

Agreement on Agriculture between Canada and the Swiss Confederation

Canada and the Swiss Confederation (hereinafter referred to as “Switzerland”),

RECALLING that a *Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway and Switzerland)*, hereinafter referred to as the “Free Trade Agreement”, was done on the date of signature of this Agreement; and

CONFIRMING that this Agreement forms part of the instruments establishing the free trade area between Canada and the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation (the “EFTA States”) in accordance with paragraph 2 of Article 3 of the Free Trade Agreement;

HAVE AGREED as follows:

ARTICLE 1

1 This Agreement governs the trade in the following products between the Parties to this Agreement:

- (a) products classified in Chapters 1 through 24 of the Harmonized Commodity Description and Coding System, and not included in Annexes G or H of the Free Trade Agreement; and
- (b) products not covered by Article 10 of the Free Trade Agreement according to Annex F of that Agreement.

2. This Agreement shall likewise apply to the Principality of Liechtenstein as long as the *Customs Union Treaty* of 29 March 1923 between Switzerland and the Principality of Liechtenstein remains in force.

ARTICLE 2

1. Canada shall grant tariff concessions to agricultural products originating in Switzerland as specified in Annex 1 to this Agreement. Switzerland shall grant tariff concessions to agricultural products originating in Canada as specified in Annex 2 to this Agreement.

2. Paragraph 1 shall not prevent either Party from introducing, reintroducing or increasing a customs duty vis-à-vis the other Party that is authorized by or pursuant to the *Marrakesh Agreement Establishing the World Trade Organization*, done on 15 April 1994, in particular pursuant to the rules and procedures on dispute settlement, but excluding any modification of schedules and tariff modifications in accordance with Article XXVIII of the *General Agreement on Tariffs and Trade 1994*.

ARTICLE 3

The Parties undertake to continue their efforts with a view to achieving further liberalisation of their agricultural trade taking account of the pattern of trade in agricultural products between the Parties, the particular sensitivities of such products, and the development of agricultural policy on both sides. The Parties shall, at the request of either Party, consult for the purpose of achieving further liberalisation of their agricultural trade, including improvements in market access by reduction or elimination of customs duties on goods and extending the scope of products covered by Annex 1 and Annex 2, after the entry into force of this Agreement.

ARTICLE 4

The following provisions and chapter of the Free Trade Agreement shall apply, *mutatis mutandis*, between the Parties to this Agreement and are hereby incorporated into and made part of this Agreement: Articles 2, 4 through 8, 19, 22, 24, 25, and Chapter VIII (Dispute Settlement).

ARTICLE 5

1. The Parties shall examine any issue that may arise in their trade in agricultural products pursuant to this Agreement and shall endeavour to find appropriate solutions. Issues that have a bearing on the operation of the free trade area between Canada and the EFTA States may also be discussed in the Joint Committee established by Article 26 of the Free Trade Agreement or in any relevant sub-committee or working group established by Article 9 of the Free Trade Agreement or by the Joint Committee.

2. Any issue that may arise from the application of provisions of the Free Trade Agreement that have been incorporated into and made part of this Agreement by virtue of Article 4 may be referred by either Party to the Joint Committee or to any relevant sub-committee or working group established by the Joint Committee.

ARTICLE 6

The Parties confirm that products subject to tariff concessions in accordance with Article 2, do not benefit in their bilateral trade from export subsidies as defined in the *WTO Agreement on Agriculture*. Either Party shall provide further information and clarification to the other Party with respect to this commitment upon request.

ARTICLE 7

Should a Party introduce or re-introduce a subsidy on exports of a product that is subject to a tariff concession in accordance with Article 2 and that is traded with the other Party, the other Party may increase the rate of duty on such imports up to the applied most-favoured-nation tariff in effect at that time.

ARTICLE 8

For agricultural products other than those mentioned in Annex 1 and Annex 2, the Parties reaffirm their rights and obligations in respect of market access concessions and export subsidy commitments under the *WTO Agreement on Agriculture*.

ARTICLE 9

The rights and obligations of the Parties relating to domestic support commitments shall be governed by the *WTO Agreement on Agriculture*.

