



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 April 2008

8732/08

**Interinstitutional File:
2007/0051 (COD)**

**STATIS 56
AGRI 111
CODEC 501**

REPORT

from : General Secretariat of the Council
to : Special Committee on Agriculture
No. Cion prop. : 7750/1/07 COM(2007) 129 final/2

Subject : Proposal for a Regulation of the European Parliament and of the Council
concerning meat and livestock statistics
- Approval of the final compromise text with a view to a first-reading agreement
with the European Parliament

1. The Commission presented the above Proposal to the Council on 11 April 2007.
2. The Working Party on Statistics examined the proposal on different occasions during consecutive Presidencies.
3. On 1 April 2008, the European Parliament's Committee on Agriculture and Rural Development examined the text and voted its report containing amendments to the Commission proposal.

4. As a result of informal contacts between the Presidency, the Rapporteur of the European Parliament and the Commission representatives, the text as set out in Annex to this document has been tentatively approved with a view to reaching an agreement at first reading. In the light of the results of a written consultation subsequently conducted by the Presidency, it is understood that the required majority of delegations are in a position to agree to this compromise.

It should be noted however that:

- two delegations expressed the view that transitional periods should be granted to all Member States that so required it;
- one delegation wished to modify the structure of the quality reports, and
- one delegation suggested to adjust the definition of piglets.

5. The Special Committee on Agriculture is therefore invited:

- to confirm the agreement reached by the Working Party on the text set out in Annex;
- to give the Presidency a mandate to inform the Chairman of the European Parliament's Committee on Agriculture and Rural Development by letter that, should the European Parliament adopt the amendments to the Commission proposal as set out in Annex, the Council would adopt the proposal thus amended¹ in order to reach agreement at first reading.

¹ After revision by the legal-linguistic experts of both Institutions.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

concerning meat and livestock statistics

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission¹,

Acting in accordance with the procedure laid down in Article 251 of the Treaty²,

Whereas:

- (1) Council Directive 93/23/EEC of 1 June 1993 on the statistical surveys to be carried out on pig production³, Council Directive 93/24/EEC of 1 June 1993 on the statistical surveys to be carried out on bovine animal production⁴ and Council Directive 93/25/EEC of 1 June 1993 on the statistical surveys to be carried out on sheep and goat stocks⁵ have been amended several times. Further amendments and simplifications now being necessary, these acts should, for reasons of clarity, be replaced, according to the Commission's new political approach to the simplification of Community legislation and better regulation.
- (2) In order to ensure that the common agricultural policy is properly administered, particularly where the pig meat, beef, veal, sheep meat, goat meat and poultry meat markets are concerned, the Commission requires regular data on trends in livestock and in pig meat, beef, veal, sheep meat, goat meat and poultry meat production.

¹ OJ C [...], [...], p. [...]

² OJ C [...], [...], p. [...]

³ OJ L 149, 21.6.1993, p. 1. Directive last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁴ OJ L 149, 21.6.1993, p. 5. Directive last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁵ OJ L 149, 21.6.1993, p. 10. Directive last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

- (3) Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings¹ provides for a programme of Community surveys to provide statistics on the structure of agricultural holdings up to 2007.
- (4) 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, in order to establish comparable regional statistics, the territorial units should be defined in accordance with the NUTS classification.
- (4a) In order to limit the burden on Member States, the regional data requirements should not exceed the requirements under previous legislation (unless new regional levels have appeared in the meantime) and regional data should be optional when the regional livestock is below certain thresholds.**
- (5) In order to facilitate implementation of this Regulation, close cooperation is necessary between the Member States and the Commission and this may be achieved in particular via the Standing Committee for Agricultural Statistics set up by Council Decision 72/279/EEC³.
- (5a) In order to ensure smooth transition from the regime applicable under Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC, the Regulation should allow for a transitional period of up to one year and, in the case of sheep, up to two years, to be granted to Member States where the application of this Regulation to their national statistical systems would require major adaptations and would be likely to cause significant practical problems.**
- (6) The measures for the production of statistics provided for in this Regulation are necessary for the performance of the activities of the Community. Since the objective of the proposed action, namely the establishment of a common legal framework for the systematic production of Community statistics on meat and livestock in Member States, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may take action in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in the same Article, this Regulation does not go beyond what is necessary to achieve its objectives.
- (7) Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics⁴ provides a reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality.

