REGULATION (EEC) No 1676/74 OF THE COMMISSION
of 28 June 1974
amending Regulation (EEC) No 1461/73 of 16 May 1973 on the use of loading lists as the descriptive part of Community transit declarations

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 (1) (c);

Whereas Regulation (EEC) No 1461/73 [2] provides for the use, under certain conditions, of loading lists in conformity with a specimen to be used as the descriptive part of Community transit declarations;

Whereas it is agreed that loading lists conforming to the specimen in the Annex to the Regulation are not suitable for use with systems based on the electronic or mechanical processing of data; whereas to avoid difficulties for firms using modern procedures, the use of loading lists capable of integration into the system adopted should be allowed;

Whereas, additionally, it has been shown that in respect of rail transport, loading lists are never attached to the Express Parcels Consignment Note and that the reference to the wagon or container number is sufficient to establish the link between the International Consignment Note and the attached loading lists; whereas the relevant provisions must be amended and simplified;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 3a shall be added to Regulation (EEC) No 1461/73:

'*Article 3a*

The customs authorities of each Member State may allow firms established in their country whose records are based on a system of electronic or mechanical data processing to use loading lists, which, although not complying with all the conditions of Articles 2 and 3, are designed and completed in such a way that they can be used without difficulty by the customs and statistical authorities in question.'

Article 2

Article 4 of Regulation (EEC) No 1461/73 of 16 May 1973 shall be replaced as follows:

'*Article 4*

1. When Regulation (EEC) No 304/71 [3] on the simplification of Community transit procedures for goods carried by railways operates, the provisions of Articles 2, 3 and 3a of this Regulation shall apply to loading lists which accompany the International Consignment Note and the number of the accompanying lists shall be shown in box 32 of the Consignment Note.

In addition each loading list must include the wagon number to which the Consignment Note refers or, where appropriate, the number of the container in which the goods are carried.

2. For operations beginning within the Community comprising at the same time goods referred to in Article 1 (2) and in Article 1 (3) of Regulation (EEC) No 542/69 separate loading lists shall be used and the serial numbers of the loading lists relating to the goods referred to in Article 1 (2) of that Regulation inserted in the "Description of goods" box on the International Consignment Note.'

Article 3

This Regulation shall enter into force on 1 July 1974.

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

Done at Brussels, 28 June 1974.

For the Commission
The President
François-Xavier ORTOLI

[1] OJ No L 77, 29. 3. 1969, p. 1.
[2] OJ No L 145, 2. 6. 1973, p. 7.
[3] OJ No L 35, 12. 2. 1971, p. 31.