

No. 1919

**UNITED STATES OF AMERICA,
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
FRANCE**

Agreement (with annexes) relating to prohibited and limited industries in the United States, United Kingdom and French occupied areas of Germany. Signed at Frankfurt, on 14 April 1949

Official texts: English and French.

Registered by the United States of America on 17 October 1952.

**ÉTATS-UNIS D'AMÉRIQUE,
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
FRANCE**

Accord (avec annexes) concernant les industries interdites et limitées dans les territoires occupés en Allemagne par les États-Unis, la France et le Royaume-Uni. Signé à Francfort, le 14 avril 1949

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 17 octobre 1952.

No. 1919. AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND FRANCE RELATING TO PROHIBITED AND LIMITED INDUSTRIES IN THE UNITED STATES, UNITED KINGDOM AND FRENCH OCCUPIED AREAS OF GERMANY. SIGNED AT FRANKFURT, ON 14 APRIL 1949

Pursuant to instructions received from their respective Governments to conclude the agreement hereinafter set forth, concerning prohibited and limited industries in the U. S., U. K. and French Occupied Areas of Germany (hereinafter referred to for the purposes of this agreement as Germany), the U. S., U. K. and French Military Governors and Commanders-in-Chief hereby promulgate the following agreement, effective forthwith :

Article I

The prohibitions laid down in this agreement shall remain in force until the peace settlement.

The limitations laid down in this agreement shall remain in force until 1st January 1953, or until the peace settlement, which ever is the earlier, and thereafter as may be agreed.

Should no peace settlement have been concluded by 30th June 1952 the Military Governors shall forthwith review these limitations in the light of the conditions then prevailing, taking into account the requirements of security of the Allied Powers, the state and effectiveness of the arrangements made to preserve security, and the requirements of European recovery. Should the Military Governors be unable within 90 days from 30th June 1952, to reach agreement on the limitations which in the absence of an earlier peace settlement shall be continued after 1st January 1953, the matter shall be considered forthwith by the three governments.

Article II

Action within the discretion of the Military Governors under the terms of the agreement shall be taken by unanimous decision.

¹ Came into force on 14 April 1949, by signature.

Article III

The production or manufacture of the following substances and war materials shall be prohibited, and all plant and equipment for their production or manufacture not already removed or destroyed shall, as soon as possible, be removed from Germany or destroyed.

- (A) The items listed in Schedule A to Control Council Law No. 43 (at Annex A).
- (B) Primary magnesium.
- (C) Beryllium.

Article IV

The production, import, export, transport, storage, use and possession of radioactive materials will be the subject of legislation by the Military Governors.

Article V

1. The production of synthetic rubber and butadiene shall be prohibited.
2. In order to give effect to the foregoing prohibitions, facilities for copolymerization, facilities for research and testing of synthetic rubber, and facilities for the production of butadiene at the Huls, Ludwigshafen and Leverkusen plants shall be removed or destroyed.

Article VI

1. The production of petrol, oil and lubricants directly or indirectly from coal or brown coal by the Bergius Hydrogenation process, the Fischer-Tropsch synthesis, or analogous processes, shall be prohibited except, temporarily, to the extent inseparable from the production of hydrocarbon waxes for the manufacture of synthetic fatty acids for the production of washing materials.

2. The synthesis of hydrocarbon waxes by the Fischer-Tropsch process shall be permitted only so long as the supply of fats and oils available in Germany is inadequate for the manufacture of sufficient washing materials without the use of synthetic fatty acids, and in any event not beyond 31st December 1949.

3. The Fischer-Tropsch plants not now engaged in the synthesis of hydrocarbon waxes shall as soon as possible, be removed from Germany or destroyed. The two Fischer-Tropsch plants engaged in the synthesis of hydrocarbon waxes shall, as soon as possible after production ceases, be removed from Germany or destroyed.

4. All Bergius plants except the Wesseling plant shall, as soon as possible, be removed from Germany or destroyed. The whole of the Wesseling plant shall be retained, and may be used for the refining of natural petroleum, for the hydrogenation of heavy residues from such refining and for the synthesis of ammonia and methanol.

Article VII

1. The manufacture of electronic valves shall be limited to a list to be drawn up by experts and published by the Military Governors of permitted types that shall not exceed either 10 watts dissipation or 250 megacycles frequency, subject to the authority of the Military Governors, acting upon the advice of the Military Security Board, to permit by license the manufacture of types exceeding 10 watts dissipation (but not exceeding 250 megacycle frequency) in case of necessity.

