

## RECIPROCAL TRADE

*Agreement and exchanges of notes signed at Buenos Aires October 14, 1941*<sup>1</sup>

*Proclaimed by the President of the United States October 31, 1941*

*Entered into force provisionally November 15, 1941*

*Ratified by Argentina August 27, 1942*

*Proclamation and instrument of ratification exchanged at Washington December 9, 1942*

*Supplementary proclamation by the President of the United States December 11, 1942*

*Entered into force definitively January 8, 1943*

*Supplemented by agreements of July 24, 1963, as amended<sup>2</sup> and August 3 and 8, 1966, as amended<sup>3</sup>*

56 Stat. 1685; Executive Agreement Series 277

### TRADE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE ARGENTINE REPUBLIC

The President of the United States of America and the Vice President of the Argentine Nation in the exercise of the Executive Power, being desirous of strengthening the traditional bonds of friendship existing between the two countries through the maintenance of the principle of equal treatment in its unconditional and unlimited form as the basis of commercial relations and through the granting of mutual and reciprocal concessions for the promotion of trade, have resolved to conclude a Trade Agreement so providing and have appointed for this purpose as their Plenipotentiaries:

The President of the United States of America:

Norman Armour, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Argentine Republic; and

The Vice President of the Argentine Nation in the exercise of the Executive Power:

His Excellency Señor doctor don Enrique Ruiz-Guiñazú, Minister of Foreign Affairs and Worship;

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<sup>1</sup> For texts of schedules I, II, and III, see 56 Stat. 1703 or p. 21 of EAS 277.

<sup>2</sup> 14 UST 1046, 18 UST 3102; TIAS 5402, 6402.

<sup>3</sup> 17 UST 1223, 18 UST 3102; TIAS 6086, 6402.

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following provisions:

#### ARTICLE I

1. The United States of America and the Argentine Republic will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

2. Accordingly, articles the growth, produce or manufacture of either country imported into the other shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like articles the growth, produce or manufacture of any third country are or may hereafter be subject.

3. Similarly, articles exported from the territory of the United States of America or the Argentine Republic and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like articles when consigned to the territory of any third country are or may hereafter be subject.

4. Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Argentine Republic in regard to the above-mentioned matters, to any article originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like article originating in or consigned to the territory of the Argentine Republic or the United States of America, respectively.

#### ARTICLE II

1. Articles the growth, produce or manufacture of the United States of America or the Argentine Republic, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or of any other foreign origin.

2. The provisions of this Article relating to national treatment shall not apply to taxes imposed by the Argentine Republic on alcohols, alcoholic beverages, beers, natural mineral waters, and fabrics containing 40 per centum or more of silk or artificial silk.

## ARTICLE III

1. No prohibition or restriction of any kind shall be imposed by the Government of either country on the importation of any article the growth, produce or manufacture of the other country or upon the exportation of any article destined for the other country, unless the importation of the like article the growth, produce or manufacture of all third countries, or the exportation of the like article to all third countries respectively, is similarly prohibited or restricted.

2. No restriction of any kind shall be imposed by the Government of either country on the importation from the other country of any article in which that country has an interest, whether by means of import licenses or permits or otherwise, unless the total quantity or value of such article permitted to be imported during a specified period, or any change in such quantity or value, shall have been established and made public. If the Government of either country allots a share of such total quantity or value to any third country, it shall allot to the other country a share equivalent to the proportion of the total imports of such article supplied by that country during a previous representative period, and shall make such share available so as to facilitate its full utilization, unless it is mutually agreed to dispense with such allotment. No limitation or restriction of any kind other than such an allotment shall be imposed, by means of import licenses or permits or otherwise, on the share of such total quantity or value which may be imported from the other country.

3. The provisions of the preceding paragraph shall apply in respect of the quantity or value of any article permitted to be imported at a specified rate of duty.

