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AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the Agreement

SWITZERLAND

The following communication, dated 5 September 2012, is being circulated at the request of the delegation of Switzerland.

In general terms, Switzerland's import licensing regime, notified in document G/LIC/N/3/CHE/7, remains valid for the year 2012. Minor amendments, often related to the revision of the Harmonized System, have been made to the following chapters: I. (i), (iv), (vi)-(ix); II. (ii), (iii).

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I. AGRICULTURAL PRODUCTS[1]

Sanitary and phytosanitary aspects of the products dealt with in this chapter are described in greater detail in Chapters II(i) and II(ii). The licensing system with respect to the compulsory holding of reserve stocks of foodstuffs and industrial products is described in Chapter IX.

Horizontal replies

Where there are no remarks concerning the outlines of the licensing systems by group of products below in Chapter I, the following provisions apply:

Outline of systems

1. The licensing systems for agricultural products are essentially governed by the Federal Law on Agriculture of 29 April 1998, which entered into force on 1 January 1999 (RS 910.1), and the Ordinance on imports of agricultural products of 26 October 2011 (RS 916.01). They provide the legal basis for the statistical control of imports, the collection of portions of the customs duties that are not collected by the Federal Customs Administration (i.e. that are levied by bodies outside the customs system) and for the individual allocation of tariff quota (TQ) shares and the control of their utilization. To this end, the two following instruments are applied:

(a) Automatic licensing (general import licence - PGI): In principle, all imports of the groups of products listed under headings I(i) to I(ix) are subject to the PGI system. This licence, granted automatically and for an indefinite duration, is used for statistical purposes. It is also used to ensure collection of those portions of the customs duty that are not levied by the Federal Customs Administration in the case of compulsory holding of stocks. The licensing system to cover the expenses of compulsory stocks is described in Chapter IX. Persons liable to customs controls must show their PGI number on their customs declaration.

(b) Non-automatic licensing governed by conditions set forth in the PGI, for the allocation of tariff quota (TQ) shares: This licence is part of an administrative procedure whereby importers who meet the relevant legal requirements are authorized to carry out imports within the TQ. If import at the TQ rate is authorized provided that the importer purchases a fixed proportion of domestic products, an importer meeting this requirement may import at the TQ rate even if the TQ has been exhausted. Quota shares may be transferred among holders of such non-automatic licences. They are usually allocated for a limited period. The importer is not required to produce this authorization at the border; controls are performed electronically when the customs declaration is processed.

Purposes and coverage of licensing

2. In principle, the agricultural products described under headings I(i) to I(ix) are subject to an automatic import licence (PGI). Imports within the TQs - assuming that a TQ exists and is applied - require a non-automatic licence (for tariff item numbers within the TQs, see Swiss notification to the Committee on Agriculture G/AG/N/CHE/13/Add.13).

3. The regulations apply to imports of all goods, whatever their origin.

[1] General information for agricultural products is available at: http://www.import.ofag.admin.ch (in French, German and Italian only).

4. Automatic licences provide for the statistical control of imports and, in certain cases, the collection of portions of customs duties that are not levied by the Federal Customs, particularly in relation to compulsory stocks (see Chapter IX). Non-automatic licences provide for the individual allocation of TQ shares and the control of their utilization; they restrict the quantity of imports.

5. Legal bases: Federal Law on Agriculture (RS 910.1, Article 24) and Ordinance on imports of agricultural products (RS 916.01, Article 1). For specific procedures, see Chapters I(i) to I(ix). Ordinances may be amended by the Government. In some cases, the Government must submit the measures taken to Parliament for *ex post* approval. The changes are published in the Official Compendium of Federal Law (RO) and the Systematic Compendium of Federal Law (RS).

Procedures

6. Non-automatic licence: This does not apply to TQs which, for other reasons, are not currently applied.

I. The administration of TQs for the calendar year 2011 is described in the Swiss notification to the Committee on Agriculture G/AG/N/CHE/13/Add.13. All information concerning TQ utilization (quantities, application procedures for licences, exceptions, exemptions etc.) is set forth in the specific ordinances published in the RO and RS (see Chapters I(i) to I(iv), I(vi) and I(viii) to I(ix)). The customs tariffs[2] indicate, in the specific remarks under each tariff item number, whether or not a licence is required. If so, the name of the authority through which the importer may obtain further details is also provided.

II. TQs are determined for one year. TQ shares (non-automatic licence) may be allocated for shorter periods. The validity of the non-automatic licence is generally limited (see description by group of products below).

III. The unused remainder of the allocations is not added to quotas for a succeeding period. In January of each year, the annex to the Report to Parliament on Tariff Measures, in the context of the report on external economic policy, provides the names of importers for the preceding year including data on quantities allocated and the quantities effectively imported by individual importing companies. This annex to the Report can be viewed on the following website: http://www.blw.admin.ch/themen/00007/00059/01040/index.html?lang=fr (*Publication de l'attribution des contingents tarifaires*).

IV. There is no deadline for the submission of applications from the time of opening of the quota.

V. As a rule, applicants receive a response within one to three days according to the product.

VI. When an import licence is granted, the date of opening of the period of importation may be the same as the date for the utilization of the licence. In other cases, the goods may be imported as soon as the individual quota has been allocated.

VII. Applications are examined by a single administrative organ. The importer must obtain a licence from the Federal Office for Agriculture (OFAG) (for health aspects see Chapters II(i) and (ii)).

VIII. For the distribution of TQs by product group, see below (Chapters I(i) to I(iv), I(vi) and I(viii) to I(ix)). In principle, each TQ allocation method enables new importers to participate in the

[2] http://www.tares.ch.

market. For a number of products, a reserve supply is set aside specifically to that effect. Such reserves are added to the total quantity of the tariff quota.

IX. The same rules apply to all imports within the TQs, regardless of the regulations of the exporting country.

X. Export licences from the exporting countries are not required.

XI. No.

7.(a) Automatic licence: In view of the time required to obtain a licence, the application must be submitted three to five days in advance of the importation itself.

(b) Generally, yes.

(c) No.

(d) Applications are considered by a single authority, the Federal Office for Agriculture (OFAG).

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9.(a) Non-automatic licensing: TQ shares are only allocated to individuals, businesses and organizations, irrespective of nationality or origin, that: (a) are established on Swiss customs territory; (b) import goods in the sector concerned for business purposes[3]; (c) provide guarantees that, where necessary, they can meet the requirements and undertake the commitments related to utilization of TQ shares. Producers of agricultural products and their marketing entities are also eligible for TQ if they meet the commitments for the allocation of TQ (e.g. purchase of like products directly from other producers in Switzerland). In January of each year, the annex to the Report on Tariff Measures provides the names of all the importers for the preceding year including data on quantities allocated and the quantities imported by individual importing companies (see point 6.III above).

(b) Automatic licensing (PGI): As a rule, any natural or legal person domiciled in Switzerland is eligible, irrespective of nationality or origin, to receive a licence. In some cases, the applicant must engage regularly, and for business purposes, in trade in the product in question. There is no published list of authorized importers (except those who import within the TQs - see point 6.III above).

Documentational and other requirements for application for licence

10. Only the usual information is required. Samples of the various application forms are available on the following website: www.import.ofag.admin.ch.

[3] Applicable only for the import of vegetables, fruit and horticultural plants, as well as wine and grape juice.

11. In addition to the number of the automatic licence and the documents usually required by the customs services, certain certificates, such as certificates of origin or sanitary or phytosanitary certificates (see Chapter II), are required according to the product.

12. Automatic licensing: No fees; PGI: Import fees specific to certain batches of agricultural products imported via a PGI are listed in Annex 7 of the Ordinance of 26 October 2011 concerning imports of agricultural products (RS 916.01). For customs clearance by imported batch (batch of goods cleared through customs)[4]: CHF 3-5. These amounts correspond to the actual cost of the administrative services involved.

13. As a rule, no.

Conditions of licensing

14. Automatic licensing: The validity is not limited as long as the conditions on which the licence was granted are met;

Non-automatic licensing: The validity of the licence varies from two weeks to one year according to the product. The licence is generally renewable, sometime several times.

15. No.

16. Automatic licensing and non-automatic licensing: The licences are not transferable between eligible persons. TQ shares are however transferable to eligible persons.

17.(a) In a certain number of cases, the issue of non-automatic licences is subject to auctioning.

(b) In a certain number of cases, the issuing of automatic licences is subject to the payment of the portions of the customs duty that are not collected by the Federal Customs Administration.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports is automatically provided by the banks. There are no restrictions on foreign exchange.

SPECIFIC REPLIES

(i) Horses (A), livestock and breeding animals, bovine semen (B)

Outline of systems

1. See horizontal replies.

Purposes and coverage of licensing

2. Horses (tariff headings: 0101.21, 0101.29, 0101.30, 0101.90) are no longer subject to licensing and may be imported freely until the TQ is used up. Livestock and other breeding animals as well as bovine semen are subject to automatic licensing, and to non-automatic licensing for imports

[4] Depending on the product and the method of allocation of tariff quota shares (according to need, etc.).

within the TQs. For tariff item numbers within the TQs, see Swiss notification to the Committee on Agriculture G/AG/N/CHE/13/Add.13.

3.-4. See horizontal replies.

5. See horizontal replies. The specific legal basis for *(A)* is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01), and for *(B)* the Ordinance of 14 November 2007 concerning animal breeding (RS 916.310).

Procedures

6.I. See horizontal replies. In the case of *(B)* auction dates and data for cattle are published in the specialized press and the Swiss Official Trade Gazette (FOSC).

II. For *(A)* and *(B)*, the TQs are determined for one year (1 January-31 December). Validity of non-automatic licences: for *(B)* the TQ is distributed in chronological order of submission of applications. The non-automatic licences are valid as soon as they have been issued until the end of the calendar year (31 December). Exception for bovine animals: 70 per cent of the TQ is put up for auction each September - the licences are valid for the next calendar year (1 January-31 December); the remaining 30 per cent of the TQ is put up for auction each April - the licences are valid until the end of the same year (31 December).

III.-V. See horizontal replies.

VI. See point II above.

VII. See horizontal replies.

VIII. For *(A)* the allocation of TQ shares takes place as needed; for *(B)* distribution of the TQ in chronological order of submission of applications; auctioning of the TQ in the case of bovine animals.

IX.-XI. See horizontal replies.

7.(a-d) See horizontal replies.

8. See horizontal replies.

Eligibility of importers to apply for licence

9.(a) See horizontal replies. Semen: cattle breeding and insemination organizations recognized under Swiss law, breeders and groups of breeders domiciled on Swiss customs territory and participating in a Swiss breeding programme.

