests such ruling, the other party shall submit its respective response to such request within the time limit specified by the Panel. Exceptions to this procedure will be granted upon a showing of good cause.

13. Parties shall submit all factual evidence to the Panel no later than during the first substantive meeting, except with respect to evidence necessary for purposes of rebuttals, answers to questions or comments on answers provided by others. Exceptions to this procedure will be granted upon a showing of good cause. In such cases, the other party or parties shall be accorded a period of time for comment, as appropriate, on any new factual evidence submitted after the first substantive meeting.

14. To facilitate the maintenance of the record of the dispute, and for ease of reference to exhibits submitted by the parties, parties are requested to number their exhibits sequentially throughout the stages of the dispute. For example, exhibits submitted by Turkey could be numbered TR-1, TR-2, etc. If the last exhibit in connection with the first submission was numbered TR-5, the first exhibit of the next submission thus would be numbered TR-6.

15. The parties to the dispute have the right to determine the composition of their own delegation. The parties shall have the responsibility for all members of their respective delegations and shall ensure that all members of their delegations act in accordance with the rules of the DSU and the Working Procedures of this Panel, particularly in regard to confidentiality of the proceedings.

16. Parties shall provide a list of the participants in their delegation before or at the beginning of each meeting to the Secretary to the Panel.

17. The Panel will include in the descriptive part of its report a brief summary of the facts and the procedural history of the case and attach thereto the parties' arguments as contained in their first written submissions, rebuttals, responses to questions, comments on responses to questions and written versions of their oral statements at meetings with the Panel. The arguments made by third parties will be reflected in a separate portion of the descriptive part.

18. Following issuance of the interim report, the parties shall have two (2) weeks to submit written requests to review precise aspects of the interim report and to request a further meeting with the Panel. The right to request such a meeting must be exercised no later than at that time. Following receipt of any written requests for review, in cases where no further meeting with the Panel is requested, the parties shall have the opportunity within a time-period to be specified by the Panel to submit written comments on the other parties' written requests for review. Such comments shall be strictly limited to commenting the other parties' written requests for review.



19. The following procedures regarding service of documents will apply:
- (a) Each party and third party shall serve all of its written submissions, written versions of oral statements, answers to questions and any integrated executive summary, directly on all other parties, and on third parties as appropriate and confirm that it has done so at the time it provides its submission to the Secretariat.
  - (b) The parties and third parties should provide their submissions to the Secretariat by 5:00 p.m., Geneva time, on the deadlines established by the Panel, unless a different time is set by the Panel.
  - (c) The parties and third parties shall provide the Secretariat with nine (9) paper copies of each of their written submissions. These copies should be filed with the Dispute Settlement Registrar, Mr. Ferdinand Ferranco (Office 2150) by 5:00 p.m. on the due dates established by the Panel. Written copies of the oral statements shall be submitted to the Secretariat no later than 5:00 p.m. on the day following the date of the presentation.
  - (d) The parties and third parties shall also provide electronic copies of all their submissions to the Secretariat at the time they provide their submissions, if possible in a format compatible with that used by the Secretariat. If the electronic version is provided by e-mail, it should be addressed to [DSRegistry@wto.org](mailto:DSRegistry@wto.org), and copied to [\\*\\*\\*\\*\\*@wto.org](mailto:*****@wto.org), [\\*\\*\\*\\*\\*@wto.org](mailto:*****@wto.org), [\\*\\*\\*\\*\\*@wto.org](mailto:*****@wto.org) and [\\*\\*\\*\\*\\*@wto.org](mailto:*****@wto.org). If a CD-ROM is provided, it should be delivered to Mr. Ferdinand Ferranco at the WTO Secretariat DS Registry.
20. These working procedures may be modified by the Panel as appropriate, after having consulted the parties.



**ANNEX I**

**LETTER FROM THE PANEL TO THE PARTIES, DATED 30 AUGUST 2006,  
REGARDING PAKISTAN'S PARTICIPATION AS A THIRD PARTY**

The Panel thanks both Parties for their views regarding the participation of Pakistan as a third party in these proceedings.

The Panel has noted such views and has decided to accept as third parties all Members that have so far expressed that interest, including Pakistan.

The Panel has asked the WTO Secretariat to circulate a revised Panel composition document reflecting that the Members who have reserved their rights to participate in the Panel proceedings as third parties are: Argentina, Australia, China, Egypt, the European Communities, Korea, Pakistan and Thailand.

Further details regarding the Panel's decision on the matter will be included in full in the Panel's Report.



