

TRADE

Agriculture Biotechnology

**Agreement Between the
UNITED STATES OF AMERICA
and the SOCIALIST REPUBLIC OF
VIETNAM**

Effected by Exchange of Letters at
Hanoi May 31, 2006



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

SOCIALIST REPUBLIC OF VIETNAM

Trade: Agriculture Biotechnology

*Agreement effected by exchange of letters
at Hanoi May 31, 2006;
Entered into force May 31, 2006.*



MINISTRY OF TRADE

THE SOCIALIST REPUBLIC OF VIETNAM

31 MAY 2006

The Honorable Karan Bhatia
Deputy U.S. Trade Representative
Washington, DC 20508

Dear Honorable,

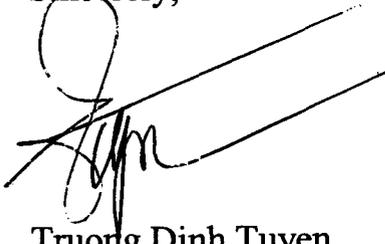
I have the honor to confirm the following understandings reached between the Government of Viet Nam and the Government of the United States of America on agricultural biotechnology during the course of our bilateral negotiations on Viet Nam's Accession to the World Trade Organization (WTO):

Viet Nam and the United States of America (hereinafter referred to as "the Parties") agree on the following provisions, with a view to facilitating trade between the Parties, while preserving each Party's right to protect human, animal or plant life or health in its territory and respecting each Party's regulatory systems and processes for risk assessment and policy development.

Viet Nam shall maintain its current regulatory system with regard to products of agriculture biotechnology. Viet Nam will continue to have a policy that is science-based, transparent, and predictable, and will continue to establish procedures related to this policy based on modern risk assessment principles and guidelines, including those of the WTO SPS and TBT Agreements, Codex Alimentarius Commission and the International Plant Protection Convention. Should Viet Nam consider amending its current system for regulation of products of biotechnology, Viet Nam shall enter into consultations with and, give all due consideration to comments from, the United States prior to the implementation of new regulatory requirements for products of biotechnology.

I have the honor to request that you confirm that your government shares these understandings. I have the further honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'T' followed by a cursive name, with two long, sweeping horizontal lines extending to the right.

Truong Dinh Tuyen
Minister of Trade
The Socialist Republic of Viet Nam

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

May 31, 2006

H.E. Truong Dinh Tuyen
Minister of Trade
The Socialist Republic of Vietnam

Dear Minister Truong:

I have the honor to acknowledge the receipt of your letter of this date which reads as follows:

I have the honor to confirm the following understandings reached between the Government of Viet Nam and the Government of the United States of America on agricultural biotechnology during the course of our bilateral negotiations on Viet Nam's Accession to the World Trade Organization (WTO):

Viet Nam and the United States of America (hereinafter referred to as "the Parties") agree on the following provisions, with a view to facilitating trade between the Parties, while preserving each Party's right to protect human, animal or plant life or health in its territory and respecting each Party's regulatory systems and processes for risk assessment and policy development.

Viet Nam shall maintain its current regulatory system with regard to products of agriculture biotechnology. Viet Nam will continue to have a policy that is science-based, transparent, and predictable, and will continue to establish procedures related to this policy based on modern risk assessment principles and guidelines, including those of the WTO SPS and TBT Agreements, Codex Alimentarius Commission and the International Plant Protection Convention. Should Viet Nam consider amending its current system for regulation of products of biotechnology, Viet Nam shall enter into consultations with and, give all due consideration to comments from, the United States prior to the implementation of new regulatory requirements for products of biotechnology.

I have the honor to request that you confirm that your government shares these understandings. I have the further honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments.

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, appearing to read "Karan Bhatia". The signature is written in a cursive style with a large, prominent initial 'K'.

Karan Bhatia