

No. 14638

**UNITED STATES OF AMERICA
and
GUATEMALA**

**Exchange of notes constituting an agreement relating to the
importation of meats. Guatemala City, 18 and 25 April
1975**

Authentic texts: English and Spanish.

Registered by the United States of America on 11 March 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
GUATEMALA**

**Échange de notes constituant un accord relatif à l'importa-
tion de viandes. Guatemala, 18 et 25 avril 1975**

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 11 mars 1976.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND GUATEMALA RELATING TO THE IMPORTATION OF MEATS

I

*The American Ambassador to the Guatemalan Minister
of Foreign Relations*

EMBASSY OF THE UNITED STATES OF AMERICA

Guatemala, April 18, 1975

No. 069

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 1975 and to the agreements between the United States and other countries constituting the 1971 and 1972 restraint programs concerning shipments of such meats to the United States. With the understanding that similar agreements also will be concluded for the calendar year 1975 with the Governments of other countries that participated in the 1971 and 1972 restraint programs, 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 1975 from countries participating in the restraint program shall be 1,161.9 million pounds, and the Government of the Republic of Guatemala 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 Republic of Guatemala shall limit the quantity of such meats exported from Guatemala to the United States for entry or withdrawal from warehouse for consumption during the calendar year 1975 to 33.4 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 Guatemalan 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, with respect to imports which are direct shipments from Guatemala: (a) such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Guatemala; and (b) such regulations shall be issued only after consultation with the Government of the Republic of Guatemala 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 1975 will exceed the quantity specified in paragraph 2, as it may be increased pursuant to paragraph 4.

¹ Came into force on 25 April 1975, the date of the note in reply, in accordance with the provisions of the said notes.

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 1975 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 Guatemala, such increase or estimated shortfall shall be allocated to Guatemala in the proportion that 33.4 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 1975. The foregoing allocation shall not apply to any increase in the estimate of imports from countries not participating in the 1975 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 Republic of Guatemala 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 any 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 Guatemala shall not include the period between October 1, 1968, and June 30, 1972, or the calendar year 1975, except by the agreement of the Government of the Republic of Guatemala.

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

FRANCIS E. MELOY, Jr.

His Excellency Adolfo Molina Orantes
Minister of Foreign Relations
Republic of Guatemala

II

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE GUATEMALA, C.A.
MINISTERIO DE RELACIONES EXTERIORES

Guatemala, 25 de abril de 1975

10459
II-5/Am.10

Señor Embajador:

Tengo a honra referirme a la atenta nota de Vuestra Excelencia, número 069, de fecha 18 de abril en curso, que copiada literalmente dice:

solicite, en relación con cualquier asunto sobre la aplicación, interpretación o puesta en práctica del presente acuerdo, y sobre cualquier aumento 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 Guatemala no incluirá el período entre el 1.º de octubre de 1968 y el 30 de junio de 1972 o el año civil de 1975, excepto por acuerdo del Gobierno de la República de Guatemala.

«Tengo el honor de proponer que si lo anterior es aceptable para el Gobierno de la República de Guatemala, la presente nota, junto con la nota de respuesta de Vuestra Excelencia confirmando lo antedicho, constituyan un acuerdo entre nuestros dos Gobiernos que entrará en vigor en la fecha de la respuesta de Vuestra Excelencia.»

En respuesta, me complace comunicar a Vuestra Excelencia que el Gobierno de Guatemala acepta en todos sus términos la propuesta contenida en la nota que contesto. Por lo tanto, dicha nota y la presente constituyen un Acuerdo formal entre nuestros dos Gobiernos sobre la materia, el cual entrará en vigor en esta misma fecha.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

[Signed — Signé]¹

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

[TRANSLATION² — TRADUCTION³]

*The Guatemalan Minister of Foreign Relations
to the American Ambassador*

REPUBLIC OF GUATEMALA
MINISTRY OF FOREIGN RELATIONS

Guatemala, April 25, 1975

10459

II-5/Am.10

Mr. Ambassador:

I have the honor to refer to Your Excellency's note No. 069 of April 18, 1975, which reads as follows:

[See note I]

¹ Signed by Adolfo Molina — Signé par Adolfo Molina.

² Translation supplied by the Government of the United States of America.

³ Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

In reply, I take pleasure in informing Your Excellency that the Government of Guatemala accepts the above-mentioned proposal in the terms set forth. Therefore, the aforesaid note and this reply constitute a formal agreement between our two Governments, effective on this date.

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

ADOLFO MOLINA

His Excellency Francis E. Meloy, Jr.
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Guatemala City
