

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:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (TPP Agreement), I have the honor to confirm the following understanding reached between representatives of the Government of the United States of America and the Government of Japan:

- 1) The U.S. Department of the Treasury shall, upon receipt of a petition from the Japanese liquor industry groups requesting establishment of standards of fill for distilled spirits of 700 ml, 720 ml, 900 ml, and 1.8 liters, issue a proposal to amend regulations to further include such standards of fill. A proposed regulation shall be published in the Federal Register and shall invite public comment for 60 days. All who are interested, including the Government of Japan and Japanese entities, may submit comments during the public comment period.
- 2) Once the public comment period has closed, the U.S. Treasury shall review all public comments, and take a final action on the proposal, consistent with the Administrative Procedure Act.
- 3) Once the proposed regulation is published in the Federal Register and until a final action is taken, all written and oral communications on this matter with the Government of Japan shall be undertaken consistent with the Administrative Procedure Act.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement with respect to the United States and Japan.

Sincerely,



Ambassador Michael B. G. Froman

Auckland, February 4, 2016

Excellency,

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

“In connection with the signing on this date of the Trans-Pacific Partnership Agreement (TPP Agreement), I have the honor to confirm the following understanding reached between representatives of the Government of the United States of America and the Government of Japan:

- 1) The U.S. Department of the Treasury shall, upon receipt of a petition from the Japanese liquor industry groups requesting establishment of standards of fill for distilled spirits of 700 ml, 720 ml, 900 ml, and 1.8 liters, issue a proposal to amend regulations to further include such standards of fill. A proposed regulation shall be published in the Federal Register and shall invite public comment for 60 days. All who are interested, including the Government of Japan and Japanese entities, may submit comments during the public comment period.
- 2) Once the public comment period has closed, the U.S. Treasury shall review all public comments, and take a final action on the proposal, consistent with the Administrative Procedure Act.
- 3) Once the proposed regulation is published in the Federal Register and until a final action is taken, all written and oral communications on this matter with the Government of Japan shall be undertaken consistent with the Administrative Procedure Act.

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

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement with respect to the United States and Japan.”

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, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP Agreement), which shall enter into force on the date of entry into force of the TPP Agreement with respect to Japan and the United States.

Sincerely,

高 島 修 一

Shuichi Takatori
State Minister of Cabinet Office of Japan