

Subject to Legal Review for Accuracy, Clarity, and Consistency
Subject to Authentication of English and Spanish Versions
Draft 8 May 2006

[DATE]

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 (hereinafter, the Agreement):

- 1) Colombia and the United States pledge to cooperate through the SPS Committee formed 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 agriculture and processed food products under the Agreement of mutual benefit. Our governments will cooperate on 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 agencies will work with the Trade Capacity Building Committee.
- 2) The United States and Colombia agree to address SPS issues in a timely fashion within the framework of their laws. Between meetings of the Standing SPS Committee formed by this Agreement, Parties may raise issues of concern to the primary representatives 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 Parties may refer any SPS matter to the Committee.
- 3) Either Party may submit scientific evidence to support the importing Party's risk analysis process. Such information will be considered within the framework of the importing Party's laws and procedures and consistent with Article 5 of the WTO SPS Agreement. T

Through these efforts, and on the basis of our deepened relationship on SPS matters under the Agreement, the United States will work to enhance bilateral trade with Colombia 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 same date that the Trade Promotion Agreement enters into force.

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Sincerely,

Robert J. Portman

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[DATE]

Dear Ambassador Portman:

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 (hereinafter, the Agreement):

- 1) Colombia and the United States pledge to cooperate through the SPS Committee formed 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 agriculture and processed food products under the Agreement of mutual benefit. Our governments will cooperate on 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 agencies will work with the Trade Capacity Building Committee.
- 2) The United States and Colombia agree to address SPS issues in a timely fashion within the framework of their laws. Between meetings of the Standing SPS Committee formed by this Agreement, Parties may raise issues of concern to the primary representatives 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 Parties may refer any SPS matter to the Committee.
- 3) Either Party may submit scientific evidence to support the importing Party’s risk analysis process. Such information will be considered within the framework of the importing Party’s laws and procedures and consistent with Article 5 of the WTO SPS Agreement. T

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Through these efforts, and on the basis of our deepened relationship on SPS matters under the Agreement, the United States will work to enhance bilateral trade with Colombia 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 same date that the Trade Promotion 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 same date that the Trade Promotion Agreement enters into force.

Sincerely,

Jorge Humberto Botero