

No. 21952

**BRAZIL
and
SWEDEN**

Exchange of notes constituting an agreement concerning exports of textiles from Brazil to Sweden (with annexes and memorandum of understanding). Brasília, 25 April 1983

*Authentic texts: English and Portuguese.
Registered by Brazil on 24 June 1983.*

**BRÉSIL
et
SUÈDE**

Échange de notes constituant un accord relatif à l'exportation de textiles brésiliens en Suède (avec annexes et mémorandum d'accord). Brasília, 25 avril 1983

*Textes authentiques : anglais et portugais.
Enregistré par le Brésil le 24 juin 1983.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF BRAZIL AND THE GOVERNMENT OF SWEDEN CONCERNING EXPORTS OF TEXTILES FROM BRAZIL TO SWEDEN

I

No. 27/83

Your Excellency,

I have the honour to refer to recent consultations between representatives of our two Governments concerning exports of textiles from Brazil to Sweden, on the basis of the Multifibre Arrangement of GATT.² As a result of such consultations, I wish to propose the following Agreement Between the Government of Sweden and the Government of Brazil Regarding Exports of Certain Textiles Products from Brazil to Sweden, hereinafter referred to as the Agreement:

Article 1. The following Agreement has been reached having regard to the Arrangement Regarding International Trade in Textiles bearing in mind particularly the provisions of article 1:2 and article 4 thereof and the provisions of GATT document L/5276.

Article 2. This Agreement shall apply for the periods specified in Annex I.

Article 3. The Government of Brazil will limit exports to Sweden of the textile products listed in Annex I to this Agreement to the levels set out in that Annex. The date of issue of shipping documents shall be considered to be the date of exportation.

Article 4. (a) This Agreement shall apply to exports from Brazil to Sweden of the textile products described in Annex I hereof, of cotton, wool or man-made fibres, or blend thereof, in which any or all of those fibres in combination represent either the chief value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool).

(b) Notwithstanding the provisions of this Article, this Agreement shall also apply to the products described in Annex I hereof, which are manufactured from impregnated fabrics as defined in Annex II of this Agreement.

Article 5. The Government of Sweden will admit imports of the textile products of Brazilian origin, listed in Annex I, provided that such imports are covered by an Export Certificate, as per specimen in Annex III. Such a document shall be issued and consecutively numbered by each authorized CACEX branch, state the group number, and bear an endorsement that the consignments concerned have been approved and debited to the agreed levels for exports to Sweden for the relevant period.

Article 6. a) If in any twelve months period of this Agreement or the Agreement of 28 August 1980³ the group levels specified in Annex I to these Agreements are not fully utilized, the Government of Brazil may, after consultations with the Government of Sweden, during the

¹ Came into force on 25 April 1983 by the exchange of the said notes.

² United Nations, *Treaty Series*, vol. 930, p. 166.

³ See "Exchange of notes constituting an agreement between Brazil and Sweden regarding exports of certain textile products" in United Nations, *Treaty Series*, vol. 1208, No. 1-19492.

subsequent twelve months period approve the export of additional amounts (carry-over) equivalent to such shortfalls provided that such exports:

- (i) Are in the same groups where the shortfalls occurred;
- (ii) Do not exceed 3 per cent of the levels of these groups for the period during which the shortfalls occurred.

b) During each twelve months period the Government of Brazil may, after consultations with the Government of Sweden, approve the export of amounts in excess of the group levels specified in Annex I to this Agreement up to 3 per cent of those levels (carry-forward) for the relevant period. Where specific group levels have been increased by carry-forward the Government of Brazil shall inform the Government of Sweden of the carry-forward quantities and debit these to the corresponding group levels for the subsequent period.

c) During each twelve months period specified in Annex I the additional export quantities resulting from carry-over and carry-forward taken together shall, for each group, not exceed 3 per cent of the respective agreed level.

d) The consultations referred to in paragraphs *a)* and *b)* of this article shall take place within 45 days from the date on which the request for such consultations has been received by the Government of Sweden.

Article 7. If the information available to the Swedish authorities shows that the quantitative limit for the category of products specified in an Export Certificate has already been reached or the unused portion of that limit is insufficient to cover the goods specified in the certificate, the said authorities may refuse to admit any quantity in excess of the quantitative limit. In this event the Government of Sweden shall inform the Government of Brazil as soon as possible. Should any excess quantity be permitted to enter Sweden, the Brazilian authorities shall, upon information by the Swedish authorities, deduct the overshipped quantity from the relevant level which is or may be agreed upon for the following restraint period.

Article 8. Both parties regard it as essential that exports to Sweden of goods listed in Annex I are evenly spaced throughout the period of agreement and that, in the allocation of quotas, due consideration is given to traditional patterns of trade and to normal seasonal factors. Accordingly, the Government of Brazil undertakes to provide a procedure to achieve this.

