

COMMISSION DECISION

of 21 June 1977

allowing admission free of Common Customs Tariff duties of scientific apparatus described as AVM transmitters and receiver

(77/439/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 17 December 1976, the French 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 unit composed of small transmitters and a receiver, mark AVM, should be considered to be 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 3 January 1977 within the Committee on Duty Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question constitutes a system composed of small transmitters and a receiver intended to be used for studying the habits of small animals; whereas the main advantage of this apparatus, using contact by

radio-telemetry, lies in its being able to eliminate factors of error which arise through the limitations of contact by line between the animals undergoing examination and the apparatus used for observation; whereas the characteristics of this apparatus, in particular its extreme sensitivity, and its intended use render it material specially adapted to research in the field of ecology; whereas, in consequence, it is considered to be scientific apparatus;

Whereas, no apparatus of equivalent scientific value is currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The AVM transmitters and receiver must be considered to be 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, 21 June 1977.

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.