



Plenary sitting

A9-0075/2023

24.3.2023

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1217/2009 as regards conversion of the Farm Accountancy Data Network into a Farm Sustainability Data Network (COM(2022)0296 – C9-0206/2022 – 2022/0192(COD))

Committee on Agriculture and Rural Development

Rapporteur: Jérémy Decerle

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1217/2009 as regards conversion of the Farm Accountancy Data Network into a Farm Sustainability Data Network (COM(2022)0296 – C9-0206/2022 – 2022/0192(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0296),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0206/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 26 October 2022¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A9-0075/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The development of the Union agricultural sector and of the common agricultural policy requires objective and relevant information on the performance

Amendment

(1) The ***assessment, analysis and*** development of the Union agricultural sector and of the common agricultural policy requires objective, ***updated*** and

¹ Not yet published in the Official Journal.

and sustainability of the Union agricultural holdings. The Farm Accountancy Data Network (FADN) had been established by Council Regulation (EC) No 1217/2009²⁵.

relevant information on the performance and sustainability of the Union agricultural holdings. The Farm Accountancy Data Network (FADN) had been established by Council Regulation (EC) No 1217/2009²⁵.

²⁵ Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Union (OJ L 328, 15.12.2009, p. 27).

²⁵ Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Union (OJ L 328, 15.12.2009, p. 27).

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) In the Commission communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (‘Farm to Fork strategy’), the Commission announced its intention to convert the Farm Accountancy Data Network (FADN) into a Farm Sustainability Data Network (FSDN), with a view to collect farm level data on sustainability. The conversion will **also** contribute to the improvement of advisory services to farmers and benchmarking of farm performance.

Amendment

(3) In the Commission communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (‘Farm to Fork strategy’), the Commission announced its intention to convert the Farm Accountancy Data Network (FADN) into a Farm Sustainability Data Network (FSDN), with a view to collect farm level data on sustainability. The conversion will **enable the data network to support the development of evidence- and performance-based policies and to contribute to the evaluation of the enhanced environmental and social dimensions of the CAP and to the improvement of advisory services to farmers and benchmarking of farm performance, and will contribute to the transparency and fairness of the agri-food supply chain.**

Amendment 3

Proposal for a regulation Recital 4

(4) Agricultural holdings sustainability is assessed in the framework of the United Nations Sustainable Development Goals, along three main aspects: economic, environmental and social. Data are currently collected mainly to assess economic aspects of agricultural holdings, while there is a need that an overall sustainability of the holding is assessed including environmental data linked to soil, air, water and biodiversity, as well as data covering the social dimension of farming. The conversion to FSDN will enable the benchmarking of farm performance against regional, national and sectorial averages. Regarding accountancy data, accounts of agricultural holdings constitute the basic source for any assessment of incomes on agricultural holdings or study of their business operation. The information collected may also be used to provide personalised advisory services and feedback to farmers with the aim to improve the agricultural holdings' sustainability.

(4) Agricultural holdings sustainability is assessed in the framework of the United Nations Sustainable Development Goals **(SDGs)**, along three main aspects: economic, environmental and social. Data are currently collected mainly to assess economic aspects of agricultural holdings, while there is a need that an overall sustainability of the holding is assessed including environmental data linked to soil, air, water and biodiversity, as well as data covering the social dimension of farming ***with particular attention given to the situation of women as farmers and farm workers and of young farmers and farm workers. Moreover, it is necessary to collect harmonised data and to avoid duplication of data already collected, for example, through statistics on agricultural input and output or the CAP in order to avoid and reduce administrative burden on respondents and authorities, whilst at the same time ensuring data protection.*** The conversion to FSDN will ***enable the assessment and analysis of agricultural sectors in the Member States, gauging progress and providing valuable guidance both to farmers and to policy makers. Such conversion will also*** enable the benchmarking of farm performance against regional, national and sectorial averages. Regarding accountancy data, accounts of agricultural holdings constitute the basic source for any assessment of incomes on agricultural holdings or study of their business operation. The information collected may also be used to provide ***improved*** personalised advisory services and feedback to farmers with the aim to improve ***farm management and*** the agricultural holdings' sustainability. ***Advisory services should be subject to confidentiality rules under Article 151(3) of Regulation (EU) 2021/2115 of the European Parliament and of the***

Council^{1a}.