Article 10

Where this Agreement refers to or incorporates by reference extraneous agreements or legal instruments, or specific provisions therein, such references are intended to include related interpretative and explanatory notes.

ARTICLE 11

1. This Agreement is subject to ratification, acceptance or approval. The Parties shall exchange their instruments of ratification, acceptance or approval.
2. This Agreement shall enter into force on the same date as the Free Trade Agreement enters into force between Canada and Switzerland.

3. This Agreement may be applied provisionally between Canada and Switzerland, as long as the Free Trade Agreement is applied provisionally between them.

ARTICLE 12

This Agreement shall remain in force as long as the Parties to it remain Parties to the Free Trade Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

Done in duplicate at Davos, this 26th day of January 2008, in the English and French languages, each version being equally authentic.

For Canada

For the Swiss Confederation

Annex 1

Reductions of customs duties granted by Canada to Switzerland

Tariff Line	Description of products	Most Favoured Nation Applied Rate	Offered Rate of Duty
02.10	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal.		
0210.1	Meat of swine:		
0210.12.00	Bellies (streaky) and cuts thereof	free	free
0210.19.00	Other	free	free
0210.20.00	Meat of bovine animals	free	free
04.04	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included.		
0404.90	Other		
0404.90.10	Within access commitment	6.5 %	free
04.05	Butter and other fats and oils derived from milk; dairy spreads.		
0405.20	Dairy spreads		
0405.20.10	Within access commitment	7 %	free
04.06	Cheese and curd.		
0406.30	Processed cheese, not grated or powdered		
0406.30.10	Within access commitment	3.32¢/kg	free
0406.90	Other cheese		
0406.90.71	Swiss/Emmental and Swiss/Emmental types: Within access commitment	3.32¢/kg	free
0406.90.81	Gruyère and Gruyère types: Within access commitment	3.32¢/kg	free
0406.90.98	Other: Other, within access commitment	3.32¢/kg	free
05.06	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized; powder and waste of these products.		
0506.90.00	Other	free	free
05.11	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption.		
0511.10.00	Bovine semen	free	free

Tariff Line	Description of products	Most Favoured Nation Applied Rate	Offered Rate of Duty
07.13	Dried leguminous vegetables, shelled, whether or not skinned or split.		
0713.20.00	Chickpeas (garbanzos)	free	free
0713.40.00	Lentils	free	free
0713.50	Broad beans (<i>Vicia faba</i> var. major) and horse beans (<i>Vicia faba</i> var. equina, <i>Vicia faba</i> var. minor)		
0713.50.10	Seed in bulk or in packages of a weight exceeding 500 g each	free	free
0713.50.90	Other	2 %	free
08.06	Grapes, fresh or dried.		
0806.20.00	Dried	free	free
08.07	Melons (including watermelons) and papaws (papayas), fresh.		
0807.1	Melons (including watermelons):		
0807.11.00	Watermelons	free	free
0807.19.00	Other	free	free
0903.00.00	Maté.	free	free
09.04	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> .		
0904.20	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , dried or crushed or ground		
0904.20.10	Crushed or ground, excluding chili peppers and paprikas	3 %	free
0904.20.90	Other	free	free
0907.00	Cloves (whole fruit, cloves and stems).		
0907.00.10	Neither crushed nor ground	free	free
0907.00.20	Crushed or ground	3 %	free
09.10	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices.		
0910.99	Other		
0910.99.10	Curry	free	free
0910.99.90	Other	3 %	free
1204.00.00	Linseed, whether or not broken.	free	free
1206.00.00	Sunflower seeds, whether or not broken.	free	free
12.11	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered.		
1211.20	Ginseng roots		

