

Letter Exchange on Certification Requirements for U.S. Beef and Beef Products

March 14, 2016

Ambassador Michael Froman
United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ambassador Froman:

We have the honor to confirm the following understanding reached between the Governments of Peru and the United States of America with respect to trade in beef and beef products of the United States.

Peru confirms that, consistent with World Organization for Animal Health ("OIE") Terrestrial Animal Health Code, it shall permit the importation from the United States of beef and beef products for human consumption that are accompanied by a U.S. Department of Agriculture ("USDA") Food Safety and Inspection Service ("FSIS") Export Certificate of Wholesomeness and the certification statements contained in the Annex to this letter entitled "FSIS Letterhead Certificate for Export of Beef, Beef Products, and Beef Offals to Peru". Such USDA FSIS Export Certificate of Wholesomeness with the certification statements contained in the Annex shall meet all the Government of Peru's sanitary and health requirements.

The Annex attached to this letter supersedes in all respects the Annex attached to the letter exchange between the United States and Peru that came into force on October 25, 2006, entitled "Additional Certification Statements on USDA FSIS Export Certificate of Wholesomeness to Accompany U.S. Exports of Beef and Beef Products to Peru". As such, Peru confirms that it will no longer require the FSIS Export Certificate of Wholesomeness to include the additional certification statements set out in the October 2006 Annex. Peru confirms that those additional certification statements are no longer necessary given the successful experience in trade of U.S. beef and beef products with Peru, the upgraded classification recognized and granted by the OIE in 2013 that the United States is a *negligible risk country* for Bovine Spongiform Encephalopathy ("BSE"), and finally, in 2015 Peru's recognition of the United States' negligible BSE risk status. These conditions shall apply absent a change in the United States' OIE classification for BSE.

We have the honor to propose that this letter, including the Annex thereto, and your letter in reply, confirming that your Government shares this understanding shall, constitute an agreement between our two Governments to enter into force on the date of your letter in reply.



Handwritten signature

A. Volésquez

Magali Silva Velarde-Álvarez
Minister of Foreign Trade and Tourism

Sincerely,

Juan Berites Ramos
Minister of Agriculture and Irrigation



Anibal Velásquez Valdivia
Minister of Health



ANNEX

FSIS Letterhead Certificate for Export of Beef, Beef Products, and Beef Offals
To Peru



1. *The beef, beef products or beef offals derive from cattle that were raised in the United States or from animals or products that were legally imported into the United States. Imported meat products originate from countries in compliance with U.S. animal health regulations and equivalent food safety systems.*



2. *The United States is a negligible risk country and has an active BSE surveillance program that meets or exceeds international standards established by the World Organization for Animal Health (OIE) for a negligible risk country.*

3. *The United States enforces animal health regulations that ban the feeding of ruminants with meat-and-bone meal and greaves of ruminant origin in accordance with OIE guidelines.*

4. *The beef, beef products or beef offals were obtained from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.*



The beef, beef products or beef offals were derived from federally inspected slaughter or processing facilities, operating under the supervision of FSIS or were legally imported into the United States. The animals from which the beef, beef products or beef offals derive did not present disease signs at ante-mortem or post-mortem inspection and were declared fit for human consumption by the official FSIS inspection.

6. *The product or immediate packaging bears the official USDA Mark of Inspection identifying the producing establishment and provides assurance that the product was produced in compliance with all federal statutes and regulations for sanitation, HACCP, microbiological and residue testing, and transportation.*

7. *The beef or beef products were hygienically handled under FSIS inspection.*



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

Letter Exchange on Certification Requirements for U.S. Beef and Beef Products

March 14, 2016

The Honorable Magali Silva Velarde-Álvarez
Minister of Foreign Trade and Tourism
Calle Uno Oeste 050, Urb. Corpac
San Isidro, Lima 27

The Honorable Juan Benites Ramos
Minister of Agriculture and Irrigation
Av. Alameda del Corregidor 155
La Molina, Lima 12

The Honorable Aníbal Velásquez Valdivia
Minister of Health
Av. Salaverry 801
Jesús María, Lima 11

Dear Ministers Silva, Benites and Velásquez:

I am pleased to acknowledge your letter of March 14, 2016, which reads as follows:

We have the honor to confirm the following understanding reached between the Governments of Peru and the United States of America with respect to trade in beef and beef products of the United States.

Peru confirms that, consistent with World Organization for Animal Health (“OIE”) Terrestrial Animal Health Code, it shall permit the importation from the United States of beef and beef products for human consumption that are accompanied by a U.S. Department of Agriculture (“USDA”) Food Safety and Inspection Service (“FSIS”) Export Certificate of Wholesomeness and the certification statements contained in the Annex to this letter entitled “FSIS Letterhead Certificate for Export of Beef, Beef Products, and Beef Offals to Peru”. Such USDA FSIS Export Certificate of Wholesomeness with the certification statements contained in the Annex shall meet all the Government of Peru’s sanitary and health requirements.

The Annex attached to this letter supersedes in all respects the Annex attached to the letter exchange between the United States and Peru that came into force on October 25, 2006, entitled “Additional Certification Statements on USDA FSIS Export Certificate of Wholesomeness to Accompany U.S. Exports of Beef and Beef Products to Peru”. As such, Peru confirms that it will no longer require the FSIS Export Certificate of Wholesomeness to include the additional certification statements set out in the October 2006 Annex. Peru confirms that those additional certification

statements are no longer necessary given the successful experience in trade of U.S. beef and beef products with Peru, the upgraded classification recognized and granted by the OIE in 2013 that the United States is a *negligible risk country* for Bovine Spongiform Encephalopathy (“BSE”), and finally, in 2015 Peru’s recognition of the United States’ negligible BSE risk status. These conditions shall apply absent a change in the United States’ OIE classification for BSE.

We have the honor to propose that this letter, including the Annex thereto, and your letter in reply, confirming that your Government shares this understanding shall, constitute an agreement between our two Governments to enter into force on the date of your letter in reply.

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

Sincerely,

A handwritten signature in cursive script that reads "Michael Froman". The signature is written in black ink and is positioned centrally below the word "Sincerely,".

Ambassador Michael B.G. Froman

ANNEX

FSIS Letterhead Certificate for Export of Beef, Beef Products, and Beef Offals To Peru

1. *The beef, beef products or beef offals derive from cattle that were raised in the United States or from animals or products that were legally imported into the United States. Imported meat products originate from countries in compliance with U.S. animal health regulations and equivalent food safety systems.*
2. *The United States is a negligible risk country and has an active BSE surveillance program that meets or exceeds international standards established by the World Organization for Animal Health (OIE) for a negligible risk country.*
3. *The United States enforces animal health regulations that ban the feeding of ruminants with meat-and-bone meal and greaves of ruminant origin in accordance with OIE guidelines.*
4. *The beef, beef products or beef offals were obtained from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.*
5. *The beef, beef products or beef offals were derived from federally inspected slaughter or processing facilities, operating under the supervision of FSIS or were legally imported into the United States. The animals from which the beef, beef products or beef offals derive did not present disease signs at ante-mortem or post-mortem inspection and were declared fit for human consumption by the official FSIS inspection.*
6. *The product or immediate packaging bears the official USDA Mark of Inspection identifying the producing establishment and provides assurance that the product was produced in compliance with all federal statutes and regulations for sanitation, HACCP, microbiological and residue testing, and transportation.*
7. *The beef or beef products were hygienically handled under FSIS inspection.*