

from the requirements of paragraphs 1 and 3 of Article 26 in respect of that commodity. If it is determined that the circumstances described in Article 59 apply to the commodity concerned and that the subsidization will not be so operated as to stimulate exports unduly or otherwise seriously prejudice the interests of other Members, the Organization shall grant such exemption for such period and within such limits as may be determined.

Article 28

Undertaking regarding Stimulation of Exports

Notwithstanding the provisions of paragraphs 1, 2 and 3 of Article 26 and of paragraph 3 of Article 27, no Member shall grant any subsidy on the exportation of any product which has the effect of acquiring for that Member a share of world trade in that product in excess of the share which it had during a previous representative period, account being taken insofar as practicable of any special factors which may have affected or may be affecting the trade in that product. The selection of a representative period for any product and the appraisal of any special factors affecting the trade in the product shall be made initially by the Member granting the subsidy; *Provided* that such Member shall, upon the request of any other Member having an important interest in the trade in that product, or upon the request of the Organization, consult promptly with the other Member or with the Organization regarding the need for an adjustment of the base period selected or for the re-appraisal of the special factors involved.

Article 29

Procedure

Any determination provided for in, or appropriate to the operation of, this Section shall be made through the Organization by consultation and agreement among the Members substantially interested in the product concerned.

Article 27, paragraph 3.

The United States Delegation reserved its position on paragraph 3 of Article 27 and on Article 28.