Tariff Line	Description of products	Most Favoured Nation Applied Rate	Offered Rate of Duty
1211.20.10	Herbal "tea" in bags for individual servings	free	free
1211.20.90	Other	free	free
1211.90	Other		
1211.90.10	Herbal "tea" in bags for individual servings	free	free
1211.90.90	Other	free	free
16.02	Other prepared or preserved meat, meat offal or blood.		
1602.4	Of swine:		
1602.41	Hams and cuts thereof		
1602.41.10	In cans or glass jars	9.5 %	free
1602.41.90	Other	free	free
1801.00.00	Cocoa beans, whole or broken, raw or roasted.	free	free
20.09	Fruit juices (incl. Grape must) & vegetable juices, unfermented & not containing added spirit, whether or not containing added sugar or other sweetening matter		
2009.1	Orange juice		
2009.11	Frozen		
2009.11.10	Unsweetened concentrate, of Brix>58 for use in mfg of citrus fruit juices or beverages	free	free
2009.11.90	Other	free	free
2009.12	Not frozen, of Brix<20	free	free
2009.19	Other		
2009.19.10	Dehydrated; unsweet concentrate, of brix>58, for use in mfg of citrus fruit juices	free	free
2009.19.90	Other	free	free
2009.2	Grapefruit juice (including pomelo juice)		
2009.21	Of Brix <20	free	free
2009.29	other	free	free
2009.3	Juice of any other single citrus fruit		
2009.31	Of Brix<20	free	free
2009.39	Other	free	free
2009.4	Pineapple juice		
2009.41	Of brix<20	free	free
2009.49	Other	free	free

Tariff Line	Description of products	Most Favoured Nation Applied Rate	Offered Rate of Duty
2009.5	Tomato juice	12.5 %	free
2009.6	Grape juice (including grape must)		
2009.61	Of Brix<30		
2009.61.10	Grape juice for wine-making	free	free
2009.61.90	Other	9.5 %	free
2009.69	Other		
2009.69.10	Grape concentrate, of Brix>68, for use in mfg of fruit juice or beverages; grape juice for wine-making	free	free
2009.69.90	Other	9.5 %	free
2009.7	Apple		
2009.71	Of Brix<20		
2009.71.10	Reconstituted	9.35¢/li but >8.5 %	free
2009.71.90	Other	4 %	free
2009.79	Other		
2009.79.10	Concentrated	9.35¢/li but >8.5 %	free
2009.79.90	Other	4 %	free
2009.8	Juice of any other single fruit or vegetable		
2009.80.1	Of a fruit		
2009.80.11	Prunes	free	free
2009.80.19	other	free	free
2009.80.20	Of a vegetable	9.5 %	free
2009.9	Mixture of juices		
2009.90.10	Of citrus fruit juices, dehydrated	free	free
2009.90.20	Of orange & grapefruit juices, other than dehydrated	free	free
2009.90.30	Of other fruit juices, whether or not dehydrated	6 %	free
2009.90.40	Of vegetable juices	9.5 %	free
21.06	Food preparations, not nes		
2106.9	Other		
2106.90.41	Cheese fondue; popping corn, prepared & packaged for use in microwave ovens		
2106.90.41.10	Cheese fondue	6 %	free
2106.90.42	Protein hydrolysates	6 %	free
22.07	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength.		

Tariff Line	Description of products	Most Favoured Nation Applied Rate	Offered Rate of Duty
2207.10	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher		
2207.10.10	For use as a spirituous or alcoholic beverage or for use in the manufacture of spirituous or alcoholic beverages	12.28¢/litre of absolute ethyl alcohol	free
2207.10.90	Other	4.92¢/litre of absolute ethyl alcohol	free
23.02	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants.		
2302.10.00	Of maize (corn)	free	free

Note:

Please note that concessions apply only to the eight-digit tariff lines listed in this Annex. Headings and/or subheadings were included for descriptive purposes only.

