

## COMMISSION DECISION

of 29 March 1979

on the refusal to accept the scientific character of an apparatus described as  
'Digital microcomputer system PDP-11VO3-F-VT 55'

(79/393/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 scien-  
tific and cultural materials <sup>(1)</sup>,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 <sup>(2)</sup>, and in particular Articles 4 and 5 thereof,Whereas, by letter dated 25 September 1978, the  
German 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 'Digital  
microcomputer system PDP-11VO3-F-VT 55', used  
for on-line data processing with subsequent very rapid  
Fourier transform in the case of nuclear spin reson-  
ance investigations of ferromagnetic nickel monocrys-  
tals, should be considered as a scientific apparatus  
and, if the reply is in the affirmative, whether appa-  
ratus of equivalent scientific value is currently being  
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 7 February 1979 within the Committee  
on Duty-Free Arrangements to examine this particular  
case;Whereas this examination shows that the apparatus in  
question is an ordinary type of data-processing  
computer possessing no specific characteristics which  
make it specially suited to pure scientific research;  
whereas it can perhaps be used in many fields of data  
processing; whereas its use in this particular case  
cannot in itself give it the character of a scientific  
apparatus specially suited to pure scientific research;  
whereas it therefore cannot be regarded as a scientific  
apparatus,

HAS ADOPTED THIS DECISION:

*Article 1*The apparatus described as 'Digital microcomputer  
system PDP-11VO3-F-VT 55' is not considered to be  
a scientific apparatus.*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 29 March 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*

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<sup>(1)</sup> OJ No L 184, 15. 7. 1975, p. 1.<sup>(2)</sup> OJ No L 316, 6. 12. 1975, p. 17.