# COMMISSION DECISION

## of 11 June 1980

## finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'EDAX X-ray microanalysis plug-in modules : S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer' are fulfilled

(80/624/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 letter dated 13 November 1979, the, Government of the Federal Republic of Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'EDAX X-ray microanalysis plug-in modules : S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer', to be used in element analysis research and in particular for microanalysis of rock samples and fossils, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community ;

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 29 April 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter ;

Whereas this examination showed that the apparatus in question is an X-ray microanalysis apparatus ; Whereas its objective technical characteristics such as the width of the spectrum and the use to which it is put make it specially suited to scientific research ; whereas, moreover, apparatus of the same kind are principally used for scientific activities ; 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 'EDAX X-ray microanalysis plug-in modules : S-180-154-10 detecting unit, 711 B analyzing unit, 407 C power supply, 603-2 video monitor, 609 B EPIC module, 608 A interface board, 352 linescan ratemeter, Edit Nova 2/4, 8K and TI-733 ASR silent printer' is considered to be a scientific apparatus.

2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 11 June 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.