Annex 2

Reductions of customs duties granted by Switzerland to Canada

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
0205.	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen:		
00 10	- Imported within the limits of the tariff quota (Q. No. 5)*	11.00	
0208.	Other meat and offal, fresh, chilled or frozen:		
	- Other:		
ex90 10	- - Of game animals: Wapiti	free	
0405.	Butter and other fats and oils derived from milk; dairy spreads:		
	- Dairy spreads:		
	- - Within the limits of the tariff quota (Q. No. 7):		
20 11	- - - of a fat content, by weight, of 39 % or more but less than 75 %		*)
	- - Other:		
20 91	- - - of a fat content, by weight, of 39 % or more but less than 75 %		*)
	*) customs duty in accordance with Articles 1 and 2 of Annex G (Processed agricultural products) of the Free Trade Agreement.		
0409.0000	Natural honey:	26.00	
ex0000	- for industrial processing	free	
0506.	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products:		
ex 90 00	- Other, not for animal feeding	free	
0511.	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption:		
	- Bovine semen:		
10 10	- - Within the limits of the tariff quota (Q. No. 12)*	free	
	- Other:		
	- - Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3:		
ex91 90	- - - Other, not for animal feeding	free	
0709.	Other vegetables, fresh or chilled:		
	- Mushrooms and truffles:		
51 00	- - Mushrooms of the genus Agaricus	free	
59 00	- - Other	free	

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
0712.	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:		
	- Mushrooms, wood ears (Auricularia spp.), jelly fungi (Tremella spp.) and truffles		
31 00	-- Mushrooms of the genus Agaricus	free	
32 00	-- Wood ears (Auricularia spp.)	free	
33 00	-- Jelly fungi (Tremella spp.)	free	
39 00	-- Other	free	
0713.	Dried leguminous vegetables, shelled, whether or not skinned or split:		
	- Peas (Pisum sativum):		
	-- Whole, unprocessed:		
10 19	--- Other	free	
	- Chickpeas (garbanzos):		
	-- Whole, unprocessed:		
20 19	--- Other	free	
	- Beans (Vigna spp., Phaseolus spp.):		
	-- Kidney beans, including white pea beans (Phaseolus vulgaris) :		
	--- Whole, unprocessed:		
33 19	---- Other	free	
	- Lentils:		
	-- Whole, unprocessed:		
40 19	--- Other	free	
	- Broad beans (Vicia faba var. Major) and horse beans (Vicia faba var. equina, Vicia faba var. minor):		
	-- Whole, unprocessed:		
50 19	--- Other	free	
0806.	Grapes, fresh or dried:		
20 00	- Dried	free	
0807.	Melons (including watermelons) and papaws (papayas), fresh:		
	- Melons (including watermelons):		
11 00	-- watermelons	free	
19 00	-- Other	free	
0809.	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh:		
	- Cherries:		
20 10	-- From September 1 to May 19	free	
0811.	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:		
	- Other:		
90 10	-- Bilberries	free	

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
90 90	-- Other	free	
0903.0000	Maté	free	
0904.	Pepper of the genus Piper; dried or crushed or ground fruits of the genus Capsicum or the genus Pimenta:		
	- Fruits of the genus Capsicum or of the genus Pimenta, dried or crushed or ground:		
20 10	-- Not processed	free	
20 90	-- Other	free	
0905.0000	Vanilla	free	
0907.0000	Cloves (whole fruit, cloves and stems)	free	
0910.	Ginger, saffron, turmeric (curcuma) , thyme, bay leaves, curry and other spices:		
	- Other spices:		
ex 99 00	-- Other; thyme, bay leaves	free	
1001.	Wheat and meslin:		
	- Durum wheat:		
	-- Other:		
	--- For human consumption:		
ex 10 32	---- Imported within the limits of the tariff quota (Q. No. 26)		1.00
1202.	Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken:		
	- In shell:		
	-- Other:		
10 91	--- For human consumption	free	
10 99	--- Other	free	
	- Shelled, whether or not broken:		
	-- Other:		
20 91	--- For human consumption	free	
20 99	--- Other	free	
1204.	Linseed, whether or not broken:		
	- Other:		
00 91	-- For technical purposes	free	
00 99	-- Other	free	
1206.	Sunflower seeds, whether or not broken:		
	- Not hulled:		
	-- Other:		
00 31	--- For human consumption	free	

