

**GENERAL AGREEMENT ON
TARIFFS AND TRADE**

RESTRICTED

C/145
27 February 1987

Limited Distribution

COUNCIL

JAPAN - RESTRICTIONS ON IMPORTS OF CERTAIN
AGRICULTURAL PRODUCTS

Recourse to Article XXIII:2 by the United States

Note by the Chairman

1. At its meeting on 27 October, the Council agreed to establish a Panel to examine, under Article XXIII:2, the complaint by the United States. The Council Chairman was authorized, in consultation with the parties concerned, to draw up the Panel's terms of reference and to designate its Chairman and members (C/M/202).

2. The agreed terms of reference for the Panel are:

"To examine, in the light of the relevant GATT provisions, the matter referred to the CONTRACTING PARTIES by the United States in document L/6037 and to make such findings, including those on the question of nullification or impairment, as will assist the contracting parties in making the recommendations or in giving the rulings provided for in Article XXIII:2.

In examining the matter, the Panel may take into account all pertinent elements including the Council's discussion on the matter at its meeting on 27 October 1986."

3. Agreement has also been reached on the following composition of the Panel:

Chairman: Mr. S. Pasin

Members: Mr. J. Feij
Mr. S. Simon