

No. 3653

**ITALY
and
SWITZERLAND**

Convention (with annexes and exchange of notes) concerning frontier traffic and grazing. Signed at Rome, on 2 July 1953

Exchange of notes constituting an agreement concerning veterinary control regulations governing the movement of livestock at the frontier and long-term grazing. Rome, 20 October 1954

Official text: Italian.

Registered by Italy on 10 January 1957.

**ITALIE
et
SUISSE**

Convention (avec annexes et échange de notes) relative au trafic de frontière et au pacage. Signée à Rome, le 2 juillet 1953

Échange de notes constituant un accord relatif aux prescriptions de police vétérinaire sur la circulation des animaux à la frontière italo-suisse et le pacage de longue durée. Rome, 20 octobre 1954

Texte officiel italien.

Enregistrés par l'Italie le 10 janvier 1957.

[TRANSLATION — TRADUCTION]

No. 3653. CONVENTION¹ BETWEEN ITALY AND SWITZERLAND CONCERNING FRONTIER TRAFFIC AND GRAZING. SIGNED AT ROME, ON 2 JULY 1953

THE PRESIDENT OF THE ITALIAN REPUBLIC
AND

THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION,

Being desirous of concluding a Convention to improve the regulation of frontier traffic and grazing between the two countries, have for this purpose appointed as their plenipotentiaries :

The President of the Italian Republic :

Mr. Ettore Spallazzi, Director-General of Customs and Indirect Taxes,

The Federal Council of the Swiss Confederation :

Mr. Ernest Widmer, Director-General of Customs,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

Article 1

GENERAL PROVISIONS

For the purposes of this Convention the expression " frontier zones " shall mean the two strips of territory on either side of the common frontier.

The width of each such " zone " shall be approximately ten kilometres save where, in exceptional cases justified by local requirements, the two Contracting Parties may extend it beyond 10 kilometres.

Lists of the communes or parts of communes included in the said zones are set forth in annex I.²

For the purposes of this Convention the expression " frontier inhabitants " shall mean persons residing in the frontier zone of either State who frequently proceed to the adjoining frontier zone by reason of their habitual activities or private interests or for family reasons of a continuing nature.

Save as otherwise specified in this Convention, the expression " frontier traffic " shall mean the traffic in imports and exports (permanent and temporary)

¹ Came into force on 17 February 1956, upon the exchange of the instruments of ratification at Rome, in accordance with article 15.

² See p. 142 of this volume.

carried on between the said two adjoining zones solely by the inhabitants thereof by reason of the normal needs of their own individual households or the cultivation and management of their lands.

For the purposes of police regulations the movement of persons in the said frontier traffic is governed by the special agreements concluded on the subject between the two countries.

As a general rule the frontier may not be crossed except by holders of the "official identity document" specified in the said agreements (passport, frontier permit or *laissez-passer*), by the authorized customs routes and during working hours.

However, the possession *per se* of an "official identity document" issued by the police in accordance with the special agreements on the movement of persons in frontier traffic shall not entitle the holder to the customs facilities provided by this Convention; the said facilities shall remain expressly subject to the specific condition that the holder of the document shall be a "frontier inhabitant" as defined above.

The customs authorities of the two countries shall determine by mutual agreement the system and methods to be adopted to ensure compliance with the foregoing conditions. They shall endeavour to ensure that crossing points and the functions and working hours of their respective offices coincide so far as possible, and shall for preference establish the said offices near the frontier.

Article 2

AGRICULTURAL AND FORESTRY TRAFFIC

I. "Frontier inhabitants" who have their agricultural and forestry undertakings in the frontier zone of one of the two States and who, as owners, tenants or usufructuaries personally engage in cultivation or forestry on lands situated in the contiguous frontier zone of the other State, and members of their families and their employees may drive or convey from their homes or undertakings to the said lands and vice versa free of customs duties and of any other tax or impost :

- (a) Livestock required for work or driven to daily pasture;
- (b) Implements, vehicles and machinery commonly used for agriculture and forestry, including their accessories, fuels, lubricants and all other materials required for the operation of such machinery and vehicles. As regards fuels however, the exemption shall apply solely to the quantity contained in the vehicle's normal tank in direct connexion with the motor;
- (c) Manures of all kinds, plant protection preparations, seeds, seedlings and saplings for reforestation, vine props and building materials for the maintenance of existing buildings on the said lands;

- (d) Food and beverages (excluding alcoholic beverages other than wine, cider and beer) required for consumption by the workers while at work;
- (e) The necessary fodder to feed the livestock during the same period.