¹ OJ L 56, 2.3.1988, p. 1. Regulation as last amended by Commission Regulation (EC) No 204/2006 (OJ L 34, 7.2.2006, p. 3).

² OJ L 154, 21.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No /2007 (OJ L ,2007, p.).

³ OJ L 179, 7.8.1972, p. 1.

⁴ OJ L 52, 22.2.1997, p.1. Regulation as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p.1).

- (8) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹.
- (9) In particular, powers should be conferred on the Commission to [...] **modify** Annexes **I, II, IV and V**. Since such measures are of general scope and are intended to amend non-essential elements of this Regulation or to supplement it by adding new non-essential elements, they [...] **must** be adopted in accordance with the regulatory procedure with scrutiny under Article 5a of Council Decision 1999/468/EC,
- (10) The Standing Committee for Agricultural Statistics has been consulted.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

The purpose of this Regulation is to establish a common framework for the systematic production of Community statistics on livestock and meat production, in particular

- Statistics on pig, bovine, sheep and goat livestock;
- Slaughtering statistics on pigs, bovine animals, sheep, goats and poultry;
- Production forecasts of pig, bovine, sheep and goat meat.

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

1. **'Agricultural holding' means agricultural holding as defined in Article 5(a) of Regulation (EEC) No 571/88;**
2. **'Sample survey' means sample survey as defined in the second indent of Article 2 of Regulation (EEC) No 571/88;**
3. **The term "pig" means domestic animals of the species *Sus scrofa domesticus*.**
4. **The term "bovine animal" means domestic animals of the species *Bos Taurus* and *Bubalus bubalus*, including hybrids like Beefalo.**
5. **The term "sheep" means domestic animals of the species *Ovis aries*.**

¹ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2004, p. 1).

6. **The term “goat” means domestic animals of the subspecies *Capra aegagrus hircus*.**
7. **The term “poultry” means in particular domestic birds of the species *Gallus gallus* (chickens), *Meleagris* sp. (turkeys), *Anas* sp. and *Cairina moschata* (ducks) and *Anser anser dom* (geese). It may include among others domestic birds of the species *Coturnix* sp. (quails), *Phasianus* sp. (pheasants), *Numida meleagris dom* (guinea-fowl), *Colombidae* sp. (pigeons), and *Struthio camelus* (ostriches). It shall, however, exclude birds raised in confinement for hunting purposes and not for producing meat.**
8. **The term slaughterhouse means an officially registered and approved establishment used for slaughtering and dressing animals of which the meat is intended for human consumption.**

[...] **Other** definitions for the purpose of the present Regulation are set out in Annex I to this Regulation.

SECTION I

LIVESTOCK STATISTICS

Article 3

Coverage

- (1) The Member States shall produce statistics relating to the number of pigs, bovine animals, sheep and goats held on agricultural holdings within their territory.
- (2) Member States conducting sample surveys shall cover sufficient agricultural holdings to account for at least 95% of the entire population, as determined by the last survey on the structure of agricultural holdings.

Article 4

Frequency and reference period

- (1) The pig livestock statistics shall be produced twice a year, with reference to one day in May/June and one day in November/December. Those Member States whose pig population is less than 3 million head may produce these statistics only once a year, with reference to one day in November/December.
- (2) The bovine livestock statistics shall be produced twice a year, with reference to one day in May/June and one day in November/December. Those Member States whose bovine population is less than 1.5 million head may produce these statistics only once a year, with reference to one day in November/December.

- (3) The sheep livestock statistics shall be produced once a year, with reference to one day in November/December, by those Member States whose sheep population is 500 000 head or more.
- (4) The goat livestock statistics shall be produced once a year, with reference to one day in November/December, by those Member States whose goat population is 500 000 head or more.

Article 5

Categories

The livestock statistics shall be produced for the categories set out in Annex II to this Regulation.

Article 6

Precision [...]

- (1) Member States conducting sample surveys shall take the necessary steps so that the extrapolated national survey results meet the precision requirements set out in Annex III to this Regulation.
- (2) [...] **In case of use of administrative sources, Member States shall inform the Commission in advance about methods used and the quality of data.**
- (3) In case of sources other than surveys, the Member States will ensure [...] **this information is of at least equal quality to information obtained from statistical surveys.**

Article 7

Transmission deadlines

- (1) Member States shall inform the Commission of the provisional statistics on livestock before:
 - 15 September of the same year for the May/June statistics;
 - 15 February of the following year for the November/December statistics.
- (2) Member States shall inform the Commission of the definitive statistics on livestock before:
 - 15 October of the same year for the May/June statistics;
 - [...] **15 May** of the following year for the November/December statistics.

