Commission Regulation (EC) No 1200/2009 of 30 November 2009 implementing Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards livestock unit coefficients and definitions of the characteristics (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1200/2009

of 30 November 2009

implementing Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards livestock unit coefficients and definitions of the characteristics

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1166/2008 of the European Parliament and of the Council of 19 November 2008 on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88[(1)], and in particular Article 2, point (b) and Articles 7(4) and 11(7) thereof,

Whereas:

(1) Regulation (EC) No 1166/2008 establishes a new framework for the production of comparable Community statistics on the structure of agricultural holdings and for a survey on agricultural production methods.

(2) Livestock unit coefficients are used instead of the actual number of animals in order to make comparable aggregations of different animal categories.

(3) The livestock unit coefficients should be based on a common set of values to ensure comparability throughout the Community with regard to the application of coverage and precision requirements.

(4) In accordance with Article 2, point (b) of Regulation (EC) No 1166/2008, it is necessary to adopt the livestock unit coefficients to be used for the farm structure surveys and for the survey on agricultural production methods.

(5) In the interests of comparability, the terms contained in the list of characteristics must be understood and applied in a uniform manner throughout the Community.

(6) In accordance with Article 7(4) of Regulation (EC) No 1166/2008, it is necessary to adopt the definitions of the characteristics to be used for the farm structure.

(7) In accordance with Article 11(7) of Regulation (EC) No 1166/2008, it is necessary to adopt the definitions of the characteristics to be used for the survey of agricultural production methods.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 1200/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(8) Commission Decision 2000/115/EC of 24 November 1999 relating to the definitions of the characteristics, the list of agricultural products, the exceptions to the definitions and the regions and districts regarding the surveys on the structure of agricultural holdings[(2)] implements Council Regulation (EEC) No 571/88[(3)]. It is appropriate to replace that Decision by this Regulation.

(9) 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

The livestock unit coefficients to be used with regard to the application of coverage and precision requirements for the Community farm structure surveys and for the survey on agricultural production methods shall be set out in Annex I.

Article 2

The definitions of the characteristics to be used for the Community farm structure surveys shall be as set out in Annex II.

Article 3

The definitions of the characteristics to be used for the Community survey on agricultural production methods shall be as set out in Annex III.

Article 4

Decision 2000/115/EC is repealed.

Article 5

This Regulation shall enter into force on the 20th day following 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.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1200/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

LIVESTOCK UNIT COEFFICIENTS

Bovine animals	Under 1 year old	0,400
	1 but less than 2 years old	0,700
	Male, 2 years old and over	1,000
	Heifers, 2 years old and over	0,800
	Dairy cows	1,000
	Other cows, 2 years old and over	0,800
Sheep and goats		0,100
Equidae		0,800
Pigs	Piglets having a live weight of under 20 kg	0,027
	Breeding sows weighing 50 kg and over	0,500
	Other pigs	0,300
Poultry	Broilers	0,007
	Laying hens	0,014
	Ostriches	0,350
	Other poultry	0,030
Rabbits, breeding females		0,020

[F1ANNEX II

Definitions of the characteristics to be used for the Union farm structure surveys(5)

Textual Amendments

F1 Substituted by Commission Regulation (EU) 2015/1391 of 13 August 2015 amending Regulation (EC) No 1200/2009 implementing Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards livestock unit coefficients and definitions of the characteristics (Text with EEA relevance).

I.GENERAL CHARACTERISTICS

Location of the holding

The location of the agricultural holding is defined in Article 2(e) of Regulation (EC) No 1166/2008.

NUTS 3 region

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 1200/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

The NUTS 3 region (according to Commission Regulation (EU) No 31/2011[6]) in which the holding is located.

Is the holding in a Less Favoured Area (LFA)?

Information on LFAs is to be provided in line with Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council[7].

L	— the holding is in Less Favoured area, other than mountain areas, facing significant natural constraints; or in another area affected by specific constraints.
M	— the holding is in less favoured mountainous area.
N	— normal area (non-LFA).

