

N° 4286.

FRANCE ET SUÈDE

Echange de notes comportant un arrangement concernant les relations commerciales entre les deux pays. Paris, le 31 janvier 1938.

FRANCE AND SWEDEN

Exchange of Notes constituting an Agreement regarding Commercial Relations between the Two Countries. Paris, January 31st, 1938.

¹ TRADUCTION. — TRANSLATOIN.

No. 4286. — EXCHANGE OF NOTES² BETWEEN THE FRENCH AND SWEDISH GOVERNMENTS CONSTITUTING AN AGREEMENT REGARDING COMMERCIAL RELATIONS BETWEEN THE TWO COUNTRIES. PARIS, JANUARY 31ST, 1938.

French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this Exchange of Notes took place February 17th, 1938.

LETTER NO. I.

FRENCH REPUBLIC.
MINISTRY OF FOREIGN AFFAIRS.
DEPARTMENT
OF POLITICAL AND COMMERCIAL AFFAIRS.
COMMERCIAL RELATIONS.

PARIS, *January 31st, 1938.*

MONSIEUR LE MINISTRE,

I have the honour to confirm the results of the recent conversations which have taken place between our two Governments with a view to facilitating, as far as possible, trade between France and Sweden and which have led to the drafting of the following Agreement :

(a) Of the aggregate quotas which are at present established or which may hereafter be established, Sweden shall receive a share calculated according to the ratio between the imports of Swedish products and the total imports of the same products during the basic period. This calculation shall be made according to the same methods as are followed in regard to any other country.

(b) The French Government reserves the right to negotiate either with Sweden or with any other country concerning the remainder of the aggregate quota, once there has been allotted to Sweden the share guaranteed to her by the preceding paragraph.

(c) As regards the administration of quotas, Sweden shall be granted, on her Government so requesting, and under the same conditions and subject to the same reservations concerning the same product, the most favourable treatment accorded to any third country.

(d) Should the French Customs statistics show that a quota granted to Sweden has been drawn upon to its full amount, the French authorities, before suspending imports of the product concerned, shall notify the Swedish Legation in Paris. The notice informing importers that the quota has been drawn upon to its full amount shall be published not sooner than ten days after this notification, this interval being such as to enable the Swedish authorities to present, should they so desire, any statistical particulars in view of which the decision might be modified. Should it be recognised that the quota has in fact been drawn upon to its full amount, all amounts imported in excess shall be entered under the quota of the following period.

(e) The French Government will give the most favourable consideration to the possibility of carrying forward from one quarter to the next the unutilised portion of the

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.

² Came into force January 31st, 1938.

quotas granted to Sweden. It will be for the Swedish Legation in Paris, at the end of each quarter, to state the quantities it desires to have carried forward, the French Administration retaining the right, however, to examine the figures produced.

(f) The French Government will also give favourable consideration to requests for an authorisation, in particular cases, to utilise in advance, during a given quarter, a portion of the quotas granted in respect of the following quarter.

(g) Any special cases arising from divergent technical interpretations, to which attention is drawn by the Swedish Legation in Paris, shall receive the most favourable consideration.

(h) Any requests presented by the above-mentioned Legation regarding the possible allotting of additional quotas, account being taken of the circumstances of each particular case and of the conditions obtaining on the French market, shall be most favourably examined.

The advantages defined above shall be granted to Sweden on condition that the Royal Government consents to the following reductions in Customs duties in respect of the French goods listed below :

Statistics number	Number in Swedish Customs tariff	Description of goods	Former duty		New duty	
			Ordinary	Additional	Ordinary	Additional
			<i>In crowns per 100 kg.</i>			
12	7	Foies gras	100	300	100	200
151	72,1	Dates	50	—	10	—
282	118	Pâté de foie gras.	500	300	400	—
Ex 321	Ex 143	Preserved mushrooms	50	25	50	—
			<i>In crowns per 100 litres</i>			
340	Ex 154	Liqueurs.	250	—	175	—
350	Ex 158	Cognac, in bottles	200	—	125	—
			<i>In crowns per 100 kg.</i>			
596	Ex 264	Soaps, etc., other	100	—	80	—

The provisions of the present Agreement shall remain in force until December 31st, 1938.

