

Chapter Six

Sanitary and Phytosanitary Measures

Objectives

The objectives of this Chapter are to protect human, animal, or plant life or health in the Parties' territories, enhance the Parties' implementation of the SPS Agreement, provide a Standing Committee for addressing sanitary and phytosanitary matters, attempt to resolve trade issues, and thereby expand trade opportunities.

Article 6.1: Scope and Coverage

This Chapter applies to all sanitary and phytosanitary measures of a Party that may, directly or indirectly, affect trade between the Parties.

Article 6.2: General Provisions

1. Further to Article 1.2 (Relation to Other Agreements), the Parties affirm their existing rights and obligations with respect to each other under the SPS Agreement.
2. No Party may have recourse to dispute settlement under this Agreement for any matter arising under this Chapter.

Article 6.3: Standing Committee on Sanitary and Phytosanitary Matters

1. Not later than 30 days after the date of entry into force of this Agreement, the Parties shall establish a Standing Committee on Sanitary and Phytosanitary Matters (the "Standing Committee"). The objectives of the Standing Committee shall be to enhance the implementation by each Party of the SPS Agreement, protect human, animal, or plant life or health, enhance consultation and cooperation between the Parties on sanitary and phytosanitary matters, and address measures affecting trade between the Parties.
2. The Parties shall establish the Standing Committee through an exchange of letters identifying the primary representative of each Party to the Standing Committee and establishing the Standing Committee's terms of reference.
3. The Standing Committee shall seek to enhance any present or future relationships between the Parties' agencies and ministries with responsibility for sanitary and phytosanitary matters.
4. The Standing Committee shall provide a forum for:

- (a) improving the Parties' understanding of specific issues relating to the implementation of the SPS Agreement;
- (b) enhancing mutual understanding of each Party's sanitary and phytosanitary measures and the regulatory processes that relate to those measures;
- (c) consulting on and attempting to resolve matters related to the development or application of sanitary and phytosanitary measures that affect, or may affect, trade between the Parties;
- (d) coordinating and making recommendations on technical assistance programs on sanitary and phytosanitary matters to the Committee on Trade Capacity Building; and
- (e) consulting on issues, positions, and agendas for meetings of the *WTO SPS Committee*, the various *Codex* Committees (including the *Codex Alimentarius Commission*), the *International Plant Protection Convention*, the *World Organization for Animal Health*, and other international and regional fora on food safety and human, animal, and plant health.

5. The Standing Committee shall meet at least once a year unless the Parties otherwise agree.

6. The Standing Committee shall perform its work in accordance with its terms of reference. The Standing Committee may revise its terms of reference and establish procedures to guide its operation.

7. The Standing Committee may establish *ad hoc* technical working groups, as needed, in accordance with its terms of reference.

8. Each Party shall ensure that appropriate representatives with responsibility for the development, implementation, and enforcement of sanitary and phytosanitary measures from its relevant trade and regulatory agencies or ministries participate in meetings of the Standing Committee.

9. All decisions of the Standing Committee shall be taken by consensus, unless the Committee otherwise decides.



February 26, 2006

Dear Ambassador Schwab:

I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Andean Trade Promotion Agreement:

Colombia and the United States (hereinafter, the Parties) agree on the following provisions, with a view to facilitating trade between the Parties while preserving each Party's right to protect human, animal or plant life or health in its territory and respecting each Party's regulatory systems and risk assessment and policy development processes:

1. Colombia confirms that it shall continue to recognize the U.S. inspection system for meat and poultry as equivalent to that of Colombia and shall not require approval of individual U.S. establishments by the Colombian Ministry of Agriculture or any other Colombian ministry or sanitary authority, in accordance with its rights and obligations under the WTO SPS Agreement. Colombia confirms that it shall continue to accept meat and poultry shipments accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness, including additional declarations agreed by relevant sanitary authorities from both countries.

2. Colombia recognizes the measures taken by the United States with regard to Bovine Spongiform Encephalopathy (BSE). Colombia conducted a verification visit on December 12 - 20, 2005. Colombia confirms that, in accordance with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit by no later than April 15, 2006, the importation of U.S. meat and products listed in OIE's Terrestrial Animal Health Code Article 2.3.13.1, in addition to kidneys, livers, and stomachs, accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness. Colombia shall permit the importation of other U.S. meat and meat products not listed in OIE's Terrestrial Animal Health Code Article 2.3.13.13 by no later than May 31, 2006, based on the



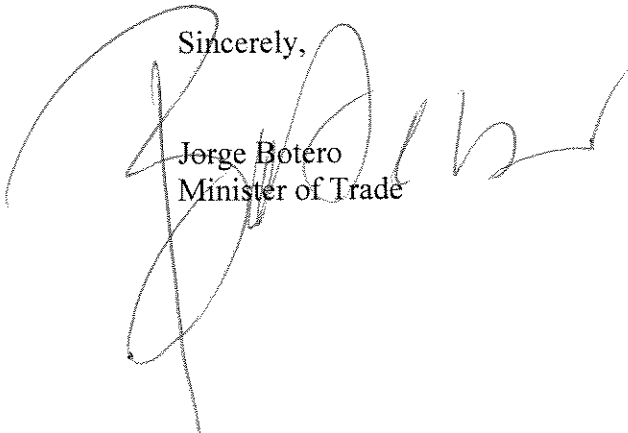
results of the risk assessment being conducted in accordance with OIE's Terrestrial Animal Health Code.

3. To confirm that the United States meets OIE guidelines on Avian Influenza, Colombian authorities conducted a verification visit to the United States on December 12 - 20, 2005. Based on information previously submitted by USDA, Colombia shall complete its science-based review and shall permit by no later than May 15, 2006, based on OIE guidelines and recommendations, the importation of U.S. poultry and poultry products from all U.S. States accompanied by an FSIS Export Certificate of Wholesomeness.

4. The Parties pledge to urge their specialized agencies to implement technical and scientific work dedicated to achieving market access to make the bilateral trade of beef and beef products of mutual benefit for both Parties.

I have the honor to confirm that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, to enter into force on this day.

Sincerely,



Jorge Botero
Minister of Trade



Andres Arias
Minister of Agriculture

EXECUTIVE OFFICE OF THE PRESIDENT
DEPUTY UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

February 26, 2006

Dear Ministers Botero and Arias:

I have the honor to acknowledge receipt of your letter of this date which reads as follows:

“I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Andean Trade Promotion Agreement:

The United States and the Colombia (hereinafter, the Parties) agree on the following provisions, with a view to facilitating trade between the Parties while preserving each Party’s right to protect human, animal or plant life or health in its territory and respecting each Party’s regulatory systems and risk assessment and policy development processes:

1. Colombia confirms that it shall continue to recognize the U.S. inspection system for meat and poultry as equivalent to that of Colombia and shall not require approval of individual U.S. establishments by the Colombian Ministry of Agriculture or any other Colombian ministry or sanitary authority, in accordance with its rights and obligations under the WTO SPS Agreement. Colombia confirms that it shall continue to accept meat and poultry shipments accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness, including additional declarations agreed by relevant sanitary authorities from both countries.

2. Colombia recognizes the measures taken by the United States with regard to Bovine Spongiform Encephalopathy (BSE). Colombia conducted a verification visit on December 12 - 20, 2005. Colombia confirms that, in accordance with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit by no later than April 15, 2006, the importation of U.S. meat and products listed in OIE’s Terrestrial Animal Health Code Article 2.3.13.1, in addition to kidneys, livers, and stomachs, accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness. Colombia shall permit the importation of other U.S. meat and meat products not listed in OIE’s Terrestrial Animal Health Code Article 2.3.13.13 by no later than May 31, 2006, based on the results of the risk assessment being conducted in accordance with OIE’s Terrestrial Animal Health Code.

3. To confirm that the United States meets OIE guidelines on Avian Influenza, Colombian authorities conducted a verification visit to the United States on December 12 - 20, 2005. Based on information previously submitted by USDA,

Colombia shall complete its science-based review and shall permit by no later than May 15, 2006, based on OIE guidelines and recommendations, the importation of U.S. poultry and poultry products from all U.S. States accompanied by an FSIS Export Certificate of Wholesomeness.

4. The Parties pledge to urge their specialized agencies to implement technical and scientific work dedicated to achieving market access to make the bilateral trade of beef and beef products of mutual benefit for both Parties.”

I have the honor to confirm that my Government shares this understanding and that your letter and this reply, shall constitute an agreement between our two Governments, to enter into force on this day.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan C. Schwab". The signature is fluid and cursive, with the first name "Susan" and last name "Schwab" clearly distinguishable.

