

N° 2240.

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**ESPAGNE  
ET TCHÉCOSLOVAQUIE**

Accord additionnel à la Convention commerciale du 29 juillet 1925, avec protocole final, signés à Madrid, le 13 décembre 1928, et échange de notes y relatif, de la même date.

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**SPAIN  
AND CZECHOSLOVAKIA**

Additional Agreement to the Commercial Convention of July 29, 1925, with Final Protocol, signed at Madrid, December 13, 1928, and Exchange of Notes relating thereto of the same date.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 2240. — ADDITIONAL AGREEMENT<sup>2</sup> TO THE COMMERCIAL CONVENTION OF<sup>3</sup> JULY 29, 1925, CONCLUDED BETWEEN THE CZECHOSLOVAK REPUBLIC AND SPAIN. SIGNED AT MADRID, DECEMBER 13, 1928.

*French official text communicated by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Agreement took place January 4, 1930.*

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC and HIS CATHOLIC MAJESTY THE KING OF SPAIN, having recognised that, in order to promote trade and economic co-operation between the two States and to develop closer commercial relations between the Czechoslovak Republic and Spain, it is desirable to modify and supplement the Commercial Convention concluded at Madrid on July 29, 1925, have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

His Excellency M. Vlasimil KYBAL, Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty the King of Spain, etc. ;

HIS CATHOLIC MAJESTY THE KING OF SPAIN :

His Excellency Don Miguel PRIMO DE RIVERA Y ORBANEJA, MARQUIS DE ESTELLA, His Prime Minister, Grandee of Spain, Lieutenant-General of the Armies, Grand Cross with laurels of the Royal and Military Order of St. Ferdinand, Knight Grand Cross of the Orders of St. Hermenegilde, of Military Merit, of Naval Merit, Gentleman of the Bedchamber in Waiting, etc. ;

Who, having communicated their respective full powers, found in good and due form, have agreed upon the following provisions :

*Article I.*

List A mentioned in Article 2 of the Commercial Convention of July 29, 1925, shall be replaced by the list of natural or manufactured products originating in and coming from the Spanish territories enumerated in the Final Protocol and Article I of the present Agreement.

*Article II.*

Articles 4 and 5 of the said Convention shall be deleted and replaced by the following provisions :

Natural or manufactured products originating in and coming from the Czechoslovak Republic shall, on importation into Spain, the Balearic Islands, the Canary Islands and the Spanish

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> The exchange of ratifications took place at Madrid, November 30, 1929.

<sup>3</sup> Vol. LX, page 329, of this Series.

Possessions, be entitled to the duties of the minimum tariff in its entirety and to general most-favoured-nation treatment, as regards both import duties and internal charges, or any other similar advantages which have been or may hereafter be granted by Spain to a third country, an exception, however, being made in respect of the special treatment which Spain has granted or may hereafter grant to natural or manufactured products originating in and coming from Portugal, the Spanish zone in Morocco, or the Spanish-American Republics.

*Article III.*

Lists A and B annexed to the said Convention shall be deleted.

*Article IV.*

Natural or manufactured products, originating in and coming from the Spanish Possessions of the Gulf of Guinea shall, when imported into the Czechoslovak Republic, be entitled to most-favoured-nation treatment ; natural or manufactured products originating in and coming from the Czechoslovak Republic shall, when imported into the above-mentioned Possessions, pay the import duties provided for in the second column of the Customs tariff of the said Possessions and shall be entitled to most-favoured-nation treatment.

*Article V.*

Article 7 of the said Convention shall be supplemented as follows :

The two Contracting Parties undertake to guarantee to each other all privileges, including the advantage of the most favourable rates, resulting from modifications in Customs nomenclature, specifications and observations or remarks introduced into their Customs tariff by means of administrative or legal measures or conventions concluded with a third Power.

