

No. 1033

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**UNITED STATES OF AMERIKA  
and  
UNITED STATES/UNITED KINGDOM  
OCCUPIED AREAS IN GERMANY**

**Exchange of notes constituting an agreement relating to the duty-free entry and payment of transportation costs of relief supplies and packages for the United States/United Kingdom occupied areas of Germany. Berlin, 7 and 16 December 1948**

*Official text: English.*

*Registered by the United States of America on 7 February 1951.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
ZONES AMÉRICAINES ET BRITANNIQUES  
D'OCCUPATION EN ALLEMAGNE**

**Echange de notes constituant un accord relatif à l'entrée en franchise et au paiement des frais de transport des fournitures et des colis de secours destinés aux zones d'occupation des États-Unis et du Royaume-Uni en Allemagne. Berlin, 7 et 16 décembre 1948**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 7 février 1951.*

No. 1033. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES/UNITED KINGDOM OCCUPIED AREAS IN GERMANY RELATING TO THE DUTY-FREE ENTRY AND PAYMENT OF TRANSPORTATION COSTS OF RELIEF SUPPLIES AND PACKAGES FOR THE UNITED STATES/UNITED KINGDOM OCCUPIED AREAS OF GERMANY. BERLIN, 7 AND 16 DECEMBER 1948

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I

*The United States Political Adviser for Germany and the Deputy Special ECA Representative to the Bizone to the United States/United Kingdom Military Governors*

BIPARTITE BOARD  
BERLIN, GERMANY

December 7, 1948

Gentlemen:

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 United States/United Kingdom Military Governors, signed on 14 July 1948,<sup>2</sup> it is understood that the United States/United Kingdom Military Governors in Germany, acting on behalf of the United States/United Kingdom occupied areas in Germany, and the Government of the United States of America have agreed as follows:

1. The United States/United Kingdom Military Governors shall accord duty-free entry into the United States/United Kingdom occupied areas in Germany of:

- (a) Supplies of relief goods or standard packs donated to or purchased by voluntary nonprofit relief agencies having their headquarters in the United States of America and qualified under Economic Cooperation Administration (hereinafter referred to as ECA) regulations and consigned to such charitable organizations (including branches of such agencies in the United States/United Kingdom occu-

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<sup>1</sup>Came into force on 16 December 1948, by the exchange of the said notes.

<sup>2</sup>United Nations, *Treaty Series*, Vol. 23, p. 3.

piated areas in Germany) as have been or hereafter shall be approved by the United States/United Kingdom Military Governors.

- (b) Relief packages originating in the United States and sent by parcel post or commercial channels to any person residing in the United States/United Kingdom occupied areas in Germany, whether packed privately or by order placed with a commercial firm.
- (c) Standard packs put up by voluntary nonprofit 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 United States/United Kingdom occupied areas 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 United States/United Kingdom Military Governors 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 United States/United Kingdom occupation areas by the United States/United Kingdom Military Governors 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 United States/United Kingdom Military Governors.

3. Costs of transportation (as defined in paragraph 5 of Article IV of the Economic Cooperation Agreement) in the United States/United Kingdom occupied areas in Germany on "relief goods", "relief packages" and "standard 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 United States/United Kingdom occupied areas in Germany shall be computed by the German postal services in those areas 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 United States/United Kingdom Military Governors 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 commercial channels and forwarded by German parcel post in the United States/United Kingdom occupied areas 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 United States/United Kingdom occupied areas in Germany by an approved agent of the shipper to the addressee shall be accepted by the carrier, who may or 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 subparagraphs (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 United States/United Kingdom Military Governors shall make payments out of the Special Account for the purposes specified in subparagraphs (a), (b), (c), and (d) of paragraph 3 above, and shall submit to the ECA Mission in the United States/United Kingdom occupied areas in Germany (with a copy to Controller, ECA Washington) monthly statements of such payments in such form as may be agreed by the United States/United Kingdom Military Governors 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 by ECA 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 United States/United Kingdom Military Governors for the same period as the Economic Cooperation Agreement of 14 July 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 United States/United Kingdom Military Governors in Germany acting on behalf of the United States/United Kingdom occupied areas in Germany and the United States of America.

Yours very truly,

Robert D. MURPHY  
United States Political Adviser for Germany  
N. H. COLLISSON  
Deputy Special ECA Representative to the Bizone

## II

*The United States/United Kingdom Military Governors to the United States Political Adviser for Germany and the Deputy Special ECA Representative to the Bizone*

THE BIPARTITE BOARD  
OFFICE OF THE BIPARTITE SECRETARIAT  
BERLIN

16 December 1948

Gentlemen:

For the purpose of giving effect to Article VI . . .

[See note I]

In accordance with your letter of 7 December 1948, it is understood that that letter, together with this letter, constitute an agreement in the premises between the United States/United Kingdom Military Governors in Germany acting on behalf of the United States/United Kingdom occupied areas in Germany and the United States of America.

B. H. ROBERTSON  
General  
Military Governor  
British Zone

Lucius D. CLAY  
General, U. S. Army  
Military Governor  
U. S. Zone

Robert D. Murphy  
United States Political Adviser for Germany

N. H. Collisson  
Deputy Special ECA Representative to the Bizone