

No. 14983

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**UNITED STATES OF AMERICA**  
**and**  
**HAITI**

**Exchange of notes constituting an agreement relating to  
trade in meats. Port-au-Prince, 24 June and 10 October  
1975**

*Authentic texts: English and French.*

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

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

**Échange de notes constituant un accord relatif au commerce  
des viandes. Port-au-Prince, 24 juin et 10 octobre 1975**

*Textes authentiques : anglais et français.*

*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 HAITI RELATING TO TRADE IN MEATS

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET HAÏTI RELATIF AU COMMERCE DES VIANDES

I

*The American Ambassador to the Haitian Secretary of State  
for Foreign Affairs*

Port-au-Prince, June 24, 1975

No. 156

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 schedule of the United States) and fresh, chilled or frozen meats 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 the Republic of Haiti 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 Haiti shall limit the quantity of such meats exported from Haiti to the United States for entry or withdrawal from warehouse for consumption during the Calendar Year 1975 to 1.8 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 Haitian origin, whether by direct or indirect shipments, through issuance of regulations governing the entry, or withdrawal from warehouse, for

<sup>1</sup> Came into force on 10 October 1975, the date of the note in reply, in accordance with the provisions of the said notes.

<sup>1</sup> Entré en vigueur le 10 octobre 1975, date de la note de réponse, conformément aux dispositions desdites notes.

consumption in the United States, provided that, with respect to imports which are direct shipments from Haiti: (A) Such regulations shall not be employed to govern the timing of entry or withdrawal from warehouse for consumption of such meat from Haiti; and (B) such regulations shall be issued only after consultation with the Government of the Republic of Haiti 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.

(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 Haiti, such increase or estimated shortfall shall be allocated to Haiti in the proportion that 1.8 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 Haiti 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 Haiti 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 Haiti. I have the honor to propose that, if the foregoing is acceptable to the Government of the Republic of Haiti, 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.

[Signed]

HEYWARD ISHAM  
Ambassador

His Excellency Edner Brutus  
Secretary of State for Foreign Affairs  
Port-au-Prince

viandes ne seront pas considérées comme faisant partie de la quantité prévue au paragraphe 2.

6) Le Gouvernement de la République d'Haïti et le Gouvernement des Etats-Unis d'Amérique se réuniront en conseil immédiatement sur demande de l'un ou l'autre gouvernement concernant toute question quant à l'application, l'interprétation ou l'exécution de cet accord, et quant à une augmentation quelconque dans la quantité totale permise d'après le programme de restriction et l'allocation de déficit.

7) Au cas où les quotas sur l'importation de telles viandes deviendraient nécessaires, la période choisie par le Gouvernement des Etats-Unis d'Amérique pour le calcul du quota pour Haïti n'inclura pas la période entre le 1<sup>er</sup> octobre 1968 et le 30 juin 1972, ou l'année 1975, sauf accord préalable du Gouvernement de la République d'Haïti.

Si ce qui précède est agréable au Gouvernement de la République d'Haïti, j'ai l'honneur de proposer que ce mémorandum avec la réponse confirmative de votre Excellence constituent un accord entre nos deux gouvernements, accord qui entrera en vigueur à partir de la date de votre réponse.

Veuillez agréer, Excellence, l'assurance renouvelée de ma très haute considération.

J'ai l'honneur de vous informer que le Gouvernement Haïtien est d'accord sur les dispositions de cet accord et que, par conséquent, la note de l'Ambassade des Etats-Unis d'Amérique et la réponse de la Chancellerie haïtienne à cette note constituent bien un accord par échange de notes entre nos deux gouvernements sur ce sujet.

Je saisis cette occasion pour vous renouveler, Monsieur l'Ambassadeur, les assurances de ma haute considération.

[Signé]

EDNER BRUTUS  
Secrétaire d'Etat

Son Excellence Monsieur Heyward Isham  
Ambassadeur des Etats-Unis d'Amérique  
Port-au-Prince

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

*The Haitian Secretary of State for Foreign Affairs to the American Ambassador*

REPUBLIC OF HAITI  
DEPARTMENT OF FOREIGN AFFAIRS

Port-au-Prince, October 10, 1975

No. EC/D-2/470:698

Mr. Ambassador:

I have the honor to reply to your note No. 156 of June 24, 1975 submitting for the consideration of the Haitian Government the text of an agreement on the trade of

<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.

meat between the United States of America and Haiti and to refer to discussions between representatives of our two Governments relating to the importation into the United States for consumption of fresh, or frozen cattle meat (Item 106.10 of the tariff schedule of the United States) and fresh, or frozen meats of goats and sheep, except lambs (Item 106.20 of the tariff schedule of the United States) during the Year 1975. We refer also 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 Year 1975 with the governments of other countries that participated in the 1971 and 1972 restraint programs; I have the honor to inform you that the Haitian Government raises no objection to the principle of a similar agreement for 1975. The competent Haitian authorities have carefully examined the text proposed for that purpose by the Embassy of the United States of America which reads as follows:

[See note I]

I have the honor to inform you that the Haitian Government agrees to the provisions of this Agreement and that consequently the note of the Embassy of the United States of America and the reply of the Haitian Foreign Ministry to that note constitute an agreement by exchange of notes between our two Governments on this matter.

I avail myself of this occasion to renew to you, Mr. Ambassador, the assurances of my high consideration.

[Signed]

EDNER BRUTUS  
Secretary of State

His Excellency Heyward Isham  
Ambassador of the United States of America  
Port-au-Prince

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