

COMMISSION REGULATION (EC) No 2139/2004

of 8 December 2004

adapting and implementing Council Regulation (EEC) No 571/88 and amending Commission Decision 2000/115/EC with a view to the organisation of Community surveys on the structure of agricultural holdings in 2005 and 2007

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings⁽¹⁾, and in particular Article 8(1) and (4) thereof and point 5 of Annex II thereto,

Whereas:

- (1) The accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic on 1 May 2004 makes it necessary to amend the list of characteristics set out in Annex I to Regulation (EEC) No 571/88.
- (2) The new political goal of achieving a sustainable common agricultural policy calls for more information, especially on rural development.
- (3) In accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS)⁽²⁾, all Member States' statistics transmitted to the Commission which are broken down by territorial units should use the NUTS classification. Consequently, for the purposes of surveys on the structure of agricultural holdings (hereinafter referred to as the farm structure surveys), the regions and districts should be defined in accordance with the NUTS classification.
- (4) Time limits for the communication of validated individual data from the farm structure surveys should be established by the Commission, taking into account the fact that the timetable for carrying out the survey work differs between Member States.

(5) Both Regulation (EEC) No 571/88 itself and the decision laying down the definitions and explanations relating to that Regulation, namely Commission Decision 2000/115/EC⁽³⁾, should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Agricultural Statistics established by Council Decision 72/279/EEC⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 571/88 is replaced by the text shown in Annex I to this Regulation.

Article 2

Decision 2000/115/EC is amended as follows:

1. Annex I is amended as shown in Annex II to this Regulation;
2. Annex IV is deleted.

Article 3

1. For the purposes of the farm structure surveys 2005 and 2007, the regions shall be the territorial units NUTS 2 as referred to in Regulation (EC) No 1059/2003.

By way of derogation, for Germany the regions shall be the territorial units NUTS 1 as referred to in that Regulation.

2. For the purposes of the farm structure surveys 2005 and 2007, the districts shall be the territorial units NUTS 3 as referred to in Regulation (EC) No 1059/2003.

⁽¹⁾ OJ L 56, 2.3.1988, p. 1. Regulation as last amended by Regulation (EC) No 1435/2004 of the European Parliament and of the Council (OJ L 268, 16.8.2004, p. 1).

⁽²⁾ OJ L 154, 21.6.2003, p. 1.

⁽³⁾ OJ L 38, 12.2.2000, p. 1. Decision as last amended by the 2003 Act of Accession.

⁽⁴⁾ OJ L 179, 7.8.1972, p. 1.

By way of derogation, for Germany the districts are the territorial units NUTS 2 as referred to in that Regulation.

3. For the purposes of the farm structure surveys 2005 and 2007, the municipalities shall be the smaller administrative units as referred to in Annex III to Regulation (EC) No 1059/2003. Member States shall provide the municipality for each surveyed holding.

Article 4

The Member States shall communicate validated individual data from the farm structure surveys 2005 and 2007 in accordance with the timetable set out in Annex III to this Regulation.

Article 5

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

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

Done at Brussels, 8 December 2004.

For the Commission
Joaquín ALMUNIA
Member of the Commission

ANNEX

ANNEX I

LIST OF CHARACTERISTICS FOR 2005 AND 2007 (*)

Explanatory notes:

- The characteristics marked with the letters "NE" in the Annex are deemed not to exist or to be close to zero in the respective Member States.
- The characteristics marked with the letters "NS" are deemed not to be significant in the respective Member States.

	BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK	
1. Survey district code																										
(a) Municipality or subsurvey district (1)																										
2. Less-favoured area (1)											NE															
(a) Mountain area (1)				NE							NE	NE	NE			NE										
3. Agricultural areas with environmental restrictions											NE					NE			NE							

A. Geographical situation of the holding

- Survey district code
- (a) Municipality or subsurvey district (1)
yes/no
- (a) Mountain area (1)
yes/no
- Agricultural areas with environmental restrictions
yes/no

B. Legal personality and management of the holding

(on the day of the survey)

1. Is the legal and economic responsibility of the holding assumed by:

- a natural person who is a sole holder, where the holding is independent? yes/no
- one or more natural persons who is/are a partner, where the holding is a group holding? (2) yes/no
- a legal person? yes/no

2. If the answer to question B/1 (a) is "yes", is the person (the holder) also the manager? yes/no

			NS		NS	NS	NS	NS	NS	NS				NS	NS			NS	NS	NS				NS	NS	

(*) Note to the reader: The numbering of the characteristics is a consequence of the long history of the farm structure surveys and cannot be changed without repercussion on comparability between surveys.