Nevertheless, if while the present Agreement is in operation one of the Contracting Parties should consider that, as a result of measures adopted by the other Party, the new situation does not permit of the application of the Agreement, it shall be entitled to request the opening of negotiations with a view to making modifications therein. Should these negotiations not lead to a satisfactory result within thirty days of the receipt of this request, the Government making the request may terminate the Agreement wholly or in part, subject to giving thirty days' notice.

I should be glad if you would inform me whether the Swedish Government is in agreement with the French Government regarding the adoption of the provisions in question.

I have the honour to be, etc.

Monsieur Hennings,
Swedish Minister,
Paris.

For and on behalf of the Minister for Foreign Affairs :

(Signed) Alexis LÉGER,

French Ambassador, Secretary-General.

LETTER NO. 1A.

SWEDISH LEGATION.

PARIS, *January 31st*, 1938.

MONSIEUR LE MINISTRE,

You were good enough to send me a letter dated this day, reading as follows :

“ I have the honour

 in question. ”

I have the honour to acknowledge receipt of this communication, of which I take note on behalf of my Government.

I have the honour to be, etc.

(Signed) Einar HENNINGS.

His Excellency
 Monsieur Delbos,
 Minister for Foreign Affairs,
 etc., etc., etc.,
 Paris.

LETTER NO. 2.

SWEDISH LEGATION.

PARIS, *January 31st*, 1938.

MONSIEUR LE MINISTRE,

With reference to the exchange of letters dated this day, I have the honour to inform you that, in return for the supplementary quotas granted to Sweden, it has been agreed as follows :

I. The Swedish Government undertakes to maintain, as long as the Agreement signed this day remains in force, the duties in the Swedish Customs tariff listed below, which are lower than those in force before March 15th, 1933 :

Number of Swedish Customs tariff	Swedish statistical number	Description of goods	Duties applicable before March 15th, 1933		Present duties	
			Ordinary duty	Supplementary duty	Ordinary duty	Supplementary duty
			<i>Crowns per 100 kg.</i>			
Ex 36	89	Mimosa, broom in branches . .	500	500	200	—
Ex 70	145	Walnuts	30	—	20	—
Ex 71	147	Almonds, unshelled	35	—	25	—
151	334	Sparkling wines, per 100 litres.	400	—	100	—
Ex 185	467	Vinegar in other vessels, without reference to the strength of the acid	100	—	50	—
210	524	Turpentine oils and essences .	5	—	3	—
261	592	Powders, rouges and beauty creams	100	400	100	100
262	593	Sweet-smelling or toilet waters, perfumes and cosmetics not classed under any other heading	300	200	300	100
Ex 460 and ex 591	Ex 993 and ex 1151	Corsets and girdles of silk with rubber threads	3,000	—	600	—
461	994	Waterproof fabrics not containing silk, combined with rubber	200	—	175	—

II. The Swedish Government undertakes to propose to Parliament as soon as possible that the Customs duty on vanilla (except vanillin and substitutes of vanilla) be reduced from 25 to 8 crowns per kilogramme.

The new duty shall come into force at the earliest possible moment after it has been approved by the Swedish Parliament.

III. The Swedish Government declares that, in respect of the products mentioned below, it does not intend to apply, before December 1st, 1938, Customs duties other than those at present in force; the new duties shall in no event exceed the rates applicable before March 15th, 1933.