## ARTICLE IV

1. If the Government of either country establishes or maintains any form of control of the means of international payment, it shall accord unconditional most-favored-nation treatment to the commerce of the other country with respect to all aspects of such control.

2. The Government establishing or maintaining such control shall impose no prohibition, restriction or delay on the transfer of payment for any article the growth, produce or manufacture of the other country which is not imposed on the transfer of payment for the like article the growth, produce or manufacture of any third country. With respect to rates of exchange and with respect to taxes or charges on exchange transactions, articles the growth, produce or manufacture of the other country shall be accorded unconditionally treatment no less favorable than that accorded to the like articles the growth, produce or manufacture of any third country. The foregoing provisions shall also extend to the application of such control to payments necessary for or incidental to the importation of articles the growth, produce or manufacture of the other country. In general, the control shall be administered so as not to influence to the disadvantage of the other country the competitive relation-

ships between articles the growth, produce or manufacture of the territories of that country and like articles the growth, produce or manufacture of third countries.

3. Notwithstanding any of the provisions of paragraphs 1 and 2 of this Article, the Government of each country may adopt such measures as it may deem necessary for the protection of its essential interests in time of war or other national emergency.

#### ARTICLE V

1. In the event that the Government of the United States of America or the Government of the Argentine Republic establishes or maintains a monopoly for the importation, production or sale of a particular article or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular article, the commerce of the other country shall receive fair and equitable treatment in respect of the foreign purchases of such monopoly or agency. To this end such monopoly or agency will, in making its foreign purchases of any article, be influenced solely by considerations, such as those of price, quality, marketability and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing on the most favorable terms.

2. The Government of each country, in the awarding of contracts for public works and generally in the purchase of supplies, shall accord fair and equitable treatment to the commerce of the other country as compared with the treatment accorded to the commerce of other foreign countries.

#### ARTICLE VI

1. Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Argentine Republic, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such manner as to enable traders to become acquainted with them.

2. No administrative ruling by the United States of America or the Argentine Republic effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for consumption or withdrawn for consumption prior to the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal or plant life or health, or relating to public safety, or giving effect to judicial decisions.

## ARTICLE VII

1. Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I <sup>4</sup> annexed to this Agreement and made an integral part thereof, on their importation into the Argentine Republic, if now exempt from ordinary customs duties, shall continue to be so exempt or, if now dutiable, shall be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule, subject to the conditions therein set out.

2. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the Argentine Republic in force on that day.

## ARTICLE VIII

1. Articles the growth, produce or manufacture of the Argentine Republic, enumerated and described in Schedules II and III annexed to this agreement and made an integral part thereof, on their importation into the United States of America, if now exempt from ordinary customs duties, shall continue to be so exempt or, if now dutiable, shall be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedules, subject to the conditions therein set out.

2. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the United States of America in force on that day.

3. The Government of the United States of America reserves the right to withdraw or to modify the concession granted on any article enumerated and described in Schedule III at any time after the termination of hostilities between the Governments of the United Kingdom and Germany, on giving six months' written notice to the Government of the Argentine Republic.

## ARTICLE IX

The provisions of Articles VII and VIII of this Agreement shall not prevent the Government of either country from imposing at any time on the importation of any article a charge equivalent to an internal tax imposed in respect of a like domestic article or in respect of a commodity from which the imported article has been manufactured or produced in whole or in part.

## ARTICLE X

In respect of articles the growth, produce or manufacture of the United States of America or the Argentine Republic enumerated and described in

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<sup>4</sup> See footnote 1, p. 102.

Schedule I or in Schedules II or III, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Argentine Republic and the United States of America, respectively, in force on the day of the signature of this Agreement.

#### ARTICLE XI

1. No prohibition, restriction or any form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Argentine Republic on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, or by the United States of America on the importation or sale of any article the growth, produce or manufacture of the Argentine Republic enumerated and described in Schedules II or III.

