

N° 4764

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ÉTATS-UNIS D'AMÉRIQUE  
ET CANADA

Accord additionnel modifiant l'Accord commercial du 17 novembre 1938 en ce qui concerne les pelleteries et peaux de renard. Signé à Washington, le 30 décembre 1939.

*Texte officiel anglais communiqué par l'envoyé extraordinaire et ministre plénipotentiaire des Etats-Unis d'Amérique à Berne. L'enregistrement a eu lieu le 24 février 1941.*

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UNITED STATES OF AMERICA  
AND CANADA

Supplementary Agreement amending with regard to Fox Furs and Skins the Trade Agreement of November 17th, 1938. Signed at Washington, December 30th, 1939.

*English official text communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration took place February 24th, 1941.*

No. 4764. — SUPPLEMENTARY AGREEMENT <sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND CANADA AMENDING WITH REGARD TO FOX FURS AND SKINS THE TRADE AGREEMENT OF NOVEMBER 17TH, 1938. SIGNED AT WASHINGTON, DECEMBER 30TH, 1939.

THE PRESIDENT OF THE UNITED STATES OF AMERICA and HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, in respect of Canada :

Considering the reciprocal concessions and advantages for the promotion of trade provided for in the existing trade agreement between the United States of America and Canada ;

Taking cognizance of the emergency which has arisen with respect to the marketing of silver or black fox furs and skins ;

Desiring to promote the purposes of the existing trade agreement between the United States of America and Canada by providing measures to assist in the orderly marketing of these products :

Have resolved to conclude an agreement to supplement and amend the trade agreement entered into between the United States of America and Canada on November 17th, 1938,<sup>2</sup> and have for this purpose, through their respective Plenipotentiaries, agreed on the following Articles :

*Article I.*

During the effectiveness of this Agreement, item 1519 (c) of Schedule II of the Trade Agreement entered into between the United States of America and Canada on November 17th, 1938, shall be suspended, and in lieu thereof the following item shall be substituted :

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1519 (c)	Silver or black fox furs or skins, dressed or undressed, not specially provided for . . . . .	35 % <i>ad val.</i>

*Article II.*

I. The total aggregate quantity of silver or black fox furs and skins, parts thereof, and articles made wholly or in chief value of any of the foregoing, whether or not manufactured in any manner or to any extent, and silver or black foxes which may be entered, or withdrawn from warehouse, for consumption in the United States of America in any twelve-month period commencing on December 1st in the year 1940 or any subsequent year, shall be 100,000 units. For the period from January 1st, 1940, to November 30th, 1940, inclusive, the total aggregate quantity of such furs and skins, parts, articles, and foxes which may be entered, or withdrawn from warehouse, for consumption shall be 100,000 units, less the number of silver or black fox furs and skins (not including parts) and silver or black foxes entered, or withdrawn from warehouse, for consumption during the month of December 1939, as determined and made public by the Secretary of the Treasury of the United States of America. For the purposes of this Article, a unit shall be a whole silver

<sup>1</sup> Came provisionally into force January 1st, 1940.

<sup>2</sup> Vol. CXCIX, page 91, and Vol. CC, page 594, of this Series.

or black fox fur or skin or any separated part thereof or any article made wholly or in chief value of one of the foregoing, or a silver or black fox ; and any article made wholly or in chief value of two or more of the aforesaid furs, skins, or parts thereof shall be considered as consisting of the total number of such units in such article.

