No L 179/2 Official Journal of the European Communities 7.8.72

COUNCIL DIRECTIVE

of 31 July 1972

on the statistical surveys to be made by Member States on milk and milk products

(72/280/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 209 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas in order to carry out its duties under the Treaty and under Community provisions on the common organization of the market in milk and milk products the Commission needs precise information about the production and use of milk and regular, specific, short-term information about the delivery of milk to undertakings or establishments which treat or process milk and about the production of milk products in the Member States of the Community;

Whereas the information at present available to the Member States is insufficient for a precise, uniform, short-term observation of the market;

Whereas surveys on the production and use of milk on the farm should be conducted in accordance with uniform criteria and in greater detail, and monthly surveys should be made in all Member States in the undertakings or establishments which process milk;

Whereas, in order to obtain comparable results, common criteria should be fixed as regards the scope of the survey, the characteristics to be noted and the survey procedure;

Whereas the results of these surveys cannot be effectively utilized at Community level unless they are available on the same dates;

Whereas, in order for the Commission to have current data rapidly available, weekly information on the quantities of butter and skimmed milk powder produced should be supplied in addition to the monthly results;

Whereas it should be laid down that in accordance with a Community procedure the application of the provisions of this Directive may be the subject of provisional measures until the end of 1973 and that certain regions need not communicate weekly information;

Whereas, in order to give the Commission an overall view of the development of the milk industry, it is necessary to draw up, in accordance with uniform criteria, detailed annual estimates regarding the use of milk;

Whereas every few years certain structural details of the undertakings or establishments which process milk should be reviewed;

Whereas in order to ensure that statistics are continuously adopted to economic conditions it is necessary to review annually and, where necessary, to amend the list of products to be surveyed and the tables to be completed;

Whereas the procedure to be followed by the Standing Committee for Agricultural Statistics set up by the Council Decision[1] of 31 July 1972 should be laid down, so as to ensure that when this Directive is applied cooperation between Member States and the Commission will be as effective as possible;

Whereas the financial contribution of the Community towards expenses incurred during the first three years by Member States when conducting surveys provided for by this Directive should be specified;

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[1] OJ No L 179, 7.8.1972, p. 1.

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States:

(a) shall conduct surveys with the groups specified in Article 2 into the factors specified in Article 4 and shall inform the Commission of the weekly, monthly, annual and triennial results;

(b) shall carry out an annual survey of milk production and its use on farms.

2. The surveys shall, without prejudice to the provisions of Article 4 (4), be conducted for the first time in January 1973.

However, where there is serious difficulty in implementing this Directive on the date laid down, provisional measures shall be adopted in accordance with the procedure laid down in Article 7; they shall apply until 31 December 1973 at the latest.

Article 2

The surveys mentioned in Article 1 (1) (a) shall cover:

1. the undertakings or establishments whose activities fall within Group 413 'Milk industry' of the NACE; agricultural cooperatives shall be considered as belonging to this group;

2. farms which have technical processing equipment like that of the undertakings or establishments referred to in 1 and which process the milk which they produce and transfer or sell manufactured products to other parties; the following shall be laid down in accordance with the procedure provided for in Article 7:

   (a) the type of farms to be used, account being taken of their size;

   (b) information to be given about these farms;

3. the undertakings or establishments which collect milk or cream in order to transfer them in whole or in part without any processing to the groups referred to in 1; Member States shall take all measures necessary to prevent any duplication of results.

Article 3

1. For the purposes of this Directive, 'milk' means the milk of cows, ewes, goats and buffaloes. The weekly and monthly surveys provided for in Article 4 (1) and (2) shall cover only milk from cows.

2. The list of milk products covered by the survey shall be adopted in accordance with the procedure laid down in Article 7 on the basis of the products listed in Regulation (EEC) No 804/68[1] if they are produced in the undertakings or the establishments referred to in Article 2; this list may be amended in accordance with the same procedure.

3. The standard definitions for the units of weight of the different products to be used when the results are given shall be drawn up in accordance with the procedure laid down in Article 7.

Article 4

The surveys referred to in Article 1 (1) (a) must be such as to enable at least the information mentioned in 1 to 4 below to be given. The questionnaires must be drawn up so as to avoid duplication.

The information shall deal with:

1. Every week:

   the quantities of butter and skimmed milk powder produced;

2. Every month:

   (a) the quantity and fat content of the milk and cream collected;

   (b) the quantity of fresh milk products processed and available for delivery to the consumer;

   (c) the quantity of other manufactured milk products;

3. Every year:

   (a) the quantity and fat content of the milk and cream collected. The information must be given separately for each of the territorial divisions listed below and deal with the establishments which have been set up there:

Germany:	Bundesländer
France:	régions de programme
Italy:	regioni
Netherlands:	—
Belgium:	—
Luxembourg:	—

   (b) the quantity of fresh milk products treated and available for delivery to the consumer and other processed milk products, subdivided according to variety;

[1] OJ No L 148, 28.6.1968, p. 13.