

No. 14653

**UNITED STATES OF AMERICA
and
PANAMA**

**Exchange of notes constituting an agreement relating to the
importation of meats. Panamá (City), 21 April and
6 June 1975**

Authentic texts: English and Spanish.

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

**ÉTATS-UNIS D'AMÉRIQUE
et
PANAMA**

**Échange de notes constituant un accord relatif à l'importa-
tion de viandes. Panamá, 21 avril et 6 juin 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 PANAMA RELATING TO THE IMPORTATION OF MEATS

I

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

Panama, April 21, 1975

No. 45

Excellency:

I have the honor to refer 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 Panama 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 Panama shall limit the quantity of such meats exported from Panama to the United States for entry or withdrawal from warehouse for consumption during the calendar year 1975 to 2.5 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 Panamanian 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 Panama: (a) such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Panama; and (b) such regulations shall be issued only after consultation with the Government of Panama 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 6 June 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 Panama, such increase or estimated shortfall shall be allocated to Panama in the proportion that 2.5 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 Panama 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 Panama 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 Panama.

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

WILLIAM J. JORDEN

His Excellency Lic. Juan Antonio Tack
Minister of Foreign Relations
Panama

II

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]*The Panamanian Minister
of Foreign Relations
to the American Ambassador*

REPÚBLICA DE PANAMÁ
MINISTERIO DE RELACIONES EXTERIORES
PANAMÁ 4, PANAMÁ

REPUBLIC OF PANAMA
MINISTRY OF FOREIGN RELATIONS
PANAMA, PANAMA

Junio 6 de 1975

June 6, 1975

1336-2
Nº DREU-140/1332
1338

1336-2
No. DREU-140/1332
1338

Señor Embajador:

Tengo el honor de referirme a la nota Nº 45 de Abril 21 de 1975 mediante la cual Vuestra Excelencia propone, en nombre del Gobierno de su país, la concertación de un acuerdo para la exportación desde Panamá a Estados Unidos de América de 2.5 millones de libras de carne de res, cabra y carnero durante el año calendario de 1975.

Esta proposición fue sometida a la consideración de los Ministerios de Desarrollo Agropecuario y de Comercio e Industrias, y el titular Encargado de aquel, señor Gustavo R. González, ha expresado en representación de los dos ministerios que esta proposición dista mucho de satisfacer la aspiración del Gobierno de Panamá de contar con una cuota de 6 millones de libras para satisfacer de manera regular el mercado norteamericano, lo cual serviría para apuntalar el desarrollo de la industria pecuaria de nuestro país, estimulada por préstamos internacionales y un esfuerzo nacional que las autoridades amigas del Gobierno de Estados Unidos conocen.

Mr. Ambassador:

I have the honor to refer to note No. 45 of April 21, 1975, in which Your Excellency proposes, in the name of your country's Government, the conclusion of an agreement for the exportation from Panama to the United States of America of 2.5 million pounds of meat of cattle, goats, and sheep during the calendar year 1975.

This proposal was submitted to the Ministries of Agricultural Development and of Commerce and Industries for their consideration, and Gustavo B. González, Acting Minister of Agricultural Development, speaking on behalf of the two Ministries, expressed the view that this proposal was far from satisfying the aspiration of the Government of Panama to a figure of 6 million pounds to supply the United States market on a regular basis, which would support the development of our country's cattle industry, stimulated by international loans and a national effort with which the authorities of the Government of the United States are familiar.

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

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

Me informó el Ministro interino González que a mediados del mes de Abril tuvo lugar una conversación entre la Viceministro de Comercio e Industrias, señora Julieta de Lorenzo, el Ministro Consejero de la Embajada de Estados Unidos de América en Panamá, señor Raymond Emmanuel González, y él, durante la cual se expuso al Ministro Consejero la inconformidad del Gobierno panameño con la proposición de la cuota de 2.5 millones de libras de carne para el año 1975; y agregó que el Ministro Consejero tomó nota de ello para hacer del conocimiento del Departamento de Agricultura de Estados Unidos el punto de vista panameño.

Por último, el Ministro Gustavo González opinó que comoquiera que si no se celebrase el acuerdo propuesto tal circunstancia podría inclusive inducir al Gobierno de Estados Unidos a reducir el nivel de la cuota mencionada, tanto el Ministerio de Desarrollo Agropecuario como el Ministerio de Comercio e Industrias decidieron aceptar, bajo protesta, los términos de la proposición.

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

[Signed — Signé]
 JUAN ANTONIO TACK
 Ministro
 de Relaciones Exteriores

Su Excelencia
 William J. Jordan
 Embajador
 de Estados Unidos de América
 Panamá, República de Panamá

Acting Minister González informed me that in mid-April a discussion took place between Mrs. Julieta de Lorenzo, Vice Minister of Commerce and Industries, Mr. Raymond E. González, Minister Counselor of the Embassy of the United States of America in Panama, and himself, during which the Minister Counselor was informed that the Panamanian Government did not agree to the proposed quota of 2.5 million pounds of meat for the year 1975; and he added that the Minister Counselor took note thereof in order to inform the United States Department of Agriculture of the Panamanian point of view.

Finally, Minister Gustavo González expressed the opinion, that inasmuch as failure to conclude the proposed agreement might even lead the Government of the United States to reduce the above-mentioned quota, both the Ministry of Agricultural Development and the Ministry of Commerce and Industries decided to accept, under protest, the terms of the proposal.

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

[Signed]
 JUAN ANTONIO TACK
 Minister
 of Foreign Relations

His Excellency
 William J. Jordan
 Ambassador
 of the United States of America
 Panama, Republic of Panama