^{1a} Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

Amendment 4

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) Those objectives can be attained only by means of a Union network for the collection of farm sustainability data (hereinafter referred to as ‘data network’), based on data collectors existing in each Member State, enjoying the confidence of the parties concerned. Member States or responsible national authorities should endeavour to modernise data collection modes as far as possible. In order to reduce the burden for farmers and data collectors, with the aim to avoid the duplication of data requests and to enrich the FSDN data set, the principle of **collect** data once and **re-use** it multiple times should be applied. **The Open Data Directive²⁷** will be considered. The use of digital solutions **should be promoted**, including re-use of data and data sharing with other sources. It should be provided for that the system based exclusively on farm accountancy offices may be extended in view of collecting environmental and social variables and that the data collection may

Amendment

(5) Those objectives can be attained only by means of a Union network for the collection of farm sustainability data (hereinafter referred to as ‘data network’), based on data collectors existing in each Member State, enjoying the confidence of the parties concerned. ***There should also be constant care to ensure that the data collected may be used to monitor progress towards the SDGs.*** Member States or responsible national authorities should endeavour to modernise data collection modes as far as possible. In order to reduce the ***administrative*** burden for farmers and data collectors, with the aim to avoid the duplication of data requests and ***data collection and*** to enrich the FSDN data set, the principle of ***collecting*** data once and ***re-using*** it multiple times should be applied ***for the purposes of this Regulation. Therefore, all existing relevant data collected in accordance with other relevant Union legal acts should be relied on and reused, such as data***

be based both on regular and special surveys depending on the informative needs.

*collected on the basis of Annex I to Regulation (EU) 2021/2115. Directive (EU) 2019/1024 of the European Parliament and of the Council²⁷ will be considered. The use of digital solutions, including re-use of data and data sharing with other sources, **should be promoted and should always be made a first choice, where it is conducive to the broad participation of farmers and the accuracy of data collected. For that purpose, developing or optimising available digital tools for data collection, such as the Farm Sustainability Tool, should be explored.** It should be provided for that the system based exclusively on farm accountancy offices may be extended in view of collecting environmental and social variables and that the data collection may be based both on regular and special surveys depending on the informative needs.*

²⁷ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information. **PE/28/2019/REV/1.**

²⁷ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (**OJ L 172, 26.6.2019, p. 56**).

Amendment 5

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In the framework of the FSDN, data to be collected should be broken into three categories: economic, environmental and social. Those three categories should be the unvarying backbone of the FSDN. They should be set out in an annex to Regulation (EC) No 1217/2009. Within those three categories, in that annex, a set of possible topics for the collection of data should also be listed. When applying this Regulation, the

collection of data from farmers should be limited to the topics set out in that annex. However, in order to allow for the adaptation of the collection of data to developments in the economic, environmental and social fields, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Regulation by adding further topics to that annex within the categories set out therein, or by modifying the existing topics. Prior to the adoption of a delegated act, the Commission should carry out a study on the relevance and feasibility of any such modification or of the introduction of new topics. The Commission should also evaluate the proportionality of the new data requirements in relation to their contribution to the assessment of farm sustainability, the availability of new data sources and the relevant costs and burden for the Member States and the returning holdings. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making^{1a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

^{1a} OJ L 123, 12.5.2016, p. 1.

Amendment 6

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) *When sending the data for returning holding at Union level, Member States should provide a farm ID to allow farm level identification with the purpose to ensure data sharing at Union level. Such information exchange has the objective to enhance the capacity to analyse sustainability matters.*

Amendment

deleted

Amendment 7

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In case individual data will be shared by the Commission or liaison agencies, it is of utmost importance to guarantee data protection and give assurance to farmers that their data and all other individual details obtained pursuant to this Regulation will be anonymised *or pseudonymised* to avoid their identification, covering both natural and legal persons.

