

**No. 12818**

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**UNITED STATES OF AMERICA  
and  
REPUBLIC OF KOREA**

**Exchange of notes constituting an agreement relating to  
shellfish sanitation (with related notes). Washington,  
24 November 1972**

*Authentic text: English.*

*Registered by the United States of America on 21 November 1973.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
RÉPUBLIQUE DE CORÉE**

**Échange de notes constituant un accord relatif à la régle-  
mentation sanitaire applicable aux coquillages (avec  
notes connexes). Washington, 24 novembre 1972**

*Texte authentique : anglais.*

*Enregistré par les États-Unis d'Amérique le 21 novembre 1973.*

# EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA RELATING TO SHELLFISH SANI- TATION

## I

EMBASSY OF THE REPUBLIC OF KOREA  
WASHINGTON, D.C.

November 24, 1972

KAM 72/227

Excellency:

I have the honor to refer to the recent conversations between the representatives of the Government of the Republic of Korea and the Government of the United States of America concerning the improvement and standardization of shellfish sanitation practices and exchanges of information on sanitary controls applied to the production and handling of fresh or frozen oysters, clams and mussels intended for shipment between the Republic of Korea and the United States of America.

As a result of these conversations the following understandings were reached:

1. Uniform sanitation principles in the national shellfish sanitation program adopted by the United States Public Health Service will be applied to the production and handling of all fresh or frozen oysters, clams and mussels intended for shipment between the Republic of Korea and the United States of America.
2. The standards, criteria, and guidelines promulgated by the national shellfish sanitation program as amended from time to time will be embodied in the relevant sanitary regulations of the Republic of Korea.
3. The Office of Fisheries, Ministry of Agriculture and Forestry, Republic of Korea and the United States Public Health Service will exchange information on the state of compliance with these principles by the competent authorities in their respective countries and will maintain close contacts on matters concerning sanitary conditions of such shellfish.
4. Either Government will cooperate with the other in the observations of shellfish production areas or handling facilities whenever requested by the other Government.
5. The Office of Fisheries of the Republic of Korea and the United States Public Health Service may enter into detailed arrangements for the implementation of this Agreement on request of either Government.
6. Either Government may terminate this Agreement by giving to the other six months' advance notice in writing. Shipments may be prohibited from importation for cogent public health reasons.

<sup>1</sup> Came into force on 24 November 1972, the date of the note in reply, in accordance with the provisions of the said notes.

I have the honor to propose that if these understandings meet with the approval of the Government of the United States the present note and Your Excellency's note in reply concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

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

[Signed]

DONG-JO KIM  
Ambassador

The Honorable U. Alexis Johnson  
Acting Secretary of State  
Department of State  
Washington, D.C.

## II

DEPARTMENT OF STATE  
WASHINGTON

November 24, 1972

Excellency:

I have the honor to acknowledge receipt of Your Excellency's note of today's date reading as follows:

[See note I]

I have the honor to inform Your Excellency that the foregoing proposals are acceptable to the Government of the United States of America and to confirm that Your Excellency's note and this reply thereto shall constitute an agreement between our two countries in this matter which shall enter into force on the date of this reply.

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

For the Acting Secretary of State:

DONALD L. MCKERNAN

His Excellency Kim Dong Jo  
Ambassador of the Republic of Korea

## RELATED NOTES

## I a

DEPARTMENT OF STATE  
WASHINGTON

November 24, 1972

Excellency:

I have the honor to refer to the notes exchanged today regarding shellfish sanitation and to confirm the understanding that, for the time being and pending resolution of certain technical problems not related to public health, no fresh or live oysters in any form will be shipped from the Republic of Korea to the United States. This understanding will not affect oysters in frozen form. It is further understood that joint research and other activities necessary to resolve these technical problems will be undertaken and completed as soon as possible and that resolution of these problems will be confirmed by a further exchange of notes.

I have the honor to confirm also the understanding that no shipments of shellfish from the Republic of Korea to the United States under the provisions of the notes exchanged today will be made prior to the entry into force of the Agreement between the two Governments concerning cooperation in fisheries, also signed today.<sup>1</sup>

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

For the Acting Secretary of State:

DONALD L. MCKERNAN

His Excellency Kim Dong Jo  
Ambassador of the Republic of Korea

## II a

EMBASSY OF THE REPUBLIC OF KOREA  
WASHINGTON, D.C.

November 24, 1972

KAM 72/229

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's letter of this date reading as follows:

[See note I a]

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<sup>1</sup> See p. 103 of this volume.

I have the honor to inform you that the foregoing understandings are in conformity with those of the Government of the Republic of Korea.

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

[Signed]

DONG-JO KIM  
Ambassador

The Honorable U. Alexis Johnson  
Acting Secretary of State  
Department of State  
Washington, D.C.

I b

EMBASSY OF THE REPUBLIC OF KOREA  
WASHINGTON, D.C.

November 24, 1972

KAM 72/228

Excellency:

I have the honor to refer to the notes exchanged today regarding shellfish sanitation, and to inform you that the Government of the Republic of Korea will bear, subject to the availability of annual budgetary appropriations, the cost of observations by an expert or experts of the United States Government provided for in paragraph 4 of my note.

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

[Signed]

DONG-JO KIM  
Ambassador

The Honorable U. Alexis Johnson  
Acting Secretary of State  
Department of State  
Washington, D.C.

## II b

DEPARTMENT OF STATE  
WASHINGTON

November 24, 1972

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date relating to shellfish sanitation. The Government of the United States notes that the Government of the Republic of Korea will bear, subject to the availability of annual budgetary appropriations, the cost of observations by an expert or experts of the United States Government provided for in paragraph 4 of Your Excellency's note of today.

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

For the Acting Secretary of State:

DONALD L. MCKERNAN

His Excellency Kim Dong Jo  
Ambassador of the Republic of Korea

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