II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 25 September 1995

concerning the list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Finland)

(95/412/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas [1], and in particular Article 2 (2) thereof,

Having regard to the proposal from the Commission [2],

Having regard to the opinion of the European Parliament [3],

Whereas a significant proportion of the territory of the acceding Member States suffers from permanent natural handicaps ; whereas Declaration No 37 of the 1994 Act of Accession recognizes that the boundaries of the mountain and other less-favoured farming areas within the meaning of Article 3 of Directive 75/268/EEC should be established without delay ;

Whereas the permanent natural handicaps in these areas result in higher production costs and prevent farmers in these areas from obtaining a reasonable income from their production at a level similar to that available to comparable farmers in other regions ;

Whereas, in accordance with Article 2 (1) of Directive 75/268/EEC, the Finnish Government has sent the Commission a list of municipalities (Kunta-Kommun) likely to appear on the Community list of less-favoured farming areas, together with the information relating to the characteristics of those areas ;

Whereas the areas situated north of the 62nd parallel and certain adjacent areas are to be included among the areas defined in the first subparagraph of Article 3 (3) of Directive 75/268/EEC in so far as they are affected by very difficult climatic conditions the effect of which is substantially to shorten the growing season ;

Whereas the difficult climatic conditions are assessed on the basis of 'the sum of the effective average temperatures' ; whereas the conditions set out in Article 3 (2) of Directive 75/268/EEC are met in respect of a value not exceeding 89 % of the value recorded in Helsinki ;

Whereas the information available shows that all the areas situated north of the 62nd parallel are affected by difficult climatic conditions and satisfy the abovementioned conditions ;

Whereas in cases involving the presence of infertile land and where the economic results of farming are appreciably lower than the average, as referred to in Article 3 (4) (a) and (b) of Directive 75/268/EEC, the areas have been defined by using an agricultural comparability index known as the 'Nikula index' and notably the 'potential natural yield' index ; whereas this index is based on natural productivity (soil quality and climatic conditions) the value of which is adjusted using factors such as heterogeneity of the land, natural drainage conditions, etc., including production conditions other than natural ones ;

Whereas, in view of Declaration No 37 referred to above and the maximum value of the index in Finland (460), the maximum value of the index taken into account for the less-favoured farming areas within the meaning of Article 3 (4) has been fixed at 440 ; whereas, in specific

[1] OJ No L 128, 19. 5. 1975, p. 1. Directive as last amended by the 1994 Act of Accession.
[2] OJ No C 193, 27. 7. 1995, p. 8.
[3] Opinion delivered on 22 September 1995 (not yet published in the Official Journal).

cases, this index is not taken into account for the less-favoured farming areas where permanent grassland and pasture cover more than 70 % of the utilized agricultural area ;

Whereas the following indices have been chosen in respect of low or dwindling population as referred to in Article 3 (4) (c) of Directive 75/268/EEC : density of not more than 50 inhabitants per km² (of permanent land), without reference to the national average density which is only 17 inhabitants per km², or an annual depopulation rate exceeding 0,5 %, with the working population engaged in farming forming a significant proportion of the total working population of the municipality ;

Whereas, for the definition of the areas affected by specific handicap which may be included among the less-favoured areas referred to Article 3 (5) of Directive 75/268/EEC the index used is the occurrence of unfavourable natural conditions (index below 450) and of specific permanent handicaps characteristic of :

— a humid and marshy area,

— an area affected by a poor ground water balance,

— an area affected by low temperatures on account of its relatively northern geographical position,

— an urbanized area with a population density exceeding 50 inhabitants per km² ;

Whereas, in view of the specific geographical situation unfavourably affecting the economy of their agricultural holdings, all the offshore islands of Finland, all the islands of the Aaland archipelago and of the Laani of Kymi may be included among the less-favoured areas pursuant to Article 3 (5) of Directive 75/268/EEC ;

Whereas the total surface areas of the areas taken into account pursuant to Article 3 (5) of Directive 75/268/EEC amounts to, but does not exceed, 4 % of the total surface area of the Member State ;

Whereas the nature and level of the above indices selected by the Finnish Government for identifying the types of areas notified to the Commission are in conformity with the characteristics of mountain areas, less-favoured areas and areas affected by specific handicaps respectively, as referred to in Article 3 (3), (4) and (5) of Directive 75/268/EEC ;

Whereas a limited number of the minicipalities proposed do not fully satisfy the requirements, but nevertheless fully satisfy those of Article 3 (4) of Directive 75/268/EEC ; whereas, since their economy is closely linked to that of the bordering municipalities classified in accordance with Article 3 and their territorial enclaves within these latter municipalities are far smaller than the minicipalities themselves, these municipalities may nevertheless be classified among the less-favoured areas, with due regard for both the 4 % referred to above for the application of areas as referred to in Article 3 (5) of Directive 75/268/EEC and for the 85 % specified in the above-mentioned Declaration No 37 ;

Whereas the classification according to paragraphs 3, 4 and 5 of Article 3 of Directive 75/268/EEC of the eligible minicipalities set out in the Annex to this Directive can subsequently be reviewed at the request of Finland and will, after examination, be the subject of a Commission decision pursuant to Article 2 (3) of Directive 75/268/EEC,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The areas situated in the Republic of Finland which appear in Annexes I, II and III shall form part of the Community list of less-favoured farming areas within the meaning of Article 3 (3), (4) and (5) of Directive 75/268/EEC.