Amendment

(8) In case individual data will be shared by the Commission or liaison agencies, it is of utmost importance to guarantee data protection and give assurance to farmers that their data and all other individual details obtained pursuant to this Regulation will be anonymised to avoid their identification, covering both natural and legal persons.

Amendment 8

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The data should be collected at the level of the Member State and should be pseudonymised with *the* identification *number*. Only *pseudonymised* data should be transmitted to the Commission. It should be provided for that access to this

Amendment

(9) The data should be collected at the level of the Member State and should be pseudonymised with *a farm ID to allow farm-level identification as well as subsequent interlinkage with other data networks*. Only *anonymised* data should be

data may be provided only to the competent authorities in specific cases and in accordance with international, Union and national law. The procedures to be followed and the conditions to be fulfilled in order to gain access to data in accordance with necessity and proportionality requirements should be defined by international, Union and national law, and in particular with the Charter of Fundamental Rights of the European Union.

transmitted to the Commission. It should be provided for that access to this data may be provided only to the competent authorities in specific cases and in accordance with international, Union and national law. The procedures to be followed and the conditions to be fulfilled in order to gain access to data in accordance with necessity and proportionality requirements should be defined by international, Union and national law, and in particular *in accordance* with the Charter of Fundamental Rights of the European Union.

Amendment 9

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) All necessary measures should be taken to avoid de-anonymisation *and de-pseudonymisation* but it may occur that data could be disclosed due to additional research and data disclosure outside the control of the Commission. In such cases, data should be considered as personal data and Regulations (EU) 2016/679²⁸ and (EU) 2018/1725²⁹ of the European Parliament and of the Council should apply. Data are collected *concerning* agricultural holdings, without regard to ownership of natural or legal persons. Therefore, data protection guarantees should be extended to legal persons. *Further*, as the development, production and dissemination of European statistics is concerned, principles of Regulation (EC) 223/2009³⁰ should be complied with.

²⁸ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of

Amendment

(10) All necessary measures should be taken to avoid de-anonymisation but it may occur that data could be disclosed due to additional research and data disclosure outside the control of the Commission. In such cases, data should be considered as personal data and Regulations (EU) 2016/679²⁸ and (EU) 2018/1725²⁹ of the European Parliament and of the Council should apply. Data are collected *with respect to* agricultural holdings, without regard to ownership of natural or legal persons. Therefore, data protection guarantees should be extended to legal persons. *Furthermore*, as the development, production and dissemination of European statistics is concerned, principles of Regulation (EC) 223/2009³⁰ should be complied with.

²⁸ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of

personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

²⁹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

³⁰ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

²⁹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

³⁰ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

Amendment 10

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) With the enlarged scope of the FSDN, it is needed to adapt rules on budget, including differentiated management for regular and special surveys. The Union budget should finance the set-up and modernisation of Member States systems to align it with the revised scope and management of FSDN. Member States may provide for an allocation related to the standard output value of the agricultural holding. Member States should

Amendment

(13) With the enlarged scope of the FSDN, it is needed to adapt rules on budget, including differentiated management for regular and special surveys. The Union budget should finance the set-up and modernisation of Member States systems to align it with the revised scope and management of FSDN. Member States may provide for an allocation related to the standard output value of the agricultural holding. Member States **and**

have the possibility to set incentives for farmers participation in the data network, such as financial contribution, feedback on the farm performance with a focus on improving sustainable farming practices, or targeted advice based on FSDN information.

the Commission should have the possibility to set incentives for farmers participation in the data network, such as financial contribution, feedback on the farm performance with a focus on improving sustainable farming practices, or targeted advice based on FSDN information.

