

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.
 - 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.
-

- 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.”

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