(1) The provision of information on less-favoured area (A2) and mountain area (A2a) is optional in case the municipality code (A1a) is sent for each holding. In case the municipality code (A1a) is not provided for the holding, the information on less-favoured area (A2) and mountain area (A2a) is obligatory.

(2) Voluntary information.

BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK
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(f) Direct investment aids to the holding in the framework of common agricultural policy during the last five years:

(i) Did the holding benefit directly from public aids within the framework of productive investments? ⁽¹⁾
yes/no

(ii) Did the holding benefit directly from public aids within the framework of rural development measures? ⁽¹⁾
yes/no

6. Destination of the holding's production:

NS		NS	NE				NS						NS			NE						NS	NS	NS	NE
NS		NS	NS				NS						NS			NS						NS	NS	NS	NS

(a) Does the household of the holder consume more than 50% of the value of the final production of the holding? ⁽¹⁾
yes/no

(b) Do the direct sales to consumers account for more than 50% of the total sales? ⁽¹⁾
yes/no

D. Arable land

Cereals for the production of grain (including seed):

NE	NS	NE		NE				NE			NE	NE	NE		NE	NE				NS		NE	NE	NS	NS	
								NS																		
NE																										

- 1. Common wheat and spelt ha/a
- 2. Durum wheat ha/a
- 3. Rye ha/a
- 4. Barley ha/a
- 5. Oats ha/a
- 6. Grain maize ha/a
- 7. Rice ha/a
- 8. Other cereals for the production of grain ha/a

⁽¹⁾ Not recorded in the 2007 survey.

	BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK
G. Permanent crops																									
1. Fruit and berry plantations	ha/a																								
(a) fresh fruit and berry species of temperate climate zones ⁽¹⁾	ha/a																								
(b) fruit and berry species of subtropical climate zones	ha/a	NE	NE	NE	NE				NE			NE		NE	NE	NE	NE	NE							
(c) nuts	ha/a	NS	NS	NS	NE				NE			NE	NE	NE	NE	NS	NS	NS	NS		NS	NS	NE	NE	NS
2. Citrus plantations	ha/a	NE	NE	NE	NE				NE			NE	NE	NE	NE		NE	NE	NE		NS	NE	NE	NE	NE
3. Olive plantations	ha/a	NE	NE	NE	NE				NE			NE	NE	NE	NE		NE	NE	NE			NE	NE	NE	NE
(a) normally producing table olives	ha/a	NE	NE	NE	NE			NS	NE			NE	NE	NE	NE		NE	NE	NE		NS	NE	NE	NE	NE
(b) normally producing olives for oil production	ha/a	NE	NE	NE	NE			NS	NE			NE	NE	NE	NE		NE	NE	NE			NE	NE	NE	NE
4. Vineyards	ha/a	NS		NE	NE				NE			NE	NE				NS		NS				NE	NE	
of which normally producing:																									
(a) quality wine	ha/a	NS		NE	NE				NE		NE	NE	NE				NS		NE				NE	NE	NE
(b) other wines	ha/a	NS	NE	NS	NE				NE			NE	NE	NE			NS	NE	NS				NE	NE	
(c) table grapes	ha/a	NS		NS	NE				NE			NE	NE	NE			NS	NS	NE		NS		NE	NE	NE
(d) raisins	ha/a	NS	NE	NE	NE			NE	NE	NS		NE	NS	NE	NE	NE	NE	NE							
5. Nurseries	ha/a																								
6. Other permanent crops	ha/a			NE	NE				NS			NS			NS	NS	NE	NE			NE	NS	NE	NE	NS
7. Permanent crops under glass	ha/a		NS		NE	NE		NS	NS			NS	NE	NE	NS	NS		NE	NE	NS	NE	NE	NE	NE	NE

⁽¹⁾ Belgium, the Netherlands and Austria may include item G/1(c) 'nuts' under this heading.

	BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK
16. Other poultry																									
number of heads																									
of which:																									
(a) turkeys					NS																				
(b) ducks					NS											NS								NS	
(c) geese					NS											NS				NE				NS	
(d) other poultry, not mentioned elsewhere				NS	NS											NS								NS	
17. Rabbits, breeding females			NS	NS					NS									NS					NE	NS	NS
18. Bees			NS	NS					NS							NS	NS	NS					NS	NS	NS
19. Livestock not mentioned elsewhere				NS	NS							NS				NS	NS		NE						
yes/no																									

K. Tractors, cultivators, machinery and equipment

1. On day of survey, belonging exclusively to the holding

1. Four-wheel tractors, track-laying tractors, tool carriers by power rating (kW)⁽¹⁾

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a) < 40⁽²⁾

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b) 40 to < 60⁽²⁾

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c) 60 to < 100⁽²⁾

																NS									
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----	--	--	--	--	--	--	--	--	--

d) 100 and more⁽²⁾

																NE									
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----	--	--	--	--	--	--	--	--	--

2. Cultivators, hoeing machines, rotary hoes and motor mowers⁽¹⁾

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3. Combine harvesters⁽¹⁾

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⁽¹⁾ Not recorded in the 2007 survey.

⁽²⁾ Optional in the 2005 survey. Not recorded in the 2007 survey.

	BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK
9. Other fully mechanised harvesters ⁽¹⁾																NS									
Number																									
10. Irrigation equipment ⁽¹⁾	NS				NS				NE					NE											
(a) if yes, is the equipment mobile ⁽¹⁾	NS				NS				NE					NE											
(b) if yes, is the equipment fixed ⁽¹⁾	NS				NS				NE					NE			NS								

9. Other fully mechanised harvesters⁽¹⁾

Number

yes/no

10. Irrigation equipment⁽¹⁾

(a) if yes, is the equipment mobile⁽¹⁾

(b) if yes, is the equipment fixed⁽¹⁾

2. Machinery used in the last 12 months, used by several holdings (belonging to another holding, to a cooperative or owned jointly with other holdings) or belonging to a service supply agency

1. Four-wheel tractors, track-laying tractors, tool carriers by power rating (kW) ⁽¹⁾																									
yes/no																									
2. Cultivators, hoeing machines, rotary hoes and motor mowers ⁽¹⁾																									
yes/no																									
3. Combine harvesters ⁽¹⁾																									
yes/no																									
9. Other fully mechanised harvesters ⁽¹⁾																									
yes/no																									

1. Four-wheel tractors, track-laying tractors, tool carriers by power rating (kW)⁽¹⁾

yes/no

2. Cultivators, hoeing machines, rotary hoes and motor mowers⁽¹⁾

yes/no

3. Combine harvesters⁽¹⁾

yes/no

9. Other fully mechanised harvesters⁽¹⁾

yes/no

L. Farm labour force (in the 12 months preceding the day of the survey)

Statistical information is collected for each person, working on the holding, belonging to the following farm labour force categories in a way allowing multiple crossing with each other and/or with any other survey characteristics.

⁽¹⁾ Not recorded in the 2007 survey.

	BE	CZ	DK	DE	EE	EL	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	UK	
Number of working days																										

5. and 6 Non-family labour employed on a non regular basis: male and female

7. Does the holder who is also the manager have any other gainful activities?

— as his/her major occupation?																											
— as a subsidiary occupation?																											

yes/no
yes/no

8. Does the sole holder's spouse have any other gainful activity?

— as his/her major occupation?																											
— as a subsidiary occupation?																											

yes/no
yes/no

9. Does any other member of the sole holder's family engaged in the farm work of the holding have any other gainful activity? If 'yes', how many have other gainful activities:

— as his/her major occupation?																											
— as a subsidiary occupation?																											
Total number of equivalent full-time working days of farm work during the 12 months preceding the day of the survey, not included under 1./1 to 1./6, undertaken on the holding by persons not employed directly by the holding (e.g. contractors' employees) (1)													NE					NS	NS								

number of persons
number of persons
number of days

(1) Optional for Member States that are able to provide an overall estimate for this characteristic at regional level.