Amendment 11

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) Considering that **some** Member States face problems with farmers' participation in the **data network, some of them already included the FADN system under national statistics which provide an obligation for farmers to provide the requested information.** When selected as returning holding, farmers should provide the data; **it** should be possible for the Member States to adopt national rules to **address cases of returning holdings not complying with such an obligation.**

Amendment

(14) Considering that **most** Member States **do not** face problems with farmers' participation in the **existing FADN and taking into account the wider scope and the increased quantity of data to be collected in the FSDN, the voluntary nature of participation of the farmers in the FSDN should be maintained.** When selected as returning holding, farmers should **do their best to** provide the data. **It** should be possible for the Member States to adopt national rules to **ensure that the data collected is of better quality and to facilitate the collection of the data.**

Amendment 12

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Personalised advisory services provided to returning holdings based on FSDN data can be valuable and thus provide a significant incentive to take part in FSDN provided that the advice is based on relevant and as recent as possible data, taking into account science-based developments and the latest available

knowledge on best practices.

Amendment 13

Proposal for a regulation

Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) As a matter of principle, the overall Union funding for FSDN should increase in proportion to the increased reporting requirements for farmers.

Amendment 14

Proposal for a regulation

Recital 14 c (new)

Text proposed by the Commission

Amendment

(14c) Given that many Member States and FSDN liaison agencies are likely to experience significant resource constraints and that the technical nature of the data collection work to be undertaken requires expertise to be sustained over time, the necessary funding at Member State and Union levels needs to be secured to ensure sufficient financial and human resources necessary for high-quality data collection.

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1217/2009

Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. A Union farm sustainability data network ('FSDN' or 'data network') is set up to collect ***farm level*** economic,

1. A Union farm sustainability data network ('FSDN' or 'data network') is set up to collect ***farm-level*** economic, environmental and social data ***as laid down***

environmental and social data.

in Annex -I which sets out data categories to be collected.

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1217/2009

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission is empowered to adopt delegated acts, in accordance with Article 19a, amending this Regulation by amending Annex -I in order to modify existing topics or to introduce new topics, in accordance with the objectives of this Regulation and on the basis of studies carried out by the Commission, examining the relevance, feasibility and proportionality of such modification or introduction of topics and evaluating, in particular, the contribution of new topics to farms' sustainability assessments, the availability of new data sources and the relevant costs and burden for the Member States and the returning holdings.

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1217/2009

Article 1 – paragraph 2

Text proposed by the Commission

Amendment

2. The data obtained pursuant to this Regulation ***shall*** contribute to the assessment of ***EU*** agriculture's sustainability.

2. The purpose of the data network shall be to contribute to the evaluation of whether the objectives of the common agricultural policy are being met and to evaluate the impact of future policies on the agricultural sector. The data obtained pursuant to this Regulation may also contribute to the assessment of Union agriculture's sustainability and to the

analysis of farm incomes in the Union, covering its economic, environmental and social dimensions. In addition, such data may also be used to provide personalised advisory services and feedback to farmers with the aim of facilitating the management of agricultural holdings and of improving the sustainability of agricultural holdings.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1217/2009

Article 1 – paragraph 3

Text proposed by the Commission

3. FSDN data shall be made publicly available in a manner consistent with Articles 7 and 8 of the Charter of Fundamental Rights of the European Union and Regulations (EU) 2016/679* **and** 2018/1725**.

* Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

** Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and

Amendment

3. FSDN **aggregated** data shall be made publicly available in a manner consistent with Articles 7 and 8 of the Charter of Fundamental Rights of the European Union and Regulations (EU) 2016/679*, (EU) 2018/1725** **and (EU) No 1367/2006*** of the European Parliament and of the Council, and with Directive 2003/4/EC**** of the European Parliament and of the Council.**

* Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

** Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and

Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

***** Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ L 264, 25.9.2006, p. 13).**

****** Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 2).**

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 1217/2009

Article 1 – paragraph 4

Text proposed by the Commission

4. **Where relevant**, the processing, management and use of data collected under this Regulation shall comply with Regulations (EU) 2016/679, (EU) 2018/1725 and (EC) 223/2009***.

*** Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical

Amendment

4. The processing, management and use of data collected under this Regulation shall comply with Regulations (EU) 2016/679, (EU) 2018/1725 and (EC) 223/2009*** **of the European Parliament and of the Council.**

*** Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EC) No 1217/2009

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘farmer’ means the natural person responsible for the day-to-day management of an agricultural holding;

Amendment

(a) ‘farmer’ means the natural **or legal** person responsible for the day-to-day management of an agricultural holding;

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EC) No 1217/2009

Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘FSDN data’ means economic, environmental and social **farm level** data relating to agricultural holdings derived from accounts, and/or from other data sources collected systematically and regularly;

Amendment

(g) ‘FSDN data’ means **sustainability data comprising farm-level** economic, environmental and social data **referred to in Article 1(1)** relating to agricultural holdings derived from accounts, and/or from other data sources collected systematically and regularly;

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EC) No 1217/2009

Article 4 – paragraph 1

Text proposed by the Commission

1. This Chapter shall apply to the collection of accountancy and other sustainability data. FSDN data shall be

Amendment

1. This Chapter shall apply to the collection of accountancy and other sustainability data **that returning holdings**

collected by means of regular and special surveys.

may provide on a voluntary basis. FSDN data shall be collected by means of regular and special surveys.

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EC) No 1217/2009

Article 4 – paragraph 2

Text proposed by the Commission

2. The competent authority for FSDN may use other data sources in order to collect and re-use data to feed the FSDN surveys.

Amendment

2. The competent authority for FSDN may use ***and rely on*** other data sources, ***such as statistics on agricultural input and output, the Integrated Administration and Control System and the agricultural census,*** in order to collect and re-use ***relevant existing or already-collected aggregated*** data to feed the FSDN surveys, ***while ensuring data protection. The indicators already measured in other data sources regulated by Union law in the field of statistics, such as Regulations (EU) 2018/1091 and (EU) 2022/2379,*** shall not be included in FSDN surveys in order to avoid additional administrative burden on farmers and other relevant stakeholders. The use of secondary data sources, such as registers or farm administrative records, shall be subject to the prior agreement of farmers to such use.

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The field of the survey shall cover agricultural holdings having an economic

Amendment

The field of the survey shall cover agricultural holdings having an economic

size equal to, or greater than, a threshold ***expressed in euro*** corresponding to one of the lower limits of the economic size classes of the Union typology for agricultural holdings defined in Article 5b.

size equal to, or greater than a threshold corresponding to one of the lower limits of the economic size classes of the Union typology for agricultural holdings defined in Article 5b.

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, supplementing this Regulation with the rules on fixing the threshold referred to in the first subparagraph of this paragraph.

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, supplementing this Regulation with the rules on fixing the threshold referred to in the first subparagraph of this paragraph. ***Those rules shall ensure that farms of smaller economic size are inclusively represented.***

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The Commission shall adopt, on the basis of data received from Member States, implementing acts fixing the threshold referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

Amendment

The Commission shall adopt, on the basis of ***the data and the recommendations*** received from ***the*** Member States, implementing acts fixing the threshold referred to in the first subparagraph ***of this paragraph***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) be farmed by a farmer keeping farm accounts or willing and able to keep farm accounts and willing to allow the accountancy data from the agricultural holding to be made available to the Commission.

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. An agricultural holding qualifying as returning holding in the plan for the selection of returning holdings ***shall provide*** the requested data.

3. An agricultural holding qualifying as returning holding in the plan for the selection of returning holdings ***may voluntarily facilitate the collection of*** the requested data ***in accordance with national law.***

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EC) No 1217/2009

Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States may adopt national rules to address possible cases of non-compliance with paragraph 3.

deleted

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 13

Regulation (EC) No 1217/2009

Article 7 – paragraph 1 – point h

Text proposed by the Commission

(h) to make available the obtained results for providing advice and feedback to *farmers* on their sustainability performance.

Amendment

(h) to make available, ***within two years after the collection of the data***, the obtained results for providing ***updated*** advice, ***updated benchmarking*** and feedback to ***returning holdings*** on their sustainability performance ***and farm management***;

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 13

Regulation (EC) No 1217/2009

Article 7 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) to set out a plan for the distribution of incentives granted to farmers under this Regulation.

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 14

Regulation (EC) No 1217/2009

Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, supplementing this Regulation with the rules to determine the ***main groups of*** data to be collected and the general rules for data collection.

