

No. 12236

**UNITED STATES OF AMERICA
and
COSTA RICA**

Exchange of notes constituting an agreement relating to the importation into the United States of America, for consumption, of meat, during the calendar year 1972. San José, 28 March and 12 June 1972

Authentic texts: English and Spanish.

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

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

Échange de notes constituant un accord relatif à l'importation aux États-Unis d'Amérique, durant l'année civile 1972, de viande destinée à la consommation. San José, 28 mars et 12 juin 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 COSTA RICA RELATING TO THE IMPORTATION INTO THE UNITED STATES OF AMERICA, FOR CONSUMPTION, OF MEAT, DURING THE CALENDAR YEAR 1972

I

The American Ambassador to the Costa Rican Minister of Foreign Relations

San José, March 28, 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 of America for consumption of fresh, chilled, or frozen cattle meat (item 106.10 of the tariff schedules of the United States of America) and fresh, chilled, or frozen meat of goats and sheep, except lambs (item 106.20 of the tariff schedules of the United States of America) during the calendar year 1972 and to the agreements between the United States of America and other countries, including Costa Rica, constituting the 1971 restraint program concerning shipments of such meats to the United States of America.

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 of America during the calendar year 1972 from countries participating in the restraint program shall be 1,155 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 of America.

2. The Government of Costa Rica, having already obtained the agreement of the organizations charged with authorizing the exports of meat, shall limit exports of the aforementioned meats so that the quantity of such meats originating in Costa Rica and during the calendar year 1972 entered or withdrawn from warehouse for consumption in the United States of America does not exceed 39.8 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 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 meat 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

¹ Came into force on 12 June 1972, the date of the note in reply, in accordance with the provisions of the said notes.

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 of America 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 Costa Rica, such increase or estimated shortfall shall be allocated to Costa Rica in the proportion that 39.8 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 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 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 1972.

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 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

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 política exterior

San José, 12 de junio de 1972

N° 67496-PE

Honorable Señor:

Tengo el honor de referirme a la nota N° 39 de 28 de marzo del presente año, que nos enviara el Señor Walter C. Ploeser como Embajador de los Estados Unidos en nuestro país, mediante la cual se refiere a las conversaciones entre representantes de nuestros dos gobiernos en relación con las importaciones a los Estados

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 concerniente a los niveles de importación de carnes en los años subsiguientes a 1972.

El Gobierno de Costa Rica manifiesta su conformidad con el Acuerdo propuesto en la nota mencionada, aceptando que ambas notas constituyan un Acuerdo formal entre los dos Gobiernos, que entrará en vigor en esta misma fecha.

Aprovecho la oportunidad para renovar a Vuestra Señoría las seguridades de mi más distinguida consideración,

[Signed — Signé]

GONZALO J. FACIO
Ministro de Relaciones Exteriores

Honorable Señor Ellwood M. Rabenold
Encargado de Negocios a.i. de los Estados Unidos de América
Ciudad

[TRANSLATION¹ — TRADUCTION²]

REPUBLIC OF COSTA RICA
MINISTRY OF FOREIGN RELATIONS AND WORSHIP
Foreign Policy Bureau

San José, June 12, 1972

No. 67496-PE

Sir:

I have the honor to refer to note No. 39 of March 28, 1972, sent by Mr. Walter G. Ploeser, Ambassador of the United States to our country, referring to the discussions between representatives of our two Governments relating to the importation into the United States for consumption, during the calendar year 1972, of fresh, chilled, or frozen cattle meat (item 106.10 of the United States tariff schedules), and fresh, chilled, or frozen meat of goats and sheep, except lambs (item 106.20 of the United States tariff schedules), and to the agreements between the United States and other countries, including Costa Rica, which constitute the 1971 restraint program concerning shipments of such meats to the United States, and proposing to the Government of Costa Rica, on the basis that agreements such as the preceding will be concluded for the calendar year 1972 with the governments which participated in the 1971 restraint program, the following agreement:

[See note I]

The Government of Costa Rica states that it concurs with the agreement proposed in the aforementioned note, and agrees that the two notes shall constitute a formal agreement between the two Governments, which will enter into force on this date.

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

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

I avail myself of the opportunity to renew to you the assurances of my most distinguished consideration.

[Signed]

GONZALO J. FACIO
Minister of Foreign Relations

Mr. Ellwood M. Rabenold
Chargé d'Affaires ad interim of the United States of America
San José
