

Subject to Legal Review for Accuracy, Clarity and Consistency

I have the honor to confirm the following understanding reached by the Governments of Japan and the United States regarding Bourbon Whiskey, Tennessee Whiskey, Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake, and Nihonshu sake:

1. Japan shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in Japan as Bourbon Whiskey or Tennessee Whiskey if it has not been manufactured in the United States in accordance with the laws and regulations of the United States governing the manufacture of Bourbon Whiskey or Tennessee Whiskey.
2. The United States shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in the United States as Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake, or Nihonshu sake, if it has not been manufactured in Japan in accordance with the laws and regulations of Japan governing the manufacture of Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake, or Nihonshu sake.
3. Each Government shall give careful consideration to any future request of the other Government to initiate the process identified in paragraphs 1 and 2 with respect to another wine or distilled spirit.
4. Each Government shall implement its respective commitments in paragraphs 1, 2 and 3 according to its own domestic laws and regulations.
5. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.
6. This understanding is without prejudice to the outcome of the processes initiated by Japan and the United States.
7. Each Government shall regularly inform the other Government about the progress of the processes specified in paragraphs 1 and 2.

I 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, which shall enter into force on the date of your letter in reply.