COMMISSION DECISION

of 25 January 1980

supplementing the Decision of 13 October 1978 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000'

(80/212/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), as amended by Regulation (EEC) No 1027/79 (2),

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 (3), and in particular Article 7 thereof,

Whereas, by the Decision of 13 October 1978 (4), the Commission excluded the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', from admission free of Common Customs Tariff duties because apparatus of equivalent scientific value and capable of being used for the same purposes was manufactured in the Community until 1975 ;

Whereas, by letter dated 24 July 1979, the Government of the Federal Republic of Germany requested the Commission to invoke the procedure at present laid down in Article 7 of Regulation (EEC) No 2784/79 in order to verify whether apparatus of scientific value equivalent to the apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', was currently and in accordance with the basic information for the above Decision of 13 October 1978 being manufactured in the Community, having regard to differences between the above apparatus and that of apparatus manufactured in the Community, in particular regarding the possibilities of automatic quench compensation by calibration and of the 'plastic-effect' ;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 10 January 1980 within the Committee on Duty-Free Arrangements to examine this particular case ;

Whereas this examination showed that performances comparable to that of the 'Beckman-Liquid Scintillation System, model LS 8000', can be given by apparatus manufactured in the Community even taking account of the possibilities of automatic quench compensation by calibration and of the 'plastic-effect' ; whereas this applies, in particular, to the 'Mark III' apparatus made by G.D. Searle Nederland BV, Wiegerbruinlaan 75, NL-Uithoorn, 'PW 4540' apparatus made by Philips Nederland BV, Boschdijk 525, NL-Eindhoven, and the 'SL 4200' apparatus made by Intertechnique, F-78370 Plaisir, at present, the 'SL 3000' and 'SL 4000' apparatus made by Kontron Analytique, 6, rue des Frères Caudron, F-78140 Velizy-Villacoublay,

HAS ADOPTED THIS DECISION :

Article 1

The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Beckman-Liquid Scintillation System, model LS 8000', even taking account of the possibilities of automatic quench compensation by calibration and of the 'plastic-effect', are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 184, 15. 7. 1975, p. 1.
(2) OJ No L 134, 31. 5. 1979, p. 1.
(3) OJ No L 318, 13. 12. 1979, p. 32.
(4) OJ No L 314, 8. 11. 1978, p. 9.