

PROPOSED EXCHANGE OF LETTERS ON BSE

[date]

The Honourable Robert B. Zoellick
United States Trade Representative
600 17 Street, NW
Washington, D.C. 20508

Dear Ambassador Zoellick:

In connection with the signing on this date of the Australia-United States Free Trade Agreement (the "Agreement"), I have the honour to affirm the following:

Australia and the United States recognize the importance of addressing both food safety and animal health issues regarding *Bovine Spongiform Encephalopathy* (BSE) in a science-based, comprehensive and cohesive manner. Science-based responses to address BSE concerns provide for food safety and protect animal health while they facilitate international trade. Australia and the United States recognize the central roles of the World Health Organization and Food and Agriculture Organization of the United Nations=*Codex Alimentarius Commission* (Codex) and the International Organization for Epizootics (OIE) in establishing international standards and guidelines and agree to participate actively in these organizations as they address BSE-related issues.

Australia and the United States recognize that the OIE is presently reviewing BSE standards as they relate to animal and public health. Australia and the United States will work cooperatively in the OIE, Codex, and other fora as appropriate, with the objective of securing science-based standards and guidelines that address food safety and animal health related BSE risks.

Australia and the United States also recognize the importance of encouraging the application of agreed BSE-related international standards and guidelines by Codex and OIE members and will work both within and outside these international organizations for this purpose, including to promote countries-consistent and proper implementation of these standards and guidelines.

I have the honour to propose that this letter and your letter of confirmation in reply shall constitute an integral part of the Agreement.

Sincerely,

MARK VAILE

Reply Letter

The Honourable Mark Vaile MP
Minister for Trade
Parliament House
Canberra ACT 2600

Dear Minister Vaile:

I have the honour to confirm receipt of your letter of this date which reads as follows;

“Dear Ambassador Zoellick:

In connection with the signing on this date of the Australia-United States Free Trade Agreement (the “Agreement”), I have the honour to affirm the following:

Australia and the United States recognize the importance of addressing both food safety and animal health issues regarding *Bovine Spongiform Encephalopathy* (BSE) in a science-based, comprehensive and cohesive manner. Science-based responses to address BSE concerns provide for food safety and protect animal health while they facilitate international trade. Australia and the United States recognize the central roles of the World Health Organization and Food and Agriculture Organization of the United Nations=*Codex Alimentarius Commission* (Codex) and the International Organization for Epizootics (OIE) in establishing international standards and guidelines and agree to participate actively in these organizations as they address BSE-related issues.

Australia and the United States recognize that the OIE is presently reviewing BSE standards as they relate to animal and public health. Australia and the United States will work cooperatively in the OIE, Codex, and other fora as appropriate, with the objective of securing science-based standards and guidelines that address food safety and animal health related BSE risks.

Australia and the United States also recognize the importance of encouraging the application of agreed BSE-related international standards and guidelines by Codex and OIE members and will work both within and outside these international organizations for this purpose, including to promote countries=consistent and proper implementation of these standards and guidelines.

I have the honour to propose that this letter and your letter of confirmation in reply shall constitute an integral part of the Agreement.

Sincerely,

MARK VAILE”

I have the honour to confirm that these letters constitute an integral part of the Agreement.

Sincerely,

Robert B. Zoellick