

No. 15910

**UNITED STATES OF AMERICA
and
DOMINICAN REPUBLIC**

**Exchange of notes constituting an agreement relating to the
importation of meat. Santo Domingo, 29 April and
30 June 1976**

Authentic texts: English and Spanish.

Registered by the United States of America on 2 September 1977.

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

**Échange de notes constituant un accord relatif à l'importa-
tion de viande. Saint-Domingue, 29 avril et 30 juin
1976**

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 2 septembre 1977.

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

I

The American Chargé d'Affaires ad interim to the Dominican Secretary of State for Foreign Relations

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

April 29, 1976

No. 26

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 1976 and to the agreements between the United States and other countries, constituting the 1975 restraint program concerning shipments of such meats to the United States. With the understanding that similar agreements also will be concluded for the Calendar Year 1976 with governments of other countries that participated in the 1975 restraint program and which continue to export substantial quantities of meat to the United States, 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 1976 from countries participating in the restraint program shall be 1155.0 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 as direct shipments on a through bill of lading to the United States in such a manner that the quantity entered, or withdrawn from warehouse, for consumption during the Calendar Year 1976 does not exceed 14.4 million pounds, or such higher figures as may result from adjustments pursuant to paragraph 4.

3. The Government of the United States of America may limit to 14.4 million pounds the quantity of imports of such meats of Dominican Republic 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:

¹ Came into force on 30 June 1976, the date of the note in reply, in accordance with the provisions of the said notes.

- (A) such regulations shall not be employed to govern the timing within Calendar Year 1976 of entry or withdrawal from warehouse for consumption of such meat from the Dominican Republic;
- (B) such regulations shall be issued after consultation with the Government of the Dominican Republic pursuant to paragraph 5 and only in circumstances where it is evident that the quantity of such meat likely to be presented for entry or withdrawal from warehouse for consumption in the Calendar Year 1976 will exceed the quantity specified in paragraph 2. It is understood that U.S. Customs statistics or entries, or withdrawals from warehouse, for consumption will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 2.

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 1976 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 14.4 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 1976. The foregoing allocation procedure shall not apply to any increase in the estimate of imports from countries not participating in the 1976 restraint program.

5. 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 of imports from the Dominican Republic permissible under the restraint program including allocation of any shortfall.

6. 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 Years 1975 and 1976, except by the agreement of the Government of the Dominican Republic.

7. (A) To enable both governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of the Dominican Republic as soon as possible after the end of each week customs statistical information concerning imports of such meats from all supplying countries.

(B) As soon as possible after the end of each month, the Government of the Dominican Republic shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1976, ship by ship and port by port, based on actual loadings in 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.

PHILIP AXELROD
Chargé d'Affaires, a.i.

His Excellency Commodore Ramón Emilio Jiménez hijo
Secretary of State for Foreign Relations
Santo Domingo

[TRANSLATION¹ — TRADUCTION²]

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

DOMINICAN REPUBLIC
DEPARTMENT OF STATE FOR FOREIGN RELATIONS

Santo Domingo, Dominican Republic, June 30, 1976

DEJ 14539

Excellency:

I have the honor to refer to Your Excellency's note No. 26 of April 29, 1976, concerning the 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 1976 and to the agreements between the United States and other countries, constituting the 1975 restraint program concerning shipments of such meats to the United States, and proposing the following agreement between our two Governments:

[See note I]

I have the honor to inform Your Excellency that my Government has accepted the proposal of the Government of the United States and that therefore this note of reply together with your note, in the terms stated therein, shall constitute an agreement between our two Governments which shall enter into force on the date of this note.

Accept, Excellency, the renewed assurances of my highest consideration.

R. EMILIO JIMÉNEZ HIJO

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.