(b) See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14. Automatic licensing: see horizontal replies; non-automatic licensing: see point 6.II.

15.-16. See horizontal replies.

17.(a) No.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

(ii) Animals for slaughter and meat (A), prepared meat products (B) and eggs (C)

Outline of systems

1. See horizontal replies. For *(C)* eggs and egg products, licences are no longer required; general authorization until the TQ is used up.

Purposes and coverage of licensing

2. Tariff headings for *(A)*: 0201-0207, 0209; for *(B)*: 0210, 1601-1602; for *(C)*: 0407-0408, 3502. All products of *(A)* and *(B)* are subject to automatic licensing, and to non-automatic licensing as regards imports within the TQ. Products under *(C)* are no longer subject to licensing.

3. See horizontal replies.

4. See horizontal replies.

5. See horizontal replies. For *(A)* *animals for slaughter, meat of bovine, equine, ovine, caprine and porcine animals as well as poultry*, and *(B)* *prepared meat products*, the specific legal basis is the Ordinance of 26 November 2003 concerning the slaughter cattle and meat market (Ordinance on Cattle for Slaughter, RS 916.341). For *(C)* *eggs and egg products*, the specific legal basis is the Ordinance of 26 November 2003 concerning the egg market (Ordinance on Eggs, RS 916.371).

Procedures

6.I. See horizontal replies. Auction dates and details are published in the specialized press and the Swiss Official Trade Gazette (FOSC).

II. See horizontal replies. For *(A)* and *(B)*: the maximum duration of non-automatic licences is one year.

III.-V. See horizontal replies.

VI. One day.

VII. See horizontal replies. Products under *(C)* are no longer subject to licensing.

VIII.
(A) TQ distribution according to purchases within the country (10 per cent for bovine and ovine meat); auctioning (90 per cent bovine and ovine meat, 100 per cent for other products).

(B) TQ distribution by auction.

(C) The allocation of TQ shares takes place as needed. The TQ is allocated in chronological order of actual imports, upon customs clearance, as long as the TQ is not exhausted. In other words, the TQ is allocated in the order in which the customs declarations are received. The volume of imports under the TQ is recorded by the customs authorities. On the basis of this data, the OFAG determines when the TQ is exhausted and provides information to that effect. There is no maximum amount per importer.

IX.-XI. See horizontal replies.

7.(a) One week. Emergency procedure by telephone or fax possible.

(b-d) See horizontal replies.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14. Automatic licensing: see horizontal replies; non-automatic licensing: for *(A)* and *(B)*: maximum duration one year.

15.-16. See horizontal replies.

17.(a) For *(A)*: purchase of like products from Switzerland and participation in the auction. For *(B)*: applicants have to take part in the auction.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

(iii) Milk, dairy products

Outline of systems

1. See horizontal replies.

Purposes and coverage of licensing

2. Tariff headings: subchapters 0401-0405. These products are subject to automatic licensing, and to non-automatic licensing as regards imports of certain dairy products (whole milk powder, butter, natural yoghurt, dairy spreads with a basis of milk fat) within the TQs. Tariff headings of subchapter 0406 are no longer subject to licensing.

3.-4. See horizontal replies.

5. See horizontal replies. The specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01).

Procedures

6.I. See horizontal replies.

II. See horizontal replies. Quotas and non-automatic licences are established for one calendar year.

III.-V. See horizontal replies.

VI. At least three to five days.

VII. See horizontal replies.

VIII. The distribution of partial TQs takes place as follows:

- Partial tariff quota No. 7.2, milk powder and partial tariff quota No. 7.4, butter: by auction;
- partial tariff quota No. 7.3, miscellaneous dairy produce: as needed through the authority;
- partial tariff quota No. 7.5, Fontal cheese: as needed through customs (no licence required).

IX.-XI. See horizontal replies.

7.(a) One week. Emergency procedure by telephone, e-mail or fax possible.

(b-d) See horizontal replies.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14. See horizontal replies. Non-automatic licences, valid for one year, are not extendable.

15.-16. See horizontal replies.

17.(a) Applicants for partial tariff quotas Nos. 7.2 and 7.4 have to take part in the auction.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

(iv) Fresh fruit and vegetables (A), fruit for cider and fruit products (B), cut flowers (C), frozen vegetables (D), potatoes (including seed potatoes) and potato products (E), fruit seedlings (F)

Outline of systems

1. See horizontal replies.

Purposes and coverage of licensing

2. The following products:

(A) Fresh vegetables (ex 0702.00, ex 0703.10, ex 0703.90, 0704.10, 0704.20, ex 0704.90, 0705.11, 0705.19, 0705.21, ex 0705.29, 0706.10, ex 0706.90, ex 0707.00, 0708.10, ex 0708.20, ex 0708.90, ex 0709.20, 0709.30, 0709.40, 0709.60, ex 0709.70, 0709.91, ex 0709.99) and fresh fruit (ex 0808.10, ex 0808.30, ex 0808.40, ex 0809.10, ex 0809.21, ex 0809.40, ex 0810.10, ex 0810.20, ex 0810.30) are subject to: (a) automatic licensing and (b) non-automatic licensing as regards imports within the TQs over a period ranging from six to 50 weeks according to the product;

(B) Fruit for cider (ex 0808.10, ex 0808.30) and seed fruit products (2009.71, ex 2009.79, ex 2009.89, ex 2009.90, ex 2202.90, ex 2206.00) are subject to: (a) automatic licensing and (b) non-automatic licensing as regards imports within the TQs;

(C) Cut flowers (ex 0603.11, ex 0603.12, ex 0603.13, ex 0603.14, ex 0603.15, ex 0603.19) are subject to: (a) automatic licensing and (b) non-automatic licensing as regards imports within the TQ during the period from 1 May to 25 October;

(D) Frozen vegetables (0710.21, ex 0710.22, ex 0710.30, ex 0710.80, ex 0710.90) are subject to: (a) automatic licensing and (b) non-automatic licensing as regards imports within the TQs;

(E) Potatoes including seed potatoes are subject to: (a) automatic licensing and (b) non-automatic licensing as regards imports within the TQs (tariff headings: 0701.1010, 2004.1092, 2004.1093, 0701.9010, 2004.9028, 0710.1010, 2004.9051, 0710.9021, 2005.2021, 0712.9021, 2005.2022, 1105.1011, 2005.2092, 1105.2011, 2005.2093, 2001.9031, 2005.9921, 2004.1012, 2004.1013, 2005.9951);

(F) Seedlings of seed fruit and stone fruit are subject to: (a) automatic licensing.

3.-4. See horizontal replies.

5. See horizontal replies. For *(A)*, *(B)*, *(C)*, *(D)* and *(F)*, the specific legal basis is the Ordinance of 7 December 1998 on the import of vegetables, fresh fruit and horticultural plants (RS 916.121.10). For *(E)*, the specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01).

Procedures

6.I. See horizontal replies.

II.*(A)* See horizontal replies. In principle, non-automatic licences are granted for the period indicated in point 2 above.

(B) See horizontal replies. Non-automatic licences for fruit for cider are issued for a maximum period of twelve months.

(C) The size of the TQ is determined for the period from 1 May to 25 October. Non-automatic licences are issued for that period.

(D) and *(E)* See horizontal replies. With the exception of potatoes, the non-automatic licences are issued for eleven months maximum.

III. See horizontal replies.

IV.

(A) and *(C)* With respect to non-automatic licences granted according to previous imports by the applicant, the licensing office sends the new licence to the importers at the beginning of each year. As regards other licensing systems, there is no time-limit for the submission of applications. They can be submitted throughout the year of opening of the TQ. Licences are issued primarily according to the applicants' previous imports.

(B) The deadline for applications in the case of auctions is generally set at 30 working days following publication.

(D) The licensing office sends the new licences to the importers at the beginning of each year.

(E) With respect to non-automatic licences granted according to previous purchases of Swiss products, the licensing office sends the new licence to the importers at the beginning of each year. For potato products, the deadline for applications in the case of auctions is generally set at 30 working days following publication. For the other systems, there is no time-limit for application, which may take place throughout the year of opening of the TQ.

V. See horizontal replies. For *(B)* and *(E)* the time period for the examination of applications in connection with auctions is about five working days after the call for bids has been closed.

VI.-VII. See horizontal replies.

VIII.*(A)* For the vast majority of products, licences are issued according to previous imports by the applicant. For certain products, allocations are made in response to the market shares or *pro rata* to applications.

(B) Licences are issued by auction. New importers may obtain a licence at each new allocation.

(C) Licences are issued according to three criteria: previous imports by the applicant, purchase of local goods by the applicant and auction. New importers may obtain a licence at each new allocation.

(D) Licences are issued on the basis of a combination of two criteria: previous imports by the applicant, and purchase of local goods by the applicant.

(E) Licences for fresh potatoes are issued in accordance with a contribution to local production. Licences for potato products are allocated by auction.

IX.-XI. See horizontal replies.

7.(a) See horizontal replies. No time-limit. Emergency procedure by telephone or fax possible.

(b-d) See horizontal replies.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14. - Automatic licensing: See horizontal replies.

- Non automatic licensing:

(A) The validity of the licence ranges from one month to 50 weeks according to the system of allocation in force (see point 2 above), and is not extendable.

(B) The validity of the licence ranges between three months and one year according to the system of allocation in force.

(C) The validity of the licence extends from 1 May to 25 October.

(D) The licence is valid for one year.

(E) The validity of the licence ranges from two months to one year according to the system of allocation in force.

15.-16. See horizontal replies.

17.(a) Subject in certain cases to the purchase of like products from Switzerland.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

(v) Feed grain

Outline of systems

1. See horizontal replies. The licensing system is administered by the Federal Office for Agriculture (OFAG) and *Réservesuisse*; (see also under Chapter IX).

Purposes and coverage of licensing

2. Tariff headings are listed in the annex to the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01). The import of products governed by market regulations concerning feed grain and oilseeds for feeding is subject to automatic licensing.

3. See horizontal replies.

4. Automatic licensing provides for the statistical control of imports and maintenance of the system of reserve stocks (see Chapter IX).

5. See horizontal replies. The specific legal bases are the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01) and the Ordinance of 25 April 2001 on compulsory stockpiling of cereals, special cereals and of energy-rich and protein-rich foods for use in animal feed (Ordinance on compulsory cereal stocks; RS 531.215.17).

Procedures

6. Not applicable.

7.(a) See horizontal replies. No time-limit. Emergency procedure by telephone, e-mail or fax possible.

(b-c) See horizontal replies.

