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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3228/76
of 21 December 1976
on the organization of a survey on the structure of agricultural holdings for 1977

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, pursuant to Directive 75/108/EEC⁽²⁾, a survey on the structure of agricultural holdings was carried out for 1975 as part of a programme of Community surveys necessitated by the requirements of the common agricultural policy; whereas a survey should also be carried out as part of the same programme for 1977 in order to record the trends of the said structure on the basis of information which is comparable for the whole Community, since these trends are an important factor in determining the course to be followed by the common agricultural policy;

Whereas such trends cannot be recorded unless comparable data are available and it is therefore necessary for the survey to have the same scope as the structures survey for 1975; whereas the definitions laid down for the 1975 survey in Decision 75/682/EEC⁽³⁾ should, in principle, be retained for the 1977 structure survey; whereas it is nevertheless necessary to lay down a procedure which allows certain adjustments to be made to the definitions for the specific needs of the present survey;

Whereas Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁴⁾, as amended by Directive 76/400/EEC⁽⁵⁾, defined certain less-favoured farming

areas and it is appropriate to take account of them in the presentation of the results of the survey;

Whereas certain results of this survey must, in principle, be submitted on the basis of a Community typology for agricultural holdings; whereas the typology is being worked out but it has not yet proved possible to lay down the precise date on which it will be operational; whereas, therefore, the deadline for submitting tables relating to the said typology should be fixed separately;

Whereas the data collected during the survey by the statistical services of the Member States shall be submitted in grouped form to the Commission; whereas taking into account the organization of the analysis, the possibility of transmitting the data for individual holdings or data at an intermediate stage of aggregation must nevertheless be provided for;

Whereas secrecy must be guaranteed to the farmers covered by the survey for the individual information which concerns them;

Whereas in order to facilitate the implementation of the envisaged provisions there should be close cooperation between the Member States and the Commission, in particular within the Standing Committee for Agricultural Statistics set up by Decision 72/279/EEC⁽⁶⁾;

Whereas the proposed survey satisfies Community requirements and the Community must therefore make a contribution towards the costs; whereas certain Member States already conduct annual or periodic surveys which may be used as the basis for the Community survey; whereas other Member States will have to bear a greater financial burden since their programme of surveys does not include a survey of this type; whereas it is therefore reasonable that the Community contribution should be related to the additional national expenditure arising out of this survey,

⁽¹⁾ Opinion delivered on 17 December 1976 (not yet published in the Official Journal).

⁽²⁾ OJ No L 42, 15. 2. 1975, p. 21.

⁽³⁾ OJ No L 301, 20. 11. 1975, p. 8.

⁽⁴⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁵⁾ OJ No L 108, 26. 4. 1976, p. 21.

⁽⁶⁾ OJ No L 179, 7. 8. 1972, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

Member States shall carry out a survey (hereinafter referred to as 'the survey') on the structure of the agricultural holdings in their territories covering the crop year corresponding to the crop to be harvested in 1977.

Article 2

The survey shall be conducted in one or more stages between 1 December 1976 and 31 January 1978.

The survey shall be carried out by means of an exhaustive survey or by random sampling.

Article 3

1. For the purposes of applying this Regulation :

- (a) 'agricultural holding' shall mean a single unit, both technically and economically, which has a single management and the output of which is agricultural products ;
- (b) 'agricultural area utilized for farming' shall mean the total area taken up by arable land, permanent pasture and meadow, land used for permanent crops and subsistence plots.

2. The survey shall cover :

- (a) agricultural holdings where the agricultural area utilized for farming is one hectare or more ;
- (b) agricultural holdings where the agricultural area utilized for farming is less than one hectare, if they market a certain proportion of their products or if their standard gross production exceeds certain physical units.

Article 4

1. In the case of combined crops, the agricultural area utilized for farming shall be allocated between the various crops surveyed in such a way that the area actually devoted to each one is known.

However, in some Member States and with regard to combined crops one at least of which is a permanent woody crop, this provision shall only be applied in certain regions and as an experiment.

2. The Commission shall lay down the necessary detailed rules in agreement with the Member States in whose territories the regions referred to in the second subparagraph of paragraph 1 are situated.

Article 5

Member States shall carry out a survey on the characteristics listed in the Annex.

The definitions relating to them shall be determined according to the procedure laid down in Article 8.

Article 6

1. Member States shall :

- (a) set out the results of the survey in the form of a schedule of tables drawn up in accordance with a Community outline. This outline shall be drawn up in accordance with the procedure laid down in Article 8 ;
- (b) set out the results of the survey at national level.

