

# INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

*Parcel post agreement between the United States of America and Japan, with regulations for execution. Signed at Tokyo June 1, 1938 and at Washington June 20, 1938; approved by the President June 21, 1938.*

June 1, 1938  
June 20, 1938

## PARCEL POST AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND JAPAN.

The Post Office Department of the United States of America and the Department of Communications of Japan have agreed upon the following articles for the purpose of improving the relations of Parcel Post between the two countries:

Parcel post agreement with Japan.

### ARTICLE I.

#### *Exchange of parcels.*

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand and Japan on the other hand, there may be exchanged parcels up to the limits of weight and dimensions stated in the Detailed Regulations for the execution of this Agreement.

Territory embraced.

Weight and dimensions.  
*Post*, p. 1884.

### ARTICLE II.

#### *Transit of parcels.*

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other Administration.

Rights guaranteed.

2. Parcels sent in open mail and in transit to or from one of the services of the two Postal Administrations through the other are subject to the conditions of exchange of parcels between them as well as those between the intermediate Administration and that of the third country concerned.

Parcels sent in open mail.

3. Parcels sent in closed mails and in transit to or from one of the services of the two Postal Administrations through the other are subject to the conditions specially agreed upon between the Chiefs of the two Postal Administrations.

Parcels sent in closed mails.

### ARTICLE III.

#### *Postage.*

1. Each Postal Administration is entitled to fix its postage rates for parcels to be collected from the sender.

Collection from sender.

2. The postage mentioned in the preceding section must be prepaid by the sender.

Prepayment.

## ARTICLE IV.

*Preparation of parcels.*

Packing.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Detailed Regulations.

Post, p. 1884.

## ARTICLE V.

*Prohibitions.*

Articles specified.

1. The following articles are prohibited transmission by parcel post:

Letters, etc.

(a) A letter or a communication having the nature of a letter. Nevertheless it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice.

Enclosure with different address.

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

Live animals.

(c) Any live animal.

Nonadmissible articles.

(d) Any article the admission of which is not authorized by the customs or other laws or regulations in force in either country.

Explosive, etc., articles.

(e) Any explosive or inflammable article, and in general, any article the conveyance of which is dangerous.

Articles injurious to public morals.

(f) Documents, pictures, and other articles injurious to public morals.

Action to be taken.

2. When a parcel contravening any of these prohibitions is handed over by one of the two Postal Administrations to the other, the latter shall proceed in accordance with its laws and inland regulations. However, explosive or inflammable articles, as well as documents, pictures, and other articles injurious to public morals are not returned to origin; they are destroyed on the spot by the Administration which has found them in the mails.

List of prohibited articles to be furnished.

3. The two Postal Administrations shall furnish each other with a list of prohibited articles.

## ARTICLE VI.

*Insurance.*

Maximum amount.

1. Parcels may be insured up to the amount of 500 francs or its equivalent in currency of the country of origin. However, the Chiefs of the two Postal Administrations may, by mutual consent, fix the limit of insured value above 500 francs.

Limitation.

The insured value may not exceed the actual value of the contents, but it is permissible to insure only part of that value.

Fee.

2. For an insured parcel, an insurance fee fixed by the Postal Administration of the country of origin shall be collected at the time of mailing in addition to the postage.

Coin, jewelry, etc.

3. The insurance of all parcels containing coin, bullion, valuable jewelry, or any other precious article is obligatory.

If, in the country of destination, a parcel which has not been insured is found to contain coin, bullion, valuable jewelry, or any other precious article, it may be delivered to its addressee as an insured parcel. In this case, the Postal Administration of the country of destination may collect the insurance fee fixed by that Administration in accordance with the provisions of the preceding section.

## ARTICLE VII.

*Certificate of mailing.*

The sender of an ordinary parcel may request, at the time of mailing, a certificate of mailing upon payment of a fee which may be fixed by the Postal Administration of the country of origin. However, no certificate of mailing, other than the insurance receipt, will be furnished the sender of an insured parcel, and no charge other than the insurance fee will be made for the insurance receipt.

Ordinary parcels.