Article VIII

1. The capacity of the following industries shall be limited as stated below :

- (A) *Steel*, to that remaining after the removal of reparations;
- (B) *Electric arc and high frequency furnace steel furnace capacity*, to that remaining after removal of reparations;
- (C) *Primary aluminium*, to that sufficient to produce 85,000 tons of primary aluminium a year;
- (D) *Shipbuilding*, to that remaining after the removal as reparations of the following yards in addition to those four that have already been made available for reparations :
 - Cind 1206 Germania Werft, Kiel
 - Cind 1235 Deutsche Werke, Kiel
 - Cind 1287 Deutsche Werft, Reiherstieg, Hamburg;
- (E) *Ball and roller bearings*, to that remaining after the removal as reparations of plant and equipment calculated to leave in Germany capacity sufficient to produce 33 million units a year on a one-shift basis, or present capacity, whichever is the less;

- (F) *Synthetic ammonia*, to that remaining after the removal of reparations;
- (G) *Chlorine*, to that remaining after the removal of reparations;
- (H) *Styrene*, to 20,000 tons annual working capacity.

2. In order that the total authorized capacity of the industries limited in paragraph 1 above shall not be exceeded, no enterprise shall be permitted, except under license from the Military Governors, acting upon the advice of the Military Security Board, to increase the productive capacity of any of its plant or equipment that is engaged or partly engaged in any of the industries listed in this article, whether it is proposed to effect the increase by the extension of existing facilities, the construction of new facilities or the addition of new equipment. The construction of new plant and equipment, and the replacement or reconstruction of that removed or destroyed shall likewise be prohibited except under license from the Military Governors, acting upon the advice of the Military Security Board. The Military Security Board will ensure that obsolete or wornout plant or equipment the replacement of which by new has been licensed is removed from Germany or destroyed.

Article IX

1. The production of *steel* shall be limited to 11.1 million ingot tons a year.
2. The production of *primary aluminium* shall be limited to 85,000 tons of primary aluminium a year. No specific limitation shall be placed on imports of bauxite and alumina; they shall, however, be controlled to prevent stockpiling in excess of a number of months supply, to be determined by the Military Governors.
3. The production of *styrene* shall be limited to 20,000 tons a year.

Article X

1. The manufacture of the following shall be prohibited:
 - (A) *Machine tools* or other manufacturing equipment specifically designed for the production of weapons, ammunition or other implements of war.
 - (B) Attachment, devices, tools or other objects having no normal, peace-time use and specifically designed to convert or adapt machine tools or other manufacturing equipment to the production of weapons, ammunition or other implements of war.

2. The manufacture of the types of machine tools listed at annex B shall be prohibited except under license from the Military Governors acting upon the advice of the Military Security Board, which license will normally be granted unless the Military Governors have reason to think that the tools are not intended for peaceful production.

Article XI

1. The construction of ships whose size or speed does not exceed the limits contained in the following table shall be permitted in Germany, provided that no ocean-going ships shall be constructed until a German coastal fleet adequate for the requirements for European and German recovery has been reconstituted. Such requirements will be determined by the Military Governors and announced shortly.

Dry cargo ships	12 knots—7,200 G. R. T.
Tankers	12 knots—7,200 G. R. T.
Fishing vessels and ships other than cargo carrying craft	12 knots— 650 G. R. T.
Coastal vessels	12 knots—2,700 G. R. T.

2. Notwithstanding the above provisions, Germany shall be permitted during the period of this agreement to acquire abroad up to 100,000 G. R. T. of tankers of not more than 14 knots speed and 10,700 G. R. T.; and up to 300,000 G. R. T. of dry cargo ships of not more than 12 knots speed and 7,200 G. R. T.

3. In order to provide guidance for the Military Governors, a committee of experts is to be constituted by the Governments of the U. S., U. K. and France with instructions to prepare, within three months, a report outlining the types of ships, excluding ships primarily for passengers, which may be required by Germany, although they exceed in one respect or another the limits in paragraph 1 above. The committee shall also determine those features of design, construction, propulsion machinery, etc., which would facilitate use for or conversion for war purposes or which do not conform to normal merchant marine practice and should therefore be prohibited. The recommendations of the committee shall be transmitted to the Military Governors for action in accordance with the procedure outlined in the following paragraphs.

4. The Military Governors, acting upon the advice of the Military Security Board, may permit by license the construction or acquisition of ships exceeding in some respects the limitations on speed and tonnage shown in paragraph 1

above, in order to provide for ships having special purposes or functions. The Military Governors shall take into account the requirements of security and the necessity that ships shall be capable of operating economically in the trades or routes for which they are intended.

