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EXECUTIVE AGREEMENT SERIES 433

**INTER-AMERICAN
COOPERATIVE FOOD PRODUCTION SERVICE**

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**AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND PERU**

**EXTENDING WITH MODIFICATIONS THE AGREEMENT
OF MAY 19 AND 20, 1943**

**Effected by Exchange of Notes
Signed at Lima August 18 and October 10, 1944
Effective May 19, 1944**



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1945**

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INTER-AMERICAN

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AND BRAZIL

EXTENDING WITH MODIFICATIONS THE AGREEMENT
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DEPARTMENT OF STATE

PUBLICATION 2274



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1944

The American Ambassador to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Lima, August 18, 1944.

No. 216

EXCELLENCY:

I have the honor to refer to the agreement of May 19, 1943, relating to the establishment of the Inter-American Cooperative Food Production Service in Peru, which agreement was effected by an exchange of notes dated May 19, and 20, 1943, [1] between the American Ambassador in Lima and the Peruvian Minister of Agriculture. With the Ambassador's note of May 19, 1943 there was enclosed an English text of a Memorandum of Agreement signed by the Ambassador for the Institute of Inter-American Affairs and by the Minister of Agriculture for the Republic of Peru. With the Minister's note of May 20, 1943 there was enclosed a Spanish text of the Memorandum of Agreement, similarly signed.

In the Ambassador's note of May 19, 1943, it was stated "that this exchange of notes constitutes the agreement for the establishment of the Inter-American Cooperative Food Production Service in Peru." In the Memorandum of Agreement accompanying the exchange of notes it was stated as follows:

"Thirteenth—The present agreement will be for the duration of one year, continuing from the date of signature of the Note of Transmittal, and may be extended in the judgment of the contracting parties."

It appears that the agreement of May 19, 1943 was approved on the part of the Government of Peru by *Resolución Suprema* 286, May 20, 1943. I am informed that no further action on the part of the Government of the United States of America was requisite.

On June 1, 1944 there was signed in Lima by the Executive Vice-President of the Institute of Inter-American Affairs and by the Minister of Agriculture of Peru a Memorandum of Agreement which reads in English and Spanish as follows:

"LIMA, June 1, 1944

"MEMORANDUM OF AGREEMENT

"1. The memorandum of agreement executed May 19, 1943 between The Institute of Inter-American Affairs and the Ministry of

¹ [Executive Agreement Series 385; 57 Stat. 1405.]

Agriculture for the Republic of Peru providing for a cooperative food production program and for the creation and operation of a special technical service within the Ministry of Agriculture known as the Servicio Cooperativo Inter-Americano de Producción de Alimentos is hereby extended to August 31, 1945, except as modified by this memorandum.

- "2. The provisions of Article Four of the agreement of May 19, 1943, are considered to be fulfilled by the contribution of U. S. \$124,-817.11 by The Institute of Inter-American Affairs, plus the contribution of U. S. \$38,159.66 to be made by The Institute of Inter-American Affairs during June 1944 to cover outstanding obligations, making a total contribution on the part of The Institute of Inter-American Affairs of U. S. \$162,976.77 (S/.1,056,904.35) and by the contribution of S/.823,595 that has been made by the Government of Peru, plus S/.233,309.35 to be contributed during June 1944, making a total of S/.1,056,904.35 (U. S. \$162,976.77).
- "3. For the purpose of extending the agreement of May 19, 1943, The Institute of Inter-American Affairs will make available an additional sum of U. S. \$150,000 (S/.972,750) and the Government of Peru will likewise make available an additional sum of S/.1,945,500 (U. S. \$300,000). Thus, The Institute of Inter-American Affairs will contribute a total sum of U. S. \$312,976.77 (S/.2,029,654.35) and the Government of Peru will contribute a total sum of S/.3,002,404.35 (U. S. \$462,976.42) for the operations of the Servicio Cooperativo Inter-Americano de Producción de Alimentos, for the period of May 19, 1943, to August 31, 1945, inclusive.
- "4. For the purpose of effectuating the objectives of this extension agreement, The Institute of Inter-American Affairs agrees to transfer to the account of the Servicio Cooperativo Inter-Americano de Producción de Alimentos the sum of U. S. \$150,000 (S/.972,750) on the following basis, except that The Institute of Inter-American Affairs may withhold the estimated or actual amount of orders placed for the Servicio in the United States and such costs, in appropriate amounts, shall be regarded as bi-monthly contributions as provided herein:

	<i>U. S. Dollars</i>	<i>Peruvian Soles</i>
July, August 1944	25, 000. 00	162, 125. 00
September, October, 1944	25, 000. 00	162, 125. 00
November, December, 1944	25, 000. 00	162, 125. 00
January, February, 1945	25, 000. 00	162, 125. 00
March, April, 1945	16, 666. 66	108, 083. 33
May, June, 1945	16, 666. 67	108, 083. 33
July, August, 1945	16, 666. 67	108, 083. 34
	<hr/>	<hr/>
	150, 000. 00	972, 750. 00

"5. The Government of Peru agrees to transfer to the account of the Servicio S/1,945,500 (\$300,000 U. S.) on the following basis:

	<i>Peruvian Soles</i>	<i>U. S. Dollars</i>
July, August, 1944	324, 250. 00	50, 000. 00
September, October, 1944	324, 250. 00	50, 000. 00
November, December, 1944	324, 250. 00	50, 000. 00
January, February, 1945	324, 250. 00	50, 000. 00
March, April, 1945	216, 166. 66	33, 333. 33
May, June, 1945	216, 166. 67	33, 333. 33
July, August, 1945	216, 166. 67	33, 333. 34
	<hr/>	<hr/>
	1, 945, 500. 00	300, 000. 00

- "6. All funds contributed by The Institute of Inter-American Affairs which are not, proportionately with funds contributed by the Peruvian Government, expended or pledged by contract or other legal commitment on August 31, 1945, shall be returned to The Institute of Inter-American Affairs.
- "7. The funds contributed according to the above are to be employed only for maintaining or extending projects contemplated under the original agreement and as listed in the budget approved August 16, 1943 and as elaborated in project proposals approved by the Minister of Agriculture and the Director of the Servicio, or as modified by them, except that no part of the additional funds contributed by The Institute of Inter-American Affairs shall be utilized in projects involving poultry, fishery or warehouses.
- "8. The Chief of the Food Production Mission in Peru of The Institute of Inter-American Affairs shall continue as Director of the Servicio Cooperativo Inter-Americano de Producción de Alimentos for the life of the extended agreement.
- "9. The agreement of May 19, 1943 shall remain in full force and effect for the purpose of extending the cooperative food production program to August 31, 1945, except as specifically modified herein and the provisions contained therein will apply during the life of the extended agreement.
- "10. This extended agreement shall be definitely terminated on August 31, 1945. It is understood that during the life of this agreement there will be an orderly withdrawal of the activities of the Food Supply Division of The Institute of Inter-American Affairs in Peru and the gradual assumption of its functions by the appropriate entities of the Ministry of Agriculture.

