BELGIUM.
Mr. Wharton to Mr. Terrell.

No. 134.]  

DEPARTMENT OF STATE,  
Washington, May 11, 1891.

Sir: I inclose herewith for your information a copy of a letter from the Secretary of Agriculture concerning the requirement of the Belgian Government that carcasses of dressed beef imported into Belgium from the United States of America shall be accompanied by the lungs of the animals attached to said carcasses.

As this requirement is, in the opinion of the Department of Agriculture, a virtual prohibition of the importation of dressed beef into Belgium from this country, you are instructed to make appropriate representation to the Belgian Government on the subject and to report the result to this Department.

I am, etc.,

WILLIAM F. WHARTON,
Acting Secretary.

[Inclosure in No. 134.]

Mr. Rusk to Mr. Blaine.

DEPARTMENT OF AGRICULTURE,  
Washington, April 25, 1891. (Received May 7.)

Sir: I have the honor to inform you that I am advised that the Government of Belgium requires that carcasses of dressed beef imported into that country from the United States shall be accompanied by the lungs of the animals, attached to said carcasses.

This requirement is a virtual prohibition of the importation into Belgium of dressed beef from this country. The object which Belgium had in requiring the lungs to accompany the animal was no doubt a sanitary measure, to enable the officers of that Government to determine, upon the arrival of the carcass, whether the animal had been affected with any disease of the lung.

The enactment by the Congress of the United States of the act of March 3, 1891, which provides for the inspection of all animals slaughtered for export to foreign countries and requires both an ante-mortem and a post-mortem examination, the carcasses of the animals to be accompanied by a certificate of healthfulness by inspectors of the United States and said carcasses to be properly labeled for purposes of identification, should be sufficient grounds for an application to the Government of Belgium to remove this restriction.

I have to advise you that the work of inspection of meat products has been commenced by this Department under the regulations prescribed of date March 25, 1891, and that the carcasses of all dressed beef now being exported to foreign countries from the United States will be accompanied by a certificate of healthfulness and be properly tagged for purposes of identification.

In view of this, I have to request that the attention of our minister at Brussels be called to the matter, and that he be directed to present these facts to the Government of Belgium with a view of securing the removal of the restriction referred to above.

I have, etc.,

J. M. RUSK,
Secretary.

H. Ex. 1, pt. 1—3
FOREIGN RELATIONS.

Mr. Terrell to Mr. Blaine.

No. 225.] LEGATION OF THE UNITED STATES, Brussels, September 10, 1891. (Received September 22.)

SIR: Referring to your despatch No. 134, of May 11 last, I have the honor to state that, in accordance with the instructions therein contained, I addressed a communication on the 23d of May to his excellency the Prince de Chimay, minister of foreign affairs, calling his attention to the requirement enforced in Belgium that carcasses of dressed beef imported into Belgium shall be accompanied by the lungs of the animals thereto attached, respectively, and especially directing the prince’s consideration to the prohibitory character of this regulation.

I beg to inclose herewith a copy of my communication.

On the 5th of August I received a reply from the Prince de Chimay, informing me that it was not within the power of the King’s Government to modify the regulation in question, it being enforced in accordance with the law of June 18, 1887.

As indicating, however, a desire on the part of the Government to concede something to the United States, the prince further informed me that the duration of the quarantine on American live stock, a reduction of which from forty-five days to five days I had obtained last fall, had been further reduced to three days. I inclose a copy of the Prince de Chimay’s communication, together with a translation.

On the 7th of August I again addressed the prince on the subject, expressing my regret that the King’s Government, in view of our efficient inspection of all dressed beef exported from the United States, had not decided to recommend to the legislature an amendment to the law, permitting an exception to be made in favor of the products of any country whose sanitary inspection laws as to dressed beef intended for exportation should be found satisfactory to the minister of agriculture, industry, and public works.

I also begged his excellency to send me a copy of the law of June 18, 1887, referred to in his communication. I have the honor to inclose herewith a copy of my said note.