Number of Swedish Customs tariff	Swedish statistical number	Description of goods	Duties applicable before March 15th, 1933		Present duties	
			Ordinary duty	Supplementary duty	Ordinary duty	Supplementary duty
			<i>Crowns per 100 kg.</i>			
Ex 56	113	Asparagus (from December 1st to May 1st)	50	100	50	—
Ex 57	116	Fresh vegetables, other kinds:				
		French beans (from December 1st to May 1st)	15	25	15	—
		Lettuces (from December 1st to May 1st)	15	25	15	—
		Artichokes (from December 1st to June 15th)	15	25	15	—

IV. The Swedish Government undertakes, as long as the Agreement signed this day remains in force, not to submit to Parliament any proposal to raise the Swedish Customs tariff duties listed below above the rates in force on March 15th, 1933 :

Number of Swedish Customs tariff	Swedish statistical number	Description of goods	Duties applicable before March 15th, 1933		Present duties	
			Ordinary duty	Supplementary duty	Ordinary duty	Supplementary duty
			<i>Crowns per 100 kg.</i>			
Ex 24	69	Dessert cheese (<i>Dessertost</i>) . .	20	30	20	—
Ex 36	89	Flowers, natural, cut, fresh (except orchids)	500	500	500	—

V. The Swedish Government has decided as follows in regard to the use of the word " wine " in Sweden : Fermented beverages which, under the terms of paragraph I of the Royal Ordinance of June 14th, 1917, as amended by the provisions of the Royal Ordinance of June 11th, 1926, were regarded as wines, but which are not manufactured with grape juice, must in future, when offered for sale or sold, be so designated as clearly to show that the beverage is manufactured with substances other than grape juice (for instance, *fruktvin*, *bärvin*, *äppelvin*, etc.). It shall be forbidden to call these beverages by the name of " wine " or by any foreign word having the same meaning ; only composite words such as those mentioned above may be used.

VI. As regards the trade in wine products, the Swedish regulations contain the following provisions :

(1) The consumption of French wines and sparkling wines of an alcohol content of 14° or less is not limited.

(2) Certificates of origin issued by the French official laboratories are accepted in Sweden as proof of the fact that wines and sparkling wines imported from France fulfil the health conditions required by French legislation concerning the prevention and punishment of fraud, and consequently satisfy the Swedish regulations.

(3) Wines and sparkling wines shall not be subjected to less favourable treatment than fruit beverages as regards administrative and fiscal regulations.

(4) In accordance with the system established in Sweden by paragraph 50 of the Royal Ordinance of June 14th, 1917, private persons may secure for their own consumption the import and transport of all brands of French wines and sparkling wines without restriction of quantity.

(5) French wines and sparkling wines shall not be subjected to such special restrictions or duties or internal charges as would have the effect of restricting imports.

VII. The Swedish Wines and Spirits Monopoly (*Aktiebolaget Vin- och Spritcentralen*) has given the Swedish Government an undertaking to ensure, in so far as required by the French regulations, respect for the regional appellations of French wine products, and to protect those products against all kinds of unfair competition, in particular with regard to the use, for commercial purposes, of false indications as to the place of origin, nature, kind and quality of the goods.

VIII. The Swedish Wines and Spirits Monopoly has declared its willingness to accept French goods in consignment in so far as it seems probable that there will be markets for them at the

prices offered, and to place orders for the renewal of stocks of goods as and when these are exhausted.

I have the honour to be, etc.

(Signed) Einar HENNINGS.

His Excellency
Monsieur Delbos,
Minister for Foreign Affairs,
etc., etc., etc.,
Paris.

LETTER NO. 2a.

FRENCH REPUBLIC.
MINISTRY OF FOREIGN AFFAIRS.
DEPARTMENT
OF POLITICAL AND COMMERCIAL AFFAIRS.
COMMERCIAL RELATIONS.

PARIS, *January 31st*, 1938.

MONSIEUR LE MINISTRE,

You were good enough to send me a letter dated this day, reading as follows :

“ With reference to
.
. these are exhausted .”

I have the honour to acknowledge receipt of this communication, regarding the contents of which the French Government declares that it is in agreement with the Swedish Government.

I have the honour to be, etc.

For and on behalf of the Minister for Foreign Affairs :

(Signed) Alexis LÉGER,

French Ambassador, Secretary-General.

Monsieur Hennings,
Swedish Minister,
Paris.