

N° 2206.

ALLEMAGNE ET SUISSE

Arrangement additionnel au Traité de commerce du 14 juillet 1926, signé à Berne, le 23 avril 1929, et échange de notes y relatif de la même date.

GERMANY AND SWITZERLAND

Additional Agreement to the Treaty of Commerce of July 14, 1926, signed at Berne, April 23, 1929, and Exchange of Notes relating thereto of the same date.

1 TRADUCTION. — TRANSLATION.

N° 2206. — ARRANGEMENT ADDITIONNEL AU TRAITÉ DE COMMERCE
DU 14 JUILLET 1926 ENTRE L'ALLEMAGNE ET LA SUISSE. SIGNÉ
A BERNE, LE 23 AVRIL 1929.

LA CONFÉDÉRATION SUISSE ET LE REICH ALLEMAND sont convenus des dispositions additionnelles suivantes au Traité de commerce du 14 juillet 1926 :

Article premier.

L'annexe A « Droits d'entrée en Allemagne » est modifiée comme suit :

Numéros du tarif allemand	Dénomination des marchandises	Droits par 100 kg. M. du R.
ex 534	<p>1. Au N° « ex 204 » les mots : « Le chocolat contenant des amandes de fruits » sont remplacés par : « Le chocolat contenant des amandes de fruits, du gingembre ou des raisins secs. »</p> <p>2. La note ad N° 230 est rédigée de la manière suivante : <i>Note ad N° 230 :</i> On considère comme moulue la chaux sous forme de farine ou de semoule. En cas de doute, on considérera comme moulue, la chaux dont plus du 55 % passe à travers un tamis, officiellement contrôlé (nombre des mailles : 16 par centimètre carré ; ouverture des mailles : 1,5 millimètre carré ; diamètre du fil : 1,00 millimètre). Il est convenu qu'on emploiera comme tamis décrit à l'alinéa premier, le tamis d'essai N° 4 des normes allemandes pour toiles de tamis N° 30 DIN 1171, avec les tolérances admises par le « Normenblatt ».</p> <p>3. La note ad N° 234 est rédigée ainsi qu'il suit : <i>Note ad N° 234 :</i> On considère comme moulues, les pierres sous forme de farine ou de semoule. En cas de doute, on considérera comme moulues les pierres dont plus du 55 % passe à travers un tamis, officiellement contrôlé (nombre des mailles : 16 par centimètre carré ; ouverture des mailles : 1,5 millimètre carré ; diamètre du fil : 1,00 millimètre). Il est convenu qu'on emploiera comme tamis décrit à l'alinéa premier, le tamis d'essai N° 4 des normes allemandes pour toiles de tamis N° 30 DIN 1171 avec les tolérances admises par le « Normenblatt ».</p> <p>4. Le N° ex 534 est rédigé de la manière suivante : Chapeaux de femmes, non garnis, entièrement ou partiellement en soie artificielle, non mélangée de soie naturelle Chapeaux de femmes, non garnis, en chanvre de Manille ou en autre chanvre grossier, brodés de chanvre pareil ou pouvant être considérés comme chapeaux en tissus-dentelles ou en dentelles</p>	<p>par pièce 2.50 1</p>

¹ Traduction communiquée par le Conseil fédéral suisse.

¹ Translation communicated by the Swiss Federal Council.

1 TRADUCTION. — TRANSLATION.

No. 2206. — ADDITIONAL AGREEMENT TO THE TREATY OF COMMERCE
OF JULY 14, 1926, BETWEEN GERMANY AND SWITZERLAND.
SIGNED AT BERNE, APRIL 23, 1929.

THE SWISS CONFEDERATION and THE GERMAN REICH have agreed on the following provisions additional to the Commercial Treaty of July 14, 1926 :

Article 1.

Annex " A " " Duties on Importation into German Customs Territory ", is modified as follows :