When the grazing or work is completed, the livestock, implements, machinery, vehicles and all surplus fodder, fuels contained in the normal tank as specified above, lubricants, manures, seeds and all other materials shall be driven or conveyed back across the frontier. No security shall, however, be required unless there is reason to suspect abuse. With regard to livestock driven to daily pasture the offices shall adopt only such precautions as may be required to prevent any abuses. In the case of long-term grazing the rules laid down in article 6 shall apply.

II. The following shall likewise be exempt from all import or export duties and from any other tax or impost :

- (a) Raw agricultural and forest produce (except the raw produce of vineyards and tobacco plantations) harvested on the lands referred to in the preceding paragraph I and conveyed into the other zone by the owners, tenants or usufructuaries thereof, members of their families or their employees. The expression "raw produce" shall mean produce which has undergone no handling other than that required to harvest and transport it;
- (b) Products obtained from livestock during their sojourn on the said lands, including their young;
- (c) The carcasses (meat, hides and bones), in transit to their owners, of livestock killed by accident or out of necessity during grazing or work in one of the two zones.

III. In the case of immovable properties intersected by the customs boundary, exemption from all customs duties and from any other tax or impost shall be granted in respect of all "agricultural and forest produce", including the products of animal husbandry and viticulture (wine included), which is derived from the processing of the raw produce of the lands constituting the said properties and which is taken from a place in a dwelling house or industrial building situated in one zone to another place situated in the other zone but forming part of the same group of rural industrial premises. The two customs administrations shall enter into agreements governing the practical application of this concession.

IV. In case of duly established necessity the operations specified in this article may as an exceptional measure be carried out by non-customs routes, provided that special permission is applied for in good time from, and is granted by, the competent customs offices. In such cases the livestock, implements, vehicles and machinery shall be returned within the time-limit fixed by the customs offices.

V. The facilities provided by this article shall be granted only in the

seasons and during the hours in which agricultural and forestry work is normally done and crops are normally harvested and carried in the locality.

Frontier inhabitants wishing to avail themselves of the said facilities shall submit annually to the customs of their own State a certificate issued by the competent communal authority of the other zone and specifying the location and area of the property and the nature of cultivation. Such certificates shall be issued free of charge.

Frontier inhabitants shall likewise give an estimate of their crops.

In the event of any change in the particulars stated in the certificate or in the crop estimate given, the information shall be brought up to date.

The certificate from the competent communal authority and the crop estimate shall be drawn up in duplicate, one copy for each customs authority concerned, on the official form (obverse and reverse) reproduced in annex II.¹

If the information given is found to be accurate the two customs authorities shall endorse the said form as proof of entitlement to the facilities provided by this article, and shall retain one copy each.

Where appropriate there may be established crop estimation boards whose composition and functions shall be determined by the Permanent Mixed Commission on Frontier Traffic referred to in article 12 hereinafter.

VI. The provisions of this article shall likewise apply, subject to the same conditions, to corporate bodies not principally engaged in commercial or industrial activities, communes, provinces or cantons in the two frontier zones.

Article 3

SPECIAL FACILITIES

In case of established necessity due to local conditions customs exemption may be granted in respect of the following articles originating in one of the two frontier zones and imported into the other zone solely for the importer's household use :

- (a) Hay, straw (including chopped straw), grass fodder, leafage and litter;
- (b) Live plants, moss, reeds, and hemp and flax stalks;
- (c) Firewood, charcoal, peat, and peat coal;
- (d) Lye-ashes, manures of all kinds, distillery and brewery residues, grape mash, sweepings and other similar residues and wastes;
- (e) Unworked stone, gravel, sand, clay, limestone and quicklime.

¹ See p. 150 of this volume.

The Permanent Mixed Commission provided for in article 12 shall determine which of the aforementioned articles shall be exempt, in what quantities, and through which frontier crossing points they shall be conveyed.

The customs authorities shall at all times be empowered to adopt all measures necessary to prevent abuses.

