

No. 11281

**UNITED STATES OF AMERICA
and
HONDURAS**

Exchange of notes constituting an agreement relating to the importation into the United States, for consumption, of meat, during the calendar year 1971. Tegucigalpa, 1 and 3 June 1971

Authentic texts: Spanish and English.

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

**ÉTATS-UNIS D'AMÉRIQUE
et
HONDURAS**

Échange de notes constituant un accord relatif à l'importation aux États-Unis, durant l'année civile 1971, de viande destinée à la consommation. Tegucigalpa, 1^{er} et 3 juin 1971

Textes authentiques: espagnol et 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
HONDURAS RELATING TO THE IMPORTATION INTO
THE UNITED STATES, FOR CONSUMPTION, OF MEAT,
DURING THE CALENDAR YEAR 1971

I

[SPANISH TEXT — TEXTE ESPAGNOL]

SECRETARÍA DE ECONOMÍA Y HACIENDA
REPÚBLICA DE HONDURAS

Tegucigalpa, D. C., 1o. de junio de 1971

Señor Embajador:

Tengo el honor de referirme a las discusiones entre Representantes de nuestros dos Gobiernos, relacionadas a 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 cordero (rubro 106.20 del cuadro de tarifas de los Estados Unidos) durante el año civil de 1971, y al acuerdo entre los Estados Unidos y Honduras relativo al Programa de Restricciones con respecto a los envíos de tales carnes a los Estados Unidos.

Como resultado de dichas discusiones, tengo el agrado de proponer el siguiente Acuerdo entre nuestros dos Gobiernos:

1. El Gobierno de Honduras y el Gobierno de los Estados Unidos de América asumirán las respectivas responsabilidades abajo estipuladas, para reglamentar las exportaciones e importaciones a los Estados Unidos durante el año civil de 1971.

2. Las exportaciones hondureñas de carne, antes mencionadas serán tal, que durante el año de 1971 las importaciones de tal carne a los Estados Unidos, incluso la carne proveniente de Honduras que se extrae del almacén durante 1971 para consumo de los Estados Unidos, sumarán el total de 15.6 millones de libras, o una cantidad mayor que pueda resultar de los ajustes en virtud del párrafo 4. Tal Reglamento no impedirá que cualquier exceso de carne originaria de Honduras se deposite en almacenes de los Estados Unidos bajo el sistema conocido como "in bond", mientras Honduras no disponga de facilidades adecuadas de almacenamiento.

¹ Came into force on 3 June 1971 by the exchange of the said notes.

[TRANSLATION¹ — TRADUCTION²]DEPARTMENT OF ECONOMY AND FINANCE
REPUBLIC OF HONDURAS

Tegucigalpa, D.C., June 1, 1971

Mr. Ambassador:

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 agreement between the United States and Honduras relating to the restraint program concerning shipments of such meats to the United States.

As a result of these discussions I have the honor to propose the following agreement between our two governments:

1. The Government of Honduras 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 during calendar year 1971.

2. Honduran exports of the aforesaid meat will be such that during the year 1971 imports of such meat into the United States, including meat originating in Honduras which is withdrawn from warehouse during 1971 for consumption in the United States, will amount to up to 15.6 million pounds or such higher figure as may result from adjustments pursuant to paragraph 4. Such regulation shall not prevent any excess meat of Honduran origin from being deposited in United States warehouses under the system known as "in bond" as long as adequate storage facilities are not available in Honduras.

3. The Government of the United States of America may limit imports of such meats of Honduran 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 Honduras; and
- (b) such regulations shall be issued only after consultation with the Government of Honduras 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

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des États-Unis d'Amérique.

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 estimate of total imports of such meats. Thereupon, if no shortfall is estimated for Honduras, such increase or estimated shortfall shall be allocated to Honduras in the proportion that 15.6 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.

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 Honduras 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.

My Government considers it necessary to inform the Government of the United States that the foregoing agreement in no way signifies that Honduras accepts the quota contained therein as its basic quota for a share in the United States market for cattle meat. Our Government has repeatedly stated to Your Excellency's Government that the basic quota assigned to Honduras is not consistent with our country's real capacity to produce exportable meat; this was amply demonstrated during 1970, when exports to the United States reached 26.4 million pounds, and in the period from January to the middle of May 1971, when 10.3 million pounds of meat have been exported within and outside the quota.

Our Government wishes to inform the Government of the United States that the agreement that has been reached on the regulations governing the importation of meat into the United States does not limit the right of Honduras to continue to raise and examine the case of exports of cattle meat to the United States in the Special Committee on Negotiation and Consultation of the Inter-American Economic and Social Council or any other agency.

Furthermore, our Government deems it desirable to inform the Government of the United States that it considers that the method chosen for allocating the shortfall and the base period of exports for application of the quota system have a negative effect on our country's

already unfavorable position in reference to the amount of our basic quota, inasmuch as no account is taken of real exports made during 1970.

The welfare of Honduras is tied to the country's capacity to produce meat, through the income in foreign exchange acquired from exports, and hence, its capacity to import and to finance its development programs.

Furthermore, in order to increase national per capita consumption, modern meat plants have been established with such facilities as refrigeration, electric cutting machinery, washing equipment, scales, grinding machines, display equipment, etc., of United States origin, which represent a contribution to the nutrition, health, and well-being of the population.

Honduran imports, the majority of which consist of manufactured articles, have come principally from the United States of America, and there is a rising trend in such imports, a fact that was apparent in 1970.

Accept, Excellency, the assurances of my high consideration.

[Signed]

MANUEL ACOSTA BONILLA

Minister of Economy and Finance

His Excellency Hewson A. Ryan
Ambassador of the United States of America
Tegucigalpa, D.C., Honduras

II

The American Ambassador to the Honduran Minister of Economy and Finance

Tegucigalpa, Honduras, June 3, 1971

Excellency:

I have the honor to acknowledge receipt of your Excellency's Note dated June 1, 1971, whose operative provisions in English translation read as follows:

[See note I, from first paragraph to numbered paragraph 6 inclusive]

I have the honor to confirm on behalf of my Government that your Excellency's Note of June 1, 1971, and this Note in reply constitute an

agreement between our two Governments in accordance with the operative provisions quoted above.

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

HEWSON A. RYAN

His Excellency Lic. Manuel Acosta Bonilla
Minister of Economy and Finance
Tegucigalpa, D.C.
