

**No. 18574**

---

**UNITED STATES OF AMERICA  
and  
HAITI**

**Exchange of notes constituting an agreement relating to meat  
imports. Washington, 14 and 23 December 1976**

*Authentic texts: English and French.*

*Registered by the United States of America on 18 April 1980.*

---

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

**Échange de notes constituant un accord relatif à l'impor-  
tation de viande. Washington, 14 et 23 décembre 1976**

*Textes authentiques : anglais et français.*

*Enregistré par les États-Unis d'Amérique le 18 avril 1980.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND HAITI RELATING TO MEAT IMPORTS

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LES ÉTATS-UNIS ET HAÏTI RELATIF À L'IMPORTATION DE VIANDE

I

December 14, 1976

Excellency:

I have the honor to refer to discussions among representatives of our two Governments and other Governments relating to the importation into United States for consumption of meats described below in paragraph 1 during the calendar year 1977. With the understanding that similar agreements also will be concluded for the calendar year 1977 with Governments of other countries which export substantial quantities of meat to the United States, 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 fresh, chilled or frozen cattle meat (item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (item 106.20 of the Tariff Schedules of the United States), and 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. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1977 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1977 from countries party to the 1977 restraint program shall be 1196.9 million pounds, and the Government 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 pursuant to the 1977 restraint program.

3. The Government of Haiti shall limit the quantity of such meats exported from Haiti as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1977 does not exceed 2.0 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 2.0 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Haiti which, during calendar year 1977, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1977 of entry, or withdrawal from warehouse, for consumption of such meats from Haiti,

<sup>1</sup> Came into force on 23 December 1976, the date of the note in reply, with effect from 1 January 1977, in accordance with the provisions of the said notes.

<sup>1</sup> Entré en vigueur le 23 décembre 1976, date de la note de réponse, avec effet au 1<sup>er</sup> janvier 1977, conformément aux dispositions desdites notes.

unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 6. It is understood that U.S. Customs statistics of entries, or withdrawal 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 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1977 restraint program do not disrupt the 1977 restraint program.

6. 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 1977 from countries participating in the restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the restraint program. If no shortfall is estimated for Haiti, such increase or estimated shortfall as may be available shall be allocated to Haiti in the proportion that 2.0 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 1977. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government 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 of imports from Haiti permissible under the restraint program including allocation of any shortfall.

8. 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 years 1975, 1976 and 1977 except by the agreement of the Government of Haiti.

9. (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 Haiti 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 Haiti shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1977, ship by ship and port by port, based on actual loadings in Haiti.

I have the honor to propose that, if the foregoing is acceptable to the Government of Haiti, 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 assurances of my highest consideration.

For the Secretary of State:  
JULIUS L. KATZ

His Excellency Georges Salomon  
Ambassador of Haiti

## [TRADUCTION — TRANSLATION]

Excellence,

[Voir note II]

Veillez agréer, etc.

Pour le Secrétaire d'Etat :  
JULIUS L. KATZ

Son Excellence Monsieur Georges Salomon  
Ambassadeur d'Haïti

## II

AMBASSADE D'HAÏTI  
WASHINGTON

Washington, le 23 décembre 1976

AW/43-865

Monsieur le Secrétaire d'Etat,

J'ai l'honneur d'accuser réception à Votre Excellence de la note du 14 décembre 1976 dont le texte traduit en français se lit comme suit :

«Excellence, J'ai l'honneur de me référer aux entretiens qui ont eu lieu entre les représentants de nos deux gouvernements et d'autres gouvernements relativement à l'importation aux Etats-Unis, aux fins de consommation, des viandes décrites au paragraphe 1 ci-dessous pendant l'année civile 1977. Etant entendu que des accords semblables seront également conclus pour l'année civile 1977 avec les gouvernements d'autres pays qui exportent d'importantes quantités de viande aux Etats-Unis, j'ai l'honneur de proposer que l'accord suivant soit conclu entre nos deux gouvernements :

«1. Pour les besoins du présent Accord, l'expression «telles viandes» signifiera la viande de bœuf fraîche réfrigérée ou congelée (rubrique 106.10 du Tarif douanier des Etats-Unis), la viande de chèvre et de mouton fraîche réfrigérée ou congelée, à l'exception de la viande d'agneau (rubrique 106.20 du Tarif douanier des Etats-Unis), et les viandes qui, sauf pour la préparation reçue dans les zones franches, les territoires ou les possessions des Etats-Unis, avant l'entrée aux Etats-Unis ou le dédouanement, aux fins de consommation dans les territoires qui relèvent de la douane des Etats-Unis, tomberaient sous les descriptions ci-dessus (et rubrique du Tarif douanier des Etats-Unis), lors de ladite entrée ou dudit dédouanement, aux fins de consommation.

«2. Cet Accord, ainsi que les accords semblables avec d'autres pays qui exportent aux Etats-Unis des quantités importantes de telles viandes, constituera le programme de limitation pour l'année 1977. Conformément aux dispositions du paragraphe 6, la quantité totale des importations permises de telles viandes aux Etats-Unis, aux fins de consommation, pendant l'année civile 1977, en provenance de pays parties au programme de limitation de 1977 sera de 1 196,9 millions de livres, et le Gouvernement d'Haïti et le Gouvernement des Etats-Unis d'Amérique assumeront respectivement les responsabilités énoncées ci-dessous, afin de régler les exportations vers les Etats-Unis et les importations aux Etats-Unis au titre du programme de limitation de 1977.

between the Government of the United States of America and the Government of the Republic of Haiti, to enter into force on today's date.

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurance of my very high consideration.

*[Signed]*

GEORGES SALOMON  
Ambassador

His Excellency Henry A. Kissinger  
Secretary of State of the United States of America  
Department of State  
Washington, D.C.

---