The following Member States shall also set out the results for the regions indicated :

Germany :	'Bundesländer',
France :	'Regions de programme',
Italy :	'Regioni',
United Kingdom :	Northern Ireland, Scotland, Wales, agricultural regions of England.

The details of any possible grouping of several regions shall be laid down by the Commission in agreement with the Member State concerned.

The results extrapolated at regional level by Member States which conduct the survey by random sampling must have a degree of accuracy corresponding at least to that required at survey district level in the structures survey for 1975 ;

- (c) with the exception of the Netherlands, give the results of the survey broken down by less-favoured agricultural areas, within the meaning of Article 3 of Directive 75/268/EEC, or by groups of such areas and broken down by other agricultural areas or by groups of such areas. The Commission shall lay down, in agreement with the Member State concerned, the groupings of less-favoured agricultural areas on one hand and other agricultural areas on the other hand ;
- (d) transcribe the results of the surveys referred to in (a), (b), and (c) onto magnetic tape using a standard program for all Member States. The method of transcription and the standard program shall be drawn up in accordance with the procedure laid down in Article 8 ;
- (e) submit the magnetic tapes referred to in (d) to the Statistical Office of the European Communities. They shall be submitted within 15 months of completion of the field work and at the latest by 30 April 1979. However, the deadline for the submission of tables relating to the classification of agricultural holdings on the basis of a Community typology shall be fixed in accordance with the procedure laid down in Article 8.

2. By way of derogation from paragraph 1 (a), Member States may furnish the Statistical Office of the European Communities with:

- data for individual holdings,
- or
- data at an intermediate stage of aggregation,

which the Statistical Office, instead of the Member State concerned, shall use to draw up tables.

The Statistical Office shall determine in agreement with the Member State concerned the form in which these data must be communicated. As a general rule it shall be the same as that used for the 1975 structures survey.

Article 7

1. The information referred to in Article 6 must be communicated to the Statistical Office of the European Communities in such a form that the holdings concerned cannot be identified. The data for individual holdings referred to in Article 6 (2) may only be divulged to those persons responsible at the Statistical Office for the application of this Regulation.

The Member States and the Commission shall adopt such measures as may be required to penalize infringements of the first subparagraph.

2. In cooperation with the Member States, the Commission shall publish the results of the survey.

Article 8

1. Where the procedure laid down in this Article is invoked, the matter shall be referred to the Standing Committee for Agricultural Statistics set up by Decision 72/279/EEC (hereinafter referred to as 'the

Committee') by its chairman, either on his own initiative or at the request of the representative of a Member State.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall give its opinion on that draft within a time limit set by the chairman having regard to the urgency of the matter. Opinions shall be delivered by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt measures which shall take immediate effect. However, if these measures are not in accordance with the Committee's opinion, the Commission shall submit them forthwith to the Council; in this case, the Commission may defer application of the measures it has adopted for not more than one month from the date of their submission to the Council.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 9

Member States shall receive a contribution towards their costs which shall take into account the additional expenditure arising out of this survey. The total sum may not exceed one million units of account. It shall be charged to the appropriations set aside for this purpose in the budget of the European Communities.

Article 10

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1976.

For the Council

The President

A. P. L. M. M. van der STEE

ANNEX

LIST OF CHARACTERISTICS FOR THE COMMUNITY SCHEDULE OF TABLES FOR
1977 (a)

Number	Geographical situation of the holding
1	Region
2	Holding type Type of tenure (C) Agricultural area utilized (AAU)
3	For owner farming (C/01)
4	For tenant farming (C/02)
	Land use
	Arable land (E)
	Cereals for the production of grain (including seeds)
5	Common wheat and spelt (E/01)
6	Durum wheat (E/02)
7	Rye (E/03) (b)
8	Barley (E/04)
9	Oats (E/05) (b)
10	Grain maize (E/06)
11	Rice (E/07) (b)
12	Other cereals (E/08) (b)
13	Dried vegetables (including seed and mixtures of cereals and dried vegetables) (E/09)
14	Potatoes (including early potatoes and sets) (E/10)
15	Sugar beet (excluding seeds) (E/11) (1)
16	Forage roots and tubers (excluding seeds) (E/12) (1)
17	Industrial plants (including seeds for herbaceous oleaginous plants ; excluding seeds for textile plants, hops, tobacco and other industrial plants) (E/13) (b)
	Fresh vegetables, melons, strawberries :
	— outdoor (E/14) :
18	(a) open field (E/14/a) (b)
19	(b) market gardening (E/14/b)
20	— under glass (E/15) (b)
	Flowers and ornamental plants (excluding seedlings) :
21	— outdoor (E/16) (b)
22	— under glass (E/17) (b)
23	Forage plants (E/18) (1)
24	Horticultural seeds and other arable land seeds or plants (excluding cereals, dried vegetables, potatoes and oleaginous plants) (E/19) (b)
25	Other arable land crops (E/20) (b)

