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Problems of Arrest of Agricultural Crops During Criminal Proceedings

1. Introduction

The formation of a legal and democratic state is closely connected with the existence of an appropriate and effective system of protection of property rights. In Ukraine, the level of protection of such rights remains very low, as evidenced by the international index of property rights. It should be noted that Ukraine was ranked 105th out of 121 in the 2020 results, compared to 95th in 2013.²³

Nowadays, the development of the economy depends not only on the introduction of progressive technologies, the use of production potential and financial resources, but also on the confidence of economic entities in the protection of their property rights. Use, possession and dispossession are the three powers of the owner, which constitute the institution of property rights, which, subject to the provisions of Article 1 of the First Protocol to the Convention for the Protection of

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² International Property Rights Index Property Rights Alliance [2013] Retrieved from: <https://web.archive.org/web/20130917221039/http://internationalpropertyrightsindex.org/ranking>.

³ International Property Rights Index Property Rights Alliance [2020] Retrieved from: <https://www.internationalpropertyrightsindex.org/>.

Human Rights and Fundamental Freedoms, are protected by national law. The right to peaceful enjoyment of possessions is inherently not absolute and may be limited in the interests of the community and under the conditions provided by law and by the general principles of international law.⁴ The provisions of Article 1 of the First Protocol to the CPLP do not in any way interfere with the right of the State to enact such laws as it deems necessary to exercise control over the use of property in accordance with the general interest or to secure the payment of taxes or other levies or penalties. Article 150 of the CCP of Ukraine provides for one of the types of limitation, namely seizure of property, the main consequence of which is the immediate impossibility of exercising one or more of the following powers: use, possession or dispossession.⁵

The agricultural sector is one of the leading sectors of the economy in Ukraine, but the entrepreneurial activity of agricultural enterprises is fraught with various risks that arise in the production of agricultural products. One of these risks, which can lead to crop loss, is raiding, i.e. the unlawful takeover of agribusinesses for the purpose of taking over crops. In the course of judicial investigations of criminal offences under Article 197–1 of the CC of Ukraine «Illegal occupation of land plots and self-building », in the vast majority of cases, crops are recognized as a physical evidence, and the activity of the agricultural enterprise is blocked by the application of the prohibition to dispose of such property.⁶ According to statistics for the period 2007–2019, 9,093 cases of illegal occupation of land plots were recorded. In addition, the number of such cases increased each year.⁷ Such negative dynamics led to the es-

⁴ The Convention for the Protection of Human Rights and Fundamental Freedoms [1950] Council of Europe. Retrieved from: https://www.echr.coe.int/documents/convention_eng.pdf.

⁵ Criminal procedure Code of Ukraine April 13, 2012, № 4651-VI Retrieved from: <https://zakon.rada.gov.ua/laws/show/4651%D0%B0-17#Text>.

⁶ Criminal Code of Ukraine: Law of Ukraine of April 5, 2001, № 2341-III. Retrieved from: <https://zakon.rada.gov.ua/laws/show/2341-14>.

⁷ Viunyk M.V., Karchevskiyi M.V., Arlanova O.D. (2020), Kryminalno-pravove rehuliuвання v Ukraini: realii ta perspektyvy (analytychni materialy) [Criminal and Legal Regulation in Ukraine: Realities and Prospects (Analytical Materials)] Kharkiv:Pravo. [in Ukrainian].

establishment of anti-raiding headquarters at the initiative of the Ministry of Justice of Ukraine in 2017, the aim of which is to prevent land grabbing and crop harvesting. However, despite the active fight against such illegal takeovers, the statistics of raider attacks on agribusinesses is not satisfactory. The protection of owners' rights is not helped by the ambiguous court practice regarding the imposition of seizure of property.

The scientific novelty of the subject matter is due to the lack of scientific research into the procedure for imposing arrest on agricultural crops during criminal proceedings under Part 1 Article 197–1 of the CC of Ukraine. Therefore, the purpose of this article is to investigate the possibility of recognizing the agricultural crops as a physical evidence and applying to it such a criminal procedure safeguarding measure as arrest during criminal proceedings under part 1 of Article 197–1 of the CC of Ukraine: unauthorized occupation of land plots which causes significant harm to their legal owner or owner. This goal necessitates the solution of the following tasks: to identify the specificity of understanding of such concepts as “agricultural crops”, “crop”, “agricultural products”; to investigate the problems of legal regulation and enforcement, which arise during the arrest of agricultural crops; formulate, on the basis of an analysis of the criminal procedure legislation, legal literature and judicial practice, scientific and substantiated propositions aimed at improving the legal regulation of arrest of agricultural crops.