Article 4

PERMANENT IMPORTS AND EXPORTS

In the traffic between the two frontier zones the following articles shall be exported and imported in either direction free of duty :

- (a) Foodstuffs and ordinary beverages, within the limits independently prescribed by the two countries, personally imported by the inhabitants of one frontier zone from the other zone, not more than once daily, for their own household use and not for commercial purposes;
- (b) Such provisions, not exceeding daily requirements, as the inhabitants of one frontier zone working in the other zone take with them for their own sustenance, or as are taken to them by members of their families. This facility shall not apply to alcoholic beverages except wine, cider and beer;
- (c) Such medicaments, bandages and disinfectants as physicians, veterinary surgeons and midwives living in one frontier zone may carry with them in normal quantities for immediate use or consumption in the other zone. All surplus medicaments, bandages and disinfectants shall be re-exported;
- (d) Medicaments, bandages and disinfectants procured in small quantities by the inhabitants of one of the frontier zones, on a medical or veterinary prescription in individual cases of illness, from pharmacies in the other zone which local conditions oblige them to use;

Subject to these limitations a medical prescription shall not be required for common products or well-known chemical and pharmaceutical preparations which are accurately and clearly described on their labels and which may be imported and retailed without a medical prescription in the State where they are to be consumed. Local necessity shall be recognized where a person is unable, for purely physical reasons to obtain what he needs in his own frontier zone, regardless of any personal preferences or monetary considerations whatsoever;

- (e) Coffins and funeral urns containing the remains of deceased persons, wreaths and similar articles for the adornment of such coffins and urns; materials and

articles for the maintenance and adornment of the graves of relatives of the frontier inhabitants;

- (f) Natural or artificial flowers, leaves and grass and festoons, garlands, bunches, etc., thereof, carried personally by the inhabitants of one zone into the other zone on the occasion of family festivities or religious ceremonies, and not for commercial purposes.

Article 5

TEMPORARY IMPORTS AND EXPORTS

In the traffic between the two frontier zones the following may be imported and exported temporarily in either direction provided they belong to the inhabitants of one frontier zone and are driven or conveyed into the other zone for the purposes indicated and solely in the interest of the said inhabitants :

- (a) Working animals, machinery, tools and implements for temporary use in agriculture and forestry in accordance with local conditions;
- (b) Livestock of any species, for purposes of daily pasture, breeding, veterinary treatment, castration, shoeing or weighing;
- (c) Cereals, vegetables, chestnuts, oil-bearing seeds and fruits, hemp, flax, hides, bark and other similar produce of the frontier zones, for milling, extraction, shelling, threshing, tanning, pressing or other processing, and roundwood in the rough for cutting, splitting or sawing into planks or beams, provided they are for the use of the inhabitants of the frontier zone and mills, presses, sawmills or other plant in the other zone must be used. That quantity of the processed products which corresponds to the normal yield shall be re-exported or re-imported by the same persons who temporarily imported or exported the raw materials;

All by-products and wastes which are subject to customs duties shall be re-exported or cleared through customs. The customs administrations of the two countries may, if necessary, determine by mutual agreement what quantities shall be admitted free of duty;

- (d) Agricultural and forestry machinery, tools and implements and household or personal equipment and other articles for modification or repair, and fabric of all kinds for making up into clothes, provided that such traffic is rendered necessary by local conditions as specified in article 4, paragraph (d);
- (e) Instruments carried by physicians, veterinary surgeons and midwives for their professional use; religious objects carried by priests or their assistants for religious ceremonial purposes; instruments for use in scientific research or

- artistic activities; implements and tools carried by workers for use in their trade;
- (f) Sporting firearms with the number of cartridges authorized independently by each country, hunting gear and fishing tackle, provided that the bearer holds a valid licence, and sports equipment of all kinds;
 - (g) Vehicles including motor vehicles subject to the rules laid down in the special agreements on road traffic and the movement of motor vehicles concluded between the two countries, draught animals, riding animals and beasts of burden which cross the frontier in order to carry or fetch persons and goods from one frontier zone to the other. These facilities shall also apply to draught and riding harness, vehicle stores and the necessary fodder for the livestock. All surplus fodder shall be re-exported;
 - (h) Such furniture, household utensils and articles; instruments and tools, all in a used condition, as the inhabitants of one zone may introduce into the other zone for their personal use during their sojourn;
 - (i) Goods, other than foodstuffs and beverages, imported or exported with a view to sale, including products personally carried or conveyed, by craftsmen and wage-earning home workers resident in one frontier zone, to markets or fairs in the other zone for sale.

