

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

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SWISS IMPORT RESTRICTIONS

The following communication, dated 15 February 1967, concerning changes in the import policy for sheep, lambs and ovine meat has been received from the Government of the Swiss Confederation:

"We have the honour to inform you that by a Decree dated 27 December 1966 the Federal Council has amended the regulation of 30 December 1955 on the marketing of animals for slaughter, with respect to the importation of sheep and lambs and meat of these animals. Pursuant to the above-mentioned Decree, quota restrictions on imports of sheep and lambs for slaughter and meat of these animals have been eliminated with effect from 1 January 1967. However, in order to ensure the sale of domestic production, importers are required to take over, at prices fixed by the Federal Council, lean lambs from mountain regions as well as sheep, lambs and goats for slaughter, produced in the country ..."

The text of the Decree of 27 December 1966 is attached.

DECREE¹ OF THE FEDERAL COUNCIL ON THE
IMPORTATION AND SALE OF SHEEP AND GOATS FOR
SLAUGHTER AND THE MEAT OF THESE ANIMALS

(27 December 1966)

The Swiss Federal Council,

having seen Articles 23, 31 117 and 120 of the Law on Agriculture of
3 October 1951,

decrees:

I. SHEEPS AND LAMBS

Principle

Article 1

1. In derogation of the Regulation of 30 December 1953 concerning the marketing of animals for slaughter and the supply of meat (regulation on the marketing of animals for slaughter), the importation of sheep and lambs for slaughter, and the meat of these animals, is not subject to quantitative restrictions.

2. In order to ensure the sale of locally-produced sheep and lambs (Articles 9 and 10) at prices covering the production costs as defined by Articles 18 and 29 of the Law on Agriculture, the following provisions¹ are laid down.

Indicative Prices

Article 2

1. The Federal Council shall determine the indicative prices (producer prices) as defined by Article 1, paragraph 1, for all categories and grades of sheep for slaughter and for lean lambs raised in mountain areas (called hereinafter "lean lambs"), as laid down in Article 4, paragraphs 1 and 2, of the regulations on the marketing of animals for slaughter.

¹This English translation has been provided by the delegation of Switzerland.

2. When the indicative prices are determined, allowance must be made for the possible variations in prices either upwards or downwards to take into account fluctuations over several years when production is related to demand.

Local Guaranteed Price (prix de prise en charge)

Article 3

1. The Swiss co-operative responsible for the supply of animals for slaughter and the supply of meat, being a public body in terms of Article 25 of the regulations on the marketing of animals for slaughter (called hereinafter "co-operative") shall periodically determine local guaranteed prices for sheep for slaughter and lean lambs.

2. The local guaranteed prices shall serve as a basis for the setting of prices when producers sell sheep for slaughter and lean lambs on the open market and shall apply when excess production is purchased by the co-operative.

3. The local guaranteed prices shall be determined in such a way that in the course of three consecutive years, they will correspond, as a weighted average (dans la moyenne pondérée) to average indicative prices.

Market Prices

Article 4

In order that the market prices can be maintained at the level of the local guaranteed prices, public sales (des marchés et des réceptions) at which the prices and the sale of animals will be guaranteed, shall be organized for sheep for slaughter and lean lambs.

Import Permits

Article 5

1. The importation of lambs and sheep for slaughter, the meat of these animals, and edible offals of items ex 0104.10, 0201.30, ex 0206.10 ex 0504.20 and ex 1602.30 of the Customs Tariff, with the exception of bladders, bowels, pâtés, pasta stuffed with lamb or sheep meat, meat paste, dietetic products, food products for children, is subject to the issue of a permit by the Division of Agriculture.

2. The legislation on the eradication of epizootic diseases and on trade in foodstuffs is suspended.

The Right to Import

Article 6

Firms and groups who wish to import products mentioned in Article 5, paragraph 1, shall:

- (a) be domiciled in Swiss territory, be entered on the trade register, and satisfy the requirements of the veterinary officials;
- (b) guarantee that they will fulfil their obligations as importers;
- (c) take part in the financing of measures designed to ensure the sale of locally-produced sheep for slaughter and lean lambs, by concluding agreements for the setting up of reserve funds;
- (d) furnish security, the amount of which shall be determined by the Department of Public Economics in relation to their volume of imports.

Report on Amounts Imported

Article 7

Importers shall, within fifteen days of customs clearance, notify the co-operative of each importation using the prescribed form.

Guaranteed Purchase

Article 8

(a) Quantity

1. Importers shall purchase, in proportion to their respective shares (determined by the co-operative) of the global total of all the importers over the preceding twelve months:

- (a) local lambs good for slaughter and sheep having two, four or six second teeth;
- (b) sheep without small teeth, for slaughter;
- (c) lean lambs;
- (d) sheep and lambs destined for slaughter for reasons laid down by the epizootic authorities.

