

FRANCE ET HONGRIE

Deuxième Avenant à la Convention commerciale du 13 octobre 1925, avec protocole de signature, signés à Paris, le 21 décembre 1929, et échange de notes y relatif, Paris, le 21 décembre 1929, et Budapest, le 2 mai 1930, et

Troisième Avenant à la Convention commerciale du 13 octobre 1925, signée à Paris, le 23 juin 1932.

FRANCE AND HUNGARY

Second Supplementary Agreement to the Commercial Convention of October 13, 1925, with Protocol of Signature, signed at Paris, December 21, 1929, and Exchange of Notes relating thereto, Paris, December 21, 1929, and Budapest, May 2, 1930, and

Third Supplementary Agreement to the Commercial Convention of October 13, 1925, signed at Paris, June 23, 1932.

¹ TRADUCTION. — TRANSLATION.

No. 3038. — SECOND SUPPLEMENTARY AGREEMENT² TO THE COMMERCIAL CONVENTION OF OCTOBER 13, 1925, BETWEEN FRANCE AND HUNGARY. SIGNED AT PARIS, DECEMBER 21, 1929.

*French official text communicated by the Chargé d'Affaires a. i. of the Hungarian Delegation accredited to the League of Nations. The registration of this Agreement took place November 19, 1932.*³

In pursuance of Article 5 of the Supplementary Agreement⁴ of December 18, 1926, to the Commercial Convention⁵ of October 13, 1925, the Hungarian Government and the French Government have considered how far it would be advisable to modify and supplement the said Convention with a view to developing commercial transactions between the two countries.

They have accordingly agreed upon the following provisions :

Article 1.

Articles 3 to 6 of the Commercial Convention of October 13, 1925, shall be replaced by the following provisions :

Natural products or manufactured articles, originating in and coming from Hungary shall, when imported into France or into the French colonies, possessions and protectorates having the same Customs régime as France, enjoy the benefits of the minimum tariff, that is to say, the lowest rates which France grants or may grant to any other Power in virtue of tariff regulations or commercial Conventions, both as regards import duties at present levied in France or those which may later be substituted for them, and also as regards additional charges, coefficients or other temporary increases which France has established or may establish.

The granting of the minimum tariff in respect of the above-mentioned products implies most-favoured-nation treatment.

Without prejudice to the provisions of the foregoing paragraph, the natural products or manufactured articles originating in and coming from Hungary enumerated in Article 4 of the present Supplementary Convention shall, when imported into France or into the French colonies, possessions and protectorates having the same Customs régime as France, enjoy the benefit of the conventional rates and duties provided for in Article 4 of the present Supplementary Convention and any more favourable treatment that France may grant to another foreign country in virtue of tariff provisions or of commercial Conventions.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Came into force July 8, 1930.

³ The Secretariat publishes, in this Series, the Second Supplementary Agreement presented for registration on November 19, 1932, at the same time as the First Supplementary Agreement presented for registration on September 13, 1932, the two Agreements being registered under the same number.

⁴ Vol. LXVII, page 255, of this Series.

⁵ Vol. XLVII, page 9, of this Series.

(b) *The following items shall be modified :*

Number in the Hungarian Tariff	Designation of Goods	Import duty in gold crowns per 100 kg.
ex 133	Sparkling wines : Champagne accompanied by a certificate of origin issued by the competent French authorities proving that the wine comes from the restricted areas, and other sparkling wines entitled to an appellation of origin attested by the competent French authorities	170.—
ex 458	Galenic compounds (extracts, tinctures, ointments, pills, curative plasters) and other prepared medicaments, as well as all substances which from their labels, etc., come under the designation of medical or veterinary remedies :	
	ex (a) Empty azymie cachets for pharmaceutical products, with inscriptions indicating the medicament and the name of the manufacturer	15.—
596	Silk gauze, crepes and voiles :	
	(a) Plain	2,250.—
	(b) Figured	2,500.—
599	Velvet and tissues similar to velvet, of silk	2,500.—
601	Velvet and tissues similar to velvet of mixed silk :	
	(a) With artificial silk	2,200.—
	(b) With natural silk	2,500.—
	<i>Note :</i> Velvet and tissues similar to velvet wholly of artificial silk or with pile of artificial silk and back of natural silk also come under No. 601 (a).	
ex 616	Lace and "aerienne" :	
	(d) Of silk	2,500.—
ex 853	Dynamos, electric motors, transformers and parts thereof; electric machines combined or not with inseparable mechanical constructions (except vacuum cleaners, floor brushes, washing-machines and refrigerators for household use and parts thereof) weighing each :	
	(d) From 25 to 250 kg.	105.—
	(e) Less than 25 kg.	130.—
ex 872	Side-cars for motor-cycles	120.—
874	Cycles without pneumatic tyres and completely finished cycle parts, also motor-cycles without engines or pneumatic tyres and completely finished motor-cycle parts, except engines and their parts	125.—
875	Cycles with engines, without pneumatic tyres	170.—
Note to No. 876	1. Chassis for industrial vehicles (lorries, vans, baker's carts, delivery vehicles, etc.) of any weight	70.—