Susan C. Schwab



Ministerio de Comercio, Industria y Turismo
República de Colombia

Despacho Ministro

LETTER EXCHANGE ON BEEF SPS ISSUES

Bogotá, August 21, 2006

Ambassador Susan C. Schwab
United States Trade Representative
Washington, DC 20508

Dear Ambassador Schwab:

I have the honor to confirm the following understanding reached between the Governments of Colombia and the United States of America with respect to trade in beef and beef products of the United States, further to the exchange of letters between our Governments of February 28, 2006.

The Government of Colombia recognizes the measures that the United States has taken with regard to Bovine Spongiform Encephalopathy (BSE), and confirms that, consistent with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit, by no later than October 31, 2006, the importation of all beef and beef products of the United States, other than those listed in paragraphs 3 and 4 of the Annex to this letter, that are accompanied by a United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS) Export Certificate of Wholesomeness with the additional certification statements set out in the Annex to this letter. Such USDA FSIS Export Certificate of Wholesomeness with the additional certification statements set out in the Annex shall meet all the Government of Colombia's sanitary and health requirements.

The Governments of Colombia and the United States recall that the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures allows Members to adopt measures necessary to protect human, animal or plant life or health, subject to the requirement that these measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

I have the honor to propose that this letter, including the Annex thereto, and your letter in reply, confirming that your Government shares this understanding, shall

Gloria R

REPUBLICA DE COLOMBIA
Calle 28 No. 13 A 15 Pisos 1 al 7, 9, 16, 17 y 18 PBX (571) 6067676 Bogotá, Colombia
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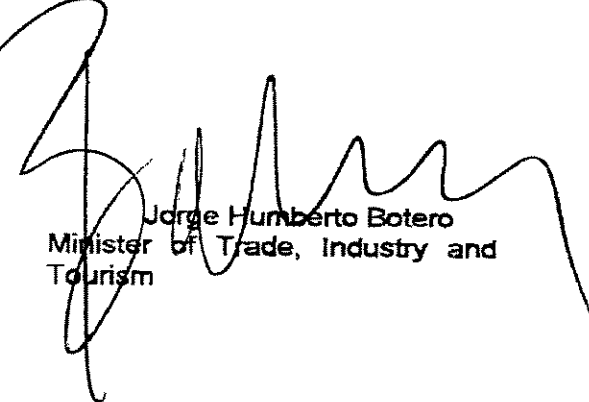
Ministerio de Comercio, Industria y Turismo
República de Colombia

Despacho Ministro

constitute an agreement between our two Governments to enter into force on this day.

Sincerely,


Andres Felipe Arias
Minister of Agriculture and Rural Development


Jorge Humberto Botero
Minister of Trade, Industry and Tourism

Gloria R

REPUBLICA DE COLOMBIA
Calle 28 No. 13 A 15 Pisos 1 al 7, 9, 16, 17 y 18 PBX (571) 6067676 Bogotá, Colombia
www.mincomercio.gov.co

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

LETTER EXCHANGE ON BEEF SPS ISSUES

August 21, 2006

The Honorable Andres Arias
Minister of Agriculture and Rural Development

The Honorable Jorge Botero
Minister of Trade, Industry and Tourism

Dear Ministers Arias and Botero:

I am pleased to acknowledge your letter of today's date, which reads as follows:

"I have the honor to confirm the following understanding reached between the Governments of Colombia and the United States of America with respect to trade in beef and beef products of the United States, further to the exchange of letters between our Governments of February 26, 2006.

The Government of Colombia recognizes the measures that the United States has taken with regard to Bovine Spongiform Encephalopathy (BSE), and confirms that, consistent with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit, by no later than October 31, 2006, the importation of all beef and beef products of the United States, other than those listed in paragraphs 3 and 4 of the Annex to this letter, that are accompanied by a United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS) Export Certificate of Wholesomeness with the additional certification statements set out in the Annex to this letter. Such USDA FSIS Export Certificate of Wholesomeness with the additional certification statements set out in the Annex shall meet all the Government of Colombia's sanitary and health requirements:

The Governments of Colombia and the United States recall that the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures allows Members to adopt measures necessary to protect human, animal or plant life or health, subject to the requirement that these measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

I have the honor to propose that this letter, including the Annex thereto, and your letter in reply, confirming that your Government shares this understanding, shall constitute an agreement between our two Governments to enter into force on this day.”

I have the honor to confirm that my Government shares this understanding and that your letter, including the Annex thereto, and this reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan C. Schwab". The signature is fluid and cursive, with the first name "Susan" and last name "Schwab" clearly distinguishable.

Susan C. Schwab

ANNEX

Additional Certification Statements on USDA FSIS Export Certificate of Wholesomeness to Accompany U.S. Exports of Beef and Beef Products to Colombia

1. The United States has an active BSE surveillance program which meets or exceeds international standards established by the World Organization for Animal Health (OIE).
2. The meat or meat products were derived from animals that were officially given an ante and post mortem inspection by Food Safety and Inspection Service (FSIS) inspection officials.
3. The meat or meat products were produced and handled in a manner which ensures that such products do not contain and are not contaminated with, the following specified risk materials: for cattle 30 months of age and older, the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column, and dorsal root ganglia; and for any cattle regardless of age, the tonsils and distal ileum of the small intestine.
4. The meat or meat products were produced and handled in a manner which ensures that such products do not contain and are not contaminated with mechanically separated meat from the skull and vertebral column from cattle over 30 months of age.
5. The meat or meat products were derived from federally certified slaughter or processing facilities, operating under the supervision of the FSIS.
6. The slaughter or processing plant where the meat was processed has a HACCP system in place.
7. The meat or meat products are fit for human consumption.
8. The meat or meat products were packed in authorized containers bearing the mark of inspection that includes the number of the facility, and labeled to include the name of the product, lot number, net weight, and date of packing.
9. The meat or meat products are transported in containers or thermo refrigerated vehicles that are monitored to assure that they maintain appropriate refrigerated or frozen temperatures.
10. Trucks and containers have been properly washed and disinfected.
11. The feeding of ruminants with ruminant origin meat-and-bone meal and greaves is prohibited in the United States, and this prohibition has been effectively enforced.
12. The meat or meat products were obtained from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.
13. The meat or meat products were not derived from animals imported from Canada for immediate slaughter.

EXECUTIVE OFFICE OF THE PRESIDENT
DEPUTY UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

November 22, 2006

The Honorable Jorge Humberto Botero
Minister of Commerce, Industry and Tourism
Ministerio de Comercio, Industria y Turismo
Bogotá, Colombia

Dear Minister Botero:

I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Colombia Trade Promotion Agreement (the “Agreement”):

- 1) Colombia and the United States pledge to cooperate through the Standing Committee on Sanitary and Phytosanitary Matters (the “SPS Committee”) established under the Agreement to develop and coordinate technical and scientific cooperation dedicated to protecting human, animal, or plant life or health while striving to achieve the market access necessary to make trade in agricultural products, including processed food products, under the Agreement of mutual benefit. Our governments will cooperate on sanitary and phytosanitary (SPS) matters by engaging in mutually agreed activities that promote implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (“WTO SPS Agreement”) and support the development of Colombia’s SPS system in order to enhance bilateral trade. In order to maximize resources available for these activities, technical experts from the relevant SPS authorities of the Governments of the United States and Colombia will work with the Committee on Trade Capacity Building established under the Agreement.
- 2) The United States and Colombia agree to address SPS issues in a timely fashion within the framework of their respective laws. Between meetings of the SPS Committee, the United States or Colombia may raise issues of concern to the primary representatives described in Article 6.3.2 of the Agreement, who shall attempt to resolve the issue. After undertaking all technical efforts as prescribed by law, and addressing the matter with the relevant authorities, the United States and Colombia may refer any SPS matter to the SPS Committee.

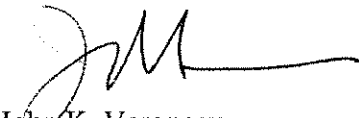
The Honorable Jorge Humberto Botero
Page Two

- 3) Either the United States or Colombia may submit scientific evidence to support the importing country's risk analysis process. Such information will be considered within the framework of the importing country's laws and procedures, and consistently with Article 5 of the WTO SPS Agreement.

Through these efforts, and on the basis of a deepened relationship on SPS matters under the Agreement, the United States and Colombia will work to enhance bilateral trade in a spirit of cooperation.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, and shall enter into force on the date the Agreement enters into force.

