

No. 12223

**UNITED STATES OF AMERICA
and
DOMINICAN REPUBLIC**

Exchange of notes constituting an agreement relating to the importation into the United States, for consumption, of meat, during the calendar year 1972. Santo Domingo, 15 March and 19 May 1972

Authentic texts : English and Spanish.

Registered by the United States of America on 29 December 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DOMINICAINE**

Échange de notes constituant un accord relatif à l'importation aux États-Unis, durant l'année civile 1972, de viande destinée à la consommation. Saint-Domingue, 15 mars et 19 mai 1972

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 29 décembre 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND THE
DOMINICAN REPUBLIC RELATING TO THE IMPORTATION
INTO THE UNITED STATES, FOR CONSUMPTION, OF MEAT,
DURING THE CALENDAR YEAR 1972

I

The American Ambassador to the Dominican Secretary of State for Foreign Relations

EMBASSY OF THE UNITED STATES OF AMERICA

No. 29

Santo Domingo, March 15, 1972

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 1972 and to the agreements between the United States and other countries, including the Dominican Republic, constituting the 1971 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 1972 with the governments of all of the countries that participated in the 1971 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 1972 from countries participating in the restraint program shall be 1155 million pounds and the Government of the Dominican Republic 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 the Dominican Republic shall limit exports of the aforementioned meats so that the quantity of such meats originating in the Dominican Republic and during the calendar year 1972 entered or withdrawn from warehouse for consumption in the United States does not exceed 12.5 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 Dominican Republic 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 :

¹ Came into force on 19 May 1972, the date of the note in reply, in accordance with the provisions of the said notes.

- (a) Such regulations shall not be employed to govern the timing of entry, or withdrawal from warehouse, for consumption of such meat from the Dominican Republic; and
- (b) Such regulations shall be issued only after consultation with the Government of the Dominican Republic 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 1972 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 1972 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 the Dominican Republic, such increase or estimated shortfall shall be allocated to the Dominican Republic in the proportion that 12.5 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 1972. The foregoing allocation shall not apply to any increase in the estimate of imports from countries not participating in the 1972 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 the Dominican Republic 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 the Dominican Republic shall not include the period between October 1, 1968 and December 31, 1972.

I have the honor to propose that, if the foregoing is acceptable to the Government of the Dominican Republic, 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.

FRANCIS E. MELOY, Jr.

His Excellency Victor Gómez Bergés
Secretary of State for Foreign Relations

tienen con el total de participaciones iniciales de todos los países participantes en el programa de restricciones y que se calcula no tendrán déficit en el año civil de 1972. La adjudicación anterior no se aplicará a cualesquiera aumentos en el cálculo de importaciones de países que no participen en el programa de restricciones para el año de 1972.

5. El Gobierno de los Estados Unidos de América rendirá informes, por separado, acerca de carnes rechazadas por no ser aptas para el consumo humano 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 la República Dominicana 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. En el caso en que sea necesario implantar cuotas para las importaciones de tales carnes, el período representativo que el Gobierno de los Estados Unidos de América empleará para calcular la cuota de la República Dominicana no incluirá el período entre el 1º de octubre de 1968 y el 31 de diciembre de 1972.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta consideración.

V. GÓMEZ B.

Excelentísimo Señor Francis Edward Meloy, Jr.
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Ciudad

[TRANSLATION¹ — TRADUCTION²]

The Dominican Secretary of State for Foreign Relations to the American Ambassador

DOMINICAN REPUBLIC
DEPARTMENT OF STATE FOR FOREIGN RELATIONS

Santo Domingo, D. N., May 19, 1972

Mr. Ambassador :

I have the honor to inform you that the agreement contained in note No. 29 of March 15, 1972, 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 1972, and to the agreements between the United States of America and other countries, including the Dominican Republic, constituting the 1971 restraint program concerning such shipments to the United States, has been accepted by the Dominican Government.

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

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

The agreement reads as follows :

[*See note I*]

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

V. GÓMEZ B.

His Excellency Francis Edward Meloy, Jr.
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Santo Domingo
