

Subject to Legal Review for Accuracy, Clarity and Consistency

[DATE]

The Honorable Mr. Vu Huy Hoang
Minister of Industry and Trade
The Socialist Republic of Viet Nam

Dear Minister Hoang:

I have the honor to confirm the following understanding reached between representatives of the Government of the Socialist Republic of Viet Nam and the Government of the United States of America (individually a “Letter Party” and collectively the “Letter Parties”) during the negotiations of the Trans-Pacific Partnership Agreement:

In reference to the inspection program for Siluriformes, which include pangasius, tra and basa, established by Section 11016 of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) (Public Law 110-246) and Section 12106 of the Agricultural Act of 2014 (2014 Farm Bill) (P.L. 113-79):

1. The Letter Parties, recognizing the importance of pangasius, tra and basa to farmers in Viet Nam, agree to consult with one another in accordance with their laws and regulations, in a timely manner, upon the request of a Letter Party, on the implementation of the final rule that will implement the inspection program for Siluriformes established by Sections 11016 and 12106 (“the final rule”). The United States intends to implement the final rule in a manner not inconsistent with its obligations under the WTO Agreement.
2. With a view to fostering trade of Siluriformes, the United States is considering a transitional period for the implementation of the final rule, during which the United States would continue to allow imports from foreign countries, including Viet Nam, of Siluriformes if they comply with U.S. laws and regulations.
3. The United States shall, subject to the availability of appropriated funds, work with Viet Nam and other interested parties to identify and provide technical assistance, as appropriate, regarding the requirements of the final rule, including workshops to promote understanding of the new requirements, in an effort to help the Government of Viet Nam and other interested parties understand the requirements of the final rule.

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.

Sincerely,

Ambassador Michael B.G. Froman
U.S. Trade Representative

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[DATE]

The Honorable Michael B.G. Froman
U.S. Trade Representative
600 17th Street, N.W.
Washington DC 20250

Dear Ambassador Froman,

I am pleased to acknowledge your letter of [*insert date*], which reads as follows:

I have the honor to confirm the following understanding reached between representatives of the Government of the Socialist Republic of Viet Nam and the Government of the United States of America (individually a “Letter Party” and collectively the “Letter Parties”) during the negotiations of the Trans-Pacific Partnership Agreement:

In reference to the inspection program for Siluriformes, which include pangasius, tra and basa, established by Section 11016 of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) (Public Law 110-246) and Section 12106 of the Agricultural Act of 2014 (2014 Farm Bill) (P.L. 113-79):

1. The Letter Parties, recognizing the importance of pangasius, tra and basa to farmers in Viet Nam, agree to consult with one another in accordance with their laws and regulations, in a timely manner, upon the request of a Letter Party, on the implementation of the final rule that will implement the inspection program for Siluriformes established by Sections 11016 and 12106 (“the final rule”). The United States intends to implement the final rule in a manner not inconsistent with its obligations under the WTO Agreement.
2. With a view to fostering trade of Siluriformes, the United States is considering a transitional period for the implementation of the final rule, during which the United States would continue to allow imports from foreign countries, including Viet Nam, of Siluriformes if they comply with U.S. laws and regulations.
3. The United States shall, subject to the availability of appropriated funds, work with Viet Nam and other interested parties to identify and provide technical assistance, as appropriate, regarding the requirements of the final rule, including workshops to promote understanding of the new requirements, in an effort to help the Government of Viet Nam and other interested parties understand the requirements of the final rule.

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.

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

Sincerely,

The Honorable Mr. Vu Huy Hoang
Minister of Industry and Trade