Sincerely,



John K. Veroneau

[Courtesy Translation]

November 22, 2006

The Honorable John K. Veroneau
Deputy United States Trade Representative
Washington, DC

Dear Ambassador Veroneau:

I have the honor to acknowledge receipt of your letter of this date which reads as follows:

“I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Colombia Trade Promotion Agreement (the “Agreement”):

- 1) Colombia and the United States pledge to cooperate through the Standing Committee on Sanitary and Phytosanitary Matters (the “SPS Committee”) established under the Agreement to develop and coordinate technical and scientific cooperation dedicated to protecting human, animal, or plant life or health while striving to achieve the market access necessary to make trade in agricultural products, including processed food products, under the Agreement of mutual benefit. Our governments will cooperate on sanitary and phytosanitary (SPS) matters by engaging in mutually agreed activities that promote implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (“WTO SPS Agreement”) and support the development of Colombia’s SPS system in order to enhance bilateral trade. In order to maximize resources available for these activities, technical experts from the relevant SPS authorities of the Governments of the United States and Colombia will work with the Committee on Trade Capacity Building established under the Agreement.
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I have the honor to confirm that my Government shares this understanding and that your letter and this reply, shall constitute an agreement between our two Governments, and shall enter into force on the date the Agreement enters into force.

Sincerely,

Jorge Humberto Botero



Courtesy Translation

April 15, 2012

Ambassador Ron Kirk
United States Trade Representative
Washington, DC, United States of America

Dear Ambassador Kirk:

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement, in regard to the temporary measures for the importation of "Paddy" Rice from the United States of America to Colombia:

1. The phytosanitary certificate (PC) issued by the United States Animal and Plant Health Inspection Service (APHIS) will state: "The shipment was fumigated with Methyl Bromide, and inspected and found free of the insects: *Cryptolestes pusillus*, *Oryzaephilus Mercator* and *Trogoderma variabile*. The PC shall include an additional declaration indicating *Alternaria padwickii* as "not officially known to occur in the United States."
2. United States Department of Agriculture (USDA) inspectors shall verify moisture content of the "paddy" rice (above 12.5%) at the time of fumigation. The dosage, temperature and duration of the Methyl Bromide treatment for *Tilletia horrida* are the following:

MB DOSE	TEMPERATURE	TIME
96 gr/m ³	16 °C	24 hours
120 gr/m ³	Below 16 °C	24 hours

This information must be recorded on an official USDA document. Instituto Colombiano Agropecuario (ICA) officers may verify the treatment process with Methyl Bromide.



3. The entry of the “paddy” rice shipments shall be authorized only through the sea port located in the city of Barranquilla, and its industrialization process shall be carried out exclusively at the mills located in the jurisdiction of the municipality of Barranquilla.

The shipment shall come free of soil, organic matter, impurities and other seeds of quarantine concern.

4. ICA will conduct a phytosanitary inspection at the port of Barranquilla, verifying over time that the measures implemented by APHIS, including the use of Methyl Bromide, are significantly reducing the risks of introduction of *Tilletia horrida* to the Colombian territory. Understanding that the risks of such introduction are significantly reduced through the measures described in paragraphs 1 through 3, the shipment shall be released for processing upon completion of the ship board inspection and not be held pending further analysis for *Tilletia horrida*.
5. The husk resulting from industrial processing shall not be used for commercial purposes and shall be destroyed by incineration in the mill.
6. These requirements shall remain in effect until a modification is agreed upon between Colombia and the United States taking into account a risk assessment and/or the experience gained with respect to the operation of this protocol.

I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day.

Sincerely,

Juan Camilo Restrepo Salazar
Minister of Agriculture and Rural Development

Sergio Díaz-Granados Guida
Minister of Trade, Industry and
Tourism

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

April 15, 2012

The Honorable Juan Camilo Restrepo Salazar
Minister of Agriculture and Rural Development

The Honorable Sergio Díaz-Granados Guida
Minister of Trade, Industry and Tourism

Dear Ministers Restrepo and Díaz-Granados:

I am pleased to acknowledge your letter of today's date, which reads as follows:

"I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement, in regard to the temporary measures for the importation of "Paddy" Rice from the United States of America to Colombia:

1. The phytosanitary certificate (PC) issued by United States Animal and Plant Health Inspection Service (APHIS) will state: "The shipment was fumigated with Methyl Bromide, and inspected and found free of the insects: *Cryptolestes pusillus*, *Oryzaephilus Mercator* and *Trogoderma variabile*. The PC shall include an additional declaration indicating *Alternaria padwickii* as "not officially known to occur in the United States."
2. United States Department of Agriculture (USDA) inspectors shall verify moisture content of the "paddy" rice (above 12.5%) at the time of fumigation. The dosage, temperature and duration of the Methyl Bromide treatment for *Tilletia horrida* are the following:

MB DOSE	TEMPERATURE	TIME
96 gr/m ³	16 °C	24 hours
120 gr/m ³	Below 16 °C	24 hours

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3. The entry of the "paddy" rice shipments shall be authorized only through the sea port located in the city of Barranquilla, and its industrialization process shall be carried out exclusively at the mills located in the jurisdiction of the municipality of Barranquilla.

The shipment shall come free of soil, organic matter, impurities and other seeds of quarantine concern.

4. ICA will conduct a phytosanitary inspection at the port of Barranquilla, verifying over time that the measures implemented by APHIS, including the use of Methyl Bromide, are significantly reducing the risks of introduction of *Tilletia horrida* to the Colombian territory. Understanding that the risks of such introduction are significantly reduced through the measures described in paragraphs 1 through 3, the shipment shall be released for processing upon completion of the ship board inspection and not be held pending further analysis for *Tilletia horrida*.

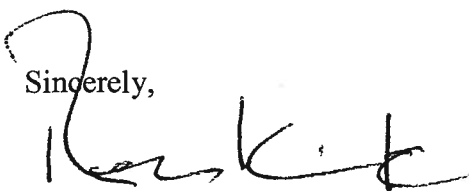
5. The husk resulting from industrial processing shall not be used for commercial purposes and shall be destroyed by incineration in the mill.

6. These requirements shall remain in effect until a modification is agreed upon between Colombia and the United States taking into account a risk assessment and/or the experience gained with respect to the operation of this protocol.

I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day".

I have the honor to confirm that my Government shares this understanding and that your letter and this reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Kirk", with a stylized flourish at the end.

Ambassador Ron Kirk



15 de abril de 2012

Embajador Ron Kirk
Representante Comercial de los Estados Unidos
Washington DC, Estados Unidos de América

Estimado Embajador Kirk:

Tengo el honor de confirmar el siguiente entendimiento logrado entre los representantes del Gobierno de la República de Colombia (Colombia) y el Gobierno de los Estados Unidos de América (Estados Unidos) en el curso de las discusiones relacionadas con la implementación del Acuerdo de Promoción Comercial Estados Unidos-Colombia, concernientes con las medidas temporales para la importación de arroz "Paddy" de los Estados Unidos de América a Colombia:

1. El certificado fitosanitario (CF) expedido por el Servicio de Inspección Sanitaria de Animales y Plantas de los Estados Unidos (APHIS) dispondrá: "El envío fue fumigado con Bromuro de Metilo, e inspeccionado y se encuentra libre de los insectos: *Cryptolestes pusillus*, *Oryzaephilus Mercator* y *Trogoderma variabile*. El CF deberá incluir una declaración adicional que indique *Alternaria padwickii* como "no conocido oficialmente que ocurra en los Estados Unidos".
2. Inspectores de Departamento de Agricultura de los Estados Unidos (USDA) verificarán el contenido de humedad del arroz "paddy" (por encima de 12,5%) al momento de la fumigación. La dosis, temperatura y duración del tratamiento con Bromuro de Metilo para *Tilletia horrida* son los siguientes:

DOSIS BM	TEMPERATURA	TIEMPO
96 gr/m ³	16 °C	24 horas
120 gr/m ³	Por debajo de 16 °C	24 horas

Esta información debe registrarse en un documento oficial del USDA. Funcionarios del Instituto Colombiano Agropecuario (ICA) podrán verificar el proceso de tratamiento con Bromuro de Metilo.



3. El ingreso de cargamentos de arroz "paddy" solo serán autorizados por el puerto marítimo ubicado en la ciudad de Barranquilla, y su proceso de industrialización será realizado exclusivamente en los molinos ubicados en la jurisdicción de la municipalidad de Barranquilla.

El envío deberá venir libre de suelo, materia orgánica, impurezas y otras semillas de preocupación para cuarentena.

4. El ICA realizará inspección fitosanitaria en el puerto de Barranquilla, verificando a través del tiempo que las medidas implementadas por APHIS incluyendo el uso de Bromuro de Metilo reducen significativamente los riesgos de introducción de *Tilletia horrida* a territorio colombiano. Entendiendo que los riesgos de dicha introducción se reducen de manera significativa como resultado de las medidas descritas en los párrafos 1 a 3, el cargamento será liberado para ser procesado con la finalización de la inspección a bordo y no será retenido a la espera de análisis adicionales para *Tilletia horrida*.
5. La cascarilla resultante del proceso industrial no será utilizada para efectos comerciales y será destruida mediante incineración en el molino.
6. Estos requisitos se mantendrán en vigencia hasta que una modificación sea acordada entre Colombia y los Estados Unidos teniendo en cuenta el análisis de riesgo y/o la experiencia obtenida en relación con la operación de este protocolo.

