

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

February 4, 2016

The Honorable Shuichi Takatori
State Minister of Cabinet Office of Japan
Tokyo, Japan

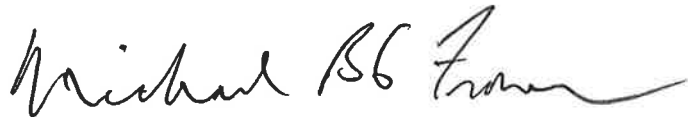
Dear State Minister Shuichi Takatori:

I have the honor to confirm the following understanding reached by the Government of the United States of America and the Government of Japan regarding Bourbon Whiskey, Tennessee Whiskey, Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake and Nihonshu sake:

1. Japan shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in Japan as Bourbon Whiskey or Tennessee Whiskey if it has not been manufactured in the United States in accordance with the laws and regulations of the United States governing the manufacture of Bourbon Whiskey or Tennessee Whiskey.
2. The United States shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in the United States as Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake or Nihonshu sake, if it has not been manufactured in Japan in accordance with the laws and regulations of Japan governing the manufacture of Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake or Nihonshu sake.
3. Each Government shall give careful consideration to any future request of the other Government to initiate the process identified in paragraphs 1 and 2 with respect to another wine or distilled spirit.
4. Each Government shall implement its respective commitments in paragraphs 1, 2 and 3 according to its own domestic laws and regulations.
5. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.
6. This understanding is without prejudice to the outcome of the processes initiated by the United States and Japan.
7. Each Government shall regularly inform the other Government about the progress of the processes specified in paragraphs 1 and 2.

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,

A handwritten signature in black ink, reading "Michael B. G. Froman". The signature is written in a cursive style with a long, sweeping tail.

Ambassador Michael B. G. Froman

Auckland, February 4, 2016

Excellency,

I am pleased to acknowledge your letter of February 4, 2016, which reads as follows:

“I have the honor to confirm the following understanding reached by the Government of the United States of America and the Government of Japan regarding Bourbon Whiskey, Tennessee Whiskey, Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake and Nihonshu sake:

1. Japan shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in Japan as Bourbon Whiskey or Tennessee Whiskey if it has not been manufactured in the United States in accordance with the laws and regulations of the United States governing the manufacture of Bourbon Whiskey or Tennessee Whiskey.
2. The United States shall initiate, in accordance with its applicable laws and regulations, the process to consider prohibiting the sale of any product in the United States as Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake or Nihonshu sake, if it has not been manufactured in Japan in accordance with the laws and regulations of Japan governing the manufacture of Yamanashi wine, Iki shochu, Kuma shochu, Satsuma shochu, Ryukyu awamori, Hakusan sake, Japanese sake or Nihonshu sake.
3. Each Government shall give careful consideration to any future request of the other Government to initiate the process identified in paragraphs 1 and 2 with respect to another wine or distilled spirit.

His Excellency
Mr. Michael B.G. Froman
United States Trade Representative

4. Each Government shall implement its respective commitments in paragraphs 1, 2 and 3 according to its own domestic laws and regulations.

5. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.

6. This understanding is without prejudice to the outcome of the processes initiated by the United States and Japan.

7. Each Government shall regularly inform the other Government about the progress of the processes specified in paragraphs 1 and 2.

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.”

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

Sincerely,

Handwritten signature in Japanese characters: 高鳥 修一 (Takatori Shuichi)

Shuichi Takatori
State Minister of Cabinet Office of Japan