

The Ministers noted that in the only previous extraordinary challenge, on June 14, 1991, the Extraordinary Challenge Committee upheld Canada's position and dismissed a U.S. challenge concerning imports of Canadian pork. The United States complied with a final and binding decision, which ensured that \$20 million in duties were refunded to Canadian exporters. It was stressed at that time that the role of the Extraordinary Challenge Committee was to review binational panel decisions in exceptional circumstances only.

"We will be working closely with the provinces and producers to develop and present a strong Canadian response to the Committee," Mr. Mayer said.

The Extraordinary Challenge Committee comprises three members selected from a roster of five retired Canadian judges and five retired U.S. judges previously designated by the two governments. Decisions of an Extraordinary Challenge Committee are binding. The Committee may affirm the original panel decision, vacate it, or remand it to the original panel for action not inconsistent with the Committee's decision. The Committee's decision should typically be rendered within 30 days of its establishment.

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