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyan un acuerdo entre los dos Gobiernos, y entren en vigencia este día.

Atentamente,

Juan Camilo Restrepo Salazar
Ministro de Agricultura y Desarrollo Rural

Sergio Díaz-Granados Guida
Ministro de Comercio, Industria y Turismo



Courtesy Translation

April 15, 2012

Ambassador Ron Kirk
United States Trade Representative
Washington, DC United States of America

Dear Ambassador Kirk:

I am pleased to acknowledge your letter of today's date, which reads as follows:

"I have the honor to confirm the following understanding reached between representatives of the government of the United States of America (United States) and the government of the Republic of Colombia (Colombia) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement:

"Colombia confirms that U.S. control measures on Avian Influenza (AI) are effective and consistent with the World Organization for Animal Health (OIE) guidelines on Avian Influenza (AI). With regard to control for AI, Colombia shall permit the importation of U.S. poultry and poultry products from all U.S. states accompanied by a certificate issued by the competent authority of the U.S. Department of Agriculture. Colombia further confirms that, with respect to import requirements for poultry meat and poultry meat products, the presentation of a certificate issued by the competent authority of the U.S. Department of Agriculture shall be deemed by Colombia to satisfy OIE guidelines and the relevant provisions of the applicable national poultry Law and any implementing decrees, regulations, or guidelines.

Where the zone of origin of a shipment of poultry meat or poultry meat products or shell eggs has been identified by Colombia as having had a confirmation of infection with notifiable AI within the prior three months, Colombia shall require that the relevant U.S. Department of Agriculture certificate include a certification that the shipped product is derived "from flocks and farms under systematic surveillance for notifiable avian influenza" which is in accordance with OIE Terrestrial Animal Health Code, and that "the flock of origin is in good standing under the National Poultry Improvement Plan's H5/H7 Avian Influenza Monitored Program."



Colombia confirms that the understandings in this letter shall apply with respect to shipments from anywhere in the United States. No shipment of any U.S. poultry meat or poultry products accompanied by a certificate issued by the competent authority of the U.S. Department of Agriculture, compliant with the terms of the previous paragraph, if applicable, shall be refused entry into Colombia on any ground related to AI, unless the shipment is not complying with the conditions related to AI provided in the accompanying certificate.

The United States confirms that Colombia may conduct inspections of the U.S. control measures on AI on mutually agreed terms. “

I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day, and shall constitute an understanding within the meaning of Article 4 of Decree 735 of April 13, 2012.”

I have the honor to confirm that my Government shares this understanding and that your letter, and this reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

Juan Camilo Restrepo Salazar
Minister of Agriculture and Rural Development

Sergio Díaz-Granados Guida
Minister of Trade, Industry and
Tourism

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

April 15, 2012

The Honorable Juan Camilo Restrepo Salazar
Minister of Agriculture and Rural Development

The Honorable Sergio Díaz-Granados Guida
Minister of Trade, Industry and Tourism

Dear Ministers Restrepo and Díaz-Granados:

I have the honor to confirm the following understanding reached between representatives of the government of the United States of America (United States) and the government of the Republic of Colombia (Colombia) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement:

Colombia confirms that U.S. control measures on Avian Influenza (AI) are effective and consistent with the World Organization for Animal Health (OIE) guidelines on Avian Influenza (AI). With regard to control for AI, Colombia shall permit the importation of U.S. poultry and poultry products from all U.S. states accompanied by a certificate issued by the competent authority of the U.S. Department of Agriculture. Colombia further confirms that, with respect to import requirements for poultry meat and poultry meat products, the presentation of a certificate issued by the competent authority of the U.S. Department of Agriculture shall be deemed by Colombia to satisfy OIE guidelines and the relevant provisions of the applicable national poultry Law and any implementing decrees, regulations, or guidelines.

Where the zone of origin of a shipment of poultry meat or poultry meat products or shell eggs has been identified by Colombia as having had a confirmation of infection with notifiable AI within the prior three months, Colombia shall require that the relevant U.S. Department of Agriculture certificate include a certification that the shipped product is derived "from flocks and farms under systematic surveillance for notifiable avian influenza" which is in accordance with OIE Terrestrial Animal Health Code, and that "the flock of origin is in good standing under the National Poultry Improvement Plan's H5/H7 Avian Influenza Monitored Program."

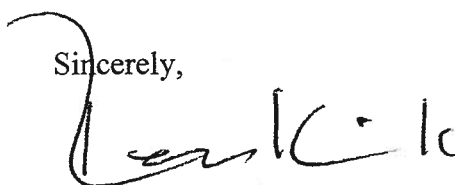
Colombia confirms that the understandings in this letter shall apply with respect to shipments from anywhere in the United States. No shipment of any U.S. poultry meat or poultry products accompanied by a certificate issued by the competent authority of the U.S. Department of Agriculture, compliant with the terms of the previous paragraph, if applicable, shall be refused entry into Colombia on any ground related to AI, unless the shipment is not complying with the conditions related to AI provided in the accompanying certificate.

Ministers Restrepo and Díaz-Granados
Page Two

The United States confirms that Colombia may conduct inspections of the U.S. control measures on AI on mutually agreed terms.

I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day, and shall constitute an understanding within the meaning of Article 4 of Decree 735 of April 13, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Kirk', with a large, stylized initial 'R'.

Ambassador Ron Kirk



15 de abril de 2012

Embajador Ron Kirk
Representante Comercial de los Estados Unidos
Washington, DC Estados Unidos de América

Estimado Embajador Kirk:

Tengo el agrado de confirmar el recibo de su carta con fecha de hoy, que dice lo siguiente:

“Tengo el honor de confirmar el siguiente entendimiento logrado entre los representantes del Gobierno de los Estados Unidos de América (Estados Unidos) y el Gobierno de la República de Colombia (Colombia) en el curso de las discusiones relacionadas con la implementación del Acuerdo de Promoción Comercial Estados Unidos-Colombia:

Colombia confirma que las medidas de control de los Estados Unidos para la Influenza Aviar (IA) son efectivas y consistentes con las guías de la Organización Mundial de Sanidad Animal (OIE) sobre la Influenza Aviar (IA). En relación con el control de la IA, Colombia permitirá la importación de pollo y productos de pollo de los Estados Unidos desde todos los estados de los Estados Unidos acompañados por el certificado expedido por la autoridad competente del Departamento de Agricultura de los Estados Unidos. Colombia confirma adicionalmente que, en relación con los requerimientos de importación para carne de pollo y productos de carne de pollo, la presentación de un certificado expedido por la autoridad competente del Departamento de Agricultura de los Estados Unidos será entendido por Colombia como que satisface las guías de la OIE y las disposiciones relevantes de la Ley nacional avícola aplicable y cualquier decreto, regulación o guías de implementación.

Cuando la zona de origen del cargamento de carne de pollo o productos de carne de pollo o huevos en cáscara ha sido identificada por Colombia como que ha tenido confirmación de infección de IA de declaración obligatoria dentro de los tres meses anteriores, Colombia solicitará que el certificado relevante del Departamento de Agricultura de los Estados Unidos incluya una certificación que el producto enviado proviene “de bandadas y fincas bajo vigilancia sistemática para influenza aviar de declaración obligatoria”, la cual es conforme a lo establecido en el Código Sanitario para los Animales Terrestres de la OIE, y que “la bandada de origen se encuentra a paz y salvo



bajo el National Poultry Improvement Plan's H5/H7 Avian Influenza Monitored Program".

Colombia confirma que los entendimientos en esta carta aplicarán respecto de los cargamentos provenientes de cualquier lugar de los Estados Unidos. Ningún cargamento de cualquier carne de pollo o productos de pollo de los Estados Unidos acompañado por el certificado expedido por la autoridad competente del Departamento de Agricultura de los Estados Unidos, en cumplimiento de lo dispuesto en los párrafos anteriores, de ser aplicable, podrá ser negado para su entrada a Colombia bajo ninguna razón relacionada con IA, salvo que el cargamento no cumpla con las condiciones relacionadas con IA previstas en el certificado que lo acompaña.

Los Estados Unidos confirman que Colombia podrá realizar inspecciones sobre las medidas de control de los Estados Unidos para la IA, en términos mutuamente acordados.

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyan un acuerdo entre los dos Gobiernos, y entren en vigencia este día, y constituyan un entendimiento en los términos dispuestos en el Artículo 4 del Decreto 735 del 13 de abril de 2012."

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyan un acuerdo entre los dos Gobiernos, y entren en vigencia este día.

