

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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DRAFT CONVENTION ON SAMPLES AND ADVERTISING MATERIALS

Draft Recommendations on Documentary Requirements and Consular Formalities

(Reference GATT/CP.6/36 and GATT/CP/131)

ADDENDUM

Additional Proposal by the German Delegation

The German delegation proposes that the following new article, to be numbered VI bis, be inserted after Article VI, of the "Draft International Convention for the purpose of facilitating the importation of commercial samples and advertising material" (see Annex A to document GATT/CP.6/36).

Article VI bis

Exemption from the mark of origin

1. No Contracting Party shall apply its regulations governing the marking of articles to products from the territory of another Contracting Party (continue as in Article VI of the Draft Convention for the rest of paragraph 1.)
2. (Text as in paragraph 2 of Article VI of the Draft Convention.)

The German delegation feels that it would be desirable in an International Convention for the purpose of facilitating the importation of commercial samples and advertising material, to provide for exemption not only from import duties, prohibitions or restrictions, but also from the obligation to affix a mark of origin.

This is deemed necessary with a view to facilitating international trade. For instance, in the case of collections of samples imported by commercial travellers and agents into various countries, it would hardly be feasible for them to comply with the marking regulations of each country, some of which may differ considerably.

We are, of course, aware that the municipal law of a number of countries already provides for exemptions of this kind; and it is desirable that the principle of exemption from compulsory marking should be recognized contractually by all the participating States.

It may be mentioned incidentally that this problem was taken up long ago by the Economic Committee of the League of Nations, following the World Economic Conference of 1927, and that on the strength of a report dating from 1931, the League advocated exemption from compulsory marking, at any rate in respect of samples and articles of no commercial value.