

No. 2672

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**UNITED STATES OF AMERICA  
and  
CHINA**

**Exchange of notes constituting an agreement relating to relief supplies and packages for China. Nanking, 5 and 18 November 1948**

**Exchange of notes constituting an agreement amending the above-mentioned Agreement. Taipei, 20 October and 12 December 1952**

*Official texts: English and Chinese.*

*Registered by the United States of America on 15 September 1954.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
CHINE**

**Échange de notes constituant un accord relatif aux approvisionnements et aux colis de secours pour la Chine. Nankin, 5 et 18 novembre 1948**

**Échange de notes constituant un accord modifiant l'Accord susmentionné. Taïpeh, 20 octobre et 12 décembre 1952**

*Textes officiels anglais et chinois.*

*Enregistrés par les États-Unis d'Amérique le 15 septembre 1954.*

No. 2672. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND CHINA RELATING TO RELIEF SUPPLIES AND PACKAGES FOR CHINA. NANKING, 5 AND 18 NOVEMBER 1948

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I

*The Embassy of the United States of America to the Ministry of Foreign Affairs of the Republic of China*

No. 872

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of China, and has the honor to refer to Article VII of the Economic Aid Agreement between the United States of America and the Republic of China signed at Nanking on July 3, 1948,<sup>2</sup> the full text of which follows :

“The Government of China will, when so requested by the Government of the United States of America, enter into negotiations for agreements (including the provisions of duty free treatment under appropriate safeguards) to facilitate the entry into China of supplies of relief goods donated to or purchased by United States voluntary non-profit relief agencies and of relief packages originating in the United States of America and consigned to individuals residing in China.”

In pursuance of this Article and in consideration of the provisions of Section 117 (c) of the Foreign Assistance Act of 1948 enacted by the Government of the United States of America, the Embassy, after discussion with the Ministry of Foreign Affairs, has the honor to bring forward the following proposals regarding the entry and distribution in China of such relief supplies and relief packages :

1. The Government of China, in accordance with its established policy with respect to relief shipments, will continue to afford duty free entry into China of supplies of relief goods donated to or purchased by United States voluntary non-profit relief agencies qualified under ECA regulations and consigned to their approved representatives in China.
2. The Government of China will permit duty free importation of relief packages originating in the United States of America and sent to individuals residing in China containing non-perishable food, clothing (in-

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<sup>1</sup> Came into force on 18 November 1948 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 17, p. 119; Vol. 45, p. 326, and Vol. 76, p. 245.

cluding shoes) and mailable medical and health supplies, the declared value of which shall not exceed US\$50 for each package consigned to each individual. Such packages shall be clearly marked "USA Gift Parcel" and, in cases where shipment is made by parcel post, shall have the usual customs declaration affixed in accordance with regulations enforced by the United States postal authorities upon mailing in the United States. The above undertaking shall not be construed to permit the importation of any articles prohibited by existing regulations. The Chinese authorities concerned may make such checks as may be necessary to insure that the contents of relief packages do in fact correspond with the specifications.

3. Transportation charges (as defined in paragraph 4 of Article V of the Economic Cooperation Agreement) in China of relief goods and relief packages (as defined in paragraph 1 and 2 above) shall be paid out of the special local currency account by the Government of China as follows:
  - (a) *Commercial Freight Shipments.* Shipments originating in the United States and dispatched by any commercial channel and forwarded in China by an approved agent of the shipper to the addressee by Chinese common carrier or contract carrier shall be accepted by such Chinese carrier with or without payment of charges therefor by such agent. The Chinese Government shall reimburse such agent or Chinese carrier as the case may be out of the special account upon presentation of adequate documentation.
  - (b) *Parcel Post Shipments.* The amount of such charges for all such shipments which are sent by the United States parcel post addressed to individuals in China will be computed by the Chinese postal service in the manner now or hereafter provided by the applicable agreements, rules and regulations of the International Postal System. Such charges shall be reimbursed to the Chinese postal service out of the special local currency account and no claim for such charges will be made against the United States.
4. The Government of China shall make payments out of the special local currency account for the purposes mentioned in paragraph 3 above and shall submit to the ECA Mission in China, with a copy to the Controller, Economic Cooperation Administration, Washington, monthly statements of the amounts so expended in a form mutually satisfactory to the Government of China and the said Mission, provided that such statements shall at least show total weight carried and charges therefor and adjustments shall be made to the said special account as shown to be required by ECA audit.
5. According to Section 117 (c) of the Foreign Assistance Act of 1948, United States voluntary non-profit relief agencies in China must be