Article 8

Regional statistics

The November/December statistics shall be broken down by the **NUTS 1 and** NUTS 2 territorial units defined in Regulation (EC) No 1059/2003. By exception they may be provided only by NUTS 1 territorial units for Germany and United Kingdom. **They are optional for territorial units having less than 150 000 pigs, 75 000 bovine animals, 100 000 sheep and 25 000 goats if these territorial units summed up together contribute with 5% or less to the national population of the relevant species.**

SECTION II

SLAUGHTERING STATISTICS

Article 9

Coverage

The Member States shall produce statistics relating to the number and carcass weight of pigs, bovine animals, sheep, goats and poultry slaughtered in the slaughterhouses on their territory, the meat of which is deemed fit for human consumption. They shall also supply estimates of slaughterings outside slaughterhouses, so that the statistics include all the pigs, bovine animals, sheep **and** goats [...] slaughtered on their territory.

Article 10

Frequency and reference period

- (1) The statistics on slaughtering in slaughterhouses shall be produced monthly by each Member State. The reference period shall be the calendar month.
- (2) The statistics on slaughtering outside slaughterhouses shall be produced yearly by each Member State. The reference period shall be the calendar year.

Article 11

Categories

The slaughtering statistics shall be produced for the categories set out in Annex IV to this Regulation.

Article 12

Transmission deadlines

Member States shall inform the Commission of the [...] **statistics:**

- **for slaughtering in slaughterhouses** within 60 days following the reference period;
- **for slaughtering outside slaughterhouses before 30th of June of the following year.**

SECTION III

MEAT PRODUCTION FORECASTS

Article 13

Coverage

The Member States shall use the statistics mentioned in Section I and II, and other available information, to produce forecasts of their supply of pigs, bovine animals, sheep and goats. This supply shall be expressed as the gross indigenous production, which corresponds to the number of pigs, bovine animals, sheep and goats slaughtered plus the balance of intra-Community and external trade in live animals of these species.

Article 14

Frequency and reference period

- (1) The forecasts for pigs [...] shall be produced twice a year by each Member State. **Those Member States whose pig population is less than 3 million heads may produce these statistics only once a year.**
- (2) **The forecasts for bovine animals shall be produced twice a year by each Member State. Those Member States whose bovine population is less than 1,5 million heads may produce these statistics only once a year.**
- (3) The forecasts for sheep shall be produced once a year by those Member States whose sheep population is 500 000 heads or more.
- (4) The forecasts for goats shall be produced once a year by those Member States whose goat population is 500 000 heads or more.

(5) **The forecasts shall cover:**

- **four quarters for pigs and three semesters for bovine animals for Member States that produce forecasts twice a year;**
- **six quarters for pigs and four semesters for bovine animals for Member States that produce forecasts once a year;**
- **two semesters for sheep and goats.**

Article 15

Categories

The forecasts shall be produced for the categories set out in Annex V to this Regulation.

Article 16

Transmission deadlines

Member States shall inform the Commission of the meat production forecasts [...]:

- [...]
- **before 15 February for forecasts for pigs from beginning of first quarter to the end of the fourth quarter of the current year and before 15 September for forecasts from the beginning of third quarter of the current year to the end of the second quarter of the following year for Member States that produce forecasts twice a year.**
- **before 15 February for forecasts for pigs from beginning of first quarter of the current year to the end of the second quarter of the following year for Member States that produce forecast once a year.**
- **before 15 February for forecasts for bovine animals from beginning of first semester of the current year to the end of the first semester of the following year and before 15 September for forecasts from beginning of second semester of the current year to the end of the second semester of the following year for Member States that produce forecasts twice a year.**
- **before 15 February for forecasts for bovine animals from beginning of first semester of the current year to the end of the second semester of the following year for Member States that produce forecasts once a year.**
- **before 15 February for forecasts from beginning of first semester of the current year to the end of the second semester of the current year for sheep and goats.**
- [...]

