



## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

#### **North American Free Trade Agreement (NAFTA), Article 1904;**

#### **Binational Panel Review: Notice of Panel Decision**

**AGENCY:** United States Section, NAFTA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Panel Decision.

**SUMMARY:** On October 5, 2023, the Binational Panel issued its Decision in the matter of Certain Softwood Lumber Products from Canada: Final Affirmative Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances (Secretariat File Number: USA-CDA-2017-1904-03). The Binational Panel affirmed in part and remanded in part the Department of Commerce's Final Determination.

**FOR FURTHER INFORMATION CONTACT:** Vidya Desai, United States Secretary, NAFTA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, D.C. 20230, (202) 482-2311.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of Article 1904 of NAFTA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to provide judicial review of the trade remedy determination being challenged and then issue a binding Panel Decision. There are established *Rules of Procedure for Article 1904 Binational Panel Reviews*, which were adopted by the three governments for panels requested pursuant to Article 1904(2) of NAFTA. The

notice of this Binational Panel's Decision is being published pursuant to Rule 70. For the complete Rules, please see [https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/nafta-alena-tlcan/rules-regles-reglas/article-article-articulo\\_1904.aspx?lang=eng](https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/nafta-alena-tlcan/rules-regles-reglas/article-article-articulo_1904.aspx?lang=eng).

**Dated:** October 6, 2023.

**Vidya Desai,**

*U.S. Secretary,*

*NAFTA Secretariat.*

[FR Doc. 2023-22599 Filed: 10/19/2023 8:45 am; Publication Date: 10/20/2023]