August 12 I received a note from the prince, inclosing a copy of the decree reducing the quarantine on live stock imported by sea from five to three days. I beg to inclose herewith a copy of the decree, with a translation into English.

September 2 I received a further communication from the prince, a copy of which I inclose herewith accompanied by a translation. In sending me the copy of the law which I had requested, the prince informs me of an opinion which the minister of agriculture, industry, and public works has given to the minister of finance, to the effect that it is necessary to regard as prepared meats pork meats imported from America after subjection to brine and borax treatment; and that therefore they are not to be assimilated to the fresh meats whose importation is subject to the provisions of the law of June 18, 1887.

I beg to inclose a copy of the law of June 18, 1887, together with a translation.

I have, etc., EDWIN H. TERRELL.
BELGIUM.

[Inclosure 1 in No. 225.]

Mr. Terrell to the Prince de Chimay.

LEGATION OF THE UNITED STATES,
Brussels, May 23, 1891.

Prince: Under special instructions which I have just received from my Government, I am requested to call the attention of your excellency's Government to a restrictive measure now being enforced in Belgium in connection with the importation of carcasses of dressed beef into the latter country, which not only operates seriously upon commerce in this article as to its importation from the United States into Belgium, but is virtually prohibitory of all importation of dressed beef from the ports of the United States to this country.

I refer to that provision enforced by the Government of Belgium requiring that carcasses of dressed beef imported shall be accompanied by the lungs of the animals attached to the said carcasses, respectively. It is presumed by my Government that the object had in view by Belgium in establishing this regulation was simply to provide a sanitary measure which would enable its officers to determine whether the animals whose carcasses were to be imported had been affected with any disease of the lungs.

As I have had the honor to inform your excellency in previous correspondence, the Congress of the United States, by the act of March 3, 1881, has provided for the most rigid inspection of all animals slaughtered with a view to foreign exportation.

By virtue of this act, ante-mortem and post-mortem examinations of the most thorough character are required, and the carcasses of the animals which are to be shipped to foreign countries are required to be accompanied by health certificates issued by the United States inspectors, and are to be properly labeled for purposes of identification.

These measures of sanitary precaution are now being carried out in the most efficient manner possible by the Department of Agriculture of the United States under the regulation prescribed March 25, 1881, a copy of which I have already had the honor to transmit to your excellency.

It is the opinion of the United States Government that the efficient means it is thus taking to secure the exportation from its ports of dressed beef carcasses of undoubted healthfulness only warrant its asking from the courtesy of your excellency's Government the removal, so far at least as the United States is concerned, of these restrictive measures, which are practically prohibitory of importations of this particular article of commerce.

Hoping that it may be possible for the Belgian Government to do away with this regulation where applied to importations from a country enforcing rigid inspection laws assuring the healthfulness of beef carcasses shipped from its ports, I profit by this occasion to renew, etc.,

EDWIN H. TERRELL.

[Inclosure 2 in No. 225.—Translation.]

The Prince de Chimay to Mr. Terrell.

MINISTRY OF FOREIGN AFFAIRS,
Brussels, August 5, 1891.

Mr. Minister: I have the honor to acknowledge the reception of the communication bearing date May 23 last, by which your excellency has wished to express to me, in the name of your Government, the desire to see modified the measure now applied in Belgium concerning the importation of fresh beef.

While highly appreciating the sanitary regulations which have been promulgated by the Government at Washington with a view of assuring the shipment from the United States of perfectly sound meat, the Government of the King is obliged to declare that it is not in its power to give favorable action to the request which has been addressed to it by your excellency.

As a matter of fact, Mr. Minister, the provisions which oblige the importers of beef meats to bring them in the condition of entire carcasses, half carcasses, or fore quarters, and with lungs adhering, have been decreed by the laws of June 18, 1887.

I will add, Mr. Minister that, desirous of giving to the Government of the United States a new proof of his good will, the minister of agriculture, industry, and public works has just reduced from five to three days the duration of the quarantine imposed on American cattle imported into Belgium.

