COMMISSION DECISION

of 14 May 1979

allowing admission free of Common Customs Tariff duties of the scientific apparatus described as 'Exotech-Erts ground truth radiometer, model 100A'

(79/501/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 7 November 1978, 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 'Exotech-Erts ground truth radiometer, model 100A', intended for use in research into ecological phenomena by means of remote sensing and, in particular, for the identification and delineation of plant life on the cover of the earth's surface, 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 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 7 March 1979 within the Committee on Duty-free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a radiometer; whereas its specific objective technical characteristics such as emission and reception, as well as the use made of it make it an apparatus specially suited to pure scientific research; whereas therefore it must 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 'Exotech-Erts ground truth radiometer, model 100A' 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, 14 May 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.