German Tariff No.	Description of Goods	Duty per 100 Kg. in Reichsmarks
	<p>1. In No. ex 204 the words : " Chocolate with fruit kernels " are replaced by : " Chocolate with fruit kernels, ginger or raisins ".</p> <p>2. The note to No. 230 is worded as follows : <i>Note to No. 230</i> : Lime will be considered as ground when of a floury or gritty nature. In cases of doubt, lime of which more than 55 per cent. will pass through a sieve officially tested (number of meshes : 16 per sq. cm ; dimensions of mesh : 1.5 sq. mm ; diameter of wire : 1.00 mm) will be regarded as ground. It is agreed that the sieve to be employed under the first paragraph shall be test sieve No. 4 of German test mesh standards No. 30 DIN 1171, with the deviations from these standards permitted under the " Normenblatt ".</p> <p>3. The note to No. 234 is worded as follows : <i>Note to No. 234</i> : Stones will be considered as ground when of a floury or gritty nature. In cases of doubt, stones of which more than 55 per cent. will pass through a sieve officially tested (number of meshes : 16 per sq. cm ; dimensions of mesh : 1.5 sq. mm ; diameter of wire : 1.00 mm.) will be regarded as ground. It is agreed that the sieve to be employed under the first paragraph shall be test sieve No. 4 of German test mesh standards No. 30 DIN 1171, with the deviations permitted under the " Normenblatt ".</p> <p>4. No. ex 534 is worded as follows :</p>	
ex 534	<p>Women's hats, untrimmed, entirely or partly of artificial silk, not mixed with natural silk.</p> <p>Women's hats, untrimmed, of Manila hemp or other coarse hemp, embroidered with like hemp or coming under the category of hats of lace material or lace</p>	<p>each 2.50</p> <p>1</p>

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

German Tariff No.	Description of Goods	Duty per 100 Kg. in Reichsmarks
ex 556	<p>5. The first two sentences of note <i>h</i> of the " Notes to Class V of the Tariff " are worded as follows : In the case of woven (knitted) and netted goods, hems, seams, binding with tape or ribbon to prevent fraying, and the usual additions necessary for the use of the article, do not affect the classification. Similarly, in the case of woven gloves or hose, embroidered or sewn clocks, and other embroidery, do not affect the duties.</p> <p>6. No. 556 is replaced by No. ex 556 as follows : Boots and shoes of leather of all kinds, including those made from hides with the hair still on and those made from fish or reptile skins with soles other than of wood : Weighing more than 1,200 grammes per pair.</p> <p><i>Note</i> : Linings, trimmings and ornaments, and other additions (buckles, bows, tassels, embroideries, laces, and the like) do not affect the Customs classification of leather footwear, provided that the footwear does not thereby become liable to higher rates of duty under other tariff provisions</p> <p>7. No. ex 670 is supplemented by a second paragraph as follows : Paper strengthened longitudinally at the edges only, or at and between the edges, by means of narrow strips of paper gummed and perforated at the reinforced parts by a series of holes at regular intervals. (Paper for weaving-ooms.)</p> <p>8. The following note is inserted between No. ex 671 and the note to No. 674 : <i>Note to Nos. 670-672</i> : " Farbmusterkarten ", viz. colour sample cards furnished with small variously coloured cuttings of yarns, tissues, leather paper, straw or other similar materials, also assembled in book form, and containing instructions for use and specification as to the quality of the colours, when coming from firms established in Switzerland, are admitted duty free, provided that each card bears, printed thereon, the name of the Swiss firm, without indicating any other mercantile establishment or agent's name, in such a way that it cannot be removed without damaging the card.</p> <p>9. In the second paragraph of No. ex 819 the words : " Reeds and reed teeth " are replaced by : " Reed teeth, even in bundles, on rings, or on wooden rollers ; reeds. "</p> <p>10. No. 871 is supplemented by the following note: <i>Note</i> : By wire of copper or copper alloys is meant rolled or drawn metal (even flattened), of which the sectional dimensions, whatever the form, do not exceed 5 mm., and similarly all rolled or drawn metal (even flattened), done up into bundles or coils, or in some similar form, whatever the thickness. Nevertheless, the flat metal obtained by rolling, drawing, hammering or other means of flattening, done up into bundles or coils or in any other similar form, exceeding 5 mm. in breadth and 0.25 mm. in thickness shall be classified for Customs purposes as sheet metal.</p> <p>11. No. ex 885 is supplemented by a second paragraph as follows : Electric head-lights for motor vehicles even with bulbs fixed</p>	<p>85</p> <p>20</p> <p>120</p>
907	<p>12. The first paragraph of No. 907 is worded as follows : Dynamos and dynamo-magnetos for motor vehicles ; starting apparatus for combustion engines</p>	<p>110</p>
ex 912 C	<p>13. The following provisions are inserted after No. ex 912 A : Cooking stoves : Weighing each net : More than 3 and up to 100 kg</p>	<p>60</p>

