(a) that imports of the products of subheadings 8703.21 to 8703.90 from the requested Party into the requesting Party have, by application of Section 3, significantly increased in absolute terms or relative to domestic production; or

(b) of changes in patterns of sourcing after the entry into force of this Agreement which have had a negative effect on competition for domestic producers of directly competitive products in the requesting Party.

3. The Parties shall consult with a view to establishing the accuracy of the facts and identifying appropriate measures relating to the implementation of Section 3. Such measures shall not result in an expansion of the application of Section 3.

4. For greater certainty, in case of disagreement between the Parties on the application of this Section, a Party may have recourse to dispute settlement under Chapter 22.

ANNEX 3-C

PRODUCTS REFERRED TO IN ARTICLE 3.5

The products referred to in paragraphs 2 and 4 of Article 3.5 shall be limited to the products classified under the following Chapters and headings of the Harmonized System:

(a) Chapters 02 to 04;

(b) heading 06.04;

(c) Chapters 07 and 08;

(d) headings 09.01 to 09.04 and 09.07 to 09.10;

(e) headings 10.01 to 10.03 and 10.05 to 10.08;

(f) headings 11.02, 11.03 and 11.05 to 11.09;

(g) headings 12.02, 12.08 and 12.10 to 12.14;

(h) Chapters 13 and 14;

(i) headings 15.01, 15.03 to 15.08 and 15.11 to 15.22;

(j) headings 16.01 and 16.03 to 16.05;

(k) headings 17.01 to 17.03;

(l) headings 18.03, 18.05 and 18.06;

(m) heading 19.03;