

COMMERCIAL RELATIONS

*Exchange of notes at Washington March 29, 1935, amending agreement
of October 29, 1923, as extended*

Entered into force May 1, 1935

*Supplanted by agreement of March 7, 1938*¹

49 Stat. 3674; Executive Agreement Series 74

The Secretary of State to the Czechoslovak Minister

DEPARTMENT OF STATE
WASHINGTON, *March 29, 1935*

SIR:

Referring to recent conversations concerning the commercial relations between the United States of America and the Czechoslovak Republic, I have the honor to confirm and make of record by this note my understanding that pending the conclusion of a definitive agreement governing the commercial relations between the United States of America and the Czechoslovak Republic, the commercial agreement of October 29, 1923,² as prolonged by the agreement signed December 5, 1924,³ shall be amended to read as follows:

1. With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale, taxation or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Czechoslovak Republic to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Czechoslovak Republic or the United States of America, respectively.

2. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains, directly or indirectly,

¹ EAS 147, *post*, p. 1285.

² TS 673-A, *ante*, p. 1244.

³ TS 705; IV Trenwith 4058.

any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

3. If the Government of the United States of America or the Government of the Czechoslovak Republic establishes or maintains any form of quantitative restriction or control of the importation or sale of any article, or imposes a lower duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, it shall accord fair and equitable treatment to the commerce of the other country in respect of the allotment among exporting countries of the total quantity, as originally established or as changed in any manner, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge.

4. The advantages now accorded or which may hereafter be accorded by the United States of America or the Czechoslovak Republic to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Czechoslovak Republic may become a party, shall be excepted from the operation of this Agreement.

The Czechoslovak Government will not invoke the provisions of this Agreement to obtain the advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions, the Philippine Islands, and the Panama Canal Zone to one another or to the Republic of Cuba.

The United States will not invoke the provisions of the present temporary Agreement to obtain the advantages which have been or may be accorded by the Czechoslovak Republic to Austria or Hungary.

The United States will refrain from invoking the present temporary Agreement to obtain advantages which the Czechoslovak Republic is according at present to the commerce of Yugoslavia and Rumania, pending a satisfactory agreement with respect to this matter in connection with a comprehensive trade Agreement between the two countries.

5. Nothing in this Agreement shall be construed as a limitation of the right of either country to impose on such terms as it may see fit prohibitions or restrictions (1) relating to public security; (2) imposed on moral or humanitarian grounds; (3) designed to protect human, animal, or plant life; (4) relating to prison-made goods; (5) relating to the enforcement of police or revenue laws; or (6) relating to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

6. The present Agreement shall become operative on the first day of May, 1935, and shall continue in force until superseded by a more comprehensive trade agreement or by a definitive treaty of commerce and navigation,

or until denounced by either country by advance notice of not less than thirty days.

Accept, Sir, the renewed assurances of my highest consideration.

CORDELL HULL

The Honorable

Dr. FERDINAND VEVERKA,
Minister of Czechoslovakia.

The Czechoslovak Minister to the Secretary of State

THE CZECHOSLOVAK LEGATION
Washington, D. C., March 29, 1935

EXCELLENCY,

Referring to recent conversations concerning the commercial relations between the United States of America and the Czechoslovak Republic, I have the honor to confirm and make of record by this note my understanding that pending the conclusion of a definitive agreement governing the commercial relations between the United States of America and the Czechoslovak Republic, the commercial agreement of October 29, 1923, as prolonged by the agreement signed December 5, 1924, shall be amended to read as follows:

[For terms of amendments, see numbered paragraphs in U.S. note, above.]

Accept, Excellency, the renewed assurance of my highest consideration.

D^r FERDINAND VEVERKA
*Envoy Extraordinary and Minister
Plenipotentiary of Czechoslovakia*

No. 1165/35

His Excellency,

The Honorable SECRETARY OF STATE,
Washington, D. C.