Insured parcels.

## ARTICLE VIII.

*Advice of delivery. Inquiry.*

1. The sender of an insured parcel may request, either at the time of mailing or after mailing, an advice of delivery upon payment of a fee which may be fixed by the Postal Administration of the country of origin.

Insured parcels.

2. The sender of an ordinary or insured parcel may request, after mailing, an inquiry for the parcel upon payment of a fee which may be fixed by the Postal Administration of the country of origin. As regards insured parcels, no fee is, however, charged if the sender has already paid the special fee to obtain an advice of delivery.

Inquiry.

3. The request for an advice of delivery or an inquiry made after the mailing of a parcel is admitted only within the period of one year, counting from the day following that of mailing.

Time limitation.

## ARTICLE IX.

*Customs duties.*

Parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel.

Customs duties;  
collections.

## ARTICLE X.

*Fee for customs formalities. Fee for delivery. Warehousing charges.*

1. The Postal Administration of the country of destination may collect from the addressee, for the fulfilment of customs formalities, a fee not exceeding 50 centimes per parcel.

Fees.  
Customs formalities.

2. The Postal Administration of the country of destination may collect from the addressee, for delivery of parcels at the addressee's residence, a fee not exceeding 50 centimes per parcel. The same fee may be charged for each presentation after the first at the addressee's residence.

Delivery at addressee's residence.

3. The Postal Administration of the country of destination may collect from the addressee a suitable warehousing charge for parcels which are not withdrawn within the period which it has fixed. This charge may not, however, exceed 5 francs per parcel.

Warehousing charge.

4. The fees and charges prescribed by the above three sections shall not be canceled even in case the parcel is redirected or returned out of the country.

No cancelation of charges.

## ARTICLE XI.

*Redirection.*

- In country of destination. 1. A parcel may be redirected, at the request of the addressee, in consequence of the addressee's change of address in the country of destination.
- Additional charges. 2. For parcels redirected in its territory, the Postal Administration of the country of destination may collect from the addressee additional charges fixed by its internal regulations. These charges shall not be canceled even in case the parcel is redirected or returned out of the country.
- To another country. 3. A parcel may be redirected out of the country only at the addressee's request, and provided that the parcel complies with the conditions required for its further conveyance. Insured parcels shall not be redirected to another country except as insured mail.
- Conveyance, etc., charges. 4. When a parcel is redirected out of the country, the charges for conveyance due to the Postal Administrations concerned and, if any, the insurance fees, as well as the various charges cancelation of which is not allowed by the retransmitting Administration, shall be collected additionally from the addressee.
- Right to forbid redirection. 5. The sender is entitled to forbid any redirection, by means of a suitable entry on the parcel and on the customs declaration.

## ARTICLE XII.

*Recall. Change of address.*

- Recall and change of address. 1. So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be altered.  
For this service, the Postal Administration of the country of origin may collect the charge fixed by its internal regulations.
- Provisions applicable. 2. The provisions of Sections 2 to 4 of the preceding article are applicable to the parcel returned or redirected in consequence of the recall or the change of address.

## ARTICLE XIII.

*Non-delivery.*

- Request by sender as to disposal. 1. The sender of a parcel may make a request at the time of mailing as to the disposal of the parcel in the event it is not deliverable as addressed, the particulars of which are set forth in the Detailed Regulations.
- Post, p. 1894. 2. If the sender does not make any request in accordance with the preceding section or the sender's request has not resulted in delivery, undeliverable parcels will be returned to the sender without previous notification at the expiration of thirty days counting from the day following that of receipt at the office of destination, while parcels refused by the addressee will be returned at once.
- If no request by sender. 3. The provisions of Article XI, Sections 2 and 4 are applicable to the parcel redirected in the country of destination or returned to origin in consequence of non-delivery.  
The same provisions are also applicable to the parcel returned to origin for the reason that it contains any prohibited articles.
- Charges for redirection or return. 4. Undeliverable parcels which the sender has marked "Abandon" are not returned but are disposed of in accordance with the legislation of the country of destination after the expiration of the period mentioned in Section 2 above.
- Parcels marked "Abandon".

