

## COMMISSION DECISION

of 30 December 1982

establishing that the apparatus described as 'Dionex — Ion Chromatograph, model 12'  
may be imported free of Common Customs Tariff duties

(82/968/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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 608/82 <sup>(2)</sup>,

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 <sup>(3)</sup>, and in particular Article 7 thereof,

Whereas, by letter dated 19 May 1982, 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 'Dionex — Ion Chromatograph, model 12', ordered on 5 February 1979 and to be used for the matrix insulation of HO<sub>2</sub>, C<sub>1</sub>, NO<sub>2</sub> and other free radicals in connection with ESR spectroscopy, 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 15 November 1982, within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a chromatograph; whereas its

objective technical characteristics, such as the sensibility of the analysis 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*

The apparatus described as 'Dionex — Ion Chromatograph, model 12', which is the subject of an application by the Federal Republic of Germany of 19 May 1982, may be imported free of Common Customs Tariff duties.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 30 December 1982.

*For the Commission*  
Karl-Heinz NARJES  
*Member of the Commission*

<sup>(1)</sup> OJ No L 184, 15. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 4.

<sup>(3)</sup> OJ No L 318, 13. 12. 1979, p. 32.