SECTION IV

GENERAL PROVISIONS

Article 17

Quality assessment and reports

- (1) For the purpose of this Regulation, the following quality assessment dimensions shall apply to the data to be transmitted:**
- a) **'relevance' refers to the degree to which statistics meet current and potential needs of the users;**
 - b) **'accuracy' refers to the closeness of estimates to the unknown true values;**
 - c) **'timeliness' refers to the time lag between the availability of the information and the event or phenomenon it describes;**
 - d) **'punctuality' refers to the time lag between the date of the release of the data and the target date when it should have been delivered;**
 - e) **'accessibility' and 'clarity' refer to the conditions and modalities by which users can obtain, use and interpret data;**
 - f) **'comparability' refers to the measurement of the impact of differences in applied statistical concepts and measurement tools and procedures when statistics are compared between geographical areas, sectoral domains or over time;**
 - g) **'coherence' refers to the adequacy of the data to be reliably combined in different ways and for various uses.**
- (2) Every three years, and for the first time eighteen months after the application of the current Regulation, Member States shall provide the Commission (Eurostat) with a report on the quality of the data transmitted.**
- (3) The quality reports shall describe:**
- a) **the organization of the surveys covered by this Regulation and methodology applied;**
 - b) **the levels of precision achieved for the sample surveys referred to in this Regulation;**
 - c) **the quality of sources used other than surveys, and**
 - d) **the quality of the forecasts referred to in this Regulation.**

- (4) [...] The Member States shall inform the Commission of any methodological or other change which would considerably influence the statistics. This shall be done not later than three months after this change enters into force.
- (5) Consideration shall be given to the principle that additional costs and burdens remain within reasonable limits.

Article 18

Implementing measures

- (1) The [...] measures [...] **designed to amend non-essential elements** of this Regulation, **inter alia, by supplementing it, relating to modifications of Annexes I, II, IV and V** shall be [...] **adopted** in accordance with the **regulatory** procedure **with scrutiny** referred to in Article 19(2) [...].
- (2) Consideration shall be given to the principle that the benefits of [...] **modifications** must outweigh its costs, and to the principle that additional costs and burdens remain within reasonable limits.

Article 19

Committee procedure

- (1) The Commission shall be assisted by the Standing Committee for Agricultural Statistics established by Article 1 of Council Decision 72/279/EEC.
- (2) Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 20

Transitional period

- (1) **Full calendar year transitional periods for implementation of this Regulation lasting not more than one year from the date of application may be granted by the Commission to a Member State, in so far as the application of this Regulation to their national statistical systems require major adaptations and is likely to cause significant practical problems. For the sheep statistics the transitional period may amount up to two years.**
- (2) **To this end, the concerned Member State shall inform the Commission not later than 3 months after the adoption of this Regulation.**

Article [...] 21

Repeal

- (1) **Without prejudice to paragraph (3) of this article,** Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC are repealed.
- (2) References made to the repealed Directives shall be construed as being made to this Regulation.
- (3) **By way of derogation from Article 22, second paragraph, a Member State having been granted derogation in accordance with Article 20 shall continue to apply the provisions of Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC for the duration of the transitional period granted.**

Article [...] 22

Entry into force

- (1) This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
- (2) [...] **This Regulation** shall apply from 1 January 200[...] **2**.
- (3) This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I
Definitions

For the purposes of this Regulation, the following definitions apply:

- (a) [...]
- (b) [...]
- (c) [...]
- (d) [...]
- (e) categories of bovine animals:

| | Annex II | Annexes IV and V |
|--|---|--|
| <u>Calves</u> | | Bovine animals [...] <u>aged 8 months or less</u> |
| <u>Young cattle</u> | | <u>Bovine animals aged more than 8 but not more than 12 months</u> |
| <u>Calves and young cattle for slaughter</u> | Bovine animals less than one year old for slaughter as calves <u>or young cattle</u> | |
| <u>Bulls</u> | | Non-castrated male bovines not included under calves <u>and young cattle</u> |
| <u>Bullocks</u> | | Castrated male bovines not included under calves <u>and young cattle</u> |
| <u>Heifers</u> | Female bovines aged two years or more that have not yet calved | Female bovines that have not yet calved not included under calves <u>and young cattle</u> |
| <u>Heifers for slaughter</u> | Heifers raised for meat production | |
| <u>Other heifers</u> | Heifers raised for breeding and intended to replace dairy or other cows | |
| <u>Cows</u> | Female bovines that have calved (including any aged less than two years) | Female bovines that have calved |

| | | |
|-------------------|---|--|
| <u>Dairy cows</u> | Cows kept exclusively or principally for the production of milk for human consumption and/or dairy produce, including cows for slaughter (whether fattened or not between last lactation and slaughter) | |
| <u>Other cows</u> | Cows other than dairy cows, possibly including any draught cows | |

(f) [...]