## ARTICLE XIV.

*Sale. Destruction.*

1. Articles liable to deterioration or corruption, and these only, may be sold immediately, even on the outward or return journey, without previous notice or judicial formality, for the benefit of the right party.

Articles liable to deterioration.

2. If for any reason a sale is impossible, the spoilt or putrid articles are destroyed.

## ARTICLE XV.

*Parcels wrongly accepted. Missent parcels.*

1. If parcels of which the weight or dimensions exceed the limits allowed have been wrongly accepted and dispatched, they are returned to origin by the Postal Administration to which the parcels were sent.

Parcels wrongly accepted.

2. Parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the Postal Administration to which the parcels were missent; nevertheless, the parcels which cannot be reforwarded to their correct destination are returned to origin.

Missent parcels.

Insured parcels may not be reforwarded except as insured mail.

Insured parcels.

3. The parcels mentioned in the two sections above must not be charged by the retransmitting country with customs or other non-postal charges.

No customs, etc., charges.

## ARTICLE XVI.

*Cancellation of customs charges.*

The two Postal Administrations agree to urge the services concerned in their countries to cancel customs and other non-postal charges on parcels which are returned to origin, abandoned by the sender, destroyed because the contents are completely damaged, or redirected to a third country.

Cancellation of customs, etc., charges.

## ARTICLE XVII.

*Indemnity.*

1. Except in the cases mentioned in the next section, the two Postal Administrations are responsible for the loss of insured parcels exchanged between the two countries and for the abstraction of or damage to their contents under the conditions prescribed by the Detailed Regulations.

Responsibility.

Post, p. 1884.

2. The Postal Administrations are relieved from all responsibility:

Exceptions.

(a) In case of parcels of which the addressee or the sender as regards returned parcels has accepted delivery without reservations.

(b) In case of loss or damage through force majeure, although either Postal Administration may, at its option and without recourse to the other Administration, pay indemnity for loss or damage due to force majeure even in cases where the Administration in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.

(c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

(d) When the damage has been caused by the fault or negligence of the sender or when it is due to the nature of the article.

(e) For parcels which contain prohibited articles.

(f) For parcels which have been fraudulently insured for a sum exceeding the actual value of the contents.

(g) For parcels seized by the customs because of false declaration of contents.

(h) When any request for inquiry or application for indemnity has not been made within the period of one year counting from the day following that of mailing the parcel.

Loss, etc., of ordinary parcels.

3. The two Postal Administrations will not be responsible for the loss of ordinary parcels exchanged between the two countries nor for the abstraction of or damage to their contents; but either Administration is at liberty to indemnify for the loss, abstraction, or damage which may occur in its service, without recourse to the other Administration.

Parcels in transit.

4. The two Postal Administrations are not responsible for the loss of the parcels mentioned in Article II, Sections 2 and 3, nor for the abstraction of or damage to their contents unless an arrangement to the contrary is made between the Chiefs of the two Postal Administrations.

#### ARTICLE XVIII.

##### *Credits.*

Credits.

1. For each parcel exchanged between the two countries, the Postal Administration of the country of origin shall pay to that of the country of destination the sums indicated in the Detailed Regulations.

Post, p. 1884.

2. In case of redirection or of return of parcels from one of the two countries to the other, the retransmitting Administration shall claim from the other the sums equal to its credits mentioned in the preceding section and the following charges, as the case may be:

(a) Sea rates due to the retransmitting Administration.

(b) Charges which are not canceled by the retransmitting Administration.

(c) Charges due to a third country.

3. As regards parcels originating in one of the two countries and sent through the other to a third country, the Postal Administration of the country of origin shall pay to the intermediate Administration the sums required by the latter.

4. As regards parcels originating in a third country and sent to one of the two countries through the other in open mail, the intermediate Administration shall pay to the Administration of destination the sums indicated in the Detailed Regulations.

#### ARTICLE XIX.

*Postal charges other than those prescribed not to be collected.*

Charges other than those prescribed not to be collected.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

#### ARTICLE XX.

*Air parcels. Parcels for delivery free of charge.*

Exchange arrangements.