In order to achieve the set goal and objectives thereof, a complex of general scientific and special methods was used. The dialectical method as a general method of scientific knowledge, which ensured study of the processual order of attachment of property. Formal-logical, which was used due to the need to formulate the conceptual and categorical apparatus of the research in an appropriate manner. The hermeneutic method was used to clarify the legal meaning of the legal provisions and to reveal the defects of the legal regulation of property seizure. The consolidation method enabled us to formulate scientifically grounded conclusions and recommendations. The above methods were used in an integrated manner, which ensured completeness and objectivity of the research.

2. Definition of the main terms of the research topic

The starting point for a substantive examination of agricultural seizure issues is the definition of «harvest», «crops» and «agricultural products». The lack of monoseminism in legal terminology is the cause of ambiguity in their understanding and the scope of the relevant legal understandings in their use. The similarity of the terms discussed leads to variability in their use. The analysis of domestic legislation has led to the conclusion that nowadays the list of objects classified as agricultural production is absent. Till January 1, 2021 the agricultural products is identified as products falling under the definition of groups 1–24 of the Ukrainian Classification of Goods for Foreign Economic Activity (UKTZED), according to the Law of Ukraine “On Customs Tariff of Ukraine, excluding commodities, except for primary production commodities – wine materials.⁸ This rule is still contained in the Law of Ukraine «On wholesale markets of agricultural products», the Tax Code of Ukraine, the Law of Ukraine «On state support of the agricultural sector of Ukraine». It should be noted that the list of goods listed in UKTZED 1–24, apart from crops, included live animals, alcoholic and non-alcoholic beverages, tobacco products, etc. The definition of «agricultural production» is defined by the Order of the Ministry of Finance of Ukraine «On Approval of the Accounting Regulation (Standard) 30 «Biological assets», It is stated that agricultural products are assets obtained as a result of separation from biological assets intended for sale, processing or internal consumption. The legal literature, in particular by V.M. Ermolenko, defines agricultural production as a raw products of cultivated agriculture, livestock and ranching and products of their primary processing.⁹ A similar under-

⁸ About the Customs Tariff of Ukraine: Law of Ukraine of September 19, 2013, № 584-VII. Retrieved from: <https://zakon.rada.gov.ua/laws/show/584%D0%B0-18#Text>.

⁹ Yermolenko V.M. (2008), *Ahrarni mainovi pravovydnosyny pryvatnykh silskohospodarskykh pidpriemstv v Ukraini* [Agricultural assets and legal relations of private agricultural enterprises in Ukraine] (abstract of the dissertation). Kharkiv: Yaroslav the Wise National Law Academy [in Ukrainian].

standing of this concept is given by M.M. Chabenko.¹⁰ Agricultural crops include cereals, fodder crops, oilseeds, oil spirits, industrial crops, etc.¹¹

We can note that the definitions of «agricultural products» and «agricultural crops» are related as part and whole. The first term is broader in scope as it includes, in addition to cereals, fodder crops and other crops, animal and livestock products. According to law and order practice, the courts use the term «harvest» both for harvested crops and those in the growing stage when considering claims for seizure of agricultural crops. The definition of this term is contained in International Accounting Standard 41 (IAS 41) according to which the harvest is the separation of products from the biological asset or the cessation of the biological asset's living processes.¹² Therefore, these products can only be considered as those that have already been harvested.

Taking into account the above theoretical and analytical considerations, we consider that when imposing levy on cereals and other crops, the production stage of such crops should be taken into account and, depending on this, the appropriate terminology should be used. At the stage of cultivation it is appropriate to use the term «agricultural crops», or depending on the type – cereals, fruits, cotyledons, etc. After harvesting, both the term «harvest» and «crops» are used.

