

No. 3368

**UNITED STATES OF AMERICA
and
PERU**

**Exchange of notes constituting an agreement relating to
duty-free entry and exemption from internal taxation
of relief supplies and equipment. Lima, 21 and
25 October 1954**

Official texts: English and Spanish.

Registered by the United States of America on 8 May 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
PÉROU**

**Échange de notes constituant un accord relatif à l'entrée
en franchise des approvisionnements et du matériel de
secours et à leur exonération des impôts intérieurs.
Lima, 21 et 25 octobre 1954**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 8 mai 1956.

No. 3368. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PERU RELATING TO DUTY-FREE ENTRY AND EXEMPTION FROM INTERNAL TAXATION OF RELIEF SUPPLIES AND EQUIPMENT. LIMA, 21 AND 25 OCTOBER 1954

I

The American Ambassador to the Peruvian Minister of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 127

Lima, October 21, 1954

Excellency :

I have the honor to refer to the Embassy's note No. 357 of May 26, 1954,² and to subsequent conversations between representatives of our two Governments relating to the extension of certain facilities to United States voluntary relief and rehabilitation agencies for the distribution of United States surplus agricultural food products in Peru. As a consequence of these conversations, the Government of the United States of America proposes the following agreement to the Government of Peru :

1. The Government of Peru shall accord duty-free entry into all Peruvian ports, as well as exemption from internal taxation, of supplies of goods approved by the Government of the United States, donated to or purchased by United States voluntary, nonprofit relief and rehabilitation agencies qualified under United States Government Regulations, and consigned to such organizations, including branches of these agencies in Peru which have been or hereafter shall be approved by the Government of Peru, provided that such duty-free entry and exemption from internal taxation shall apply only to such goods as have been requested pursuant to agreements between the Government of Peru and such organizations, or which have been imported in accordance with programs approved by the Government of Peru.

2. Such supplies shall include for the present only shipments of dried milk, but the Government of Peru may in the future by a note to the Embassy of the United States give notice of the extension to other approved goods of the treatment accorded in Article One above.

3. Duty-free treatment on importation and exportation, as well as exemption from internal taxation, shall also be accorded to supplies and equipment imported by

¹ Came into force on 29 October 1954, in accordance with the terms of the said notes.

² Not printed by the Department of State of the United States of America.

organizations approved by both Governments for the purpose of carrying out operations under this agreement. Such supplies and equipment shall not include items for the personal use of agencies' field representatives.

4. The cost of transporting such supplies and equipment (including port, handling, storage, and similar charges, as well as transportation) within Peru, to the ultimate beneficiary will be borne by the Government of Peru.

5. The supplies furnished by the voluntary agencies shall be considered supplementary to the supplies which individuals would otherwise receive.

6. Individual organizations carrying out operations under this agreement may enter into additional arrangements with the Government of Peru, and this agreement shall not be construed to derogate from any benefits secured by any such organizations in existing agreements with the Government of Peru.

If the foregoing understandings meet with the approval of the Government of Peru, this note and Your Excellency's note in reply will constitute an agreement between our two Governments on this subject, the agreement to enter into force on the date of receipt of your reply note.

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

Harold H. TITTMANN

His Excellency Dr. David Aguilar Cornejo
Minister of Foreign Affairs
Lima

II

The Peruvian Minister of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES

Número (M) : -6-3/53

Lima, 25 de octubre de 1954

Señor Embajador :

Tengo el agrado de referirme a la nota de Vuestra Excelencia n° 127, fechada el 21 del presente, por la que en relación con la nota de esa Embajada n° 357, de 26 de mayo último y de conformidad con las conversaciones tenidas al respecto, propone la concertación de un acuerdo entre el Gobierno del Perú y el de los Estados Unidos para el otorgamiento de exenciones y facilidades a las agencias de rehabilitación y socorro no lucrativas de los Estados Unidos para la distribución en el Perú de productos agrícolas alimenticios sobrantes.

El Gobierno del Perú atendiendo a que los abastecimientos a que se refiere el acuerdo serán proporcionados en forma gratuita, está dispuesto a conceder el

Hacienda y Comercio, la cantidad, clase y volumen de los artículos cuya liberación se pide.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia, las seguridades de mi más alta y distinguida consideración.

D. F. AGUILAR

Al Excelentísimo Señor Don Harold H. Tittmann
Embajador Extraordinario y Plenipotenciario
de Estados Unidos
Ciudad

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

No. (M) : -6-3/53

Lima, October 25, 1954

Mr. Ambassador :

I take pleasure in referring to Your Excellency's note No. 127, dated the 21st of this month, in which, in connection with your Embassy's note No. 357 of May 26, 1954, and pursuant to the conversations held on the subject, you propose the conclusion of an agreement between the Government of Peru and that of the United States for the granting of exemptions and facilities to United States nonprofit rehabilitation and relief agencies for the distribution of surplus agricultural food products in Peru.

In view of the fact that the supplies referred to in the agreement will be furnished without charge, the Government of Peru is prepared to allow the free entry of such supplies into the country, and, as a consequence of the conversations held for that purpose, it agrees to conclude the following agreement with Your Excellency's Government :

[See note I]

The Government of Peru understands that, as proposed in Your Excellency's note to which I am replying, this agreement concluded by an exchange of notes shall enter into force on the date on which Your Excellency receives the present communication.

The administrative procedure for the exemption from duties which is granted by this agreement will be the same as that now followed with respect to exemptions accorded to diplomatic missions and various agencies of the State, namely that

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

the organizations concerned must specify in advance, in an application to the Ministry of Finance and Commerce, the quantity, classification, and size of the articles for which exemption is requested.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

D. F. AGUILAR

His Excellency Harold H. Tittmann
Ambassador Extraordinary and Plenipotentiary
of the United States
City
