



PERÚ

Ministerio
de Comercio Exterior
y Turismo

February 4, 2016

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

Dear Ambassador Froman:

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

Notwithstanding Article 2.30.4 (Allocation) of the TPP Agreement, upon entry into force of the TPP Agreement as between the United States and Peru, and continuing for as long as the TPP Agreement remains in force between the United States and Peru:

1. any quantity of goods imported into the United States under a tariff-rate quota (TRQ) set out in Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the *United States – Peru Trade Promotion Agreement* and listed in Column A of Chart 1 below shall count towards both:
 - a. the quantity of goods that may be imported under that TRQ; and
 - b. the quantity of goods that may be imported under the TRQ established in Appendix A (Tariff Rate Quotas of the United States) to the Tariff Schedule of the United States to the TPP Agreement and identified in the corresponding row of Column B of Chart 1 below;
2. any quantity of goods imported into the United States under a TRQ established in Appendix A (Tariff Rate Quotas of the United States) to the Tariff Schedule of the United States to the TPP Agreement and identified in Column B of Chart 1 below shall count towards both:

- a. the quantity of goods that may be imported under that TRQ; and
 - b. the quantity of goods that may be imported under the TRQ set out in Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the *United States – Peru Trade Promotion Agreement* and listed in the corresponding row of Column A of Chart 1 below; and
3. any quantity of goods provided for in a tariff item subject to a safeguard set out in the Schedule of the United States to Annex 2.18 to the *United States – Peru Trade Promotion Agreement* shall, if entered into the United States under either the TPP Agreement or under the United States – Peru Trade Promotion Agreement, count towards both the trigger level for:
- a. the relevant safeguard set out in the Schedule of the United States to Annex 2.18 to the *United States – Peru Trade Promotion Agreement*; and
 - b. the corresponding safeguard set out in Appendix B (Agricultural Safeguard Measures of the United States) to the Tariff Schedule of the United States to the TPP Agreement, and identified below in Column C of Chart 2.

Chart 1

Column A	Column B
<u>United States – Peru TPA TRQ</u>	<u>TPP TRQ</u>
Appendix I, paragraph 2 (Cheese)	Appendix A, paragraph 36 (Cheese)
Appendix I, paragraph 3 (Condensed and Evaporated Milk)	Appendix A, paragraph 37 (Condensed and Evaporated Milk)
Appendix I, paragraph 4 (Processed Dairy Products)	Appendix A, paragraph 38 (Processed Dairy Products)
Appendix I, paragraph 5 (Sugar)	Appendix A, paragraph 39 (Sugar and Sugar-Containing Products)

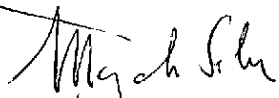
Chart 2

Column A	Column B	Column C
<u>United States – Peru</u> <u>TPA Safeguard</u>	<u>Tariff Items</u>	<u>TPP Safeguard</u>
Condensed and Evaporated Milk	04029170, 04029190, 04029945, 04029955	Condensed and Evaporated Milk (Appendix B, paragraph 8)
Cheese	04061008, 04061018, 04061028, 04061038, 04061048, 04061058, 04061068, 04061078, 04061088, 04062028, 04062033, 04062039, 04062048, 04062053, 04062063, 04062067, 04062071, 04062075, 04062079, 04062083, 04062087, 04062091, 04063018, 04063028, 04063038, 04063048, 04063053, 04063063, 04063067, 04063071, 04063075, 04063079, 04063083, 04063087, 04063091, 04064070, 04069012, 04069018, 04069032, 04069037, 04069042, 04069048, 04069054, 04069068, 04069074, 04069078, 04069084, 04069088, 04069092, 04069094, 04069097, 19019036	Cheese (Appendix B, paragraph 9)

Ans

I have the honour 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 as between the United States and Peru.

Sincerely,

A handwritten signature in black ink, appearing to read "Magali Silva". The signature is enclosed within a hand-drawn oval.

Magali Silva Velarde-Alvarez
Minister of Foreign Trade and Tourism