(g) categories of sheep:

Ewes and ewe lambs put to the ram: females of the ovine species which have already lambed at least once as well as those which have been put to the ram for the first time.

Milk ewes: ewes which are kept exclusively or principally to produce milk for human consumption and/or for processing into dairy products. This includes cast milk sheep (whether fattened or not between their last lactation and slaughtering).

Other ewes: ewes other than milk ewes.

Lambs: male or female sheep under 12 months old.

(h) [...]

(i) [...]

(j) the term 'carcass':

- for pigs means the body of a slaughtered pig, bled and eviscerated, whole or divided down the mid-line, without tongue, bristles, hooves, genital organs, flare fat, kidneys and diaphragm;

- for bovines means the whole body of a slaughtered animal as presented after bleeding, evisceration and skinning, presented without the head and without the feet (the head shall be separated from the carcass at the atloido-occipital joint and the feet shall be severed at the carpametacarpal or tarsometatarsal joints); without the organs contained in the thoracic and abdominal cavities with or without the kidneys, the kidney fat and the pelvic fat; and without the sexual organs and the attached muscles and without the udder or the mammary fat.

- for sheep and goats means the whole body of a slaughtered animal as presented after bleeding, evisceration and skinning, presented without the head (separated at the altoido-occipital joint); without the feet (severed at the carpometacarpal or tarsometatarsal joints); without the tail (severed between the sixth and seventh caudal vertebrae); without the organs contained in the thoracic and abdominal cavities (except the kidneys and kidney fat), and without the udder and sexual organs; the kidneys and kidney fat are part of the carcass;

- for poultry means the animal plucked and drawn, without head and feet and without neck, heart, liver and gizzard, known as '65 % chicken', or otherwise presented.

(k) the "carcass weight" **means the weight of the cold carcass, which for pigs, notably, is obtained by subtracting 2% from the weight recorded warm at the latest 45 minutes after the pig was bled, and which for cattle is obtained by subtracting 2% from the weight recorded warm at the latest 60 minutes after the animal was bled.**

(l) [...]

ANNEX II

Categories applying to livestock statistics

Pigs:

piglets with a live weight of less than 20kg

pigs with a live weight of 20kg or more but less than 50 kg

fattening pigs, including cull boars and cull sows with a live weight:

of 50 kg or more but less than 80 kg

of 80 kg or more but less than 110 kg

of 110 kg or more

breeding pigs with a live weight of 50 kg and higher:

boars

covered sows, of which:

sows covered for the first time

other sows, of which:

gilts not yet covered

Bovine animals:

bovine animals less than 1 year old:

calves **or young cattle** for slaughter

other:

male

female

bovine animals aged between 1 and 2 years:

male

female:

animals for slaughter

other

bovine animals of 2 years and over:

male

female:

heifers:

heifers for slaughter

other

cows:

dairy cows

other

buffaloes:

female breeding buffaloes

other buffaloes

Sheep:

ewes and ewe lambs put to the ram:

milk ewes and milk ewe lambs put to the ram

other ewes and ewe lambs put to the ram

other sheep

Goats:

goats which have already kidded and goats which have been mated:

goats which have already kidded

goats mated for the first time

other goats

ANNEX III

Precision requirements

In the case of livestock surveys, the sampling errors for the results of each Member State shall not exceed (with a confidence interval of 68%):

- a) 2% of the total number of pigs (5% where the pig population is less than 1 000 000 head);
- b) 1% of the total number of bovine animals (5% where the bovine population is less than 1 000 000 head);
- c) 1.5 % of the total number of cows (5% where the cow population is less than 500 000 head);
- d) 2% of the total number of sheep and of goats (5% where the sheep and the goat population is less than 1 000 000 head).

ANNEX IV

Categories applying to slaughtering statistics

Pigs: no breakdown

Bovine animals:

calves

young cattle

heifers

cows

bulls

bullocks

Sheep:

lambs

others

Goats: no breakdown

Poultry:

chickens

turkeys

ducks

others

ANNEX V

Categories applying to meat production forecasts

Pigs: no breakdown

Bovine animals:

Calves **and young cattle**

heifers

cows

bulls and bullocks

Sheep: no breakdown

Goats: no breakdown