3. Agricultural crops as an instrument of crime

In accordance with Part 2 of Art. Article 170(2) of the CPC of Ukraine 170 of the CPC of Ukraine, seizure of property is imposed for the purpose of: preservation of evidence; special confiscation; confiscation

¹⁰ Chabenko M.M. (2014), *Silskohospodarska produktsiia yak katehoriia ahrarnoho prava Ukrainy* [Agricultural production as a category of agrarian law of Ukraine]. Kyiv: Naukovyi visnyk Natsionalnoho universytetu bioresursiv i pryrodokorystuvannia Ukrainy. [in Ukrainian].

¹¹ Nakaz derzhavnoi sluzhby statystyky "Pro zatverdzhennia Nomenklatury produktsii silskoho hospodarstva" № 300 (2014) Order of the State Statistics Service "On Approval of the Nomenclature of Agricultural Products", Retrieved from: <https://zakon.rada.gov.ua/rada/show/v0300832-14#Text>.

¹² International Accounting standard 41(IAS 41) (2003), Retrieved from: https://zakon.rada.gov.ua/laws/show/929_027#Text.

of property as a form of punishment or an action of criminal nature; recovery of damages resulting from a criminal offence (civil action), or collection of unlawful wages from a legal entity. Imposition of arrest for the purpose of preserving evidence requires that such property be recognized as evidence, i.e. its compliance with the 'criteria' set out in Article 98 of the CCP. Having analyzed this article, we can conclude that the legislator provided for five "criteria", thus establishing the compliance of the material object with at least one of them, it is possible to declare the property as a physical evidence. We will try to analyze the criteria for which the property can be recognized as evidence. Regarding the possibility of recognizing a crime as an instrument of crime, firstly, it should be noted that neither the CC of Ukraine nor the CPC of Ukraine define the notion of a criminal offense as a criminal offense. The Criminal Code operates with the notions of means and tools, while the procedural code uses only the term means. Given the absence of a legislative definition, there is a need to refer to the work of scholars in the field of criminal law. M.M. Panov has provided his views on the distinctive features of these terms.

He stated that: «the means of committing a crime – a sign of the objective side of the crime – constitute objects of material world or other», which are used by a person in the commission of a socially unlawful act recognised by law as a crime.

Means of committing a crime are divided into tools of committing a crime and other means of committing a crime. The tools are objects of the material world, using them, a person commits a socially dangerous action, stipulated by the CC, and thus causing a physical impact on the material objects. Other means of committing the crime are other objects or objective reality, the use of which at the time of the crime has a negative informational impact on the subjects of social life, thereby causing real harm to the relations with society. The means of committing a crime in some cases intrinsically increase the possibilities of committing a crime, in others – without their use its reduction is generally not possible".¹³ Analyzing the considered point of view, it can be noted that, in our opinion, the means and tools of committing the crime are the ob-

¹³ V.Ya. Tatsii V.I. Borysov (2017), *Velyka ukrainska yurydychna entsyklopediia: u 20 t* [The Great Ukrainian Law Encyclopedia: in 20 vols.] Kharkiv: Pravo[in Ukrainian].

jects of material world, which are facilitated by the very act of committing the crime. Part 1 of art. 197–1 of CC of Ukraine provides for liability for unauthorized occupation of the land. Therefore, further cultivation on this plot of land of any agricultural crops and crop, as a result of this activity, cannot be a sign of committing a crime, since crop is only one of the types of certain illicit consequences of illegal land use.

4. Agricultural crops are the subject of criminal offences

It is not uncommon for petitions for seizure of property to be granted in view of the fact that the crops are the subject of criminal offences. For example, a judge of the Babushkinskiy District Court in Dnipropetrovsk has approved a petition of the prosecutor, in which the latter requested seizure of the crop of the pub, indicating that the crop was the subject of a criminal offence.¹⁴ We consider it necessary to note that the recognition of the harvest as a crime is erroneous, because the subject of the crime, the subject of the crime under Part 1 of Art. 197–1 of the Criminal Code of Ukraine, is a land plot, ie part of the land surface with established boundaries, a certain location and certain rights to it. In the meantime, the views on the subject of this criminal offence expressed by academics cannot be ignored for the sake of objectivity of our conclusions. In particular, O.O. Durov and R.O. Movchan stated: “In spite of the fact that the wording of Article 197–1(1) of the CC, the subject of the prescribed crime is land, the subject of public relations should be considered not a specific land plot, but land as a basic national property of Ukraine. Our conclusion based on the fact that by supplementing the CC with Article 197–1, the legislator intended to protect not the right of a particular subject to a certain land plot, but the right of ownership of land in general as a fundamental right, provided by the Constitution of Ukraine for an unspecified number of subjects».¹⁵ In the light of the