Legal personality of the holding

The legal personality of the holding depends on the status of the holder.

Is the holding a common land unit?

A special ‘common land agricultural unit’	— a virtual entity created for the purposes of data collection and recording, consisting of the utilised agricultural area used by agricultural holdings but not belonging directly to them, i.e. on which common rights apply.

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

a natural person who is a sole holder, where the holding is independent?

A single individual and natural person who is the holder of a holding which is not linked to any holdings of other holders, either by common management or similar arrangements.

If the answer to the previous question is ‘yes’, is this person (the holder) also the manager?

If this person is not the manager, is the manager a member of the holder's family?

If the manager is a member of the holder's family, is the manager the spouse of the holder?

one or more natural persons who is/are a partner, where the holding is a group holding?

Partner(s) of a group holding are natural persons owning, renting or otherwise managing together one agricultural holding or managing together their individual holdings as if they were one holding. Such cooperation must be either in conformity with the law or by written agreement.

a legal person?

A legal entity other than a natural person but having the normal rights and duties of an individual, such as the ability to sue or to be sued (a general legal capacity of its own).

Type of tenure (in relation to the holder) and farming system

Utilised agricultural area:

Utilised agricultural area is the total area taken up by arable land, permanent grassland, permanent crops and kitchen gardens used by the holding, regardless of the type of tenure or of whether it is used as a part of common land.

For owner farming

Utilised agricultural area farmed by the holding and which is the property of the holder or farmed by him as usufructuary or heritable long-term leaseholder or under some other equivalent type of tenure.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1200/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

For tenant farming

Utilised agricultural area rented by the holding in return for a fixed rent agreed in advance (in cash, kind or otherwise), and for which there is a (written or oral) tenancy agreement. A utilised agricultural area is allocated to only one holding. If a utilised agricultural area is rented out to more than one holding during the reference year, it is normally allocated to the holding with which it is associated on the survey reference day or which used it for the longest period during the reference year.

For share farming or other modes

a) Share-farmed agricultural area is the utilised agricultural area (which may constitute a complete holding) farmed in partnership by the landlord and the sharecropper under a written or oral share-farming contract. The output (either economic or physical) of the share cropped area is shared between the two parties on an agreed basis.

b) Utilised agricultural area used under other modes of tenure is the utilised agricultural area not covered elsewhere under the previous items.

Common land

The utilised agricultural area used by the agricultural holding but not belonging directly to it, i.e. on which common rights apply.

Organic farming

Agricultural practices according to certain set standards and rules specified in (i) Council Regulation (EC) No 834/2007[8] or, where applicable, in the most recent legislation, and (ii) the corresponding national implementing rules for organic production.

The total utilised agricultural area of the holding on which organic farming production methods are applied and certified according to national or European Union rules

That part of the utilised agricultural area of the holding on which the production method applied is fully compliant with the principles of organic production at farm level, as set out in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation and (ii) the corresponding national implementing rules for certification of organic production.

The total utilised agricultural area of the holding that is under conversion to organic farming production methods to be certified according to national or European Union rules

That part of the utilised agricultural area of the holding on which organic farming methods are applied, but where the transitional period necessary to be considered fully compliant with the principles of organic production at farm level as set out in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation and (ii) the corresponding national implementing rules for certification of organic production has not yet been completed.

Area of the holding on which organic farming production methods according to national or European Union rules are either applied and certified or under conversion to be certified

The utilised agricultural area of the holding on which organic farming production methods are either applied and certified or under conversion to be certified according to certain set standards and rules specified in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation, and (ii) the corresponding national implementing rules for organic production to be broken down by crop categories.

The different crop categories for organic production are listed below. Please note that the crops are defined in Section II. Land.

Cereals for the production of grain (including seed)

Dried pulses and protein crops for the production of grain (including seed and mixtures of cereals and pulses)