

No. 4267

NETHERLANDS, BELGIUM and LUXEMBOURG

Exchange of notes constituting an agreement concerning the exchange of cut flowers on a commercial basis. Brussels, 24 August 1955, Luxembourg, 29 September 1955, and The Hague, 21 December 1955

Official texts: French and Dutch.

Registered by the Netherlands on 26 March 1958.

PAYS-BAS, BELGIQUE et LUXEMBOURG

Échange de notes constituant un accord concernant les échanges sur base commerciale de fleurs coupées. Bruxelles, 24 août 1955, Luxembourg, 29 septembre 1955, et La Haye, 21 décembre 1955

Textes officiels français et néerlandais.

Enregistré par les Pays-Bas le 26 mars 1958.

[TRANSLATION — TRADUCTION]

No. 4267. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE NETHERLANDS, BELGIUM AND LUXEMBOURG CONCERNING THE EXCHANGE OF CUT FLOWERS ON A COMMERCIAL BASIS. BRUSSELS, 24 AUGUST 1955, LUXEMBOURG, 29 SEPTEMBER 1955, AND THE HAGUE, 21 DECEMBER 1955

I

MINISTRY OF FOREIGN AFFAIRS
AND FOREIGN TRADE
OF BELGIUM

Your Excellency,

With reference to the ministerial discussions concerning the trade in cut flowers I have the honour to confirm that the Committee of Ministers of the countries parties to the Netherlands-Belgium-Luxembourg Customs Convention reached the following conclusions at its meeting of 9 December 1954 :

(A) 1. Although an economic union between the Netherlands, Belgium and Luxembourg implies freedom of trade in cut flowers between the three countries, a transitional period beginning on 1 October 1954 is considered necessary as a temporary exception to the provisions of the note annexed to the Protocol of 20/21 October 1950 in view of the existing disparities in the conditions affecting the production of, and trade in, cut flowers.

2. In view of the fact that expansion of the marketing facilities in Belgium would promote sales of cut flowers, it is recommended that the Belgian authorities should take steps to stimulate appropriate action by the trade.

3. During the period of transition attention should be given to the elimination of disparities in the conditions affecting production and trade in the three countries.

(B) 4. In implementation of the provisions of paragraph (A) 1, a degressive quota scheme will be in force for a period of three years, the percentage of the quota being determined annually with reference to the base period 1 July 1952 to 1 July 1953. The percentage will be increased in the course of the first two years and will be 100 per cent for the third year.

¹ Came into force on 8 May 1957, as from the date of receipt of a note from the Government of the Netherlands informing the Governments of Belgium and of Luxembourg that the approval required in the Netherlands under the Constitution had been obtained, in accordance with the terms of the said notes.

5. The quotas will be fixed monthly by the "Agriculture, Food and Fisheries" Commission of the Council of the Economic Union with reference to the corresponding month of the base period.

6. The quota scheme will operate as follows :

(a) For the period :

1 October 1954 — 31 October 1954	60 per cent
1 November 1954 — 30 April 1955	70 per cent
1 May 1955 — 30 September 1955	60 per cent

(b) For the period 1 October 1955 to 30 September 1956 the percentage should be determined in the light of the experience gained during the first year of the transitional period and in the light of the economic situation then obtaining.

(c) For the period 1 October 1956 to 30 September 1957 the percentage will be 100 per cent.

The final percentage referred to in sub-paragraph (b) will be determined, not later than 1 September 1955, by the Committee of Ministers provided for in article 12 of the Protocol of 24 July 1953¹ concerning the co-ordination of economic and social policies, on the basis of a proposal submitted to that end by the "Agriculture, Food and Fisheries" Commission.

7. During the first two years of the quota period a 12 per cent *ad valorem* levy will be imposed on the basis of the gross invoice value of cut flowers exported by the Netherlands to the B.L.E.U. During the third year of the quota period the *ad valorem* levy will be converted into a specific duty.

8. The Netherlands Government undertakes to pay 50 per cent of the proceeds of the levy referred to in paragraph 7 to the Belgian and Luxembourg Governments or to such agencies as may be designated by them.

The Belgian and Luxembourg Governments will make every effort to use the monies thus allotted to them to finance the campaign to increase the sale of cut flowers in Belgium and Luxembourg.

9. If one of the delegations considers that a serious situation has arisen as a result of the reciprocal trade in cut flowers during the transitional period from 1 October 1954 to 1 October 1957, the Special "Cut Flowers" Sub-Commission established by the "Agriculture, Food and Fisheries" Commission will report on the matter to the said Commission. The Committee of Ministers will decide as soon as possible upon the measures appropriate to the special exigencies of the situation, on the basis of proposals submitted by the "Agriculture, Food and Fisheries" Commission.

This Agreement shall enter into force on the date of receipt of a note whereby the Netherlands Government informs the Belgian and Luxembourg Governments that the approval required under the Netherlands Constitution has been obtained, on the understanding that the relevant provisions of this Agreement shall be applied provisionally.

I should be grateful for confirmation of your agreement.

¹ United Nations, *Treaty Series*, Vol. 250, p. 108.

I am sending an identical note to the Minister of Foreign Affairs of Luxembourg, and will duly inform you of the contents of his reply.

I have the honour to be, etc.

(Signed) P. H. SPAAK
Minister of Foreign Affairs
24 August 1955

His Excellency the Minister of Foreign Affairs
The Hague

II

MINISTRY OF FOREIGN AFFAIRS

Luxembourg, 29 September 1955

Your Excellency,

By your letter of 24 August 1955 you informed me as follows :

[See note I]

I have the honour to inform you that the Luxembourg Government agrees to the foregoing.

I have the honour to be, etc.

(Signed) BECH
Minister of Foreign Affairs

His Excellency Mr. Paul Henri Spaak
Minister of Foreign Affairs
Brussels

III

MINISTRY OF FOREIGN AFFAIRS

The Hague, 21 December 1955

Your Excellency,

I have the honour to acknowledge the receipt of your note of 24 August 1955 setting forth the following conclusions reached by the Committee of Ministers of the Netherlands-Belgium-Luxembourg Customs Convention at its meeting of 9 December 1954 :

[See note I]

I have the honour to inform you that the Netherlands Government endorses these conclusions and considers that your note, the present reply and the affirmative reply of the Luxembourg Government constitute an Agreement on the subject. The Agreement shall enter into force on the date of receipt of a note whereby the Netherlands Government informs the Belgian and Luxembourg Governments that the approval required under the Netherlands Constitution has been obtained, on the understanding that the relevant provisions of this Agreement shall be applied provisionally with effect from 1 October 1954.

I have the honour to be, etc.

(Signed) J. LUNS

His Excellency the Minister of Foreign Affairs
Brussels