All products taken to a market or fair and left unsold shall be returned to the zone of origin. Import and export duties on articles sold shall be paid as soon as the last market or fair attended has closed.

The customs may direct that samples be taken, that distinguishing marks be applied or that drawings and photographs be produced, and may require the re-exports or re-import of the aforementioned articles to be guaranteed by the deposit of the amount of the customs duties or by a reliable surety.

The period within which articles may be returned free of duty to the zone of origin shall be that strictly necessary to carry out the work and shall not, as a general rule, exceed six months.

Customs documents valid for a period not exceeding one year may be issued for vehicles, livestock, agricultural machinery and industrial implements which cross the frontier repeatedly.

As a general rule, no security shall be required or other customs formalities imposed in the cases specified in paragraph (e).

Article 6

LONG-TERM GRAZING

Subject to the conditions hereinafter specified, livestock of any species driven from the territory of one Contracting Party for long-term grazing (in Alpine or winter pasture) in the territory of the other Contracting Party may be temporarily imported and exported in either direction free of any tax or impost provided they are returned within the time-limit determined in advance.

The following products obtained from the livestock during Alpine and winter grazing shall be exempt from all import and export duties :

- (a) The young dropped during Alpine or winter grazing;
- (b) Milk, cheese and butter, in quantities not exceeding the normal yield having regard to the numbers and species of livestock and the length of time spent beyond the frontier.

This exemption shall apply to the export or import of the said products while the animals are beyond the frontier and within four weeks after their return.

The customs may require the re-export and re-import of livestock to be guaranteed by the deposit of the amount of the customs duties or by a surety. Any trustworthy landowner shall be considered a sufficient surety.

An individual indelible or irremovable mark shall be applied to all cattle and horses undergoing health inspection under the veterinary control regulations governing the movement of livestock and shall be recorded on the health certificate to facilitate identification of the beasts on return to their country of origin.

The customs shall likewise take all necessary steps to ensure proper control over all movements of livestock.

PASSAGE FACILITIES

Article 7

Where local conditions so require, the customs authorities of the two countries may, so far as possible and, if necessary, by mutual agreement, exempt particular types of frontier traffic at particular points on the frontier from the rule that goods traffic shall keep to the customs routes and the prescribed hours.

Where such arrangement is found necessary, special fees for customs operations performed away from the customs and outside normal office hours may as a rule be waived.

Article 8

Physicians, veterinary surgeons and midwives resident in one of the two frontier zones and authorized to practice under the Convention of 28 June 1888¹ may cross the frontier with a vehicle (bicycle, motorcycle or motor car) without giving any security for such conveyance. The rules governing the grant of this facility shall be established by mutual agreement by the customs of the two countries.

In case of necessity the said persons may, provided they are not carrying or conveying any goods subject to customs control, cross the frontier at any time and by non-customs routes without paying any special fee.

Article 9

In the event of fire or other accident in the frontier zones the local inhabitants and the emergency services (fire brigade, etc.) may, in order to render assistance, cross the frontier by non-customs routes, at any hour of the day or night, even without paying any fee, together with their implements, vehicles, draught animals, fodder for the said animals and everything requisite for running the motors. Customs formalities shall be limited to a brief record of all crossings.

The implements, vehicles, draught animals and all surplus fodder, motor fuel and the like shall be taken back across the frontier when the rescue operations are completed.

Article 10

SPECIAL PROVISIONS

The customs exemption provided by this Convention shall include exemption from import or export duties and any other tax or impost to which goods imported or exported may be liable in addition to frontier duties.

However, save as otherwise specified in articles 7 and 9, it shall not include fees for extraordinary services rendered, at the request of those concerned, outside the customs area or outside normal office hours.

Customs exemption shall likewise include the waiver of any prohibition and other economic restriction affecting imports or exports in general. This facility shall not apply to goods temporarily imported or exported for sale or return in accordance with article 5, paragraph (i).

However, the rules adopted independently or by treaty in the two countries concerning currency and payments, works of art, monopolies, police, hunting and fishing, the provisions concerning public health and plant health and all restric-

¹ De Martens, *Nouveau Recueil général de Traités*, deuxième série, tome XVII, p. 18.

tions affecting the production and transport of and trade in certain products shall remain applicable even to frontier traffic.