¹⁴ Ukhvala Babushkinskoho raionnoho sudu m. Dnipropetrovska vid 13.10.2016 roku u spravi № 200/17580/16-k [The decision of the Babushkinsky District Court of the city of Dnipropetrovsk dated 13.10.2016 in the case № 200/17580/16-k.] Kyiv: Babushkinsky District Court of the city of Dnipropetrovsk [in Ukrainian] Accessed at: <https://reyestr.court.gov.ua/Review/62914336>.

¹⁵ Durov O.O., Movchan R.O. [2012], Kryminalno vidpovidalnist za samovilne

above approach, we cannot enter into a scientific discussion, considering that the subject of social relations is the reason for which such relations arise. In the case specified in the disposition of Article 197–1(1), it is not the abstract ownership of land that is subject to protection, but the ownership right of a specific subject – the owner of the land plot or the legal owner. Such title cannot arise from a land plot not defined by its boundaries, because, in accordance with the requirements of the law, for state registration of rights to non-tangible property the prerequisite is to provide the subject of state registration or a notary on the State Land Cadastre statement on the land plot, which specifies the location and area of the land plot.

5. Agricultural crops as property acquired by illegal means or as a result of a criminal offence

The problems that arise with the practical implementation of criminal procedural norms are related to the possibility of recognizing the harvest as a thing that was acquired illegally or obtained as a result of a criminal offence. In our opinion, in this case it is necessary to proceed from the state in which agricultural products are. That is, it is possible to consider the harvest acquired only if it has already been harvested by a person or on behalf of a person who has arbitrarily occupied the land. Only in this case it is possible to consider that the thing has been taken, but it is not possible to consider a growing crop as being taken up because the person does not have the physical capacity to dispose of the thing. However, according to law enforcement practice, investigators often do not specify the quantitative and individual characteristics of property, which prevents them from determining the procedure for executing court orders and taking specific actions aimed at preserving the integrity and value of such property.

zainiattia zemelnoi dilianky ta samovilne budivnytstvo [Criminal liability for unauthorized occupation of land plots and unauthorized construction] Luhansk. Accessed at: <http://dspace.onua.edu.ua/bitstream/handle/11300/10291/mono-st%20197-1.pdf?sequence=1&isAllowed=y>[in Ukrainian].

6. Agricultural crops as a material object that has preserved the traces of a criminal offence

A material object may also be considered as physical evidence when such an object has retained the traces of a criminal offense. That is, in the case of seizure of crops, such property must retain traces that can be used as evidence of the fact or circumstances of unauthorized occupation of land. According to article 1 The Law of Ukraine "On State Control over Land Use and Protection", the unauthorized occupation of the land is any actions, which testify to actual use of the land in the absence of a relevant resolution of the body of executive authority or the local self-government body on transferring it into the ownership or providing it for use (lease) or in the absence of the law on such land plot, Except for actions that are legitimate according to the law.¹⁶ Based on this, agricultural production may indeed be indicative of self-occupation. Instead, the possibility of preserving traces of such a criminal offense on the harvest and the need to seize them in such a case requires more detailed consideration. As stated by V. Yu. Shepitko, traces are materially represented by the external appearance of one object on the other as a result of the commission of a crime.¹⁷ If the crops are in the process of cultivation, i.e. are still on the land, a seizure for the reason that the property is preserving the traces of a criminal offence is not necessary. The certification of the planting of a joint plot of land, in this case, can be done in a less intrusive way, e.g. by inspection, including the use of photo or video fixation. If the crop has already been harvested, we consider that the courts must agree on the place and manner of storage of such property. For example, crops such as grain, which is the most common subject of seizure in criminal proceedings under Article 197-1(1) of the CC of Ukraine, may be kept both segregated and unseparated. The latter means that the goods of a single depositor may be mixed with goods of the same class and quality of other depositors. In the case

¹⁶ On state control over the use and protection of lands Law of Ukraine June 19, 2003 № 963-IV Retrieved from: <https://zakon.rada.gov.ua/laws/show/963-15#Text>.

