

No. 9143

DENMARK
and
PORTUGAL

Agreement on trade in agricultural goods within the European Free Trade Association (with exchange of letters). Signed at Lisbon, on 20 February 1965

Protocol to the above-mentioned Agreement (with exchange of letters). Signed at Copenhagen, on 18 August 1967

Official text: English.

Registered by Denmark on 27 June 1968.

DANEMARK
et
PORTUGAL

Accord concernant le commerce des produits agricoles dans le cadre de l'Association européenne de libre-échange (avec échange de lettres). Signé à Lisbonne, le 20 février 1965

Protocole à l'Accord susmentionné (avec échange de lettres). Signé à Copenhague, le 18 août 1967

Texte officiel anglais.

Enregistré par le Danemark le 27 juin 1968.

No. 9143. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF PORTUGAL ON TRADE IN AGRICULTURAL GOODS WITHIN THE EUROPEAN FREE TRADE ASSOCIATION. SIGNED AT LISBON, ON 20 FEBRUARY 1965

The Government of the Kingdom of Denmark and the Government of Portugal ;

Reaffirming the aims set out in Article 22 of the Convention Establishing the European Free Trade Association (hereinafter referred to as "the Convention")² and in particular the objective of facilitating an expansion of trade in Agricultural Goods ;

Having regard to the provisions of Article 23 of the Convention ;

Resolved to strengthen the co-operation between their two Governments in this field ;

Have agreed as follows :

Article 1

Notwithstanding the provisions of Article 21 of the Convention, the Government of the Kingdom of Denmark shall reduce and eliminate the customs duties according to the time-table of Article 3 of the Convention for the following agricultural goods, provided that they may be accepted as eligible for Area tariff treatment in accordance with Article 4 of the Convention :

<i>Number in the Danish tariff</i>	<i>Description</i>
08.01 B	Fresh pineapple
22.05 B and C	Non-sparkling wines

Article 2

As long as quantitative restrictions are applied in Denmark to imports of wine the Government of the Kingdom of Denmark shall grant import

¹ Came into force on 30 June 1965, the date of its approval by the two Governments, in accordance with article 8.

² United Nations, *Treaty Series*, Vol. 370, p. 3.

licenses to the following annual amount for wines of Portuguese origin consigned from Portugal:

<i>Number in Danish tariff</i>	<i>Description</i>	<i>Mill. D. Cr.</i>
22.05 }	Wine	12
22.06 }		

Article 3

Notwithstanding the provisions of Article 21 of the Convention the Government of Portugal shall reduce and eliminate customs duties according to the timetable set out in Annex G to the Convention for the following agricultural goods, provided that they may be accepted as eligible for Area tariff treatment in accordance with Article 4 of the Convention:

<i>Number in the Portuguese tariff</i>	<i>Description</i>
ex. 02.01.02	Pork
04.02	Canned milk and milk powder
04.03	Butter
04.04	Cheese not processed (Danish types) *

Article 4

1. As long as quantitative import restrictions are applied in Portugal to the following goods the Portuguese Government shall grant import licenses for the following annual quantities for import from Denmark:

<i>Number in the Portuguese tariff</i>	<i>Description</i>	
02.01.01	Beef	1,000 t
ex. 02.01.02	Pork	1,000 t
04.03	Butter	250 t

Article 5

In establishing their import policies for agricultural goods the Governments of each of the Parties to this Agreement shall as far as possible take account of the interests of the other Party.

* The Danish types of cheese referred to are:

Samsøe	Danish Brie	Elbo
Danablu	Havarti	Tybo
Mycella	Maribo	Esrom
Danish Camembert	Fynbo	

As regards Danish Camembert and Danish Brie the tariff concession will enter into force on a date to be agreed between the two Governments.

Article 6

1. A Joint Committee of the representatives of the Governments of the Kingdom of Denmark and of Portugal shall be established.

2. The Joint Committee which shall meet at the request of either of the two Parties to this Agreement shall keep the implementation of the present Agreement under review. The Committee may further discuss all matters of general interest in connection with trade in agricultural goods between Portugal and Denmark.

3. The Joint Committee may consider proposals for the modification and extension of the present Agreement in the light of developments in trade between the two countries and may submit recommendations to their Governments.

Article 7

The present Agreement shall remain in force as long as the Convention applies in relations between Denmark and Portugal and as long as an understanding between EFTA and the EEC on a mutual elimination of barriers to trade has not been reached. If such an understanding is reached, wholly or in part, the two Governments shall to the extent necessary modify the provisions of the present Agreement with due regard to the thus altered circumstances.

Article 8

The present Agreement shall enter into force after approval by the two Governments.

In WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments have signed the present Agreement.

DONE in duplicate at Lisbon this 20th day of February, 1965, in the English language.

For the Government
of the Kingdom of Denmark :

Niels ERSBØLL

For the Government
of Portugal :

Carlos FERNANDES

EXCHANGE OF LETTERS

I

Lisbon, 20th of February 1965

Mr. President,

With reference to Article 1 of the Agreement between Portugal and the Kingdom of Denmark on Trade in Agricultural Goods within the European Free Trade Association signed at Lisbon on the 20th of February, 1965, and the negotiations which preceded the signature of the Agreement, I have the honour to inform you as follows :

In return for the concessions granted by Portugal for imports of Danish Agricultural Products the Government of the Kingdom of Denmark intends to submit a proposal to the Danish Parliament to the effect that part of the present internal tax on table wine — tariff number 22.05 B.1 and C.1 — be converted to import duty. However, for the purpose of the elimination of the said import duty for wines of E.F.T.A. origin, the basic duty will be the duty at present in force.