The provisions of this Convention shall not modify the regulations in force in the two countries concerning customs clearance and control. The veterinary control measures which shall govern the movement of livestock shall be determined by a subsequent exchange of notes¹ between the two Governments.

Article 11

CONTROL MEASURES

The competent customs authorities of the two Contracting Parties shall severally adopt the necessary control measures to prevent any misuse of the facilities provided by this Convention.

They shall be empowered to withhold or suspend the said facilities in the case of any person found guilty of fraud or of having been a party thereto. If necessary the customs authorities of the two countries shall agree on the measures to be adopted.

Each of the two customs authorities shall, upon official request, furnish to the other information on the movement of the goods, products, vehicles, animals, etc., referred to in this Convention.

Article 12

MIXED COMMISSION

A "Permanent Mixed Commission on Frontier Traffic" shall be established to give effect to this Convention and to ensure that the traffic which the Convention is designed to facilitate is carried on properly.

The Commission shall be composed of three members for each of the two Contracting Parties, assisted, if necessary, by the officials in direct charge of frontier services, as experts.

The Commission may suggest to the Governments any measure deemed appropriate to ensure the satisfactory operation of the Convention.

The Commission shall be established as soon as possible after this Convention enters into force and shall take up its duties not later than the following month. It shall meet in Italy and Switzerland alternately.

After the first meeting the Commission shall be convened at the request of either Party.

¹ See p. 158 of this volume.

FINAL PROVISIONS

Article 13

The provisions of articles 16 and 17 of the Trade Treaty of 27 January 1923¹ between Italy and Switzerland are hereby repealed.

Article 14

This Convention shall be ratified and the instruments of ratification shall be exchanged at Rome as soon as possible.

Article 15

This Convention shall enter into force immediately after the exchange of the instruments of ratification.

This Convention shall remain in force for one year and shall thereafter be deemed to be renewed from year to year by tacit agreement unless notice of termination is given by one of the two Contracting Parties at least three months before the end of the current period of one year.

DONE at Rome, on 2 July 1953.

(Signed) Ettore SPALLAZZI

(Signed) WIDMER

ANNEX I

LIST OF ITALIAN COMMUNES AND PARTS OF COMMUNES ELIGIBLE TO BENEFIT FROM THE PROVISIONS OF THE CONVENTION CONCERNING FRONTIER TRAFFIC AND GRAZING²

VALLEY OF AOSTA

Courmayeur, Saint-Rhémy, Saint-Oyen, Etroubles, Allain, Gignod, Doues, Ollomont, Valpelline, Oyace, Bionaz, Valtournanche, Ayas, Gressoney-la-Trinité, Gressoney-Saint-Jean (only the principal town and the territory north of it).

PROVINCE OF VERCELLI

Alagna Valsesia.

PROVINCE OF NOVARA

Macugnaga, Ceppo Morelli, Vanzone con San Carlo, Antrona-Schieranco, Trasquera, Varzo, Crodo, Baceno, Premia, Formazza, Santa Maria Maggiore, Graveggia, Toceno, Re, Malesco, Cursolo Orasso, Gurro, Cavaglio Spocchia, Falmenta, Cannobio, Tràrego Viggiona, Cànnero.

¹ League of Nations, *Treaty Series*, Vol. XXV, p. 21; Vol. LXIII, p. 396; Vol. LXXXVIII, p. 303; Vol. CXXII, p. 332, and Vol. CLII, p. 288.

² See p. 122 of this volume.

ANNEX II

Swiss Customs
AdministrationCustoms Office
atItalian Customs
Administration

CERTIFICATE

for the import of agricultural and forest produce under article 2 of the Italo-Swiss Convention on Frontier Traffic and Grazing

Valid for the year

HOLDER :

Surname Name
Occupation Year of birth
Place of residence

DESCRIPTION OF THE PROPERTY

Survey Map (Sheet and No.)	Location	Area	Nature of Cultivation (¹)	Trees (²)	Whether owner, usufructuary or tenant (³)

The undersigned hereby certifies that the above-named is the owner (³), usufructuary (³), tenant (³) of the property described above and that the said property is situated in the adjoining frontier zone.

