

No. 12200

**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 1972. Tegucigalpa, 2 March and 3 May 1972

Authentic texts: English and Spanish.

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

**ÉTATS-UNIS D'AMÉRIQUE
et
HONDURAS**

Échange de notes constituant un accord relatif à l'importation aux États-Unis, durant l'année civile 1972, de viande destinée à la consommation. Tegucigalpa, 2 mars et 3 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 HONDURAS RELATING TO THE IMPORTATION INTO THE UNITED STATES, FOR CONSUMPTION, OF MEAT, DURING THE CALENDAR YEAR 1972

I

*The American Ambassador to the Honduran Minister
of Economy and Commerce*

Tegucigalpa, Honduras, March 2, 1972

No. 39

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 Honduras, 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 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 1,155 million pounds and 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.

2. The Government of Honduras shall limit exports of the aforementioned meats so that the quantity of such meats originating in Honduras and during the calendar year 1972 entered, or withdrawn from warehouse, for consumption in the United States does not exceed 16.7 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

¹ Came into force on 3 May 1972, the date of the note in reply, in accordance with the provisions of the said notes.

(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 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 Honduras, such increase or estimated shortfall shall be allocated to Honduras in the proportion that 16.7 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 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.

7. In the event that quotas on 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 Honduras 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 Honduras, this note together with your Excellency's confirmatory reply 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.

HEWSON A. RYAN

His Excellency Lic. Rubén Mondragón
Minister of Economy and Commerce
Tegucigalpa, D.C.

II

[SPANISH TEXT — TEXTE ESPAGNOL]

SECRETARÍA DE ECONOMÍA
REPÚBLICA DE HONDURAS

Tegucigalpa, D.C., 3 de mayo de 1972

Nº SE/76

Señor Embajador:

Tengo el honor de referirme a su nota relacionada con la importación a los Estados Unidos de carne fresca, refrigerada o congelada de ganado vacuno (rubro 106.10 del Arancel de los Estados Unidos) y carne fresca, refrigerada o congelada

capacidad real de producción de carne exportable, tal como lo demuestran las cifras mencionadas anteriormente.

Asimismo, nuestro Gobierno cree conveniente informar al Gobierno de los Estados Unidos, que considera que el sistema de asignación de déficit, y el período histórico de exportación escogido para aplicar eventualmente el sistema de cuotas, afectan negativamente la posición ya desfavorable de nuestro país, en cuanto al monto de la cuota básica; pues no toman en cuenta las exportaciones recientes efectuadas durante 1971.

De usted con toda consideración y respeto.

[Signed—Signé]

EFRAÍN RECONCO MURILLO
Ministro de Economía por la Ley

Excelentísimo Señor Hewson A. Ryan
Embajador de los Estados Unidos
Su Despacho

[TRANSLATION¹—TRADUCTION²]

DEPARTMENT OF ECONOMY
REPUBLIC OF HONDURAS

Tegucigalpa, D.C., May 3, 1972

No. SE/76

Mr. Ambassador:

I have the honor to refer to your note relating to the importation into the United States 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, the Spanish text of which is as follows:

[See note I]

In reply to the note in reference I am happy to inform you that the proposal of the Government of the United States of America is acceptable to the Government of Honduras, but the aforesaid agreement in no way signifies that Honduras accepts the quota contained therein as a basic quota of participation in the United States market of cattle meat.

We have repeatedly stated that the quota is insufficient and that our country has not received an adequate arrangement inasmuch as its real productive capacity of exportable meat has at no time been considered; this is fully demonstrated by an increase from 14 million pounds in 1968 to 30.7 million pounds in 1971. It is estimated that total meat exports from Honduras this year will be 40 million pounds and that the assigned quota does not cover even 50 percent of the country's export capacity.

The increase in the export of meat this year is due to greater investments by the majority of the meat packers who have expanded their facilities with modern refrigeration equipment, electric cutting tools, scales, etc. Further, a new meat packing plant is being completed in the southern part of the Republic which has already been assigned a quota for this year.

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

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

We consider that, in assigning a meat quota to Honduras this year, the United States has not taken into account Honduras' real capacity to produce exportable meat as shown by the figures cited above.

At the same time our Government thinks it proper to inform the United States Government that it considers the system of allocating shortfalls and the export period chosen for possibly applying the quota system have a negative effect on the already unfavorable position of our country with respect to the amount of the basic quota since they do not take into account the exports made during 1971.

I remain, with all consideration and respect,

[Signed]

EFRAÍN RECONCO MURILLO
Minister of Economy

His Excellency Hewson A. Ryan
Ambassador of the United States
Tegucigalpa