German Tariff No.	Description of Goods	Duty per 100 Kg. in Reichsmarks
ex 912 E	More than 100 and up to 500 kg	50
	More than 500 kg	40
929	Ignition magnetos	160
	14. Nos. 929 and 930 are modified as follows :	
	Watches, including wrist watches, with or without chimes :	each
	In cases :	
	Of gold :	
	Wrist watches	3
	Other :	
	If the external diameter of the centre of the case does not exceed	
	3 ½ cms	3
	Other	7
	In silver cases, even gilt or with gilt rims, rings or heads (knobs) .	2.50
	In cases of common metal or alloys thereof, even gilt or silvered or	
	with gilt or silvered rims, rings or heads (knobs), and in cases of	
	other metals	1.80
	<i>Note</i> : Watches for wear on clothing (to be pinned on clothing) are	
	dutiable under No. 929.	
930	Cases for watches and wrist watches :	
	Of gold :	
	For wrist watches	1.50
	Other :	
	If the external diameter of the centre of the case does not exceed	
	3 ½ cms	1.50
	Other	5.50
	Of silver, even gilt or with gilt rims, rings or heads (knobs) :	
	For wristlet watches	0.75
	Other	1
	In cases of common metal or alloys thereof, even gilt or silvered or	
	with gilt or silvered rims, rings or heads (knobs) and in cases of	
	other metals	0.25
	<i>Note to No. 930</i> : If cases for watches or wrist watches are imported in	
	pieces, but ready to be put together, backs will be one half and rims	
	(with or without bezels) and bezels one quarter of the duty on entire	
	watch-cases, whereas inner casings and other parts are dutiable	
	according to the nature of the material.	
	<i>Note to No. 929 and 930</i> : Watches and wrist watches and their cases	
	plated with gold or silver will be subject to the same duty as gilt or	
	silvered watches, etc.	

Article 2.

Annex B, " Duties on Imports into Swiss Customs Territory ", is amended as follows :

Swiss Tariff No.	Description of Goods	Duty per 100 kg. in Francs
	1. <i>N. B. to 306e</i> : The Customs will also admit under this number writing or drawing paper called hammered paper, except when it does not show a pressed design proper, but merely a coarse grain in the style of rough drawing and packing paper.	

Swiss Tariff No.	Description of Goods	Duty per 100 kg. in Francs
	2. <i>N. B. to 338/340 b</i> : " <i>Farbmusterkarten</i> ", viz. colour sample cards furnished with small variously coloured cuttings of yarns, tissues, leather, paper, straw or other similar materials, also assembled in book form and containing instructions for use and specification as to the quality of the colours, when coming from firms established in Germany, are admitted duty free provided that each card bears, printed thereon, the name of the German firm, without indicating any other mercantile establishment or agent's name, in such a way that it cannot be removed without damaging the card.	
	3. Goods made of silk, floss silk or artificial silk :	
	— In the piece :	
447b ¹	— — Of artificial silk and wool weighing more than 300 grammes per square metre and containing at most 15% in weight of artificial silk spun with the wool.	240
	<i>N. B. to 447 b¹</i> : If the artificial silk spun with the wool does not represent more than 2% of the weight of the said articles, it is not taken into account for purposes of assessment.	
447b ²	— — Other	300
	4. <i>N. B. to 535/536 b</i> : Duty will be levied under these numbers on articles used in lieu of corsets proper (woven or knitted goods excepted) such as belt-corsets and the like, provided they are stiffened with steel or whale bones and measure more than 20 centimetres at the narrowest part.	
	5. <i>N. B. to 537, 540 and 543</i> : In the case of woven gloves coming under these numbers there will be no increase by reason of the fact that they are embroidered.	
	6. Clothing for men and boys :	
	— Of silk :	
547a	— — Cloaks made of tissues mentioned in No. 447b ¹	550
547b	— — Other	800
	7. Clothing for women and girls :	
	— Of silk :	
550a	— — Cloaks made of tissues mentioned in No. 447b ¹	550
550b	— — Other	800
	8. Clothing, woven and knitted goods of all kinds : ornamented or lined with fur or feathers :	
554a	— Ladies' cloaks of woollen tissue, with fur-trimmed collar, sleeve lapels and hem	500
554b	— Other	800
	9. Detached parts of watches :	
	— Cases, rough or finished :	each
932	— — Of common metals, whether silvered, gilt, or not	0.25
933a	— — Of silver	0.60
933b	— — Gold plated	0.25
933c	— — Of gold or platinum	1.50
	<i>N. B. to 932/933 a/c</i> : If pocket-watch or wrist (bracelet) watch cases are imported unfitted or incomplete backs will be one half and rims and bezels one quarter of the duty on entire watch-cases.	
	10. <i>Ad 898a, 914d and 956</i> : Mode of assessment of automobile parts imported separately :	
	The duty on electric igniters and starters as well as on combinations of these two machines shall not be higher than 110 frs. per 100 kg.	
	The duty on magneto-dynamos and magneto-igniters shall not be higher than 170 frs. per 100 kg.	
	The provisions laid down under A, I, 1 and 2, of the German-Swiss Protocol of May 3, 1928, are abrogated.	