Date

(Stamp of the communal authority)

The communal authority:

(Signed)

(¹) State whether tillage, gardens, meadows, orchards, woods, vineyards etc.

(²) If fruit trees, state kind and number.

(³) Delete what does not apply.

N.B. This document must be submitted to the competent customs by 30 April each year.

DECLARATION OF ESTIMATED CROPS

Nature of produce grown	Area under cultivation	Number of trees	Quantity in kilogrammes or litres	Any notes and corrections
Wheat				
Rye				
Oats				
Barley				
Maize				
Fresh fruit				
Chestnuts				
Walnuts				
Fresh vegetables				
Potatoes				
Hay and grass				
Firewood :				
From resinous trees				
From other trees				
Construction timber in the rough :				
From resinous trees				
From other trees				
Flax and hemp				
Cider				
Grapes				
New wine				
Grapes marc				

The undersigned hereby declares that the above-mentioned property is worked by him and certifies that the information given above is correct.

Date

Signature

The Italian Customs
authorizes importation ⁽¹⁾

The Swiss Customs
authorizes importation ⁽¹⁾

⁽¹⁾ Delete what does not apply.

EXCHANGE OF NOTES

I

THE CHAIRMAN OF THE ITALIAN DELEGATION

Rome, 2 July 1953

Sir,

During the negotiations which ended today we have had occasion to point out that, under article 6 of the Protocol of Signature of the Trade Agreement of 21 October 1950 between Italy and Switzerland, the produce, including vineyard produce (grapes and wine), of properties situated in the Italian frontier zone and belonging to and cultivated by persons resident in the Swiss frontier zone is subject to no quota restrictions on export from Italy.

So far as export duties and any other customs levy on exports are concerned I have the honour to assure you that the said produce, and in particular vineyard produce (grapes and wine), is not subject to any such duty inasmuch as the customs legislation in force provides for no customs duties or other export dues.

Should it be necessary to alter this exemption in the future as a result of any change in Italian customs policy, the situation shall be re-examined by mutual agreement.

I have the honour to be, etc.

(Signed) E. SPALLAZZI

Mr. Ernest Widmer
Chairman of the Swiss Delegation
Rome

II

THE CHAIRMAN OF THE SWISS DELEGATION

Rome, 2 July 1953

Sir,

I have the honour to acknowledge receipt of your letter dated today, which reads as follows :

[See note I]

I have taken due note of the foregoing and have the honour to be, etc.

(Signed) WIDMER

Dr. Ettore Spallazzi
Chairman of the Italian Delegation
Rome

III

THE CHAIRMAN OF THE SWISS DELEGATION

Rome, 2 July 1953

Sir,

During the negotiations which ended today we have had occasion to consider the position of the Italian wine producers of the Valtellina.

The Italian delegation has submitted to the Swiss delegation an explanatory memorandum on the subject in which the Italian request is stated in precise terms.

Furthermore the special nature of the problem has been recognized.

In this connexion, having noted the great importance which Italy attaches to this request, and which you warmly emphasized, I have the honour to assure you that I shall not fail to draw the request to the attention of the competent Swiss authorities, to which it shall be promptly transmitted, with a view to a satisfactory solution.

I have the honour to be, etc.

(Signed) WIDMER

Dr. Ettore Spallazzi
Chairman of the Italian Delegation
Rome

IV

THE CHAIRMAN OF THE ITALIAN DELEGATION

Rome, 2 July 1953

Sir,

I have the honour to acknowledge receipt of your letter dated today, which reads as follows :

[See note III]

I have taken due note of the foregoing and have the honour to be, etc.

(Signed) SPALLAZZI

Mr. Ernest Widmer
Chairman of the Swiss Delegation
Rome

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN ITALY AND SWITZERLAND CONCERNING
VETERINARY CONTROL REGULATIONS GOVERNING
THE MOVEMENT OF LIVESTOCK AT THE FRONTIER
AND LONG-TERM GRAZING. ROME, 20 OCTOBER 1954

I

SWISS LEGATION IN ITALY

Rome, 20 October 1954

Your Excellency,

I have the honour to refer to the provisions of article 10 of the " Convention between Italy and Switzerland concerning frontier traffic and grazing " signed at Rome on 2 July 1953,² which, in its final paragraph, stipulated that the veterinary control measures which should govern the movement of livestock should be determined by a subsequent exchange of notes between the two Governments.