5. Notwithstanding anything contained herein to the contrary, the Military Governors, acting upon the advice of the Military Security Board, may authorize under license the construction of vessels having a greater speed than 12 knots that are shown to be essential for such purposes as the prevention of smuggling and illegal fishing, frontier control, fire fighting, or for the use of pilots or the civil police.

6. The Military Governors shall promulgate the legislation necessary to give effect to the foregoing provisions; and upon the coming into effect of such legislation the operation of the relevant provisions of Control Council Directives Nos. 33, 37, 44 and 45 shall be suspended. Until the promulgation of such legislation, the building of any ships other than these permitted under the relevant provisions of Control Council Directives Nos. 33, 37, 44 and 45 shall remain prohibited.

Article XII

Nothing in this agreement shall be interpreted as impairing or reducing the powers with which the Military Security Board is vested.

Frankfurt, 14 April 1949.

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

B. H. ROBERTSON
General
Military Governor
British Zone

Pierre KOENIG
General d'Armée
Military Governor
French Zone

ANNEX A

SCHEDULE A TO CONTROL COUNCIL LAW No. 43

Group I

(A) All weapons including atomic means of warfare or apparatus of all calibres and natures capable of projecting lethal or destructive projectiles, liquids, gases or toxic substances, their carriages and mountings.

(B) All projectiles for the above and their means of projection or propulsion. Examples of means of propulsion are cartridges, charges, etc.

(C) All military means of destruction such as grenades, bombs, torpedoes, mines, depth mines, depth and demolition charges and self-propelled charges.

(D) All military cutting or piercing weapons, (in French : white arms), (in Russian : cold arms), such as bayonets, swords, daggers and lances.

Group II

(A) All vehicles specially equipped or designed for military purposes such as tanks, armored cars, tank-carrying trailers, armored railway rolling stock, etc.

(B) Armor of all types for military purposes.

(C) Harness specially designed for military purposes.

Group III

- (A) (1) Range-finding apparatus of all kinds for military purposes;
(2) Aiming, guiding, and computing devices for fire control;
(3) Locating devices of all kinds (particularly all devices for radio direction finding and all devices for radio detection);
(4) Instruments for assisting observation of fire or for the remote control of all moving objects.

(B) All signalling and inter-communication equipment and installations specially designed for war purposes; all apparatus for radio interference.

(C) Searchlights with mirror diameter of more than 45 cms.

(D) Optical instruments of all kinds specially designed or intended for war purposes.

(E) Survey and cartographic equipment and instruments of all kinds specially designed for war purposes. Military maps and equipment for using them.

(F) Military engineering tools, machinery and equipment such as special bridging material.

(G) Personal military equipment and uniforms, and military insignia and decorations.

(H) Cryptographic machines and devices used for cipher purposes.

(I) All camouflage and dazzle devices.

Any of the materials listed in Group III, except for electronic devices such as radar, radiogoniometric and similar equipment, that have a normal peacetime use and are not specially designed for military use, are excluded from the provisions of paragraph 1, Article I of the law.

Group IV

(A) Warships of all classes. All ships and floating equipment specially designed for servicing warships. All ships with characteristics exceeding those required for normal peacetime uses; or designed or constructed for conversion into warships or for military use.

(B) Special machinery, equipment and installations which in time of peace are normally used solely in warships.

(C) Submersible craft of all kinds, submersible devices of all kinds, designed for military purposes. Special equipment pertaining to these craft and devices.

(D) All military landing devices.

(E) Material, equipment and installations for the military defense of coasts, harbors, etc.

Group V

(A) Aircraft of all types, heavier or lighter than air; with or without means of propulsion, including kites, captive balloons, gliders, and model aircraft, and all auxiliary equipment, including aircraft engines and component parts, accessories, and spare parts specifically designed for aircraft use.

(B) Ground equipment for servicing, testing, or aiding the operation of aircraft, such as catapults, winches and beacons; material for the rapid preparation of airfields, such as landing mats; special equipment used in conjunction with air photography; excluding however, from the provision of para. 1, Art. I, of this Law any such equipment and materials for landing fields and air beacons that have a normal peacetime use and are not specifically designed for military use as listed in Schedule B.

Group VI

All drawings, specifications, designs, models and reproductions directly relating to the development, manufacture, testing, or inspection of the war material, or to experiments or research in connection with war material.

Group VII

Machinery and other manufacturing equipment and tooling used for the development, manufacture, testing or inspection of the war material defined in this Schedule, and not capable of conversion to peacetime production.