Article 3.

The present additional Agreement shall be ratified. It shall enter into force, by agreement between the two Governments, not sooner than fourteen days after the exchange of the instruments of ratification, which shall take place at Berne, and shall remain operative as long as the Commercial Treaty of July 14, 1926, between Switzerland and Germany.

BERNE, *April 23, 1929.*

For the Swiss Federal Council :

(Signed) STUCKI.
(Signed) GASSMANN.

For the German Government :

(Signed) HAGEMANN.

SIR,

During the negotiations which resulted in the conclusion of the additional Agreement of to-day's date between Switzerland and Germany, you directed attention to the complaints formulated by Germany in regard to the application of the Swiss provision concerning the importation of unassembled articles (Introductory Remarks II. 3 to the Official List of Goods of the Swiss Customs Tariff).

I have the honour to inform you, in confirmation, that this provision represents a purely technical Customs measure, the sole purpose of which is to prevent flagrant abuse (attempts to evade Customs duties), and that it is not our intention to apply it too stringently.

I have the honour to be, etc.,

BERNE, *April 23, 1929.*

(Signed) STUCKI.

To

M. W. Hagemann,
Privy Councillor of State,
President of the German Delegation
for Commercial Negotiations
between Switzerland and Germany,
Berne.

BERNE, *April 23, 1929.*

SIR,

You were good enough to forward to me by letter of to-day's date the following communication :

“ During the negotiations which resulted in the conclusion of the additional Agreement of to-day's date between Switzerland and Germany, you directed attention to the complaints formulated by Germany in regard to the application of the Swiss provision concerning the importation of unassembled articles (Introductory Remarks II. 3 to the Official List of Goods of the Swiss Customs Tariff).

“ I have the honour to inform you, in confirmation, that this provision represents a purely technical Customs measure, the sole purpose of which is to prevent flagrant abuse (attempts to evade Customs duties), and that it is not our intention to apply it too stringently. ”

I beg to thank you for this declaration, which I duly note on behalf of my Government, and have the honour to be, etc.,

(Signed) HAGEMANN.

To

M. W. Stucki,
Director of the Trade Division
of the Federal Economic Department,
President of the Swiss Delegation
for Commercial Negotiations
between Germany and Switzerland,
Berne.

SIR,

In confirmation of verbal declarations, I have the honour to inform you that as long as turbonite plates are dutiable under Nos. 634/635*b* of the Tariff “ in use ” of the Swiss Customs, plates whose surface is not highly polished and which have not undergone improvement after casting will be assessed under No. 634 of the said Tariff.

I have the honour to be, etc.,

BERNE, *April* 23, 1929.

(Signed) STUCKI.

To

M. W. Hagemann,
Privy Councillor of State,
President of the German Delegation
for Commercial Negotiations
between Switzerland and Germany,
Berne.

BERNE, *April* 23, 1929.

SIR,

You were good enough to forward to me by letter of to-day's date, the following communication:

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I beg to thank you for this declaration, which I duly note on behalf of my Government, and have the honour to be, etc.

(Signed) HAGEMANN.

To

M. W. Stucki,
Director of the Trade Division
of the Federal Economic Department,
President of the Swiss Delegation
for Commercial Negotiations
between Germany and Switzerland,
Berne.

BERNE, April 23, 1929.

SIR,

During the negotiations which resulted in the conclusion of the additional Agreement to the Commercial Treaty between Germany and Switzerland, signed this day, the Swiss Federal Government, with reference to the verbal note of the German Ministry of Foreign Affairs of May 26, 1927, II. Sz 503, replying to the Swiss verbal notes of February 1st and March 25, 1927, IV. B. VI 6/16 and containing the following communication :

“ The Reich Ministry of Finance has given the necessary instructions that screws and nuts required for precision instruments shall be assessed according to the nature of the material of which they are made and hence, if of malleable iron, under Nos. 820 and 825 of the German tariff ”,

expressed the desire that the same principles should be applied in the Customs assessment of screws of copper or copper alloys.

I have the honour to declare that the German Government is in agreement as regards this classification.

I have the honour to be, etc.,

(Signed) HAGEMANN.

