

No. 10812

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**UNITED STATES OF AMERICA  
and  
NICARAGUA**

**Exchange of notes constituting an agreement relating to the importation into the United States, for consumption, of meat, during the calendar year 1970. Managua, 9 and 25 February 1970**

*Authentic texts: English and Spanish.*

*Registered by the United States of America on 3 November 1970.*

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

**Échange de notes constituant un accord relatif à l'importation aux États-Unis, durant l'année civile 1970, de viande destinée à la consommation. Managua, 9 et 25 février 1970**

*Textes authentiques: anglais et espagnol.*

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

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT <sup>1</sup>  
BETWEEN THE UNITED STATES OF AMERICA AND  
NICARAGUA RELATING TO THE IMPORTATION INTO  
THE UNITED STATES, FOR CONSUMPTION, OF MEAT,  
DURING THE CALENDAR YEAR 1970

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*The American Chargé d'affaires ad interim to the Minister of Foreign Relations  
of Nicaragua*

EMBASSY OF THE UNITED STATES OF AMERICA

Managua, February 9, 1970

No. 9

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. These 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 Nicaragua 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.

2. The Government of Nicaragua shall limit the quantity of such meats originating in Nicaragua and during the calendar year 1970 entered or withdrawn from warehouse for consumption in the United States to 39.3 million pounds or such higher figure as may result from adjustments pursuant to Paragraph 4.

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<sup>1</sup> Came into force on 25 February 1970, the date of the note in reply, in accordance with the provisions of the said notes.

3. The Government of the United States of America may limit imports of such meats of Nicaraguan 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,

- (A) Such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Nicaragua;
- (B) Such regulations shall be issued only after consultation with the Government of Nicaragua 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 Nicaragua, such increase in global quantity or shortfall shall be allocated to Nicaragua in the proportion that 39.3 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 Nicaragua 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 of Nicaragua shall not include the period between October 1, 1968 and December 31, 1970.

I have the honour to propose that, if the foregoing is acceptable to the Government of Nicaragua, 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.

M. R. BARNEBEY

Chargé d'Affaires ad interim

His Excellency Dr. Lorenzo Guerrero Gutierrez,  
Minister of Foreign Relations,  
Managua

[TRANSLATION <sup>1</sup> — TRADUCTION <sup>2</sup>]

*The Minister of Foreign Relations of Nicaragua  
to the American Ambassador*

REPUBLIC OF NICARAGUA  
MINISTRY OF FOREIGN AFFAIRS

GENERAL SECRETARIAT

Diplomatic section

*“Year of free savings for Housing”*

Managua, D. N., February 25, 1970

MS. No. 016

Mr. Ambassador:

I have the honor to acknowledge receipt of Your Excellency's note No. 9 of February 9, 1970, in which, referring to discussions between representatives of our two Governments relating to the importation into the United States of America 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, you propose to my Government the conclusion of an agreement by an exchange of notes, providing as follows:

[*See note I*]

In reply I have the honor to inform Your Excellency that my Government concurs in the clauses which translated into Spanish are transcribed above, and it agrees that Your Excellency's note and this reply shall constitute an Agreement between our two Governments that shall enter into force on this date.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

LORENZO GUERRERO G

His Excellency Kennedy McCampbell Crockett  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
Managua, D.N.

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<sup>1</sup> Translation supplied by the Government of the United States of America.

<sup>2</sup> Traduction fournie par le Gouvernement des États-Unis d'Amérique.