Article 9. The Government of Brazil will forward to the Government of Sweden, via the Embassy of Brazil in Stockholm, monthly statistics on a cumulative basis of the quantities of the groups 3, 4, 5, 8, 9, 11a, 11c, 13, 14 and 18 listed in Annex I, for which duly endorsed Export Certificates for exports to Sweden have been issued for the relevant period of agreement. The statistics shall reach the Government of Sweden within a period of two months from the month of reference.

The Swedish Government will forward to the Government of Brazil quarterly statistics on a cumulative basis of licenses issued for imports from Brazil of the above-mentioned groups listed in Annex I. The statistics shall reach the Government of Brazil, via the Embassy of Sweden in Brasília, within a period of two months from the end of the period of reference.

Article 10. If the competent Swedish authorities are informed that textile products which have been debited to the restraint levels in Annex I to this Agreement have been imported into Sweden and subsequently reexported therefrom, the Government of Brazil will be notified and may then credit the quantities involved to the levels set out in Annex I to this Agreement.

Article 11. The Government of Sweden and the Government of Brazil agree to consult each other, at the request of either party, if any problem should arise from the implementation of this Agreement. The Government of Sweden and the Government of Brazil agree further-

more to enter into consultations, before the end of the period of agreement on the conditions of a new Agreement.

If consultations do not result, within a reasonable period of time, in a mutually satisfactory solution and this would result in serious damage to its domestic producers of like or directly competitive products, the Government of Sweden may apply limitations to the extent and for such a time as may be found necessary, provided that such limitations are not lower than the restraint levels for the last period of this Agreement.

Article 12. The Government of Brazil and the Government of Sweden agree to collaborate with a view to taking appropriate action to avoid circumvention of limitations by such devices as transshipment, rerouting, fraud, etc.

Article 13. Either Government may terminate this Agreement before the end of the period of validity, provided that at least sixty days' notice is given. In such event the Agreement shall come to an end on the expiry of the period of notice.

Article 14. The Annexes of this Agreement shall be considered as integral parts of the Agreement.

If the foregoing proposal is acceptable to your Government, this note and your Excellency's note of confirmation on behalf of the Government of the Federative Republic of Brazil shall constitute an agreement between our two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

Brasília, April 25, 1983

[Signed]

LENNART RYDFORS
Ambassador

His Excellency Ambassador Ramiro Saraiva Guerreiro
Minister of External Relations
Brasília, D.F.

ANNEX I

EXPORTS OF CERTAIN TEXTILES FROM BRAZIL TO SWEDEN IN THE PERIOD 1 SEPTEMBER, 1982 TO 31 AUGUST, 1987

(a) Group No.	(b) <i>Ex Swedish Statistical Classification No. (CCCN)</i>	(c) <i>Description</i>	(d) <i>Unit</i>	(e) <i>Level for period 82.09.01- 83.08.31</i>	(f) <i>Level for period 83.09.01- 84.08.31</i>	(g) <i>Level for period 84.09.01- 85.08.31</i>	(h) <i>Level for period 85.09.01- 86.08.31</i>	(i) <i>Level for period 86.09.01- 87.08.31</i>
3a	60.04.21-, 25- 61.03.20- 61.04.10-	Night garments other than group 3b	Pieces	252,100	252,200	252,300	252,400	252,500
3b	60.05.80-, 87-, 89- 61.02.902-906, 909, 99-	Night garments and négligés which are invoiced, packed and shipped together as set of matching garments	Pieces	80,600	80,700	80,800	80,900	81,000
4	60.04.70, 80-, 90-	Underwear, knitted or crocheted, other than shirts, night garments and tights	} Pieces	835,000	835,835	836,671	837,508	838,345
5	60.05.30-	Sweaters, pullovers, slipovers, jumpers and cardi- gans etc., knitted or crocheted						
8	60.05.80-, 83-, 84- 61.01.003, 005, 50- 61.02.005, 60-, 99-	Trousers other than shorts	Pieces	310,000	310,310	310,620	310,931	311,242
9	60.05.60- 61.02.006, 20-, 30-, 40-, 99-	Costumes, dresses and skirts	Pieces	110,000	110,110	110,220	110,330	110,441
11a	60.05.10-, 80-, 84-, 896 61.01.003, 006, 901-902 61.02.006, 901, 907 903-904, 906 909, 99-	Track suits	Pieces	60,923	60,984	61,045	61,106	61,167
11c	60.05.80-, 84-, 87-, 89- 61.01.003, 006, 70- 61.02.006, 80-, 99-	Shorts	Pieces	90,000	90,090	90,180	90,270	90,361