(c) *The following items shall be deleted :*

Number in the Hungarian Tariff	Designation of Goods	Import duty in gold crowns per 100 kg.
416 (b)	Other printer's ink	40.—
ex 458	(b) Curative plasters	45.—
ex 500	Coloured paper and cardboard : (b) Other, also gilded, silvered or bronzed paper	25.—

Article 4.

List B of Article 2 of the Supplementary Agreement of December 18, 1926, is cancelled and replaced by the following list, referred to in the fourth paragraph of Article 1 of the present Supplementary Agreement :

Number in French Tariff	Designation of Goods	Per unit of	Import duty in francs
ex 17 (c)	Salami	100 kg. net	160.—
ex 26	Bed feathers :		
	Raw	»	exempt
ex 80	Prepared, and down, raw or prepared	»	85.—
	Beans :		
	In the grain, unsorted.	»	15.—
	In the grain, sorted, graded	»	25.—
	Peas :		
	In the grain	»	15.—
	Decorticated, split or crushed	»	30.—
ex 120 (b)	Lime tree flowers (not silver)	»	40.—
164 (c)	Broom corn straw	»	15.—
ex 174 (d)	Natural purgative waters	»	15.—
ex 359	Ordinary bottles, full, capacity half litre and over	»	23.80
ex 505	Small electrometers weighing not less than 5 kg. each	each	28.—
ex 522	Threshing machines weighing each :		
	400 kg. and over	100 kg. net	80.—
	Less than 400 kg.	»	100.—

Article 5.

Articles 3 and 4 of the Supplementary Agreement of December 18, 1926, are cancelled.

Article 6.

The following Article is substituted for Article 24 of the Convention of October 13, 1925 :

Each of the High Contracting Parties agrees to take all necessary steps to prevent within its territory the misuse of geographical appellations of origin of products of the grape of the other Party, provided that that Party itself duly protects such appellations and has notified them.

Appellations of origin of one country shall be deemed to be misused when applied to products to which the laws or regulations of that country would not permit them to be applied.

The above-mentioned notification shall mention in particular the documents delivered by the competent authority of the country of origin declaring the right to the appellations of origin.

In particular, the use of a geographical appellation of origin to designate products of the grape other than those which are really entitled to the said appellation is prohibited, even when the true place of origin of the products is mentioned or when the false appellation is accompanied by certain rectifications such as " style ", " type ", " class ", etc.

Similarly, no geographical appellation of origin of products of the grape of either of the High Contracting Parties shall be regarded as generic in character if duly protected in the country of production and if regularly notified to the other Party.

The measures which each of the High Contracting Parties agrees to take shall provide for the repression by seizure, prohibition or other appropriate remedy, of the importation, exportation, warehousing, manufacture, circulation, sale or offering for sale, of the products of the grape in cases in which there appear on the casks, bottles, wrappings or cases containing them or on the invoices, commercial documents and waybills, any marks, names, descriptions, illustrations or devices, falsely resembling appellations of origin.

The foregoing provisions shall not prevent a seller from placing his name and address on the package containing the product ; in the absence of a regional or local appellation he shall, however be obliged in addition to indicate conspicuously the country of origin of the produce, whenever a name or address might lead to confusion with a district or place situated in another country.

The goods complained of shall be seized or other penalties imposed either at the instance of the Administration or on the application of the Public Prosecutor or of an interested party, whether an individual, association or syndicate, in conformity with the respective laws of the several High Contracting Parties.

The High Contracting Parties declare themselves ready to consider the future extension of the protection of appellations of origin provided for above to other products which derive their special qualities from the soil or from the climate.

Article 7.

Paragraphs 4 and 5 of Article 32 of the Commercial Convention of October 13, 1925, and of Article 5 of the Supplementary Agreement of December 18, 1926, are cancelled.

Article 8.

The present Supplementary Agreement shall be treated on an equal footing with the Commercial Convention of October 13, 1925.

Article 9.

The present Supplementary Agreement shall come into force on the conditions laid down in Article 32 of the Commercial Convention of October 13, 1925. The exchange of ratifications shall take place at Budapest.

In faith whereof the Plenipotentiaries have signed the present Supplementary Agreement and have thereto affixed their seals.