**ANNEX J**

**LISTS OF EXHIBITS SUBMITTED BY THE PARTIES**

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# ANNEX J-1

## LIST OF EXHIBITS SUBMITTED BY THE UNITED STATES

Exhibit	Title of Exhibit
US-1	Decree No. 96/7794 related to the General Assessment of the Regime Regarding Technical Regulations and Standardization for Foreign Trade (Official Gazette, No. 22541, February 1, 1996, Repeated) (English translation, followed by the original Turkish version)
US-2	Decision of the board of ministers: Decree No. 2004/7135 related to the implementation of a tariff quota for certain types of paddy rice and rice types imports (Official Gazette, No. 25439, April 20, 2004) (English translation, followed by the original Turkish version)
US-3	A notification related to implementation of tariff quotas for certain types of paddy and rice imports, from the Foreign Trade Undersecretariat (Official Gazette, No. 25445, April 27, 2004) (English translation, followed by the original Turkish version)
US-4	Decision of the board of ministers: Decree No. 2004/7333 related to the management of quota and tariff contingent on import (Official Gazette, No. 25473, May 26, 2004) (English translation, followed by the original Turkish version)
US-5	Decision of the board of ministers: Decree No. 2004/7756 related to the implementation of a tariff contingent on the import of certain paddy rice and rice types (Official Gazette, No. 25566, August 27, 2004) (English translation, followed by the original Turkish version)
US-6	A notification about the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25577, September 8, 2004) (English translation, followed by the original Turkish version)
US-7	A communiqué on Standardization in Foreign Trade, Communiqué No. 2005/05 (Official Gazette, No. 25687, December 31, 2004) (English translation, followed by the original Turkish version)
US-8	A notification about the amendment of the notification related to the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25767, March 26, 2005) (English translation, followed by the original Turkish version)
US-9	A notification about the amendment of the notification related to the implementation of a tariff contingent (customs duty) on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25812, May 11, 2005) (English translation, followed by the original Turkish version)
US-10	Decision of the board of ministers: Decree No. 2005/9315 related to the implementation of a tariff contingent on the import of certain types of paddy rice and rice types (Official Gazette, No. 25935, September 13, 2005) (English translation, followed by the original Turkish version)
US-11	A notification related to the implementation of a tariff contingent on the import of certain paddy rice and rice types, from the Foreign Trade Undersecretariat (Official Gazette, No. 25943, September 21, 2005) (English translation, followed by the original Turkish version)
US-12	Letter of Acceptance 107 (January 23, 2004) (English translation, followed by the original Turkish version)
US-13	Letter of Acceptance 905 (June 28, 2004) (English translation, followed by the original Turkish version)
US-14	Letter of Acceptance 1795 (December 30, 2004) (English translation, followed by the original Turkish version)
US-15	Schedule XXXVII – Turkey. Part I – Most Favoured-Nation Tariff. Section I – Agricultural Products. Section 1 – A Tariffs
US-16	2005 Tariff Schedule, Official Gazette (29 December 2005)

