

No. 23007

**SPAIN
and
SWITZERLAND**

Agreement on trade in agricultural products (with lists and exchanges of letters). Signed at Madrid on 26 June 1979

Authentic texts: Spanish and French.

Registered by Spain on 23 July 1984.

**ESPAGNE
et
SUISSE**

Accord relatif à l'échange de produits agricoles (avec listes et échanges de lettres). Signé à Madrid le 26 juin 1979

Textes authentiques : espagnol et français.

Enregistré par l'Espagne le 23 juillet 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON TRADE IN AGRICULTURAL PRODUCTS BETWEEN
SPAIN AND THE SWISS CONFEDERATION

Spain and the Swiss Confederation,

Desiring to promote trade in agricultural products between the two Parties,

Having regard to the provisions of article 9 of the Agreement between the EFTA countries and Spain, signed at Madrid on 26 June 1979,²

Have agreed as follows:

Article 1. With effect from the entry into force of this Agreement, agricultural products originating in and exported from Spain shall, when imported into Switzerland, be entitled to the reduced customs duties specified in annex A.³

Article 2. With effect from the entry into force of this Agreement, agricultural products originating in and exported from Switzerland shall, when imported into Spain, be entitled to the import duty reductions of the Spanish Customs Tariff at the percentage rates specified in annex B.³

Article 3. Tilsit cheese (item 04.04 G I b3 in the Spanish Customs Tariff), originating in and exported from Switzerland, may be imported into Spain subject to the following proviso: the difference between the general, non-preferential import price and the price applied by Spain for this type of cheese originating in Switzerland shall not be less than 6 percent.

Article 4. Switzerland shall accord to Spain an annual seasonal quota (from 1 May to 25 October) of 500 quintals for cut carnations and other flowers originating in and exported from Spain (items 06.03.10 and 06.03.12 of the Swiss Customs Tariff).

Article 5. In order to qualify for the advantages accorded under this Agreement, the products referred to herein shall be accompanied by an EUR 1 goods movement certificate, or form EUR 2, testifying that they meet the requirements specified in annex III of the Agreement between Spain and the EFTA countries of 26 June 1979.

Article 6. With a view to ensuring proper implementation of this Agreement and to introducing additions and possible amendments, the Contracting Parties shall hold consultations as soon as possible at the request of either Party.

Article 7. If either Party finds it necessary to limit or withdraw concessions accorded under this Agreement, it shall first hold consultations with the other Contracting Party. In all cases, no such action shall be taken until three months have elapsed from the date on which the other Party was notified of the proposed measure.

Article 8. This Agreement shall also apply to the Principality of Liechtenstein so long as that country remains connected to Switzerland by a treaty establishing a customs union.

¹ Came into force on 1 May 1980, the date of entry into force of the Agreement of 26 June 1979 between Spain and the countries of the European Free Trade Association relating to trade, and after the Parties had notified each other of the completion of the required constitutional procedures, in accordance with article 10.

² United Nations, *Treaty Series*, vol. 1250, p. 2.

³ Not published herein in accordance with article 12(2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations as amended in the last instance by General Assembly resolution 33/141 A of 19 December 1978.

Article 9. This Agreement may be denounced in writing at any time by either Contracting Party, provided that the denunciation is transmitted one year in advance.

Article 10. This Agreement shall enter into force on the day on which the two Governments have notified each other that the specific constitutional formalities for the conclusion and entry into force of international agreements have been completed, and in any case not prior to the entry into force of the Agreement between Spain and the EFTA countries of 26 June 1979.

Unless previously denounced, this Agreement shall cease to have effect at the same time as the Agreement between Spain and the EFTA countries of 26 June 1979.

DONE at Madrid, in duplicate, on 26 June 1979, in the Spanish and French languages, both texts being equally authentic.

For the Government
of Spain:

MARCELINO OREJA
Minister for Foreign Affairs

JUAN ANTONIO GARCÍA DíEZ
Minister of Trade and Tourism

For the Government
of the Swiss Confederation:

CARLO JAGMETTI
Minister Plenipotentiary

EXCHANGES OF LETTERS

la

CHAIRMAN OF THE SWISS DELEGATION

Madrid, 26 June 1979

Sir,

With reference to the Agreement, signed today, concerning trade in agricultural products between the Swiss Confederation and Spain, the Swiss delegation's position from the outset, as regards the granting of tariff and other concessions, has been that the differences in the matter of interpretation which have arisen in the past concerning the duties on Swiss cheeses exported to Spain—duties which constituted one of the subjects of the Agreement of 21 December 1971—could, as part of a solution satisfactory to both Parties, be eliminated once and for all in the near future.