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
00 39	- - - Other	free	
	- Hulled:		
	- - Other:		
00 61	- - - For human consumption	free	
00 69	- - - Other	free	
1207.	Other oil seeds and oleaginous fruits, whether or not broken:		
	- Mustard seeds:		
	- - Other:		
50 91	- - - For human consumption	free	
1209.	Seeds, fruit and spores, of a kind used for sowing:		
	- Sugar beet seed:		
10 90	- - Other	free	
	- Seeds of forage plants:		
21 00	- - Lucerne (alfalfa) seed	free	
22 00	- - Clover (Trifolium spp.) seed	free	
23 00	- - Fescue seed	free	
24 00	- - Kentucky blue grass (Poa pratensis L.) seed	free	
25 00	- - Rye grass (Lolium multiflorum Lam., Lolium perenne L.) seed	free	
	- - Other:		
29 60	- - - Timothy grass seed	free	
29 80	- - - Seeds of cock's foot, yellow oat grass, tall oat grass, brome grass and the like	free	
29 90	- - - Other	free	
30 00	- Seeds of herbaceous plants cultivated principally for their flowers	free	
	- Other:		
91 00	- - Vegetable seeds	free	
	.		
1211.	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered:		
20 00	- Ginseng roots	free	
30 00	- Cocoa leaf	free	
40 00	- Poppy straw	free	
90 00	- Other	free	
1212.	Locust beans, seaweeds and other algae, sugar beet and sugar cane, fresh, chilled, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety Cichorium intybus sativum) of a kind used primarily for human consumption, not elsewhere specified or included:		
	- Seaweeds and other algae:		
20 90	- - Other	free	

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
1514.	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified:		
	- Low erucic acid rape or colza oil and its fractions:		
	-- Crude oil:		
ex11 90	--- Other, for technical purposes only		133.70
	-- Other:		
	--- Other:		
ex19 91	---- In tanks or metal drums, for technical purposes only		145.00
ex19 99	---- Other, for technical purposes only		155.20
	- Other:		
	-- Crude oil:		
ex91 90	--- Other, for technical purposes only		133.70
	-- Other:		
	--- Other:		
ex99 91	---- In tanks or metal drums, for technical purposes only		145.00
ex99 99	---- Other, for technical purposes only		155.20
1515.	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified:		
	- Castor oil and its fractions:		
	-- Other:		
ex30 91	--- In tanks or metal drums, for technical purposes	free	
ex30 99	--- Other, for technical purposes	free	
1702.	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
	- Maple sugar and maple syrup:		
20 20	-- In syrup form	free	
1801.0000	Cocoa beans, whole or broken, raw or roasted	free	
20.09.	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter:		
	- Juice of any other single citrus fruit:		
	-- Of a Brix value not exceeding 20:		
	--- Not containing added sugar or other sweetening matter:		
31 11	---- Crude lemon juice (whether or not stabilized)	free	
	-- Other:		
	--- Not containing added sugar or other sweetening matter:		
39 11	---- Agro-cotto	free	
39 19	---- Other	6.00	
	- Pineapple juice:		
	-- Of a Brix value not exceeding 20:		

Tariff Headings	Description of products	Rate of duty	
		Preferential duty rate applied	Most Favoured Nations duty rate applied minus
1	2	3	4
41 10	- - - Not containing added sugar or other sweetening matter	free	
41 20	- - - containing added sugar or other sweetening matter	free	
	- - Other:		
49 10	- - - Not containing added sugar or other sweetening matter	free	
49 20	- - - containing added sugar or other sweetening matter	free	
2204.	Wine of fresh grapes, including fortified wines; grape must other than that of heading No. 2009:		
10 00	- Sparkling wine	65.00	
	- Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:		
	- - In containers holding 2 litres or less:		
21 50	- - - Sweet wine, specialities and mistelles	7.50	
	- - Other:		
29 50	- - - Sweet wines, specialities and mistelles	8.00	
2207.	Undenatured alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol or other spirits, denatured, of any strength:		
10 00	- undenatured alcohol of an alcoholic strength by volume of 80 % or higher	free	
2302.	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants:		
	- Of maize (corn) :		
10 90	- - Other	free	
2309.	Preparations of a kind used in animal feeding:		
	- Dog or cat food, put up for retail sale:		
10 10	- - Biscuits	free	
	- - in airtight containers:		
10 29	- - - Other, within a tariff quota of 1'000 tons per year	free	

Explanatory Note to Annex 2:

In case of discrepancies regarding product description in column 2, the Swiss Tariff Law shall prevail.