The Chiefs of the two Postal Administrations may come to special arrangements for the exchange of air parcels and of parcels for delivery free of charge.

## ARTICLE XXI.

*Standard monetary unit.*

The franc regarded as the monetary unit in the provisions of this Agreement is the gold franc of 100 centimes of a weight of 10/31 of a gram and of a fineness of 0.900.

Standard monetary unit.

## ARTICLE XXII.

*Temporary suspension of service.*

In extraordinary circumstances such as will justify the measure, either Postal Administration may temporarily suspend the Parcel Post Service, either entirely or partially, on condition of giving immediate notice to the other Administration.

Temporary suspension of service.

## ARTICLE XXIII.

*Detailed Regulations. Application of internal legislation.*

1. The details necessary for the execution of this Agreement will be fixed in the form of Detailed Regulations between the two Postal Administrations.

Detailed Regulations.  
Post, p. 1884.

2. As regards the items not provided for in this Agreement the internal legislation shall remain applicable in each country.

Application of internal legislation.

3. The two Postal Administrations notify each other of their laws, ordinances, and tariffs concerning the exchange of parcel post, as well as all modifications thereof which may be subsequently made.

Mutual notice of laws, etc.

## ARTICLE XXIV.

*Entry into force and duration of Agreement.*

1. This Agreement shall supersede the Convention signed at Washington on the 30th day of June 1904 corresponding to the 30th day of the 6th month of the 37th year of Meizi.

Former agreement superseded.  
33 Stat. 2276.

2. This Agreement shall come into force on the 1st day of July 1938 corresponding to the 1st day of the 7th month of the 13th year of Syōwa, and shall remain in force until the expiration of six months from the date on which one of the two Postal Administrations has given notice to the other of its intention to terminate the Agreement.

Date of entry into force.

Duration.

Done in duplicate and signed at Tōkyō on the 1st day of the 6th month of the 13th year of Syōwa, and at Washington on the 20th day of June 1938.

Signatures.

[SEAL]

JAMES A FARLEY  
*Postmaster General of the United States of America.*

RYNTARO NAGAI  
*Minister of State for Communications of Japan.*

The foregoing Agreement between the United States of America and Japan for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President.

SUMNER WELLES

*Acting Secretary of State.*

WASHINGTON, June 21, 1938.

## DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND JAPAN.

Detailed regula-  
tions.

In accordance with the provisions of Article XXIII, Section 1, of the Parcel Post Agreement between the United States of America and Japan, the two Postal Administrations have agreed as follows:

### ARTICLE 1.

#### *Limits of weight and dimensions.*

Limits of weight  
and dimensions.

1. The limits of weight and dimensions of parcels exchanged between the United States of America and Japan are as follows:

(a) Parcels originating in the United States of America addressed to Japan:—

Weight.....22 pounds.

Dimensions----greatest length 4 feet on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 4 feet long do not exceed 16 inches in girth; and that parcels up to 3½ feet in length do not exceed 6 feet in length and girth combined.

(b) Parcels originating in Japan addressed to the United States of America:

Weight.....10 kilograms.

Dimensions----length on one side 1 meter 25 on condition that parcels not over 5 kilograms in weight do not exceed 60 cubic decimeters in volume and that parcels over 5 kilograms but not over 10 kilograms in weight do not exceed 80 cubic decimeters in volume.

2. The viewpoint of the dispatching office in regard to the exact calculation of the weight and the dimensions must be considered as prevailing, except in case of obvious error.

### ARTICLE 2.

#### *Preparation of parcels.*

Preparation of par-  
cels.

1. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself or on a label or tag firmly attached thereto. It is not allowed to write with initials the name and address of the sender or addressee, unless the initials are the adopted trade name of the senders or addressees which is generally understood. Addresses in pencil are also not allowed, except those written with copying ink on a surface previously dampened.

A slip bearing the name and address of the sender and the addressee must be enclosed in the parcel when the address is written on a label which is not gummed to the parcel. It is advisable that such slips be enclosed in all parcels.