2. The foregoing provision shall not apply to quantitative regulations in whatever form imposed by the United States of America or the Argentine Republic on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures or measures under governmental authority operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles, or to maintain the exchange value of the currency of the country.

#### ARTICLE XII

1. If the Government of either country should consider that any circumstance, or any measure adopted by the other Government, even though it does not conflict with the terms of this Agreement, has the effect of nullifying or impairing any object of the Agreement or of prejudicing an industry or the commerce of that country, such other Government shall give sympathetic consideration to such representations or proposals as may be made with a view to effecting a mutually satisfactory adjustment of the matter. If no agreement is reached with respect to such representations or proposals, the Government making them shall be free to suspend or terminate this Agreement in whole or in part on thirty days' written notice.

2. The Governments of the two countries agree to consult together to the fullest possible extent in regard to all matters affecting the operation of the present Agreement. In order to facilitate such consultation, a Commission consisting of representatives of each Government shall be established to study the operation of the Agreement, to make recommendations regarding

the fulfillment of the provisions of the Agreement, and to consider such other matters as may be submitted to it by the two Governments.

#### ARTICLE XIII

The provisions of this Agreement relating to the treatment to be accorded by the United States of America and the Argentine Republic, respectively, to the commerce of the other country shall apply, on the part of the United States of America, to the continental territory of the United States of America and such of its territories and possessions as are included in its customs territory. The provisions of this Agreement relating to most-favored-nation treatment shall apply, furthermore, to all articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Argentine Republic, imported from or exported to any territory under the sovereignty or authority of the other country. The provisions of this Article shall not apply to the Panama Canal Zone.

#### ARTICLE XIV

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

2. The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change in the political status of any of the territories or possessions of the United States of America.

#### ARTICLE XV

1. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either country against the other country in favor of any third country, and without prejudice to the provisions of paragraphs 1 and 2 of Article XVI, the provisions of this Agreement shall not extend to prohibitions or restrictions

- (a) relative to public security;
- (b) imposed for the protection of public health or on moral or humanitarian grounds;
- (c) imposed for the protection of plants or animals, including measures for protection against disease, degeneration or extinction as well as measures taken against harmful seeds, plants, or animals;
- (d) relating to prison-made goods;

- (e) relating to the enforcement of police or revenue laws and regulations; and
- (f) imposed for the protection of national treasures of artistic, historic or archaeological value.

2. Nothing in this Agreement shall be construed to prevent the adoption or enforcement of such measures as the Government of either country may see fit (a) relating to the importation or exportation of gold or silver; (b) relating to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies; (c) relating to neutrality.

3. It is understood that the provisions of this Agreement relating to laws and regulations affecting the sale, taxation or use of imported articles within the United States of America and the Argentine Republic are subject to the constitutional limitations on the authority of the Governments of the respective countries.

#### ARTICLE XVI

1. The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding such representations as the other Government may make with respect to the operation of customs regulations, quantitative regulations or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal or plant life or health.

2. In the event that the Government of either country makes representations to the other Government in respect of the application of any sanitary law or regulation for the protection of human, animal or plant life or health, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

#### ARTICLE XVII

This Agreement shall be proclaimed by the President of the United States of America and shall be ratified by the Government of the Argentine Republic. It shall enter definitively into force thirty days after the exchange of the instrument of ratification and the proclamation, which shall take place in Washington as soon as possible.

#### ARTICLE XVIII

Pending the definitive coming into force of this Agreement as provided in Article XVII, the provisions thereof shall be applied provisionally on and after November 15, 1941; subject to a right to terminate the provisional application of the Agreement pursuant to the provisions of paragraph 1 of Article XII or upon six months' written notice.

## ARTICLE XIX

Subject to the provisions of paragraph 1 of Article XII, and of Article XVIII, this Agreement shall remain in force until November 15, 1944, and, unless at least six months before November 15, 1944, the Government of either country shall have given notice in writing to the other Government of intention to terminate the Agreement on that date, it shall remain in force thereafter until the expiration of six months from the date on which such notice shall have been given.

