



**UNITED STATES – CERTAIN COUNTRY OF ORIGIN LABELLING
(COOL) REQUIREMENTS**

RECOURSE TO ARTICLE 21.5 OF THE DSU BY CANADA AND MEXICO

CONSTITUTION OF THE PANEL

Note by the Secretariat

1. At its meeting on 25 September 2013, the Dispute Settlement Body (DSB) referred these disputes, if possible, to the original Panel in accordance with Article 21.5 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) to examine the matter referred to the DSB by Canada in document WT/DS384/26 and by Mexico in document WT/DS386/25.

2. The Panel's terms of reference are the following:

To examine, in the light of the relevant provisions of the covered agreements cited by the parties to the dispute, the matter referred to the DSB by Canada in document WT/DS384/26 and by Mexico in document WT/DS386/25, 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. In accordance with Article 21.5 of the DSU, the Panel was composed on 27 September 2013 as follows:

Chairperson: Mr Christian Häberli

Members: Mr Manzoor Ahmad
Mr João Magalhães

4. Australia; Brazil; Canada (for WT/DS386); China; Colombia; the European Union; Guatemala; India; Japan; the Republic of Korea; Mexico (for WT/DS384); and New Zealand have reserved their rights to participate in the Panel proceedings as third parties.
