

**No. 14637**

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**UNITED STATES OF AMERICA  
and  
NICARAGUA**

**Exchange of notes constituting an agreement relating  
to the importation of meats. Managua, 16 and 23 April  
1975**

*Authentic texts: English and Spanish.*

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

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

**Échange de notes constituant un accord relatif à l'im-  
portation de viandes. Managua, 16 et 23 avril 1975**

*Textes authentiques : anglais et espagnol.*

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

## EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND NICARAGUA RELATING TO THE IMPORTATION OF MEATS

### I

#### *The American Ambassador to the Nicaraguan Minister of Foreign Relations*

EMBASSY OF THE UNITED STATES OF AMERICA

Managua, D.N., April 16, 1975

No. 13

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 Nicaragua 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 Nicaragua shall limit the quantity of such meats exported from Nicaragua to the United States for entry or withdrawal from warehouse for consumption during the Calendar Year 1975 to 47.6 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 Nicaraguan 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 Nicaragua: (a) Such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Nicaragua; and (b) Such regulations shall be issued only after consultation with the Government of Nicaragua 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.

<sup>1</sup> Came into force on 23 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 Nicaragua, such increase or estimated shortfall shall be allocated to Nicaragua in the proportion that 47.6 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 Nicaragua 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 Nicaragua 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 Nicaragua.

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

TURNER B. SHELTON

His Excellency Alejandro Montiel Argüello  
Minister of Foreign Relations  
Managua, D.N.

## II

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES  
SECRETARÍA GENERAL  
Sección Diplomática

Managua, D.N., 23 de Abril de 1975

Ms. No. 020

Señor Embajador:

Tengo el honor de dar aviso de recibo de la atenta comunicación de Vuestra Excelencia No. 13 del 16 de Abril en curso, por medio de la cual propone la celebración de un Acuerdo entre nuestros dos Gobiernos mediante un intercambio de notas acerca de la importación de la carne a los Estados Unidos de América, de conformidad con lo estipulado en la mencionada nota de Vuestra Excelencia, que traducida al español dice:

presente acuerdo, y sobre cualesquiera 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 Nicaragua no incluirá el período entre el 1 de Octubre de 1968 y el 30 de Junio de 1972 o el año civil de 1975, excepto por el acuerdo del Gobierno de Nicaragua.

«Tengo el honor de proponer que, si esta nota es aceptable al Gobierno de Nicaragua constituya, junto con la respuesta confirmatoria de Vuestra Excelencia, un acuerdo entre nuestros dos gobiernos que entrará en vigor en la fecha de vuestra respuesta.

«Ruégole aceptar, Excelencia, las reiteradas seguridades de mi más alta consideración. f) TURNER B. SHELTON.»

En respuesta me complace manifestar a Vuestra Excelencia que mi Gobierno acepta la concertación de un Acuerdo en los términos que se dejan transcritos, constituyendo la nota de Vuestra Excelencia y la contestación de esta Cancillería un acuerdo entre nuestros dos Gobiernos, que entrará en vigor a partir de esta fecha.

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

[Signed — Signé]<sup>1</sup>

Excelentísimo Señor Turner B. Shelton  
Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América  
Managua, D.N.

[TRANSLATION<sup>2</sup> — TRADUCTION<sup>3</sup>]

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

REPUBLIC OF NICARAGUA  
MINISTRY OF FOREIGN RELATIONS  
GENERAL SECRETARIAT  
Diplomatic Section

Managua, April 23, 1975

Ms. No. 020

Mr. Ambassador:

I have the honor to acknowledge receipt of Your Excellency's note No. 13 of April 16, 1975, proposing the conclusion of an agreement between our two Governments by means of an exchange of notes relating to the importation of meat into the

<sup>1</sup> Signed by A. Montiel Argüello — Signé par A. Montiel Argüello.

<sup>2</sup> Translation supplied by the Government of the United States of America.

<sup>3</sup> Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

United States of America in conformity with the contents of Your Excellency's aforesaid note, which in Spanish translation reads as follows:

[*See note I*]

In reply I take pleasure in informing Your Excellency that my Government agrees to the conclusion of an agreement in the terms set forth, and therefore Your Excellency's note and this Ministry's reply shall constitute an agreement between our two Governments which shall enter into force on this date.

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

[A. MONTIEL ARGÜELLO]

His Excellency Turner B. Shelton  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
Managua, Nicaragua

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