

北美事務協調委員會駐美國辦事處

Coordination Council for North American Affairs
Office in U.S.A.
4201 Wisconsin Avenue, Washington, D.C. 20016

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ED-80-028

October 7, 1991

Ambassador Natale H. Bellocchi
Chairman of the Board and Managing Director
American Institute in Taiwan
1700 N. Moore Street
Suite 1700
Arlington, VA 22209

Dear Ambassador Bellocchi:

I have the honor to refer to the scheduled consultations held in Taipei between AIT and CCNAA of July 9 and 10, 1991, pursuant to Article IX(A) of the 1986 Beer, Wine and Cigarettes Agreement between the Authorities represented by CCNAA and by AIT, regarding the new requirements for health warning legends on cigarettes sold in the territory represented by CCNAA (the "CCNAA Territory").

On behalf of the Authorities represented by CCNAA ("CCNAA Authorities"), I confirm the following points regarding the implementation of this new requirement, agreed upon by and between CCNAA and AIT:

(a) In order to provide an adequate transition period for the design, production and shipping of the product with the new legends, the requirements set forth herein will apply to U.S. cigarettes produced after June 3, 1992 and imported into the CCNAA Territory for circulation.

(b) Cigarettes produced before June 3, 1992 and complying with the health warning requirements in effect immediately before that date in the CCNAA Territory, will be permitted to be sold in the CCNAA Territory until March 31, 1993. Circulation of such cigarettes after April 1, 1993 shall be subject to seizure and destruction by the CCNAA Authorities.

(c) Every single pack of cigarettes introduced into the CCNAA Territory by a producer shall have one of the six health warnings ("Health Warnings"), samples of which are set forth in

Annex "A" hereto (hereinafter each of the six texts shall be referred to as a "Health Warning Text"), printed directly onto the paper wrapping of the front of each cigarette pack in number five size Chinese characters in black or dark color on a light background so as to ensure that the Health Warning Text will be clearly and distinctively shown on each pack. The text of a Health Warning used shall be enclosed within a black or dark colored border, and the area enclosed within the border shall measure at least 5 cm. by 2 cm. of the front of the pack. No characters or symbols other than the Health Warnings shall appear within the border.

(d) Each producer, in complying with the requirement of paragraph (c) of this letter that each pack of cigarettes shall bear one of the six Health Warning Texts, shall rotate the Health Warning Text used by it on individual packs of each brand of cigarettes produced by it, so that in any twelve-month period, each one of the six different Health Warning Texts will appear on approximately an equal number (plus or minus 15%) of the cigarette packs of each brand introduced by it into the CCNAA Territory for circulation.

(e) In the event that a producer of cigarettes intends to adopt a rotational system different from that set forth in paragraph (d), above, such producer shall consult the Ministry of Economic Affairs of the CCNAA Authorities for approval of such a different rotational system; the producer shall always adhere to the principle that each of the six Health Warning Texts shall be rotated in a given period as evenly as commercially practicable.

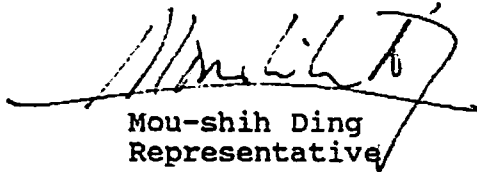
(f) In the event that the total number of cases of a particular brand imported into the CCNAA Territory does not exceed one thousand cases in a 12-month period, the producer may, upon notification to the CCNAA Authorities of the designated 12-month period (which, once designated, may not be changed), print the Health Warning Text #3 ("行政院衛生署警告：吸菸能導致肺癌、心臟血管疾病及肺氣腫")* on all packs of that brand in lieu of a rotation system. Where, contrary to the producer's original forecast, imports into the CCNAA Territory of that brand in such designated 12-month period exceeds one thousand cases, the amount of such excess shall be subject to the rotational requirements provided in paragraphs (c) and (d) above.

(g) The Taiwan Tobacco and Wine Monopoly Bureau will be subject to substantially equivalent rotational health warning requirements as producers of imported cigarettes. Pursuant to the consultations held under the 1986 Beer, Wine

and Cigarettes Agreement, the Authorities represented by AIT & CCNAA agree to the foregoing new system of health warning requirements, subject to the conditions outlined in this letter.

If the content of this letter is acceptable to your authorities, this letter together with your reply, shall constitute an agreement between AIT and CCNAA. This agreement shall enter into force upon your reply.

Sincerely yours,



Mou-shih Ding
Representative

* Freely translated into English, it means "the Department of Health of the Executive Yuan warns that cigarette smoking may cause lung cancer, cardiovascular disease, and emphysema."

Annex A

(1) 行政院衛生署警告：
吸菸有害健康

(2) 行政院衛生署警告：
吸菸令心臟致癱

(3) 行政院衛生署警告：
吸菸能導致肺癌、心臟血管
疾病及腳氣腫

(4) 行政院衛生署警告：
孕婦吸菸易導致胎兒早產
及體重不足

(5) 行政院衛生署警告：
吸菸害人害己

(6) 行政院衛生署警告：
戒菸可減少健康的危害

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AMERICAN INSTITUTE IN TAIWAN

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October 16, 1991

Mr. Ding Mou-shih
Representative
Coordination Council for
North American Affairs
4201 Wisconsin Avenue, N.W.
Washington, DC 20016-2137

Dear Mr. Ding:

I have the honor to acknowledge receipt of your letter of October 7, 1991, and Annex A, which read as follows:

Quote. Dear Ambassador Bellocchi:

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(d) Each producer, in complying with the requirement of paragraph (c) of this letter that each pack of cigarettes shall bear one of the six Health Warning Texts, shall rotate the Health Warning Text used by it on individual packs of each brand of cigarettes produced by it, so that in any twelve-month period, each one of the six different Health Warning Texts will appear on approximately an equal number (plus or minus 15%) of the cigarette packs of each brand introduced by it into the CCNAA Territory for circulation.

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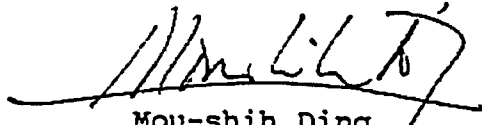
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Sincerely yours,



Mou-shih Ding
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(3)

行政院衛生署公告：
吸菸能導致肺癌、心臟血管
疾病及肺氣腫

(2)

行政院衛生署公告：
吸菸會導致癌症

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孕婦吸菸易導致胎兒早產
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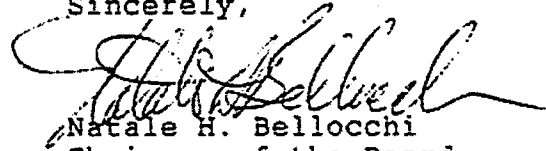
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吸菸可減少健康的危害

Your letter correctly reflects the understandings reached during the course of our consultations of July 9 and 10, 1991, pursuant to Article IX(A) of the 1986 Beer, Wine and Cigarettes Agreement between the authorities represented by CCNAA and AIT.

Sincerely,

A handwritten signature in cursive script, appearing to read "Natale H. Bellocchi".

Natale H. Bellocchi
Chairman of the Board
and Managing Director