The Czechoslovak Republic shall also be entitled to any favour or privilege which Spain has allowed or may in future allow to a third Power in respect of provisions for the application of the present Spanish tariff or any future Spanish tariff.

*Article VI.*

The two Contracting Parties agree to recognise each other as entitled, should modifications likely to affect the application of the present Agreement be made in their Customs, commercial or currency régime, to submit a request at any moment for a modification or adaptation of the present Agreement without being required to denounce it previously.

In such case, negotiations shall immediately be opened for the purpose of re-establishing a fair equilibrium of mutual concessions and advantages.

*Article VII.*

The present Agreement, which shall form an integral part of the Commercial Convention of July 29, 1925, as thus amended, shall be ratified and shall come into force fifteen days after the exchange of ratifications, which shall take place at Madrid as soon as possible.

It shall be put in force provisionally as from January 1, 1929.

The second paragraph of Article 9 of the said Convention shall be replaced by the following :  
The Commercial Convention of July 29, 1925, as amended, and the present Additional Agreement

shall remain in force for nine months, shall be extended after the expiry of that period by tacit agreement, and shall cease to have effect three months after being denounced by one or other of the Contracting Parties.

In faith whereof the respective Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at Madrid on December 13, 1928.

(L. S.) Vlastimil KYBAL.

(L. S.) EL MARQUÉS DE ESTELLA.

### FINAL PROTOCOL.

When proceeding to sign the Agreement of this date, the Plenipotentiaries of the two Contracting Parties made the following declarations, which shall form an integral part of the present Agreement.

The provisions of the Special Protocol to the Commercial Convention of July 29, 1925, shall remain in force in so far as they are not modified by the following provisions:

#### *Ad Article I.*

The Czechoslovak Government undertakes to apply the rates of Customs duties enumerated below in the case of the importation into Czechoslovak territory of the following products, originating in and coming from Spanish territory:

Nos. of Czechoslovak Tariff	Designation of Goods	Duties per 100 kg.
ex 10	Raisins in clusters or plucked . . . . .	240.—
ex 12	Oranges . . . . .	60.—
	Mandarins . . . . .	90.—
ex 14	Bananas . . . . .	66.—
ex 35	Almeria grapes in casks, packed in powdered cork, during the period from 1st November to the end of February, accompanied by certificates of origin . . . . .	200.—
ex 109(a)	Wines in casks: Wines of Spanish origin from the winegrowing districts of Castile, Rioja, Aragon, Ampurdan, Panades, Valencia, Murcia, the Balearic Islands, Andalusia, Galicia and the Canaries, including Malaga, Sherry, sweet Priorato, Malmsey, Muscatel and Tarragona, coming from Spain, irrespective of alcoholic strength, in accordance with Czechoslovak legislation, accompanied by a certificate of origin issued by the Spanish authorities competent for the purpose . . . . .	210.—