2. Parcels must be packed in a manner adequate for the length of the journey and for the protection of the contents and so effectually that it is impossible to tamper with the contents without leaving an obvious trace of violation; in particular when the contents con-



sist of precious metal, articles of metal or heavy goods, it is essential that stout metal boxes or wooden cases at least one centimeter ( $\frac{2}{5}$  inch) thick should be used for packing.

Any liquid or any substance which easily liquefies must be packed in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (box of metal, of strong wood, or strong corrugated cardboard, or of strong fibreboard, or receptacle of equal strength) shall be left a space which shall be filled with sawdust, bran, or some other absorbent material, in sufficient quantity to absorb all the liquid contents in case of breakage.

Powders and dyes in powder form must be packed in lead-sealed metal containers which containers must be enclosed in substantial outer covers so as to obviate all damage to the accompanying mail matter.

3. Insured parcels must be sealed by means of wax, by lead, or other seals. Either Administration may require a special design or mark of the sender in the sealing of insured parcels mailed in its service.

### ARTICLE 3.

#### *Customs declarations.*

1. The sender shall prepare one customs declaration for each parcel, on a special form provided for the purpose by the Administration of origin.

Customs declarations.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, the actual weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

2. When more than one ordinary parcel is mailed simultaneously by the same sender to the same addressee at the same address, the sender may prepare only one customs declaration for the parcels, which customs declaration shall show, in addition to the particulars set forth in the preceding section, the total number of the relative parcels and shall be securely attached to one of the parcels. The parcels shall be clearly marked in such case with a fractional number, the denominator of which will indicate, in arabic figures, the total number of the relative parcels, and the numerator the serial number of the parcel.

3. The Administrations accept no responsibility for the correctness of the customs declarations.

### ARTICLE 4.

#### *Indication of insured parcels.*

1. On the address side, each insured parcel must bear a label with the words "Insured" or "Valeur déclarée", or be stamped or marked with the same words in close proximity to the number given the parcel.

Indication of insured parcels.

2. The insured parcels must bear an indication of the amount of the insured value, mentioned fully and legibly in the currency of the country of origin and in roman letters. This amount must be converted into gold francs by the sender or by the office of origin and the result of conversion is added below the original description. The amount of the insured value must also be indicated on the customs declaration.

3. The exact weight of each insured parcel must be entered by the office of origin on the address side of the parcel.

## ARTICLE 5.

*Advice of delivery. Inquiry.*

Advice of delivery.

1. As to a parcel for which an advice of delivery is asked, the office of origin impresses on the address side of the parcel and on the customs declaration with a stamp, the letters or words "A. R." or "Avis de réception". The office of origin or any other office appointed by the dispatching Administration shall fill up an advice of delivery form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled up the advice of delivery form returns it free of postage to the address of the sender of the parcel.

Inquiry.

3. When the sender applies for an advice of delivery after a parcel has been posted, the office of origin or any other office appointed by the dispatching Administration duly fills up an advice of delivery form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel. This inquiry form is treated according to the provisions of Section 5 below, except that, in case of the due delivery of the parcel, the office of destination withdraws the inquiry form and returns the advice of delivery form to origin in the manner prescribed by the preceding section.

4. When the sender makes inquiry concerning an advice of delivery which has not been returned to him after a reasonable interval, action is taken in accordance with the rules laid down in the preceding section. In that case, a second fee is not charged, and the office of origin or any other office appointed by the dispatching Administration enters at the top of the advice of delivery form the words "Duplicate of the advice of delivery".

5. When the sender requests an inquiry for the parcel, the office of origin or any other office appointed by the dispatching Administration fills up an inquiry form and sends it to the office of destination or to any other office appointed by the Administration of destination accompanied, whenever possible, by a facsimile of the address of the parcel. If the service of the country of destination is in a position to furnish information as to the ultimate disposal of the parcel, it completes the form and returns it to the office of the country of origin from which the form has been forwarded. When the disposal of the parcel cannot be established by the service of the country of destination, the fact is recorded on the form and the form is returned accompanied, whenever possible, by a declaration from the addressee certifying that he has not received the parcel.

