

**UNITED STATES - SECTIONS 301-310
OF THE TRADE ACT OF 1974**

Request to Join Consultations

Communication from Guatemala

The following communication, dated 9 December 1998, from the Permanent Mission of Guatemala to the Permanent Mission of the United States, the Permanent Delegation of the European Commission and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

By a communication dated 25 November 1998, the Permanent Delegation of the European Communities requested consultations with the Mission of the United States. This request was circulated in document WT/DS152/1.

The Permanent Delegation of the European Communities requested consultations with regard to Title III, Chapter 1 (sections 301-310) of the Trade Act of 1974, as amended (19 USC, paragraphs 2411-2420) and in particular sections 306 and 305 of that Act (19 USC, paragraphs 2416 and 2415 respectively), on the grounds, *inter alia*, that these sections "... do not allow the United States to comply with the rules of the DSU in situations where a prior multilateral ruling under the DSU on the conformity of implementing measures has not yet been adopted by the DSB".

The request for consultations arises from the implementation process of the conclusions and recommendations made in the reports by the Panel and Appellate Body in *European Communities - Regime for the Importation, Sale and Distribution of Bananas* (WT/DS27).

In accordance with Article 4.11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, the Government of Guatemala hereby notifies the Government of the United States that, taking into account Guatemala's substantial trade interest in the implementation process of the conclusions and recommendations of the reports of the Panel and Appellate Body in *European Communities - Regime for the Importation, Sale and Distribution of Bananas* (WT/DS27), it wishes to be joined in the consultations pursuant to Article XXII:1 of GATT 1994.
