

PART IV CONCLUSION

336. In view of the facts and arguments presented above, Canada respectfully requests the Panel to find that:

- i) the EC measures are contrary to the *SPS Agreement*, and in particular Articles 2, 3 and 5 thereof;
- ii) the EC measures are contrary to the *GATT 1994*, and in particular Article III or XI thereof;
- iii) in the alternative, if the EC measures are not sanitary measures within the terms of the *SPS Agreement*, they are technical regulations and are contrary to the *TBT Agreement*, and in particular Article 2 thereof; and
- v) the application of the EC measures otherwise nullifies or impairs the benefits accruing to Canada pursuant to the *WTO Agreement*.