

No. 877

**UNITED STATES OF AMERICA
and
FRENCH ZONE OF OCCUPATION OF GERMANY**

Exchange of notes constituting an agreement relating to the duty-free entry and payment of transportation costs of relief supplies and packages. Frankfurt, 16 December 1948, and Baden-Baden, 7 February 1949

Official texts: English and French.

Registered by the United States of America on 18 July 1950.

**ÉTATS-UNIS D'AMÉRIQUE
et
ZONE FRANÇAISE D'OCCUPATION EN ALLEMAGNE**

Échange de notes constituant un accord relatif à l'entrée en franchise et au paiement des frais de transport des fournitures et colis de secours. Francfort, 16 décembre 1948, et Baden-Baden, 7 février 1949

Textes officiels anglais et français.

Enregistré par les Etats-Unis d'Amérique, le 18 juillet 1950.

No. 877. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH ZONE OF OCCUPATION OF GERMANY RELATING TO THE DUTY-FREE ENTRY AND PAYMENT OF TRANSPORTATION COSTS OF RELIEF SUPPLIES AND PACKAGES. FRANKFURT, 16 DECEMBER 1948, AND BADEN-BADEN, 7 FEBRUARY 1949

I

The United States Political Adviser and the Deputy Special ECA Representative for the Occupied Areas of Germany to the French Commander-in-Chief in Germany

ECONOMIC COOPERATION ADMINISTRATION
OFFICE OF THE SPECIAL MISSION TO GERMANY
FRANKFURT, GERMANY
APO 757

December 16, 1948

French Commander-in-Chief, Germany
Baden-Baden, Germany

Dear Sir:

For the purpose of giving effect to Article VI, paragraph 2, read with Article IV, paragraph 5, of the Economic Cooperation Agreement between the United States of America and the French Commander-in-Chief in Germany, signed on July 9, 1948,² it is understood that the French Commander-in-Chief in Germany, acting on behalf of the French Zone of Occupation of Germany, and the Government of the United States of America have agreed as follows:

1. The French Commander-in-Chief in Germany shall accord duty-free entry into French Zone of Occupation of Germany of:
 - a. Supplies of relief goods or standard packs donated to or purchased by voluntary non-profit relief agencies having their headquarters in the United States of America and qualified under Economic

¹ Came into force on 7 February 1949, by the exchange of the said notes.

² United Nations, *Treaty Series*, Volume 24, page 103.

Cooperation Administration (hereinafter referred to as ECA) regulations and consigned to such charitable organizations (including branches of such agencies in the French Zone of Occupation of Germany) as have been or hereafter shall be approved by the French Commander-in-Chief in Germany.

- b. Relief packages originating in the United States and sent by parcel post or commercial channels to any person residing in the French Zone of Occupation of Germany, whether packed privately or by order placed with a commercial firm.
- c. Standard packs put up by voluntary non-profit relief agencies having their headquarters in the United States of America and qualified under ECA regulations, or their approved agents, on the order of persons in the United States and sent for delivery to any person residing in the French Zone of Occupation in Germany.

2. For the purpose of this agreement, the term "relief goods" (paragraph 1 (a) above) shall not include tobacco, cigars, cigarettes, alcoholic beverages, or such other commodities as may be agreed upon by the French Commander-in-Chief in Germany and the United States Government; "relief packages" (paragraph 1 (b) above) shall include only such goods as are qualified for ocean freight subsidy under the ECA Act and regulations issued by the Administrator thereunder, and as may be agreed upon for entry into the French Zone of Occupation in Germany by the French Commander-in-Chief in Germany and the United States Government; "standard packs" (paragraph 1 (c) above) shall contain only those articles which qualify under ECA regulations and are approved by the French Commander-in-Chief in Germany.

3. Costs of transportation (as defined in paragraph 5 of Article IV of the Economic Cooperation Agreement) in the French Zone of Occupation in Germany on "relief goods", "relief packages" and "standards packs" shall be defrayed as follows:

- a. The amount of such costs for all shipments sent by United States parcel post to persons in the French Zone of Occupation in Germany shall be computed by the German postal services in the area in the manner now or hereafter provided by relevant agreements, rules and regulations of the International Postal System. Such costs shall be reimbursed to such postal service out of the Special Account provided for in Article IV of the Economic Cooperation Agreement between the United States of America and the French Commander-

in-Chief in Germany and no claim for such costs shall be made against the United States of America.

- b. Shipments originally dispatched from the United States of America by regular established channels and forwarded by German parcel post in the French Zone of Occupation in Germany by an approved agent of the shipper to the addressee shall be accepted by the German postal service without payment of postal charges by the agent. The German postal service shall be reimbursed for such parcel post charges out of the Special Account upon presentation of adequate documentation.
- c. Shipments originally dispatched from the United States of America by commercial channel and forwarded by common or contract carrier to the French Zone of Occupation in Germany by an approved agent of the shipper to the addressee shall be accepted by the carrier, who may not demand from the agent payment of carrier charges. The carrier or the agent, as the case may be, shall be reimbursed for such charges out of the Special Account upon presentation of adequate documentation.
- d. Any charges incurred by an agent of a shipper under sub-paragraphs (b) and (c) above, other than parcel post or carrier charges, shall be repaid to such agent out of the Special Account upon presentation of adequate documentation.

4. The French Commander-in-Chief in Germany shall make payments out of the Special Account for the purposes specified in sub-paragraphs (a), (b), (c), and (d) of paragraph 3 above, and shall submit to the ECA Mission in Germany (with a copy to Controller, ECA Washington) monthly statements of such payments in such form as may be agreed by the French Commander-in-Chief in Germany and the Mission, provided that every statement shall show total weight carried and costs of transportation incurred. Adjustments shall be made in the Special Account, as shown to be required by ECA audit, if requested within one year of the submission of the relevant documents and information.

5. The terms of this note shall become effective immediately and shall remain in force, subject to such prior termination or modification as may be agreed upon between the Government of the United States of

America and the French Commander-in-Chief in Germany for the same period as the Economic Cooperation Agreement of July 9, 1948.

If the foregoing is in accord with your understanding, we should appreciate your so informing us. The two notes then exchanged will constitute an agreement in the premises between the French Commander-in-Chief in Germany, acting on behalf of the French Zone of Occupation in Germany, and the United States of America.

Yours very truly,

Robert D. MURPHY
United States Political Advisor for Germany

N. H. COLLISSON
*Deputy Special ECA Representative
to the Occupied Areas of Germany*

II

*The French Commander-in-Chief in Germany to the United States Deputy
Special ECA Representative for the Occupied Areas of Germany*

COMMANDEMENT EN CHEF FRANÇAIS EN ALLEMAGNE

SECRETARIAT GÉNÉRAL

DIVISION DE L'ÉCONOMIE GÉNÉRALE ET DES FINANCES

MH/AO N° 61

Baden-Baden, le 7-11-49

N° 00290 AEX

Le Général d'Armée Koenig
Commandant en Chef français en Allemagne

à

Monsieur N. H. Collisson
Deputy Special ECA Representative
in the French Zone of occupation,

Objet : Colis de secours.

Référence : Votre lettre du 16 décembre 1948.

Comme suite à votre lettre citée en référence, j'ai l'honneur de vous faire connaître mon accord en vue de l'extension à la Zone Française du texte définissant le régime des colis de secours adopté en Bizone.

Par Délégation
Le Général de Division Noiret
Chargé des Affaires Allemandes
NOIRET