

No. 11397

**UNITED STATES OF AMERICA
and
COSTA RICA**

Exchange of notes constituting an agreement relating to the importation into the United States, for consumption, of meat, during the calendar year 1971. San José, 1 and 11 March 1971

Authentic texts: English and Spanish.

Registered by the United States of America on 9 November 1971.

**ÉTATS-UNIS D'AMÉRIQUE
et
COSTA RICA**

Échange de notes constituant un accord relatif à l'importation aux États-Unis, durant l'année civile 1971, de viande destinée à la consommation. San José, 1^{er} et 11 mars 1971

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 9 novembre 1971.

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

I

The American Ambassador to the Costa Rican Minister of Foreign Relations

San José, March 1, 1971

No. 33

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 Costa Rica, 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 Costa Rica 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 Costa Rica, having already obtained the agreement of the organizations charged with authorizing the exports of meat, will limit exports of the aforementioned meats so that the quantity of such meats originating

¹ Came into force on 11 March 1971, the date of the note in reply, in accordance with the provisions of the said notes.

in Costa Rica and during the calendar year 1971 entered or withdrawn from warehouse for consumption in the United States does not exceed 37.1 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 Costa Rican 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 meats from Costa Rica; and
- (B) Such regulations shall be issued only after consultation with the Government of Costa Rica pursuant to paragraph 6, and only in circumstances where it is evident after such consultations that the quantity of such meats 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 Costa Rica, such increase or estimated shortfall shall be allocated to Costa Rica in the proportion that 37.1 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 Costa Rica 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. The above agreement is undertaken without prejudice to any arrangements which may be reached between the Government of the United States of America and the Government of Costa Rica concerning meat import levels in years subsequent to 1971.

I have the honor to propose that, if the foregoing is acceptable to the Government of Costa Rica, 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.

WALTER C. PLOESER

Enclosure:

Spanish Translation of this Note *

His Excellency Licenciado Gonzalo J. Facio
Minister of Foreign Relations
San José

II

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE COSTA RICA
MINISTERIO DE RELACIONES EXTERIORES Y CULTO
Dirección General de Asuntos Exteriores

San José, 11 marzo de 1971

Nº 63758-AE

Excelentísimo Señor:

Tengo el honor de referirme a la nota Nº 33 de 1 de marzo de este año de Vuestra Excelencia, referente a las importaciones de Vuestro País de carne fresca para consumo, refrigerada o congelada, de ganado vacuno, y carne refrigerada o congelada de ganado ovino y caprino, salvo cordero, de los cuadros de tarifas 106.10 y 106.20 de Vuestro Gobierno respectivamente para el año 1971 y con los acuerdos de restricciones.

Se refiere la nota mencionada a los acuerdos que se concertarán para 1971 proponiendo lo siguiente:

1. Con base en lo anterior, y con sujeción a lo indicado en el párrafo 4, la cantidad total permitida de importaciones de tales carnes a los Estados Unidos

* Not printed.

conforme a las normas de inspección de los Estados Unidos, y tales carnes no se considerarán como parte de la cantidad que se indica en el párrafo 2.

6. El Gobierno de Costa Rica y el Gobierno de los Estados Unidos de América celebrarán consultas lo antes posible después de que uno de los gobiernos las solicite, en relación con cualquier asunto sobre la aplicación, interpretación o puesta en práctica del presente acuerdo, y sobre aumentos de la cantidad total permitida conforme al programa de restricciones y la adjudicación del déficit.

7. El convenio precedente se celebra sin perjuicio de cualesquiera acuerdos que puedan celebrarse entre el Gobierno de los Estados Unidos y el Gobierno de Costa Rica concernientes a los niveles de importación de carnes en los años subsiguientes a 1971.

Al respecto me permito manifestar a Vuestra Excelencia la conformidad de esta Cancillería con dicho acuerdo.

Aprovecho la oportunidad para renovar a Vuestra Excelencia seguridades de mi más alta y distinguida consideración,

[Signed—Signé]

GONZALO J. FACIO

Ministro de Relaciones Exteriores

Excelentísimo Señor Walter C. Ploeser
Embajador de los Estados Unidos de América
Ciudad

[TRANSLATION ¹ — TRADUCTION ²]

REPUBLIC OF COSTA RICA
MINISTRY OF FOREIGN AFFAIRS AND WORSHIP
Bureau of Foreign Affairs

San José, March 11, 1971

No. 63758-AE

Excellency:

I have the honor to refer to Your Excellency's note No. 33 of March 1, 1971, relating to the importation into your country for consumption

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

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

of fresh, chilled, or frozen cattle meat, and fresh, chilled, or frozen meat of goats and sheep, except lambs, Items 106.10 and 106.20, respectively, of the tariff schedules of your Government, for the year 1971, and to the restraint agreements.

The above-mentioned note refers to the agreements which will be concluded for 1971 and proposes the following:

[See note I]

In regard thereto, I inform Your Excellency that this Foreign Office concurs in the aforesaid agreement.

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

[Signed]

GONZALO J. FACIO
Minister of Foreign Affairs

His Excellency Walter C. Ploeser
Ambassador of the United States of America
San José