Atentamente,

Juan Camilo Restrepo Salazar
Ministro de Agricultura y Desarrollo Rural

Sergio Díaz-Granados Guida
Ministro de Comercio, Industria y Turismo



Ministerio de Salud y Protección Social
República de Colombia

Prosperidad
para todos

Courtesy Translation

April 15, 2012

Ambassador Ron Kirk
United States Trade Representative
Washington, DC United States of America

Dear Ambassador Kirk:

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement:

The Parties confirm that their respective authorities will cooperate on the development of Colombia's national policy pertaining to *Salmonella* bacteria, taking into account Colombia's existing formal recognition of the equivalency of the U.S. meat and poultry inspection system, including the monitoring, control, and reporting procedures for *Salmonella*.

Colombia agrees and confirms that based on Colombia's knowledge and understanding of U.S. measures with regard to the control of *Salmonella*, no U.S. raw poultry meat or poultry product of any form exported to Colombia will be rejected for *Salmonella-related* reasons, provided that the shipment is accompanied by a valid United States Department of Agriculture (USDA), Food Safety and Inspection Service Export Certificate of Wholesomeness which includes the following statement in it: "The poultry meat exported to Colombia was derived from federally certified slaughter and processing facilities operating under the permanent inspection of the Food Safety and Inspection Service (FSIS). The poultry meat was derived from slaughterhouses that adhere to the performance standards for *Salmonella* which have been verified by FSIS through monitoring of the pathogen reduction and HACCP programs, implemented in the slaughterhouses".

I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day.

Sincerely,

Beatriz Londoño Soto
Minister of Health and Social Protection

Sergio Díaz-Granados Guida
Minister of Trade, Industry and Tourism

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

April 15, 2012

The Honorable Beatriz Londoño Soto
Minister of Health and Social Protection

The Honorable Sergio Díaz-Granados Guida
Minister of Trade, Industry and Tourism

Dear Ministers Londoño and Díaz-Granados:

I am pleased to acknowledge your letter of today's date, which reads as follows:

"I have the honor to confirm the following understanding reached between representatives of the Government of the United States of America (United States) and the Government of the Republic of Colombia (Colombia) during the course of discussions pertaining to the implementation of the United States-Colombia Trade Promotion Agreement:

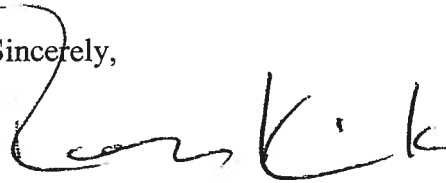
The Parties confirm that their respective authorities will cooperate on the development of Colombia's national policy pertaining to *Salmonella* bacteria, taking into account Colombia's existing formal recognition of the equivalency of the U.S. meat and poultry inspection system, including the monitoring, control, and reporting procedures for *Salmonella*.

Colombia agrees and confirms that based on Colombia's knowledge and understanding of U.S. measures with regard to the control of *Salmonella*, no U.S. raw poultry meat or poultry product of any form exported to Colombia will be rejected for *Salmonella*-related reasons, provided that the shipment is accompanied by a valid United States Department of Agriculture (USDA), Food Safety and Inspection Service Export Certificate of Wholesomeness which includes the following statement in it: "The poultry meat exported to Colombia was derived from federally certified slaughter and processing facilities operating under the permanent inspection of the Food Safety and Inspection Service (FSIS). The poultry meat was derived from slaughterhouses that adhere to the performance standards for *Salmonella* which have been verified by FSIS through monitoring of the pathogen reduction and HACCP programs, implemented in the slaughterhouses."

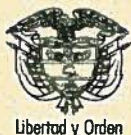
I have the honor to propose that this letter and your letter in reply confirming this understanding shall constitute an agreement between our two Governments, and enter into force on this day".

I have the honor to confirm that my Government shares this understanding and that your letter and this reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Kirk', with a stylized, cursive script.

Ambassador Ron Kirk



Ministerio de Salud y Protección Social
República de Colombia

Prosperidad
para todos

15 de abril de 2012

Embajador Ron Kirk
Representante Comercial de los Estados Unidos
Washington DC, Estados Unidos de América

Estimado Embajador Kirk:

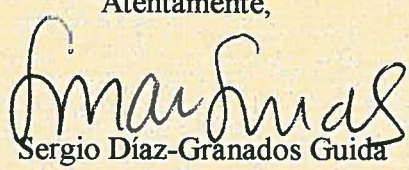
Tengo el honor de confirmar el siguiente entendimiento logrado entre los representantes del Gobierno de la República de Colombia (Colombia) y el Gobierno de los Estados Unidos de América (Estados Unidos) en el curso de las discusiones relacionadas con la implementación del Acuerdo de Promoción Comercial Estados Unidos-Colombia:

Las Partes confirman que sus autoridades respectivas cooperarán en el desarrollo de la política nacional de Colombia relacionada con la bacteria *Salmonella*, teniendo en cuenta el reconocimiento formal existente por parte de Colombia de la equivalencia del sistema de inspección de la carne y el pollo de EE.UU., incluyendo el monitoreo, control y procedimientos de reporte para *Salmonella*.

Colombia acuerda y confirma que con base en el conocimiento y entendimiento de las medidas de EE.UU. sobre el control de *Salmonella*, ninguna carne de pollo o producto del pollo de cualquier forma exportada a Colombia será rechazada por razones relacionadas con *Salmonella*, siempre y cuando el cargamento venga acompañado por un Export Certificate of Wholesomeness del Servicio de Seguridad e Inspección de los Alimentos, del Departamento de Agricultura de los Estados Unidos (USDA), que incluya la siguiente declaración: "La carne de pollo que sea exportada a Colombia se deriva de mataderos e instalaciones de procesamiento certificadas federalmente que operan bajo la inspección permanente del Servicio de Seguridad e Inspección de los Alimentos (FSIS). La carne de pollo se deriva de mataderos que se adhieren a las normas de desempeño sobre *Salmonella* verificadas por el FSIS por medio del monitoreo de programas de reducción de patógenos y HACCP, implementados en los mataderos."

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyan un acuerdo entre los dos Gobiernos, y entren en vigencia este día.


Beatriz Londoño Soto
Ministra de Salud y Protección Social

Atentamente,

Sergio Díaz-Granados Guida
Ministro de Comercio, Industria y Turismo



Bogotá, October 19 2015

Ambassador Michael Froman
United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ambassador Froman:

We have the honor to confirm the following understanding reached between the Governments of Colombia and the United States of America with respect to trade in beef and beef products of the United States, further to the exchange of letters between our Governments of February 26, 2006 and the "Letter Exchange on Beef SPS Issues" between our Governments on August 21, 2006.

Colombia confirms that, consistent with World Organization for Animal Health ("OIE") Terrestrial Animal Health Code, it shall permit the importation from the United States of beef and beef products for human consumption that are accompanied by a U.S. Department of Agriculture ("USDA") Food Safety and Inspection Service ("FSIS") Export Certificate of Wholesomeness and the certification statements contained in the Annex to this letter entitled "FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia".

The Annex attached to this letter supersedes in all respects the Annex attached to the August 21, 2006 letter exchange, entitled "Additional Certification Statements on USDA FSIS Export Certificate of Wholesomeness to Accompany U.S. Exports of Beef and Beef Products to Colombia". As such, Colombia confirms that it will no longer require the FSIS Export Certificate of Wholesomeness to include the additional certification statements set out in the August 21, 2006 Annex. Colombia confirms that those additional certification statements are no longer necessary given the experience in trade of U.S. beef and beef products with Colombia and the revised classification by the OIE of the U.S. Bovine Spongiform Encephalopathy risk status in 2013.

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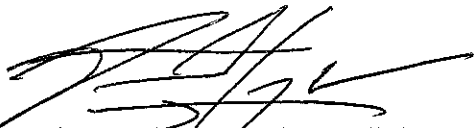


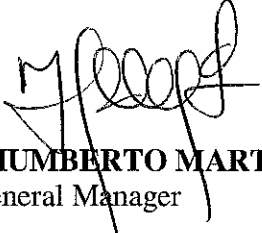
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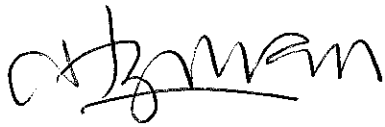
We have the honor to propose that this letter, and your letter in reply, confirming that your Government shares this understanding shall constitute an agreement between our two Governments to enter into force on the date of your letter in reply.