(a) Group No.	(b) Ex Swedish Statistical Classification No. (CCCN)	(c) Description	(d) Unit	(e) Level for period 82.09.01- 83.08.31	(f) Level for period 83.09.01- 84.08.31	(g) Level for period 84.09.01- 85.08.31	(h) Level for period 85.09.01- 86.08.31	(i) Level for period 86.09.01- 87.08.31
13	62.02.11-, 19-, 792-793	Bed linen	Kilograms	101,100	101,200	101,300	101,400	101,500
14	62.02.31-, 39-, 792-793	Towels and similar articles	Kilograms	201,100	201,200	201,300	201,400	201,500
18	62.02.21-, 29-, 792-793	Table linen	Kilograms	51,561	51,613	51,664	51,716	51,768

ANNEX II

DEFINITION OF "IMPREGNATED FABRICS" FOR THE PURPOSES OF ARTICLE 4

1. Fabrics of cotton, wool or man-made fibres or any blend containing one or more of those fibres in which either wool represents 17 per cent or more by weight or any or all of those fibres in combination represent 50 per cent or more by weight of the unfinished fabric shall be defined as "impregnated fabrics" where those fabrics have been impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials whatever the nature of the plastic material (compact, foam, sponge or expanded).

2. The definition does not cover:

- (a) Fabrics which, after impregnation, coating, covering or lamination, cannot, without fracturing, be bent manually around a cylinder of a diameter of 7 mm at a temperature between 15° and 30°C;
- (b) Fabrics either completely embedded in artificial plastic material or coated or covered on both sides with such material.

ANNEX III

1. Exporter (name, full address, country)	ORIGINAL	2. No.
	3. Quota year	4. Group no.
5. Consignee (name, full address, country)	EXPORT CERTIFICATE (TEXTILE PRODUCTS)	
	6. Country of origin BRAZIL	7. Country of destination SWEDEN
8. Place of shipment — means of transport	9. Supplementary details	
10. Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS — Swedish statistical classification n.o	11. Quantity/ Weight	12. Value FOB
<p>13. CERTIFICATION BY THE COMPETENT AUTHORITY</p> <p>I, the undersigned, certify that the goods described above are originating in Brazil in accordance with the provisions in force in Sweden and these goods have been charged against the quantitative limit established for the quota year shown in box no. 3 in respect of the group shown in box no. 4 by the provisions regulating trade in textile products with Sweden.</p>		
14. Competent authority (name, full address, country)	At, on	
	(Signature)	(Stamp)

MEMORANDUM OF UNDERSTANDING

With reference to the Agreement between the Government of Sweden and the Government of Brazil regarding exports of certain textile products from Brazil to Sweden, concluded earlier today, the following understanding is agreed for the products specified in the Annex to this Memorandum. The period covered by this Memorandum shall be the same as for the restraint agreement.

Should a textile product, subject to import licensing in Sweden but not included in the above-mentioned agreement, be imported into Sweden from Brazil in such quantities as to cause a real risk of market disruption in the opinion of the Government of Sweden, the said Government may request consultations concerning that product. Should the parties not be able to reach a satisfactory solution in the course of such consultations, the Government of Sweden may introduce a quantitative limit, to be maintained until a mutually agreeable arrangement has been arrived at, provided that such a limit is not lower than the level of actual imports during the twelve-month period terminating two months before the month in which the request for consultations is made.

A list of textile products at present under import licensing in Sweden but not covered by the Agreement concluded earlier today is annexed.

This Memorandum has been drawn up in two copies in English, each of these being equally authentic.

DONE in Brasília on April 25, 1983.

For the Government
of Brazil:

For the Government
of Sweden:

[Signed]

LENNART RYDFORS
Ambassador

ANNEX

EXPORTS OF CERTAIN TEXTILES FROM BRAZIL TO SWEDEN —
PRODUCTS COVERED BY CONSULTATION ARRANGEMENT

(a) Group No.	(b) Ex Swedish Statistical Classification No. (CCCN)	(c) Description
1	60.03.00-, 10-, 90-	Stockings, understockings, socks, ankle socks, sockettes and the like, knitted or crocheted, <i>other than ladies'</i> stockings of continuous synthetic fibres
2	60.04.10- 61.03.10-	Shirts
6	60.05.803-4, 809, 812, 815, 84-, 87-, 89- 61.01.003, 004, 006, 10-, 45- 61.02.004, 006, 11-, 15-, 99-	Overcoats and jackets
7	60.05.80-, 812, 84-, 89- 61.01.003, 006, 30-, 41- 61.02.006, 902-6, 909	Suits, lounge coats and blazers