On the basis of the agreements which have since been reached between the competent technical authorities of the two countries I have the honour to submit herewith the text of the " Veterinary control regulations governing the movement of livestock at the Italo-Swiss frontier and long-term grazing " which the Swiss Government is prepared to accept as an integral part of the provisions of the aforesaid Convention and to apply as from the date of entry into force of the said Convention.

I should be grateful if you would be good enough to confirm that the Italian Government agrees to the foregoing.

I have the honour to be, etc.

(Signed) CELIO
Minister of Switzerland

His Excellency A. Corrias
Directorate-General of Economic Affairs
Ministry of Foreign Affairs
Rome

¹ Came into force on 17 February 1956, the date of entry into force of the Convention concerning Frontier Traffic and grazing, in accordance with the terms of the said notes.

² See p. 122 of this volume.

VETERINARY CONTROL REGULATIONS GOVERNING THE MOVEMENT
OF LIVESTOCK AT THE ITALO-SWISS FRONTIER AND LONG-TERM
GRAZING

Article 1

EXCHANGE OF HEALTH INFORMATION

There shall be a mutual exchange of information concerning the following contagious diseases of livestock: rinderpest, exudative bovine pleuropneumonia, foot-and-mouth disease, bovine brucellosis, visceral anthrax, glanders, dourine, swine fever, swine erysipelas, sheep-pox, Malta fever infection of sheep and goats, sheep scab and contagious agalactia of sheep and goats.

The information shall be exchanged by the competent authorities of the contiguous territories of the two States.

Information on animal diseases shall be transmitted every fifteen days through the exchange of health bulletins. Notice of any outbreak of rinderpest, foot-and-mouth disease, contagious bovine pleuropneumonia or sheep-pox shall, however, be given a special report within the shortest possible time by the quickest available means.

Article 2

DAILY GRAZING AND AGRICULTURAL WORK

The movement of livestock for purposes of daily grazing or agricultural work in the territory of the frontier zones shall, as a general rule, be subject to no veterinary control.

This provision shall not apply to any cloven-hoofed animal which has suffered from foot-and-mouth disease during the previous twenty-four months.

The veterinary authority of the country of destination may require all cloven-hoofed animals to have undergone preventive vaccination against foot-and-mouth disease not more than four months or less than fifteen days before crossing the frontier.

Cloven-hoofed animals taken to daily pasture shall bear serially numbered earmarks. For asses, horses and mules a detailed identity document shall be deposited with the competent customs office in the country of destination.

In the event of any outbreak of a livestock disease subject by law to report other than foot-and-mouth disease, in the territory of a commune in one of the frontier zones, livestock from such commune shall not be permitted to cross the frontier into the other zone unless they are accompanied by a certificate issued by the competent communal authority. The certificate shall declare that the animals originate from localities free from any of the contagious diseases enumerated in article 1 which are subject by law to report and communicable to one or more of the species of livestock for which it is issued.

If any signs of foot-and-mouth disease appear in the adjoining zone, all movement of livestock across the frontier line and all transit of animal products and remains, fodder, straw, etc., shall be prohibited.

Article 3

MOVEMENT OF SOLID-HOOFED ANIMALS AND CATTLE USED TO TRANSPORT PERSONS AND GOODS

Asses, horses, mules and cattle used to transport persons and goods may not enter the territory of the other State unless they are accompanied by a certificate issued by the mayor or livestock inspector to the effect that their commune of origin has been free from foot-and-mouth disease for forty days and that no other contagious disease affecting the species for which the certificate is issued has been detected in the stock-farm or farm of origin.

The said certificate shall state the name, surname and residence of the owner and shall contain an exact description of each animal. It must have been issued not more than twenty days previously and shall be produced at all times at the request of the authority responsible for health control.

Should the conditions laid down for the issue of the said certificate cease to exist the mayor or livestock inspector of the commune of origin shall immediately order its withdrawal.

No health certificate shall be required for asses, horses and mules which remain in the State of destination for not more than forty-eight hours.

Article 4

TRANSIT ACROSS INTERVENING FOREIGN TERRITORY

Livestock which must pass through the territory of the other Contracting State in moving from one locality to another in their State of origin shall be subject, at the prescribed places, to health inspection by the veterinary surgeons on duty at the frontier of the State concerned.

