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Original: English

UNITED STATES – CONTINUED SUSPENSION OF OBLIGATIONS IN THE EC – HORMONES DISPUTE

CANADA – CONTINUED SUSPENSION OF OBLIGATIONS IN THE EC – HORMONES DISPUTE

Communication from the Appellate Body

The following communication, dated 22 July 2008, from the Chairman of the Appellate Body addressed to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

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I am writing to you pursuant to Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, which stipulates that, as a general rule, the Appellate Body will circulate its Report no later than 60 days after the appellant has formally notified the Dispute Settlement Body (the "DSB") of its decision to appeal. Article 17.5 states, furthermore, that when the Appellate Body considers that it cannot provide its Report within 60 days, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will submit its Report.

The European Communities notified the DSB on 29 May 2008 of its decision to appeal certain issues of law covered in the Panel Reports and legal interpretations developed by the Panel in these cases, with the result that the 60-day period expires on Monday, 28 July 2008. In the light of the numerous and complex issues raised in these appeals, and the increased burden on translation services, the Appellate Body is not able to circulate its Report by Monday, 28 July 2008. We estimate that the Appellate Body Report in these appeals will be circulated to WTO Members no later than Thursday, 16 October 2008. The European Communities, Canada, and the United States have confirmed that they will deem the Appellate Body Report in these proceedings, issued no later than 16 October 2008, to be an Appellate Body Report circulated pursuant to Article 17.5 of the DSU.

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