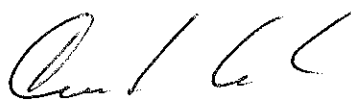
Sincerely,


AURELIO IRAGORRI VALENCIA
Minister of Agriculture and Rural
Development


LUIS HUMBERTO MARTINEZ LACOUTURE
ICA General Manager


ALEJANDRO GAVIRIA URIBE
Minister of Health and Social Protection


JAVIER HUMBERTO GUZMAN CRUZ
INVIMA General Director


CECILIA ÁLVAREZ CORREA
Minister of Trade, Industry, and
Tourism

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ANNEX

FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia / Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino

1. The World Organization of Animal Health (OIE) has recognized the United States as a country having “negligible” risk status with respect to bovine spongiform encephalopathy (BSE). / *La Organización Mundial de Salud Animal (OIE) ha reconocido a los Estados Unidos como un país con riesgo “insignificante” para Encefalopatía Espongiforme Bovina (EEB).*

2. The United States has an active BSE surveillance program which meets or exceeds international standards established by the OIE. / *Los Estados Unidos tiene un programa de vigilancia activa para EEB que cumple o sobrepasa los estándares internacionales establecidos por la OIE.*

3. The United States is recognized by the OIE as a country free of foot-and-mouth disease. / *Los Estados Unidos es reconocido por la OIE como un país libre de fiebre aftosa.*

4. In the United States there exist animal health regulations that prohibit the feeding of ruminants with meat and bone meal and greaves of ruminant origin in accordance with OIE guidelines. / *En los Estados Unidos existen regulaciones de salud animal que prohíben la alimentación de rumiantes con harinas de carne y hueso y despojos de origen rumiante de acuerdo a los lineamientos de la OIE.*

5. The beef and beef products derive from cattle that were raised in the United States, or derive from animals or products that were legally imported into the United States. / *La carne de bovino y los productos de carne de bovino se originan de animales que fueron criados en los Estados Unidos, o se deriva de animales o productos que fueron legalmente importados a los Estados Unidos.*

6. The beef and beef products were derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process. / *La carne de bovino y los productos de carne de bovino se deriva de animales que no fueron aturdidos previo al sacrificio mediante inyección con aire o gas comprimido al interior de la cavidad craneal ni mediante corte de la médula.*

7. The slaughter or processing plant where the meat was processed has a Hazard Analysis and Critical Control Point (HACCP) system in place. / *La planta de sacrificio o de procesamiento donde se procesó la carne tiene establecido un Sistema de Análisis de Peligros y Puntos Críticos de Control (APPCC).*

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Jef



8. The beef and beef products were maintained under refrigeration or freezing or at ambient temperature based on the individual storage requirements for each product, to ensure wholesomeness and prevent unsanitary conditions while under FSIS control. / *La carne de bovino y los productos de carne de bovino fueron mantenidos bajo refrigeración, o congelamiento, o a temperatura ambiente, basados en los requerimientos individuales de almacenado de cada producto para garantizar su integridad y prevenir condiciones no-sanitarias mientras estuvieron bajo el control de FSIS.*

yes

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

November 25, 2015

The Honorable Cecilia Alvarez Correa
Minister of Trade, Industry, and Tourism

The Honorable Aurelio Iragorri Valencia
Minister of Agriculture and Rural Development

The Honorable Alejandro Gaviria Uribe
Minister of Health and Social Protection

The Honorable Luis Humberto Martinez Lacouture
ICA General Manager

The Honorable Javier Humberto Guzman Cruz
INVIMA General Director

Dear Ministers Alvarez, Iragorri, Gaviria, General Manager Martinez, and General Director Guzman:

I am pleased to acknowledge your letter of October 19, 2015, which reads as follows:

We have the honor to confirm the following understanding reached between the Governments of Colombia and the United States of America with respect to trade in beef and beef products of the United States, further to the exchange of letters between our Governments of February 26, 2006 and the "Letter Exchange on Beef SPS Issues" between our Governments on August 21, 2006.

Colombia confirms that, consistent with World Organization for Animal Health ("OIE") Terrestrial Animal Health Code, it shall permit the importation from the United States of beef and beef products for human consumption that are accompanied by a U.S. Department of Agriculture ("USDA") Food Safety and Inspection Service ("FSIS") Export Certificate of Wholesomeness and the certification statements contained in the Annex to this letter entitled "FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia".

The Annex attached to this letter supersedes in all respects the Annex attached to the August 21, 2006 letter exchange, entitled "Additional Certification Statements on USDA FSIS Export Certificate of Wholesomeness to Accompany U.S. Exports of Beef and Beef Products to Colombia". As such, Colombia confirms that it will no longer require the FSIS Export Certificate of Wholesomeness to include the additional certification statements set out in the August 21, 2006 Annex. Colombia

confirms that those additional certification statements are no longer necessary given the experience in trade of U.S. beef and beef products with Colombia and the revised classification by the OIE of the U.S. Bovine Spongiform Encephalopathy risk status in 2013.

We have the honor to propose that this letter, and your letter in reply, confirming that your Government shares this understanding shall constitute an agreement between our two Governments to enter into force on the date of your letter in reply.

I have the honor to confirm that my Government shares this understanding and that your letter and this letter in reply shall constitute an agreement between our two Governments to enter into force on the date of this letter.

Sincerely,

A handwritten signature in black ink, reading "Michael Froman". The signature is written in a cursive, flowing style with a large initial "M".

Ambassador Michael B.G. Froman

ANNEX

FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia / Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino

1. The World Organization of Animal Health (OIE) has recognized the United States as a country having “negligible” risk status with respect to bovine spongiform encephalopathy (BSE). / *La Organización Mundial de Salud Animal (OIE) ha reconocido a los Estados Unidos como un país con riesgo “insignificante” para Encefalopatía Espongiforme Bovina (EEB).*
2. The United States has an active BSE surveillance program which meets or exceeds international standards established by the OIE. / *Los Estados Unidos tiene un programa de vigilancia activa para EEB que cumple o sobrepasa los estándares internacionales establecidos por la OIE.*
3. The United States is recognized by the OIE as a country free of foot-and-mouth disease. / *Los Estados Unidos es reconocido por la OIE como un país libre de fiebre aftosa.*
4. In the United States there exist animal health regulations that prohibit the feeding of ruminants with meat and bone meal and greaves of ruminant origin in accordance with OIE guidelines. / *En los Estados Unidos existen regulaciones de salud animal que prohíben la alimentación de rumiantes con harinas de carne y hueso y despojos de origen rumiante de acuerdo a los lineamientos de la OIE.*
5. The beef and beef products derive from cattle that were raised in the United States, or derive from animals or products that were legally imported into the United States. / *La carne de bovino y los productos de carne de bovino se originan de animales que fueron criados en los Estados Unidos, o se deriva de animales o productos que fueron legalmente importados a los Estados Unidos.*
6. The beef and beef products were derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process. / *La carne de bovino y los productos de carne de bovino se deriva de animales que no fueron aturdidos previo al sacrificio mediante inyección con aire o gas comprimido al interior de la cavidad craneal ni mediante corte de la médula.*
7. The slaughter or processing plant where the meat was processed has a Hazard Analysis and Critical Control Point (HACCP) system in place. / *La planta de sacrificio o de procesamiento donde se procesó la carne tiene establecido un Sistema de Análisis de Peligros y Puntos Críticos de Control (APPCC).*

8. The beef and beef products were maintained under refrigeration or freezing or at ambient temperature based on the individual storage requirements for each product, to ensure wholesomeness and prevent unsanitary conditions while under FSIS control. / *La carne de bovino y los productos de carne de bovino fueron mantenidos bajo refrigeración, o congelamiento, o a temperatura ambiente, basados en los requerimientos individuales de almacenado de cada producto para garantizar su integridad y prevenir condiciones no-sanitarias mientras estuvieron bajo el control de FSIS.*



Bogotá, Octubre 19 de 2015

Embajador Michael Froman
Representante de Comercio de Estados Unidos
600 17th Street, N.W.
Washington, DC 20508

Respetado Embajador Froman:

Tenemos el honor de confirmar el siguiente entendimiento alcanzado entre el Gobierno de Colombia y el Gobierno de los Estados Unidos en relación con el comercio de carne de bovino y productos cárnicos de bovino procedente de los Estados Unidos, con relación al intercambio de cartas entre nuestros gobiernos del 26 de febrero de 2006 y al “Intercambio de cartas sobre asuntos sanitarias y fitosanitarias de la carne de bovino” entre nuestros gobiernos del 21 de agosto de 2006.

Colombia confirma que, de acuerdo con el Código Sanitario para los Animales Terrestres de la Organización Mundial de Sanidad Animal (“OIE”), permitirá la importación de carnes frescas y productos cárnicos de bovino de los Estados Unidos para consumo humano que estén acompañados por un Certificado Zoosanitario de Exportación del Servicio de Inocuidad e Inspección de los Alimentos (“FSIS”) del Departamento de Agricultura de los Estados Unidos (“USDA”) y por las declaraciones de certificación contenidas en el Anexo a esta carta, titulado “Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino”.

