

November 30, 2018

The Honorable Ildelfonso Guajardo Villarreal  
Secretary of Economy  
Mexico City  
United Mexican States

Dear Secretary Guajardo:

In connection with the signing on this date of the Protocol Replacing the North American Free Trade Agreement with the Agreement Between the United States of America, the United Mexican States, and Canada (the “Protocol”), I have the honor to confirm the following agreement reached between the Government of the United States of America (“the United States”) and the Government of the United Mexican States (“Mexico”) regarding consideration of American Rye Whiskey, Bacanora, Charanda, and Sotol as distinctive products:

1. Mexico shall initiate, subject to its applicable laws and regulations, the process to consider prohibiting the sale of any product in Mexico as American Rye 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 American Rye Whiskey.
2. The United States shall initiate, subject to its applicable laws and regulations, the process to consider prohibiting the sale of any product in the United States as Bacanora, Charanda, or Sotol, if it has not been manufactured in Mexico in accordance with the laws and regulations of Mexico governing the manufacture of Bacanora, Charanda, or Sotol.
3. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.
4. This agreement is without prejudice to the outcome of the processes initiated by the United States and Mexico pursuant to this letter.

Mexico and the United States shall discuss preserving the integrity of Mezcal marketed in the territories of each Party and ensuring that the laws and regulations of each Party operate effectively to preserve the status of Mezcal as a distinctive product of Mexico, and, if appropriate, consider a bilateral agreement.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the United States and Mexico, to enter into force on the date of entry into force of the Protocol.

Sincerely,

Ambassador Robert E. Lighthizer  
United States Trade Representative

