

ÉTATS-UNIS D'AMÉRIQUE  
ET BRÉSIL

Accord commercial, avec listes annexées, signé à Washington, le 2 février 1935, échange de notes relatif à l'interprétation de l'article VI dudit accord, Washington, le 2 février 1935, et échange de notes modifiant l'article 282 du nouveau tarif brésilien, mentionné dans la liste I annexée à l'accord susmentionné, Rio de Janeiro, le 17 avril 1935.

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UNITED STATES OF AMERICA  
AND BRAZIL

Trade Agreement, with Schedules, signed at Washington, February 2nd, 1935, Exchange of Notes concerning the Interpretation of Article VI of the above-mentioned Agreement, Washington, February 2nd, 1935, and Exchange of Notes modifying Article 282 of the New Brazilian Tariff mentioned in Schedule I to the above Trade Agreement, Rio de Janeiro, April 17th, 1935.

No. 3840. — TRADE AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL. SIGNED AT WASHINGTON, FEBRUARY 2ND, 1935.

*English and Portuguese official texts communicated by the Chargé d'Affaires of the United States of America at Berne. The registration of this Agreement took place February 20th, 1936.*

THE PRESIDENT OF THE UNITED STATES OF AMERICA and THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL, desiring to strengthen the traditional bonds of friendship between the two countries ; to give effect to the principles embodied in the resolution on economic, commercial and tariff policies approved on December 16th, 1933, by the Seventh International Conference of American States ; and to supplement the principle of equality embodied in the Exchange of Notes signed October 18th, 1923, by granting mutual and reciprocal advantages for the promotion of trade between the two countries, as well as for the expansion of international trade, have resolved to conclude a Trade Agreement, and for that purpose have appointed their Plenipotentiaries, as follows :

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Cordell HULL, Secretary of State of the United States of America ; and

THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL :

Senhor Oswaldo ARANHA, Ambassador Extraordinary and Plenipotentiary of the Republic of the United States of Brazil to the Government of the United States of America ;

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following Articles :

*Article I.*

The United States of America and the United States of Brazil will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning Customs duties and subsidiary charges and in the method of levying duties, and, further, in all matters concerning the rules, formalities, and charges imposed in connection with the clearing of goods through the Customs.

Accordingly, natural or manufactured products having their origin in the United States of America or the United States of Brazil shall in no case be subject in the other country, in regard to the matters referred to above, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products of any third country are or may hereafter be subject.

<sup>1</sup> The exchange of the instrument of approval and confirmation and of the instrument of ratification took place at Rio de Janeiro, December 2nd, 1935.

The Treaty came into force January 1st, 1936.

Similarly, natural or manufactured products exported from the territory of the United States of America or the United States of Brazil and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege, or immunity which has been or may hereafter be granted by the United States of America or the United States of Brazil in regard to the above-mentioned matters to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the United States of Brazil or the United States of America, respectively.

#### Article II.

1. No prohibitions, import or Customs quotas, import licenses or any other form of quantitative restriction or control shall be imposed by the United States of Brazil on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I annexed to this Agreement and made a part thereof, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of the United States of Brazil enumerated and described in Schedule II annexed to this Agreement and made a part thereof : Provided, That the foregoing provision shall not apply to prohibitions or restrictions (a) related to public security ; (b) imposed on moral or humanitarian grounds ; (c) designed to protect human, animal, or plant life, subject to the provisions of Article X ; (d) related to prison-made goods ; (e) related to the enforcement of police or revenue laws ; or (f) permitted by paragraph 2 of this Article.

2. The provisions of the first paragraph of this Article shall not apply to any quantitative restriction imposed by the United States of America or the United States of Brazil on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles : Provided, That before any quantitative restriction on importation under the foregoing provisions of this paragraph is established, or having been established, is materially changed, the Government of the country which proposes to establish or materially change such restriction shall give notice thereof in writing to the other Government and shall accord the latter Government thirty days from the receipt of such notice to examine such proposed restriction or change ; and Provided further, That in the event such other Government objects to such proposed restriction or change, and if an agreement is not reached by the end of the thirtieth day following receipt of the notice of the intention to establish or change such restriction, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after the imposition of such restriction or change to terminate this Agreement on thirty days' notice.

3. The present Agreement being based on the principle of unconditional most-favored-nation treatment, the United States of America and the United States of Brazil agree that, if either Government should establish or maintain any form of quantitative restriction or control of the importation of any article or of the sale of any imported article the growth, produce or manufacture of the other country, it will give the widest possible application to the most-favored-nation principle and will administer any such prohibition or restriction in such a way as not to discriminate against the commerce of the other country. To this end it is agreed :

(a) That neither the United States of America nor the United States of Brazil shall establish or maintain any prohibition or quantitative restriction on the importation or sale of any article the growth, produce or manufacture of the other country which

is not applied to the importation or sale of any like article the growth, produce or manufacture of any third country ;

(b) That, in the event of a quantitative restriction being established by the United States of America or the United States of Brazil, on the importation or sale of any article with respect to which the other country has an interest, the total permitted importation of such article, unless otherwise mutually agreed, shall be allotted among exporting countries, and in such allotment the United States of America or the United States of Brazil, as the case may be, will grant to the other country a share of the permitted importation equivalent to the proportion of the total importation of such article which the other country supplied during a previous representative period ;

(c) That, in the event that the United States of America or the United States of Brazil shall impose a lower import duty or charge on the importation or sale of a specified amount of any article with respect to which the other country has an interest than that applied to importations in excess of such amount, the total importation permitted at such lower duty or charge, unless otherwise mutually agreed, shall be allotted among exporting countries, and in such allotment the United States of America or the United States of Brazil, as the case may be, will grant to the other country a share equivalent to the proportion of the total importation of the article in question which the latter country supplied during a previous representative period.

4. Neither the United States of America nor the United States of Brazil shall regulate by import licenses or permits issued to individuals or organizations the quantity of importations into its territory or sales therein of any article the growth, produce or manufacture of the other country, unless the quantity of permitted imports of such article, during a quota period of not less than three months, shall have been previously established, and unless the regulations covering the issuance of such licenses or permits shall be made public before they are put into force.

5. In the event of a quantitative restriction being established by the United States of America or the United States of Brazil for the importation into or sale in its territory of any article the growth, produce or manufacture of the other country, or in the event that either country shall impose a lower duty or charge on a specified amount of any such article than that applied to importations in excess of such amount, it is agreed that the United States of America or the United States of Brazil, as the case may be :

(a) Shall give public notice of the total amount of such article permitted to be imported or sold, or the amount of such article to which such lower duty or charge is applied ;

(b) Shall give public notice of the allotments to exporting countries, in the event that the total quantity of such article permitted to be imported or sold, or permitted entry or sale at such lower duty or charge, is allotted among exporting countries, and shall at all times upon request advise the Government of the other country of the amount of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted ;

(c) Shall at all times give sympathetic consideration to any representations which the Government of the other country shall make to the effect that such restriction or imposition of duty or charge, or the administration thereof, is prejudicial to its trade.

### Article III.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the United States of Brazil, if now free of duty, continue to be exempt from ordinary Customs duties or, if now dutiable, shall be exempt from ordinary Customs duties in excess of those set forth in the said Schedule. All of the said articles enumerated and described in Schedule I shall be exempt also from all other duties, taxes, fees, charges or exactions, imposed on or in

connection with importation, in excess of those imposed or required to be imposed by laws of the United States of Brazil in effect on the day of the signature of this Agreement.

*Article IV.*

Articles the growth, produce or manufacture of the United States of Brazil, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, if now free of duty, continue to be exempt from ordinary Customs duties or, if now dutiable, shall be exempt from ordinary Customs duties in excess of those set forth in the said Schedule. All of the said articles enumerated and described in Schedule II shall be exempt also from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed or required to be imposed by laws of the United States of America in effect on the day of the signature of this Agreement.

*Article V.*

In the event that either the United States of America or the United States of Brazil establishes or maintains an official monopoly or centralized agency for the importation of or trade in a particular commodity, the Government establishing or maintaining such monopoly or centralized agency will give sympathetic consideration to all representations that the other Government may make with respect to alleged discriminations against its commerce in connection with purchases by such official monopoly or centralized agency.

*Article VI.*

The two Governments agree that if they shall establish or maintain a control of the foreign exchanges, they will accord to the nationals and commerce of each other the most general and complete application of the unconditional most-favored-nation principle.

The provisions of this Article may be terminated by either Government on sixty days' written notice.

*Article VII.*

All articles the growth, produce or manufacture of the United States of America or the United States of Brazil shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin, except as required by laws of either country in effect on the day of the signature of this Agreement.

Articles the growth, produce or manufacture of the United States of America or the United States of Brazil enumerated and described in Schedules I and II, respectively, after importation into the other country, shall be exempt from any national or federal internal taxes, fees, charges or exactions other or higher than those imposed or required to be imposed by laws of the United States of Brazil and the United States of America, respectively, in effect on the day of the signature of this Agreement, subject to constitutional requirements.

*Article VIII.*

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America and the United States of Brazil, respectively, pertaining to the classification of articles for Customs purposes or to rates of duty shall be published promptly so that traders may become acquainted with them.

No administrative ruling by the United States of America or the United States of Brazil effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement

with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of official publication of notice of such ruling. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to sanitation or public safety, or giving effect to judicial decisions.

*Article IX.*

The United States of America and the United States of Brazil retain the right to apply such measures as they respectively may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of other material needed in war.

*Article X.*

The Government of the United States of America or the Government of the United States of Brazil, as the case may be, will accord sympathetic consideration to such representations as the other Government may make regarding the operation of Customs regulations, the observance of Customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Whenever practicable each Government, before applying any new measure of a sanitary character, will consult with the Government of the other country with a view to insuring that there will be as little injury to the commerce of the latter country as may be consistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments under sanitary measures already in effect or to actions based on pure food and drug laws.

*Article XI.*

The advantages now accorded or which may hereafter be accorded by the United States of America or the United States of Brazil to other adjacent countries in order to facilitate frontier traffic, and advantages resulting from a Customs union to which either country may become a party shall be excepted from the operation of this Agreement; and this Agreement shall not, subject to the provisions of Article X, apply to police or sanitary regulations or to the commerce of the United States of America with the Republic of Cuba, or to commerce between the United States of America and the Panama Canal Zone, the Philippine Islands, or any territory or possession of the United States of America, or to the commerce of the territories and possessions of the United States of America with one another.

Except as otherwise provided in the third paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and the United States of Brazil, respectively, to the commerce of the other country shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Subject to the reservations set forth in the first paragraph of this Article, the provisions of Article I and the provisions for most-favored-nation treatment in Articles II and VI shall apply to articles the growth, produce or manufacture of any area under the sovereignty or authority of either country imported from or exported to any area under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

*Article XII.*

The present Agreement shall, from the date on which it comes into force, supplant the Agreement by exchange of notes signed by the United States of America and the United States of Brazil on October 18th, 1923.

*Article XIII.*

The United States of America and the United States of Brazil, animated by their traditions of amity and by the spirit which impelled them to enter into this Agreement, declare their intention of studying the possibility of concluding other agreements designed to improve and strengthen their present relations, their trade interchange, their maritime, aerial and postal connections, with a view to bringing still closer together the peoples of the two nations. With this end in view, the competent branches of the two Governments will, on the first opportunity, exchange ideas on the most rapid and efficient ways of increasing trade interchange between the two countries through mutual and reciprocal concessions by each country to the products of the other or through transport, credit, or other facilities, with a view to developing the relations between them, and will endeavor to carry into effect to the greatest possible extent the recommendations and suggestions which will have been found suitable to this purpose.

*Article XIV.*

The present Agreement shall be approved and confirmed by the President of the United States of America by virtue of the Act of the Congress of the United States of America approved June 12th, 1934, entitled " An Act to amend the Tariff Act of 1930 ", and shall be ratified by the President of the Republic of the United States of Brazil in accordance with the constitutional requirements of that country. It shall enter into full force thirty days after the exchange of the instrument of approval and confirmation and the instrument of ratification, which shall take place in the city of Rio de Janeiro, as soon as possible, and shall continue in force for two years, unless terminated in accordance with the provisions of Article II.

Unless at least six months before the expiration of the above-mentioned term of two years the Government of either country shall denounce the Agreement, it shall continue in full force until denounced by either Government with six months' previous notice, or unless terminated in accordance with the provisions of Article II.

In witness thereof the respective Plenipotentiaries have signed this Agreement in duplicate, each in the English and Portuguese languages, and have affixed their seals hereto.

Done at the City of Washington, this second day of February, one thousand nine hundred and thirty-five.

(Seal) Cordell HULL.

(Seal) Oswaldo ARANHA.

## SCHEDULE I.

NOTE : The provisions of this Schedule shall apply on and after the day on which the Agreement comes into force to articles then lying in Customs warehouses and warehouses of the " Mesas de Rendas " and bonded depots or docks, on which the duties have not then been paid in full, as well as to articles imported thereafter, in accordance with the provisions of Article 7 of Decree No. 24343 of June 5th, 1934.

## ABBREVIATIONS :

Kg.	— Kilogram.
T.	— Ton (metric).
NW	— Net weight.
LW	— Legal weight.
GW	— Gross weight.

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
37	Hides and Skins : Prepared or tanned, not specified : colored or greased . . .	Kg. LW	11\$440
	Patent leather, grained or not . . . . .	Kg. LW	15\$600
98	Milk : In powder, tablets or other state, with or without sugar .	Kg. LW	2\$600
106	Fish : Preserved by any process : Sardines, sprats, brislings or slids, " chicharros ", " jurelos " and other small fish, herrings, and salmon, white, red or others . . . . .	Kg. LW	3\$120
225	Fruit : Plums, cherries, quinces, figs, apples, melons, strawberries, peaches, pears, grapes, and similar, fresh or green . . .		Free
230	Preserved Fruits : Any other fruits : in alcohol, sugar sirup, or honey (jams), solid pack, jelly or pulp . . . . .	Kg. LW	6\$240
240	Cereals, Garden Produce and Vegetables : Preserved asparagus . . . . .	Kg. LW	2\$600
	All others, preserved in any manner, with or without mixture of fruits, in solid pack, except tomatoes, or prepared in any other manner . . . . .	Kg. LW	4\$160
245	Flours : Of oats . . . . .	Kg. LW	\$780
	Note : Note No. 51 of the Brazilian Tariff is maintained in its entirety.		
	Gums, Gum-resins, Natural Resins and Balsams :		
282	Turpentine : Bordeaux or common . . . . .	Kg. GW	\$780
468	Cotton Oilcloth : In the piece . . . . .	Kg. LW	6\$930
	In galloons or strips, cut or not . . . . .	Kg. LW	8\$320



Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
474	Ready Made Clothing (of Cotton) : Shirts, for both sexes, of any fabric (other than knitted or netted), plain or with pleats . . . . .	Each	7\$800
582	Cements : The second and third subclassifications are combined as follows : Of magnesium, white or magnesian, Portland or Roman	T. NW	104\$000
851	Iron and Steel : Manufactures : Furniture and furnishings, not classified, and parts therefor . . . . .	Kg. LW	2\$600
977	Soaps, Sapolios, Soapy Substances and Similar : Common, ordinary or hard, for domestic use, in bars, blocks, flakes, or in sheets, white such as Marseilles, variegated, or colored . . . . .	Kg. LW	2\$080
982	Paints : Prepared with oil : liquid, ready for use, producing on the painted surface an ordinary opaque or not very brilliant finish, with a maximum of 2% of natural or artificial resin . . . . . Prepared with a base of varnish or resins, known as enamels, liquid, ready for use, producing a brilliant or lustrous finish . . . . .	Kg. LW	1\$170
	Prepared with a base of pyroxylin (nitrocellulose) or acetylcellulose (acetate of cellulose) : In mass or paste, dark or opaque, for undercoat, known as "Preparation", "Surfacer", "Putty" and the like . . . . .	Kg. LW	2\$340
	Liquid, to be applied by machinery (pistols or sprayers), opaque or brilliant, of any color, containing pigments or mineral lacquers . . . . .	Kg. LW	2\$400
984	Varnishes : With a base of ethers of cellulose (nitro or acetocellulose), transparent, colored or not . . . . .	Kg. LW	5\$200
1583	Radio, Telegraphic, Telephonic, and Television Apparatus : Receiving or transmitting apparatus for telephones, telegraphs, radio-telephones, radio telegraphs or television, including radio-victrolas and any of their appurtenances and parts not classified : Weighing up to 10 kilos . . . . . Weighing more than 10 up to 50 kilos . . . . . Weighing more than 50 up to 100 kilos . . . . . Weighing more than 100 up to 250 kilos . . . . . Weighing more than 250 up to 500 kilos . . . . . Weighing more than 500 kilos . . . . .	Kg. LW	12\$700
		Kg. LW	10\$200
		Kg. LW	7\$050
		Kg. LW	6\$800
		Kg. LW	5\$400
		Kg. LW	4\$100
1601	Films, Cinematographic : Developed : Up to 16 millimeters wide . . . . . Same, more than 16 millimeters wide . . . . . Unexposed . . . . .	Kg. LW	28\$500
		Kg. LW	56\$990
		Kg. LW	5\$700

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
1632	Electric Batteries, Dry : Separate or assembled in batteries : Weighing up to 50 grams . . . . . Weighing more than 50 up to 100 grams . . . . . Weighing more than 100 up to 500 grams . . . . . Weighing more than 500 up to 1 kilo . . . . . Weighing more than 1 kilo . . . . .	Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW	3\$000 2\$600 2\$500 2\$400 1\$900
1654	Radio Valves or Tubes : For radio-receiving and radio-transmitting apparatus : Weighing up to 100 grams . . . . . Weighing more than 100 grams . . . . .	Kg. LW Kg. LW	30\$660 38\$000
1673	Surgical Dressings : Gauze, plain or with antiseptic or medical substance, in strips or in pieces and bandages of any cloth . . . . .	Kg. LW	6\$740
1779	Automobiles : Assembled or unassembled, complete ; operated by gasoline, naphtha, benzine or other essence, by alcohol, oil or electricity : For passengers, such as landaulets, limousines, phaetons, double phaetons, sedans, roadsters, and others : Weighing up to 900 kilos . . . . . Weighing more than 900 up to 1,400 kilos . . . . . Weighing more than 1,400 up to 1,900 kilos . . . . . Weighing more than 1,900 up to 2,200 kilos . . . . . Weighing more than 2,200 kilos . . . . . For passengers or freight delivery of merchandise, including ambulances, trucks, hearses, busses, and others : Weighing up to 2,000 kilos . . . . . Weighing more than 2,000 up to 4,000 kilos . . . . . Weighing more than 4,000 kilos . . . . .	Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW Kg. LW	1\$712 1\$084 3\$080 4\$712 6\$344 1\$456 1\$704 2\$184
1781	Motorcycles : Assembled or unassembled, complete : Two-wheeled, with one or more seats, with or without facilities for the transportation of packages, equipped with pneumatic tires . . . . . Three-wheeled, with one or more seats, with or without basket or box, for the transportation of persons or goods, including three-wheeled automobiles and sidecars . . . . .	Kg. LW Kg. LW	3\$090 2\$560
1782	Automotive Parts, Accessories and Appurtenances : Of automobiles : Chassis or trucks, without body, assembled or unassembled, complete with motor and its appurtenances, front and rear wheels, equipped with pneumatic tires, running boards, fenders, bumpers and all other parts necessary for functioning, including horn, lights and signals ; for ambulances, trucks, omnibuses, and any others . . . . .	Kg. LW	1\$270



Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
	<i>Scales (continued) :</i>		
1792 (cont.)	Spring, with cylinders, suspension, with or without pan .	Kg. LW	10\$400
	Same, with stands of iron or marble, with only one pan . .	Kg. LW	5\$200
	Same, not specified . . . . .	Kg. LW	4\$160
1794	<i>Pumps :</i> For gasoline or motor alcohol, simple or with indicator, propelled by whatever means, assembled or unassembled, and any of their parts, unclassified . . . . .	Kg. LW	3\$120
1822/ 1831	<i>Electrical Refrigeration Apparatus :</i> Ice boxes, refrigerators, and similar of ordinary metal, with refrigeration apparatus :		
	Weighing up to 10 kilos . . . . .	Kg. LW	1\$860
	Weighing more than 10 up to 50 kilos . . . . .	Kg. LW	1\$550
	Weighing more than 50 up to 100 kilos . . . . .	Kg. LW	1\$240
	Weighing more than 100 up to 250 kilos . . . . .	Kg. LW	1\$120
	Weighing more than 250 up to 500 kilos . . . . .	Kg. LW	\$990
	Weighing more than 500 up to 1,000 kilos . . . . .	Kg. LW	\$750
	Weighing more than 1,000 up to 5,000 kilos . . . . .	Kg. LW	\$620
	Weighing more than 5,000 up to 10,000 kilos . . . . .	Kg. LW	\$500
	Weighing more than 10,000 kilos . . . . .	Kg. LW	\$370
1825	<i>Agricultural Machinery and Implements, such as :</i> Transplanters, plows, stump or tubercle pullers, reapers, cultivators, scarifiers, eradicators, harrows with stiff or flexible teeth, planters, Crosskill, Cambridge and similar rollers, sowing machines, sulky, tractors and similar .	Free	
1828	<i>Steel Files :</i> Not specified :		
	Weighing up to 300 grams per dozen . . . . .	Kg. LW	3\$900
	Weighing over 300 up to 1,500 grams per dozen . . . . .	Kg. LW	2\$730
	Weighing over 1,500 grams per dozen . . . . .	Kg. LW	1\$950
1831	<i>Machinery :</i> For grinding knives and tools, sharpening pencils, for embroidering or sewing, cutting meats, paper, bread, cork or cloth, for threshing or crushing corn, for separating cream, up to a capacity of 10 liters, for bottling, ironing, making ice or sherbets, for washing glasses, bottles and dishes, for washing and wringing clothes, for cleaning knives, chopping meat, tobacco or vegetables, for shredding and similar uses, small, for domestic use, for offices, small stores and similar . . . . .	Kg. GW	\$930
	<i>Machines, for calculating and for accounting or statistics, Hollorith system and others :</i>		
	Weighing up to 10 kilos . . . . .	Kg. LW	6\$190
	Same, weighing from 10 to 50 kilos . . . . .	Kg. LW	4\$950
	Same, weighing from 50 to 100 kilos . . . . .	Kg. LW	3\$710
	Same, weighing from 100 to 250 kilos . . . . .	Kg. LW	2\$470
	Same, weighing from 250 to 500 kilos . . . . .	Kg. LW	1\$860
	Same, weighing over 500 kilos . . . . .	Kg. LW	1\$240
	<i>Typewriting machines :</i> With keyboard . . . . .	Kg. LW	7\$960
	<i>Machines : for registering payments, passengers in vehicles, and similar . . . . .</i>	Kg. LW	5\$700
	<i>Machines : for typography : Linotypes, monotypes, autoplates, semi-autoplates . . . . .</i>	Kg. LW	\$750

Brazilian Tariff Item No.	Description of Articles	Unit	Rate of Duty
1856	Spark Plugs for Motors :		7\$900
	Rubber and Gutta Percha, Vulcanized or not, Ebanite or Ebonite, and Similar :		
1866	Rubber hose and tubes, covered or not with wire, with or without interior or exterior cloth :		
	Weighing over 250 grams up to 1 kilo per lineal meter	Kg. LW	5\$850
	Weighing over 1 kilo up to 5 kilos per lineal meter . . .	Kg. LW	3\$900
	Belting for machinery . . . . .	Kg. LW	9\$360
	Confectionery, Sweets, Bonbons, Pastilles, etc. :		
1871	Add special subclassification for : " Chewing gum " . . . .	Kg. LW	5\$000
	Linoleum, Congoleum, and Similar :		
1885	In pieces and strips . . . . .		1\$360
	In discs and carpets . . . . .		1\$300

## SCHEDULE II.

NOTE : The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the Customs laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.

Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
10	Copaiba balsam, natural and uncompounded, and not containing alcohol . . . . .	5 % <i>ad valorem</i>
35	Ipecac, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol . . . . .	5 % <i>ad valorem</i>
35	Maté, natural and uncompounded, but advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol . . . . .	5 % <i>ad valorem</i>
302(a)	Manganese ore (including ferruginous manganese ore) or concentrates, and manganiferous iron ore, all the foregoing containing in excess of 10 percentum of metallic manganese . . . . .	½ cent per pound on the metallic manganese contained therein.
757	Cream or Brazil Nuts : Not shelled . . . . . Shelled . . . . .	¾ cent per pound. 2 ¼ cents per pound.

Tariff Act of 1930 Paragraph	Description of Articles	Rate of Duty
762 1602	Castor beans . . . . . Ipecac, natural and uncompounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol . .	¼ cent per pound.  Free
1602	Maté, natural and uncompounded and in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol . . .	Free
1653	Cocoa or cacao beans, and shells thereof . . . . .	Free
1654	Coffee, except coffee imported into Puerto Rico . . . . .	Free
1697	Gutta balata . . . . .	Free
1719	Zirconium ores or concentrates . . . . .	Free
1727	Babassu nuts and kernels . . . . .	Free
1732	Babassu-nut oil, expressed or extracted . . . . .	Free
1765	Deerskins, raw . . . . .	Free
1796	Carnauba wax . . . . .	Free
1796	Beeswax, not specially provided for . . . . .	Free
1803	Cabinet woods in the log . . . . .	Free

## TROCA DE NOTAS

RELATIVA Á INTERPRETAÇÃO DO ARTIGO VI DO TRATADO ACIMA REFERIDO. WASHINGTON, 2 DE FEVEREIRO DE 1935.

## I.

EMBAIXADA  
DOS ESTADOS UNIDOS  
DO BRASIL

No. II.

WASHINGTON, em 2 Fevereiro de 1935.

SENHOR SECRETARIO DE ESTADO,

Animado do proposito de esclarecer a perfeita intelligencia do artigo VI do tratado de commercio firmado hoje entre o Brasil e os Estados Unidos da America, o meu Governo autorizou-me a declarar a Vossa Excellencia que, emquanto tiver necessidade de manter o actual *contrôle* cambial, interpreta a promessa contida no referido artigo pela seguinte forma :

I) O Banco do Brasil dará cambio sufficiente para o pagamento, a medida que se tornar devido, de todas as futuras importações no Brasil de productos norte-americanos ; alem disso, o Banco do Brasil fornecerá cambio bastante para liquidação gradual das dividas commerciaes norte-americanas actualmente em atraso, ficando entendido que o Banco do Brasil estabelecerá um systema de pagamento segundo o qual a importancia de cambio necessaria para os referidos fins não será inferior a uma percentagem calculada de accôrdo com a parte representada pelas mercadorias norte-americanas na importação total do Brasil durante os ultimos dez annos, mas ligeiramente augmentada para se alcançarem as finalidades visadas pelo novo tratado de commercio ;

II) Quanto ás remessas de lucros e dividendos de companhias norte-americanas que funcçionam no Brasil, não pode o meu Governo, até que se normalise a

## EXCHANGE OF NOTES

CONCERNING THE INTERPRETATION OF ARTICLE VI OF THE ABOVE-MENTIONED AGREEMENT. WASHINGTON, FEBRUARY 2nd, 1935.

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

## I.

EMBASSY  
OF THE UNITED STATES  
OF BRAZIL

No. II.

WASHINGTON, February 2nd, 1935.

MR. SECRETARY OF STATE,

Animated with the purpose of making Article VI of the trade Agreement between Brazil and the United States of America, signed to-day, perfectly clear, my Government has authorized me to advise Your Excellency that, so long as there may be any need for it to maintain the present control over foreign exchange, it interprets the promise contained in the said Article as follows :

I. The Bank of Brazil will furnish sufficient exchange for the payments, as they become due, for all future importations of American products into Brazil ; moreover, the Bank of Brazil will provide sufficient foreign exchange for the gradual liquidation of the American commercial debts now in arrears, it being understood that the Bank of Brazil will establish a system of payment under which the amount of foreign exchange required for the purposes mentioned shall not be less than a percentage calculated in accordance with the share represented by American goods in total Brazilian imports during the past 10 years, but slightly increased in order that the purposes contemplated by the new trade Agreement may be accomplished ;

II. With respect to transfers of profits and dividends of American companies operating in Brazil, my Government cannot, until the situation becomes normal, do

<sup>1</sup> Traduction du Gouvernement des Etats Unis d'Amérique.

<sup>1</sup> Translation of the Government of the United States of America.

situação, senão prometter que taes companhias receberão tratamento nunca menos favoravel do que aquelle de que gozam ou vierem a gozar quaesquer companhias estrangeiras estabelecidas no paiz ;

III) O meu Governo suggere a cooperação do Banco do Brasil com o " Federal Reserve Board " de Nova York (ou outra instituição que o Governo dos Estados Unidos da America vier a indicar), no sentido de ser inaugurado um serviço de informações em materia cambial, capaz de melhorar o conhecimento da situação de cada um dos dois paizes em relação ao outro e, dessa forma, intensificar entre elles a troca de productos ;

IV) Se, como espera, chegarem a uma feliz conclusão as negociações em curso para obtenção de creditos bancarios, reservará o Governo brasileiro de sua disponibilidade de cambio o necessario para attender ao pagamento aos portadores de titulos de emprestimos negociados nos Estados Unidos da America das quantias fixadas pelo plano de pagamento de dividas de 5 de Fevereiro de 1934.

Desejo accrescentar que o Banco do Brasil continuará, como até agora, a pagar as obrigações contrahidas em Junho de 1933 para a consolidação das dividas commerciaes em atrazo, existentes naquella data.

Aproveito a oportunidade para renovar a Vossa Excellencia os protestos da minha mais alta consideração.

Oswaldo ARANHA.

A Sua Excellencia  
o Senhor Cordell Hull,  
Secretario de Estado  
dos Estados Unidos  
da America.

more than promise that such companies will receive treatment never less favorable than that which is enjoyed or which may be enjoyed by any foreign companies established in the country ;

III. My Government suggests the co-operation of the Bank of Brazil with the Federal Reserve Board of New York (or any other institution which the Government of the United States of America may indicate), in the sense of inaugurating a foreign exchange information service, affording greater knowledge of the situation of each of the two countries with relation to the other and, in this way, intensifying the exchange of products between them ;

IV. If, as it hopes, the negotiations in progress for obtaining banking credits should come to a happy conclusion, the Brazilian Government will reserve from the foreign exchange at its disposal that necessary to meet the payment, to the holders of bonds of loans negotiated in the United States of America, of the sums fixed by the plan of February 5th, 1934, for payment of debts.

I wish to add that the Bank of Brazil will continue to meet, as hitherto, the obligations assumed in June 1933 for the refunding of the deferred commercial debts in arrears existing at that time.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Oswaldo ARANHA.

His Excellency  
Mr. Cordell Hull,  
Secretary of State  
of the United States  
of America.

## II.

DEPARTMENT OF STATE.

EXCELLENCY,

WASHINGTON, *February 2nd, 1935.*

I have the honour to acknowledge the receipt of Your Excellency's note of this date. My Government welcomes the declaration of the Government of Brazil contained in Your Excellency's note under acknowledgment in connection with the arrangements for the development



of trade between the United States and Brazil embodied in the new Commercial Agreement between the two countries and has taken note of the determination of the Government of Brazil to resolve in so satisfactory and orderly a manner matters involving foreign exchange between the two countries.

The security in exchange matters these assurances will give to trade between the two countries should greatly assist in the development of that trade. They appear to this Government to be both reasonable and moderate and in no way to obstruct such plans or efforts as the Brazilian Government may wish to carry forward in furthering a liberal exchange policy.

Your Excellency will, of course, appreciate that the proffer by Your Excellency's Government of these assurances as contained in Your Excellency's note above referred to is not construed by this Government as modifying or affecting in any way the rights of American holders of Brazilian bonds issued in the United States.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Cordell HULL.

His Excellency  
Mr. Oswaldo Aranha,  
Ambassador of Brazil.

#### TROCA DE NOTAS

MODIFICANDO O ARTIGO 282 DA NOVA TARIFA BRASILEIRA ESTIPULADA NA TABELLA I ANEXA AO ACORDO ACIMA REFERIDO. RIO DE JANEIRO, 17 DE ABRIL DE 1935.

##### I.

MINISTERIO  
DAS RELAÇÕES EXTERIORES.

RIO DE JANEIRO, *em 17 de Abril* 1935.

SENHOR ENCARREGADO DE NEGOCIOS,

Tenho a honra de informar a Vossa Senhoria que, em additamento ás reduções aduaneiras estipuladas na Tabella I, anexa ao tratado de commercio assignado, em Washington, entre os Estados Unidos da America e os Estados Unidos do Brasil, a 2 de Fevereiro ultimo, o Governo Brasileiro, attendo ao compromisso formal que havia assumido por occasião das negociações do referido tratado, resolveu taxar nas suas alfandegas o producto denominado colophônia do mesmo modo que o é, na nova tarifa aduaneira, o breu ou resina de pinho negra e de qualquer outra qualidade, permanecendo unicamente a resina denominada « de

#### EXCHANGE OF NOTES

MODIFYING ARTICLE 282 OF THE NEW BRAZILIAN TARIFF MENTIONED IN SCHEDULE I TO THE ABOVE AGREEMENT. RIO DE JANEIRO, APRIL 17th, 1935.

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

##### I.

MINISTRY  
OF FOREIGN RELATIONS.

RIO DE JANEIRO, *April 17th*, 1935.

MR. CHARGÉ D'AFFAIRES,

I have the honor to advise Your Excellency that in addition to the Customs reductions provided for in Schedule I annexed to the trade Agreement signed at Washington between the United States of America and the United States of Brazil on February 2nd, last, the Brazilian Government, in accordance with the formal obligation which it assumed at the time of the negotiation of the said Agreement, has resolved to tax, at its Customhouses, the product designated "colophony" in the same way as pitch or black pine resin or that of any other quality now is taxed in the new Customs tariff, only the resin called "Burgundy" remain-

<sup>1</sup> Traduction du Gouvernement des Etats-Unis d'Amérique.

<sup>1</sup> Translation of the Government of the United States of America.

bourgogne » como os direitos que a mesma tarifa cobra, tanto para a « de bourgogne » como para a colophónia.

2. Para clareza do assumpto, lembro a Vossa Senhoria que se trata do artigo 282 da nova tarifa Brasileira, discriminado nas duas alíneas seguintes :

De bourgogne e colophónia KG.P.L. \$530.

Negra (breu) e de qualquer outra qualidade, ton.P.B. 132\$730.

3. De acôrdo com a alteração que o Governo Brasileiro estabelece por esta troca de notas, essas alíneas ficarão assim modificadas na nossa lei aduaneira :

De bourgogne KG.P.L. \$530.

Colophónia, negra (breu) e de qualquer outra qualidade, ton.P.B.132\$730.

4. Esta modificação começará a vigorar nas mesmas condições estabelecidas para a entrada em vigor do tratado de commercio acima referido, no seu artigo XIV e na nota que esclarece as disposições e taxas contidas na Tabela I do mesmo tratado do qual será parte integrante.

Aproveito a oportunidade para renovar a Vossa Senhoria os protestos da minha mui distinta consideração.

José Carlos DE MACEDO SOARES.

ing subject to the same rates which are levied by the said tariff both on "Burgundy" resin and on colophony.

2. For the sake of clarity in the matter, I recall to Your Excellency that it is a question of Article 282 of the new Brazilian tariff, divided into the two following paragraphs :

Burgundy and colophony . . . Kg.—P. L.... \$530

Pitch, black or of any other quality . . . . . Ton—P. B... 132\$730

3. In accordance with the change which the Brazilian Government establishes by this exchange of notes, those paragraphs will be thus modified in our Customs law :

Burgundy . . . Kg.—P. L... \$530

Colophony, black pitch, or of any other quality . Ton—P. B... 132\$730

4. This modification will enter into force under the same conditions as those established for the entry into force of the trade Agreement referred to above in its Article XIV and in the note which clarifies the provisions and rates contained in Schedule I of the said Agreement, of which it will form an integral part.

I avail myself of the opportunity to renew to Your Excellency the assurances of my most distinguished consideration.

José Carlos DE MACEDO SOARES.

## II.

EMBASSY  
OF THE UNITED STATES  
OF AMERICA.

RIO DE JANEIRO, *April 17th, 1935.*

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of April 17th, 1935, setting forth that in accordance with the formal obligation which the Brazilian Government assumed at the time of the negotiation of the trade Agreement signed in Washington between the United States of America and the United States of Brazil on February 2nd, 1935, the Brazilian Government has resolved to modify Article 282 of the present Brazilian Customs tariff, in that part thereof which reads :

"Burgundy and colophony (common resin or rosin) . . . . .	K. G.	P. L.	530 reis
Black (pitch) and any other kind . . . . .	ton	P. B.	132,730 reis"

so as to read as follows :

"Burgundy . . . . .	K. G.	P. L.	530 reis.
Colophony, black (pitch) and any other kind . . . . .	ton	P. B.	132,730 reis"

Your Excellency's note further sets forth that this modification will enter into force under the same conditions as established for the entry into force of the trade Agreement in Article XIV and in the note to Schedule I of the said Agreement, of which it will form an integral part.

I have the honor to inform Your Excellency that my Government is in agreement with the modification to the Brazilian Customs tariff and the provisions as to the entry into force thereof above set forth.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

George A. GORDON,  
*Chargé d'Affaires ad interim.*

Certified to be true and complete textual copies of the original Agreement and Supplementary Agreement and of interpretative Notes in all the languages in which they were signed.

For the Secretary of State  
of the United States of America :

C. E. MacEachran,  
*Chief Clerk and Administrative Assistant.*