II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 July 1977

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'GE(LI) Coaxial Detector ORTEC', model 8501-1020-S with Dewar and ORTEC pre-amplifier

(77/493/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 3 March 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 'GE(LI) Coaxial Detector ORTEC', model 8501-1020-S with Dewar and ORTEC pre-amplifier should be considered to be 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 the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all the Member States met on 29 June 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a germanium-lithium detector with Dewar and pre-amplifier used for research into the possibilities of energy saving, with an ORTEC spectrometer for analysis of the products of fission; whereas its special characteristics and its intended use render it material specially adapted to research in the field of nuclear physics; whereas, therefore, it is considered to be scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose are currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'GE(LI) Coaxial Detector ORTEC', model 8501-1020-S with Dewar and ORTEC pre-amplifier equipped with its accessories, must be considered to be 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 not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

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