



17 September 2021

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Page: 1/1

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**UNITED STATES – ANTI-DUMPING AND COUNTERVAILING DUTIES
ON RIPE OLIVES FROM SPAIN**

COMMUNICATION FROM THE PANEL

The following communication, dated 17 September 2021, was received from the Chairman of the Panel with the request that it be circulated to the Dispute Settlement Body (DSB).

Article 12.8 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the period in which a panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been agreed upon until the date the final report is issued to the parties to the dispute, shall, as a general rule, not exceed six months.

Article 12.9 of the DSU provides that, when a panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing accordingly and indicate the reasons, together with an estimate of the period within which it will issue its report.

The Panel in *United States – Anti-Dumping and Countervailing Duties on Ripe Olives from Spain* (DS577) was established by the DSB on 24 June 2019 and composed on 18 October 2019. The Panel, after consultations with the parties, initially adopted a timetable pursuant to which it expected to issue its report to the parties by the end of 2020. However, in light of delays in the proceeding caused by the global COVID-19 pandemic, the Panel informed the parties that it expected to issue its final report to the parties by the end of August 2021. The Panel subsequently informed the parties that it intended to issue its final report on 19 August 2021.

On 18 August 2021, the European Union and the United States jointly informed the Panel that they were engaged in discussions with respect to the resolution of this dispute, and requested that the Panel postpone the issuance of the final report to the parties until 16 September 2021. On 16 September 2021, the European Union and the United States jointly informed the Panel that they remained engaged in discussions with respect to the resolution of this dispute and requested that the Panel further postpone issuance of the final report until 3 November 2021.

Cognisant of the aim of the dispute settlement mechanism to secure a positive solution to a dispute, and of the requirement that Members engage in the dispute settlement procedures in good faith in an effort to resolve the dispute, the Panel agreed to the parties' requests. Accordingly, the issuance of the final report to the parties has been postponed until 3 November 2021.

The report will only be available to the public once it is circulated to the Members in all three working languages of the WTO. The date of circulation depends on completion of translation and the Panel is not in a position to provide an estimated circulation date at this time.

I would be grateful if you would circulate this letter to the DSB.