¹⁷ Panov M.I., Shepitko V. Yu., Konovalova V.O. (2011), *Nastilna knyha slidchoho* [The Investigator's Desk Book]. Kyiv: In Yure. [in Ukrainian].

of undistinctive storage, it is not possible to identify specific crops for the purpose of agricultural technical expertise in order to establish the fact of their cultivation on the joint land plot. Thus, we believe that the seizure of crops, in the case of recognition of such property as physical evidence that has retained the traces of a criminal offense is necessary if such a harvest is collected and stored separately.

7. Problems of the procedural order of imposing arrest on agricultural crops

Attribution of the harvest to the category of physical evidence containing other information that can be used as evidence of a fact or circumstance established during criminal proceedings requires not formal but substantive justification when investigator files a request for the seizure of property. The necessity to inform the investigator or prosecutor about the necessity and justification of seizure of property was also stated in the decision of the Grand Chamber of the Supreme Court № 11-788san19 dated 12.12.2019, where the court upheld the disqualification of the investigator by the court of appeal in view of the fact that: «the investigator did not state in the complaint whether the land plot and the crop on it were relevant for establishing the circumstances of the criminal offence, the investigator's application contains only a general formulation of the grounds and objectives of the seizure of property in accordance with the procedural law, which does not appear possible to determine whether the object of seizure is the object of criminally punishable actions or property acquired by criminal means or as a result of the commission of a criminal offence The court shall apply the most restrictive method of seizure, taking into account that the interference with the right of ownership must be justified and if the complaint is approved by the investigating judge, the court shall apply the most restrictive method of seizure, the decisions of the courts, which refuse to approve the complaints of the investigators due to the fact that the complaint does not specify what kind of information is involved, should be taken into account.

The requirement that the investigator's allegations be properly substantiated concerns not only the decision to declare the property as an

evidence, but also the determination of the purpose and grounds for the seizure of property. According to law enforcement practice, investigators often limit themselves to quoting provisions of criminal procedural legislation. In this context, it should be noted that the purpose of the seizure of property is to prevent the possibility of its diversion, damage, embezzlement, destruction, conversion, alienation. The imposition of a seizure of crops, which entails, *inter alia*, a ban on harvesting, in no way corresponds to the objective of «preserving evidence». It is quite obvious that harvesting restrictions, especially at the end of the growing season, pose a risk of crop failure and in no way contribute to crop conservation.

Another issue, which in our opinion, needs to be resolved in the context of the investigated issues is the need for a detailed description of the property subject to seizure. It should be noted that the criminal procedure law imposes different requirements for the request of the prosecutor, the investigator in agreement with the prosecutor and the investigating judge or the court to specify the property to be seized. In the first instance, such a request is based on the availability of a list of the type of property, whereas the judge's notice by the investigating judge is sufficient to specify only the list of property that is to be seized. In our opinion, the indication of the list and type alone is insufficient in view of the following. In accordance with Article 184 of the Civil Code of Ukraine, property may be identified by its individual or generic characteristics. A property is defined by generic attributes if it has attributes that are characteristic of all other words of the same kind and are measured by number, weight, or measure.¹⁸ These include agricultural crops. Due to the fact that these assets are interchangeable and agricultural enterprises may be simultaneously engaged in the production of different types of crops or different classes of the same crop, we believe that these assets require a more detailed description in the asset seizure notice than assets identified by their individual characteristics. The designation by the investigating magistrate, the court, exclusively, for example, of the value or year of harvest, prevents such property from being identified from the entire stock of crops that may be in the possession

¹⁸ The Civil code of Ukraine Law of Ukraine of January 16, 2003 № 5 435-IV. Retrieved from: <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

of the agricultural enterprise. In our view, the most widespread lapses in law enforcement activity are the lack of specification of the amount of seized property or the indication of only an approximate value. Quite illustrative material in this regard can be distinguished by the decisions of the Oktyabrsky District Court of Poltava in case No. 554/13739/15-k and the Chornobaivsky District Court of the Cherkasy region in case No. 709/1581/19. The first decision upheld the investigator's complaint and seized "approximately 12 tonnes of maize grain, approximately 6 tonnes of wheat grain". In another decision, the seizure was imposed on "grain of sunflower in the amount of 7 (seven) polyethylene bags".¹⁹ Instead, as positive trend should be noted in the courts' refusals to approve applications for seizure of property in view of the fact that «the application does not contain data on the type of property to be seized, What kind of property is to be seized, the type of agricultural production, quantity, volume or value, and who is the owner of the property».²⁰

In summary, we note the need for a detailed description of the property subject to seizure in the application for seizure and the decision of the investigating judge, court on the application of this type of measure of security for criminal proceedings. If that crops are subject to seizure, it is necessary to specify the value, class, year of harvesting of the crop.

