

**No. 14971**

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**UNITED STATES OF AMERICA  
and  
COSTA RICA**

**Exchange of notes constituting an agreement relating to  
trade in meats. San José, 17 and 22 April 1975**

*Authentic texts: English and Spanish.*

*Registered by the United States of America on 19 August 1976.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
COSTA RICA**

**Échange de notes constituant un accord relatif à l'importa-  
tion de viandes. San José, 17 et 22 avril 1975**

*Textes authentiques : anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 19 août 1976.*

## EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND COSTA RICA RELATING TO TRADE IN MEATS

### I

#### *The American Ambassador to the Costa Rican Minister of Foreign Relations*

San José, April 17, 1975

No. 59

#### 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 1161.9 million pounds, and the Government of Costa Rica 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 Costa Rica shall limit the quantity of such meats exported from Costa Rica to the United States for entry or withdrawal from warehouse for consumption during the calendar year 1975 to 52.2 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 Costa Rican 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 Costa Rica

- (A) Such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Costa Rica; and
- (B) Such regulations shall be issued only after consultation with the Government of Costa Rica 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

<sup>1</sup> Came into force on 22 April 1975, the date of the note in reply, in accordance with the provisions of the said notes.

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.

(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 Costa Rica, such increase or estimated shortfall shall be allocated to Costa Rica in the proportion that 52.2 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 Costa Rica 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 Costa Rica 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 Costa Rica.

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

TERENCE A. TODMAN

His Excellency Licenciado Gonzalo J. Facio  
Minister of Foreign Relations  
San José

## II

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES Y CULTO  
REPÚBLICA DE COSTA RICA  
DIRECCIÓN GENERAL DE POLÍTICA EXTERIOR

San José, 22 de abril de 1975

No. 75.703 PE

Excelentísimo señor:

Tengo el honor de contestar la nota de Vuestra Excelencia No. 59 de abril del año en curso que dice:

mas de inspección de los Estados Unidos, y tales carnes no se considerarán como parte de la cantidad que se indica en el párrafo 2.

6. El gobierno de Costa Rica y el gobierno de los Estados Unidos de América celebrarán consultas lo antes posible después de que uno de los gobiernos las solicite, en relación con cualquier asunto sobre la aplicación, interpretación o puesta en práctica del presente acuerdo, y sobre aumentos de la cantidad total permitida conforme al programa de restricciones y la adjudicación del déficit.

7. En el caso de que fuera necesario imponer cuotas en las importaciones de las carnes señaladas, el período representativo empleado por los Estados Unidos de América para calcular la cuota para Costa Rica no incluirá el período comprendido entre el 1º de octubre de 1968 y el 30 de junio de 1972, o el año civil de 1975, excepto por acuerdo con el Gobierno de Costa Rica.

Tengo el honor de proponer que si lo anterior es aceptable para el Gobierno de Costa Rica, la presente nota, junto con la nota de respuesta de Su Excelencia confirmado lo antedicho, constituyen un acuerdo entre nuestros dos gobiernos que entrará en vigor en la fecha de la respuesta de Su Excelencia.”

Me es grato comunicar la conformidad del Gobierno de Costa Rica con la propuesta arriba transcrita. En consecuencia, la nota de Vuestra Excelencia y la presente constituyen un acuerdo entre nuestros dos gobiernos que entrará en vigor en esta fecha.

Aprovecho la oportunidad para reiterar al señor Embajador las seguridades de mi distinguida consideración.

[Signed — Signé]

GONZALO J. FACIO  
Ministro de Relaciones Exteriores

Excelentísimo señor Terence A. Todman  
Embajador de los Estados Unidos de América  
Ciudad

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

*The Costa Rican Minister of Foreign Relations to the American Ambassador*

REPUBLIC OF COSTA RICA  
MINISTRY OF FOREIGN RELATIONS AND WORSHIP  
FOREIGN POLICY BUREAU

San José, April 22, 1975

No. 75.703 PE

Excellency:

I have the honor to reply to Your Excellency's note No. 59 of April 1975, which reads:

[See note I]

<sup>1</sup> Translation supplied by the Government of the United States of America.

<sup>2</sup> Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

I take pleasure in informing you that the Government of Costa Rica concurs in the foregoing proposal. Consequently, Your Excellency's note and this reply shall constitute an agreement between our two Governments, effective on this date.

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

[Signed]

GONZALO J. FACIO  
Minister of Foreign Relations

His Excellency Terence A. Todman  
Ambassador of the United States of America  
San José

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