I seize this occasion, etc.,

LE PRINCE DE CHIMAY.
FOREIGN RELATIONS.

[Inclosure 3 in No. 225.]

Mr. Terrell to the Prince de Chimay.

LEGATION OF THE UNITED STATES,

Brussels, August 7, 1891.

PRINCE: I have the honor to acknowledge the receipt of your excellency's esteemed communication of the 5th instant, on the subject of the sanitary regulations enforced in Belgium as to dressed beef carcasses imported from the United States. I deeply regret being under the necessity of reporting to my Government the conclusion reached by your excellency's Government on this subject. The regulations now enforced requiring that the carcasses of dressed beef imported from the United States into Belgium shall be accompanied by the lungs of the animals respectively, are practically prohibitory of all importation of this important article of American commerce.

I greatly regret that your excellency's Government has not deemed fit to recommend to the legislature a simple amendment of the law, providing that it should not be applicable to the products of those countries whose sanitary regulations on the subject of the exportation of dressed beef should be found satisfactory to the ministry of agriculture, industry, and public works.

Just at the time when other European powers are showing every disposition to modify restrictive measures heretofore enforced against American beef and pork products, it seems to me as greatly to be regretted that Belgium should take so inflexible a position; especially in view of the vigorous and effective efforts now being made by the United States Government to insure beyond all question the wholesome character of these products exported from its ports.

I should be deeply indebted if your excellency would kindly furnish me with a copy of the law of June 18, 1887, referred to in the communication which I have had the honor to receive, for the purpose of transmitting the same to my Government.

I desire, on the part of my Government, to express the pleasure with which I have learned, by your esteemed communication, of the further reduction of the quarantine on American cattle imported into Belgium from five days to three. I am sure this important and advantageous modification of the quarantine law will be highly appreciated by my Government.

Please receive, etc.

EDWIN H. TERRELL.

[Inclosure 4 in No. 225.—Translation.]

Decree modifying quarantine laws.

BRUSSELS, July 21, 1891.

The ministry of agriculture, industry, and public works, considering the royal decree of October 13, 1890 modifying article 49 of the law of general administration of September 25, 1883, relative to the sanitary police of domestic animals, and also considering the ministerial decree of December 15, 1890, modifying ministerial decree No. 3, of September 25, 1883, decrees:

ARTICLE 1. Animals of the bovine, ovine, and porcine species imported through the ports of Antwerp, Gand, and Ostend shall be held there in quarantine for three days.

Exception to this regulation may be made in the case of animals intended for raising.

ART. 2. The ministerial decree of December 15, 1890, is repealed.

LEON DE BRUYN.

[Inclosure 5 in No. 225.—Translation.]

The Prince de Chimay to Mr. Terrell.

MINISTRY OF FOREIGN AFFAIRS,

Brussels, September 2, 1891.

Mr. MINISTER: In order to satisfy the desire which your excellency has expressed, I hasten to forward a copy of the law of June 18, 1887, establishing an import duty on cattle and meats. This law was published in the Moniteur of July 1, 1887.

The minister of agriculture, industry, and public works, to whom I communicated the note which your excellency sent me the 7th of August last, begs me to cause you
to be informed of an opinion which he has given recently to the minister of finance, touching a question which interests American commerce.

Mr. De Bruyn considers that, in view of the results of an inquiry which two inspectors of his department have made, it is necessary to regard as prepared meats pork meats imported from America after having been subjected to brine and borax treatment; they are not then to be, according to him, assimilated to the fresh meats whose importation is subject to the regime of the law of the 18th of June, 1887.

I seize this occasion, etc.,

THE PRINCE DE CHIMAY.

[Inclosure 6 in No. 225.—Translation.]