As for the matter of future access for cheeses to the Spanish market, it goes without saying that the terms of admission should not be changed to the detriment of Switzerland, especially in view of the developments in relations between Spain and the European Communities.

This letter constitutes a corollary to the Agreement on trade in agricultural products.

I should be grateful, Sir, if you would confirm that you have taken note of the contents of this letter.

CARLO JAGMETTI
Minister Plenipotentiary
Chairman of the Swiss Delegation

His Excellency
the Chairman of the Spanish Delegation

IIa

CHAIRMAN OF THE SPANISH DELEGATION

Madrid, 26 June 1979

Sir,

I have received your letter of today's date which, in Spanish, reads as follows:

[See letter Ia]

I have the honour to confirm that I have taken note of the contents of the above letter.

Accept, Sir, etc.

Chairman of the Spanish Delegation

Minister for Foreign Affairs

Minister of Trade and Tourism

His Excellency Mr. Carlo Jagmetti
Minister Plenipotentiary
Chairman of the Swiss delegation

Ib

CHAIRMAN OF THE SWISS DELEGATION

Madrid, 26 June 1979

Sir,

With regard to articles 1 and 2 of the Agreement on trade in agricultural products, signed today, I have the honour to confirm that, in the negotiations, both delegations declared themselves ready to initiate consultations immediately, in accordance with article 6 of the said Agreement, should either Contracting Party, in the light of the results of the Tokyo Round of the Multilateral Trade Negotiations of GATT,¹ have to change the normal customs tariff rates for tariff headings included in the annexes to the Agreement. In view of the results of the GATT Tokyo Round, the purpose of these consultations will be to explore the possibility of adjusting the applicable rates included in either list.

I should be grateful, Sir, if you would confirm your agreement with the contents of this letter.

Accept, Sir, etc.

CARLO JAGMETTI
Minister Plenipotentiary
Chairman of the Swiss Delegation

His Excellency
the Chairman of the Spanish Delegation

¹ United Nations, *Treaty Series*, vol. 55, p. 187.

IIb

CHAIRMAN OF THE SPANISH DELEGATION

Madrid, 26 June 1979

Sir,

I have received your letter of today's date which, in Spanish, reads as follows:

[See letter Ib]

I have the honour to confirm my agreement with the contents of the above letter.

Chairman of the Spanish Delegation

Minister for Foreign Affairs

Minister of Trade and Tourism

His Excellency Mr. Carlo Jagmetti
Minister Plenipotentiary
Chairman of the Swiss Delegation

Ic

CHAIRMAN OF THE SWISS DELEGATION

Madrid, 26 June 1979

Sir,

With reference to the Agreement on trade in agricultural products between Spain and the Swiss Confederations signed today, I have the honour to confirm that the Swiss authorities have taken note of the wish on the part of Spain to improve the terms of access for Spanish wines to the Swiss market. Keeping in mind the difficulties caused by the present situation in the Swiss wine market, the Swiss authorities would be prepared to reconsider this matter further in the light of the situation of the Swiss wine market and having regard to the development of trade between the two countries in this area.

The Swiss authorities are, however, now prepared to take the wishes of Spain into account by authorizing the import in bottles, up to a maximum of 15,000 hectolitres of red wine of registered designated origin "Roja", as part of the contractual quota for imports of this wine in the wood.

Moreover, with regard to the requirements under the explanatory note to the Swiss Customs Tariff of 1959, the Swiss authorities are prepared to include in the Swiss list of special white wines in bottles (item 22.05-30) Spanish natural white wines of registered designated origin "Montilla-Moriles."

This letter constitutes a corollary to the Agreement on Trade in Agricultural Products.

I should be grateful, Sir, if you would confirm that you have taken note of the contents of this letter.

CARLO JAGMETTI
Minister Plenipotentiary
Chairman of the Swiss Delegation

His Excellency
the Chairman of the Spanish Delegation

IIc

CHAIRMAN OF THE SPANISH DELEGATION

Madrid, 26 June 1979

Sir,

I have received your letter of today's date which, in Spanish, reads as follows:

[*See letter Ic*]

I have the honour to confirm that I have taken note of the contents of the above letter.

Accept, Sir, etc.

Chairman of the Spanish Delegation

Minister for Foreign Affairs

Minister of Trade and Tourism

His Excellency Mr. Carlo Jagmetti
Minister Plenipotentiary
Chairman of the Swiss Delegation
