

News Release

Minister for
International
Trade



Communiqué

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Commerce
extérieur

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PANEL ESTABLISHED UNDER CHAPTER 19 UNDER THE FREE TRADE AGREEMENT

International Trade Minister John C. Crosbie announced today the appointment of three Canadian panelists on a five-member panel established under Chapter 19 of the Free Trade Agreement. The panel has been established to review the U.S. International Trade Commission's September 6th final determination of injury in the countervail action against imports of Canadian fresh, chilled or frozen pork. A separate panel has already been established to review the U.S. Department of Commerce's final determination of subsidy in this matter.

Simon Potter, David Tavender and John Whalley will serve as Canadian panelists in this matter. The United States panelists will be Kathleen Patterson and Thomas Schaumberg. The panel will convene shortly to select its chairperson.

Under Chapter 19 of the Free Trade Agreement, judicial review of final determinations by domestic courts in countervailing and anti-dumping duty cases is replaced, at the request of an interested party, by a review by five-member panels comprised of Canadians and Americans. Each country chooses two and the fifth is chosen by agreement between the parties. Prior to the Free Trade Agreement, this case could have been reviewed judicially by a United States domestic court. Findings of the panel are binding on both governments. The panel is to make its decision within 315 days of the request for panel review.

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For further information, contact:

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External Affairs and
International Trade Canada

Canada

FRESH, CHILLED OR FROZEN PORK (INJURY)

Canadian Panelists

Simon Potter

Partner with the legal firm of Ogilvy, Renault of Montreal, Quebec.

David Tavender

Partner with the legal firm of Fenerty, Robertson, Fraser & Hatch of Calgary, Alberta.

John Whalley

Professor of Economics at the University of Western Ontario.

United States Panelists

Kathleen Patterson

Partner with the legal firm of Kaplin Russin & Vecchi of Washington, D.C.

Thomas Schaumberg

International trade attorney in Washington, D.C.