(d) Automatic licences for goods subject to guarantee fund contributions are checked by *Réservesuisse*. Automatic licences for other types of fodder are granted by the OFAG.

8. See horizontal replies.

Eligibility of importers to apply for licence

9.(a) Not applicable.

(b) See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14. See horizontal replies.

15. No.

16. See horizontal replies.

17.(a) See horizontal replies.

(b) Participation in the cost of establishing compulsory reserve stocks and, where applicable, conclusion of a contract providing for the establishment of a compulsory reserve stock (see Chapter IX).

Other procedural requirements

18.-19. See horizontal replies.

(vi) Grain for human consumption: Durum wheat (A), common wheat (B), coarse grain for human consumption, such as barley, oats and maize (C)

Outline of systems

1. See horizontal replies. The licensing system is administered by *Réservesuisse* (see Chapter IX) for goods subject to contributions to the guarantee fund or to the supplementary reserve stocks. The OFAG grants licences for other products.

Purposes and coverage of licensing

2. Importation is subject to automatic licensing as regards imports within the TQ, except common wheat *(B)* which is subject to an applied TQ. TQs for durum wheat *(A)* and coarse grain for human consumption, such as barley, oats and maize *(C)* are not currently administered, i.e. importation at the TQ rate is not limited. As regards common wheat *(B)*, the TQ is allocated in stages according to need.

Tariff headings:

(A) 1001.1921;

(B) 1001.9921, 1008.2921, 1002.9021, 1008.6031, 1007.9021, 1008.4021, 1008.1021;

(C) 1003.9041, 1005.9021, 1004.9021, 1008.5021, 1008.9023, 1008.5021, 1008.9023.

3.-4. See horizontal replies.

5. See horizontal replies. The specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01).

Procedures

6.I.-II. See horizontal replies.

III. See horizontal replies. For *(A)*, on average the durum wheat imported at quota rates should in the course of a calendar quarter, serve to manufacture at least 64 per cent of milled products. These latter should be used as cooking meal for human consumption or as fine semolina for the manufacture of pasta products. In the course of a calendar quarter an average of at least 96 per cent of the fine semolina should be used for the manufacture of pasta products. For *(C)*, the right to import is restricted to millers who have the necessary manufacturing facilities (special mill).

The controlling body is the Directorate-General of Customs.

IV. Before the planned date of importation.

V. See horizontal replies.

VI. There is no minimum time-limit.

VII. Applications are considered by *Réservesuisse* for goods subject to contribution to the guarantee fund and by the OFAG for other products.

VIII. For *(B)*, licences are issued as needed.

IX.-XI. See horizontal replies.

7.(a) See horizontal replies. Emergency procedure by telephone, e-mail or fax possible.

(b-c) See horizontal replies.

(d) See 6.VII above.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14.-16. See horizontal replies.

17.(a) No.

(b) Participation in the cost of establishing the compulsory reserve stock and, where appropriate, conclusion of a contract providing for the establishment of a compulsory reserve stock (see Chapter IX).

Other procedural requirements

18.-19. See horizontal replies.

(vii) Sugar (A), edible oils and fats (B)

Outline of systems

1. See horizontal replies. The licensing system is administered by *Réservesuisse*, acting on instructions from the OFAG and the Federal Office for National Economic Supply (see Chapter IX).

Purposes and coverage of licensing

2. The import of products governed by the market regulations concerning sugar and edible oils and fats is subject to automatic licensing.

(A) Tariff headings: 1701.1200, 1701.1300, 1701.1400, 1701.9999, 1702.9019, 1702.9022, 1702.9032, and 1702.9033.

(B) Tariff headings (Edible oils and fats in chapter 16): 1104.3011, 1104.3012, 1104.3021, 1104.3039, 1501.1091, 1501.1099, 1501.2091, 1501.2099, 1501.9091, 1501.9099, 1502.1091, 1502.1099, 1503.0091, 1503.0099, 1504.1098, 1504.1099, 1504.2091, 1504.2099, 1504.3091, 1504.3099, 1506.0091, 1506.0099, 1516.1091, 1516.1099, 1507.1090, 1507.9018, 1507.9019, 1507.9098, 1507.9099, 1508.1090, 1508.9018, 1508.9019, 1508.9098, 1508.9099, 1509.1091, 1509.1099, 1509.9091, 1509.9099, 1510.0091, 1510.0099, 1511.1090, 1511.9018, 1511.9019, 1511.9098, 1511.9099, 1512.1190, 1512.1918, 1512.1919, 1512.1998, 1512.1999, 1512.2190, 1512.2991, 1512.2999, 1513.1190, 1513.1918, 1513.1919, 1513.1998, 1513.1999, 1513.2190, 1513.2918, 1513.2919, 1513.2998, 1513.2999, 1514.1190, 1514.9190, 1514.1991, 1514.9991, 1514.1999, 1514.9999, 1515.1190, 1515.1991, 1515.1999, 1515.2190, 1515.2991, 1515.2999, 1515.3091, 1515.3099, 1515.5019, 1515.5091, 1515.5099, 1515.9013, 1515.9018, 1515.9019, 1515.9028, 1515.9029, 1515.9038, 1515.9039, 1515.9098, 1515.9099, 1516.1091, 1516.1099, 1516.2092, 1516.2093, 1516.2097, 1516.2098, 1517.1063, 1517.1068, 1517.1073, 1517.1078, 1517.1083, 1517.1088, 1517.1093, 1517.1098, 1517.9020, 1517.9063, 1517.9068, 1517.9071, 1517.9079, 1517.9081, 1517.9089, 1517.9091, 1517.9099.

3.-4. See horizontal replies.

5. See horizontal replies.

(A) The specific legal basis is the Ordinance of 7 December 1998 on compulsory stockpiling of sugar (RS 531.215.11).

(B) The specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01).

Procedures

6. Not applicable.

7.(a-c) See horizontal replies.

(d) Only *Réservesuisse* has the authority to issue licences.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14.-16. See horizontal replies.

17.(a) Not applicable.

(b) Participation in the costs of establishing the compulsory reserve stock and, where appropriate, conclusion of a contract providing for the establishment of a compulsory reserve stock (see Chapter IX).

Other procedural requirements

18.-19. See horizontal replies.

(viii) Grapes for pressing and grape juice

Outline of systems

1. See horizontal replies. Since the TQ is not administered, there are no non-automatic licences for these products.

Purposes and coverage of licensing

2. Grapes for pressing (tariff headings: 0806.1021 and 1029) and grape juice (2009.6111, 6119, 6122, 6129, 6910, 6990; 2202.9018, 9019, 9041, 9049) and fruit juices containing grape juice (2009.9030, 9069, 9099) are subject to automatic licensing only.

3.-4. See horizontal replies.

5. See horizontal replies. The specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01) and the Ordinance on viticulture and the importation of wine (RS 916.140).

Procedures

6. Not applicable.

7.-8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies. In order to be eligible to market the products in question, the importer has to be listed in the commercial register and must make himself known to the control authority 30 days before the beginning of his commercial activities.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14.-16. See horizontal replies.

17.(a) Not applicable.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

(ix) Wine

Outline of systems

1. See horizontal replies.

Purposes and coverage of licensing

2. Wine is subject to automatic licensing as regards over-TQ imports (tariff headings: 2204.2129, 2204.2139, 2204.2149, 2204.2929 and 2204.2939) and quota-free imports (2204.2941 and 2204.2942), and to non-automatic licensing as regards in-TQ imports (tariff headings: 2204.2121, 2204.2131, 2204.2141, 2204.2921, 2204.2922, 2204.2931 and 2204.2932).

3.-4. See horizontal replies.

5. See horizontal replies. The specific legal basis is the Ordinance of 26 October 2011 on imports of agricultural products (RS 916.01) and the Ordinance on viticulture and the importation of wine (RS 916.140).

Procedures

6.I.-VI. See horizontal replies.

VII. OFAG has the authority to decide whether or not imports are to be counted against the TQ (see TQ distribution method under the next point).

VIII. The allocation of TQ shares takes place as needed. Licences are issued in chronological order of actual imports, upon customs clearance, as long as the TQ is not exhausted.

IX.-XI. See horizontal replies.

7.(a-c) See horizontal replies.

(d) See horizontal replies and point 9 below.

8. See horizontal replies.

Eligibility of importers to apply for licence

9. See horizontal replies. In order to be eligible to market the products in question, the importer has to be listed in the commercial register and has to make himself known to the control authority 30 days before the beginning of his commercial activities.

Documentational and other requirements for application for licence

10.-13. See horizontal replies.

Conditions of licensing

14.-16. See horizontal replies.

17.(a) No.

(b) No.

Other procedural requirements

18.-19. See horizontal replies.

II. SANITARY AND PHYTOSANITARY MEASURES

(i) Import, transit and export of animals and animal products

Outline of systems

1. The purpose of sanitary measures is to prevent the introduction of epizootics and goods that present a health risk. As a rule, these measures also apply to re-importation and transit. The Federal Veterinary Office (OVF) is responsible for issuing the authorizations laid down by veterinary law[5] for the importation of animals and goods. For the importation of animals and animal products covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), see also Chapter III(i) below.

Purposes and coverage of licensing

2. List of OITE products:

In the case of products from the EU or Norway, an authorization is required for:

- The importation or re-importation of animals or animal products which do not fulfil the conditions laid down in Annex 11 to the Agreement of 21 June 1999 on trade in agricultural products (hereinafter the "Agricultural Agreement"; *RS 0.916.026.81*), including in particular the re-importation of cloven-hoofed animals after a short stay in a member State of the European Union to participate in an exhibition or similar event;

- the importation of animal by-products of categories 1 and 2 under Articles 4 and 5 of the Ordinance on the elimination of animal by-products (OESPA; RS 916.441.22);

- imports of animals or animal products which are not regulated by the Agricultural Agreement.

In the case of products from other countries, an authorization is required for:

- Non-commercial samples and laboratory samples that do not fulfil the conditions laid down in Article 10 of the OITPA;

- dogs, cats and ferrets from countries where urban rabies cannot be ruled out (countries not included in Annex 1 to the OIAC) and imported directly by air into Switzerland.

3. See point 2 above.

4. No restrictions. For purpose, see point 1 above.

[5] Available at: http://www.bvet.admin.ch/dokumentation/01013/01017/index.html?lang=fr (in French, German and Italian only).

