

Distinctive Products: Canadian Whisky and Canadian Rye Whisky

Letter from the Honourable François-Philippe Champagne

8 March 2018

His Excellency
Mr. Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Excellency,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), I have the honour to confirm the following understanding reached by the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of Canada (Canada) regarding Canadian Whisky and Canadian Rye Whisky:

1. Viet Nam shall recognize Canadian Whisky and Canadian Rye Whisky as distinctive products of Canada. Accordingly, Viet Nam shall, pursuant to its laws and regulations on unfair competition, not permit the sale of any product as Canadian Whisky or Canadian Rye Whisky if it has not been manufactured in Canada in accordance with the laws and regulations of Canada governing the manufacture of Canadian Whisky and Canadian Rye Whisky.
2. Canada shall promptly notify Viet Nam of its existing laws and regulations governing the manufacture of Canadian Whisky or Canadian Rye Whisky and of any modifications it makes to those laws and regulations thereafter.
3. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark, certification mark, or geographical indication.

I have the honour to propose that this letter, equally valid in French and English, and your letter in reply confirming that your Government shares this understanding shall constitute an understanding between our two Governments, which will enter into effect on the date of entry into force of the Agreement as between Canada and Viet Nam.

Yours sincerely,

The Honourable François-Philippe Champagne
Minister of International Trade

Response from His Excellency Tran Tuan Anh

8 March 2018

The Honourable François-Philippe Champagne
Minister of International Trade
Canada

Dear Minister,

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

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), I have the honour to confirm the following understanding reached by the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of Canada (Canada) regarding Canadian Whisky and Canadian Rye Whisky:

1. Viet Nam shall recognize Canadian Whisky and Canadian Rye Whisky as distinctive products of Canada. Accordingly, Viet Nam shall, pursuant to its laws and regulations on unfair competition, not permit the sale of any product as Canadian Whisky or Canadian Rye Whisky if it has not been manufactured in Canada in accordance with the laws and regulations of Canada governing the manufacture of Canadian Whisky and Canadian Rye Whisky.
2. Canada shall promptly notify Viet Nam of its existing laws and regulations governing the manufacture of Canadian Whisky or Canadian Rye Whisky and of any modifications it makes to those laws and regulations thereafter.
3. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark, certification mark, or geographical indication.

I have the honour to propose that this letter, equally valid in French and English, and your letter in reply confirming that your Government shares this understanding shall constitute an understanding between our two Governments, which will enter into effect on the date of entry into force of the Agreement as between Canada and Viet Nam.”

I have the further honour to confirm that my Government shares this understanding, and that your letter, equally valid in French and English, and this letter in reply, shall constitute an understanding between our two Governments, which will enter into effect on the date of entry into force of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership as between Canada and the Socialist Republic of Viet Nam.

Yours sincerely,

Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam