

Ambassador Silvio Arioli  
Delegate of the Swiss Government  
for Trade Agreements  
c/o Délégation Suisse  
près l'AELE et le GATT

Geneva

Geneva, 10 December 1991

Ambassador Taner Baytok  
Director General for EC Affairs  
Head of Delegation  
c/o Mission Permanente de Turquie

Geneva

Sir,

I have the honour to refer to the discussions concerning trade arrangements for agricultural products between the Swiss Confederation (hereinafter called Switzerland) and the Republic of Turkey (hereinafter called Turkey), which have taken place in the framework of the negotiations on a Free Trade Agreement between the EFTA States and Turkey.

I hereby confirm that the results of these discussions were as follows:

- I. Tariff concessions granted by Switzerland to Turkey in the framework of the Generalized Scheme of Preferences as set out in Annex I to this letter;
- II. Tariff concessions granted by Switzerland to Turkey as set out in Annex II to this letter;
- III. For the purpose of implementing Annexes I and II Annex III to this letter lays down the rules of origin and methods of administrative co-operation;
- IV. A declaration of intention on technical co-operation in the field of agriculture between Switzerland and Turkey as set out in Annex IV to this letter.

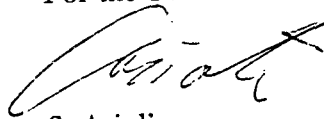
This agreement shall likewise apply to the Principality of Liechtenstein as long as the Treaty of 29 March 1923 between the Swiss Confederation and the Principality of Liechtenstein remains in force.

- 2 -  
This exchange of letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of Turkey is in agreement with the content of this letter.

Accept, Sir, the assurances of my highest consideration.

For the Swiss Confederation

A handwritten signature in dark ink, appearing to read 'S. Arioli', written in a cursive style.

S. Arioli

Ambassador Taner Baytok  
Director General for EC Affairs  
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Delegate of the Swiss Government for  
Trade Agreements  
c/o Délégation Suisse près l'AELE et le  
GATT  
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Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"I have the honour to refer to the discussions concerning trade arrangements for agricultural products between the Swiss Confederation (hereinafter called Switzerland) and the Republic of Turkey (hereinafter called Turkey), which have taken place in the framework of the negotiations on a Free Trade Agreement between the EFTA States and Turkey.

I hereby confirm that the results of these discussions are as follows:

- I. Tariff concessions granted by Switzerland to Turkey in the framework of Generalized Scheme of Preferences as set out in Annex I to this letter;
- II. Tariff concessions granted by Switzerland to Turkey as set out in Annex II to this letter;
- III. For the purpose of implementing Annexes I and II Annex III to this letter lays down the rules of origin and methods of administrative co-operation;
- IV. A declaration of intention on technical co-operation in the field of agriculture between Switzerland and Turkey as set out in Annex IV to this letter.

This agreement shall likewise apply to the Principality of Liechtenstein as long as the Treaty of 29 March 1923 between the Swiss Confederation and the Principality of Liechtenstein remains in force.

This exchange of letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of Turkey is in agreement with the content of this letter."

I have the honour to confirm that my Government is in agreement with the content of this letter.

Accept, Sir, the assurances of my highest consideration.

For the Republic of Turkey

A handwritten signature in black ink, consisting of a stylized, cursive 'S' followed by a horizontal line that ends in a sharp downward hook.

T. Baytok

## Annex I

### Continuation of tariff preferences for agricultural products

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Ambassador Silvio Arioli  
Delegate of the Swiss Government  
for Trade Agreements  
c/o Délégation Suisse  
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Geneva

Geneva, 10 December 1991

Ambassador Taner Baytok  
Director General for EC Affairs  
Head of Delegation  
c/o Mission Permanente de Turquie  
Geneva

Sir,

in recognition of the excellent trade relations between our countries the Swiss Federal Council is prepared to continue granting to the Republic of Turkey the tariff benefits of the Swiss Generalized Scheme of Preferences pertaining to Chapters 1-24 of the Customs Tariff for an initial period of two years after which the possibility of a further extension will be examined, taking into account the overall relations then prevailing between the two countries.


This intention is qualified as follows:

- the envisaged conclusion of a customs union between the Republic of Turkey and the European Communities will imply a discontinuation of the application of these preferences vis-à-vis the Republic of Turkey.

- the legal instrument by which the Federal Council is presently authorized by Parliament to grant tariff preferences to developing countries expires on 29 February 1992. A proposal to extend this authorization by another period of five years has been approved by the Parliament on 4 October 1991. If no referendum is put forward until 13 January 1992 the application of the Swiss Generalized Scheme of Preferences will continue.

Accept, Sir, the assurances of my highest consideration.

For the Swiss Confederation



S. Arioli

## Annex II

### Tariff concessions granted by the Swiss Confederation to the Republic of Turkey

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As from the date of entry into force of the Free Trade Agreement between the EFTA States and the Republic of Turkey, Switzerland<sup>1)</sup> will grant to the Republic of Turkey on an autonomous basis the following tariff concessions<sup>2)</sup> for products originating in the Republic of Turkey.

#### A. Full tariff elimination

<u>Swiss tariff heading</u>	<u>Description</u>
0207.5000	Poultry livers, frozen
0603.1011	Carnations, fresh, from 1 May to 25 October
0603.1012	Roses, fresh, from 1 May to 25 October
0713.3190	Beans dried, shelled, skinned or split
0802.2200	Hazelnuts, fresh or dried, shelled
0802.3200	Walnuts, fresh or dried, shelled
0809.1010	Apricots, fresh, in open packings
0809.1090	Apricots, fresh, otherwise packed
0809.4010	Plums and sloes, fresh, in open packings
0809.4090	Plums and sloes, fresh, otherwise packed
0810.1000	Strawberries, fresh

- 
- 1) These concessions shall likewise be applied by Liechtenstein as long as the Treaty of 29 March 1923 between the Swiss Confederation and the Principality of Liechtenstein remains in force.
  - 2) For headings subject to non tariff measures, Switzerland reserves the right to adapt the concessions in order to take into account the eventual outcome of the UR-negotiations (tariffication).

<u>Swiss tariff heading</u>	<u>Description</u>
0813.1000	Apricots, dried
ex 1106.3000	Flour and meal of hazelnuts, other than for animal feeding
1202.2000	Ground-nuts, not roasted or otherwise cooked, shelled
1212.1000	Locust beans, fresh or dried, wether or not ground
1212.3000	Apricot, peach or plum stones and kernels, fresh or dried, wether or not ground
ex 2001.9029	Olives, prepared or preserved by vinegar or acetic acid
ex 2007.9919	Chestnut and hazelnut paste, not containing added sugar or other sweetening matter
ex 2009.3011	Crude lemon juice, not containing added sugar or other sweetening matter, concentrated

B. 50 % tariff reduction

<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
0207.3100	Fatty livers of geese or ducks	22.50
0208.2000	Frogs' legs	15.00
0703.9000	Leeks and other alliaceous vegetables, fresh or chilled	5.00



<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
0707.0000	Cucumbres and gherkins, fresh or chilled	5.00
ex 0709.3000	Aubergines, fresh or chilled, imported from 1 April to 30 October	5.00
ex 0709.9090	Olives and courgettes, fresh or chilled	5.00
0711.2000	Olives provisionally preserved, but unsuitable in that state for immediate consumption	5.00
ex 0711.9000	Mushrooms, capsicum and pimenta, provisionally preserved, but unsuitable in that state for immediate consumption	5.00
0713.2090	Chickpeas dried, shelled, skinned or split	2.25
0713.4090	Lentils dried, shelled, skinned or split	2.25
0804.2020	Figs, dried	7.50
0805.1000	Oranges, fresh or dried	5.00
0805.2000	Mandarins, fresh or dried	5.00
0805.4000	Grapefruit, fresh or dried	1.50
0807.1000	Melons and watermelons, fresh	5.00
ex 1509.1000	Olive oil, virgin, other than for technical use	5.50

<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
ex 1509.9000	Olive oil, other than virgin, other than for technical use	5.50
ex 2001.9029	Capsicum and mushrooms, prepared or preserved by vinegar or acetic acid	25.00
	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid:	
	- Whole or in pieces:	
2002.1010	-- In containers, of a weight exceeding 5 kg	6.50
2002.1020	-- In containers, of a weight not exceeding 5 kg	11.50
	- Other:	
2002.9010	-- In containers, of a weight exceeding 5 kg	6.50
2002.9029	-- In containers, of a weight not exceeding 5 kg	11.50
ex 2005.9010	Capsicum, capers and artichokes, prepared or preserved otherwise than by vinegar or acetic, in containers, of a weight exceeding 5 kg	25.00

<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
ex 2005.9090	Capsicum, capers and artichokes, prepared or preserved otherwise than by vinegar or acetic, in containers, of a weight not exceeding 5 kg	35.00
2008.1190	Ground nuts, otherwise prepared or preserved	6.00 <sup>3)</sup>
ex 2008.1900	Hazelnuts and pistachios, otherwise, prepared or preserved	7.50
ex 2008.9200	Mixtures, other than those of subheading 2008.19, not based on cereals	20.00
ex 2009.1110	Orange juice frozen, not containing added sugar or other sweetening matter, concentrated	14.00
ex 2009.1910	Orange juice, other than frozen, not containing added sugar or other sweetening matter, concentrated	14.00
ex 2009.2010	Grapefruit juice, not containing added sugar or other sweetening matter, concentrated	14.00

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3) Reduction of 50 % of the actual GSP-rate.

<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
ex 2009.3019	Juice of any other single citrus fruit, not containing added sugar or other sweetening matter, concentrated	14.00
2009.6020	Grape juice, concentrated	50.00
2204.2920	Sweet wine, specialities and mistelles, in containers holding more than 2 l	15.00
ex 2208.9090	Raki	37.50

C. 20 % tariff reduction

<u>Swiss tariff heading</u>	<u>Description</u>	<u>Concessional rate (SF/100 kg gross)</u>
2204.1000	Sparkling wine of fresh grapes	104.00

D. Other products of export interest for Turkey <sup>4)</sup>

<u>Swiss tariff heading</u>	<u>Description</u>
0603.1019	Other fresh flowers (than carnations or roses), from 1 May to 25 October
0603.1021	Tulips fresh, from 26 October to 30 April
0603.1022	Roses fresh, from 26 October to 30 April

4) No tariff concessions have been granted for the time being; they may be taken into consideration at a later stage.

Swiss tariff  
heading

Description

0603.1029

Other fresh flowers (than tulips or roses),  
from 26 October to 30 April

## Annex III

### Rules of origin and methods of administrative co-operation on agricultural products referred to in this Agreement

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1. (1) For the purpose of implementing the Agreement, a product shall be considered to be originating in Turkey if it has been wholly obtained there.  
  
(2) The following shall be considered as wholly obtained in Turkey:
  - a) vegetable products harvested there;
  - b) live animals born and raised there;
  - c) products from live animals raised there;
  - d) goods produced there exclusively from products specified in subparagraphs (2) a) to c)  
(3) Packing materials and packing containers presented with a product therein shall not be included with this product for the purpose of determining whether it has been wholly obtained and it shall not be necessary to establish whether such packing materials or packing containers are originating or not.
2. Notwithstanding paragraph 1, the products mentioned in columns 1 and 2 of the list in the Appendix to this Annex, obtained in Turkey and incorporating materials which have not been wholly obtained there, shall also be considered as originating, provided that the conditions set out in column 3 concerning working or processing carried out on such materials have been fulfilled.
3. (1) The preferential treatment provided for under the Agreement applies only to products which are transported directly from Turkey to Switzerland without passing through the territory of another country. However, products originating in Turkey and constituting one single shipment which is not split up may be transported through a territory other than that of Switzerland or Turkey with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons,

that the products have remained under the surveillance of the customs authorities in the country of transit or of warehousing, that they have not entered in the commerce of such countries or been delivered for home use there and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

(2) Evidence that the conditions referred to in subparagraph 1 have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12 (6) of Protocol B to the Agreement between the EFTA States and Turkey.

4. Originating products within the meaning of this Agreement shall, on importation into Switzerland, benefit from the Agreement upon submission of either a movement certificate EUR.1 or an invoice declaration issued or made out in accordance with the provisions of Protocol B to the Agreement between the EFTA States and Turkey.
5. The provisions on drawback or exemption of duties, proof of origin and arrangements for administrative cooperation contained in Protocol B to the Agreement between the EFTA States and Turkey shall apply *mutatis mutandis*. It is understood that the prohibition of drawback of, or exemption from, customs duties contained in these provisions shall apply only in respect of materials which are of the kind to which the Agreement between the EFTA States and Turkey applies.

List of products, referred to in paragraph 2 of Annex III, subject to other conditions than the wholly obtained criterion

HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 0711	Olives, capers, mushrooms, capsicum and pimenta, provisionally preserved (for example by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Manufacture in which the olives, capers, mushrooms, capsicum and pimenta used must already be originating
ex 1106	Flour and meal of hazelnuts, other than for animal feeding	Manufacture in which all hazelnuts used must already be originating
1108	Starches; Inulin	Manufacture from products of Chapters 7 and 10 which must already be originating
ex 1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified, for industrial uses	Manufacture in which all the materials of Chapters 2 and 3 used must already be originating



HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 1506	Neats's-foot oil, bone oil and grease, for industrial uses	Manufacture in which all the animal materials of Chapter 2 used must already be originating
1508 - 1514 and ex 1515	Coconut oil, palm kernel oil, other vegetable oils (excepting linseed oil), for industrial uses	Manufacture in which all vegetable materials used must already be originating
ex 1509	Olive oil, other than for technical use	Manufacture in which all olives used must already be originating
ex 1519	Industrial fatty alcohols	Manufacture from materials of any heading including fatty acids of heading No. 1519
ex 1519	Industrial monocarboxylic fatty acids	Manufacture from materials of any heading
ex 1602	Preparations and preserves with a basis of goose liver	Manufacture in which all the materials of Chapter 2 used must already be originating

HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1704	Sugar confectionery (including white chocolate), not containing cocoa	Manufacture from materials not classified in Chapter 17. However, all flavouring or colouring material used must already be originating
ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; not containing materials of heading Nos. 0401 - 0404	Manufacture in which all the materials used are classified in a heading other than that of the product. However, sugar of heading No. 1701 may not be used
ex 1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms, except that manufactured from potato starch	Manufacture in which all the materials used must already be originating
ex 1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes)	Manufacture in which all the materials used must already be originating

HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers; rice papers manufactured from flour or starch and added from sugar or other sweetening matter, honey, eggs, fats, cheese or fruits	Manufacture from materials not classified in the same heading as the product. No materials of Chapter 11 will be used.
ex 2001	Capers in containers of a weight not exceeding 5 kg and fruits prepared or preserved by vinegar or acetic acid	Manufacture in which all materials of Chapters 7 and 8 must already be originating
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all materials of Chapter 7 must already be originating
ex 2004	Olives and asparagus prepared or preserved otherwise than by vinegar or acetic acid, frozen	Manufacture in which all materials of Chapter 7 used must already be originating

HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 2005	Olives, asparagus, capsicum, capers and artichokes prepared or preserved otherwise than by vinegar or acetic acid, not frozen	Manufacture in which all materials of Chapter 7 used must already be originating
ex 2007	Chestnut and hazelnut paste, not containing added sugar or other sweetening matter	Manufacture in which all materials of Chapter 8 used must already be originating
ex 2008	Ground nuts, hazelnuts, pistachios and mixtures, other than those of subheading 2008.19, not based on cereals otherwise prepared or preserved	Manufacture in which all materials of Chapters 7, 8 and 12 used must already be originating
ex 2103	Preparations for the manufacture of sauces and mixed seasonings; mixed condiments	Manufacture in which the value of the tomato-marrow used does not exceed 50% of the ex-works price of the product
ex 2103	Prepared mustard	Manufacture from mustard flour
ex 2104	Soups and broths and preparations therefor	Manufacture from materials of any heading except prepared or preserved vegetables of headings Nos. 2002 to 2005

HS heading no.	Description of products	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 2106	Angostura Aromatic Bitter	Manufacture in which all the materials used are classified in a heading other than that of the product and the value does not exceed 40% of the ex-works price of the product
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 20.09	Manufacture in which all the materials used are classified in a heading other than that of the product. However, all fruit juice used must already be originating
ex 2204	Sweetwine, specialities and mistelles, in containers holding more than 2 l	Manufacture in which all the grapes or any materials derived from grapes used must already be originating
ex 2204	Sparkling wine of fresh grapes	Manufacture in which all the grapes used must already be originating
ex 2208	Raki	Manufacture from materials not classified in heading No 2207 or 2208

Annex IV

Declaration of intention  
Regarding technical co-operation in the field of agriculture  
between  
The Government of the Swiss Confederation  
and  
The Government of the Republic of Turkey

The Government of the Swiss Confederation and the Government of the Republic of Turkey

- intending to establish and develop technical co-operation in the field of agriculture between their countries;
- in order to promote the process of economic development of Turkey in the field of agriculture;
- having regard to the common willingness to support this process by the means of concrete actions;

agree to co-operate as follows :

1. Co-operation areas

Both Parties are willing to support and facilitate, within the framework of concrete projects:

- 1.1. The joint exchange of technical and scientific information and documentation;
- 1.2. The exchange of experts;
- 1.3. The co-operation between public research institutes from both countries;
- 1.4. The joint organization of seminars, conferences and other meetings.

2. Modes of implementation

- 2.1. With a view to ensuring the satisfactory development of the actions undertaken within the framework of agricultural co-operation, both Governments shall facilitate as far as possible the implementation of such actions and shall maintain contacts between them at the appropriate level.
- 2.2. The list of co-operation areas in which the various projects will be undertaken is not closed. It may be altered whenever needed and according to the possibilities of the Parties, and also with a view to taking into account actions taken at the multilateral level.
- 2.3. The question of financing concrete projects shall be settled case by case. As regards travel expenses, each Party shall cover its own nationals' expenses.

3. Final provisions

- 3.1. The following authorities shall be responsible for the co-ordination of co-operation:

- a) on the Swiss side

**the Federal Office for Agriculture of the Federal Department of Public Economy of the Swiss Confederation**  
Berne/Switzerland;

- b) on the Turkish side

**the Ministry of Agriculture and Rural Affairs of the Republic of Turkey**  
Ankara/Turkey

- 3.2. This instrument does not entail any legal obligation. It expresses the willingness of both Parties to co-operate in the field of agriculture.

Moreover, both Parties consider that this instrument takes due account of the legislation in force in Switzerland and in Turkey, and imposes no obligation whatsoever to legislative authorities.

As regards residence, account shall be taken of the legislation governing issues of foreign labour and alien residents in each country.

3.3. This declaration of intention shall take effect on the date of signature. It shall be re-examined when the envisaged Customs Union between the European Community and the Republic of Turkey will enter into force.

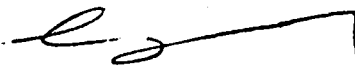
Done at Geneva, this 10th day of December, 1991

On behalf of  
the Swiss Confederation



S. Arioli

On behalf of  
the Republic of Turkey



T. Baytok