

No. 17207

UNITED STATES OF AMERICA
and
PHILIPPINES

Agreement relating to the transfer of agricultural commodities. Signed at Washington on 9 November 1972
Agreement amending the above-mentioned Agreement. Signed at Washington on 24 May 1973
Agreement amending the above-mentioned Agreement of 9 November 1972, as amended. Signed at Manila on 18 January 1978

Authentic texts: English.

Registered by the United States of America on 24 November 1978.

ÉTATS-UNIS D'AMÉRIQUE
et
PHILIPPINES

Accord relatif au transfert de produits agricoles. Signé à Washington le 9 novembre 1972
Accord modifiant l'Accord susmentionné. Signé à Washington le 24 mai 1973
Accord modifiant l'Accord susmentionné du 9 novembre 1972, tel que modifié. Signé à Manille le 18 janvier 1978

Textes authentiques : anglais.

Enregistrés par les États-Unis d'Amérique le 24 novembre 1978.

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES RELATING TO THE TRANSFER OF AGRICULTURAL COMMODITIES

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C.

TRANSFER AUTHORIZATION

Disaster Relief

AID No. 492-XXX-000-3612

Executive Vice President
Commodity Credit Corporation
U.S. Department of Agriculture
Washington, D.C.

Program approval date: October 18, 1972

Program title: Disaster Relief (Flood)

In accordance with the provisions of Title II, PL 480 (as amended), Section 2 of Executive Order 10900 and State Department Delegation Order No. 104 effective September 30, 1961, the Commodity Credit Corporation is hereby authorized to transfer and deliver rice to the Government of the Philippines in an amount not to exceed \$5,075,000 pursuant to the following instructions:

1. *Quantity (metric tons)*

<i>Previous total</i>	<i>Increase</i>	<i>Decrease</i>	<i>Total to date</i>
	25,000		25,000

2. *Commodities*

<i>Code No.</i>	<i>Commodity</i>	<i>Quantity (mt)</i>	<i>CCC value \$</i>	<i>Export value \$</i>
042.2050	Rice	25,000	\$5,075,000	\$4,800,000

3. *Estimated ocean transportation costs: \$1,300,000.* All actual ocean transportation expenditures under this program, regardless of estimate shown above are to be charged to Blanket Freight Transfer Authorization No. 935-9500-000-2899. An individual Ocean Freight Transfer Authorization will not be issued.

3². *Shipping instructions*

- a. Delivery schedule: To be advised.
- b. Port of discharge: Manila.
- c. Consignee: Director, USAID/Manila.

5. *Document distribution—bills of lading*

- a. Original and one copy to consignee, accompanying cargo.

¹ Came into force on 9 November 1972 by signature.

² Should read "4".

- b. Original and two copies to consignee, via airmail (Director, USAID/Manila, c/o American Embassy, Manila, Philippines).
- c. One copy to Controller, USAID/Manila, c/o American Embassy, Manila, Philippines (via airmail).
- d. Original and two copies to AID Resources Transportation Division, Washington, D.C. 20523, Attention: Mr. Robert E. James.

6. *Commodity specifications.* Rice: milled.

7. *Program objectives and use of commodities.* a. The grant of 25,000 metric tons of rice authorized herein is provided to the Government of the Philippines (GOP) to help alleviate the devastating results of wide spread floods.

b. The GOP may sell the rice provided herein, subject to USAID/Manila concurrences, at sales prices based upon local market prices. Within 30 days after delivery of the rice, the GOP will furnish an accounting of the actual or intended sales by region; and within 60 days after completion of delivery, the GOP will deposit in a special account established for the program, the total sales proceeds less an amount mutually agreed upon to cover local costs of handling, transport, storage and distribution. Sales taxes, customs taxes and salaries may not be deducted from the sales proceeds. The sales proceeds (plus interest if any) will be available for relief and rehabilitation of flood victims as agreed upon by USAID/Manila and the GOP.

8. To the extent practicable, the GOP will publicize the grant of rice herein as furnished by the people of the United States to the people of the Philippines for flood relief.

KATHLEEN S. BITTERMAN
for IRWIN R. HEDGES
Coordinator, Food for Peace

Date: Nov. 9, 1972

Request and acceptance. The assistance described in this authorization is hereby requested and the terms and conditions of this agreement and of A.I.D. Regulation 11, 33FR2918, 1968 as amended October 7, 1970 (35FR15751), except as otherwise specifically provided herein are hereby accepted.

For the Government of the Philippines:

[Signed]

PABLO R. SUAREZ, Jr.
Minister

Date: Nov. 9, 1972

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES AMENDING THE AGREEMENT OF 9 NOVEMBER 1972² RELATING TO THE TRANSFER OF AGRICULTURAL COMMODITIES

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C.

TRANSFER AUTHORIZATION

Disaster Relief

Amendment No. 1 to AID No. 492-XXX-000-3612

Executive Vice President
Commodity Credit Corporation
U.S. Department of Agriculture
Washington, D.C.

