



Al contestar por favor cite estos datos:

Radicado No.: **20171700197121**

Fecha: **14-08-2017**

Bogotá, D.C.

Ambassador Robert Lighthizer
United States Trade Representative
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
United States of America

Dear Ambassador Lighthizer:

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) pertaining to the cessation of temporary measures for the importation of "Paddy" rice from the United States of America to Colombia and the establishment of new import requirements.

On April 15, 2012, our governments agreed, through an exchange of letters, to phytosanitary measures for importation of U.S. paddy rice, related primarily to *Tilletia horrida*. The 2012 agreement states that the requirements listed in the letter exchange shall remain in effect until a modification is agreed upon between Colombia and the United States, considering a risk assessment and/or the experience gained with respect to the operation of the 2012 agreement.

On June 1, 2017, the Colombian Agricultural Institute published Resolution 006630 which states that *Tilletia horrida* is present and widely distributed in Colombia and therefore the mitigation measures with regard to this pest are no longer necessary for the export of "Paddy" rice from the United States to Colombia. Resolution 006630 is based on the results of a distribution and prevalence assessment conducted for *Tilletia horrida* in Colombia.

Therefore, Colombia proposes that all requirements related to the export of "Paddy" rice from the United States to Colombia to prevent the spread of *Tilletia horrida* established in the April 15, 2012 exchange of letters between the United States and Colombia, be rescinded.

Both parties reaffirm their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Sanitary and Phytosanitary



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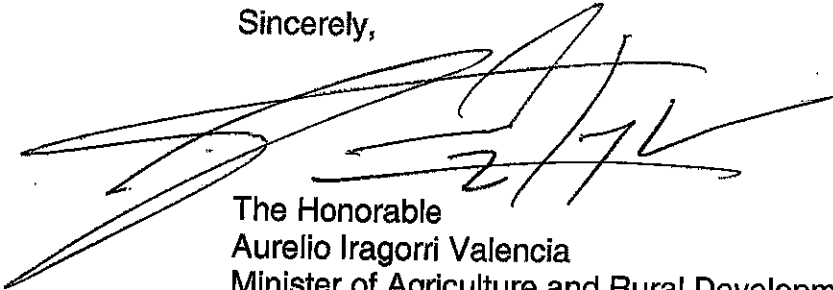
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(SPS) Agreement, on which the SPS provisions of the U.S.-Colombia Trade Promotion Agreement (TPA) are based. The SPS Agreement allows WTO Members to adopt science-based "measures necessary to protect human, animal, or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade."

I have the honor to propose that this letter and your affirmative letter in reply shall constitute an agreement between the two Governments effective on the date of your letter in reply.

Sincerely,



The Honorable
Aurelio Iragorri Valencia
Minister of Agriculture and Rural Development



The Honorable
María Claudia Lacouture P
Minister of Trade, Industry and Tourism

Proyecto Enrique Millán
VB. Viceministro Asuntos Agropecuarios. 
VB. Juan. Dueñas 



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TRADUCCIÓN DE CORTESIA INFORMAL

Bogotá, D.C.

Embajador Robert Lighthizer
Representante Comercial de los Estados Unidos
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
Estados Unidos de América

Estimado Embajador Lighthizer:

Tengo el honor de confirmar el siguiente acuerdo logrado entre los representantes del Gobierno de los Estados Unidos de América (Estados Unidos) y el Gobierno de la República de Colombia (Colombia) relacionado a la suspensión de las medidas temporales para la importación de arroz "Paddy" de los Estados Unidos a Colombia y el establecimiento de los nuevos requisitos de importación.

El 15 de abril de 2012, nuestros gobiernos intercambiaron cartas en relación a las medidas de mitigación fitosanitaria para *Tilletia horrida*. Las cartas establecían que los requisitos enumerados en las mismas permanecerían vigentes hasta que se acordara una modificación entre Colombia y los Estados Unidos, teniendo en cuenta una evaluación de riesgos y / o la experiencia adquirida con respecto al funcionamiento del protocolo.

