

**UNITED STATES OF AMERICA
and
SPAIN**

Exchange of Notes constituting an agreement relating to the waiver by the Spanish Government of most-favoured-nation provisions of the Commercial Agreement between the United States of America and Spain, effected by an Exchange of Notes of 26 October and 7 November 1927, with respect to advantages accorded by the United States of America to the Philippines. Washington, 4 May and 11 July 1946

English and Spanish official texts communicated by the Permanent Representative of the United States of America at the seat of the United Nations. The registration took place on 3 March 1948.

**ETATS-UNIS D'AMERIQUE
et
ESPAGNE**

Echange de notes constituant un accord relatif à la renonciation par le Gouvernement espagnol à la clause de la nation la plus favorisée contenue dans l'accord commercial intervenu entre les Etats-Unis d'Amérique et l'Espagne par l'échange de notes des 26 octobre et 7 novembre 1927, en ce qui concerne les avantages accordés par les Etats-Unis d'Amérique aux Philippines. Washington, 4 mai et 11 juillet 1946

Textes officiels anglais et espagnol communiqués par le représentant permanent des Etats-Unis d'Amérique au siège de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 3 mars 1948.

No. 201. EXCHANGE OF NOTES¹ CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SPAIN RELATING TO THE WAIVER BY THE SPANISH GOVERNMENT OF MOST-FAVOURED-NATION PROVISIONS OF THE COMMERCIAL AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SPAIN, EFFECTED BY AN EXCHANGE OF NOTES OF 26 OCTOBER AND 7 NOVEMBER 1927, WITH RESPECT TO ADVANTAGES ACCORDED BY THE UNITED STATES OF AMERICA TO THE PHILIPPINES. WASHINGTON, 4 MAY AND 11 JULY 1946

I

The Acting Secretary of State to the Spanish Ambassador

DEPARTMENT OF STATE
WASHINGTON

May 4, 1946

Excellency:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine Independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

¹ Came into force on 11 July 1946 by the exchange of the said notes.

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

With a view, therefore, to placing the relations between the United States and Spain upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, I have the honor to propose that the provisions of the Commercial Agreement between the United States and Spain effected by an exchange of notes signed October 26 and November 7, 1927,¹ shall not be understood to require the extension to Spain of advantages accorded by the United States to the Philippines.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of Your Excellency's Government to this proposal at an early date.

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

Dean ACHESON
Acting Secretary of State

His Excellency
Señor Don Juan Francisco de Cárdenas
Ambassador of Spain

II

The Spanish Ambassador to the Acting Secretary of State

SPANISH TEXT — TEXTE ESPAGNOL

TRANSLATION² — TRADUCTION²

SPANISH EMBASSY

SPANISH EMBASSY

WASHINGTON

WASHINGTON

Nº 170 WASHINGTON, 11 de julio de 1946

No. 170 Washington, July 11, 1946

Señor Secretario:

Mr. Secretary:

Con referencia a la atenta nota de
Vuestra Excelencia de fecha 4 del pa-

In reference to Your Excellency's
courteous note dated May 4, last, con-

¹ United States, *Treaty Series* 758-A.

² Translation by the Department of State of the United States of America.

² Traduction du Département d'Etat des Etats-Unis d'Amérique.

sado mayo, sobre las preferencias que se concederán por parte de los Estados Unidos a las Filipinas, de acuerdo con lo establecido en la "Philippine Trade Act" del 30 de abril de 1946, tengo la honra de poner en su conocimiento que el Ministerio de Asuntos Exteriores de Madrid acaba de enviarme instrucciones para que ponga en conocimiento del Departamento de Estado que el Gobierno Español da su conformidad respecto a les derivaciones aduaneras con motivo de la independencia de las Filipinas.

Aprovecho esta oportunidad, Señor Secretario, para reiterarle el testimonio de mi alta consideración.

Juan F. DE CÁRDENAS
Embajador de España

Su Excelencia
Señor Dean Acheson
Secretario de Estado Interino
Wáshington, D.C.

cerning the preferences which will be given on the part of the United States to the Philippines, in agreement with that which is set forth in the "Philippine Trade Act" of April 30, 1946, I have the honor to inform you that the Ministry of Foreign Affairs at Madrid has just sent me instructions to inform the Department of State that the Spanish Government states its conformity with the effects on customs deriving from the Independence of the Philippines.

I avail myself of this opportunity, Mr. Secretary, to renew to you the assurances of my highest consideration.

Juan F. DE CÁRDENAS
Ambassador of Spain

His Excellency
Dean Acheson
Acting Secretary of State
Washington, D. C.