Article 2

This Directive is addressed to the Republic of Finland.

Done at Brussels, 25 September 1995.

For the Council

The President

L. ATIENZA SERNA

ANEXO I

Zonas desfavorecidas tal como se definen en el apartado 3 del artículo 3 de la Directiva 75/268/CEE

BILAG I

Ugunstigt stillede områder, jf. artikel 3, stk. 3, i direktiv 75/268/EØF

ANHANG I

Benachteiligte Gebiete im Sinne von Artikel 3 Absatz 3 der Richtlinie 75/268/EWG

ΠΑΡΑΡΤΗΜΑ I

Μειονεκτικές περιοχές κατά την έννοια του άρθρου 3 παράγραφος 3 της οδηγίας 75/268/ΕΟΚ

ANNEX I

Less-favoured areas within the meaning of Article 3 (3) of Directive 75/268/EEC

ANNEXE I

Zones défavorisées au titre de l'article 3 paragraphe 3 de la directive 75/268/CEE

ALLEGATO I

Zone svantaggiate ai sensi dell'articolo 3, paragrafo 3 della direttiva 75/268/CEE

BIJLAGE I

Probleemgebieden in de zin van artikel 3, lid 3, van Richtlijn 75/268/EEG

ANEXO I

Zonas desfavorecidas na acepção do nº 3 do artigo 3º da Directiva 75/268/CEE

LIITE I

Direktiivin 75/268/ETY 3 artiklan 3 kohdan mukaisesti epäsuotuisiksi määritettyjä alueita

BILAGA I

Mindre gynnade områden i enlighet med artikel 3.3 i direktiv 75/268/EEG

SUOMI

HÄMEEN LÄÄNI

Code	Municipality	Area	UAA
Koodi	Kunta	Pinta-ala	Peltoala
	Name/Nimi	km²	1990 — ha
	Juupajoki	259	3 166
	Ikaalinen	752	10 584
	Kuru	717	2 929
	Kuorevesi	334	2 268
	Padasjoki	525	3 217
	Parkano	856	6 342
	Kihniö	357	3 657
	Ruovesi	780	6 960
	Mänttä	64	195
	Vilppula	471	4 505
	Virrat	1 163	8 866
	Viljakkala	200	2 831

KESKI-SUOMEN LÄÄNI

Code	Municipality	Area	UAA
Koodi	Kunta	Pinta-ala	Peltoala
	Name/Nimi	km²	1990 — ha
	Hankasalmi	575	7 912
	Pylkönmäki	367	1 864
	Multia	736	2 422
	Muurame	147	1 336
	Petäjävesi	458	3 316
	Pihtipudas	1 077	7 740
	Saarijärvi	888	9 238
	Laukaa	652	10 034
	Sumiainen	230	1 675
	Suolahti	58	275
	Toivakka	363	2 826
	Uurainen	349	2 868
	Viitasaari	1 250	8 425
	Leivonmäki	381	1 271
	Kyyjärvi	449	3 322
	Karstula	891	6 745
	Jyväskylä	106	169
	Jyväskylän mlk	449	4 102
	Jämsä	670	7 457
	Jämsänkoski	401	2 340
	Kannonkoski	448	2 343
	Keuruu	1 261	6 119
	Kuhmoinen	662	3 205
	Kinnula	461	2 846
	Kivijärvi	485	1 637
	Konginkangas (1)	(1)	(1)
	Konnevesi	515	4 096
	Korpilahti	617	5 089
	Äänekoski (1)	600	4 876

KUOPION LÄÄNI

Code	Municipality	Area	UAA
Koodi	Kunta	Pinta-ala	Peltoala
	Name/Nimi	km²	1990 — ha
	Iisalmi	763	14 012
	Juankoski	467	7 202
	Kaavi	676	3 474
	Karttula	468	2 568
	Keitele	482	3 774
	Kiuruvesi	1 330	19 298
	Kuopio	779	7 837
	Lapinlahti	614	10 070
	Leppävirta	1 139	8 801
	Maaninka	468	8 907
	Nilsiä	709	10 000
	Pielavesi	1 150	10 014
	Rautalampi	549	5 082
	Rautavaara	1 155	2 810
	Siilinjärvi	403	7 519
	Sonkajärvi	1 473	9 587
	Suonenjoki	720	5 178
	Tervo	347	2 983
	Tuusniemi	545	4 726
	Varkaus	87	421
	Varpaisjärvi	484	6 352
	Vehmersalmi	347	3 780
	Vesanto	423	4 802
	Vieremä	931	10 353

POHJOIS-KARJALAN LÄÄNI

Code	Municipality	Area	UAA
Koodi	Kunta	Pinta-ala	Peltoala
	Name/Nimi	km²	1990 — ha
	Eno	939	3 398
	Ilomantsi	2 770	5 671
	Joensuu	82	699
	Juuka	1 504	8 349
	Kesälahti	387	3 431
	Kiihtelysvaara	487	2 711
	Kitee	861	11 422
	Kontiolahti	782	5 075
	Lieksa	3 425	10 889
	Liperi	740	13 730
	Nurmes	1 606	8 584
	Outokumpu	445	4 759
	Polvijärvi	801	10 981
	Pyhäselkä	280	4 828
	Rääkkylä	430	6 437
	Tohmajärvi	702	8 489
	Tuupovaara	605	2 114
	Valtimo	801	6 154
	Värtsilä	136	1 453