To

M. W. Stucki
 Director of the Trade Division
 of the Federal Economic Department,
 President of the Swiss Delegation
 for Commercial Negotiations
 between Germany and Switzerland,
 Berne.

BERNE, April 23, 1929.

SIR,

By letter of to-day's date you were good enough to forward to me the following communication :

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expressed the desire that the same principles should be applied in the Customs assessment of screws of copper or copper alloys.

“ I have the honour to declare that the German Government is in agreement as regards this classification. ”

I beg to thank you for this declaration, which I duly note on behalf of my Government, and have the honour to be, etc.,

(Signed) STUCKI.

To

M. W. Hagemann,
 Privy Councillor of State,
 President of the German Delegation
 for Commercial Negotiations
 between Switzerland and Germany,
 Berne.

BERNE, April 23, 1929.

SIR,

During the negotiations which resulted in the conclusion of the additional Agreement to the Commercial Treaty between Germany and Switzerland, signed this day, the Swiss Delegation expressed a desire that instructions might be given to the Customs offices with a view to preventing difficulties in regard to the assessment of duties on woven goods trimmed with the usual additions necessary for their use.

I have the honour to declare, on behalf of the German Government, that in view of the extraordinary variety in trimmings for woven goods, it is very difficult to distinguish absolutely between the usual additions necessary for the use of the article and additions which are in the nature of ornaments, but that Germany will always endeavour by publishing appropriate tariff regulations to ensure that the duties shall be assessed in as uniform and accommodating a manner as possible.

I have the honour to be, etc.

(Signed) HAGEMANN.

To

M. W. Stucki,
Director of the Trade Division
of the Federal Economic Department,
President of the Swiss Delegation
for Commercial Negotiations
between Germany and Switzerland,
Berne.

BERNE, April 23, 1929.

SIR,

You were good enough to forward to me to-day the following communication :

“ During the negotiations which resulted in the conclusion of the additional Agreement to the Commercial Treaty between Germany and Switzerland, signed this day, the Swiss Delegation expressed a desire that instructions might be given to the Customs offices with a view to preventing difficulties in regard to the assessment of duties on woven goods trimmed with the usual additions necessary for their use.

“ I have the honour to declare, on behalf of the German Government, that in view of the extraordinary variety in trimmings for woven goods it is very difficult to distinguish absolutely between the usual additions necessary for the use of the article and additions which are in the nature of ornaments, but that Germany will always endeavour by publishing appropriate tariff regulations to ensure that the duties shall be assessed in as uniform and accommodating a manner as possible. ”

I beg to thank you for this declaration, which I duly note on behalf of my Government, and have the honour to be, etc.

(Signed) STUCKI.

To

M. W. Hagemann,
Privy Councillor of State
President of the German Delegation
for Commercial Negotiations
between Switzerland and Germany,
Berne.

BERNE, *April* 23, 1929.

SIR,

During the negotiations which resulted in the conclusion of the additional Agreement to the Commercial Treaty between Germany and Switzerland, signed this day, the Swiss Delegation expressed the opinion that the traffic in used up printing-rollers sent to Switzerland by German firms for refounding or renewal of the used up roller material should be deemed to be traffic in articles for repair within the meaning of Article 13, paragraph (7), of the Commercial Treaty between Germany and Switzerland of July 14, 1926.

I have the honour to declare that the German Government concurs in this opinion.

I have the honour to be, etc.

(Signed) HAGEMANN.

To

M. W. Stucki,
Director of the Trade Division
of the Federal Economic Department,
President of the Swiss Delegation
for Commercial Negotiations
between Germany and Switzerland,
Berne.

SIR,

You were good enough to forward to me to-day the following communication :

“ During the negotiations which resulted in the conclusion of the additional Agreement to the Commercial Treaty between Germany and Switzerland, and signed this day, the Swiss Delegation expressed the opinion that the traffic in used up printing-rollers sent to Switzerland by German firms for refounding or renewal of the used up roller material should be deemed to be traffic in articles for repair within the meaning of Article 13, paragraph (7), of the Commercial Treaty between Germany and Switzerland of July 14, 1926.

“ I have the honour to declare that the German Government concurs in this opinion.”
I beg to thank you for this declaration, which I duly note on behalf of my Government.

I have the honour to be, etc.

BERNE, *April* 23, 1929.

(Signed) STUCKI.

To

M. W. Hagemann,
Privy Councillor of State,
President of the German Delegation
for Commercial Negotiations
between Switzerland and Germany,
Berne.