No L 12/24 Official Journal of the European Communities 15.1.72

REGULATION (EEC) No 101/72 OF THE COMMISSION

of 14 January 1972

on Community transit documents issued for goods which on exportation to third countries are eligible for a refund under the common agricultural policy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 542/69[1] of 18 March 1969 on Community transit, and in particular Article 58 thereof;

Whereas, in order to prevent possible abuses in the application of the common agricultural policy, it has been found necessary to provide for additional measures with regard to goods eligible for a refund on exportation to third countries and which are carried under the Community transit procedure;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on Community Transit;

HAS ADOPTED THIS REGULATION:

Article 1

1. Copies Nos 2 and 3 of the Community transit documents issued for goods which on exportation to third countries are eligible for a refund under the common agricultural policy must be presented for stamping to the customs office of departure from the Community when the consignment leaves Community territory otherwise than by rail in the course of a Community transit operation. The office in question shall impose its stamp in the part marked 'Space reserved for general purposes' on the back of Copies Nos 2 and 3.

2. Where Copies Nos 2 and 3 do not bear the stamp provided for in paragraph 1, the office of destination shall without delay inform the office of departure through which, as shown in section 45 or 46, the consignment left Community territory, providing any information necessary to identify the consignment.

Customs clearance of the consignment at the office of destination shall not, particularly under the procedure applicable to Community goods, be held up merely because of the absence of the stamp.

3. Upon receipt of a No 3 Copy not bearing the stamp required under paragraph 1, the office of departure shall, before discharging the Community transit document, investigate the matter.

Article 2

This Regulation shall enter into force on the fifteenth day following its publication in the *Official Journal of the European Communities* and shall apply to transit operations commencing after its entry into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 January 1972.

For the Commission

The President

Franco M. MALFATTI

[1] OJ No L 77, 29.3.1969, p. 1.