

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20506

May 19, 2008

The Honorable Jong Hoon Kim
Minister for Trade
Seoul, Republic of Korea

Dear Minister Kim:

Attached to this letter is my statement of May 12, 2008 regarding developments in Korea surrounding the "Import Health Requirements for U.S. Beef and Beef Products" (cited as "Requirements" hereafter) on which our two countries reached agreement on April 18, 2008. As I have recognized in my statement, every government has the right to protect its citizens from health and safety risks in accordance with GATT Article XX and the WTO SPS Agreement. The United States takes public health and safety concerns very seriously and believes that the Requirements contain appropriate standards and procedures to ensure the safety of imported U.S. beef.

I understand that concerns have been raised that the definition of specified risk materials ("SRMs") under the Requirements may be different than the applicable definition under corresponding U.S. regulations. U.S. regulations require that SRMs, as defined under U.S. regulations, be removed from all beef or beef products, whether they are intended for domestic consumption or export to another country. If any beef or beef product arrives in Korea that Korean veterinary inspectors determine does not satisfy prevailing U.S. regulations on SRM removal, the United States recognizes that Korea has the right to take necessary measures as provided for in paragraphs 23 and 24 of the Requirements. I am attaching the current version of the relevant U.S. regulations, 9 C.F.R. § 310.22(a).

Sincerely,



Susan C. Schwab

Enclosures:

1. My Statement of May 12, 2008
2. Text of 9 CFR § 310.22(a)