Article 5

LONG-TERM GRAZING

Cattle, asses, horses, mules, sheep, goats and pigs may enter either of the Contracting Countries for long-term grazing, subject to the following conditions :

1. Notice of intention to graze livestock from one Contracting Country in the territory of the other shall be given to the commune in which the livestock is being kept not less than fifteen days before departure.

Such notice shall state :

- (a) The name, surname and residence of the owner of the livestock;
- (b) The species of livestock and the number of animals of each species;
- (c) The whereabouts of the livestock at the time of giving notice;
- (d) The commune and pasture of destination;
- (e) The route to be followed by the livestock to the pasture of destination, and the means of transport (on foot, by motor truck, by rail, etc.);
- (f) The customs office through which the livestock must pass to enter the country of destination.

The application, signed by the mayor or livestock inspector, shall be transmitted immediately to the competent higher authority of the province or canton.

2. Upon receipt of such application the said authority shall arrange to send the State veterinary surgeon or a veterinary surgeon appointed for the purpose by the State to the locality where the livestock to be grazed are kept.

3. The State veterinary surgeon or the veterinary surgeon appointed for the purpose by the State shall inspect each animal and satisfy himself that the whole herd is free from contagious diseases and has not previously been exposed to contagion.

4. When the inspection referred to in the preceding paragraph is completed the mayor or livestock inspector shall issue a certificate of origin and health which shall also be signed by the said veterinary surgeon. The said certificate shall declare :

- (a) That the livestock is free from contagious diseases;
- (b) That the territory of the commune of origin and an area ten km wide around that territory have for forty days been free from all contagious livestock diseases communicable to the one or more species of livestock for which the certificate is issued;
- (c) That all ruminants and pigs have been vaccinated against foot-and-mouth disease not less than fifteen days or more than two months previously; the method of vaccination and type of vaccine used shall likewise be stated.

The certificate shall be drawn up in accordance with the annexed form¹ and shall be issued not more than three days before the departure of the livestock; it shall be valid for ten days and its validity may be extended for a further ten days in virtue of re-inspection by a State veterinary surgeon or by a veterinary surgeon appointed for the purpose by the State.

At the frontier crossing point prescribed for the entry of the livestock into the State of destination a health inspection shall be carried out by a State veterinary surgeon or by a veterinary surgeon appointed for the purpose by the State.

Cloven-hoofed animals taken to long-term grazing shall bear serially numbered earmarks. For asses, horses and mules a detailed identity document shall be deposited with the competent customs office in the country of destination.

No cloven-hoofed animal which has suffered from foot-and-mouth disease during the previous twenty-four months shall be admitted.

The veterinary authority of the country of destination may stipulate that only animals which can be shown to be free from tuberculosis or brucellosis and which originate from herds free from those diseases may be driven to graze in frontier areas where bovine tuberculosis or brucellosis control has been introduced.

5. Both States undertake to organize veterinary inspection at the frontier crossing points prescribed for the entry of livestock and so to fix the days and hours of inspection as to facilitate the movement of livestock. The Contracting States shall inform each other of the days and hours of inspection.

6. The staff responsible for supervising the health of livestock may exercise such supervision over livestock which has already temporarily crossed the frontier for grazing.

7. If a contagious disease is detected upon inspection at the frontier, all animals affected and exposed shall be returned to their country of origin.

¹ Not reproduced in the copies of Agreement transmitted for registration.

Article 6

STUD ANIMALS

Persons in charge of bulls and stallions shall at all times produce on request the certificates of approval prescribed for stud animals and the relevant stud vouchers.

DONE at Rome on 20 October 1954 in duplicate in the Italian language.

For the Italian Republic :
(Signed) CORRIAS

For the Swiss Confederation :
(Signed) CELIO
Minister of Switzerland

II

MINISTRY OF FOREIGN AFFAIRS

Rome, 20 October 1954

Your Excellency,

I have the honour to acknowledge receipt of your letter dated today which reads as follows :

[See note I]

I confirm that the Italian Government agrees to the foregoing and have the honour to be, etc.

(Signed) CORRIAS

His Excellency Enrico Celio
Envoy Extraordinary and Minister Plenipotentiary of Switzerland
Rome