(a) Group No.	(b) <i>Ex Swedish Statistical Classification No. (CCCN)</i>	(c) <i>Description</i>
10	60.05.80-, 82-, 84- 61.02.006, 50-, 99-	Blouses
11b, 11d-i	60.04.60- 60.05.20-, 80-, 84-, 85-, 87-, 89- 61.01.003, 006, 904-909, 95- 61.02.006, 902-906, 909, 95-, 99- 61.03.90- 61.04.20-	Clothing included in Commodity List No. 28 <i>other than</i> groups 1 to 10, 11a, 11c, 16 and 17
12	62.01 all	Travelling rugs and blankets
15	60.05.90-	Knitted or crocheted articles <i>other than</i> clothing, curtains and other furnishing articles
16	61.09.10-	Corsets, corset-belts, suspenders and garters
17	61.09.20-	Brassières
19	60.05.90-, 91- 62.02.51-, 59-, 71-, 791, 792-793, 799	Curtains and other furnishing articles
20	62.04.21-, 29-	Sails

II

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

DPC/DE-I/DAI/09/665.5(B46)(F25)

*Relações Comerciais Brasil-Suécia, Acordo Têxtil bilateral
Troca de Notas*

Senhor Embaixador,

Tenho a honra de acusar recebimento da Nota nº 27/83 de 25 de abril de 1983, relativa às exportações de produtos têxteis do Brasil para a Suécia, cujo teor, em português, é o seguinte:

“Excelência,

Tenho a honra de referir-me às recentes consultas entre representantes de nossos dois Governos, relativas às exportações de têxteis do Brasil para a Suécia, com base no Acordo Multifibras do GATT. Como resultado de tais consultas, desejo propor o seguinte Acordo entre o Governo da Suécia e o Governo do Brasil sobre as Exportações de Certos Produtos Têxteis do Brasil para a Suécia, doravante referido como Acordo:

Artigo 1º O presente Acordo tem por base o Acordo sobre o Comércio Internacional de Têxteis, particularmente seu artigo primeiro, parágrafo segundo; e artigo quarto, e as disposições do documento L/5276 do GATT.

Artigo 2º Este Acordo se aplicará aos período especificados no Anexo I.

Artigo 3º O Governo do Brasil limitará as exportações do Brasil para a Suécia dos produtos têxteis relacionados no Anexo I aos níveis estabelecidos no referido Anexo. A data de emissão dos documentos de embarque será considerada a data de exportação.

ANEXO

EXPORTAÇÕES DE CERTOS TÊXTEIS DO BRASIL PARA A SUÉCIA —
 PRODUTOS COBERTOS POR ENTENDIMENTOS DE CONSULTAS

(a) Grupo	(b) Ex Classificação estatística sueca Nº (CCCN)	(c) Descrição
1	60.03.00-, 10-, 90-	meias, meias de baixo e similares, de malha ou croché exceto meias femininas de fibras sintéticas contínuas
2	60.04.10- 61.03.10-	camisas
6	60.05.803-4, 809, 812, 815, 84-, 87-, 89- 61.01.003, 004, 006, 10-, 45- 61.02.004, 006, 11-, 15-, 99-	sobretudos e jaquetas
7	60.05.80-, 812, 84-, 89- 61.01.003, 006, 30-, 41- 61.02.006, 902-6, 909	ternos, paletós de passeio e blazers
10	60.05.80-, 82-, 84- 61.02.006, 50-, 99-	blusas
11b, 11d-i	60.04.60- 60.05.20-, 80-, 84-, 85-, 87-, 89- 61.01.003, 006, 904-909, 95- 61.02.006, 902-906, 909, 95-, 99- 61.03.90- 61.04.20-	roupas incluídas na lista de mercadorias nº 28, exceto dos grupos 1 a 10, 11a, 11c, 16 e 17
12	62.01 a 11	mantas e cobertores de viagem
15	60.05.90-	artigos de malha ou croché exceto vestimentas, cortinas e outros artigos de mobiliário
16	61.09.10-	espartilhos, cintas, suspensórios e ligas
17	61.09.20-	porta-seios
19	60.05.90-, 91- 62.02.51-, 59-, 71-, 791, 792-793, 799	cortinas e outros artigos de mobiliário
20	62.04.21-, 29-	velas para embarcação

[TRANSLATION — TRADUCTION]

DPC/DE-I/DAI/09/665.5(B46)(F25)

*Commercial Relations Brazil/Sweden, Bilateral Textile Agreement
 Exchange of Notes*

Sir,

I have the honour to acknowledge receipt of your note No. 27/83, of 25 April 1983, concerning exports of textiles from Brazil to Sweden, which, in Portuguese, reads as follows:

[See note I]

2. In reply, I hereby confirm that the Government of the Federative Republic of Brazil agrees with the terms of your note and that your note and this reply shall constitute an Agreement between our Governments.

Accept, Sir, etc.

RAMIRO SARAIVA GUERREIRO

His Excellency Mr. Lennart Rydfors
Ambassador of the Kingdom of Sweden
Brasília, D.F.

[Annexes and memorandum of understanding as under note I]