Exhibit	Title of Exhibit
US-17	Effective Tariff Rates, Official Gazette (31 December 2005)
US-18	Annex VI-A to "A communiqué on Standardization in Foreign Trade"
US-19	Certificate of Control form, Republic of Turkey, Ministry of Agriculture and Rural Affairs (English translation)
US-20	"TMO is given priority to import rice to prevent extra high prices," <i>GNToruner</i> , 13 July 2006 (English translation)
US-21	"Clean the rice from the stones," <i>Milliyet</i> , 7 April 2006 (English summary, followed by the original Turkish version)
US-22	Letter from Provincial Agriculture Directorate, Republic of Turkey, to Mehmetoglu Domestic and Foreign Trade A.S., B.12.4.ILM.0.06.00.061868/9338, 1 May 2006 (English translation, followed by the original Turkish version)
US-23	Letter from Torunlar to MARA re: request for a Certificate of Control (22 January 2004)
US-24	<i>Referans</i> , 31 March 2006, pps. 1 and 9 (English translation)
US-25	<i>The New Shorter Oxford English Dictionary</i> , Volume I, p. 1578
US-26	<i>The New Shorter Oxford English Dictionary</i> , Volume I, p. 1324
US-27	<i>The New Shorter Oxford English Dictionary</i> , Volume I, p. 1588
US-28	Rejection letter from MARA to Torunlar re: Torunlar's 29 August 2003 application for a Certificate of Control (10 September 2003) (English translation, followed by the original Turkish version)
US-29	Rejection letter from MARA to Torunlar re: Torunlar's 23 October 2003 application for a Certificate of Control (3 November 2003) (English translation, followed by the original Turkish version)
US-30	Motion for Stay, filed by Torunlar in the 1 <sup>st</sup> Administrative Court of Ankara (English translation, followed by the original Turkish version)
US-31	MARA's Response to Torunlar's Motion for Stay (English translation, followed by the original Turkish version)
US-32	Additional submission of Torunlar in the 1 <sup>st</sup> Administrative Court proceedings (English translation, followed by the original Turkish version)
US-33	Rejection letter from MARA to Torunlar re: Torunlar's 20 January 2004 application for a Certificate of Control (9 September 2004) (English translation, followed by the original Turkish version)
US-34	Letter from Torunlar to MARA, Provincial Directorate of Agriculture re: MARA's denial of Torunlar's applications for a Certificate of Control (12 December 2005) (English translation, followed by the original Turkish version)
US-35	Letter from Turkish Minister Kurzad Tuzmen to US Trade Representative Rob Portman re: Turkey's commitment to begin issuing Certificates of Control (24 March 2006)
US-36	Letter of Acceptance 390 (24 March 2006) (English translation, followed by the original Turkish version)
US-37	Letter of Acceptance 603 (14 March 2006) (English translation, followed by the original Turkish version)
US-38	Rice – Wikipedia ( <a href="http://en.wikipedia.org/wiki/Rice">en.wikipedia.org/wiki/Rice</a> )
US-39	1 <sup>st</sup> letter of complaint from Mehmetoglu to MARA re: request for a Certificate of Control (25 April 2006) (English translation)
US-40	Letter from MARA to Mehmetoglu re: request for a Certificate of Control (27 April 2006) (English translation)

Exhibit	Title of Exhibit
US-41	2 <sup>nd</sup> letter of complaint from Mehmetoglu to MARA re: request for a Certificate of Control (27 April 2006) (English translation)
US-42	3 <sup>rd</sup> letter of complaint from Mehmetoglu to MARA re: request for a Certificate of Control (28 April 2006) (English translation)
US-43	General Assessment of the Regime Regarding Technical Regulations and Standardisation for Foreign Trade (27 May 2005) (English translation)
US-44	Letter from ETM to MARA re: MARA's denial of the issuance of a Certificate of Control (undated) (English translation)
US-45	USDA Production, Supply and Distribution Online (www.fas.usda.gov/psdonline/psdHome.aspx)
US-46	<i>The New Shorter Oxford English Dictionary</i> , Volume II, p. 2372
US-47	Rice import data – Turkey: World Trade Atlas
US-48	Turkey Grain and Feed Annual 2005: USDA Foreign Agricultural Service GAIN Report (GAIN Report Number TU5006, 6 March 2005)
US-49	TMO Sale Price for Importers Fulfilling Domestic Purchase Requirement by Purchasing Rice from TMO: Conversion Table
US-50	"The Turkish Grain Board Paddy Rice Stocks Are Opened For Sale," <a href="http://www.tmo.gov.tr">www.tmo.gov.tr</a> , 6 February 2005 (English translation)
US-51	Information required on Turkish import forms – Certificate of Control and Import License under the TRQ
US-52	Costs of imported rice under MFN rates and TRQ with purchases from TMO and domestic producers
US-53	Monthly Turkish Import Data for Paddy, Brown, and Milled Rice
US-54	Prices for Milled Rice in the Turkish Market
US-55	Average Landed CIF Prices, By Month and Type of Rice
US-56	Turkish Grain Board Announced Prices
US-57	The Creed Rice Market Report, December 21, 2005
US-58	Decision regarding Tariff Quota Imposition on Import of Certain Agricultural Products of European Community Origin (Official Gazette, No. 23225, January 9, 1998), amended by a Board of Ministers Decision of December 13, 2001 (Official Gazette, No. 24626, December 30, 2001) (English translation)
US-59	Annual Turkish Control Certificates Compared to Actual Turkish Imports
US-60	<i>The New Shorter Oxford English Dictionary</i> , Volume II, p. 2557
US-61	<i>The New Shorter Oxford English Dictionary</i> , Volume I, p. 577
US-62	Blank Turkish Customs Form (English translation, followed by the original Turkish version)
US-63	Helin court decision (11 <sup>th</sup> Administrative Court of Ankara), 18 April 2006 (English translation, followed by the original Turkish version)
US-64	Brief filed by Asena Import Export Construction and Trade Ltd. Company in the 9 <sup>th</sup> Administrative Court of Ankara, 8 November 2005 (2005/2262) (English translation, followed by the original Turkish version)
US-65	Brief filed by Pirtas Construction and Trade Ltd. Company in the 8 <sup>th</sup> Administrative Court of Ankara, 8 November 2005 (2005/2291) (English translation, followed by the original Turkish version)
US-66	Brief filed by Zarifler Construction and Tourism, Inc. in the 4 <sup>th</sup> Administrative Court of Ankara, 8 November 2005 (2005/2371) (English translation, followed by the original Turkish version)