El Anexo adjunto a esta carta sustituye, a todos los efectos, el Anexo de las cartas intercambiadas del 21 de agosto de 2006, titulado “Certificado de Declaraciones Adicionales del Certificado Zoosanitario de exportación USDA FSIS para la Exportación a Colombia de Carne de Bovino y Productos de Carne de Bovino”. De esta forma, Colombia confirma que no requerirá que el Certificado Sanitario para la Exportación del Servicio de Inocuidad e Inspección de los Alimentos incluya las declaraciones de certificación adicionales establecidas en el Anexo de la carta del 21 de agosto de 2006. Colombia confirma que dichas declaraciones de certificación adicionales ya no son necesarias, dada la experiencia en el comercio de carnes frescas y productos cárnicos de bovino de los Estados Unidos con Colombia y la clasificación modificada por la OIE en 2013 sobre el estatus de riesgo de los Estados Unidos con respecto a la encefalopatía espongiforme bovina.

Nit. 830115297-6
Calle 28 N° 13A -15 / Bogotá, Colombia
Conmutador (571) 6067676
www.mincit.gov.co





Tenemos el honor de proponer que esta carta y su carta de respuesta, confirmando que su Gobierno comparte este entendimiento, constituyan un acuerdo entre nuestros dos Gobiernos que entre en vigencia en la fecha de su carta de respuesta.

Cordialmente,

AURELIO IRAGORRI VALENCIA
Ministerio de Agricultura y Desarrollo Rural

LUIS HUMBERTO MARTINEZ LACOUTURE
ICA Gerente General

ALEJANDRO GAVIRIA URIBE
Ministerio de Salud y Protección Social

JAVIER HUMBERTO GUZMAN CRUZ
INVIMA Director General

CECILIA ÁLVAREZ CORREA
Ministerio de Comercio, Industria y Turismo

JRF



ANNEX

FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia / Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino

1. The World Organization of Animal Health (OIE) has recognized the United States as a country having "negligible" risk status with respect to bovine spongiform encephalopathy (BSE). / *La Organización Mundial de Salud Animal (OIE) ha reconocido a los Estados Unidos como un país con riesgo "insignificante" para Encefalopatía Espongiforme Bovina (EEB).*
2. The United States has an active BSE surveillance program which meets or exceeds international standards established by the OIE. / *Los Estados Unidos tiene un programa de vigilancia activa para EEB que cumple o sobrepasa los estándares internacionales establecidos por la OIE.*
3. The United States is recognized by the OIE as a country free of foot-and-mouth disease. / *Los Estados Unidos es reconocido por la OIE como un país libre de fiebre aftosa.*
4. In the United States there exist animal health regulations that prohibit the feeding of ruminants with meat and bone meal and greaves of ruminant origin in accordance with OIE guidelines. / *En los Estados Unidos existen regulaciones de salud animal que prohíben la alimentación de rumiantes con harinas de carne y hueso y despojos de origen rumiante de acuerdo a los lineamientos de la OIE.*
5. The beef and beef products derive from cattle that were raised in the United States, or derive from animals or products that were legally imported into the United States. / *La carne de bovino y los productos de carne de bovino se originan de animales que fueron criados en los Estados Unidos, o se deriva de animales o productos que fueron legalmente importados a los Estados Unidos.*
6. The beef and beef products were derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process. / *La carne de bovino y los productos de carne de bovino se deriva de animales que no fueron aturdidos previo al sacrificio mediante inyección con aire o gas comprimido al interior de la cavidad craneal ni mediante corte de la medula.*
7. The slaughter or processing plant where the meat was processed has a Hazard Analysis and Critical Control Point (HACCP) system in place. / *La planta de sacrificio o de procesamiento donde se procesó la carne tiene establecido un Sistema de Análisis de Peligros y Puntos Críticos de Control (APPCC).*

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8. The beef and beef products were maintained under refrigeration or freezing or at ambient temperature based on the individual storage requirements for each product, to ensure wholesomeness and prevent unsanitary conditions while under FSIS control. / *La carne de bovino y los productos de carne de bovino fueron mantenidos bajo refrigeración, o congelamiento, o a temperatura ambiente, basados en los requerimientos individuales de almacenado de cada producto para garantizar su integridad y prevenir condiciones no-sanitarias mientras estuvieron bajo el control de FSIS.*

✓ 124

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

Noviembre 25, de 2015

Su Excelencia Cecilia Alvarez Correa
Ministerio de Comercio, Industria y Turismo

Su Excelencia Aurelio Iragorri Valencia
Ministerio de Agricultura y Desarrollo Rural

Su Excelencia Alejandro Gaviria Uribe
Ministerio de Salud y Protección Social

Estimado Señor Luis Humberto Martínez Lacouture
ICA Gerente General

Estimado Señor Javier Humberto Guzmán Cruz
INVIMA Director General

Estimados Ministros, Señor Martínez y Señor Guzmán:

Tengo el honor de acusar recibo de su carta del 19 de Octubre de 2015, que dice lo siguiente:

Tenemos el honor de confirmar el siguiente entendimiento alcanzado entre el Gobierno de Colombia y el Gobierno de los Estados Unidos en relación con el comercio de carne de bovino y productos cárnicos de bovino procedente de los Estados Unidos, con relación al intercambio de cartas entre nuestros gobiernos del 26 de febrero de 2006 y al “Intercambio de cartas sobre asuntos sanitarias y fitosanitarias de la carne de bovino” entre nuestros gobiernos del 21 de agosto de 2006.

Colombia confirma que, de acuerdo con el Código Sanitario para los Animales Terrestres de la Organización Mundial de Sanidad Animal (“OIE”), permitirá la importación de carnes frescas y productos cárnicos de bovino de los Estados Unidos para consumo humano que estén acompañados por un Certificado Zoosanitario de Exportación del Servicio de Inocuidad e Inspección de los Alimentos (“FSIS”) del Departamento de Agricultura de los Estados Unidos (“USDA”) y por las declaraciones de certificación contenidas en el Anexo a esta carta, titulado “Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino”.

El Anexo adjunto a esta carta sustituye, a todos los efectos, el Anexo de las cartas intercambiadas del 21 de agosto de 2006, titulado “Certificado de Declaraciones Adicionales del Certificado Zoosanitario de exportación USDA FSIS para la Exportación a Colombia de Carne de Bovino y

Productos de Carne de Bovino”. De esta forma, Colombia confirma que no requerirá que el Certificado Sanitario para la Exportación del Servicio de Inocuidad e Inspección de los Alimentos incluya las declaraciones de certificación adicionales establecidas en el Anexo de la carta del 21 de agosto de 2006. Colombia confirma que dichas declaraciones de certificación adicionales ya no son necesarias, dada la experiencia en el comercio de carnes frescas y productos cárnicos de bovino de los Estados Unidos con Colombia y la clasificación modificada por la OIE en 2013 sobre el estatus de riesgo de los Estados Unidos con respecto a la encefalopatía espongiforme bovina.

Tenemos el honor de proponer que esta carta y su carta de respuesta, confirmando que su Gobierno comparte este entendimiento, constituyan un acuerdo entre nuestros dos Gobiernos que entre en vigencia en la fecha de su carta de respuesta.

Tengo el honor de confirmar que mi gobierno comparte este entendimiento y que su carta y la presente carta de respuesta constituirán un acuerdo entre nuestros dos gobiernos que entrará en vigor en la fecha de esta carta.

Atentamente,

A handwritten signature in black ink, reading "Michael Froman". The signature is fluid and cursive, with the first name "Michael" and last name "Froman" clearly distinguishable.