## ARTICLE 6.

*Transit parcels.*

Transit parcels.

Each Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

## ARTICLE 7.

*Method of exchange of parcels.*

Method of exchange of parcels.

1. Parcels shall be exchanged, in bags duly fastened and sealed, by the offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels exchanged direct between the two countries shall be enclosed in separate bags from those in which ordinary parcels are contained, and the labels of bags containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

#### ARTICLE 8.

##### *Receptacles.*

1. The two Administrations shall provide their respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or the country to which it belongs.

Receptacles.

2. Bags must be returned empty and without charge to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. The returning Administration shall repay to the Administration of origin, the value of any bags which it fails to return.

#### ARTICLE 9.

##### *Billing of parcels.*

1. Ordinary parcels and insured parcels exchanged direct between the two countries are entered on separate parcel bills.

Billing of parcels.

The ordinary parcels are entered on the parcel bills to show the total number of the parcels and the total net weight thereof, while redirected or returned parcels are entered individually.

The insured parcels are entered individually on the parcel bills to show their numbers, the name of the office of origin, and their total net weight.

The entry on the parcel bills of any redirected or returned parcel must be followed by the word "Redirected" or "Returned" together with the detailed statement of charges which may be additionally collected, in the "Observations" column.

2. Transit parcels sent à découvert are entered individually on the parcel bills separate from those mentioned in the preceding section.

3. The amount to be credited must be totaled and shown on each parcel bill.

The total number of bags comprising each dispatch must also be shown on the parcel bills.

4. Each dispatching office of exchange shall number the parcel bills in the upper left-hand corner, commencing each year a fresh series for each office of exchange of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

5. The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the bags. The bag containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

#### ARTICLE 10.

##### *Checking of parcels.*

1. The office of exchange which has received a parcel mail shall check the parcels and the accompanying bills. If a parcel is missing or any other irregularity is noted, it shall be immediately reported to the dispatching office of exchange by means of a bulletin of veri-

Checking of parcels.

fication. The report of such a serious irregularity as to involve the responsibility of the respective Administration shall be accompanied by such vouchers as the strings, wax, or lead seals used for closing the bag which contained the parcels, if they are available.

If no report is made by the next mail, it will be assumed that the mail has been received in proper order until the contrary is proved.

2. If a parcel bill is missing a duplicate shall be made out and a copy sent to the dispatching office of exchange from which the dispatch was received.

3. If any parcel which is in the course of transmission is observed to bear evidence of violation or damage, it must have the facts noted on it and be marked with the stamp of the office making the note, or a document drawing attention to the violation or damage must be annexed to the parcel.

#### ARTICLE 11.

##### *Recall. Change of address.*

Recall; change of address.

1. For requests for recall or change of address of parcels, the sender, in handing the application to the post office of origin, must prove his identity and produce the certificate of mailing or the receipt of the parcel, if any. After proof of identity, for which the Administration of origin assumes responsibility, the procedure is as follows:

(a) If the request is meant to be sent by post, the application, together with an exact facsimile of the address of the parcel, is dispatched in a registered cover directly to the office of destination or to any other office appointed by the Administration of destination.

(b) If the request is to be made by telegraph, the terms of the request are transmitted by telegraph to the office of destination or to any other office appointed by the Administration of destination. In case of the request for change of address of an insured parcel, the request must be confirmed by the first mail in the manner prescribed by the preceding paragraph. In this case, the words "Confirmation of the telegraphic request for the change of address" must be shown on the upper part of the application.

2. The office which has received the request mentioned in the preceding section searches for the parcel in question and takes the necessary action.

3. If the search is fruitless, or if the parcel has already been delivered to the addressee, or if the request by telegraph is not explicit enough to permit the parcel to be surely recognized, the fact is reported at once to the office from which the request was forwarded and which informs the applicant accordingly.

#### ARTICLE 12.

##### *Non-delivery.*

Non-delivery.

1. The sender of a parcel may request at the time of mailing that, if the parcel cannot be delivered as addressed it shall be either (a) treated as abandoned, or (b) tendered for delivery at a second address in the country of destination, or (c) returned immediately.