_Law of June 18, 1887._

Leopold II, etc.
The chambers have adopted and we sanction the following:

**Article 1.** The import duties upon cattle and meats are established as follows:

- **Bovine species.**—Bulls and young bulls, 4 centimes per kilogram live weight; beehive, young beehives, calves, and calves not having milk teeth razed, 5 centimes per kilogram live weight; cows and heifers, 3 centimes per kilogram live weight.
- **Ovine species.**—Rams, sheep, and wethers, 2.50 francs per head; lambs, 1 franc per head.

**Fresh meats.**—Entire animals, halves, 15 centimes per kilogram; other animals and game, 30 centimes per kilogram.

Beginning with January 1, 1888, fresh butchered meats will not be admitted to entry except as entire carcasses, half carcasses, or forequarters, and on condition that the lungs be adhering.

**Art. 2.** The Government is authorized to permit, under the conditions which a royal decree will determine, the admission in provisional franchise of duties cattle of foreign origin sent to fairs and markets in Belgium and destined for re-exportation.

**Art. 3.** The Government is authorized to prescribe by royal decree, in the radius reserved from custom-house, the measures which it will judge necessary for the prevention of the fraudulent importation of cattle.

We promulgate, etc.

Mr. Wharton to Mr. Terrell.

No. 160.]

**DEPARTMENT OF STATE,**

Washington, October 3, 1891.

**SIR:** Referring to your dispatch No. 225, of the 10th ultimo, relative to the regulations enforced in Belgium as to imported carcasses of dressed beef, I transmit to you herewith a copy of a letter from the Secretary of Agriculture on the subject.

You will use your own discretion as to the best manner of presenting the matter to the Belgian Government with a view to securing the removal of the restrictions complained of.

I am, etc.,

**WILLIAM F. WHARTON,**

*Acting Secretary.*

[Inclosure in No. 160.]

**Mr. Rush to Mr. Blaine.**

**DEPARTMENT OF AGRICULTURE,**

Washington, October 1, 1891.

**SIR:** I have the honor to acknowledge the receipt of your esteemed favor of the 25th ultimo, inclosing a dispatch from the American minister at Brussels relative to his efforts to obtain a modification of the regulations of the Government of Belgium which prohibit the introduction of American fresh beef.
I would very respectfully request that our minister to Belgium be again directed to urgently insist upon the repeal by the Government of that country of that provision of its laws which requires carcasses of dressed beef imported from America to be accompanied by the lung adherent thereto.

This regulation practically prohibits all exportation of dressed beef from the United States to Belgium, as our shipments of bones are made in quarters, the lung being removed at time of slaughter, and it is therefore not practicable to ship them adherent to the carcasses. The inspection laws of this country provide for both ante and post mortem examination of all animals killed for exportation, and an official certification by officers of this Government as to the healthfulness of the animal at time of slaughter. The continuance by Belgium of this law is therefore not only an unjust discrimination against our dressed-beef products, but is a reflection on the character of our inspection.

Trusting that such reasons will be given to the Government of Belgium as will induce it to modify this unwarranted provision of law maintained against the fresh meat products of this country,

I have, etc.,

J. M. Rusk,
Secretary.

Mr. Terrell to Mr. Blaine.

[Extract.]

No. 231.
LEGATION OF THE UNITED STATES,
Brussels, October 31, 1891. (Received November 12.)

SIR: Referring to your No. 160, of October 5, on the subject of the regulations enforced in Belgium as to the carcasses of dressed beef imported from the United States, I have the honor to state that I have addressed another communication on the subject to the Prince de Chimay, minister of foreign affairs, a copy of which I beg to enclose herewith for your information.

Referring to the letter of the honorable the Secretary of Agriculture, inclosed with your instruction, it would seem that the Secretary regards the Belgian regulation requiring dressed beef carcasses to be accompanied by the lungs of the animals respectively as applied solely to these products coming from the United States, and as thus plainly discriminating against our interests. The law, however, is a general one, applicable to the dressed beef imported from Germany, Holland, and other countries, as well as from the United States.

It is claimed by the Belgian Government that the law under which the regulation is made, and a copy of which accompanied my dispatch No. 225, was passed solely as a sanitary measure.