5. Veterinary law[6] for the importation of animals and goods (Article 14 of the Ordinance of 18 April 2007 on the import, transit and export of animals and animal products [OITE; RS *916.443.10*]; Ordinance of 27 August 2008 on the import and transit of animal products by air from third countries [OITPA; RS *916.443.13*] and Article 16 of the Ordinance of 18 April 2007 on the import of pets [OIAC; RS *916.443.14*]). These authorizations are police authorizations issued in accordance with the Law on Epizootics of 1 July 1966 (LFE; RS *916.40*). It is not possible either to make the regime more flexible or to modify the legal bases.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) It is recommended that applications should be submitted at least three weeks in advance of importation.

(b) Sometimes. In some cases, an approval, opinion or authorization is required from other services (cantonal veterinary services, Federal Office for Agriculture [OFAG]).

(c) No.

(d) See point 7(b) above. The procedure is generally regulated so that the applicant needs to approach only two services (OVF and OFAG).

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9.(a) Not applicable.

(b) All persons, firms and institutions are eligible to apply for an import licence provided they are established on the Swiss customs territory.

Documentational and other requirements for application for licence

10. Please refer to the following websites:

- For laboratory samples and non-commercial samples: http://www.bvet.admin.ch/ein_ausfuhr/01873/02317/index.html?lang=fr;

- for dogs, cats and ferrets: http://www.bvet.admin.ch/themen/01614/01884/index.html?lang=fr.

11. Import licence (or, if possible, accreditation as professional importer), supplementary data sheet, as appropriate.

12. No fee is charged for issuing the authorization itself. However, the border control is subject to a fee of CHF 88, which includes the cost of establishing the authorization.

[6] Available at: http://www.bvet.admin.ch/dokumentation/01013/01017/index.html?lang=fr (in French, German and Italian only).

13. As a rule, no.

Conditions of licensing

14. In the case of dogs, cats and ferrets: until the end of the period of validity of the vaccination, that is, for three years maximum. In the case of non-commercial samples: according to type of sample (epizootics policy risk), issue of an individual authorization or annual authorization. Import permits concerning protection of species are valid for three months; professional importer approvals for two years.

15. No.

16. The licences are not transferable between eligible persons.

17.(a) Not applicable.

(b) No.

Other procedural requirements

18. Sometimes. Subject to cantonal authorizations required by veterinary law and the laws on foodstuffs.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

(ii) Plants and plant products

Outline of systems

1. The purpose of phytosanitary measures is to prevent the introduction and propagation of pests and diseases which are particularly dangerous within the meaning of the Ordinance on plant protection ("quarantine organisms"). The importation of plants and plant products, where not prohibited because of the phytosanitary risk they present (risk of introducing particularly dangerous pests and diseases), is subject to the phytosanitary certification regime within the meaning of the International Plant Protection Convention (IPPC). Importers of goods requiring a phytosanitary certificate are entered in an official register managed by the OFAG, which also has authority to grant dispensation in respect of goods prohibited for import.

Purposes and coverage of licensing

2. Phytosanitary measures applying to the importation of plants, plant products and other items are limited to: Prohibition of imports, and the phytosanitary certification (CP) regime. Dispensation may be granted in the case of goods the import of which is prohibited until the propagation of particularly dangerous pests and diseases can be ruled out. Dispensation is granted solely in the case of goods that are imported for research, selection, multiplication or diagnostic purposes.

The products in question are essentially those listed under the following customs tariff chapters:

- 6 (Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage);
- 7 (edible vegetables and certain roots and tubers);

- 10 (cereals);
- 12 (oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder).

3. The CP regime applies to all plant material for planting, of any origin, with the exception of material originating in the European Union (EU). The import prohibition (see Annex 3, Parts A and B, of the Ordinance on plant protection; for reference see point 5) concerns specific goods originating in countries where the phytosanitary situation is such that the goods present a clear risk of introducing pests and diseases of particular danger to Switzerland. For certain goods (e.g. potatoes), prohibition extends to all countries other than member countries of the European and Mediterranean Plant Protection Organization (EPPO).

4. The purpose of the measures is to prevent the introduction of particularly dangerous pests and diseases (quarantine organisms) affecting plants. The regimes governing plants, plant products and other items are frequently revised according to the phytosanitary situation in Switzerland (information on the current situation available on website www.blw.admin.ch/themen/00012/01153/index.html?lang=fr).

5. Legal bases: Law on Agriculture of 29 April 1998 (RS 910.1), Ordinance of 27 October 2010 on plant protection (RS 916.20). The items subject to the different regimes are set forth in the Ordinance on plant protection. The OFAG may take measures in cases where new quarantine organisms appear, but it must submit such measures as soon as possible to the Federal Council for approval. The Government has the authority under the law to decide on the items that are subject to the regimes described in point 2 above.

Procedures

6. Not applicable (no restrictions).

7.(a) Imports of goods under the CP regime must be announced to the Federal Phytosanitary Service at the OFAG 24 hours in advance. Applications for dispensation must be submitted one month prior to the date foreseen for the import of said goods.

(b) Applications for import licences submitted after the deadline mentioned in 7(a) are processed as quickly as possible, but without any guarantee that the applicants will receive the licences by the requested date.

(c) No.

(d) All applications for import licences for the items mentioned in point 2 are dealt with by the Federal Phytosanitary Service at the OFAG.

8. Dispensation as defined under point 2 is not granted if phytosanitary risks are too high. The applicant has a right of appeal. Rejections are notified in writing.

Eligibility of importers to apply for a licence

9.(a) Not applicable.

(b) All persons, firms or institutions are eligible to apply for an import licence provided they are domiciled in Switzerland.

Documentational and other requirements for application for licence

10. Applications for an import licence must mention the place of origin of the goods, the type of goods, the quantity, the producer and the consignee. There is no specific form.

11. The CP and, where appropriate, the licence (authorization for goods for which dispensation has been granted). The CP must not have been issued more than fourteen days before the date when the goods left the country of dispatch.

12. A fee of CHF 50 is charged for issuing a licence (import permit).

13. No.

Conditions of licensing

14. The period of validity of an import licence issued as a result of dispensation is limited according to the type of goods being imported. Extensions are granted upon written request.

15. No.

16. The licences are not transferable.

17.(a-b) No.

Other procedural requirements

18. Goods which are subject to the CP regime or for which dispensation (licence) has been granted are controlled by the Phytosanitary Service upon import. The Phytosanitary Service is the OFAG's control body in the field of plant protection. Upon the control of imports, the following fees are charged:

- basic fee per consignment: CHF 50;
- fee per batch making up the consignment: CHF 10 per batch.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

(iii) Protection of forest plants

Outline of systems

1. The phytosanitary provisions governing the import of forest plants help to avert the accidental introduction of pests and diseases which could threaten Swiss forestry. The OFEV's Forestry Division is responsible for issuing the authorizations required by the regulations governing the phytosanitary protection of forest plants. The purpose of these measures remains above all to ensure the use of healthy forest plants.

Purposes and coverage of licensing

2. Regulations for the protection of forest plants in connection with the transboundary traffic of goods (see Annex 3, Parts A and B of the Ordinance on plant protection, which contains the list of forest plants whose import is prohibited). The products in question are essentially those listed under the following customs tariff chapters:

- 6 (Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage);
- 14 (bark and bark products);
- 25/31/38 (soil and other substrates for cultivation);
- 44 (wood and wood products).

3. The CP regime applies to all plant material for planting, of any origin, with the exception of material originating in the European Union (EU). The import prohibition (see Annex 3, Parts A and B, of the Ordinance on plant protection; for reference see point 5) concerns specific goods originating in countries where the phytosanitary situation is such that the goods present a clear risk of introducing pests and diseases of particular danger to Switzerland. For certain goods (e.g. plants of certain conifer species), prohibition extends to all countries other than European countries.

4. The purpose of the measures is to prevent the introduction of particularly dangerous pests and diseases (quarantine organisms) affecting plants. The regimes governing plants, plant products and other items are frequently revised according to the phytosanitary situation in Switzerland (information on the current situation is available online at http://www.admin.ch/ch/f/rs/c916_20.html).

5. The Federal Law on Forests of 4 October 1991 (LFo; RS 921.0), Ordinance of 27 October 2010 on plant protection (RS 916.20). The items subject to the different regimes are set forth in the Ordinance on plant protection. The OFEV may take measures in cases where new quarantine organisms appear, but it must submit such measures as soon as possible to the Federal Council for approval. The Government has the authority under the law to decide on the items that are subject to the regimes described in point 2 above.

Procedures

6. Not applicable (no restrictions).

7. (a) Imports of goods under the CP regime must be announced to the Federal Phytosanitary Service 24 hours in advance. Applications for dispensation must be submitted one month prior to the date foreseen for the import of said goods.

(b) Applications for import licences submitted after the deadline mentioned in 7(a) are processed as quickly as possible, but without any guarantee that the applicants will receive the licences by the requested date.

(c) No.

(d) All applications for import licences for the items mentioned in point 2 are dealt with by the Federal Phytosanitary Service at the OFEV.

8. Dispensation as defined under point 2 is not granted if phytosanitary risks are too high. The applicant has a right of appeal. Rejections are notified in writing.

Eligibility of importers to apply for licence

9. (a) Not applicable.

9. (b) All persons, firms or institutions are eligible to apply for an import licence provided that they are domiciled in Switzerland.

Documentational and other requirements for application for licence

10. Applications for an import licence must mention the place of origin of the goods, the type of goods, the quantity, the producer and the consignee (sample form: http://www.blw.admin.ch/themen/00012/01153/01155/index.html?lang=fr > autorisation obligatoire).

11. The CP and, where appropriate, the licence (authorization for goods for which dispensation has been granted). The CP must not have been issued more than fourteen days before the date when the goods left the country of dispatch.

12. A fee of CHF 50 is charged for issuing a licence (import permit).

13. No.

Conditions of licensing

14. The period of validity of an import licence issued as a result of dispensation is limited according to the type of goods being imported. Extensions are granted upon written request.

15. No.

16. The licences are not transferable.

17.(a-b) No.

Other procedural requirements

18. Goods which are subject to the CP regime or for which dispensation (licence) has been granted are controlled by the Phytosanitary Service upon import. The Phytosanitary Service is the OFAG's control body in the field of plant protection. Upon the control of imports, the following fees are charged:

- basic fee per consignment: CHF 50;
- fee per batch making up the consignment: CHF 10 per batch.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

III. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FLORA AND FAUNA (CITES)

(i) Animals

Outline of systems

1. The Federal Veterinary Office (OVF) is responsible for issuing import licences for the species covered by the CITES Convention. CITES aims to ensure that no species is threatened with extinction as a result of non-sustainable international trade.

Purposes and coverage of licensing

2. List of products coming under the conservation of species: see OCE, Article 8 (RS 453), and the Ordinance of 16 May 2007 on CITES controls (RS *453.1*).