Group VIII

(A) The following war chemicals :

High explosives, with the exception of those listed in Schedule B, Group VIII A. (NOTE : By " high explosives " is meant organic explosives used as fillings for shells, bombs, etc.)

Double-base propellants (i. e. nitrocellulose propellants containing nitroglycerine, diethyleneglycol dinitrate or analogous substances).

Single-base propellants for any weapons except sporting weapons.

Nitroguanidine.

Poison war gases (including liquids and solids customarily included in this term) with the exception of those listed in Group VIII B of Schedule B.

Rocket fuels :

Hydrogen peroxide of above 37 percent concentration,
Hydrazine hydrate,
Methyl nitrate.

Highly toxic products from bacteriological or plant sources (with the exception of those bacteriological and plant products which are used for therapeutic purposes).

(B) All special means for individual and collective defense used in peace exclusively by the armed forces, such as protective masks against toxic or lethal devices used for war, detection apparatus, etc.

Group IX

All apparatus, devices, and material specially designed for training and instructing personnel in the use, handling, manufacture or maintenance of war material.

A N N E X B

TYPES OF MACHINE TOOLS THE MANUFACTURE OF WHICH SHALL BE PROHIBITED EXCEPT UNDER LICENSE FROM THE MILITARY GOVERNORS

1. *Spiral bevel gear cutters.*

2. *Broaching machines* of the following kind :

(A) Continuous surface type.

(B) Reciprocating type (bar type cutter) with cutter diameter or equivalent cross section exceeding 2 inches (51 mm), or working stroke exceeding 5 feet (1,524 mm) or pull capacity exceeding 35,000 lbs (15,876 kgs).

3. *General purpose lathes* of the following kinds :

(A) Lathes of work diameter capacity (swing over carriage) exceeding 56 inches (1,422 mm).

(B) Lathes of work diameter capacity (swing over carriage) of from 36 inches (914 mm) to 56 inches and with distance between centres (length of work piece) exceeding 14 feet (4,267 mm).

(C) Lathes of work diameter capacity (swing over carriage) of from 18 inches (457 mm) to 36 inches (914 mm) and with distance between centres exceeding 18 feet (5,486 mm).

4. *Vertical turret lathes* (turret type head, not rotating table) of work diameter capacity exceeding 39 inches (991 mm).
5. *Chucking and facing lathes* of work diameter capacity exceeding 96 inches (2,438 mm) or with travel of carriage exceeding 7 feet (2,134 mm).
6. *Car and locomotive wheel lathe* (machines designed specifically for this work) of work diameter capacity exceeding 96 inches (2,438 mm).
7. *Turret lathes* of chuck capacity exceeding 24 inches (610 mm) or of bar capacity exceeding 3 inches (76 mm).
8. *Milling machines* of general purpose and universal types, horizontal and vertical, any of whose specifications exceed the following limits.
 - (A) Maximum overall weight : 4 tons.
 - (B) Following rectangular table dimensions :
 - (I) Maximum length : 48 inches (1,219 mm).
 - (II) Maximum width : 14 inches (356 mm).
 - (C) Following round table dimensions :
 - (I) Maximum table diameter : 24 inches (610 mm).
 - (II) Maximum work diameter capacity : 32 inches (813 mm).
9. *Planer milling machines* of distance between housing exceeding 4 feet (1,219 mm) or on length of platen exceeding 12 feet (3,658 mm) or of number of heads exceeding 3.
10. *Grinding machines* of the following kind :
 - (A) Cylindrical general purpose machines of work diameter capacity exceeding 30 inches (762 mm) or of distance between centres exceeding 9 feet (2,743 mm), but not including machines specifically designed for and limited to finishing rolling mill, calendar, printing and other similar machine parts.
 - (B) Surface rectangular table machines of platen width exceeding 24 inches (610 mm) or of platen length exceeding 72 inches (1,829 mm).
 - (C) Surface round table machines of table diameter exceeding 36 inches (914 mm).
11. *Gear producing machines* of all types whose work diameter capacity exceeds 60 inches (1,524 mm).
12. *Forging hammers* of all types, of falling weight exceeding 3½ tons (3,556 metric tons).
13. *Forging machines* of bar stock diameter or equivalent cross section exceeding 3½ inches (89 mm).
14. *Mechanical presses* of an effective operating pressure exceeding 1,000 tons (1,016 metric tons).
15. *Hydraulic presses* of an effective operating pressure exceeding 1,000 tons (1,016 metric tons).
16. *Precision jig boring machines* of a lateral displacement of cutter with reference to work (or displacement of work with respect to cutter) exceeding 24 inches (610 mm).