

No. 1036

UNITED STATES OF AMERICA
and
BRITISH/UNITED STATES ZONE
OF THE FREE TERRITORY OF TRIESTE

Agreement for the free entry and free inland transportation of relief supplies and packages. Signed at Trieste, on 11 February 1949

Official text: English.

Registered by the United States of America on 7 February 1951.

ÉTATS-UNIS D'AMÉRIQUE
et
ZONE ANGLO-AMÉRICAINNE
DU TERRITOIRE LIBRE DE TRIESTE

Accord relatif à l'entrée en franchise et au transport intérieur gratuit des fournitures et des colis de secours. Signé à Trieste, le 11 février 1949

Texte officiel anglais.

Enregistré par les Etats-Unis d'Amérique le 7 février 1951.

No. 1036. AGREEMENT ¹ BETWEEN THE UNITED STATES OF AMERICA AND THE BRITISH/UNITED STATES ZONE OF THE FREE TERRITORY OF TRIESTE FOR THE FREE ENTRY AND FREE IN-LAND TRANSPORTATION OF RELIEF SUPPLIES AND PACKAGES. SIGNED AT TRIESTE, ON 11 FEBRUARY 1949

For the purpose of giving effect to Article V, paragraph 2, read with Article IV, paragraph 5, of the Economic Cooperation Agreement between the Governments of the British-United States Zone, Free Territory of Trieste and the United States of America, signed on 15 October 1948,² the Governments of the British-United States Zone, Free Territory of Trieste and the United States agree as follows:

1. — The Government of the British-United States Zone, Free Territory of Trieste shall accord duty-free entry into the Free Territory of Trieste of:

- (a) Supplies of relief goods or standard packs donated to or purchased by United States voluntary non-profit relief agencies qualified under Economic Cooperation Administration (hereinafter referred to as ECA) regulations and consigned to such charitable organizations (including Free Territory of Trieste branches of these agencies) as have been or hereafter shall be approved by the British-United States Zone, Free Territory of Trieste.
- (b) Relief packages from residents of the United States of America sent by parcel post or other commercial channels addressed to an individual residing in the Free Territory of Trieste whether privately packed or by order placed with a commercial firm.
- (c) Standard packs put up by United States voluntary non-profit relief agencies, or their approved agents, qualified under ECA regulations, to the order of individuals in the United States and sent for delivery addressed to individuals residing in the British-United States Zone, Free Territory of Trieste.

2. — For the purpose of this Agreement, the term "standard packs" (sub-paragraph (a) of paragraph above), shall include only such goods as are

¹ Came into force on 11 February 1949, as from the date of signature, in accordance with paragraph 5.

² United Nations, *Treaty Series*, Vol. 29, p. 249, and Vol. 76, p. 271.

permitted to be included in relief packages and standard packs as specified below in this paragraph 2, but also may include upon special authorization of the customs authorities of the British-United States Zone, Free Territory of Trieste at the request of any such United States voluntary non-profit relief agency, any other goods except such as are specifically to be excluded from the contents of relief packages and standard packs, as stated below in this paragraph 2; "relief packages" (subparagraph (b) of paragraph 1 above) shall include only such goods as are qualified for ocean freight subsidy under the ECA Act and regulations issued by the Administrator thereunder; "standard packs" subparagraph (c) of paragraph 1 above) shall contain only such articles which qualify under ECA-regulations; and the further provisions stated in subparagraph (a) to (f) of this paragraph 2 shall be applicable both to relief packages (subparagraph (b) of paragraph 1 above) and to standard packs (subparagraphs (a) and (c) of paragraph 1 above):

- (a) The contents of such relief packages and of such standard packs are to include only non-perishable food, every-day clothing or clothes making materials, shoes or shoe-making materials, mailable medical and health supplies the admission of which is permitted under Free Territory of Trieste regulations, and household supplies and utensils: and shall specifically exclude tobacco, cigars and cigarettes, alcohol and alcoholic beverages, luxury clothing, furs, clothes made with furs and skins, all textiles made of silk or nylon, gloves and other luxury items.
- (b) Such relief packages and such standard packs shall not exceed, in any case, 44 lbs. in weight.
- (c) Such relief packages as referred to in paragraph 1 (b) must be accompanied in each case by a detailed description of contents and statement of value and must be labeled "USA GIFT PARCEL".
- (d) Such relief packages and such standard packs shall be intended only for the personal use of the addressee and his immediate family.
- (e) The British-United States Zone, Free Territory of Trieste Commander, after consultation with ECA Special Mission in Trieste, shall be entitled to make provisions as to the quantities of each product or article which may be included in any such relief packages or standard packs which any one addressee may receive free of duty in any month; relief packages or standard packs containing quantities of any article or product beyond the limits thus provided for or relief packages or standard packs for any one addressee in excess of such number per month as may be so prescribed, shall be excluded from the benefit of the foregoing provisions for free entry.

