

COMMISSION DECISION

of 16 November 1976

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Tracor 560 Gas Chromatograph'

(76/882/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 11 June 1976, the Belgian Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Tracor 560 Gas Chromatograph' 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 of the Member States met on 28 October 1976 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a high performance gas chromatograph, equipped with a specialized sulphur detector for deter-

mining the degree of atmospheric pollution; whereas, taking account of its special characteristics and the purpose for which it is used, it must in consequence be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Tracor 560 Gas Chromatograph' 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 not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.