FOR THE REPUBLIC OF PERU

GODOFREDO A. LABARTHE
Minister of Agriculture

FOR
THE INSTITUTE OF INTER-
AMERICAN AFFAIRS

G. C. DUNHAM
Major General U. S. Army
Executive Vice-President"

"LIMA, 1° de Junio de 1944

"MEMORANDUM DE CONVENIO

- "1. El Memorandum de Convenio firmado con fecha 19 de Mayo de 1943 entre el Instituto de Asuntos Inter-Americanos y el Ministerio de Agricultura de la República del Perú, por el cual se establece un programa cooperativo de producción de alimentos y se crea y autoriza el funcionamiento de un servicio técnico especial, dentro del Ministerio de Agricultura, conocido bajo el nombre de Servicio Cooperativo Inter-Americano de Producción de Alimentos, queda por el presente documento prorrogado hasta el 31 de Agosto de 1945, con las modificaciones que se mencionan en este memorandum.
- "2. Las estipulaciones contenidas en el Artículo Cuarto del Convenio del 19 de Mayo de 1943, se consideran cumplidas mediante la contribución de U. S. \$.124, 817.11, hecha por el Instituto de Asuntos Inter-Americanos, más la contribución de U. S. \$.38,159.66 que dicho Instituto de Asuntos Inter-Americanos debe hacer durante el mes de Junio de 1944 para cubrir obligaciones pendientes, siendo la contribución total de parte del Instituto de Asuntos Inter-Americanos de U. S. \$.162,976.77 (S/.1,056,904.35); y la contribución de S/.823,595 hecha por el Gobierno del Perú, más S/.233,309.35 con que deben contribuir durante el mes de Junio de 1944, siendo la contribución total del Gobierno Peruano de S/.1,056,904.35 (U. S. \$.162,976.77).
- "3. Para los fines de la extensión del Convenio de Mayo 19, 1943, el Instituto de Asuntos Inter-Americanos contribuirá con una suma adicional de U. S. \$.150,000 (S/.972,750), y el Gobierno del Perú hará asimismo una contribución adicional de S/.1,945,500 (U. S. \$.300,000). De esta manera, la contribución total del Instituto de Asuntos Inter-Americanos a las actividades del Servicio Cooperativo Inter-Americano de Producción de Alimentos, por el período que empieza el 19 de Mayo de 1943 y termina el 31 de Agosto de 1945 inclusive, ascenderá a U. S. \$.312,976.77 (S/.2,029,654.35), y la contribución total del Gobierno del Perú, para el mismo objeto, ascenderá a la suma de S/.3,002,404.35 (U. S. \$.462,976.42).
- "4. Para llevar a efecto los objetivos de este convenio prorrogado, el Instituto de Asuntos Inter-Americanos conviene en transferir a la cuenta del Servicio Cooperativo Inter-Americano de Producción de Alimentos, la suma de \$.150,000 (S/.972,750) en la forma que se detalla a continuación, con la única excepción de que el Instituto de Asuntos Inter-Americanos queda en libertad de retener el valor calculado o verdadero de pedidos colocados en los

Estados Unidos para el Servicio, y dicho valor, en las sumas respectivas, será considerado dentro de las contribuciones bimensuales, que serán como sigue:

	<i>Dólares EE. UU.</i>	<i>Soles Peruanos</i>
Julio, Agosto 1944	25,000.00	162,125.00
Setiembre, Octubre 1944	25,000.00	162,125.00
Noviembre, Diciembre 1944	25,000.00	162,125.00
Enero, Febrero 1945	25,000.00	162,125.00
Marzo, Abril 1945	16,666.66	108,083.33
Mayo, Junio 1945	16,666.67	108,083.33
Julio, Agosto 1945	16,666.67	108,083.34
	<hr/>	<hr/>
	150,000.00	972,750.00

"5. El Gobierno del Perú conviene en transferir a la cuenta del Servicio Cooperativo Inter-Americano de Producción de Alimentos, la suma de S/.1,945,500 (U. S. \$300,000), en la siguiente forma:

	<i>Soles Peruanos</i>	<i>Dólares EE. UU.</i>
Julio, Agosto 1944	324,250.00	50,000.00
Setiembre, Octubre 1944	324,250.00	50,000.00
Noviembre, Diciembre 1944	324,250.00	50,000.00
Enero, Febrero 1945	324,250.00	50,000.00
Marzo, Abril 1945	216,166.66	33,333.33
Mayo, Junio 1945	216,166.67	33,333.33
Julio, Agosto 1945	216,166.67	33,333.34
	<hr/>	<hr/>
	1,945,500.00	300,000.00

"6. Toda suma de dinero contribuida por el Instituto de Asuntos Inter-Americanos que no llegue a ser proporcionalmente con aquellos fondos contribuidos por el Gobierno Peruano, invertida o comprometida por contrato u otra forma legal al 31 de Agosto de 1945, le será reembolsada al Instituto de Asuntos Inter-Americanos.

"7. Los fondos contribuidos, de acuerdo a las cláusulas anteriores, deberán emplearse únicamente para el mantenimiento o expansión de proyectos contemplados en el Convenio original, según enumeración hecha en el presupuesto aprobado con fecha 16 de Agosto de 1943, y de acuerdo a los proyectos propuestos y aprobados por el Ministro de Agricultura y el Director del Servicio y a las modificaciones que ellos introduzcan en dichos proyectos. Queda convenido que ninguna cantidad de los fondos adicionales con que debe contribuir el Instituto de Asuntos Inter-Americanos, será invertida en proyectos de avicultura, pesquería y almacenes.