It is for the reason that the law is general in its application and applicable to the dressed-beef products of all foreign countries that I have suggested that it be so amended as to permit of its being dispensed with in favor of the products of any country whose sanitary inspection laws are found to be satisfactory by the Belgian minister of agriculture.

I have, etc.,

Edwin H. Terrell.

[Inclosure in No. 231.]

Mr. Terrell to the Prince de Chimay.

LEGATION OF THE UNITED STATES,
Brussels, October 29, 1891.

PRINCE: I have the honor to inform your excellency that some six weeks ago I duly forwarded to my Government copies of the correspondence exchanged between the Belgian Government and this legation on the subject of the regulations enforced in
Belgium as to dressed beef imported from the United States, requiring that such beef carcasses should be accompanied by the lungs of the animals attached thereto, respectively.

The United States Government has thoroughly considered the entire subject in the light of the replies of your excellency to my communications, and I am now in receipt of further instructions directly relating to this matter.

My Government regards these regulations of Belgium as entirely prohibitive of all importations of dressed beef carcasses into Belgium from the United States, and as in their effect essentially discriminating against one of the most important products of our country.

Your excellency has been pleased to inform me heretofore that these regulations are enforced under a law which it is not possible for the Government of the King to change. From the language of the law it is to be presumed that the law in question was enacted with a view to establishing certain sanitary measures as to beef products imported into the country. Since the passage of that law the United States has put into force the most thorough and searching inspection regulations as to its beef and pork products designed for exportation to foreign countries ever instituted, I venture to say, by any government on earth. Since these regulations were first established additional and even more stringent requirements have been imposed by the Department of Agriculture, so that to-day they constitute a most efficient and entirely satisfactory body of sanitary measures, absolutely assuring beyond question the quality of the products thus intended for exportation. These inspection laws provide for an ante-mortem and post-mortem examination of all animals killed for exportation, and for official certification by Government officers as to the healthfulness of the animal at time of slaughter, all of which is evidenced by marks attached to the carcasses. The shipments of these beef products are made in quarters, the lungs being removed at the time of slaughter, and it is therefore not practicable nor possible to ship them adherent to the carcasses.

It seems to my Government that the continuance by Belgium of its strange requirement is not only a discrimination against an important product of our country, but a serious reflection upon the character of our inspection laws.

The Governments of Germany, Denmark, and Italy, after prohibiting absolutely for some years—on what has turned out to be groundless objections—the importation of beef and pork products from the United States, have, through thorough examination made by special expert commissions respectively, become entirely satisfied with the efficient sanitary inspection laws and regulations now so rigidly enforced in the United States, and have promptly and in the most liberal spirit rescinded their restrictive measures and opened their ports to the admission of these articles of commerce.

France, through her Chamber of Deputies, has already taken the same action, which will undoubtedly be ratified by her Senate.

Thus from now on shipments of American cattle, beef and pork carcasses, and meat products can be made to any country in Europe, without discriminating or prohibitive measures being applied to them, except in Belgium.

Surely the friendly spirit which has always been shown to the Government of Belgium by the United States would seem to suggest a prompt removal of the restrictive regulations under discussion.

Your excellency has observed that the regulation can not be modified because it is enforced under a law, but surely a law can be amended. As I had the honor to suggest in a former communication to your excellency, the law could be amended so as to provide that the requirement that the carcasses imported should have the lungs of the animals adherent could be dispensed with by the minister of agriculture as to the products of any country whose sanitary inspection laws should be deemed satisfactory by him.

My Government trusts that on a careful reconsideration of this matter the Belgian Government may see that it is decidedly to the interest of its people and of its commerce, and at the same time fair to a friendly government, to bring about the removal of this regulation.

Strings of measures of this character, producing in effect unjust discriminations against the products of another country and practically prohibiting their importation frequently lead to retaliatory measures, which are always deeply to be regretted.

I profit, etc.,

EDWIN H. TERRELL.