> arguments as contemplated by Rule 20 of the *Working Procedures.* Bearing this distinction in mind, we do *not* agree with Argentina that Chile's arguments regarding the order of analysis chosen by the Panel amount to a separate 'allegation of error' that Chile *should have*—or *could have*—included in its Notice of Appeal. In fact, we do not see, nor has Argentina explained, what *separate* 'allegation of error' could have been made, or what legal basis for such 'allegation of error' there could have been. Rather than making a separate 'allegation of error', Chile has, in our view, simply set out a *legal argument* in support of the issues it raised on appeal relating to Article 4.2 of the *Agreement on Agriculture* and Article II:1(b) of the GATT 1994.[45]

4. In *US – Countervailing Measures on Certain EC Products*, the Appellate Body contrasted the requirements of Rule 20(2)(d), regarding the Notice of Appeal, with the requirements of Rule 21(2): *US – Cou*[illegible]

7. In *US – Offset Act (Byrd Amendment)*, the Appellate Body stated that "if an appellee has not received sufficient notice in the Notice of Ap peal that a particular claim will be advanced by the appellant, that claim normally will be excluded from the appeal". [9]

8. In *EC – Bananas III (Article 21.5 – Ecuador II)* / *EC – Bananas III (Article 21.5 – US)*, the Appellate Body observed that Rule 20(2)(d) "does not stipulate what consequences flow from a failure to meet its requirements", and stated that in "assessing the potential consequences", we are mindful of the due process function that this Rule fulfills. [10] In that case, the Appellate Body ultimatel y found that certain defects in the Notice of Appeal did "not give rise to procedural

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