

No. 5171

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement relating to
emergency flood relief assistance. Tokyo, 12 No-
vember 1959**

Official texts : English and Japanese.

Registered by the United States of America on 13 June 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord relatif à une aide
exceptionnelle à la suite d'inondations. Tokyo, 12 no-
vembre 1959**

Textes officiels anglais et japonais.

Enregistré par les États-Unis d'Amérique le 13 juin 1960.

No. 5171. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO EMERGENCY FLOOD RELIEF ASSISTANCE. TOKYO, 12 NOVEMBER 1959

I

The American Ambassador to the Japanese Minister of Foreign Affairs

No. 572

The Ambassador of the United States of America presents his compliments to His Excellency, the Minister of Foreign Affairs and has the honor to make reference to the offer of the Government of the United States of America that it donate four million pounds of wheat flour to the Government of Japan for distribution to typhoon victims. It is proposed that the following arrangements be adopted in connection with the grant of the wheat flour.

The Government of the United States agrees that :

- (a) it will make available to the Government of Japan on November 12 for free distribution to typhoon victims four million pounds of wheat flour that are now stored in various warehouses in Japan in the names of the American Voluntary Relief Agencies ;
- (b) it will replace the four million pounds of wheat flour removed from the American Voluntary Relief Agencies' stocks with an equivalent amount of wheat flour which will be used by the American Voluntary Relief Agencies in their normal operations ;
- (c) it will bear all ocean freight costs free out to vessel in Japanese ports for the four million pounds of wheat flour required to replace that distributed to the disaster victims.

The Government of Japan agrees that :

- (a) it will admit the replacement of the flour distributed to the disaster victims free of duty ;
- (b) it will assume responsibility for all the internal costs of distributing the flour to the disaster victims and for the charges already incurred by the American Voluntary Relief Agencies in connection with the storage and handling of the wheat flour ;
- (c) it will provide suitable publicity to the distribution of the flour to the disaster victims and that the flour containers will be marked, labeled or otherwise identified in Japanese as follows, "Furnished by the People of the United States of America to the People of Japan for Disaster Relief ;"
- (d) it will take reasonable precautions to assure that the recipient disaster victims not sell or exchange the donated flour ;

¹ Came into force on 12 November 1959 by the exchange of the said notes.

- (e) it will provide the United States Government with complete information on the progress of the distribution program and will make adequate facilities available for United States Government personnel to observe the disposition of the commodities and the conducting of end-use checks ;
- (f) the wheat flour given to the disaster victims shall not displace sales of wheat or wheat flour that otherwise would take place ;
- (g) a transfer authorization which subsequently will be issued by the International Cooperation Administration will incorporate the provisions of this exchange of notes and when signed by the Government of Japan will become the binding agreement between the International Cooperation Administration and the Government of Japan.

If the above meets with the approval of the Government of Japan, your note confirming the above would be appreciated.

Embassy of the United States of America
Tokyo, November 12, 1959

[TRANSLATION¹ — TRADUCTION²]

No. 1483

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the American Embassy in Japan and wishes to make reference to *Note Verbale* No. 572 of the American Embassy dated November 12, 1959 presenting the arrangements concerning four million pounds of wheat flour donated to the Government of Japan by your Government for the use of typhoon victims.

The Government of Japan accepts from the Government of the United States of America with gratitude the four million pounds of wheat flour donated.

The Government of Japan also has the honor to reply that it agrees to the arrangements as presented in the *Note Verbale* of the American Embassy with the understanding that the provisions in Items (a) through (f) of the said *Note Verbale* are substantively the same as those to be prescribed in the transfer authorization referred to in Item (g) of the same *Note Verbale*.

Ministry of Foreign Affairs
November 12, 1959

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

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