

N° 3538.

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**PORTUGAL ET SUÈDE**

Déclaration concernant les relations  
commerciales et maritimes entre  
les deux pays. Signée à Lisbonne,  
le 19 octobre 1934.

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**PORTUGAL AND SWEDEN**

Declaration regarding Commercial  
and Maritime Relations between  
the Two Countries. Signed at  
Lisbon, October 19th, 1934.

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

## No. 3538. — DECLARATION REGARDING COMMERCIAL AND MARITIME RELATIONS BETWEEN PORTUGAL AND SWEDEN. SIGNED AT LISBON, OCTOBER 19TH, 1934.

*French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this Declaration took place November 3rd, 1934.*

Pending the conclusion of a new Treaty of Commerce and Navigation between Portugal and Sweden, the undersigned, duly authorised by their Governments, have agreed upon the following provisions :

*Article I.*

As from August 15th, 1934, Swedish shipping companies and Swedish vessels, their passengers and their cargoes shall not be liable in Portugal to duties or charges other or higher or to conditions or restrictions other or more burdensome than those to which vessels of Portugal or any other State, their passengers and their cargoes are or may be subjected. The same treatment shall be granted in Sweden as from the same date to Portuguese shipping companies and vessels, and to their passengers and cargoes.

As from the same date Swedish shipping companies and vessels, and their passengers and cargoes, shall enjoy most-favoured-nation treatment in the Portuguese colonies.

It is understood that the provisions of this Article shall not apply :

(a) To special laws concerning the national merchant marine intended to encourage fresh shipbuilding and the exercise of navigation by bounties and other special facilities ;

(b) To privileges granted to yachting clubs ;

(c) To the exercise of maritime services in ports and roadsteads and on the seashore. Maritime services shall include towing, pilotage, assistance and life-saving at sea ;

(d) To emigration and to the transport of emigrants ;

(e) To traffic between ports situated in the territories of the respective High Contracting Parties, including colonies. Such traffic shall continue to be regulated by the laws in force or by such laws as may hereafter be put in force in the respective countries ;

(f) To fishing in the territorial waters of the High Contracting Parties.

<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.

*Article 2.*

The Swedish Government undertakes to take steps at the beginning of the year 1935 to make such changes in Swedish legislation as will enable it to accept the following clause proposed by the Portuguese Government with regard to the protection of the regional appellations of its wines :

The Swedish Government recognises that the trade appellations " Porto " and " Madeira " and combinations derived from the use of those names, whether in the original forms or in translation (Port, Oporto, Port wine, Portwein, Portwijn, etc., and Madère, Madeira wine, Madeira Wein, Madeira wijn, etc.), and the designations " Moscatel de Setubal " and " Carcavelos ", are regional marks or appellations of origin, duly protected in Portugal, and belong exclusively to the dessert wines produced in the Portuguese regions of the Douro, the island of Madeira, Setubal and Carcavelos respectively.

The Swedish Government undertakes to take such repressive measures as are necessary on Swedish territory against the importation, warehousing (whether in Customs or in bonded or free warehouses), the manufactures, export, circulation, offering for sale and sale of wines bearing these appellations, whenever such wines do not originate in the Portuguese regions of the Douro, the island of Madeira, Setubal or Carcavelos, and have not been exported respectively, in the case of port over the bar of the Douro or through the port of Leixoes, of Madeira through the port of Funchal, of Muscatel of Setubal through the ports of Lisbon or Setubal and of Carcavelos through the port of Lisbon.

The genuineness of these wines must be established by certificates of origin issued by the competent Portuguese authorities, such certificates to be produced on importation into Sweden.

Repressive measures against breaches of the provisions of the present Article shall be taken by means of seizure, by making the wine unfit for consumption or any other appropriate sanction, even though the real origin is mentioned or the false appellations are accompanied by corrective terms such as " kind ", " type ", " style ", " rival " or by a specific regional or other appellation, and all marks, labels or inscriptions shall be forbidden if they are liable to mislead purchasers or to create confusion in their minds as to the real origin of the wine that they are purchasing.

The same sanctions shall be taken in respect of any procedure intended to put on sale dessert wines, entitled under this Article to an appellation of origin, if their purity on import has been impaired by the addition of water or of other wines.

The measures provided for above shall be applied on the initiative of the administration or on the application of the Public Prosecutor's Department or of an interested party, private person, syndicate or association having the nationality of either of the High Contracting Parties.

The above provisions shall apply to the dessert wine bearing the mark " Extremadura " shipped from the port of Lisbon, as soon as the wine-growing district from which it originates has been delimited and its export has been subjected to the same rules and guarantees as those adopted in Portugal in respect of wines enumerated in the first paragraph of this Article.

*Article 3.*

The Swedish Government declares that it does not intend to restrict the consumption of Portuguese dessert wines in Sweden, and guarantees that such wines shall receive the same favourable treatment as in the past.

*Article 4.*

The two Governments agree to reduce the period laid down for denunciation of the Declaration of Commerce signed at Lisbon on April 16th, 1904<sup>1</sup>, to three months, but undertake not to avail themselves of this right before April 1st, 1935.

<sup>1</sup> *British and Foreign State Papers*, Vol. 101, page 552.

*Article 5.*

The present Declaration shall come into force on this date and shall remain in force until a new Treaty of Commerce and Navigation has been concluded.

It may, however, be denounced before that time by either High Contracting Party, provided that three months' notice be given.

Done in duplicate at Lisbon, this 19th day of October, 1934.

(Signed) DANIELSSON.  
Caeiro DA MATTA.