registered with and approved by the (United States) Advisory Committee on Voluntary Foreign Aid. Agencies engaged in relief work in China shall submit their projects and programs and the character of supplies to be shipped in support of such programs for the approval of a committee or board which shall be appointed by the Chinese Government, the approval to be subject to acceptance by the Chief of the ECA Mission to China and for such period as may mutually be agreed on. The Advisory Committee will maintain its authorization for any relief agency to operate in China which it has registered subject to modification, termination or suspension of the agency's program by such board or committee of the Chinese Government, the Advisory Committee on Voluntary Foreign Aid, or the ECA. Such agencies shall also make periodic reports to the Chief of the China Mission of the Economic Cooperation Administration and to the Executive Yuan Council for United States Aid on goods and quantities thereof received and distributed and the manner of distribution thereof.

6. This agreement shall come into effect immediately and shall remain in force subject to such prior termination or notification as may be agreed upon between the competent authorities of the Governments of the United States and of China for the same period as the said Agreement of July 3, 1948.

The Embassy will appreciate being informed that the proposals set forth above are acceptable to the Chinese Government.

Nanking, November 5 1948

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

*The Ministry of Foreign Affairs of the Republic of China to the Embassy of the  
United States of America*

No. Wei-37-Mei-I/26712

The Ministry of Foreign Affairs of the Republic of China presents its compliments to the Embassy of the United States of America and has the honor to acknowledge the receipt of its third person note No. 872 of November 5, 1948, reading as follows :

[*See note I*]

In reply the Ministry has the honor to confirm that the Chinese Government agrees to the proposals set forth in the Embassy's third person note quoted above.

Nanking, November 18, 1948

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<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup>  
AMENDING THE AGREEMENT OF 18 NOVEMBER 1948  
BETWEEN THE UNITED STATES OF AMERICA AND  
CHINA. TAIPEI, 20 OCTOBER AND 12 DECEMBER 1952

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I

*The Embassy of the United States of America to the Ministry of Foreign Affairs  
of the Republic of China*

FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 64

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of China and has the honor to refer to the agreement on relief supplies and packages effected by the Embassy's note No. 872 of November 5, 1948 and the Ministry's note No. Wai-(37) Mei-I/26712 of November 18, 1948, and to inform the Ministry that Section 535 of the Mutual Security Act of 1951, as amended, provides for the continuance of the authority contained in the Economic Cooperation Act of 1948 for the reimbursement of ocean freight charges incurred in the shipment of (1) relief supplies by voluntary agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid, and (2) specified relief packages sent by parcel post or other commercial channels. However, reimbursement will not be made hereafter on shipments of relief packages in this second category unless they are sent by parcel post.

During the current fiscal year the ocean freight reimbursement program is being administered by the Department of State, which agency thereby falls heir to the responsibilities and powers formerly vested in the Economic Cooperation Administration as regards existing arrangements to facilitate the movement of relief supplies and packages from the United States to final recipients in China. Since applicable provisions of United States law are no longer administered by the Economic Cooperation Administration, the Embassy has the honor to propose that references to that agency in the agreement of November 1948, referred to above, and any amendments thereto shall be deemed to include, as from July 1, 1952, any agency of the United States Government designated by the President of the United States to carry out the functions prescribed in Section 535 of the Mutual Security Act of 1951, as amended, and that the reports provided for in numbered Paragraph 4 of the Embassy's note No. 872 of Novem-

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<sup>1</sup> Came into force on 12 December 1952, and became operative retroactively from 1 July 1952, in accordance with the terms of the said notes.

ber 5, 1948 and the Ministry's reply thereto shall be submitted to the United States Embassy in a form mutually satisfactory to the Government of the Republic of China and to the Embassy.

If the Government of the Republic of China is agreeable to these proposals, this note and the Ministry's reply indicating such approval will be deemed to constitute an amendment to the November 1948 agreement on relief supplies and packages.

R. W. R.

American Embassy  
Taipei, October 20 1952

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

*The Ministry of Foreign Affairs of the Republic of China to the Embassy of the  
United States of America*

11291

The Ministry of Foreign Affairs of the Republic of China presents its compliments to the Embassy of the United States of America and has the honor to acknowledge the receipt of the Embassy's third-person note No. 64 of October 20, 1952, reading as follows :

[*See note I*]

In reply the Ministry has the honor to signify on behalf of the Government of the Republic of China its agreement to the proposals set forth in the Embassy's note quoted above and to confirm the understanding that the present note and the Embassy's note under reply shall be deemed to constitute an amendment to the agreement on relief supplies and packages reached in November 1948.

[SEAL]

Taipei, December 12, 1952

<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.