

Proposal for a Directive of the European Parliament and of the Council concerning statistical surveys in order to determine the production potential of plantations of certain species of fruit trees

(2001/C 96 E/11)

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(Submitted by the Commission on 23 November 2000)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

(1) The Commission, in order to perform the task conferred upon it by the Treaty and by Community provisions governing the common organisation of the market in fruit and vegetables, needs to be kept accurately informed on the production potential of plantations of certain species of fruit trees within the Community and to have available medium-term estimates of production and supply on the markets. This information is currently provided for by Council Directive 76/625/EEC⁽¹⁾ concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees, last amended by Directive 1999/87/EC of the European Parliament and of the Council⁽²⁾. As this Directive has already been amended on several previous occasions, it would be appropriate to use the opportunity presented by the current changes to repeal it and replace it by this new Directive.

(2) It is therefore advisable to carry out surveys concurrently in all the Member States on plantations of fruit trees of the same species in accordance with the same criteria and with comparable accuracy. New plantations attain their full yield only after a certain number of years. These surveys should therefore be repeated every five years in order to obtain reliable statistics on production potential taking account of the fruit trees which are not yet productive.

(3) Uniform surveys should be carried out in each Member State on the main varieties of each species of fruit, endeavouring at the same time to establish sub-divisions according to variety which are as complete as necessary.

(4) The experience acquired in previous surveys of fruit tree plantations has shown that this is necessary to introduce a certain flexibility into survey methods used by the Member States whilst maintaining the comparability of data between Member States.

(5) In accordance with the principles of subsidiarity and proportionality referred to in Article 5 of the Treaty, the objectives of obtaining complete and reliable statistics on the production potential of plantations of certain species of fruit trees in the Community and on medium-term estimates of production and supply on the markets cannot be sufficiently achieved by the Member States acting individually, for obvious reasons, and can therefore be better achieved by the Community, and this Directive does not go beyond what is necessary to achieve these objectives.

(6) Directive 76/625/EEC should therefore be repealed.

(7) As the measures required to implement this Directive are management measures within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾, these measures should be adopted by use of the management procedure provided for by Article 4 of the Decision,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall carry out on 1 January 2002, and in every fifth year thereafter, surveys on plantations of certain species of fruit trees existing on their territory.

2. The following species shall be surveyed:

(a) Dessert apples

(b) Dessert pears

(c) Peaches

(d) Apricots

(e) Oranges

(f) Lemons

(g) Small-fruited citrus (mandarins, including tangerines and satsumas; clementines, wilkings and other similar hybrids of citrus fruits).

The species to be surveyed in the various Member States are stated in the appended table.

⁽¹⁾ OJ L 218, 11.8.1976, p. 10.

⁽²⁾ OJ L 16, 21.1.2000, p. 72.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

The survey of plantations of varieties of apples and pears destined solely for uses other than dessert apples and pears shall be optional.

3. The survey shall apply to all holdings with an area planted with fruit trees, provided that the fruit produced is entirely or mainly intended for sale.

The survey shall cover pure and mixed crops, that is to say plantations of fruit trees of several of the species referred to in paragraph 2 or of one or more of them together with other species.

4. The survey may be either exhaustive or based on random sampling, in accordance with the criteria listed in Article 3.

Article 2

1. The surveys referred to in Article 1 shall be organised so that the results may be presented in various combinations of the following characteristics:

A. Variety of fruit:

For each species of fruit, and in order of importance, enough varieties shall be shown to enable a separate assessment to be made for each Member State, by variety, of at least 80 % of the total area planted with fruit trees of the species in question and, in any case, all varieties representing 3 % or more of the total area planted with fruit trees of the species in question.

B. Age of trees:

Age of trees must be calculated from the time of their planting in the orchard. The planting season extending from the autumn to the spring shall be considered a single period. When there has been double grafting, the time when this was carried out shall be the determining factor.

C. Net area planted, number of trees and density of plantation:

The density of plantation may be surveyed and quoted directly or may be calculated from the net area planted.

2. Detailed rules for applying this Article shall be adopted in accordance with the procedure referred to in Article 8.

Article 3

1. In the case of random sampling, the sample shall be representative of at least 95 % of the area planted with fruit trees. Estimates can be made for areas not covered by sampling.

2. So far as the results of the surveys carried out by random sampling are concerned, Member States shall take every measure to ensure that sampling errors at the 68 % confidence level shall, at the most, be of the order of 3 % for the whole of the national area planted with fruit trees of each species.

3. Member States shall take appropriate measures to limit mistakes of reporting and, if necessary, to estimate their effect on the whole of the area planted with fruit trees of each species.

Article 4

1. Member States shall notify the Commission of the results of these surveys as rapidly as possible, and in any case before 1 October of the year following the survey year.

2. The results referred to in paragraph 1 shall be supplied for each production area. The boundaries of the production areas to be adopted for Member States shall be fixed in accordance with the procedure laid down in Article 8.

3. Sampling errors together with any mistakes discovered in reporting as referred to in Article 3 must be notified before 1 October of the year following the survey year.

4. Member States shall send the Commission a methodological report on how the survey was carried out no later than 1 October of the year following that in which the survey was carried out.

Article 5

Member States which have annual estimates:

- (a) of areas of fruit trees the clearing of which has been carried out on their territory, and
- (b) of the new plantations of fruit trees on their territory,

shall notify the Commission of this information no later than 31 October of the year following the survey year.

Article 6

The Commission shall study the following in consultation and ongoing cooperation with Member States:

- (a) the results supplied,
- (b) the technical problems raised, in particular by the preparation and implementation of these surveys and notifications,
- (c) the significance of the findings of the surveys and notifications.

Article 7

The Commission shall submit to the European Parliament and to the Council, within one year of notification of the results by Member States, a report on experience acquired during the survey.

Article 8

1. The Commission shall be assisted by the Standing Committee for Agricultural Statistics, set up by Council Decision 72/279/EEC ⁽¹⁾.

⁽¹⁾ OJ L 179, 7.8.1972, p. 1.

2. Where the provisions of this Article are to be followed, the management procedure provided for in Article 4 of Decision 1999/468/EEC shall be applied, taking account of the provisions of Article 8 of that Decision.

3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at three months.

Article 9

Directive 76/625/EEC is hereby repealed.

Article 10

Member States shall bring into force the legislative, regulatory and administrative provisions required to conform with this Directive by [...] at the latest. They shall inform the Commission of these provisions immediately.

When Member States adopt these provisions, these provisions shall contain a reference to this Directive or shall be accompanied by a reference to it when they are officially published. The details of this reference shall be decided by the Member States.

Article 11

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

Article 12

This Directive is addressed to the Member States.

ANNEX

SPECIES SURVEYED IN THE VARIOUS MEMBER STATES

	Apples	Pears	Peaches	Apricots	Oranges	Lemons	Small-fruited citrus
Belgium	x	x					
Denmark	x	x					
Germany	x	x					
Greece	x	x	x	x	x	x	x
Spain	x	x	x	x	x	x	x
France	x	x	x	x	x	x	x
Ireland	x						
Italy	x	x	x	x	x	x	x
Luxembourg	x	x					
Netherlands	x	x					
Austria	x	x	x	x			
Portugal	x	x	x	x	x	x	x
Finland	x						
Sweden	x	x					
United Kingdom	x	x					