

No. 14749

**UNITED STATES OF AMERICA
and
DOMINICAN REPUBLIC**

**Exchange of notes constituting an agreement relating to the
importation of meats. Santo Domingo, 16 April and
6 June 1975**

Authentic texts: English and Spanish.

Registered by the United States of America on 7 May 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DOMINICAINE**

**Échange de notes constituant un accord relatif à l'importa-
tion de viande. Saint-Domingue, 16 avril et 6 juin 1975**

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 7 mai 1976.

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

I

*The American Ambassador to the Dominican Secretary of State
for Foreign Relations*

EMBASSY OF THE UNITED STATES OF AMERICA
SANTO DOMINGO, DOMINICAN REPUBLIC

April 16, 1975

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 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 lamb (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 1161.9 million pounds, and the Government of the Dominican Republic 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 Dominican Republic shall limit the quantity of such meats exported from the Dominican Republic to the United States for entry or withdrawal from warehouse for consumption during the calendar year 1975 to fourteen 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 Dominican 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 the Dominican Republic:

- (a) such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from the Dominican Republic; and
- (b) such regulations shall be issued only after consultation with the Government of the Dominican Republic 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 the Dominican Republic, such increase or estimated shortfall shall be allocated to the Dominican Republic in the proportion that fourteen 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 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 Dominican Republic 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 the Dominican Republic 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 Dominican Republic.

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

ROBERT A. HURWITCH

His Excellency Dr. Víctor Gómez Bergés
Secretary of State for Foreign Relations
Santo Domingo

II

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DOMINICANA
SECRETARÍA DE ESTADO DE RELACIONES EXTERIORES

Santo Domingo, D.N., 6 de junio 1975

DEJ-13345

Excelencia:

Tengo el honor de referirme a Vuestra Nota No. 39 del 16 de abril pasado, mediante la cual aludía conversaciones sostenidas entre representantes de nuestros dos gobiernos tendientes a la constitución de un Acuerdo de exportación de carne fresca, refrigerada o congelada de ganado vacuno (rubro 106.10 del *Cuadro de Tarifas de los EE.UU.*) y carne fresca, refrigerada o congelada de ganado ovino y caprino, salvo corderos (rubro 106.20 del *Cuadro de Tarifas de los EE.UU.*) para consumo en los Estados Unidos durante el año civil de 1975, y a los acuerdos entre Estados Unidos y otros países que constituyen los programas de restricciones para 1971 y 1972, relacionados con los envíos de tales carnes a Vuestro país.

con esta Nota de respuesta queda constituido un Acuerdo sobre exportación de carne a los Estados Unidos de América.

Acepte Excelencia, las seguridades de mi más alta consideración.

R. EMILIO JIMÉNEZ R.

A Su Excelencia Robert A. Hurwitch
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Ciudad

[TRANSLATION¹ — TRADUCTION]²

The Dominican Secretary of State for Foreign Relations to the American Ambassador

DOMINICAN REPUBLIC
DEPARTMENT OF FOREIGN RELATIONS

Santo Domingo, June 6, 1975

DEJ-13345

Excellency:

I have the honor to refer to your note No. 39 of April 16, 1975, in which you referred to discussions between representatives of our two Governments relating to the conclusion of an agreement on the exportation 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 sheep and goats, except lamb (Item 106.20 of the *Tariff Schedules of the United States*) for consumption in 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.

The text of the agreement proposed by Your Excellency in your Government's name reads as follows:

[See note I]

In connection with the foregoing I take pleasure in replying to Your Excellency that my Government has studied the above text and accepts the proposal contained therein, which together with this reply shall constitute an agreement on the exportation of meat to the United States of America.

Accept, Excellency, the assurances of my highest consideration.

R. EMILIO JIMÉNEZ R.

His Excellency Robert A. Hurwitch
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Santo Domingo

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

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