

*Subject to Legal Review in English and French for Accuracy, Clarity and Consistency
Subject to Authentication of English and French Versions*

Dear:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the “Agreement”), I have the honour to confirm the following understanding reached by the Governments of New Zealand and Canada during the course of negotiation of Chapter 2 (National Treatment and Market Access for Goods) regarding the treatment of the terms Canadian Whisky and Canadian Rye Whisky:

1. The Australia New Zealand Food Standards Code (“the Code”) allows recognition of Canadian Whisky and Canadian Rye Whisky as products exclusively manufactured in Canada and that no variation to the Code is necessary for such recognition.
2. To the extent contemplated in the Code, New Zealand will not permit the sale of any product as Canadian Whisky or Canadian Rye Whisky, unless it has been manufactured in Canada according to the laws of Canada governing the manufacture of Canadian Whisky and Canadian Rye Whisky and the product complies with all applicable regulations of Canada for the sale or export as Canadian Whisky or Canadian Rye Whisky.

I have the honour of proposing that this letter, and your letter in reply, equally valid in French and English, confirming that your Government shares this understanding, will constitute an understanding between our Governments, which will come into effect on the first date on which the Agreement is in force for both New Zealand and Canada.

Sincerely,

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Dear:

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

“In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the “Agreement”), I have the honour to confirm the following understanding reached by the Governments of New Zealand and Canada during the course of negotiation of Chapter 2 (National Treatment and Market Access for Goods) regarding the treatment of the terms Canadian Whisky and Canadian Rye Whisky:

1. The Australia New Zealand Food Standards Code (“the Code”) allows recognition of Canadian Whisky and Canadian Rye Whisky as products exclusively manufactured in Canada and that no variation to the Code is necessary for such recognition.
2. To the extent contemplated in the Code, New Zealand will not permit the sale of any product as Canadian Whisky or Canadian Rye Whisky, unless it has been manufactured in Canada according to the laws of Canada governing the manufacture of Canadian Whisky and Canadian Rye Whisky and the product complies with all applicable regulations of Canada for the sale or export as Canadian Whisky or Canadian Rye Whisky.

I have the honour of proposing that this letter, equally valid in French and English, and your letter in reply, confirming that your Government shares this understanding, will constitute an understanding between our Governments, which will come into effect on the first date on which the Agreement is in force for both New Zealand and Canada.”

I have the honour to confirm that the above reflects the understandings reached between the Governments of New Zealand and Canada during the course of negotiations on the Agreement, and that your letter, and this letter in reply, equally valid in French and English, constitute an understanding between our Governments.

Sincerely,