"8. El Jefe de la Misión de Producción Alimenticia en el Perú, del Instituto de Asuntos Inter-Americanos, continuará actuando como Director del Servicio Cooperativo Inter-Americano de

Producción de Alimentos, mientras se halle en vigor el presente convenio.

- "9. Queda entendido que el Convenio de Mayo 19 de 1943 queda en plena vigencia y mantiene todos sus efectos para la extensión del programa cooperativo de producción de alimentos hasta el 31 de Agosto de 1945, con excepción de las modificaciones que se contemplan en el presente documento, debiendo las estipulaciones generales contenidas en dicho Convenio mantenerse en vigencia por la duración del Convenio prorrogado.
- "10. Este Convenio prorrogado expira definitivamente el 31 de Agosto de 1945. Queda entendido que, durante la duración del mismo, la División de Suministro de Alimentos del Instituto de Asuntos Inter-Americanos irá limitando ordenadamente su actividad y, a la vez, las entidades correspondientes del Ministerio de Agricultura irán gradualmente haciéndose cargo de las funciones respectivas, actualmente a cargo de dicha División.

POR

INSTITUTO ASUNTOS INTER-AMERICANOS

G C DUNHAM

Gral. División del Ejército EE. UU.
Vice-Presidente Ejecutivo

POR

LA REPUBLICA DEL PERU

GODOFREDO A LABARTHE
Ministro de Agricultura

It is a pleasure for me to inform Your Excellency that the provisions of the Memorandum of Agreement as hereinabove set forth, by which the agreement of May 19, 1943 would be extended to August 31, 1945, except as modified by the said Memorandum of Agreement, meet with the approval of the Government of the United States of America. It is my understanding that those provisions likewise meet with the approval of the Government of the Republic of Peru. This note, together with your reply indicating the approval of the Government of the Republic of Peru, will be considered as constituting an agreement between our two Governments on the subject, it being understood that this agreement shall be effective as of May 19, 1944 and that this agreement shall continue in force to August 31, 1945.

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

J. C. WHITE.

His Excellency

Doctor ALFREDO SOLF Y MURO,

Minister for Foreign Affairs,

Lima.

*The Peruvian Minister for Foreign Affairs to the American Ambassador*MINISTERIO DE RELACIONES
EXTERIORES Y CULTO

Numero: (M) - 6-3-224

LIMA, 10 de octubre de 1944.

SEÑOR EMBAJADOR:

Con relación a la atenta nota de Vuestra Excelencia N° 216, de 18 de agosto último, por la que solicitaba la prorroga hasta el 31 de agosto de 1945 el Convenio sobre el Servicio Cooperativo Interamericano de Producción de Alimentos, me es grato manifestarle que mi Gobierno por Resolución Suprema N° 455 expedida por el Ministerio de Agricultura ha aprobado, con las modificaciones acordadas, dicha ampliación de término.

Aprovecho la oportunidad para reiterarle, señor Embajador, las seguridades de mi más alta y distinguida consideración.

ALFREDO SOLF Y MURO

Al Excelentísimo señor JOHN CAMPBELL WHITE,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.
Ciudad.

*Translation by the Department of State of the Foregoing Note*MINISTRY FOR FOREIGN AFFAIRS
AND WORSHIP

Number: (M) - 6-3-224

LIMA, October 10, 1944.

MR. AMBASSADOR:

With reference to Your Excellency's courteous note No. 216 of August 18 last, by which you requested the extension until August 31, 1945 of the Agreement on the Inter-American Cooperative Food Production Service, I am pleased to inform you that my Government, by Supreme Resolution No. 455 issued by the Ministry of Agriculture, has approved, with the modifications agreed upon, said extension of time.

I avail myself of this opportunity to repeat to you, Mr. Ambassador, the assurances of my highest and most distinguished consideration.

ALFREDO SOLF Y MURO

His Excellency

JOHN CAMPBELL WHITE,
Ambassador Extraordinary and Plenipotentiary
of the United States of America.
City.