El 1 de junio de 2017, el Instituto Colombiano Agropecuario emitió la resolución 006630 la cual señaló que *Tilletia horrida* está presente y distribuida en Colombia y por lo tanto las medidas de mitigación con respecto a esta plaga ya no son necesarias para la exportación de arroz "Paddy" de los Estados Unidos a Colombia. Lo anterior basado en los resultados de una evaluación de distribución y prevalencia para *Tilletia horrida* en Colombia.

Por lo tanto, quedan rescindidos todos los requisitos relacionados con la exportación de arroz "Paddy" de los Estados Unidos a Colombia para prevenir la propagación de *Tilletia horrida* establecidos en el intercambio de cartas del 15 de abril de 2012 entre los Estados Unidos y Colombia.

Ambos países reafirman sus derechos y obligaciones existentes en el marco del Acuerdo sobre la Aplicación de Medidas Sanitarias y Fitosanitarias (MSF)



MINAGRICULTURA



TODOS POR UN
NUEVO PAÍS
PAZ EQUIDAD EDUCACIÓN



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de la Organización Mundial del Comercio (OMC), en el que se basa las disposiciones sanitarias y fitosanitarias del Acuerdo de Promoción Comercial entre Colombia y los Estados Unidos. El Acuerdo MSF permite a los miembros de la OMC adoptar medidas basada en la ciencia "para proteger la vida y la salud de las personas y los animales o para preservar los vegetales, a condición que esas medidas no se apliquen de manera que constituyan un medio de discriminación arbitrario o injustificable entre los Miembros en que prevalezcan las mismas condiciones, o una restricción encubierta al comercio."

Tengo el honor de proponer que esta carta y su carta en respuesta confirmando este entendimiento constituyen un acuerdo entre nuestros Gobiernos que entrará en vigor el día de hoy.

Atentamente,

Aurelio Iragorri Valencia
Ministro de Agricultura y Desarrollo Rural

Maria Claudia Lacouture P.
Ministro de Comercio, Industria y Turismo

Proyecto Enrique Millán
VB. Viceministro Asuntos Agropecuarios.
VB. Juan. Dueñas

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

August 17, 2017

The Honorable Aurelio Iragorri Valencia
Minister of Agriculture and Rural Development

The Honorable Carolina Soto Losada
Acting Minister of Trade, Industry and Tourism

Dear Minister Iragorri and Acting Minister Soto:

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

I have the honor to confirm the following understanding reached between representatives of the Government of the Republic of Colombia (Colombia) and the Government of the United States of America (United States) pertaining to the cessation of temporary measures for the importation of "Paddy" rice from the United States of America to Colombia and the establishment of new import requirements.

On April 15, 2012, our governments agreed, through an exchange of letters, to phytosanitary measures for importation of U.S. paddy rice, related primarily to *Tilletia horrida*. The 2012 agreement states that the requirements listed in the letter exchange shall remain in effect until a modification is agreed upon between Colombia and the United States, considering a risk assessment and/or the experience gained with respect to the operation of the 2012 agreement.

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Therefore, Colombia proposes that all requirements related to the export of "Paddy" rice from the United States to Colombia to prevent the spread of *Tilletia horrida* established in the April 15, 2012 exchange of letters between the United States and Colombia, be rescinded.

Both parties reaffirm their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Sanitary and Phytosanitary (SPS) Agreement, on which the SPS provisions of the U.S.-Colombia Trade Promotion Agreement (TPA) are based. The SPS Agreement allows WTO Members to adopt science-based "measures necessary to protect human, animal, or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade."

I have the honor to propose that this letter and your affirmative letter in reply shall constitute an agreement between the two Governments effective 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 reply shall constitute an agreement between our two Governments to enter into force on this day.

Sincerely,

A handwritten signature in black ink, reading "Robert E. Lighthizer". The signature is written in a cursive style with a large, prominent "R" and "L".

Ambassador Robert E. Lighthizer
United States Trade Representative