

**UNITED STATES – LAWS, REGULATIONS AND METHODOLOGY  
FOR CALCULATING DUMPING MARGINS ("ZEROING")**

Constitution of the Panel Established at the Request of the European Communities

Note by the Secretariat

1. At its meeting on 19 March 2004, the Dispute Settlement Body established a Panel pursuant to the request by the European Communities in document WT/DS294/7/Rev.1, in accordance with Article 6 of the Dispute Settlement Understanding (DSU).

2. At that meeting, the parties to the dispute also agreed that the Panel should have standard terms of reference. The terms of reference are, therefore, the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by the European Communities in document WT/DS294/7/Rev.1, the matter referred to the DSB by the European Communities in that document, and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements."

3. On 27 October 2004, the parties agreed to the following composition of the Panel:

Chairman: Mr. Crawford Falconer

Members: Mr. Hans-Friedrich Beseler  
Mr. William Davey

4. Argentina; Brazil; China; Hong Kong, China; India; Japan; Korea, Rep. of; Mexico; Norway; Chinese Taipei; and Turkey reserved their third-party rights.

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