I furthermore wish to confirm that I will recommend to my authorities that the customs duty on sparkling wines of area origin — item No. 22.05 A in the Danish customs tariff — be reduced and eliminated in accordance with the timetable of Article 3 of the Convention Establishing the European Free Trade Association.

I avail myself of this opportunity to present to you the assurance of my high consideration.

Niels ERSBØLL

Dr. Carlos Fernandes
Presidente da Delegação portuguesa
Lisboa

II

Lisbon, 20th February 1965

Mr. President,

I have the honour to acknowledge receipt of your letter of to-day's date, reading as follows :

[See letter I]

I avail myself of this opportunity to renew to you, Sir, the assurance of my high consideration.

Carlos FERNANDEZ

Mr. Niels ERSBØLL
President of the Danish Delegation
Lisbon

III

Lisbon, 20th of February 1965

Mr. President,

With reference to Article 2 and 4 of the Agreement between Portugal and Denmark signed to-day, I have the honour to state that it is my understanding that the quotas set out in Articles 2 and 4 of the Agreement shall apply for the calendar year 1965.

Licenses issued before the entry into force of the Agreement shall not be taken into account for the purpose of fulfilling the quotas.

I avail myself of this opportunity to present to you the assurance of my high consideration.

Niels ERSBØLL

Dr. Carlos Fernandez
President of the Portuguese Delegation
Lisbon

IV

Lisbon, 20th of February 1965

Mr. President,

I have the honour to acknowledge receipt of your letter of today's date, reading as follows :

[See letter III]

I am pleased to confirm your understanding on this point.

I avail myself of this opportunity to present to you the assurance of my high consideration.

Carlos FERNANDEZ

Mr. Niels Ersbøll
President of the Danish Delegation
Lisbon

PROTOCOL¹ TO THE AGREEMENT OF 20TH FEBRUARY 1965² BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF PORTUGAL ON TRADE IN AGRICULTURAL GOODS WITHIN THE EUROPEAN FREE TRADE ASSOCIATION. SIGNED AT COPENHAGEN, ON 18 AUGUST 1967

The present Protocol provides for the following amendments to the Agreement :

- 1) *Articles 1 and 3*: Add the words “ and Article 7 ” after the words “ in accordance with Article 4 ”.
- 2) *Article 1*: Add at the end of the Article Ex 08.04 A Grapes, fresh ”.

Article 2: Replace the figure 12 under “ Million Danish Kroner ” by 18.

Article 4: Replace the figures 1,000 tons, 1,000 tons and 250 tons by 5,000 tons, 2,000 tons and 500 tons respectively.

- 3) The present Protocol, which will remain in force as long as the Agreement, shall enter into force after approval by the two Governments.

In WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments have signed the present Protocol.

DONE in duplicate at Copenhagen this 18th day of August 1967 in the English language.

For the Government of Portugal :

F. M. CRUZ

For the Government of the Kingdom of Denmark :

Niels ERSBØLL

¹ Came into force on 1 January 1968, the date of its approval by the two Governments, in accordance with paragraph 3.

² See p. 43 of this volume.

EXCHANGE OF LETTERS

I

Mr. Chairman,

I have the honour to refer to the discussions which began in Copenhagen on August the 14th 1967 and to confirm the following understanding between us :

1) It is the intention of the Danish authorities to liberalize the import of wine on the 31st December 1969. They have noted the interest of the Portuguese authorities in the maintenance of this date. Should the date be advanced, the Joint Committee will meet at the request of Portugal to discuss the situation.

2) Should there be possibilities of supply of oysters for consumption from Portugal, the Danish authorities will give favourable attention to the possibility of creating import facilities for such oysters.

3) The Danish authorities will use their best efforts to improve the marketing possibilities for brandy of Portuguese origin.

4) The Danish authorities will give positive consideration to Portuguese request for import facilities in Denmark for Portuguese products in the fruit and vegetable sector.

5) The Portuguese authorities will in case of import needs for poultry, eggs, lard, canned meat and malt favour as much as possible products of Danish origin in equal conditions of price, quality and commercial value. The Portuguese authorities note the particular Danish interest in supplying frozen chickens to the Portuguese market. They will grant priority to imports from Denmark whenever import needs arise.

6) The Portuguese authorities will give positive consideration to the possibility of adding the Danish cheese " Molbo " to the list of cheeses of Danish types enumerated in the footnote to Article 3 of the Agreement of 20th February, 1965. For the record it is noted that the Portuguese tariff concessions in accordance with Article 3 of the Agreement for Danish Camembert and Danish Brie entered into force on the 1st November, 1966.

7) The Portuguese authorities will give positive consideration to the possibility of meeting the Danish request for exemption from the special tax on seed potatoes as regards the following species : Alpha, Patrones, Kennebec, Ackersegen, Majestic.

The Portuguese authorities will further consider the possibility of admitting seed potatoes from Denmark of the species Kennebec up to a maximum size of 65 mm.

8) The Portuguese authorities note the interest expressed by Denmark during the negotiations in selling to Portugal breeding cattle. They are disposed to give favourable attention to Danish offers, which include the provision of technical assistance for a certain period after the purchases of such cattle.

I suggest that your confirmation of the above together with this letter constitute an agreement between our Governments.

Copenhagen, August 18th, 1967

Niels ERSBØLL

Mr. Fernando de Magalhães Cruz
Chairman of the Portuguese Delegation

II

Mr. Chairman,

I have the honour to acknowledge receipt of your letter of to-day's date reading as follows :

[See letter I]

I hereby confirm my agreement with the text above.

Copenhagen, August 18th, 1967

Fernando DE MAGALHÃES CRUZ

Mr. Niels Ersbøll
Chairman of the Danish Delegation