COMMISSION DECISION

of 7 February 1977

allowing admission free of Common Customs Tariff duties of the scientific apparatus described as 'Dye Laser CMX-4'

(77/169/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials (1),

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 (2), and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 28 July 1976, the Belgian Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Dye-Laser CMX-4' equipped with the following accessories :

— UV accessory CMX-4 UV,
— etalon accessory CMX-4 FP,
— pump module CMX-4 PM,
— stepping motor assembly CMX-4 SM,

should be considered to be a scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community ;

Whereas, in accordance with provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 21 January 1977 within the Committee on Duty-Free Arrangements to examine this particular case ;

Whereas this examination shows that the apparatus in question is a dye laser for ultra-violet intended for use :

— in radiometry, for the 'etalonnage' of ultra-violet and visible spectrometers, as well as of optical components,
— in spectroscopy for ascertaining the effective sections of absorption at atmospheric gases ;

Whereas the characteristics of this laser and its intended use render material specially adapted to research in the field of space aeronomy ; whereas in consequence, it is considered to be a scientific apparatus ;

Whereas apparatus of equivalent scientific value is not currently manufactured in the Community ; whereas, however, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose could be available in the Community from 1 July 1977 ; whereas it appears appropriate, in these circumstances, to limit the period of validity of the authorization for duty-free admission of the scientific apparatus under consideration,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'Dye Laser CMX-4', equipped with its accessories, must be considered to be a scientific apparatus.

2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are fulfilled.

Article 2

The period of validity of this Decision expires on 30 June 1977.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 7 February 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 184, 15. 7. 1975, p. 1.
(2) OJ No L 316, 6. 12. 1975, p. 17.