

No. 10618

**UNITED STATES OF AMERICA
and
AUSTRALIA**

**Exchange of notes constituting an agreement relating to the
importation of meat into the United States during the
calendar year 1970. Washington, 29 and 30 January 1970**

Authentic text: English.

Registered by the United States of America on 3 August 1970.

**ÉTATS-UNIS D'AMÉRIQUE
et
AUSTRALIE**

**Échange de notes constituant un accord relatif à l'importation
de viande aux États-Unis durant l'année civile 1970.
Washington, 29 et 30 janvier 1970**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 3 août 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND AUSTRALIA RELATING TO THE IMPORTATION OF MEAT INTO THE UNITED STATES DURING THE CALENDAR YEAR 1970

I

DEPARTMENT OF STATE
WASHINGTON

January 29, 1970

Excellency:

I have the honor to refer to discussions between representatives of our two Governments relating to the importation into the United States for consumption of fresh, chilled, or frozen cattle meat (item 106.10 of the Tariff Schedules of the United States) and fresh, chilled, or frozen meat of goats and sheep, except lambs (item 106.20 of the Tariff Schedules of the United States) during the calendar year 1970.

I am able to inform you that the Governments of all countries which are major suppliers of such meats to the United States have agreed to participate in the 1970 restraint program discussed by our representatives. This agreements are being embodied in exchanges of notes between the Government of the United States of America and the Governments of the respective countries.

I propose that the agreement between our two Governments should provide as follows:

1. On the basis of the foregoing, and subject to paragraph 4, the permissible total quantity of imports of such meats into the United States during the calendar year 1970 shall be 1,061.5 million pounds and the Government of the Commonwealth of Australia and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States.

¹ Came into force on 30 January 1970 by the exchange of the said notes.

2. The Government of the Commonwealth of Australia shall limit the quantity of such meats exported from Australia as direct shipments on a through bill of lading to the United States for entry or withdrawal from warehouse for consumption during the calendar year 1970 to 527.2 million pounds or such higher figure as may result from adjustments pursuant to paragraph 4.

3. The Government of the United States of America may limit imports of such meats of Australian origin, whether by direct or indirect shipments, through issuance of regulations governing the entry or withdrawal from warehouse for consumption in the United States, provided that, with respect to imports which are direct shipments from Australia:

- (a) such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Australia;
- (b) such regulations shall be issued only after consultation with the Government of the Commonwealth of Australia pursuant to paragraph 6, and only in circumstances where it is evident after such consultations that the quantity of such meat likely to be presented for entry or withdrawal from warehouse for consumption in the calendar year 1970 will exceed the quantity specified in paragraph 2, as it may be increased pursuant to paragraph 4.

4. The Government of the United States of America may increase the global quantity of imports of such meats into the United States or may allocate any shortfall in a share of the global quantity. Thereupon, if no shortfall is estimated for Australia, such increase in global quantity or shortfall shall be allocated to Australia in the proportion that 527.2 million pounds bears to the total initial shares from all countries which are estimated to have no shortfall for the calendar year 1970.

5. The Government of the United States of America shall separately report meats rejected as unfit for human consumption, and such meats will not be regarded as part of the quantity described in paragraph 2.

6. The Government of the Commonwealth of Australia and the Government of the United States of America shall consult promptly upon the request of either Government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding increase in the global quantity and allocation of shortfall.

7. In the event that quotas on the imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Australia shall not include the period between October 1, 1968 and December 31, 1970.

8. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of the Commonwealth of Australia as soon as possible after the end of each month:

- (i) Details from all supplying countries of imports into the United States to that date.
- (ii) An estimate of the expected supply/shipment position by country and in total.

(b) As soon as possible after the end of each month the Government of the Commonwealth of Australia shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1970, ship by ship and port by port, based on actual loadings in Australia.

I have the honor to propose that, if the foregoing is acceptable to the Government of the Commonwealth of Australia, this note together with Your Excellency's confirmatory reply, shall constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

Julius L. KATZ

His Excellency Sir Keith Waller, C.B.E.
Ambassador of Australia

II

AUSTRALIAN EMBASSY
WASHINGTON, D. C.

January 30, 1970

Sir,

I have the honour to refer to your note of yesterday's date which reads as follows:

[See note I]

I have the honour to confirm that the foregoing is acceptable to the Government of the Commonwealth of Australia which agrees that your note together with this reply should form an agreement between our two Governments on this matter.

Accept, Sir, the renewed assurances of my highest consideration.

Keith WALLER
Ambassador

The Honourable William P. Rogers,
Secretary of State