Exhibit	Title of Exhibit
US-67	Brief filed by Etra Civil Engineering Ltd. Inc. in the 9 <sup>th</sup> Administrative Court of Ankara, 12 December 2005 (2006/339) (English translation, followed by the original Turkish version)
US-68	Import of Rice, Undersecretariat of Customs, no. 20421 (10 August 2006) (English translation, followed by the original Turkish version)
US-69	USDA Export Sales Report (rice section)
US-70	US Paddy Rice – 1006.10
US-71	US calculation of Certificates of Control granted at MFN to non-EC (outside TRQ and FTAs)
US-72	Power Point presentation on the website of Turkey's Secretariat General for EU Affairs - Turkey-Macedonia agreement
US-73	Global Trade Information Services: Internet homepage and sources of data
US-74	U.S. Department of Agriculture: Data on Annual US Rice Production and Annual and Monthly Data on Total US Rice Exports and Total US Rice Exports to Turkey (2003-2006)
US-75	<i>Referans</i> , "So-called protection of rice has left the producers on their own" December 5, 2006 (English translation, followed by the original Turkish version)
US-76	Correspondence from the S. Umman Hamidogullari, Assistant General Director of Customs, Undersecretariat of Customs – Directorate General of Customs, Republic of Turkey, Office of the Prime Minister, to All Head Directorates for Customs and Enforcement, 10.19.2006/27082, in reference to the Correspondence dated 10.08.2006, Numbered 20421 regarding the Importation of Rice (English translation, followed by the original Turkish version)
US-77	<i>Hurriyet</i> , "Paddy Imports: Ministry of Agriculture's Explanation Regarding Paddy. The Minister of Agriculture, Mehdi Eker, kept his promise by publishing an explanation regarding paddy production and import policies, through the Office of Press and Public Relations," December 15, 2006 (English translation, followed by the original Turkish version)
US-78	A communiqué on Standardization in Foreign Trade, Communiqué No. 2004/05 (Official Gazette, No. 25333, December 31, 2003) (English translation, followed by the original Turkish version) (English translation, followed by the original Turkish version)
US-79	Certificate of Control (issued to Torunlar on August 15, 2003)
US-80	Andy Aaronson and Nathan Childs, "Developing Supply and Utilization Tables for the US Rice Market," <i>Rice Situation and Outlook</i> /RCS-2000/November 2000.
US-81	Annual and Monthly Turkish Import Data for Paddy, Brown, and Milled Rice (2003-2006)
US-81rev	Annual and Monthly Turkish Import Data for Paddy, Brown, and Milled Rice (2003-2006) (revised)
US-82	Turkish Import Data for Paddy Rice and Paddy Rice for Sowing (Turkey's State Institute of Statistics)
US-83	Letters from Turkish Producer Groups to the US Embassy in Ankara regarding the WTO panel proceedings in this dispute.