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

Done in duplicate, in the English and Spanish languages, both authentic, at the City of Buenos Aires, this fourteenth day of October 1941.

For the President of the United States of America:

NORMAN ARMOUR [SEAL]

For the Vice President of the Argentine Nation in the exercise of the Executive Power:

E. RUIZ GUIÑAZÚ [SEAL]

[For texts of schedules I, II, and III, see 56 Stat. 1703 or p. 21 of EAS 277.]

## EXCHANGES OF NOTES

*The Minister of Foreign Affairs and Worship to the American Ambassador*

[TRANSLATION]

MINISTRY OF

FOREIGN AFFAIRS AND WORSHIP

BUENOS AIRES, *October 14, 1941*

MR. AMBASSADOR:

I have the honor to refer to the conversations between representatives of the Argentine Government and the Government of the United States of America, in connection with the trade agreement signed this day, in regard to trade relations between Argentina and contiguous countries.

During the course of these conversations the Argentine representatives have indicated that their Government intends to promote the development of reciprocal trade between the countries of this hemisphere, especially the neighboring countries, and to improve the internal economic conditions through the encouragement of domestic and foreign investments in new industries well adapted to the resources and possibilities of the country and have referred to the purpose of the Argentine Government in pursuance of the above to promote tariff reductions between Argentina and contiguous countries with a view to the gradual and ultimate achievement of a customs union among such countries.

The Argentine and Brazilian Ministers of Finance have recently agreed on the bases of such arrangements and have submitted them to the consideration of their respective Governments. Moreover, pursuant to resolution LXXX of the Seventh Conference of American States at Montevideo, approved December 24, 1933, the Argentine and Brazilian representatives of the Inter-American Financial and Economic Advisory Committee submitted jointly to that Committee for consideration a contractual formula for tariff preferences to contiguous countries, and on September 18, 1941 the Committee recommended that any such tariff preferences, in order to be an instrument for sound promotion of trade, should be made effective through trade agreements embodying tariff reductions or exemptions; that the parties to such agreements should reserve the right to reduce or eliminate the customs duties on like imports from other countries; and that any such regional tariff preferences should not be permitted to stand in the way of any broad program of economic reconstruction involving the reduction of tariffs and the scaling down or elimination of tariff and other trade preferences with a view to the fullest possible development of international trade on a multilateral unconditional most-favored-nation basis.

The representatives of the Argentine Government have also referred to the special facilities other than tariff preferences which have been accorded to the commerce of contiguous countries and Peru in an effort to mitigate the serious effects of the curtailment of overseas markets as a result of the European conflict, and have pointed out that until such time as the present hostilities between the Governments of the United Kingdom and Germany are terminated, such special facilities must be continued.

The conversations to which I have referred have disclosed a mutual understanding which is as follows:

(1) The Government of the United States will not invoke the provisions of article I of the trade agreement signed this day for the purpose of obtaining the benefit of tariff preferences meeting the requirements of the aforementioned formula recommended by the Inter-American Financial and Economic Advisory Committee which Argentina may accord to a contiguous country, it being understood that if any such preference should be extended by Argentina to any non-contiguous country it would be extended immediately and unconditionally to the United States; (2) the Government of the United States will not invoke the provisions of articles III and IV of the trade agreement for the purpose of obtaining the benefit of any exchange or quota preferences accorded by Argentina to contiguous countries and Peru on the understanding that such preferences shall cease when the present hostilities between the Governments of the United Kingdom and Germany shall have terminated, except as may be otherwise agreed upon by the Governments of the United States and the Argentine Republic upon the recommendation of

the Mixed Commission provided for in the second paragraph of article XII of the trade agreement.

Accept, Mr. Ambassador, the renewed assurance of my highest consideration.