Done at Paris, in duplicate, December 21, 1929.

(L. S.) (Signed) Frédéric VILLANI.
NICKL.
BRIAND.
FLANDIN.

PROTOCOL OF SIGNATURE.

In the Protocol of Signature annexed to the Supplementary Agreement of December 18, 1926, to the Commercial Convention of October 13, 1925, the following changes shall be made:

(1) The provisions of paragraph (1) (*a*) are replaced by the following provisions:

Each of the High Contracting Parties undertakes to consider with the greatest good-will any application for the registration of pharmaceutical preparations of the other Contracting Party and not to refuse them admission, provided that such preparations are in conformity with the laws in force in its territory.

Registration may not be refused on the sole ground that an analogous preparation or one similarly composed is already registered.

(2) Paragraphs 2, 3 and 4, and the last section of paragraph 5 are cancelled.

(3) Subject to reciprocity, documentary or educational cinematographic films to be shown without charge in institutions or at public lectures and so described in a certificate of the Ministries of Public Instruction, shall either enjoy temporary admission or the duties and taxes payable on them shall be held on deposit.

(4) Tourist propaganda in the form of guides, folders, pamphlets, etc., with or without illustrations, in favour of French towns and districts shall enjoy complete Customs exemption on importation into Hungary. The same treatment shall be granted to similar propaganda in favour of Hungarian towns and districts on entry into France.

(5) It is agreed that by beans in the grain, sorted, graded, are meant beans containing less than 2 % of impurities.

In practice, and failing any suspicion of abuse, the French Customs shall accept certificates of the competent Hungarian authorities to the effect that the beans submitted to the Customs have not been sorted or graded.

(6) Save where abuse is suspected, camomile flowers originating in Hungary shall be regarded as coming within the same category as the so-called German variety of camomile flowers.

(7) It is agreed that the necessary instructions shall be given to the French Customs Service for the admission of lamp and gas burners of galvanised, tinned, or oxydised iron, without copper parts, under the tariff laid down in the second paragraph of Article 574 of the table of duties.

(8) The High Contracting Parties agree to enter into negotiations as soon as possible for the conclusion of a veterinary Convention.

EXCHANGE OF NOTES.

I.

PARIS, *December 21, 1929.*

MONSIEUR LE MINISTRE,

I have the honour to inform you that the French Government is prepared, as from January 15, 1930, and until the coming into force of the Supplementary Agreement signed this day, to apply the minimum tariff and most-favoured-nation treatment to products originating in and coming from Hungary, imported into French Customs territory and into colonies, possessions and protectorates having the same Customs régime as France.

I have the honour, etc.

(Signed) BRIAND.

To His Excellency
Baron Frederic Villani,
Hungarian Minister,
Paris.

II.

PARIS, *December 21, 1929.*

YOUR EXCELLENCY,

By a letter of to-day's date you were good enough to inform me that the French Government is prepared, as from January 15, 1930, and until the coming into force of the Supplementary Agreement signed this day, to apply the minimum tariff and most-favoured-nation treatment to products originating in and coming from Hungary, imported into French Customs territory and into colonies, possessions and protectorates having the same Customs régime as France.

I have the honour to acknowledge the receipt of and to thank you for this communication, of which I hereby take note.

I have the honour, etc.

(Signed) VILLANI.

To His Excellency
Monsieur Aristide Briand,
Minister for Foreign Affairs.

III.

PARIS, *December 21, 1929.*

MONSIEUR LE MINISTRE,

With reference to Article 9 of the Supplementary Agreement signed this day, I have the honour to draw your attention to the fact that, in the event of the provisional bringing into force of the said Supplementary Agreement, the reduction of duty in favour of lime-tree flowers provided for in Article 4 cannot be applied until after approval by the French Parliament and ratification of the Supplementary Agreement.

I have the honour, etc.

(Signed) BRIAND.

To His Excellency
Baron Villani,
Hungarian Minister,
Paris.

IV.

PARIS, December 21, 1929.

YOUR EXCELLENCY,

In your letter of to-day's date you were good enough to make the following communication :

“ With reference to Article 9 of the Supplementary Agreement signed this day, I have the honour to draw your attention to the fact that, in the event of the provisional bringing into force of the said Supplementary Agreement, the reduction of duty in favour of lime-tree flowers provided for in Article 4 cannot be applied until after approval by the French Parliament and ratification of the Supplementary Agreement.”

I have the honour to acknowledge the receipt of and to thank you for this communication, of which I hereby take note.

I have the honour, etc.

(Signed) VILLANI.

To His Excellency,
Monsieur Aristide Briand,
Minister for Foreign Affairs.

