

(Canadian letter)

[DATE]

[Insert name
Address]

Dear [Insert name]

In connection with the signing [on this date] of the Trans-Pacific Partnership Agreement (the “Agreement”), I have the honour to confirm the following understandings reached between the Government of Canada and the Government of Australia during the course of negotiations of the Agreement 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 of the Code is necessary for such recognition.
2. To the extent contemplated in the Code, Australia 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 complies with all applicable Canadian regulations for the consumption, sale, or export as Canadian Whisky or Canadian Rye Whisky.

I have the further 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 that will come into effect on the date on which the Agreement enters into force for both Canada and Australia.

Yours sincerely

[Insert name]

(Australian letter)

[DATE]

[Insert name
Address]

Dear [Insert name]

I have the honour to acknowledge receipt of your letter of [insert 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 understandings reached between the Government of Canada and the Government of Australia during the course of negotiations of the Agreement regarding the treatment of the terms Canadian Whisky and Canadian Rye Whisky:

3. 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 of the Code is necessary for such recognition.
4. To the extent contemplated in the Code, Australia 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 complies with all applicable Canadian regulations for the consumption, sale, or export as Canadian Whisky or Canadian Rye Whisky.

I have the further 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 that will come into effect on the date on which the Agreement enters into force for both Canada and Australia.”

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

Yours sincerely

[Insert name]