E. RUIZ GUIÑAZÚ

The Honorable

NORMAN ARMOUR

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

*The American Ambassador to the Minister of Foreign Affairs and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA

*Buenos Aires, October 14, 1941*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date with reference to the agreement reached between representatives of the Government of the United States of America and the Argentine Government, in connection with the Trade Agreement signed this day, in regard to trade relations between Argentina and contiguous countries and Peru.

I have the honor to confirm Your Excellency's statement of the agreement reached with reference to this matter.

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

NORMAN ARMOUR

His Excellency

Señor Doctor Don ENRIQUE RUIZ GUIÑAZÚ,  
*Minister of Foreign Affairs and Worship.*

*The Minister of Foreign Affairs and Worship to the American Ambassador*

[TRANSLATION]

MINISTRY OF  
FOREIGN AFFAIRS AND WORSHIP

BUENOS AIRES, *October 14, 1941*

MR. AMBASSADOR:

I have the honor to refer to the discussion during the course of the negotiation of the trade agreement between our two Governments signed this day regarding the provisions of the agreement which provide for non-discriminatory treatment by each country to the trade of the other.

During the negotiations of the agreement, the representatives of the United

States Government have emphasized the great importance which that Government attaches to these provisions. The representatives of the Argentine Government have stated, on their part, that their Government likewise attaches great importance to these provisions and to the principle of unconditional most-favored-nation treatment which underlies them. They have pointed out that this principle is the basis of Argentine commercial policy, which has for its objective the development of Argentine foreign trade on a multilateral basis.

The representatives of the Argentine Government have also pointed out that the ability of Argentina to give full effect to these principles is dependent on circumstances beyond the control of Argentina. Recently, the Argentine trade-and-payments position has been aggravated to a very important extent by the trade and financial controls which have been adopted by the belligerents in the present European conflict, notably the United Kingdom, one of the principal markets for Argentine export products. In particular, the inability of Argentina to convert freely into dollars the proceeds of sales to the United Kingdom makes it impossible for the Argentine Government to extend full non-discriminatory treatment to the trade of the United States of America.

The representatives of the Argentine Government have accordingly stated in the negotiations that the acceptance by the Argentine Government of the provisions of the trade agreement relating to non-discriminatory treatment must be qualified by the practical limitations which are imposed on the Argentine Government's freedom of action by the circumstances to which I have referred. However, they have assured the representatives of the United States Government that, subject to the practical limitations imposed by the existing payments arrangement in effect between Argentina and the United Kingdom, the Argentine Government will at all times give the fullest possible effect to the provisions under reference. They have further assured the representatives of the United States Government that, as soon as it becomes possible for Argentina to convert its sterling balances into free currencies, the Argentine Government will give full effect to those provisions.

The representatives of the Argentine Government expressed the hope that the reconstruction of world economy after the war would create favorable conditions that would enable Argentina to participate in an active interchange with other nations within a liberal system in which the barriers, which in recent times handicapped its normal development, have been eliminated.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

E. RUIZ GUIÑAZÚ

The Honorable

NORMAN ARMOUR

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America*

*The American Ambassador to the Minister of Foreign Affairs and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Buenos Aires, October 14, 1941*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date concerning the discussions during the course of the negotiations of the Trade Agreement between our two Governments signed this day regarding the provisions of the Agreement which provide for nondiscriminatory treatment by each country of the trade of the other, and to confirm Your Excellency's statement with reference thereto.

I have taken note with pleasure of the assurances conveyed to me in Your Excellency's communication.

