

No. 22081

**NEW ZEALAND
and
UNITED STATES OF AMERICA**

**Exchange of notes constituting an agreement concerning the
importation of meat into the United States. Washing-
ton, 28 and 29 September 1982**

Authentic text: English.

Registered by New Zealand on 26 July 1983.

**NOUVELLE-ZÉLANDE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Échange de notes constituant un accord relatif à l'impor-
tation de viandes aux États-Unis. Washington, 28 et
29 septembre 1982**

Texte authentique : anglais.

Enregistré par la Nouvelle-Zélande le 26 juillet 1983.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN NEW ZEALAND AND THE UNITED STATES OF AMERICA CONCERNING THE IMPORTATION OF MEAT INTO THE UNITED STATES

I

DEPUTY UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D.C.

September 28, 1982

Excellency:

I have the honor to refer to discussions among representatives of our two governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during calendar year 1982. In the context of those discussions, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean: (a) fresh, chilled, or frozen cattle meat (item 106.10 of the Tariff Schedules of the United States); (b) fresh, chilled, or frozen meats of goats and sheep, except lambs (items 106.22 and 106.25 of the Tariff Schedules of the United States); (c) prepared beef and veal items (except sausage), whether fresh, chilled, or frozen, but not otherwise preserved (items 107.55 and 107.62 of the Tariff Schedules of the United States); and (d) meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. The Government of New Zealand shall limit the quantity of such meats exported from New Zealand to the United States of America as direct shipments or shipments on a through bill of lading in such a manner that the quantity of such meats entered, or withdrawn from warehouse for consumption, into the United States Customs Territory during the calendar year 1982 does not exceed 340 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 4.

3. The Government of the United States of America may issue regulations limiting to 340 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 4, the quantity of such meats from New Zealand which, during calendar year 1982, may be entered, or withdrawn from warehouse for consumption, whether such meats were shipped directly or indirectly. It is understood that United States Customs statistics of 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 those meats shall not be regarded as part of the quantity described in paragraph 2, as it may be increased pursuant to paragraph 4. It is also understood that the Government of the United

¹ Came into force on 29 September 1982, the date of the note in reply, in accordance with the provisions of the said notes.

States of America will consult with the Government of New Zealand should regulations other than those directing the United States Customs Service to alter its entry procedures and to prohibit entry to transhipped meat be required.

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 1982 from New Zealand or may reallocate any shortfalls in imports from other supplying countries. Imports of such meats during the calendar year 1982 from countries which have not entered into, and are not expected to enter into agreements with the Government of the United States of America, are projected to total 155.8 million pounds. If it is subsequently estimated by the Government of the United States of America that there will be a shortfall in collective imports from these supplying countries, the Government of the United States of America shall promptly reallocate such shortfall to countries which have entered into agreements with the Government of the United States of America. After consultations with the government of the country involved, the Government of the United States of America may declare a shortfall for any of the countries which have entered into agreements. In the event a shortfall is declared, the Government of the United States of America shall promptly consult with governments of countries party to an agreement to determine an appropriate reallocation among those countries party to an agreement but not expected to have a shortfall. Any available shortfall shall be promptly reallocated.

5. The Government of New Zealand 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 New Zealand permissible under this Agreement including reallocation of any shortfall.

6. (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 New Zealand 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 New Zealand shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1982, ship-by-ship and port-by-port, based on actual loadings in New Zealand.

I have the honor to propose that, if the foregoing is acceptable to the Government of New Zealand, this note and 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 assurance of my highest consideration.

[Signed]

DAVID R. MACDONALD
Acting United States Trade Representative

His Excellency the Right Honorable L. R. Adams-Schneider
Ambassador of New Zealand
Washington, D.C.

II

29 September 1982

Sir,

I have the honour to refer to your note of 28 September 1982 which reads as follows:

[See note I]

I have the honour to confirm that the foregoing is acceptable to the Government of New Zealand and that your note and this confirmatory reply shall constitute an agreement between our two Governments which shall enter into force on the date of this reply.

Accept, Sir, etc.

[Signed]

Rt. Hon. L. R. ADAMS-SCHNEIDER
Ambassador

The Honourable William E. Brock
United States Trade Representative