3. No restrictions.

4. No restrictions. For purpose, see point 1 above.

5. The laws on the protection of species with respect to the import of animals and goods (Article 5 of the Ordinance of 18 April 2007 on the conservation of species [OCE; RS 453]), and required under the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES; RS 0.453), the Federal Law of 16 December 2005 on the protection of animals (LPA; RS 455), the Federal Law of 21 June 1991 on fisheries (LFSP; RS 923.0) and the Law of 20 June 1986 on hunting (LChP; RS 922.0). It is not possible either to make the regime more flexible or to modify the legal bases.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) It is recommended that applications should be submitted at least one week in advance of importation. Only authorizations concerning the species listed in Annex I of the CITES require a slightly longer time-limit owing to the procedure stipulated by the international treaty (consultation of scientific authorities). However, many applications are processed on the day on which they are submitted.

(b) Sometimes. In some cases, an approval, opinion or authorization is required from other services (cantonal veterinary services, Federal Office for Agriculture [OFAG]), Federal Office of the Environment [OFEV], Technical Commission for the Conservation of Species Commission).

(c) No.

(d) See point 7(b) above. The procedure is generally regulated so that the applicant needs to approach only two services (OVF and OFAG).

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9. (a) Not applicable.

(b) All persons, firms and institutions are eligible to apply for an import licence provided they are established on the Swiss customs territory.

Documentational and other requirements for application for licence

10. Please refer to the website under "Formulaire" (http://www.bvet.admin.ch/themen/handel_wild/00976/index.html?lang=fr).

11. Import licence (or, if possible, accreditation as professional importer), CITES documents, supplementary data sheet, as appropriate.

12. No fee is charged for issuing the authorization itself. However, the border control is subject to a fee of CHF 88, which includes the cost of establishing the authorization.

13. As a rule, no.

Conditions of licensing

14. In the case of dogs, cats and ferrets: until the end of the period of validity of the vaccination, that is, for three years maximum. In the case of non-commercial samples: according to type of sample (epizootics policy risk), issue of an individual authorization or annual authorization. Import permits concerning protection of species are valid for three months; professional importer approvals for two years.

15. No.

16. The licences are not transferable between eligible persons..

17. No.

Other procedural requirements

18. Sometimes. Subject to cantonal authorizations required by veterinary law and the laws on foodstuffs.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

(ii) Plants and plant products

Outline of systems

1. For plants and plant products listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES), the Federal Veterinary Office (OVF) is responsible for issuing the authorizations. CITES aims to ensure that no species is threatened with extinction as a result of non-sustainable international trade.

Purposes and coverage of licensing

2. Plants and plant products in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES) are subject to licensing only if they have been taken from the wild. Artificially propagated material is excluded therefrom.

3. No restrictions.

4. No restrictions. For purpose, see point 1 above.

5. Legal bases: Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES) (RS. 0.453), Ordinance on the conservation of species (OCE; RS 453), and Ordinance on CITES controls (RS 453.1).

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) The application must be submitted at least two weeks in advance of importation. Each application has to be reviewed by the scientific commission (scientific authority within the meaning of CITES, Article IX).

(b) No.

(c) No.

(d) The importer needs to contact the Federal Veterinary Office (OVF) only, but each application has to be reviewed by the scientific commission. See point (a) above.

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria set out in Article III of the CITES. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9. All persons, firms or institutions are eligible to apply for an import licence provided that they are domiciled in Switzerland.

Documentational and other requirements for application for licence

10. A copy of the CITES export document or of the re-export certificate must be submitted. In addition, it is necessary to specify the reason for import and provide a description of the establishment and facilities where the plants will be held.

11. The CP and, where appropriate, the licence (authorization for goods for which dispensation has been granted).

12.-13. No.

Conditions of licensing

14. The period of validity is six months. The request for extension can be made by sending the original licence, which will then be superseded.

15.-17. No.

Other procedural requirements

18. Specimens are subject to control upon import pursuant to OCE requirements.

19. Not applicable.

IV. FOREST REPRODUCTIVE MATERIAL

Outline of systems

1. The Forestry Division in the Federal Office of the Environment (OFEV) is responsible for issuing the authorizations required by the regulations governing the import and export of forest reproductive material. The purpose of these measures remains above all to ensure the use of healthy and appropriate forest reproductive material at the place of reforestation.

Purposes and coverage of licensing

2. The regulations cover certain varieties of trees that are important for Swiss forestry (11 varieties of conifers and 31 varieties of leaf-bearing trees). See also Annex 1 to the Ordinance on forest reproductive material (RS 921.552.1).

3. Countries in which the tree varieties in question grow naturally and permanently (Europe, North America and Japan).

4. No. The purpose of the Ordinance is to ensure the supply of appropriate forest reproductive material, i.e. suited to the geographical and climatic conditions of Switzerland.

5. Federal Law on Forests of 4 October 1991 (LFo; RS 921.0); Ordinance on forests of 30 November 1992 (OFo; RS 921.01); Ordinance of 29 November 1994 on forest reproductive material (RS 921.552.1). The tree varieties subject to the Ordinance are listed in Annex I thereto.

Procedures

6. Note applicable (no quantitative restrictions).

7.(a) Fourteen days.

(b) Only where justified.

(c) No.

(d) Applications for import licences are examined by the OFEV's Forestry Division, which also issues the licence.

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria set out in Article III of the CITES. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for a licence

9. All persons, firms or institutions are eligible to apply for an import licence provided they are domiciled in Switzerland.

Documentational and other requirements for application for licence

10. The application for an import licence must mention the variety of tree, the origin, the quantity, the supplier and the buyer. The importer must include in the application a certificate of origin for the varieties of trees. There is no specific form.

11. Import licence and certificate of origin.

12. A fee is charged for all import licence applications (to cover administrative expenses).

13. As a rule, no.

Conditions of licensing

14. The import licence is valid for six months, extendable for another six months on request.

15.-17. No.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

V. TRANSPLANTS

Outline of systems

1. The Federal Office of Public Health (OFSP) is the body responsible for authorizing the import of human organs, tissues and cells to be transplanted to humans. The Transplantation Law aims to guarantee safety in the handling of transplants, in particular with a view to protecting donors and recipients.

Purpose and coverage of licensing

2. An authorization is required for the import of organs, tissue and cells of human origin to be transplanted to humans.

3. All countries.

4. The import authorization is granted when the products are in conformity with the relevant laws. The licence applies to the products and countries listed therein. Otherwise, there is no restriction on the quantity and value of the products.

5. Federal Law of 8 October 2004 on the transplantation of organs, tissues and cells (Transplantation Law; RS 810.21) which entered into force on 1 July 2007. The procedures for import are described, *inter alia*, in the Ordinance of 16 March 2007 on the transplantation of human organs, tissues and cells (Transplantation Ordinance; RS 810.211).

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) Import is not allowed without authorization. The authorization procedure takes about four months. In exceptional cases a shorter procedure can be envisaged.

(b) No.

(c) Not applicable.

(d) The OFSP is the sole organ responsible for examining applications.

8. Only if the applicant does not meet the criteria is an authorization refused. The reasons will then be stated in the pre-authorization inspection report. There is a possibility to appeal.

Eligibility of importers to apply for licence

9. All persons, firms or institutions are eligible to apply for an import authorization provided that they are domiciled in Switzerland.

Documentational and other requirements for application for licensing

10. Different documents and certificates may be requested, depending on the type of transplant (according to application and corresponding checklist, available on the transplantation declaration and authorization web page of the OFSP, www.donneestransplantation.admin.ch). A pre-authorization inspection is mandatory.

11. Once the authorization is issued, none (for importation).

12. CHF 500 to CHF 2,000 per authorization.

13. No.

Conditions of licensing

14. The period of validity of the authorization is a maximum of five years with the possibility of extension.

15.-17. No.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

VI. BLOOD, BLOOD PRODUCTS AND IMMUNOLOGICAL PRODUCTS

Outline of systems

1. For the importation of blood, blood products and immunological products, an import licence is required. Swissmedic, the Swiss Institute for Therapeutic Products, is the sole organ authorized to examine licence applications. The aim is to protect human and animal health by guaranteeing that high-quality, safe and effective therapeutic products are placed on the market.

Purpose and coverage of licensing

2. A licence is required each time blood, blood products or immunological products are imported. For the products subject to this procedure, see the relevant laws and ordinances. The products covered are:

(a) Blood and blood products; and

(b) immunological products such as vaccines, toxins and serums.

3. The regulations apply to imports of all goods, whatever their origin (except Liechtenstein).

4. The import licence is granted when the products are in conformity with the relevant laws. The aim is to protect human and animal health by guaranteeing that high-quality, safe and effective therapeutic products are placed on the market.

5. Federal Law on Medicinal Products and Medical Devices, dated 15 December 2000 (RS 812.21). The procedure for imports is described, *inter alia*, in the Ordinance of 17 October 2001 on authorizations regarding medicinal products (RS 812.212.1). Laws and amendments thereto must be adopted by Parliament. They contain all important provisions. Ordinances contain implementing provisions and must be based on a higher legal authority, a law. In this case, ordinances do not go through Parliament. Laws, ordinances and amendments thereto are published in the Official Compendium of Federal Law (RO) and the Systematic Compendium of Federal Law (RS). A licence is required by law for every import of blood and blood products. In the case of immunological products, this requirement is contained in an ordinance.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) In view of the time required to obtain a licence, the application must be submitted a few days in advance of the importation itself. In normal situations the application is granted and returned within 24 hours of it being filed. Exceptionally and in urgent situations, it may be granted upon request by fax.

(b) Exceptionally.

(c) No.

(d) Swissmedic is the sole organ authorized to examine licence applications.

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the administrative authority or to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9. Institutions wishing to import products subject to licence must obtain the necessary licence from Swissmedic in accordance with the relevant laws. The licence is granted if the institution meets certain specific operational and organizational conditions (e.g. import, wholesale trade and export authorization, authorization to take blood for transfusions or for the production of medicinal products). Swissmedic regularly controls compliance with these conditions. The procedure for obtaining licences is regulated by the relevant ordinance. The list of authorized concerns is regularly published. Moreover, registered products may only be imported by the institutions in whose name they are registered.

Documentational and other requirements for application for licence

10. Only the usual information is required. Samples of the application form are available on website http://www.swissmedic.ch/org/00064/00067/00333/01038/index.html?lang=fr. Other certificates may be requested for a more detailed examination of the quality of the products.

11. In addition to the documents usually required by the customs services, only the application form is required. In certain cases more specific information is requested.

12. CHF 100 per licence (see Ordinance dated 22 June 2006 on the fees of the Swiss Institute for Therapeutic Products (RS 812.214.5)).