Program approval date: October 18, 1972 as
amended May 30, 1973

Program title: Disaster Relief (Flood)

In accordance with the provisions of Title II, PL 480 (as amended), Section 2 of Executive Order 10900 and State Department Delegation Order No. 104 effective September 30, 1961, the Commodity Credit Corporation is hereby authorized to transfer and deliver Commodities listed below to the Government of the Philippines in an amount not to exceed \$6,834,300 pursuant to the following instructions:

1. *Purpose of amendment.* The commodity composition of TA 3612 is being amended to provide 2,000 metric tons of bulgur, 2,000 metric tons of rolled oats, and 4,000 metric tons of soy fortified flour. The quantity of rice remains unchanged at 25,000 metric tons. The CCC and export market costs are amended to reflect actual expenditures.

Quantity: metric tons not to exceed

<i>Previous total</i>	<i>Increase</i>	<i>Decrease</i>	<i>Total to date</i>
25,000	8,000	—	33,000

2. *Commodity amendment*

<i>Code No.</i>	<i>Commodity</i>	<i>Quantity</i>		<i>CCC value</i>		<i>Export market value</i>			
		<i>Amended (mt)</i>	<i>Total to date (mt)</i>	<i>Amended \$ (actual)</i>	<i>Total to date \$ (actual)</i>	<i>Amended \$ (actual)</i>	<i>Total to date \$ (actual)</i>		
042.2050	Rice	None	25,000	+	469,000	5,544,000	+	699,000	5,499,000
048.1110	Bulgur	+ 2,000	2,000	+	315,300	315,300	+	284,400	284,400
048.1160	Rld. oats	+ 2,000	2,000	+	326,000	326,000	+	290,000	290,000
046.0020	Soy fortified wheat flour	+ 4,000	4,000	+	649,000	649,000	+	551,000	551,000
	TOTAL	+ 8,000	33,000	+	1,759,300	6,834,300	+	1,824,400	6,624,400

¹ Came into force on 24 May 1973 by signature.

² See p. 254 of this volume.

3. *Estimated ocean transportation costs (amendment)*

<i>Previous total</i>	<i>Increase</i>	<i>Decrease</i>	<i>Total to date</i>
\$1,300,000	\$415,000	0	\$1,715,000

All actual ocean transportation expenditures under this program, regardless of the estimate shown above, are to be charged to Blanket Freight Transfer Authorization No. 935-9500-000-2899. An individual Ocean Freight Transfer Authorization will not be issued.

4. The provisions of paragraph 7.b. of TA 3612 (authorizing sales of rice) do not apply to the commodities supplied under this amendment.
5. All other provisions remain unchanged.

KATHLEEN S. BITTERMANN
for IRWIN R. HEDGES
Coordinator, Food for Peace

Date: May 24, 1973

Request and acceptance. The assistance described in this authorization is hereby requested and the terms and conditions of this agreement and of AID Regulation 11, 33FR2918, 1968, as amended November 11, 1972 (35FR15751), except as otherwise specifically provided herein are hereby accepted.

[Signed]

M. C. BELISARIO
Minister
For the Government of the Philippines
Embassy of the Philippines

Date:

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA
AND THE PHILIPPINES AMENDING THE AGREEMENT OF
9 NOVEMBER 1972² RELATING TO THE TRANSFER OF AGRICULTURAL
COMMODITIES, AS AMENDED³

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C.

TRANSFER AUTHORIZATION

Program classification: Disaster Relief

Executive Vice President
Commodity Credit Corporation
U.S. Department of Agriculture
Washington, D.C.

Amendment No. 2 to AID No. 492-XXX-000-3612

Program approval date: October 18, 1972 as
amended May 30, 1973

Program title: Disaster Relief (Flood)

The purpose of this amendment is to revise Section 7, Program Objectives and Use of Commodities, of Transfer Agreement No. 492-XXX-000-3612 between A.I.D. and the Government of the Philippines effective November 9, 1972,² as amended May 23, 1973.^{3, 4} This amendment constitutes an authority to use sales proceeds from commodities supplied under this TA for the development uses specified below as authorized by the Director, USAID. Accordingly, Section 7*b* of Transfer Agreement No. 492-XXX-000-3612 is hereby amended, effective October 1, 1977, as follows:

7. *Program objectives and use of commodities*

Subparagraph *b*. Delete "The sales proceeds (plus interest if any) will be available for relief and rehabilitation of flood victims as agreed upon by USAID/Manila and the GOP." Add in lieu thereof:

"The sales proceeds (plus interest if any) will be available for relief and rehabilitation of flood victims, and to carry out other developmental activities designed to help the Philippine nation become better able to feed its people and to alleviate the causes of the need for Title II assistance, including but not limited to, improving the effectiveness of ongoing Title II activities, as agreed upon by USAID/Manila and the GOP."

All other provisions of the Transfer Agreement remain unchanged.

[Signed]

PETER M. CODY
Director, USAID/Philippines
For the Government
of the United States of America

Date: January 18, 1978

¹ Came into force on 18 January 1978 by signature.

² See p. 254 of this volume.

³ See p. 256 of this volume.

⁴ Should read: "24 May 1973" — Devrait se lire : « 24 mai 1973 ».

Request and acceptance. The assistance described in this authorization is hereby requested and the terms and conditions of this agreement and of A.I.D. Regulation 11, 41F.R.47917, November 1, 1976 (attached and incorporated herein by reference) except as otherwise specifically provided herein are hereby accepted.

For the Government of the Philippines:

[*Signed*]

GERARDO P. SICAT
(Director-General)

Secretary of Economic Planning
National Economic and Development Authority

Date: January 18, 1978