V.

PARIS, December 21, 1929.

YOUR EXCELLENCY,

I have the honour to inform you that the Hungarian Government is prepared, for a period of 10 months from the date of the coming into force of the present Supplementary Agreement, to permit the importation of a quota of 30,000 aluminium milk cans of French origin with a capacity of from 10 to 50 litres, at the rate of 45 gold crowns per 100 kg. (item 775 (h) of the Hungarian tariff).

I have the honour, etc.

(Signed) VILLANI.

To His Excellency
M. Aristide Briand,
Minister for Foreign Affairs.

VI.

PARIS, December 21, 1929.

MONSIEUR LE MINISTRE,

By a letter of to-day's date you were good enough to inform me that the Hungarian Government is prepared, for a period of 10 months from the date of the coming into force of the present Supplementary Agreement to permit the importation of a quota of 30,000 aluminium milk cans of French origin with a capacity of from 10 to 50 litres, at the rate of 45 gold crowns per 100 kg. (item 775 (h) of the Hungarian tariff).

I have the honour to acknowledge the receipt of and to thank you for this communication, of which I hereby take note.

I have the honour, etc.

(Signed) BRIAND.

To His Excellency
Baron Frederic Villani,
Hungarian Minister,
Paris.

VII.

MONSIEUR LE MINISTRE,

BUDAPEST, *May 2, 1930.*

With reference to the wish of the French Government expressed during the negotiations relating to the second Supplementary Agreement to the Commercial Convention between Hungary and France, I have the honour to make the following declaration :

The Hungarian Government agrees that the capital invested in Hungary, of which evidence must be furnished by the Société de Navigation Danubienne at the time of its registration, in accordance with paragraph 2 of Article 211 of the Hungarian Commercial Code (Law No. XXXVII of 1875), shall be 10,000 pengös.

This declaration shall form an integral part of and shall be treated on an equal footing with the second Supplementary Agreement, concluded on December 21, 1929, to the Commercial Convention between Hungary and France.

I have the honour, etc.

(Signed) Count KHUEN-HÉDERVÁRY.

To His Excellency

Monsieur Louis de Vienne,

Envoy Extraordinary and Minister Plenipotentiary,
Budapest.

VIII.

MONSIEUR LE MINISTRE,

BUDAPEST, *May 2, 1930.*

In a letter of to-day's date you were good enough to make the following declaration :

"With reference to the wish of the French Government expressed during the negotiations relating to the second Supplementary Agreement to the Commercial Convention between Hungary and France, I have the honour to make the following declaration :

"The Hungarian Government agrees that the capital invested in Hungary, of which evidence must be furnished by the Société de Navigation Danubienne at the time of its registration, in accordance with paragraph 2 of Article 211 of the Hungarian Commercial Code (Law No. XXXVII of 1875), shall be 10,000 pengös.

"This declaration shall form an integral part of and shall be treated on an equal footing with the second Supplementary Agreement, concluded on December 21, 1929, to the Commercial Convention between Hungary and France."

I have the honour to acknowledge the receipt of and to thank you for this declaration, of which I hereby take note.

I have the honour, etc.

(Signed) L. DE VIENNE.

To His Excellency

Count Alexandre Kuen-Héderváry,

Envoy Extraordinary and Minister Plenipotentiary,
Budapest.

¹ TRADUCTION. — TRANSLATION.

No. 3038. — THIRD SUPPLEMENTARY AGREEMENT² TO THE
COMMERCIAL CONVENTION OF OCTOBER 13, 1925, BETWEEN
FRANCE AND HUNGARY. SIGNED AT PARIS, JUNE 23, 1932.

French official text communicated by the Envoy Extraordinary and Minister Plenipotentiary, Head of the Hungarian Delegation accredited to the League of Nations. The registration of this Agreement took place September 13, 1932.

The Hungarian Government and the French Government have agreed to modify as follows the Second Supplementary Agreement to the Commercial Convention of October 13, 1925, signed at Paris on December 21, 1929 :

“ (1) The following item shall be added to the list reproduced in (c) of Article 3 :

651. *Note* : Leather, varnished for coach-work of carriages and automobiles, by special licence, under conditions to be laid down by decree and subject to supervision.

(2) Item (1) (ex 17 (c) : Salami) of the list in Article 4 shall be omitted.”

The present Supplementary Agreement shall come into force eight days after signature.

Done at Paris, in duplicate, June 23, 1932.

(Signed) VILLANI, *m. p.*

(Signed) Alexis LEGER, *m. p.*

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

² Came into force July 1st, 1932.

¹ Translated by the Secretariat of the League of Nations, for information.