If the sender avails himself of this facility, his request must appear on the address side of the parcel and on the relative customs declaration and must be in conformity with or analogous to one of the following forms:

"If not deliverable as addressed.....'Abandon'".

"If not deliverable as addressed.....'Deliver to.....'".

"If not deliverable as addressed.....'Return immediately'".

2. The parcels to be returned as undeliverable to the country of origin shall be marked to show the reason for non-delivery.

3. If a parcel, for any reason, is neither delivered as addressed nor returned to origin, the Administration of origin shall be informed in a precise manner of the treatment accorded to the parcel.

#### ARTICLE 13.

##### *Sale. Destruction.*

When a parcel has been sold or destroyed in accordance with the provisions of Article XIV of the Agreement, a report of the sale or destruction is prepared. A copy of the report, together with the customs declaration, is forwarded to the office of origin.

Sale; destruction.

#### ARTICLE 14.

##### *Parcels wrongly accepted. Missent parcels.*

1. When parcels exceeding the limits of weight and dimensions allowed or missent parcels are returned to origin, the returning Administration refunds to the dispatching Administration the amount credited for the parcel and reports the irregularity by means of a bulletin of verification.

Parcels wrongly accepted; missent parcels.

2. When missent parcels are reforwarded to their proper destination, and if the amount credited to the reforwarding Administration is insufficient to cover the expenses of the onward transmission, the reforwarding Administration claims from the dispatching Administration the amount of the deficiency, and reports the reason for the claim by means of a bulletin of verification.

#### ARTICLE 15.

##### *Indemnity.*

1. On the basis of the provisions of Article XVII of the Agreement, the sender is entitled to an indemnity corresponding to the actual amount of the loss of an insured parcel and of the abstraction of or damage to its contents.

Indemnity.

Indemnity is paid to the addressee when he claims it, either after making reservations when accepting delivery of a pilfered or damaged parcel, or if he proves that the sender has waived his rights in his favour.

When an insured parcel is redirected or returned to a third country from one of the two countries, the sender, in case of loss, rifling, or damage occurring subsequent to the redirection or return of the parcel, can lay claim only to the indemnity which the Administration of the country where the loss, rifling, or damage occurred consents to pay, or which that Administration is obligated to pay in accordance with the agreement made between the Administrations of the countries directly interested in the redirection or return.

2. The amount of indemnity is calculated on the basis of the actual value (current price or, in the absence of current price, the ordinary estimated value) at the time and place of mailing of the parcel, provided in any case that the indemnity shall not exceed the amount for which the parcel was insured.

Indirect loss or loss of profits is not taken into consideration.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges which have been paid. However, the insurance fees are not returned in any case.

3. The obligation of paying the indemnity shall rest with the Administration to which the office of origin is subordinate, provided that, in the case where the indemnity is paid to the addressee in accordance with the second paragraph of the first section, it shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

4. The payment of indemnity shall be made as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the paying Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the parcel in question or the responsibility incurred.

5. The Administration which undertakes the payment of indemnity is authorized to pay indemnity on behalf of the Administration which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

6. Responsibility for loss, abstraction, or damage of a parcel discovered by the receiving office of exchange at the time of opening the receptacles and duly notified to the dispatching office of exchange by bulletin of verification, shall fall upon the Administration to which the dispatching office of exchange is subordinate unless it be proved that the damage occurred in the service of the receiving Administration.

7. Until the contrary is proved, responsibility for a parcel rests with the Administration which, having received the parcel without making any observation and being furnished with all necessary particulars for inquiry, is unable to show its proper disposition.

8. If the loss, abstraction, or damage has occurred in course of conveyance without its being possible to ascertain in which service the irregularity took place, the Administrations concerned bear the loss in equal shares.

9. The Administration responsible or on whose account payment is made in accordance with Section 5 is bound to repay to the Administration making payment on its behalf, without delay and within not more than nine months after receiving notice of payment, the amount of indemnity paid.

10. Repayments are to be made free of cost to the creditor Administration by means of either a money order or a draft, in money valid in the creditor country, or by such other means as may be mutually agreed upon by correspondence.