## ANNEX J-2

### LIST OF EXHIBITS SUBMITTED BY TURKEY

Exhibit	Title of Exhibit
TR-1	Communiqué of Standardization for Foreign Trade (No: 2006/5)
TR-2	Ministerial Decree on the Regime Regarding Technical Regulations and Standardisation for Foreign Trade (2005/9454)
TR-3	Annex VI-A of Communiqué No: 2006/05
TR-4	Certificate of Control
TR-5	Ministry of Agriculture and Rural Affairs and Ministry of Health, Turkish Food Codex Communiqué of Rice, No: 2001/10
TR-6	Ministry of Agriculture and Rural Affairs and Ministry of Health, Turkish Food Codex Communiqué of Paddy Rice, No: 2002/11
TR-7	Ministry of Agriculture and Rural Affairs and Ministry of Health, Turkish Food Codex Communiqué of Rice, No: 2002/12
TR-8	Breakdown of Imports of Rice, Paddy and Brown Rice by Countries
TR-9	Decree on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, Decree No: 2005/9315 OG: 13/9/2005 - 25935
TR-10	Import License Form for the Undersecretariat for Foreign Trade
TR-11	Decree on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, Decree No: 2004/7135 OG: 20/4/2004 - 25439
TR-12	Communiqué on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, OG: 27/4/2004 - 25445
TR-13	Communiqué on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, OG: 21/9/2005 - 25943
TR-14	Decree on the Safeguard Measures and Surveillance for Imports and the Administration of Quotas and Tariff Quotas
TR-15	Decree No: 2004/7333 On the Administration of Quotas and Tariff Quotas (Official Gazette No: 25473 of 26 May 2004)
TR-16	Decree on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, Decree No: 2004/7756 OG: 27/8/2004 - 25566
TR-17	Communiqué on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, OG: 8/9/2004 - 25577
TR-18	Communiqué Amending the Communiqué on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, OG: 26/3/2005 - 25767
TR-19	Communiqué Amending the Communiqué on Application of Tariff Quota for the Importation of Some Species of Paddy Rice and Rice, OG: 11/5/2005 - 25812
TR-20	Approved Control Certificates Between 2003 and 21.09.2006
TR-21	Communiqué on the <u>Issuance</u> of Control Certification at the Importation of Foodstuffs and Packaging Materials that come into Contact with Foodstuffs and on Control Procedures as Importation Stage (Communiqué No: 31)
TR-22	Communiqué of Standardization for Foreign Trade (No: 2005/5)
TR-23	Turkey's yearly import figures for milled rice (2001 to Sept. 2006)
TR-24	Turkey's production and consumption figures for milled rice in Turkey (2001 to 2005)

Exhibit	Title of Exhibit
TR-25	Turkey's rice import figures, by month and organized by country of origin, types of rice, years, quantity and value (2003 to Aug-Sept 2006)
TR-26	Turkey's import data according to type of rice and country of origin (2003)
TR-27	List of quantities and unit price of domestic purchases made by (unspecified) companies, with average price for 2005 (2005)
TR-28	Turkey's monthly CIF prices for rice, as declared by importers (2003 to Aug-Sept 2006)
TR-29	TMO prices: - Yearly declared and received purchase price for long grain paddy rice (2002 to 2006)- Monthly selling price for paddy rice (Jan 2004 to Sept 2006)- Monthly wholesale selling price for milled rice (Jan 2003 to Sept 2006)
TR-30	Yearly quantities of purchases of paddy rice and sales of paddy and milled rice (2003 to Oct-Nov 2006)
TR-31	EC Council Decision No. 1/98 of the EC-Turkey Association Council of 25 February 1998 on the trade regime for agricultural products. Official Journal of the European Communities, 20.3.98, L 86/15- Protocol 2 concerning the preferential regime applicable to the importation into Turkey of agricultural products originating in the Community- Annex: Arrangements applicable to the importation into Turkey of agricultural products originating in the Community
TR-32	Schema of the import procedures applicable to imports at MFN and TRQ rates (New version provided with replies to questions after SSM)
TR-33	Approved Certificates of Control, according to available data compiled by MARA (2003 to 9 November 2006)
TR-34	Regulation on National Farmers' Registration System (by the Ministry of Agriculture and Rural Affairs). Official Gazette, 16 April 2005, No. 25778.
TR-35	Table on rejected and approved Certificates of Control (2003 to 2006)(New version provided with replies to questions after SSM)
TR-36	Table of denied applications of Certificates of Control and reasons for denial (2003 to July 2006)
TR-37	Average monthly exchange rate of New Turkish Lira <i>per</i> 1 US Dollar (2003 to November 2006)
TR-38	Approved Certificates of Control for: – Torunlar (2001, 2002, 2003 to 9 November 2006) – EMT (2003 to 9 November 2006) – Mehmetoglu (2001 to 2002, 2003 to 9 November 2006)
TR-39	Import figures for Torunlar, Mehmetoglu and ETM – general imports and imports from the US (2000 to 2006)
TR-40	Legal text: Turkish Grain Board [Agricultural Products Office, Inc.] Articles of Incorporation
TR-41	Certificates of Control for rice approved in-quota and over-quota (MFN and FTA) (2003 to 9 November 2006)
TR-42	Costs of Imported Rice under Different Scenarios
TR-43	Charts of Rice Equivalent Imports and CIF Landed Prices (1997 to 2006)
TR-44	Communiqué of Standardization for Foreign Trade (No: 2007/21)

