

No. 11278

**UNITED STATES OF AMERICA
and
AUSTRALIA**

**Exchange of notes constituting an agreement relating to the
importation into the United States, for consumption, of
meat, during the calendar year 1971. Washington, 7 May
1971**

Authentic text: English.

Registered by the United States of America on 4 August 1971.

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

**Échange de notes constituant un accord relatif à l'importation
aux États-Unis, durant l'année civile 1971, de viande
destinée à la consommation. Washington, 7 mai 1971**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 4 août 1971.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
AUSTRALIA RELATING TO THE IMPORTATION INTO
THE UNITED STATES, FOR CONSUMPTION, OF MEAT,
DURING THE CALENDAR YEAR 1971

I

DEPARTMENT OF STATE
WASHINGTON

May 7, 1971

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 1971 and to the agreements between the United States and other countries, including Australia, constituting the 1970 restraint program concerning shipments of such meats to the United States.

I have the honor to inform you that the Governments of all of the countries that participated in the 1970 restraint program have agreed to enter into similar agreements for the calendar year 1971. 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 have the honor to 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 1971 from countries participating in the restraint program shall be 1,075 million pounds and the Government of Australia and the Government of the United States of America shall respectively undertake

¹ Came into force on 7 May 1971, date of the note in reply, in accordance with the provisions of the said notes.

responsibilities as set forth below for regulating exports to, and imports into, the United States.

2. The Government 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 1971 to 560.3 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; and
- (b) such regulations shall be issued only after consultation with the Government 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 1971 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 permissible total quantity of imports of such meats into the United States during the calendar year 1971 from countries participating in the restraint program or may allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not participating in the restraint program. Thereupon, if no shortfall is estimated for Australia, such increase or estimated shortfall shall be allocated to Australia in the proportion that 560.3 million pounds bears to the total initial shares from all countries participating in the restraint program which are estimated to have no shortfall for the calendar year 1971. The foregoing allocation shall not apply to any increase in the estimate of imports from countries not participating in the 1971 restraint program.

5. The Government of the United States of America shall separately report meats which have been refused entry because of failure to meet appropriate

standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 2.

6. The Government 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 total quantity permissible under the restraint program and allocation of shortfall. In particular, consultations regarding these matters and the market situation shall be held before the beginning of each calendar quarter.

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, 1971.

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 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 and in total.

(b) As soon as possible after the end of each month the Government of Australia shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1971, 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 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 James Plimsoll, C.B.E.
Ambassador of Australia

II

The Australian Ambassador to the Secretary of State

7th May, 1971

Sir,

I have the honour to refer to your note of today'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 shall constitute an agreement between our two Governments on this matter.

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

[*Signed*]
J. PLIMSOLL
Ambassador

The Honourable William P. Rogers
Secretary of State
