

Draft
Subject to Legal Review for Accuracy, Clarity, and Consistency
March 31, 2004

[Date]

[Moroccan Government Official]
Kingdom of Morocco

Dear [Moroccan Government Official]:

In connection with signing on this date of the United States-Morocco Free Trade Agreement (the “Agreement”), I have the honor to confirm the following understanding:

For purposes of determining whether a good is a “new or different article of commerce that has been grown, produced, or manufactured” for the purposes of Article 5.1(a) of the Agreement, the Parties should be guided by the specific rules in tariff classification set forth in section 102.20 of the United States Customs Regulations (19 CFR 102.20) (the “Specific Rules”), as may be amended.

The United States will afford the Government of Morocco the opportunity to comment on any proposed revisions to the Specific Rules. Furthermore, officials of the Office of the United States Trade Representative, and other appropriate U.S. Government agencies will meet with officials of the Ministry of Foreign Affairs and Cooperation, the Ministry of Foreign Commerce, the Administration of Customs and Indirect Taxes and representatives from other competent authorities of the Government of Morocco to discuss any concerns of your Government regarding any proposed revisions.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, to enter into force on the entry into force of the Agreement.

Sincerely,

Robert B. Zoellick