COMMISSION DECISION

of 2 February 1979

allowing admission free of Common Customs Tariff duties of the scientific apparatus described as 'LAB-80 data acquisition and processing system'

(79/207/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 August 1978, the United Kingdom 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 'LAB-80 data acquisition and processing system' should be considered as scientific apparatus and, if 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 13 December 1978 within the Committee on Duty-Free Arrangements to examine this particular case ;

Whereas this examination shows that the apparatus in question is a microcomputer system for the acquisition and processing of data used more especially for fundamental chemistry physical research in quantum resolved dynamics electronically excited molecular states ;

Whereas its characteristics and its intended use render it particularly suitable for pure scientific research ; whereas it must therefore be considered to be a scientific apparatus ;

Whereas on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community ; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'LAB-80 data acquisition and processing system' 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

This Decision is addressed to the Member States.

Done at Brussels, 2 February 1979.

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.