

**NOTIFICATION PURSUANT TO ARTICLE 12.1(A)
OF THE AGREEMENT ON SAFEGUARDS ON THE
INITIATION OF A SAFEGUARDS INVESTIGATION
AND THE REASONS FOR IT**

AND

**NOTIFICATION UNDER ARTICLE 12.4 OF THE AGREEMENT ON
SAFEGUARDS BEFORE TAKING A PROVISIONAL
MEASURE REFERRED TO IN ARTICLE 6**

Questions posed by the UNITED STATES
Regarding the Notification made by CHILE¹

The following communication, dated 14 November 2000, has been received from the Permanent Mission of the United States.

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- What is the current status of the safeguards investigation on liquid and powdered milk, notified in G/SG/N/6/CHL/4 ?
 - Has a public hearing been held on the investigation?
 - When does the Government of Chile expect to announce the results of its determination on the investigation?

We note, in G/SG/N/7/CHL/3/Suppl.1, that a provisional safeguard measure was announced on 13 July 2000.

- What was the effective date of the application of the provisional safeguard measure?

Article 12.6 of the WTO Safeguards Agreement provides that a provisional safeguard measure may be applied “in critical circumstances where delay would cause damage which it would be difficult to repair.”

- Did the competent authority consider what damage was likely to occur in the 200-day period, beginning in July 2000, had a decision been made to not impose a provisional safeguard measure? If so, what immediate consequences did the authority preliminarily determine were likely to occur?

¹ G/SG/N/6/CHL/4

- Did the competent authority publish a report on the provisional safeguard measure, including its preliminary findings on the existence of critical circumstances? If so, what is the legal citation to that report? (Note: the Official Journal item attached to G/SG/N/7/CHL/3/Suppl.1 only announces the application of a provisional measure, it does not report the preliminary findings made by the National Commission.)
 - Did the Government of Chile initiate Article 12.4 consultations immediately after the measure was taken? With which countries did Chile consult? Which countries have substantial export interests in these products?
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