

N° 3779.

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## ITALIE ET PAYS-BAS

Accord commercial, avec annexes et protocole final, signés à Rome, le 1<sup>er</sup> mars 1934, et échanges de notes y relatifs, Rome, les 19 mars et 14 novembre 1934.

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## ITALY AND THE NETHERLANDS

Commercial Agreement, with Annexes and Final Protocol, signed at Rome, March 1st, 1934, and Exchanges of Notes relating thereto, Rome, March 19th and November 14th, 1934.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 3779. — COMMERCIAL AGREEMENT<sup>2</sup> BETWEEN ITALY AND THE NETHERLANDS. SIGNED AT ROME, MARCH 1ST, 1934.

*French official text communicated by the Netherlands Minister for Foreign Affairs and by the Italian Minister for Foreign Affairs. The registration of this Agreement took place November 27th, 1935.*

HER MAJESTY THE QUEEN OF THE NETHERLANDS and HIS MAJESTY THE KING OF ITALY, being desirous of strengthening the commercial relations of the two countries, have resolved to conclude an Agreement with this object and to this end have appointed as their Plenipotentiaries :

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

His Excellency Dr. Jacob A. N. PATIJN, Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Rome ; and

HIS MAJESTY THE KING OF ITALY :

His Excellency the Chevalier Benito MUSSOLINI, Head of the Government, Prime Minister Secretary of State, Minister Secretary of State for Foreign Affairs ;

Who, having verified their full powers, found in good and due form, have agreed upon the following Articles :

*Article 1.*

The natural or manufactured products originating in and coming from the Netherlands and her extra-European territories enumerated in the annexed list A, appended to the present Agreement, shall be subject on importation into Italy to the duty mentioned in the said list.

*Article 2.*

The natural or manufactured products originating in and coming from Italy, her colonies, protectorates and possessions enumerated in the annexed list B, appended to the present Agreement, shall be subject on importation into the Netherlands to the duty mentioned in the said list.

*Article 3.*

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Rome as soon as possible. It is understood, however, that it may be put into force provisionally by an exchange of notes.

It shall remain in force until March 31st, 1935. Should it not have been denounced before January 31st, 1935, it shall remain in force for a further period of three months from April 1st, 1935,

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> The exchange of ratifications took place at Rome, August 30th, 1935.

and so on, unless it is denounced. Such denunciation shall in any event be notified two months before its expiration.

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

Done at Rome, in duplicate, the 1st day of March, 1934.

(L. S.) J. PATIJN.

(L. S.) MUSSOLINI.

ANNEX A.

CUSTOMS TARIFF ON IMPORTATION INTO ITALY.

No. in Italian Tariff	Description of goods	Import duty (L. cent.)	Coefficient of increase	Ad valorem duty
ex 6	Cows of Dutch breeds called Frisona (Zwartbont), Rijn-Maas-Yssel and Groningen with white head (Zwartblaard), intended for breeding and coming direct from the place of origin . . . . .	per head 51.40	—	—
ex 7	Bullocks and heifers of Dutch breed called Frisona (Zwartbont), Rijn-Maas-Yssel and Groningen with white head (Zwartblaard), intended for breeding and coming direct from the place of origin . . . . .	per head 36.70	—	—
ex 30 (a)	Gouda and Edam cheese . . . . . The importation into Italy of the above-mentioned cheese at the conventional duty of lire 29.40 per quintal shall be accorded up to a quantity of 3,000 quintals per annum.	per quintal 29.40	—	—
ex 920 (a)	Native feculæ : from potatoes . . . . .	per quintal 44.—	—	—
ex 920 (b)	Manioc flour for feeding cattle . . . . .	per quintal 10.—	—	—
ex 922	Dextrine . . . . .	per quintal 66.06	0.2	5 %

ANNEX B.

CUSTOMS TARIFF ON IMPORTATION INTO THE NETHERLANDS.

No. in Netherlands Tariff	Description of goods	Ad valorem import duty
ex 139 I 7	Almonds of all kinds, shelled . . . . .	7.8 %
ex 139 I 10	Rice, worked up, ready for consumption (in packages weighing more than 1,200 grammes) . . . . .	free
ex 139 I 10 (bis)	Lemons . . . . .	13 %
—	Fresh peaches, for the period June 15th-September 15th . . . . .	free
—	Cauliflowers, for the period December 1st-March 15th . . . . .	free

## FINAL PROTOCOL.

On proceeding to sign the Commercial Agreement concluded this day between the Netherlands and Italy, the undersigned Plenipotentiaries have made the following declarations, which shall form an integral part of this Agreement :

## I.

As regards the annexed list A (Customs tariff on importation into Italy) :

Ad Nos. 2 and 7 of the Italian tariff. — Cows, bullocks and heifers imported for breeding must be accompanied by a genealogical certificate. Such certificate shall be issued for each animal, viz :

1. By the Frisian Herd-Book Society (Friesch Rundveestamboek) for animals born in Frisia of Dutch breed, spotted black, called " Frisona " (Zwartbont) ;

2. By the Netherlands Herd-Book Society (Nederlandsch Rundveestamboek) for animals of the breed called " Frisona ", spotted black, born in other parts of the Netherlands or belonging to the breed spotted red called Rijn-Maas-Yssel or to the breed called Groningen with white head (Zwartblaard).

In order to obtain the benefit of the reduced duty, importers of cattle intended for breeding must present, at the Royal Italian Customs through which the animals pass, a certificate issued by the Agrarian Inspector of the area into which the cattle are to be imported, showing that the animals imported will actually be used for breeding.

As soon as they have passed through the Customs, the Head of the Customs shall communicate by telegram to the competent Agrarian Inspector the number of cattle for breeding cleared through the Customs, in order that the necessary inspection may be made on their arrival at their destination.

Ad No 30 (a) of the Italian tariff. — Gouda and Edam cheese may be imported into Italy only if provided with a mark of guarantee recognised by the Netherlands Government and accompanied by a certificate issued by the Crisis Zuivel Bureau at The Hague.

Ad No. 920 (b) of the Italian tariff. — It is understood that in order to ensure that manioc flour imported into Italy at the reduced duty shall be used only for feeding cattle, the said flour shall, on importation into the Kingdom, undergo a process of denaturation at the expense of the purchaser, and shall be admitted in accordance with the conditions and rules laid down by the Italian Ministry of Finance.

## II.

*Importation of Dutch beer into Italy.* — The surtax payable on beer in casks or bottles imported into Italy, as a counterpart to the internal tax, shall be levied, at the choice of the importer, on the basis of a saccharine content of not more than 16 degrees or of a saccharine and alcoholic content tested by a formula, arrived at by common agreement, which shall ensure that the surtax on imported beer is equivalent to the tax on beer manufactured in the country itself.

If, at the request of the importer, the surtax be levied on the basis of the verified saccharine and alcoholic content, certificates of analysis issued in the Netherlands by institutions authorised for that purpose shall be accepted by the Italian authorities. Beer accompanied by such certificates shall not be subject to further analysis, provided the said certificates show that the saccharimetrical

degree of the original wort was tested by the said formula and that the rules for analysis agreed to by the respective Governments, including rules for sanitary purposes, were observed.

Should a certificate be drawn up in Dutch, the Royal Italian Customs may require the production of a translation.

In the event of reasonable doubt, the Administration may check the analysis of beer imported on production of a certificate.

The institutions empowered to issue the certificates mentioned in the previous provisions shall be appointed by joint agreement between the respective Governments.

### III.

As regards the annexed list B (tariff on importation into the Netherlands) :

*Ad No. 139 I 7 of the Netherlands tariff.* — Should the Netherlands Government feel called upon to increase the duty on almonds of all kinds referred to in No. 139 I 7 of the Netherlands Custom tariff (7.8 % *ad valorem*), the duty on this commodity shall not be higher than 10 % *ad valorem*.

*Ad No. 139 I 10 (bis) of the Netherlands tariff.* — Should the Netherlands Government feel called upon to substitute a specific duty for the existing duty of 13 % *ad valorem* on lemons, it shall enter into preliminary conversations with the Italian Government with a view to fixing, by joint agreement, a duty of which the average *ad valorem* incidence shall not exceed the rate of 13 %.

### IV.

The High Contracting Parties agree to open conversations as soon as possible with a view to developing trade between Italy and the Netherlands Indies.

The present Protocol, which, without being specially ratified, shall be regarded as approved and sanctioned by the High Contracting Parties by the sole fact of the exchange of ratifications of the Agreement to which it relates, has been drawn up in duplicate at Rome, the 1st day of March, 1934.

J. PATIJN.

MUSSOLINI.

## EXCHANGES OF NOTES.

### I.

MINISTRY  
OF FOREIGN AFFAIRS.

N. 209184/15.

ROME, *March 19th*, 1934, Year XII.

MONSIEUR LE MINISTRE,

As Your Excellency is aware, it is provided in the Commercial Agreement between Italy and the Netherlands, signed at Rome on March 1st of the present year, that the Convention shall come into force provisionally by an exchange of notes.

As the Italian Government and the Netherlands Government are of opinion that it would be desirable to put this clause into force at once, I have the honour to propose to you, on behalf of the Italian Government, that the said Commercial Agreement be put into force by the present note as from March 20th of the present year.

I should be glad if Your Excellency would be good enough to confirm to me that the Netherlands Government is in agreement, it being understood that on receipt of an affirmative reply from Your Excellency the Commercial Agreement between Italy and the Netherlands signed at Rome on March 1st, 1934, shall come into force provisionally as from March 20th, 1934.

I have the honour to be, etc.

His Excellency  
Monsieur Jacob A. N. Patijn,  
Envoy Extraordinary and  
Minister Plenipotentiary of the  
Netherlands at Rome.

MUSSOLINI.

II.

NETHERLANDS LEGATION.

8/46.

ROME, *March 19th*, 1934.

YOUR EXCELLENCY,

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

“ As you are aware, it is provided in the Commercial Agreement between Italy and the Netherlands, signed at Rome on March 1st of the present year, that the Convention shall come into force provisionally by an exchange of notes.

“ As the Italian Government and the Netherlands Government are of opinion that it would be desirable to put this clause into force at once, I have the honour to propose to you, on behalf of the Italian Government, that the said Commercial Agreement be put into force by the present note as from March 20th, 1934.

“ I should be glad if Your Excellency would be good enough to confirm to me that the Netherlands Government is in agreement, it being understood that on receipt of an affirmative reply from Your Excellency the Commercial Agreement between Italy and the Netherlands signed at Rome on March 1st, 1934, shall come into force provisionally as from March 20th, 1934. ”

I am authorised by my Government to confirm to you that the Government of the Netherlands agrees to the Italian Government's proposal. It is consequently understood that the Commercial Agreement between the Netherlands and Italy signed at Rome on March 1st, 1934, shall enter into force provisionally as from March 20th, 1934.

I have the honour to be, etc.

His Excellency  
Monsieur Benito Mussolini,  
Head of the Government,  
Minister for Foreign Affairs,  
Rome.

PATIJN.

## III.

ROYAL ITALIAN LEGATION.

No. 4291.

## NOTE VERBALE.

The Royal Italian Legation has the honour, by order of its Government, to inform the Royal Ministry of Foreign Affairs that as from November 19th and for as long as the Italo-Netherlands Commercial Agreement of March 1st, 1934, remains in force, the Italian Government will extend the Customs regime at present applicable to Switzerland for the importation of calves into Italy to calves of Netherlands breed, intended for breeding, coming direct from the place of origin, which have reached the age of ten months in the case of males and twelve months in the case of females, under the conditions laid down for that purpose in the Final Protocol of the said Agreement.

THE HAGUE, *November 14th*, 1934. XIII.

To the Royal Ministry of Foreign Affairs,  
The Hague.

## IV.

MINISTRY  
OF FOREIGN AFFAIRS.  
ECONOMIC AND CONSULAR  
DEPARTMENT.

No. 37495.

## NOTE VERBALE.

The Royal Ministry of Foreign Affairs has the honour to acknowledge receipt of the Note Verbale dated November 14th, 1934, No. 4291, from the Royal Italian Legation at The Hague, in which the Legation informs the Ministry that as from November 19th and for as long as the Italo-Netherlands Commercial Agreement of March 1st, 1934, remains in force, the Italian Government will extend the Customs regime at present applicable to Switzerland for the importation of calves into Italy to calves of Netherlands breed, intended for breeding, coming direct from the place of origin, which have reached the age of ten months in the case of males and twelve months in the case of females, under the conditions laid down for that purpose in the Final Protocol of the said Agreement.

In thanking the Legation for this communication, the Royal Ministry of Foreign Affairs begs to state that it immediately communicated the above information to the competent Netherlands authorities.

THE HAGUE, *November 14th*, 1934.

To the Royal Italian Legation.