Number

- 26 Fallow land (E/21) (b)
- 27 Subsistence plots (F) (b) (2)
Permanent pasture and meadow (G)
- 28 Pasture and meadow including mountain pastures (G/01)
Permanent crops (H)
- 29 Fruit and berry plantations (H/01) (b)
- 30 Citrus plantations (H/02) (b)
- 31 Olive plantations (H/03) (b)
- 32 Vineyards (H/04) (b)
- 33 Nurseries (H/05) (b)
- 34 Other permanent crops (H/06) (b)
- 35 Permanent crops under glass (H/07) (b)
Other land (I)
- 36 Unutilized agricultural area (agricultural land which is no longer farmed, for economic, social or other reasons and which is not used in the crop rotation system) (I/01) (b) (2)
- 37 Woodland (I/02) (b)
- 38 Other land (land covered by buildings, farmyards, tracks, ponds, quarries, infertile land, rock, etc.) (I/03) (b)
- Livestock (K)**
- 39 Equidae (K/01) (b)
Bovine animals
- 40 Under one year old (K/02) (b)
Over one but under two years old
- 41 Male animals (K/03) (b)
- 42 Female animals (K/04) (b)
Two years and over
- 43 Male animals (K/05) (b)
- 44 Heifers (K/06) (b)
- 45 Dairy cows (K/07)
- 46 Other cows (K/08)
- 47 Sheep (all ages) (K/09)
- 48 Goats (all ages) (K/10) (b)
Pigs
- 49 Piglets of live weight under 20 kg (K/11) (b)
- 50 Breeding sows weighing 50 kg and over (K/12)
- 51 Other pigs (K/13)
Poultry
- 52 Broilers (K/14)
- 53 Laying hens (K/15)
- 54 Other poultry (ducks, turkeys, geese, guinea fowl) (K/16) (b)

Number

Use of machinery and equipment (L)⁽⁴⁾

	Belonging exclusively to the holding (number)	Other ⁽⁵⁾ (tick)
Tractors (L/02)		
55 — less than 51 hp		
comprising :		
56 — less than 35 hp ⁽⁶⁾		
57 — 35 but less than 51 hp ⁽⁶⁾		
58 — 51 hp and over		
comprising :		
59 — 51 but less than 80 hp ⁽⁶⁾		
60 — 80 hp and over ⁽⁶⁾		
61 Combine-harvesters (L/04)		
62 Potato-harvesters (totally mechanized) (L/06)		
63 Sugar beet-harvesters (totally mechanized) (L/07)		
64 Milking machinery (fixed or movable) (L/08)		X
65 Ground area covered by greenhouses in use (L/10, L/11)		

Farm labour force (M)⁽⁷⁾**Holder (M/01) :**

- 66 — age⁽⁸⁾
 67 — male/female⁽⁸⁾
 68 — full-time / 50 — < 100 % / < 50 %

Members of the holder's family (M/02, M/03) :

- 69 — total
 70 — male
 71 — full-time
 72 — 50 — < 100 %⁽⁶⁾

Non-family labour regularly employed (M/04) :

- 73 — total
 74 — male
 75 — full-time
 76 — 50 — < 100 %⁽⁶⁾

- 77 Non-family labour not regularly employed (M/05, M/06) working hours⁽⁹⁾.

Footnotes

- (a) The reference numbers are those used in the list of characteristics given in Directive 75/108/EEC; headings without a reference number indicate a change in relation to this list of characteristics.
- (b) Item included in order to establish the type of holding or sub-totals.
- (1) For the United Kingdom: including seeds.
- (2) Optional for the United Kingdom, Ireland and Denmark.
- (3) For the United Kingdom and Ireland item 36 is to be combined with item 38.
- (4) Optional for Germany.
- (5) Optional for Ireland and Denmark.
- (6) Optional.
- (7) For Ireland — on the basis of male labour having agriculture as chief occupation.
- (8) Optional for the United Kingdom.
- (9) Yes/No for the Netherlands, Belgium and Ireland; number of persons for United Kingdom and Denmark.
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