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

NORMAN ARMOUR

His Excellency

Señor Doctor DON ENRIQUE RUIZ GUIÑAZÚ,  
*Minister of Foreign Affairs and Worship.*

*The Minister of Foreign Affairs and Worship to the American Ambassador*

[TRANSLATION]

MINISTRY OF  
FOREIGN AFFAIRS AND WORSHIP

BUENOS AIRES, *October 14, 1941*

MR. AMBASSADOR:

In accordance with the conversations carried on in the course of the negotiations of the trade agreement between our two Governments signed this day, I have the honor to address Your Excellency to confirm the formal undertaking of the Argentine Government that the articles listed below will continue to be entered under the same tariff items in which they have been included to date, subject to the duties which have been stipulated in schedule I<sup>5</sup> for each one of them:

[For list of articles, see 56 Stat. 1756 or p. 82 of EAS 277.]

The Argentine Government intends to amend the present wording of the customs tariff in force and at that time will take all necessary measures in order that the articles included in this note may definitively enter the Argentine customs tariff. If such opportunity should present itself, the assimilation of the customs regime provided for in schedule I with the new

<sup>5</sup> See footnote 1, p. 102.

legal text of the Argentine tariff will be effected in such a way that the reductions and consolidations which the said agreement secures to goods from the United States of America may be maintained in their entirety.

Accept, Mr. Ambassador, the renewed assurance of my highest consideration.

E. RUIZ GUIÑAZÚ

The Honorable

NORMAN ARMOUR

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

*The American Ambassador to the Minister of Foreign Affairs and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Buenos Aires, October 14, 1941*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date confirming, in accordance with the conversations carried on in the negotiation of the Trade Agreement between our two Governments signed this day, the formal undertaking of the Argentine Government that the articles listed in the note will continue to be entered under the same tariff items in which they have been included up to the present, subject to the duties for such tariff items which have been stipulated in Schedule I of the Agreement, and to confirm Your Excellency's statement with reference thereto.

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

NORMAN ARMOUR

His Excellency

Señor Doctor Don ENRIQUE RUIZ GUIÑAZÚ,  
*Minister of Foreign Affairs and Worship.*

*The Minister of Foreign Affairs and Worship to the American Ambassador*

[TRANSLATION]

MINISTER OF  
FOREIGN AFFAIRS AND WORSHIP

Buenos Aires, *October 14, 1941*

MR. AMBASSADOR:

During the course of the negotiation of the trade agreement signed this day, the representatives of the Government of the United States have explained the situation with respect to the marketing of fresh pears in the United States resulting principally from the temporary curtailment of

customary exports, and have proposed that the Argentine Government, during the 1942 marketing season, limit total exports of Argentine fresh pears to the United States with the object of obtaining, for the benefit of all concerned, their orderly marketing in the United States.

Taking this situation into account, I have the honor to inform Your Excellency that the Argentine Government would be disposed to limit total exports of Argentine fresh pears to the United States during the 1942 marketing season. However, the Argentine Government is of the opinion that this is a matter which may appropriately be considered by the Mixed Commission to be established pursuant to the provisions of paragraph 2 of article No. XII of the general provisions of the trade agreement.

Accept, Mr. Ambassador, the renewed assurance of my highest consideration.

E. RUIZ GUIÑAZÚ

The Honorable

NORMAN ARMOUR

*Ambassador Extraordinary and Plenipotentiary  
of the United States of America.*

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*The American Ambassador to the Minister of Foreign Affairs and Worship*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Buenos Aires, October 14, 1941*

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date informing me that the Argentine Government would be disposed to limit total exports of Argentine fresh pears to the United States during the 1942 marketing season, but that the Argentine Government is of the opinion that this is a matter which may be handled appropriately through the medium of the mixed commission to be established pursuant to the provisions of paragraph 2 of Article XII of the general provisions of the Trade Agreement.

I have taken note with pleasure of the information conveyed to me in Your Excellency's communication and wish to inform you that in accordance with the suggestion contained therein, my Government will take up this matter through the medium of the aforementioned commission in the relatively near future.

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

NORMAN ARMOUR

His Excellency

Señor Doctor DON ENRIQUE RUIZ GUIÑAZÚ,  
*Minister of Foreign Affairs and Worship.*