Nos. of Czechoslovak Tariff	Designation of Goods	Duties per 100 kg.
ex 109(b)	<p>Wines in bottles :</p> <p>Wines of Spanish origin from the winegrowing districts of Castile, Rioja, Aragon, Ampurdan, Panades, Valencia, Murcia, the Balearic Islands, Andalusia, Galicia and the Canaries, including Malaga, Sherry, sweet Priorato, Malmsey, Muscatel and Tarragona, coming from Spain, irrespective of alcoholic strength, in accordance with Czechoslovak legislation, accompanied by a certificate of origin issued by the Spanish authorities competent for the purpose . . . . .</p> <p><i>Notes</i> : Ad ex 109(a) : Wines in demijohns is dutiable in the same manner as wine in casks under No. 109(a) when the gross weight of the demijohns exceeds 25 kilogrammes.</p> <p>Ad ex 109(a) and 109(b) :</p> <p>When imported into the Czechoslovak Republic, consignments of Spanish wines must be accompanied not only by a certificate of origin but also by a certificate of analysis.</p> <p>The Spanish official organisations mentioned in the list which will be drawn up by mutual agreement shall be competent to issue the certificates of origin and certificates of analysis. The information which the above-mentioned certificates of analysis must contain shall also be fixed by mutual agreement.</p> <p>The certificate of analysis shall indicate that the analysis has been carried out in respect of the same consignment of wine with regard to which the respective certificate of origin has been made out. The Czechoslovak authorities shall recognise the above-mentioned certificates of analysis issued in the proper and prescribed form by the Spanish authorities, and shall be entitled to check the analyses of the imported wines.</p> <p>Wines of any kind bearing a Spanish name, arriving from Spain without being accompanied by a certificate of origin cannot be admitted into the Czechoslovak Republic under the régime of duties and advantages to which the above-mentioned concession refers.</p>	487.50
ex 131	Sardines preserved in oil . . . . .	360.—
ex 366	Preserved fruit . . . . .	560.—
	Stoppers of cork . . . . .	300.—
	Soles and other wares of cork, even when combined with common materials, with the exception of materials for the manufacture of floor coverings . . . . .	180.—
	<p><i>Note</i> : The cork covered by Nos. 363, 364 and 365 of the Czechoslovak Customs tariff shall enjoy most-favoured-nation treatment and shall in no case be dutiable at rates exceeding 28, 56, and 119 Czechoslovak crowns, respectively.</p>	

It is also understood that the note inserted in Nos. ex 109 (a) and ex 109 (b) : " irrespective of alcoholic strength " shall not affect the internal legislation in force in Czechoslovakia.

I have the honour to be, etc.

EL MARQUÉS DE ESTELLA.

His Excellency,  
Monsieur Vlastimil Kybal,  
Envoy Extraordinary  
and Minister Plenipotentiary  
of Czechoslovakia.

II.

MADRID, *December 13, 1928.*

YOUR EXCELLENCY,

You were so good as to inform me by your letter of to-day's date that :

With a view to the application of Notes ad ex 109 (a) and ex 109 (b) inserted Ad Article I of the Final Protocol to the Commercial Agreement concluded on this date, I have the honour to inform you that the official bodies enumerated in List A annexed to this letter will be authorised to issue certificates of origin for wines of Spanish origin, and that certificates of analysis will be issued by the official Spanish institutions enumerated in List B annexed to the same letter.

It is understood that the certificate of analysis which will accompany consignments of Spanish wines will contain particularly :

Specific weight,  
Degree of alcohol,  
Content of all acids,  
Content of volatile acids,  
Content of extract,  
Content of sugar,  
Content of extract without sugar,  
Content of ashes (mineral substances).

It is also understood that the note inserted in Nos. ex 109 (a) and ex 109 (b) : " irrespective of alcoholic strength " shall not affect the internal legislation in force in Czechoslovakia.

In taking note of this communication — I have the honour to be, etc.

Vlastimil KYBAL.

His Excellency,  
Don Miguel Primo de Rivera y Orbaneja,  
Marqués de Estella,  
Prime Minister,  
Madrid.

ANNEX A.

The official Chambers of Commerce and official Chambers of Agriculture established in the wine-growing districts enumerated in the Final Protocol ad Article I shall be authorised to issue certificates of origin for wines of Spanish origin.

## ANNEX B.

## LIST

of the Spanish Institutions authorised to issue certificates of analysis for wines of Spanish origin intended for export to Czechoslovakia.

Estación de Viticultura y Enología de Haro.  
Estación de Viticultura y Enología de Reus.  
Estación de Viticultura y Enología de Villafranca del Panadés.  
Estación Agronómica (La Moncloa).  
División Agronómica de Experimentaciones de Palencia.  
División Agronómica de Experimentaciones de Jerez de la Frontera.  
Granja Escuela Práctica de Agricultura de Burjasot (Valencia).  
Sección Agronómica de Tarragona.  
Sección Agronómica de Alicante.  
Sección Agronómica de Málaga.

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