COMMISSION DECISION

of 4 August 1977

allowing admission free of Comon Customs Tariff duties the scientific apparatus described as 'Perkin Elmer Calculating Integrator', model 2023-1030

(77/553/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 16 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 the apparatus described as 'Perkin Elmer Calculating Integrator', model 2023-1030 should be considered as scientific apparatus and if so 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 18 July 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination has revealed that the apparatus in question is a calculator-integrator for use in conjunction with a gas chromatograph for processing data furnished by the chromatograph in the analysis of propranolol and hydrochlorothiazid in sera; whereas taking account of the particular characteristics of this data-processing element intended to be incorporated in a system used exclusively for pure scientific research it must therefore be considered to be a scientific instrument;

Whereas, on the basis of information obtained from the Member States, apparatus of equivalent scientific value capable of use for the same purpose could only have been available in the Community from 1 February 1977 to the extent that the apparatus concerned was ordered before that date, the conditions for granting duty-free admission may be considered to be fulfilled,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Perkin Elmer Calculating Integrator', model 2023-1030 must be considered to be a scientific instrument.

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 mentioned in paragraph 1 were fulfilled until 1 February 1977.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 August 1977.

For the Commission

Christopher TUGENDHAT

Member of the Commission

---

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