- (f) The British-United States Zone, Free Territory of Trieste Commander may exclude from the benefits of this Agreement the importation of all relief packages shipped by commercial firms when payment for such relief packages has been made illicitly or when such purchases have been made as a result of publicity or other means of soliciting such purchase from residents of the Free Territory of Trieste.

3. — Transportation charges (as defined in paragraph 5 of Article IV, of the Economic Cooperation Agreement) in the Free Territory of Trieste on “relief goods”, “relief packages” and “standard packs” all as defined in paragraph 1 above and subject to the provisions of paragraph 2 above, shall be defrayed as follows:

- (a) The amount of such charges for all such shipments which are sent by United States parcel post addressed to individuals in the Free Territory of Trieste will be computed by the Free Territory of Trieste 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 Postal Service out of the Special Account provided for in Article IV of the Economic Cooperation Agreement between the United States of America and the Free Territory of Trieste (hereinafter referred to as the Special Account) and no claim for such charges will be made against the United States.
- (b) With respect to such shipments as are originally dispatched from the United States by any regular established commercial channels and forwarded in the Free Territory of Trieste by an approved agent of the shipper to the addressee by the Free Territory of Trieste parcel post, such items shall be accepted by the Free Territory of Trieste postal service without payment of postal charges by such agent. The Free Territory of Trieste shall be reimbursed for such parcel post charges out of the Special Account upon presentation of adequate documentation.
- (c) With respect to such shipments as are originally dispatched from the United States by any commercial channel and forwarded in the Free Territory of Trieste by an approved agent of the shipper to the addressee by the Free Territory of Trieste common carrier or contract carrier, such items shall be accepted by such Free Territory of Trieste carrier with or without payment of charges therefor by such agent. The Free Territory of Trieste shall reimburse such agent or Free Territory of Trieste carrier, as the case may be, out of the Special Account upon presentation of adequate documentation.
- (d) With respect to any such charges which may be incurred by an agent of a shipper under subparagraphs (b) and (c) above, other than

parcel post charges and carrier charges, such approved agent shall be reimbursed by the Free Territory of Trieste out of the Special Account upon presentation of adequate documentation.

4. — (a) The Free Territory of Trieste shall make payments out of the Special Account for the purpose mentioned in subparagraphs (a) (b) (c) and (d) of paragraph 3 above, and shall submit to the ECA Mission in the Free Territory of Trieste with a copy to Controller, ECA Washington, monthly statements of the amounts so expended in form mutually satisfactory to the Free Territory of Trieste and said Mission provided that each such statement shall at least show the total weight carried and charges therefor and adjustments shall be made to said fund if shown to be required by ECA audit.

(b) Such payments shall be made by the Free Territory of Trieste to reimburse (1) transportation charges incurred on and after the date of the signing of this Agreement, (2) transportation charges incurred by United States voluntary non-profit relief agencies within the Free Territory of Trieste, British-United States Zone between April 30 of 1948 and the date of the signing of this Agreement, upon presentation of adequate documentation.

5. — This Agreement shall go into effect upon the date of signing hereof.

IN WITNESS WHEREOF the parties to this Agreement have authorized the same to be executed in their behalf by T. S. Airey, C.B., C.B.E., Major General, Zone Commander for the Government of the British-United States Zone of the Free Territory of Trieste and Hon. Robert E. Galloway, Chief, Economic Cooperation Administration Special Mission to Trieste for the Government of the United States of America.

EXECUTED at Trieste, Free Territory of Trieste, this 11th day of February, 1949.

For Government Br/US Zone, Free Territory of Trieste:

TERENCE AIREY

T. S. Airey, C.B., C.B.E., Major General
Zone Commander

For Government of United States of America:

ROBERT E. GALLOWAY

Robert E. Galloway, Chief
Economic Cooperation Administration
Special Mission to Trieste