2. In accordance with the principles set forth in Article III of the Trade Agreement entered into between the United States of America and Canada on November 17th, 1938, a share of the total quantity of imports provided for in paragraph 1 of this Article shall be allocated to Canada equivalent to the proportion of the total imports for consumption into the United States of America of silver or black fox furs and skins which was supplied by Canada during the period from January 1st, 1939, to November 30th, 1939, inclusive, and shares to individual countries other than Canada may be allocated on the basis of the proportion of the total imports of such furs and skins supplied by such countries during the same period, account being taken in so far as practicable of any special factors which may have affected or may be affecting the trade in such articles. Accordingly, of the total number of units which may be entered, or withdrawn from warehouse, for consumption in the United States of America during any quota period, no more than 58,300 units shall be imported from Canada, nor more than 41,700 units from other foreign countries: *Provided*, That for the quota period from January 1st, 1940, to November 30th, 1940, inclusive, there shall be deducted from such specified quantities, respectively, the number of silver or black fox furs and skins (not including parts) and silver or black foxes imported from Canada, and from other foreign countries, which were entered, or withdrawn from warehouse, for consumption during December 1939, as determined and made public by the Secretary of the Treasury of the United States of America ; *Provided further*, That no more than 25 per centum of any quantity entitled to entry during any quota period may be entered, or withdrawn from warehouse, for consumption during any single month ; and *Provided further*, That the President of the United States of America may by proclamation allocate to individual countries other than Canada shares of such total number of units on the basis set forth above.

It is agreed that, if after consultation with the Government of the United States of America the Government of Canada so requests, the President of the United States of America shall proclaim that on and after the date fixed in such proclamation no articles imported from Canada and subject to the quota herein provided for shall be permitted to be entered, or withdrawn from warehouse, for consumption unless such articles are accompanied by official certificates of the Government of Canada stating them to be of Canadian origin.

3. The following shall not be subject to or affect any quota limitations provided for in this Article :

(a) Articles of wearing apparel imported by returning residents or other persons arriving in the United States of America for their personal use and not intended for sale ;

(b) Articles admitted to entry under paragraph 1615 of the Tariff Act of 1930, as amended.

4. The Government of the United States of America reserves the right to terminate paragraphs 1 and 2 of this Article and to substitute therefor an autonomous quota regime. Should the Government of the United States of America avail itself of this right, it agrees to allocate to Canada the same share of the total quantity permitted to be entered, or withdrawn from warehouse, for consumption as is provided in paragraph 2, and it likewise agrees that the total quantity permitted to be entered, or withdrawn from warehouse, for consumption in any twelve-month period shall not be less than the quantity provided for in paragraph 1 of this Article.

*Article III.*

1. The present Agreement shall be proclaimed by the President of the United States of America and shall be ratified by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of Canada. It shall enter definitively into force on the day following the exchange of the Proclamation and the instrument of ratification, which shall take place at Washington as soon as possible.

2. Pending the definitive coming into force of this Agreement, it shall enter provisionally into force on January 1st, 1940.

3. So long as the present Agreement remains in force it shall constitute an integral part of the Trade Agreement entered into between the United States of America and Canada on November 17th, 1938, and shall be subject to termination as a part of that Agreement.

4. Should it appear to either the Government of the United States of America or the Government of Canada that the emergency conditions with respect to the marketing of silver or black fox furs and skins which have given rise to the conclusion of this Agreement have ceased to exist or have become substantially modified, that Government may, after consultation with the other Government, terminate the present Agreement on 90 days' written notice. Moreover, the present Agreement may be terminated at any time by agreement between the Governments of the two countries.

5. Should the present Agreement be terminated in accordance with the provisions of paragraph 4 of this Article, the provisions of item 1519 (c) of Schedule II of the Trade Agreement entered into between the United States of America and Canada on November 17th, 1938, which have been suspended by this Agreement, shall thereupon automatically re-enter into force.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, at the city of Washington, this thirtieth day of December, 1939.

For the President of the United States of America :

(Seal) Cordell HULL,

*Secretary of State of the United States of America.*

For His Majesty, in respect of Canada :

(Seal) Loring C. CHRISTIE,

*Envoy Extraordinary and Minister Plenipotentiary  
to the United States of America.*

Certified to be a true and complete textual copy of the original supplementary agreement in the sole language in which it was signed.

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

P. F. Allen,

*Acting Director of Personnel.*