COMMISSION DECISION

of 29 June 1977

allowing admission free of Common Customs Tariff duties the scientific apparatus described as: 'MKS Baratron: "Capacitance Manometer head — type 310-10" and "Modular indicator unit — type 170 M — 6B"'

(77/464/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 4 February 1977, the German 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: 'MKS Baratron: "Capacitance Manometer head — type 310-10" and "Modular indicator unit — type 170 M — 6B"' should be considered to be a scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value are currently manufactured in the Community;

Whereas, in accordance with the 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 3 June 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question composed of an absolute pressure captor and an electronic unit allow measurement of the disorientation cross-sections and polarization times of atoms in the original or excited states when colliding with noble and common gases or vapours;

Whereas the characteristics of these apparatus and the use for which they are intended render them material specially adapted for the field of research; whereas therefore they have the character of scientific instruments;

Whereas on the basis of information obtained from Member States, apparatus of a scientific equivalent to that of the said apparatus and capable of being used for the same purpose are not currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus 'MKS Baratron:

— "Capacitance Manometer head — type 310-10" and

— "Modular indicator unit — type 170 M — 6B"'

must 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 scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 June 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.