ANNEX II

AMENDMENTS TO ANNEX I TO DECISION 2000/115/EC

1. *Amendments to paragraph A:*

subparagraph A/1 II:

'The regions and districts for the purposes of the agricultural structure surveys are listed in Annex IV.;

and the following sentence in paragraph A/1 (a) II:

'If these codes cannot be transmitted, the Member State communicates instead, for each holding, the information indicated in characteristics A/2, A/2(a) and A/3.;

are deleted.

2. *Amendments to paragraph C:*

the following subparagraph is added to paragraph C:

'C/05. Farming system and practices

1. *C/5 (f) Aid for investments during the last five years*

I. Public aid for investment concerns measures covered by Regulation (EC) No 1257/1999 concerning rural development.

II. "Directly" means that the characteristic does not cover investment aid which is not paid directly to the holding but provided at a higher level (regional or group), even if the holding would have benefited from this aid indirectly. Examples of investments not covered are:

- basic services for the rural economy and population,
- development and improvement of infrastructure connected with the development of agriculture,
- setting-up of farm relief and farm management services,
- marketing of quality agricultural products,
- land improvement,
- reparacling.

Nor does the question cover support and measures existing in Regulation (EC) No 1257/1999 that are not related to investments such as:

- training (chapter III),
- early retirement (chapter IV),
- LFA and areas with environmental restrictions (chapter V),
- agro-environment (chapter VI).

2. *C/5 (f) (i) Benefit from public aid within the framework of productive investments*

I. Productive investments concern, in Regulation 1257/1999:

- Article 4 : investment in agricultural holdings;
- Article 8: setting-up of young farmers.

3. C/5 (f) (ii) *Benefit from public aid within the framework of rural development measures*

I. The rural development measures covered by this question are certain measures implemented under Article 33 of Regulation (EC) No 1257/1999:

- renovation and development of villages and protection and conservation of the rural heritage,
- diversification of agricultural activities and activities close to agriculture to provide multiple activities or alternative incomes,
- encouragement for tourist and craft activities,
- protection of the environment in connection with agriculture, forestry and landscape conservation as well as with the improvement of animal welfare,
- financial engineering,

as well as investment in forestry (chapter VIII).

C/06 Destination of the holding's production

4. C/6 (a) *The holder's household consumption*

II. Gifts to family and relatives without remuneration should be considered as household consumption. Final production follows the definition used in agricultural accounts (i.e. production used as inputs for other production, such as forage for animal production, should not be taken into account in the total of production).

The 50% should of course not be considered as an exact threshold, but just as an order of magnitude.

5. C/6(b) *Direct sales to consumers*

II. The 50% should of course not be considered as the result of an exact estimation, but as an order of magnitude.'

ANNEX III

Time limits for communicating the validated individual survey data to Eurostat

Member State	Time limits Farm structure surveys 2005	Time limits Farm structure surveys 2007
Belgium	30 June 2006	31 May 2008
Czech Republic	30 June 2006	30 June 2008
Denmark	31 May 2006	31 May 2008
Germany	30 September 2006	30 September 2008
Estonia	30 June 2006	30 June 2008
Greece	31 December 2006	31 December 2008
Spain	31 December 2006	31 December 2008
France	31 December 2006	31 December 2008
Ireland	30 June 2006	31 May 2008
Italy	31 October 2006	30 September 2008
Cyprus	30 September 2006	30 September 2008
Latvia	30 June 2006	30 June 2008
Lithuania	31 March 2006	31 March 2008
Luxembourg	31 May 2006	31 May 2008
Hungary	30 September 2006	30 September 2008
Malta	31 July 2006	31 July 2008
Netherlands	31 July 2006	31 July 2008
Austria	30 September 2006	30 September 2008
Poland	31 March 2006	31 March 2008
Portugal	31 December 2006	31 December 2008
Slovenia	30 June 2006	30 June 2008
Slovak Republic	31 October 2006	30 September 2008
Finland	31 August 2006	31 August 2008
Sweden	30 June 2006	30 June 2008
United Kingdom	31 August 2006	31 August 2008