

No. 11266

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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 1971. Managua, 16 February and 30 March 1971**

*Authentic texts: English and Spanish.*

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

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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 1971, de viande destinée à la consommation. Managua, 16 février et 30 mars 1971**

*Textes authentiques: anglais et espagnol.*

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

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 1971

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I

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

EMBASSY OF THE UNITED STATES OF AMERICA

Managua, D. N. February 16, 1971

No. 15

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 Nicaragua, constituting the 1970 restraint program concerning shipments of such meats to the United States.

With the understanding that similar agreements also will be concluded for the calendar year 1971 with the Governments of all of the countries that participated in the 1970 restraint program, I have the honor to propose the following agreement between our two Governments:

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 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.

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<sup>1</sup> Came into force on 30 March 1971 by the exchange of the said notes.

2. The Government of Nicaragua shall limit exports of the aforementioned meats so that the quantity of such meats originating in Nicaragua and during the calendar year 1971 entered or withdrawn from warehouse for consumption in the United States does not exceed 41.8 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 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; and
- (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 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 Nicaragua, such increase or estimated shortfall shall be allocated to Nicaragua in the proportion that 41.8 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 rejected as unacceptable for human consumption under United States inspection standards, 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 total quantity permissible under the restraint program 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 Nicaragua shall not include the period between October 1, 1968 and December 31, 1971.

I have the honor 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.

TURNER B. SHELTON

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

## II

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE NICARAGUA  
AMÉRICA CENTRAL  
MINISTERIO DE RELACIONES EXTERIORES

Secretaría general, sección diplomática

Managua, D.N., 30 de Marzo de 1971

MS. No. 055

Señor Embajador:

Tengo el honor de dar aviso de recibo de la atenta nota de Vuestra Excelencia No. 15 del 16 de Febrero próximo pasado, por medio de la cual al referirse a las conversaciones entre Representantes de nuestros dos Gobiernos relacionadas con las importaciones a los Estados Unidos para consumo de carne fresca, refrigerada o congelada de ganado vacuno (rubro 106.10 del Cuadro de Tarifas de los Estados Unidos) y carne fresca, refrigerada o congelada de ganado ovino y caprino, salvo corderos (rubro 106.20 del Cuadro de Tarifas de los Estados Unidos) durante el año civil de 1971, y a los acuerdos entre los Estados Unidos y otros países, incluyendo Nicaragua, que constituyen el Programa de Restricciones para 1970 en relación con los envíos de tales carnes a los Estados Unidos.

Con el entendimiento de que acuerdos similares se concertarán también para el año civil de 1971 con los Gobiernos de todos los países que participaron en el Programa de Restricciones para 1970, propone a mi Gobierno la concer-

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

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

REPUBLIC OF NICARAGUA  
CENTRAL AMERICA  
MINISTRY OF FOREIGN RELATIONS  
General Secretariat, Diplomatic Section

Managua, D. N., March 30, 1971

MS. No. 055

Excellency:

I have the honor to acknowledge receipt of Your Excellency's note No. 15 of February 16, 1971, in which reference is made to the 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 Nicaragua, constituting the 1970 restraint program concerning shipments of such meats to the United States.

With the understanding that similar agreements also will be concluded for the calendar year 1971 with the Governments of all the countries that participated in the 1970 restraint program, you propose to my Government the conclusion of an agreement by an exchange of notes, in the following terms:

[*See note I*]

In reply, I am happy to inform Your Excellency that my Government accepts the clauses, the Spanish translation of which is transcribed above, Your Excellency's note and this reply constituting an agreement between our two Governments which shall enter into force on this date.

<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.

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

LORENZO GUERRERO

His Excellency Turner B. Shelton  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
Managua, D. N.

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