No L 291/24 Official Journal of the European Communities 28.12.72

REGULATION (EEC) No 2719/72 OF THE COUNCIL

of 19 December 1972

amending Article 1 of Regulation (EEC) No 542/69 on Community transit

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas, by virtue of Article 1 of Council Regulation (EEC) No 542/69[1] of 18 March 1969 on Community transit, the movement of products which have been subject to customs export formalities for the grant of refunds for export to third countries under the common agricultural policy, is carried out under the procedure for internal Community transit;

Whereas, for administrative reasons and in order to avoid fraudulent practices, provision should be made that the external procedure for Community procedure should apply to such goods;

HAS ADOPTED THIS REGULATION:

Article 1

The following text shall be substituted for the text of paragraphs 2 and 3 of Article 1 of Regulation (EEC) No 542/69:

'2. The procedure for external Community transit shall apply to movement of the following goods:

(a) goods which do not satisfy the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community,

(b) goods which, though satisfying the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community, have been subject to customs export formalities for the grant of refunds for export to third countries under the common agricultural policy,

(c) goods coming under the Treaty establishing the European Coal and Steel Community which under the terms of that Treaty are not in free circulation in the Community.

3. The procedure for internal Community transit shall apply to movement of the following goods, if they are subject to customs, tax, economic or statistical measures or any other measures relating to trade:

(a) goods which satisfy the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community (hereinafter called "Community goods"), except the goods referred to in paragraph 2 (b),

(b) goods coming under the Treaty establishing the European Coal and Steel Community which under the terms of that Treaty are in free circulation within the Community.'

Article 2

1. This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

2. The provisions of Article 1 shall apply to Community transit declarations registered at the offices of departure as from *1 January 1973.*

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

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

Done at Brussels, 19 December 1972.

For the Council

The President

T. WESTERTERP