8. Conclusions

In summary, the research conducted leads to the following conclusions:

1. Critical analysis of legislation and positions prevalent in the scientific community regarding the understanding of the terms «agricultural production,» «crop» and «agricultural crops» allows us to draw a conclusion that when arrest is imposed during criminal proceed-

¹⁹ Ukhvala Chornobaivskoho raionnoho sudu Cherkaskoi oblasti u spravi № 709/1581/19 vid 11.09.2019 u spravi № 709/1581/19 [The decision of the Chornobayiv District Court of Cherkasy region dated 11.09.2019 in the case №709/1581/19] Poltava: Chornobayiv District Court of Cherkasy region [in Ukrainian] Accessed at: <https://reyestr.court.gov.ua/Review/84165814>.

²⁰ Ukhvala Apeliatsiinoho sudu Poltavskoi oblasti vid 19.12.2017 roku u spravi № 552/7797/17 [The decision of the Court of Appeal of Poltava region dated 19.12.2017 in the case № 552/7797/17] Poltava: Appeal of Poltava region [in Ukrainian] Accessed at: <https://reyestr.court.gov.ua/Review/71184809>.

- ings under Part 1. Article 197–1 of the CC of Ukraine, it is correct to use the term «agricultural crops» and «crop». At present, the latter is applicable only if such crops have already been harvested.
2. Recognition of crops as physical evidence as an instrument of crime and their further seizure is impossible, as the cultivation of any crops on illegally occupied land is the result of such illegal possession, and not the object (phenomenon) used in the commission of a criminal offense.
 3. The inadmissibility of the recognition of agricultural crops as a subject of criminal offence under Part 1 Article 197–1 of the CC of Ukraine. It is argued that the subject of this criminal offence is a specific plot of land with respect to which ownership relations arise.
 4. It is concluded that the recognition of crops as physical evidence that have been criminally illicitly harvested is possible only under the condition that such crops have already been harvested. Seizure of the growing production is not possible in view of the fact that the person has not yet physically acquired the capacity to use, dispose of, and possess such property.
 5. It has been argued that there is a need to prevent the preservation of agricultural crops in order to seize such property, on the grounds that it may contain traces of a criminal offense.
 6. The prerequisites for the application of such an approach to secure criminal proceedings as seizure of property shall include the grounds, purpose, proportionality and necessity of the application of such an approach. In view of the fact that agricultural crops are property identified by generic characteristics, such property requires a detailed description in the report of the investigating judge, the court in order to identify it. In our opinion, this approach to the recognition of agricultural crops as a physical evidence and seizure will ensure non-transparent ownership, and the limitation of such rights will be carried out in compliance with human rights.

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Summary

This article is devoted to the examination of the procedural order of imposing arrest on agricultural crops during the judicial investigation of criminal offenses under Part 1 of Article 197–1 of the CC of Ukraine «Illegal occupation of land plots and self-building». The author, through the prism of logic, has analyzed the concepts of “harvest”, “agricultural crops” and “agricultural products”. It was found that when arresting agricultural crops during criminal proceedings under Part 1 Article 197–1 of the Criminal Code of Ukraine, it is advisable to use the terms “harvest” and “agricultural crops” depending on the stage of production at which the crops are located. The article examines the problems associated with the possibility of recognition of agricultural crops as a physical evidence in criminal proceedings and, as a result, the imposition of arrest on them. Based on the analysis of judicial practice, it was concluded that a detailed description of property in the notes of investigating judges, courts when seizering on property defined by generic characteristics is necessary. It is argued that when deciding on the imposition of seizure on agricultural crops it is necessary to take into account the order of preservation of such property. Developed scientific and practical recommendations on the application of the provisions governing the procedure for imposing arrest on agricultural crops.

Keywords: seizure of property, illegal occupation of land plots, physical evidence, harvest, agricultural crops