2. Animals obviously sick or in poor condition as a result of an outbreak of mange (de gale) can be excluded subject to paragraph 1(d) above.
3. Until the quantities imported during the twelve months following the entry into force of the present Decree are known, the imports made as from the middle of 1966 shall be used to determine the shares mentioned in paragraph 1 of this Article.

Article 9

(b) Sheep and Lambs for Slaughter

1. The importer fulfils his obligations to purchase lamb and sheep for slaughter by:
 - (a) slaughtering such animals on his own account;
 - (b) buying from firms which sell sheep meat, locally-produced sheep meat in carcasses, half carcasses or in large pieces;
 - (c) exporting, without subsidies from the Confederation animals or sheepmeats.
2. Slaughtered animals, in terms of the first paragraph, sub-section (a), which have not been allocated by the co-operative, but have been bought on the open market by importers who are subject to the obligation to purchase local produce, will be deducted from the obligation according to a scale drawn up by the Department of Public Economics. This regulation applies by analogy to purchases of meat in terms of paragraph 1, sub-section (b).
3. Sales of meat put on the account of the purchasers under the obligation to purchase local produce will be deducted from the number of slaughters credited to firms trading in sheepmeats.
4. Firms which regularly slaughter sheep and for whom the supply of whole carcasses, half carcasses, and large pieces to retailers, constitute a large part of their business, shall be considered to be firms trading in sheepmeats.

Article 10

(c) Lean Lambs

1. The obligation to purchase locally-produced lean lambs shall, in principle, be fulfilled by the purchase of the animals allocated by the co-operative at the time of the public sales. It can equally be considered as fulfilled by the purchase of lamb direct from the producers at the time of the public sales, or, at other times, in accordance with the instructions of the co-operative.

2. Persons subject to those conditions may assign to a third party the task of purchasing animals in his stead.
3. If, for any particular reason, it does not seem possible to impose on the importers the obligation to purchase lean lambs the Department of Public Economics may require the importers to make a payment to the reserve fund to compensate for the purchases not made (Article 14). This payment must be at least equal to the cost of the purchases that would have been made.

Article 11

(d) Proof of Fulfilled Obligation to Purchase

Persons (L'assujetti) subject to these conditions shall prove to the co-operative that their obligations have been fulfilled:

- (a) in the case of slaughters (in terms of Article 9, paragraph 1, sub-section (a)) by sending to the co-operative each week, or each month, corresponding certificates from the competent inspector of meats, giving information on the numbers slaughtered and the net weight at slaughter;
- (b) in the case of purchases of meat as referred to in Article 9, paragraph 1, sub-section (b), by sending to the co-operative each week or each month a statement (copies or photocopies of invoices) signed by the purchaser and the seller;
- (c) in the case of exports in terms of Article 9, paragraph 1, sub-section (c), by sending to the co-operative a copy of the export declaration stamped by the Customs Office;
- (d) in the case of lean lambs in terms of Article 10, by purchasing and paying for the lambs allocated by the co-operative, or by presenting a paper from his delegated buyer which certifies that the lean lambs have been bought directly from the producer by the person subject to these conditions, on the markets or at the public sales, and paid for at the guaranteed price in force at the time.

Article 12

(e) Extraordinary Measures in Favour of Surplus Disposal

In exceptional circumstances, the Division of Agriculture may require importers subject to the guaranteed purchase conditions to undertake supplementary surplus disposal measures.

II. GOATS AND KIDS

Article 13

Articles 1 to 12 apply by analogy to live goats and kids and to the meat of these animals under items ex 0104.20, ex 0201.50, ex 0206.10, ex 0504.20 and ex 1602.30 of the Customs Tariff.

III. FINANCING AND EXECUTION

Financing

Article 14

In derogation of Article 21, paragraph 1, of the regulation on the marketing of animals for slaughter, the Department of Public Economics shall determine, at a rate in proportion to the cost of the organization and supervision of operations relating to the sale of sheep and goats, amounts to be paid to the reserve fund provided for in the said regulation.

Sanctions

Article 15

1. The importer who does not comply with the obligation to report (Article 7) shall receive a warning; in the case of a second such lapse, he will be deprived for at least six months of the right to import, but will remain subject to the conditions relating to guaranteed purchase.
2. When an importer does not fulfil his obligation concerning guaranteed purchase (Article 8), the security that he paid as laid down in Article 6, paragraph 1, sub-section (d), will be put into the reserve funds in proportion to double the total costs that he has saved or the amounts he has actually gained.

Application of the Regulation on the
Marketing of Animals for Slaughter

Article 16

Unless otherwise specified by the provisions of this Decree, the regulation on the marketing of animals for slaughter applies.

Entry into Force

Article 17

The present Decree will enter into force on 1 January 1967.

In the name of the Swiss Federal
Council:

The President of the Confederation:
Schaffner

The Chancellor of the Confederation:
Ch. Oser

Berne, 27 December 1966