Embajador Michael B.G. Froman

ANNEX

FSIS Letterhead Certificate for Export of Beef and Beef Products to Colombia / Certificado de FSIS para la Exportación a Colombia de Carne de Bovino y productos de Carne de Bovino

1. The World Organization of Animal Health (OIE) has recognized the United States as a country having “negligible” risk status with respect to bovine spongiform encephalopathy (BSE). / *La Organización Mundial de Salud Animal (OIE) ha reconocido a los Estados Unidos como un país con riesgo “insignificante” para Encefalopatía Espongiforme Bovina (EEB).*
2. The United States has an active BSE surveillance program which meets or exceeds international standards established by the OIE. / *Los Estados Unidos tiene un programa de vigilancia activa para EEB que cumple o sobrepasa los estándares internacionales establecidos por la OIE.*
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4. In the United States there exist animal health regulations that prohibit the feeding of ruminants with meat and bone meal and greaves of ruminant origin in accordance with OIE guidelines. / *En los Estados Unidos existen regulaciones de salud animal que prohíben la alimentación de rumiantes con harinas de carne y hueso y despojos de origen rumiante de acuerdo a los lineamientos de la OIE.*
5. The beef and beef products derive from cattle that were raised in the United States, or derive from animals or products that were legally imported into the United States. / *La carne de bovino y los productos de carne de bovino se originan de animales que fueron criados en los Estados Unidos, o se deriva de animales o productos que fueron legalmente importados a los Estados Unidos.*
6. The beef and beef products were derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process. / *La carne de bovino y los productos de carne de bovino se deriva de animales que no fueron aturdidos previo al sacrificio mediante inyección con aire o gas comprimido al interior de la cavidad craneal ni mediante corte de la medula.*
7. The slaughter or processing plant where the meat was processed has a Hazard Analysis and Critical Control Point (HACCP) system in place. / *La planta de sacrificio o de procesamiento donde se procesó la carne tiene establecido un Sistema de Análisis de Peligros y Puntos Críticos de Control (APPCC).*

8. The beef and beef products were maintained under refrigeration or freezing or at ambient temperature based on the individual storage requirements for each product, to ensure wholesomeness and prevent unsanitary conditions while under FSIS control. / *La carne de bovino y los productos de carne de bovino fueron mantenidos bajo refrigeración, o congelamiento, o a temperatura ambiente, basados en los requerimientos individuales de almacenado de cada producto para garantizar su integridad y prevenir condiciones no-sanitarias mientras estuvieron bajo el control de FSIS.*



MINAGRICULTURA



TODOS POR UN
NUEVO PAÍS
PAZ EQUIDAD EDUCACIÓN



Al contestar por favor cite estos datos:

Radicado No.: 20171700197121

Fecha: 14-08-2017

Bogotá, D.C.

Ambassador Robert Lighthizer
United States Trade Representative
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
United States of America

Dear Ambassador Lighthizer:

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) pertaining to the cessation of temporary measures for the importation of "Paddy" rice from the United States of America to Colombia and the establishment of new import requirements.

On April 15, 2012, our governments agreed, through an exchange of letters, to phytosanitary measures for importation of U.S. paddy rice, related primarily to *Tilletia horrida*. The 2012 agreement states that the requirements listed in the letter exchange shall remain in effect until a modification is agreed upon between Colombia and the United States, considering a risk assessment and/or the experience gained with respect to the operation of the 2012 agreement.

On June 1, 2017, the Colombian Agricultural Institute published Resolution 006630 which states that *Tilletia horrida* is present and widely distributed in Colombia and therefore the mitigation measures with regard to this pest are no longer necessary for the export of "Paddy" rice from the United States to Colombia. Resolution 006630 is based on the results of a distribution and prevalence assessment conducted for *Tilletia horrida* in Colombia.

Therefore, Colombia proposes that all requirements related to the export of "Paddy" rice from the United States to Colombia to prevent the spread of *Tilletia horrida* established in the April 15, 2012 exchange of letters between the United States and Colombia, be rescinded.

Both parties reaffirm their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Sanitary and Phytosanitary



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(SPS) Agreement, on which the SPS provisions of the U.S.-Colombia Trade Promotion Agreement (TPA) are based. The SPS Agreement allows WTO Members to adopt science-based "measures necessary to protect human, animal, or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade."

I have the honor to propose that this letter and your affirmative letter in reply shall constitute an agreement between the two Governments effective on the date of your letter in reply.

Sincerely,

The Honorable
Aurelio Iragorri Valencia
Minister of Agriculture and Rural Development

The Honorable
María Claudia Lacouture P
Minister of Trade, Industry and Tourism

Proyecto Enrique Millán
VB. Viceministro Asuntos Agropecuarios.



Al contestar por favor cite estos datos:

Radicado No.: 20171700197121

Fecha: 14-08-2017

TRADUCCIÓN DE CORTESIA INFORMAL

Bogotá, D.C.

Embajador Robert Lighthizer
Representante Comercial de los Estados Unidos
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
Estados Unidos de América

Estimado Embajador Lighthizer:

Tengo el honor de confirmar el siguiente acuerdo logrado entre los representantes del Gobierno de los Estados Unidos de América (Estados Unidos) y el Gobierno de la República de Colombia (Colombia) relacionado a la suspensión de las medidas temporales para la importación de arroz "Paddy" de los Estados Unidos a Colombia y el establecimiento de los nuevos requisitos de importación.

El 15 de abril de 2012, nuestros gobiernos intercambiaron cartas en relación a las medidas de mitigación fitosanitaria para *Tilletia horrida*. Las cartas establecían que los requisitos enumerados en las mismas permanecerían vigentes hasta que se acordara una modificación entre Colombia y los Estados Unidos, teniendo en cuenta una evaluación de riesgos y / o la experiencia adquirida con respecto al funcionamiento del protocolo.

El 1 de junio de 2017, el Instituto Colombiano Agropecuario emitió la resolución 006630 la cual señalo que *Tilletia horrida* está presente y distribuida en Colombia y por lo tanto las medidas de mitigación con respecto a esta plaga ya no son necesarias para la exportación de arroz "Paddy" de los Estados Unidos a Colombia. Lo anterior basado en los resultados de una evaluación de distribución y prevalencia para *Tilletia horrida* en Colombia.

Por lo tanto, quedan rescindidos todos los requisitos relacionados con la exportación de arroz "Paddy" de los Estados Unidos a Colombia para prevenir la propagación de *Tilletia horrida* establecidos en el intercambio de cartas del 15 de abril de 2012 entre los Estados Unidos y Colombia.

Ambos países reafirman sus derechos y obligaciones existentes en el marco del Acuerdo sobre la Aplicación de Medidas Sanitarias y Fitosanitarias (MSF)



Al contestar por favor cite estos datos:

Radicado No.: 20171700197121

Fecha: 14-08-2017

de la Organización Mundial del Comercio (OMC), en el que se basa las disposiciones sanitarias y fitosanitarias del Acuerdo de Promoción Comercial entre Colombia y los Estados Unidos. El Acuerdo MSF permite a los miembros de la OMC adoptar medidas basada en la ciencia "para proteger la vida y la salud de las personas y los animales o para preservar los vegetales, a condición que esas medidas no se apliquen de manera que constituyan un medio de discriminación arbitrario o injustificable entre los Miembros en que prevalezcan las mismas condiciones, o una restricción encubierta al comercio."

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyen un acuerdo entre nuestros Gobiernos que entrará en vigor el día de hoy.

Atentamente,



Aurelio Iragorri Valencia
Ministro de Agricultura y Desarrollo
Rural



Maria Claudia Lacouture P.
Ministro de Comercio, Industria y
Turismo

Proyecto Enrique Millán
VB. Viceministro Asuntos Agropecuarios.
VB. Juan. Dueñas 

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

August 17, 2017

The Honorable Aurelio Iragorri Valencia
Minister of Agriculture and Rural Development

The Honorable Carolina Soto Losada
Acting Minister of Trade, Industry and Tourism

Dear Minister Iragorri and Acting Minister Soto:

I am pleased to acknowledge your letter of August 14, which reads as follows:

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) pertaining to the cessation of temporary measures for the importation of "Paddy" rice from the United States of America to Colombia and the establishment of new import requirements.

On April 15, 2012, our governments agreed, through an exchange of letters, to phytosanitary measures for importation of U.S. paddy rice, related primarily to *Tilletia horrida*. The 2012 agreement states that the requirements listed in the letter exchange shall remain in effect until a modification is agreed upon between Colombia and the United States, considering a risk assessment and/or the experience gained with respect to the operation of the 2012 agreement.

On June 1, 2017, the Colombian Agricultural Institute published Resolution 006630 which states that *Tilletia horrida* is present and widely distributed in Colombia and therefore the mitigation measures with regard to this pest are no longer necessary for the export of "Paddy" rice from the United States to Colombia. Resolution 006630 is based on the results of a distribution and prevalence assessment conducted for *Tilletia horrida* in Colombia.

Therefore, Colombia proposes that all requirements related to the export of "Paddy" rice from the United States to Colombia to prevent the spread of *Tilletia horrida* established in the April 15, 2012 exchange of letters between the United States and Colombia, be rescinded.

Both parties reaffirm their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Sanitary and Phytosanitary (SPS) Agreement, on which the SPS provisions of the U.S.-Colombia Trade Promotion Agreement (TPA) are based. The SPS Agreement allows WTO Members to adopt science-based "measures necessary to protect human, animal, or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade."

I have the honor to propose that this letter and your affirmative letter in reply shall constitute an agreement between the two Governments effective on the date of your letter in reply.

I have the honor to confirm that my Government shares this understanding and that your letter and this reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

A handwritten signature in black ink, reading "Robert E. Lighthizer". The signature is written in a cursive style with a large, stylized "R" and "L".

Ambassador Robert E. Lighthizer
United States Trade Representative