GENERAL AGREEMENT

ON TARIFFS AND TRADE

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UNITED STATES - MEASURES AFFECTING THE IMPORTATION AND INTERNAL SALE AND USE OF TOBACCO

Recourse to Article XXIII:2 by Argentina, Brazil, Canada, Chile, Colombia, El Salvador, Guatemala, Thailand and Zimbabwe

Note by the Chairman of the Council

Revision

1. At their Forty-Ninth Session on 25 January 1994, the CONTRACTING PARTIES, in accordance with paragraph F(a) of the Decision of the CONTRACTING PARTIES of 12 April 1989 concerning Improvements to the GATT Dispute Settlement Rules and Procedures (BISD 36S/61), established a panel on United States measures affecting the importation and internal sale and use of tobacco, pursuant to a complaint under Article XXIII:2 brought by Brazil, Canada, Chile, Colombia, El Salvador, Guatemala, Thailand and Zimbabwe.

2. At the same meeting, the CONTRACTING PARTIES authorized the Chairman of the Council to designate the Chairman and members of the Panel in consultation with the parties concerned. As a result of these consultations, the Panel has the following composition:

Chairman: Joseph W.P. Wong

Members: Abdelkader Lecheheb
Kim Luotonen

3. At its meeting on 22-23 February 1994, the Council agreed that the matter referred to the CONTRACTING PARTIES by Argentina in document DS44/8 also be examined by this Panel. Taking this Council decision into account, the Panel has the following standard terms of reference:

> "To examine, in the light of the relevant GATT provisions, the matter referred to the CONTRACTING PARTIES by Brazil, Chile, Colombia, El Salvador, Guatemala, Thailand and Zimbabwe in document DS44/5 and Corr.1, by Canada in document DS44/6 and Corr.1 and by Argentina in document DS44/8, and to make such findings as will assist the CONTRACTING PARTIES in making the recommendations or in giving the rulings provided for in Article XXIII:2".