

COMMISSION DECISION

of 8 May 1979

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Hewlett-Packard gas chromatograph, model 5840'

(79/481/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 6 November 1978, the Danish 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 'Hewlett-Packard gas chromatograph, model 5840' for use in the context of research into the effects of production parameters on the content of aromatic substances in vegetables, 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 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all the Member States met on 29 March 1979 within the Committee on Duty-free Arrangements to examine this particular case ;

Whereas this examination showed that the apparatus in question is a gas-phase analyser ; whereas its objective technical characteristics such as the high rate of analysis and the use to which it is put make it specially suited to pure scientific research ; whereas it must therefore be considered to be a scientific apparatus ;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of being used for the same purposes is currently being manufactured in the Community ; whereas this applies in particular since February 1977 to the apparatus 429 and, since June 1978, to the apparatus 430 manufactured by Packard Becker BV, Vulcanusweg 259, PO Box 519, Delft, the Netherlands, since December 1976, to the apparatus 3600 M combined with a computer GPC 2500 and, since October 1978, to the apparatus 6800 manufactured by Dani SpA, via Rovani 10, 200 52 Monza (MI) Italy,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'Hewlett-Packard gas chromatograph, model 5840' is considered to be a scientific apparatus.
2. The conditions referred to in Articles 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 May 1979.

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.