13. No.

Conditions of licensing

14. The period of validity of the licence is one month, generally without possibility of extension.

15.-17. No.

Other procedural requirements

18. Certain products, such as immunological products or stable blood products, must be registered beforehand by Swissmedic. Moreover, imported batches of registered products are controlled by the Official Medicines Control Laboratory (OMCL) of Swissmedic before being introduced into the market.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

VII. NARCOTIC DRUGS, PSYCHOTROPIC SUBSTANCES AND PRECURSORS USED AND MARKETED FOR LEGAL PURPOSES

Outline of systems

1. The purpose of the authorization system for narcotic drugs and psychotropic substances is to ensure that imports are carried out for the sole purpose of satisfying legitimate medical and industrial needs. Article 5 of the Federal Law on Narcotics of 3 October 1951 (LStup; RS 812.121) stipulates that a special authorization is required from Swissmedic, the Swiss Institute for Therapeutic Products, for all imports of narcotic drugs, psychotropic substances and precursors. According to the substance involved, Swissmedic may issue single authorizations valid once for import, or general authorizations valid for imports carried out over a specific period of time up to the end of each calendar year. Swissmedic, through the Narcotics Division, is the organ responsible for granting import/export authorizations. More detailed information may be obtained from that organ (e-mail address: autorisation.narco@swissmedic.ch.).

Purposes and coverage of authorization regime

2. All substances that are subject to the authorization system appear in the DFI Ordinance on the schedules of narcotic drugs, psychotropic substances, precursors and chemical additives of 30 May 2011 (Ordinance on the narcotic drugs schedules, OTStup-DFI, RS 812.121.11).

3. All countries.

4. Yes. The purpose of the authorization system is to ensure that imports (or exports) are carried out for the sole purpose of satisfying legitimate medical and industrial needs.

5. Article 5 of the Federal Law on Narcotics of 3 October 1951 (LStup; RS 812.121) stipulates that a special authorization is required from Swissmedic, the Swiss Institute for Therapeutic Products, for all imports (or exports) of narcotic drugs, psychotropic substances and precursors. Article 7 and Chapter 3 of the Ordinance on the control of narcotic drugs of 25 May 2011 (OCStup, RS 812.121.1) lay down the procedures for the granting of import (and export) authorizations.

The authorization system is maintained under federal laws. The Government would not have the authority to repeal them. It can, however, change certain details of the system, i.e. the above-mentioned Ordinances. There is no delegation of authority to the administration. There is, however, a limited delegation of authority to the DFI, because Ordinance 812.121.11 of 30 May 2011, which includes lists of all controlled substances that are subject to the permit system, is under the authority of the DFI.

Procedures

6.I. The quantities that can be imported (and exported) are limited through a system of estimates coordinated by the UN and its International Narcotics Control Board (INCB). Each country must report its annual needs in narcotic drugs and psychotropic substances to the INCB. If need be, requests for adaptations of the estimates may be submitted to the INCB, which approves them if they are legitimate. The INCB publishes the estimates for all of the countries, and updates them on a monthly basis.

II. The estimates are sent once a year (for psychotropic substances once every three years) to the INCB. Import (and export) authorizations are issued only if the estimates have not been exceeded. Where they have been exceeded, a request for an additional estimate must be forwarded to the INCB.

III. Import or export authorizations are granted only to holders of a cantonal or a Swissmedic licence to manufacture or to market narcotic drugs, psychotropic substances or precursor chemicals, or a special OFSP authorization.

IV. There is no time-limit for the submission of applications provided the import or export quantities do not exceed the estimates.

V. The time required for granting an import (or export) authorization is ten working days on average, assuming that all of the documentation and other requirements have been met. Where there is no estimate or the estimate is insufficient (a few cases each year), the time-limits are extended to as much as one month.

VI. Import authorizations are valid from the date of issue.

VII. As a rule, only Swissmedic considers authorization applications. If need be, Swissmedic cooperates with the cantons or the foreign competent authorities concerned, and the INCB.

VIII. Applications are considered in the order in which they are received by the Swissmedic service. If an authorization application is not complete or free of error, Swissmedic informs the applicant by means of a form indicating the deficiencies in the application.

IX. For every import of narcotic drugs, psychotropic substances or precursors, an import authorization is required. Import/export authorizations are only issued upon request.

X. The importing country is informed of any export authorization granted by receiving a copy of the authorization.

XI. No.

7. Not applicable.

8. Any irregularities, no proven legitimate end-use and so on. In case of a refusal to issue an authorization, the reasons for refusal are given to the applicant, who has the right to appeal within 30 days to the Federal Department of Home Affairs.

Eligibility of importers to apply for authorization

9. All persons, firms and institutions may apply for an authorization provided they are holders of a cantonal authorization or a DFI or Swissmedic licence to manufacture or market narcotic drugs, psychotropic substances or precursor chemicals, or a special OFSP authorization. Swissmedic publishes lists of persons, firms and institutions authorized by the cantons in accordance with the OCStup criteria.

Documentational and other requirements for application for authorization

10. The importer sends a written application for an import authorization, listing the products to be imported and the corresponding quantities. There is a specific form to be found on the relevant website.[7]

11. A copy of the authorization issued by Swissmedic must be presented to Customs.

12. CHF 50 for a single authorization for goods with a value of up to CHF 100; CHF 100 for a single authorization for goods with a value exceeding CHF 100; CHF 200 for a general authorization (the total quantity to be imported/exported must be indicated in the application for authorization).

13. No.

Conditions of authorization

14. Single import authorizations are valid for three months. The validity of a general import licence is 12 months, limited to 31 December of each calendar year.

15. No.

16. Import authorizations are not transferable.

17. No.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

VIII. ETHANOL

Outline of systems

1. The private sector is allowed to import ethanol and spirits containing not more than 80 per cent by volume without restriction and without any permit; but only the Swiss Confederation is

[7] http://www.swissmedic.ch/org/00064/00067/00334/00853/index.html?lang=fr.

entitled through the Swiss Alcohol Board to import ethanol whose alcohol content exceeds 80 per cent by volume (excluding ethanol used for fuel purposes). However, imports by the private sector are possible subject to prior authorization by the Swiss Alcohol Board.

Purposes and coverage of licensing

2. The products covered are in tariff headings 2207.10 and 2207.20). See point 1 above.

3. These regulations apply to all imports of ethanol, whatever its origin.

4. For control reasons, only the Swiss Confederation is entitled to import ethanol and spirits containing more than 80 per cent by volume.

5. The alcohol legislation is based on Article 105 of the Federal Constitution, which gives the Confederation the sole right to legislate in this field. The specific legal basis for the procedure of import licences is the Federal Law on Alcohol of 21 June 1932 (RS 680).

Procedures

6. Import licences are generally only granted for ethanol qualities that are not put on the market by the Swiss Alcohol Board itself. However, Alcosuisse, a profit centre of the Swiss Alcohol Board, which has responsibility for the importation and sale of ethanol, endeavours to provide its clients with special ethanol qualities on request.

7.(a) In view of the time required to obtain a licence, the application must be submitted three to five days in advance of the importation itself.

(b) Generally, yes.

(c) No.

(d) Applications are considered by a single authority, the Swiss Alcohol Board (RFA).

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the administrative authority or to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for authorization

9. As a rule, any natural or legal person domiciled in Switzerland is eligible, irrespective of nationality or origin, to receive a licence.

Documentational and other requirements for application for licence

10. The application has to be submitted to the Swiss Alcohol Board. The importer sends a written application for an import authorization, listing the products to be imported and the corresponding qualities (purity, denaturation, etc.) and quantities. There is no specific form.

11. A copy of the authorization issued by the Swiss Alcohol Board must be presented to Customs.

12.-13. No.

Conditions of licensing

14. The validity of the licence is generally limited to a single importation.

15.-17. No.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports can be provided by any commercial bank in Switzerland and there are no restrictions on foreign exchange in force.

IX. GOODS OF VITAL AGRICULTURAL AND INDUSTRIAL IMPORTANCE SUBJECT TO COMPULSORY STOCKPILING

Outline of systems

1. In accordance with Article 8 of the Federal Law on National Economic Supply (LAP; RS 531), the Federal Council may subject certain goods of vital importance to compulsory stockpiling. To that end, it may place the products concerned under the import licensing regime. The granting of a licence is conditional upon the conclusion of a reserve stock contract.

Purposes and coverage of licensing

2. To ensure compulsory stockpiling, the Federal Council has placed the following goods of vital importance under the import licensing regime (tariff headings to be found in Article 1 of the respective ordinances, see point 5):

- Liquid fuels (Swiss Central Office for the Import of Liquid Fuels, CARBURA[8]);

- sugar, rice, edible oils and fats, coffee, different kinds of cereal (*Réservesuisse Nahrungsvorsorge Schweiz, Réservesuisse*[9]);

- the above bodies grant general import licences under the authority of the Federal Office for National Economic Supply. They allow importers to import the listed goods from all countries without quantitative restrictions and for an unlimited period of time.

3. The regulations apply to imports of all goods, whatever their origin.

4. No. The purpose of automatic licensing is to ensure compulsory stockpiling. The size of the compulsory reserve stocks of each importer is determined on the basis of the imports carried out (equal treatment for all importers).

5. Legal bases: Federal Law on National Economic Supply (RS 531) as well as the ordinances on compulsory reserve stocks specific to each product (sugar: RS 531.215.11, rice: RS 531.215.12, edible oils and fats: RS 531.215.13, coffee: RS 531.215.14, cereal: RS 531.215.17, liquid fuels: RS 531.215.41). The Government may place other products of vital importance under the import licensing regime.

[8] Additional information in French, German, Italian and English available at: http://www.carbura.ch.
[9] Additional information in German, French, and Italian available at: http://www.reservesuisse.ch/.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a-b) Applications for a general import licence must be submitted a few days before importation. In urgent cases, the licence may be granted immediately by fax.

(c) No.

(d) Applications are reviewed by a single service (see point 2 above).

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has a right to appeal the decision to the administrative authority or to the Federal Administrative Court and, at second instance, to the Federal Supreme Court.

Eligibility of importers to apply for licence

9. In principle, all persons, firms or institutions are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. Only the usual information is required. Samples of the various application forms are available on the websites of, respectively, the Swiss Central Office for the Import of Liquid Fuels (http://www.carbura.ch/gebs.0.html?&L=1) and the *Réservesuisse Nahrungsvorsorge Schweiz*, (http://www.reservesuisse.ch/index.php?L=1).