#### ARTICLE 16.

##### *Payment.*

##### *Payment.*

1. The amounts to be paid by the Administration of origin to that of destination, in accordance with the provisions of Article XVIII, Section 1, of the Agreement are as follows:

A. In the case of parcels originating in the United States of America:

(a) Parcels for Japan proper and for any of its dependencies (Työsen, Taiwan, Karahuto, the Leased Territory of Kwantung, the South Manchuria Railway Zone, and the South Sea Islands under Japanese Mandate), which are dispatched directly thereto, 20 centimes per pound or fraction thereof.

(b) Parcels for one of the Japanese dependencies sent through Japan proper, 40 centimes per pound or fraction thereof.

For an insured parcel, 10 centimes shall be paid in addition for each parcel mentioned under (a) and 40 centimes for each parcel mentioned under (b).

B. In the case of parcels originating in Japan:

(a) Parcels for the United States proper and for Alaska, which are dispatched directly thereto, 32 centimes per 455 grams or fraction thereof.

(b) Parcels for Guam, Samoa, Hawaii, Puerto Rico, United States Virgin Islands, which are dispatched directly thereto, 16 centimes per 455 grams or fraction thereof.

(c) Parcels for Alaska sent to Seattle, 64 centimes per 455 grams or fraction thereof.

(d) Parcels for Alaska sent to any United States port except Seattle, 100 centimes per 455 grams or fraction thereof.

(e) Parcels for Puerto Rico or the United States Virgin Islands sent through the United States, 84 centimes per 455 grams or fraction thereof.

(f) Parcels for Guam sent to San Francisco and parcels for Samoa and Hawaii sent to San Francisco or to San Pedro, 48 centimes per 455 grams or fraction thereof.

(g) Parcels for Guam sent to any United States port except San Francisco and parcels for Samoa and Hawaii sent to any United States port except San Francisco or San Pedro, 84 centimes per 455 grams or fraction thereof.

For an insured parcel, 10 centimes shall be paid in addition for each parcel mentioned under (a) and (b) and 30 centimes for each parcel mentioned under (c), (d), (e), (f), and (g).

2. For parcels originating in a third country and sent à découvert to one of the two countries through the other, the intermediary Administration shall pay to the Administration of destination the amounts equal to those fixed by the preceding section.

3. The allocation or claim of the amounts mentioned in the preceding two sections and in Article XVIII, Sections 2 and 3, of the Agreement shall be made by means of parcel bills.

## ARTICLE 17.

### *Accounting.*

1. Each Administration shall prepare quarterly an account showing the sums due for parcels sent by the other Administration.

2. These accounts accompanied by the parcel bills and, if any, copies of bulletins of verification relating thereto shall be submitted to the examination of the corresponding Administration in the course of the quarter following the quarter to which they relate.

3. The compilation, transmission, and acceptance of the accounts must be effected as early as possible and the payment resulting from the balance must be made at the latest before the end of the following quarter.

4. Payment of the balances due on these accounts between the two Administrations shall be effected by means of drafts drawn on the capital or one of the commercial towns of the creditor country, or in any other manner which may from time to time be agreed upon between the two Administrations, the expense attendant on the payment being at the charge of the indebted Administration.

Accounting.

## ARTICLE 18.

*Miscellaneous notifications.*

Miscellaneous notifications.

The Administrations shall communicate to each other all items necessary for carrying out the exchange of parcels.

Entry into force; duration.

Modification.

The present Detailed Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement. The Administrations concerned shall, however, have the power by mutual consent to modify the details from time to time.

Signatures.

Done in duplicate and signed at Tōkyō on the 1st day of the 6th month of the 13th year of Syōwa, and at Washington on the 20th day of June 1938.

[SEAL]

JAMES A FARLEY

*Postmaster General of the United States of America.*

RYNTARO NAGAI

*Minister of State for Communications of Japan.*

Approval by the President.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Japan have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President.

SUMNER WELLES

*Acting Secretary of State.*

WASHINGTON, June 21, 1938.