11. In addition to the number of the automatic licence and the documents usually required by the customs services, certain certificates, such as certificates of origin or sanitary or phytosanitary certificates (see Chapter II), are required according to the product.

12. No fees.

13. As a rule, no.

Conditions of licensing

14. The validity is not limited as long as the conditions on which the licence was granted are met.

15. No.

16. The licences are not transferable between eligible persons.

17.(b) The issuing of the licence is subject to the payment of the portions of the customs duty that are not collected by the Federal Customs Administration.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports is automatically provided by the banks. There are no restrictions on foreign exchange.

X. WAR MATERIAL, WEAPONS

(i) War material

Outline of systems

1. The purpose of the regime is to establish control on the origin, nature and destination of the war material in question. The State Secretariat for Economic Affairs, Division of export controls and sanctions, is responsible for examining applications for authorization.

Purposes and coverage of licensing

2. The war material whose import is subject to authorization is listed in Annex 1 of the Ordinance.

3. All countries.

4. The purpose of the regime is to establish control on the origin, nature and destination of the war material in question.

5. The regime of authorizations for the import of war material is laid down in Article 107, paragraph 2, of the Federal Constitution (RS 101). Thus, the Government does not have the authority to abolish it. The products subject to this regime are listed in Annex 1 to the Ordinance on war material, which is a governmental text. Importation of war material is subject to the authorization regime laid down in the Federal Law on War Material of 13 December 1996 (RS 514.51) and the Ordinance on war material of 25 February 1998 (RS 514.511). The Law and the Ordinance do not apply to imports of war material for the Swiss Army; other exceptions are mentioned in Article 17(4) of the Law.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a-b) There are no standards required by the Law or the Ordinance. However, it is recommended that applications for authorization should be submitted at least seven days in advance of the scheduled date of importation. In exceptional cases, the processing of applications may be carried out in a shorter period.

(c) No.

(d) One single organ (the State Secretariat for Economic Affairs, Division of export controls and sanctions, of the Federal Department of Economic Affairs) is responsible for examining applications for authorization.

8. Authorizations are not granted if they are contrary to international law or if they are not in the interests of Switzerland. Refusals have to be announced in a decision that contains the reasons for the denial. The right to appeal is guaranteed by the federal law on procedures.

Eligibility of importers to apply for licence

9. Any person, firm or institution is eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. Applications for import authorizations must contain the name and address of the supplier and of the importer/applicant, a precise description of the war material, its weight and its value, its customs tariff number and its category (in accordance with the list in Annex 1 of the Ordinance), the country from where the import will take place and (if possible) the scheduled date of the import.

11. Import licence.

12. 0.8 per cent of the value of the imported goods, but at least CHF 50 and at the most CHF 5,000 per licence.

13. No.

Conditions of licensing

14. The authorization to import is valid for one year. It is possible to obtain one extension of six months.

15.-17. No.

Other procedural requirements

18. No.

19. No.

(ii) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (CWC)

Outline of systems

1. Imports of chemicals controlled by Schedule 1 of the CWC are subject to an import licence to prevent the development, production, stockpiling and use of chemical weapons. The State Secretariat for Economic Affairs is responsible for examining licence applications.

Purposes and coverage of licensing

2. The Schedule 1 chemicals that are concerned are listed in the Annex to the Ordinance of the Swiss Federal Department of Economic Affairs on dual-use chemicals (OCPCh) and reflect the commitments undertaken by Switzerland under the CWC.

3. From all countries on a case-by-case basis (non-automatic licensing).

4. The purpose of the regime is to prevent the development, production, stockpiling and use of chemical weapons.

5. Federal Law on the control of goods used for civilian and military purposes and specific military goods (RS 946.202) of 13 December 1996 and Ordinance on the control of chemical products used for civilian and military purposes (OCPCh RS 946.202.21) of 17 October 2007. Switzerland has signed the internationally binding CWC and is therefore obliged to comply with the provisions of this Convention. The products which are subject to this regime are listed in the Annex to the Ordinance of

the Swiss Federal Department of Economic Affairs on the control of chemical products used for civilian and military purposes (OCPCh).

Procedures

6. The aggregate amount of such chemicals at any time must not exceed one tonne. Each importer has to notify the Government of the total amount of imported Schedule 1 chemicals. This has to be done at the latest 60 days following the end of a calendar year.

7.(a-b) Applications for authorizations must be submitted at least 40 days in advance of the scheduled date of importation. In the relevant Ordinance there are no exceptions foreseen for a shorter period. Licences are granted on a case-by-case basis.

(c) No.

(d) The State Secretariat for Economic Affairs (seco: http:/www.seco.admin.ch), Division of export controls and sanctions, industrial products, is responsible for examining licence applications.

8. Licences are only granted if the purpose of the importation is not contrary to the provisions of the CWC.

9. Any person, firm or institution is eligible to apply for an import licence.

Documentational and other requirements for a licence application

10. Applications for import authorizations must contain the name and address of the supplier, the importer and applicant, the chemical name and the structural formula of the product and the Chemical Abstracts Service (CAS) registry number, the quantity, the country of origin, the shipping country, and the scheduled date importation. The following documents must be presented: Official application form, invoice, and a detailed description with regard to the end-use of the chemicals. An undertaking that the chemicals will be used exclusively for research, medical, pharmaceutical or protective purposes in accordance with the provisions of the CWC.

11. Import licence.

12. There is no licensing fee or administrative charge.

13. No.

Conditions of licensing

14. The import authorization is valid for one year. However, this time-frame can be extended for another six-month period.

15. No.

16. The licence is valid for one year, with the possibility of a six-month extension.

17. The importer has to notify the Government of the total amount of imported Schedule 1 chemicals during the past year. This has to be done at latest 60 days following the end of a calendar year.

Other procedural requirements

18.-19. No.

(iii) Weapons, their accessories and ammunition

Outline of systems

1. The main purpose of entry regulations is to prevent illegal traffic in weapons, integral parts of weapons, etc. The competent authority for the issue of authorizations is the Central Office for Arms attached to the Federal Office of Police (Federal Department of Justice and Police[10]).

Purposes and coverage of licensing

2. All objects which are considered under Swiss law as weapons, integral parts of weapons, specially designed parts of weapons or accessories to weapons, ammunition and parts of ammunition in accordance with Articles 1 to 8 of the Weapons Ordinance (see point 6 below).

3. These provisions apply irrespective of the country from which such goods are entered.

4. The main purpose of entry regulations is to prevent illegal traffic in weapons, integral parts of weapons, etc.

5. On 12 December 2008, two revisions of the Federal Law on Weapons, Accessories and Ammunition (Weapons Act, LArm; RS 514.54) entered into force. The first revision arose from adjustments to Schengen, i.e. the implementation in Swiss law of Directive 91/477/EEC on control of the acquisition and possession of weapons of the Council of the European Communities. The second, known as a "national" revision, was carried out to remedy the existing gaps in the implementation of the 1997 Weapons Act. Two revisions of the Ordinance on weapons, accessories and ammunition (Weapons Ordinance, OArm: RS 514.541) entered into force at the same time. These statutes supplement the federal laws on war material and on the control of dual-use goods. Small arms (shoulder weapons and handguns), airguns, CO_2 guns, imitation guns, alarm guns and soft air guns, if at first sight they resemble genuine firearms, and other weapons, such as knives, truncheons, as well as integral parts of weapons, accessories and ammunition, are subject to these provisions. Some goods are subject to both the law on war material and the weapons legislation.

The entry licensing procedure is governed by the legal provisions cited above, in particular Articles 24 to 25(a) of the LArm and Articles 34 to 42 of the OArm. The Weapons Act and the Weapons Ordinance stipulate which objects are subject to authorization and which annexes must be submitted with the application for authorization to enter weapons. The Weapons Ordinance may be amended by the Executive, but only in the framework of the Weapons Act. Articles 25(3) and 25(a)(3) of the Weapons Act state that the Executive may provide for derogations to the authorization regime in respect of certain objects and certain categories of persons. To this end, the Executive introduced new rules under Article 40(3) of the OArm for hunters and sports shooters and under Article 42 of the OArm for different categories of persons.

Procedures

6.I Customs authorities supply statistical reports on entries (quantity, commodity value, country of consignment).

[10] Further information available at: http://www.fedpol.admin.ch/fedpol/fr/home/themen/sicherheit/waffen.html (in French, German and Italian only).

II. The entry of weapons etc. for non-professional purposes is subject to authorization which, according to Article 39(2) of the OArm is valid for six months and may be extended for a maximum of three months. The entry authorization gives entitlement to enter a maximum of three weapons or three integral parts of weapons at a time within this period (Article 39(2) OArm). The entry authorization for professional purposes is issued as a single authorization for the first year. To obtain the single authorization, the applicant must attach to the application a copy of his/her trading licence. The authorization is valid for six months and may be extended by no more than three months (Article 36(3) OArm). If the holder of the single authorization has not been the subject of any challenge or objection regarding his/her activity for one year, he/she may request that the authorization be made a general authorization. A general authorization is valid for 12 months and the holder may enter an unlimited number of weapons (apart from prohibited weapons).

III. Anyone wishing to enter weapons for non-professional purposes under Articles 4 and 5 of the LArm must possess an authorization for the introduction of such weapons into Swiss territory, except in the case of the persons referred to in Articles 40(3) and 42 of the OArm. In addition, persons domiciled abroad and foreign nationals domiciled in Switzerland who do not have a residence permit must submit to the competent cantonal authority an official certificate from their State of domicile or their State of origin authorizing them to purchase a weapon or an integral part of a weapon. The nationals of certain States referred to in Article 12 of the OArm must be in possession of a special authorization, since in principle the persons concerned are prohibited from purchasing weapons.

Authorizations issued for entry for non-professional purposes are valid for six months only (with the possibility of a three month extension) and give entitlement to enter not more than three weapons etc. at a time within the period specified (Article 39(2) OArm). After expiration of the period specified, a new authorization may be applied for. Non-use of an authorization has no cumulative effect, that is, unused allocations may not be added to quotas for a succeeding period.

The names of authorized importers are made known on request only.

The entry authorization for professional purposes is issued as a single authorization for the first year. To obtain the single authorization, the applicant must attach to the application a copy of his/her trading licence. The authorization is valid for six months and may be extended by no more than three months (Article 36(3) OArm). If the holder of the single authorization has not been the subject of a challenge or objection relating to his/her activity for one year, he/she may request that the authorization be made a general authorization. A general authorization is valid for 12 months and gives entitlement to enter an unlimited number of weapons (apart from prohibited weapons).

IV. As a rule, at least three working days.

V. The minimum length of time is three days and the maximum may vary according to the complexity of the file.

VI. After the granting of an authorization, the holder may enter weapons, etc. immediately.

VII. The Central Office for Arms (Articles 5(5) and 25(2) LArm) is the sole agency authorized to issue entry authorizations.

VIII.-XI. Not applicable.

7.(a) Licence applications must be submitted before entry.

(b) They may be granted immediately if the conditions so warrant.

(c) The general authorization for weapons for professional purposes, whereby an unlimited number of weapons may be introduced, is valid for a period of 12 months (Article 38(3) OArm). Licences for the entry for non-professional purposes of prohibited weapons subject to authorization or subject to declaration are valid for a period of six months, extendable by no more than three months (Article 39(2) OArm).

(d) Pursuant to Article 24(3) and Article 25(2) of the Weapons Act, the Central Office for Arms issues authorizations for the entry for commercial purposes of integral parts of weapons, specially designed parts of weapons, ammunition and parts of ammunition.

8. Articles 5(5) and 25 of the LArm and Articles 35 and 39-42 of the OArm provide information on the conditions for granting an authorization for entry into Swiss territory for non-professional purposes. Articles 5 and 24-24(c) of the LArm and Articles 34 and 36-38 of the OArm provide information on the conditions for granting an authorization for entry into Swiss territory for professional purposes. Article 30 of the LArm sets forth the conditions under which a licence may be revoked. The Law on Federal Administrative Procedures (PA; RS 172.021) governs the appeals procedure in cases where a licence application has been refused or revoked. Refusal of an authorization is notified by a decision.

Eligibility of importers to apply for licence

9.(a) Anyone seeking to introduce weapons for non-professional purposes under Articles 4 and 5 of the LArm must be in possession of an authorization for entry into Swiss territory, except in the case of persons covered by Article 40(3) or Article 42 of the OArm. Moreover, persons domiciled abroad and foreign nationals domiciled in Switzerland who do not hold a residence permit must submit to the competent cantonal authority an official certificate from their State of domicile or their country of origin authorizing them to purchase a weapon or an integral part of a weapon. The nationals of certain States mentioned in Article 12 OArm must be in possession of a special authorization, since the persons concerned are in principle prohibited from purchasing weapons.

(b) Authorizations issued for the entry for non-professional purposes are valid for six months only (with the possibility of a three-month extension) and give entitlement to enter a maximum of three weapons, etc. at a time within the period specified (Article 39(2) OArm). After expiration of the period specified, a new authorization may be applied for. Non-use of an authorization has no cumulative effect, that is, unused allocations may not be added to quotas for a succeeding period.

Documentational and other requirements for application for licence

10. Applicants for a licence to enter weapons, etc. for professional purposes are required to complete an official form and file it, together with a photocopy of the weapons trading licence, to the Central Office for Arms (Articles 36-38 OArm).

Applicants for a licence to enter weapons etc. for non-professional purposes are required to complete an official form and file it with the Central Office for Arms. The following documents must be attached (Article 39 OArm):

(a) A copy of the authorization issued by the competent cantonal authority if the object to be introduced into Swiss territory is subject to the authorization regime;

(b) an extract from the Swiss register of convictions issued not more than three months prior to the filing of the application;

(c) a copy of a valid passport or identity card;

(d) an official certificate from their State of domicile or their country of origin authorizing them to purchase a weapon in the case of persons domiciled abroad or persons not in possession of a residence permit.

Applicants for a licence to enter prohibited weapons under Article 5(1) of the LArm and Article 35(1) of the OArm for non-professional purposes are required to complete an official form and file it with the Central Office for Arms. The following documents must be attached:

(a) A special cantonal authorization under Article 5(4) of the LArm;

(b) a copy of a valid passport or identity card.

In order to obtain a licence to enter prohibited weapons, etc. for professional purposes (Article 5(1) LArm and Article 34 OArm), the relevant form must be submitted to the Central Office for Arms (OCA), accompanied by the following documents:

(a) A copy of the weapons trading licence;

(b) a special cantonal authorization, in accordance with Article 5(4) of the LArm;

(c) an attestation that the objects are necessary to cover the needs of the Army, the military authorities or the customs and police authorities or those of security firms, and that the persons making the order have a special authorization for those objects.

11. No further documents are required upon actual entry.

12. The licensing fees are:

- CHF 50 for entry for professional purposes under a single authorization (Annex I(k) OArm).

- CHF 150 for entry for professional purposes under a general authorization (Annex I(n) OArm).

- CHF 50 for entry for non-professional purposes (Annex I(o) OArm), CHF 20 to 150 for special authorization for entry into Swiss territory (Annex I(c)(1 8) OArm).

- CHF 20 for extensions of authorizations (Annex I(l) and (p) OArm).

13. Fees up to CHF 1,000 May be charged in advance or against reimbursement (Article 57 OArm). The law does not require a deposit.

Conditions of licensing

14. A single authorization for entering a single consignment of weapons for professional purposes is valid for six months. The competent authority may extend its validity for no more than three months (Article 36(3) OArm).

General authorizations for the entry of weapons, etc. for professional purposes are valid for 12 months (Article 37(3) OArm). Upon expiration, a new licence may be applied for.

Licences for the entry for non-professional purposes of prohibited weapons, etc. subject to authorization or subject to declaration are valid for six months, extendable by no more than three months (Article 39(3) OArm).

Upon expiration, a new licence may be applied for.

15. Holders of a licence are free to make use of the licence, or a portion of it, as they see fit. There is no penalty for the non-utilization of a licence.

16. Entry licences are made out to the holder and are not transferable.

17. There are no further restrictions.

Other procedural requirements

18. No further restrictions.

19. There is freedom of exchange operations.

XI. EXPLOSIVE MATERIALS AND PYROTECHNIC DEVICES FOR CIVILIAN USE

Outline of systems

1. The import licensing procedure is needed to guarantee public safety in Switzerland in the area of explosive materials and pyrotechnic devices for civilian use.

Purposes and coverage of licensing

2. Articles 2-7 of the Ordinance define explosives and pyrotechnic devices, which are subject to import authorization.

3. All countries.

4. The import licensing procedure is needed to guarantee public safety in Switzerland in the area in question.

5. The Federal Law on Explosive Substances of 25 March 1977 (RS 941.41) and the Ordinance on explosive substances of 27 November 2000 (RS 941.411) govern the importation of explosives and pyrotechnic devices. The above statutory provisions govern the import licensing procedure. The Government cannot repeal these provisions. However, Article 24(3) of the Ordinance provides that the Federal Department of Justice and Police may exempt certain pyrotechnic devices from the requirement of authorization, provided that these devices are an integral part of articles which themselves are subject to a recognized licensing procedure (e.g. pyrotechnic propellant charges as used in air bag units of cars).

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) Licences for the importation of standard explosives and pyrotechnic devices are granted within a few days. The procedure for the licensing of articles which are subject to prior approval procedures may take up to six months.

(b) By way of exception, a licence may be granted by telephone and without delay.

(c) No.

(d) Applications for import licences are dealt with by a single administrative organ.

8. There are no reasons to refuse an application for a licence other than failure to meet the specific criteria. The reasons for any refusal are communicated to the applicant, who has no right to appeal the decision.

Eligibility of importers to apply for licence

9. Any person, firm or institution is eligible to apply for a licence.

Documentational and other requirements for application for licence[11]

10. Only the usual information is required for the applications: applicant's name and address; type and quantity of the product to be imported and chemical composition; manufacturer's or importer's name; warehouse of destination in Switzerland. (Regarding explosives, information on impact and friction sensitivity is also required).

11. Import licence.

12. Depending on the time required to process the application, the licensing fees may range from CHF 50 to CHF 1,000.

13. No.

Conditions of licensing

14. Import authorization is valid for three months. It is possible to obtain two extensions of three months each.

15.-17. No.

Other procedural requirements

18. No.

19. The foreign exchange required to pay for imports is automatically provided by the banks. There are no restrictions on foreign exchange.

[11] Further information available at: http://www.fedpol.admin.ch/fedpol/fr/home.html (in French, German, and Italian only).

XII. NUCLEAR FUEL, DEBRIS AND WASTE

Outline of systems

1. The purpose of the regime is to establish control on the origin, nature and destination of nuclear fuel, debris and waste from nuclear facilities within the framework of the Non-Proliferation Treaty and bilateral cooperation agreements. Applications for authorization are examined by the Federal Energy Office (which has the authority to grant the licence) and the Federal Nuclear Safety Inspectorate (responsible for the transport of class 7 dangerous goods).

Purposes and coverage of licensing

2. See point 1 above.

3. No restrictions except as provided in the law.

4. The purpose of the regime is to establish control on the origin, nature and destination of nuclear fuel, debris and waste from nuclear facilities within the framework of the Non-Proliferation Treaty and bilateral cooperation agreements.

5. The importation of nuclear fuel, debris and waste from nuclear facilities is subject to an authorization regime under the Law on Nuclear Energy of 21 March 2003 (LENu; RS 732.1) and the Ordinance of 10 December 2004 on nuclear energy (OENu; RS 732.11). The importation of radioactive materials other than nuclear fuel, debris and waste from nuclear facilities is subject to the authorization regime set forth in the Law on Radiation Protection of 22 March 1991 (LRaP; RS 814.50) and the Ordinance on radiation protection of 22 June 1994 (ORaP; RS 814.501).

The licensing regime is governed by federal laws, which the Government does not have the authority to repeal. The Government may, however, change certain details of the regime, i.e. the above-mentioned Ordinances. There is no delegation of authority to the administration.

Procedures

6. Not applicable (no quantitative restrictions).

7.(a) The application for import must be submitted two months in advance of the scheduled importation date. In exceptional cases, the time-limit may be shortened.

(b-c) No.

(d) Applications for authorization are examined by the Nuclear Law and Pipeline Transport Section of the Federal Energy Office (which has the authority to grant the licence) and the Federal Nuclear Safety Inspectorate (IFSN; responsible for the transport of class 7 dangerous goods). No list of authorized importers is published.

8. No other circumstances.

Eligibility of importers to apply for licence

9. All persons, firms and institutions meeting the requirements set forth in the relevant laws and ordinances are eligible to apply for an import licence.

Documentational and other requirements for application for licence

10. The information to be provided in applications is specified in a model form.

11. Import licence, container certificate and validation.

12. The fee is calculated in accordance with the time spent.

13. No.

Conditions of licensing

14. The import authorization is valid for a maximum of 12 months and may be extended for six months at most (at the authorization holder's request).

15.-17. No.

Other procedural requirements

18. An authorization for heavy vehicles (more than 28 tonnes) could be required for road transport.

19. There are no restrictions on foreign exchange in force.