4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, supplementing this Regulation with the rules to determine the data to be collected ***based on the topics listed in Annex -I***, and the general rules for data collection. ***The general rules for data collection shall take***

*into account relevant technology
advancements and the possibility of
collecting data through remote sensing.*

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EC) No 1217/2009

Article 16 – paragraph 2

Text proposed by the Commission

2. *Anonymised or pseudonymised individual data can be shared by the Commission or by liaison agencies for the purposes set in Article 1*, provided that the *identification of* natural or legal persons *is avoided*.

Amendment

2. *For the purposes referred to in Article 1, the Commission and the liaison agencies may share among themselves only anonymised individual data*, provided that the *relevant* natural or legal persons *cannot be identified*.

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EC) No 1217/2009

Article 19 – paragraph 1 – point a

Text proposed by the Commission

(a) for regular surveys: a standard fee payable to the Member States for the delivery of duly completed farm returns delivered within the set deadline up to the maximum number of returning holdings as fixed in accordance with Article 5a(2). Where the total number of duly completed and delivered farm returns in respect of a FSDN division or a Member State is less than **80** % of the number of returning holdings laid down for that FSDN division or for the Member State concerned, a fee equal to 50 % of the standard fee shall be applied for each farm return from that FSDN division or from the Member State concerned;

Amendment

(a) for regular surveys: a standard fee payable to the Member States for the delivery of duly completed farm returns delivered within the set deadline up to the maximum number of returning holdings as fixed in accordance with Article 5a(2). Where the total number of duly completed and delivered farm returns in respect of a FSDN division or a Member State is less than **75** % of the number of returning holdings laid down for that FSDN division or for the Member State concerned, a fee equal to 50 % of the standard fee shall be applied for each farm return from that FSDN division or from the Member State concerned;

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EC) No 1217/2009

Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) for special surveys: a standard fee payable to the Member States for the delivery of duly completed farm returns delivered within the set deadline up to the maximum number of returning holdings as fixed in accordance with Article 5a(2). Where the total number of duly completed and delivered farm returns in respect of a FSDN division or a Member State is less than **80** % of the number of returning holdings laid down for that FSDN division or for the Member State concerned, a fee equal to 50 % of the standard fee shall be applied for each farm return from that FSDN division or from the Member State concerned;

Amendment

(b) for special surveys: a standard fee payable to the Member States for the delivery of duly completed farm returns delivered within the set deadline up to the maximum number of returning holdings as fixed in accordance with Article 5a(2). Where the total number of duly completed and delivered farm returns in respect of a FSDN division or a Member State is less than **75** % of the number of returning holdings laid down for that FSDN division or for the Member State concerned, a fee equal to 50 % of the standard fee shall be applied for each farm return from that FSDN division or from the Member State concerned;

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EC) No 1217/2009

Article 19 – paragraph 3

Text proposed by the Commission

3. The Union **may** also provide financial contributions from the general budget of the Union to Member States, in order to cover the implementation costs of this Regulation when the setting up of the system for collecting the additional environmental and social variables, including training and interoperability between data collection systems, necessitates significant adaptations in the national FADN data collection system of a Member State.

Amendment

3. The Union **shall** also provide financial contributions from the general budget of the Union to Member States, in order to cover the implementation costs of this Regulation when the setting up of the system for collecting the additional environmental and social variables, including training and interoperability between data collection systems, necessitates significant adaptations in the national FADN data collection system of a Member State.

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EC) No 1217/2009

Article 19 – paragraph 5

Text proposed by the Commission

5. Member States **may** define and provide incentives for farmers' participation **to** FSDN surveys.

Amendment

5. Member States **shall** define and provide incentives, **including financial ones**, for farmers' participation **in** FSDN surveys.

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EC) No 1217/2009

Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall adopt implementing acts establishing the detailed procedures in relation to the standard fee referred to in paragraph 1, points (a) and (b), and adaptations to the data collection system referred to in paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

Amendment

6. The Commission shall adopt implementing acts establishing the detailed procedures in relation to the standard fee referred to in paragraph 1, points (a) and (b), **of this Article**, and adaptations to the data collection system referred to in paragraph 3 **of this Article**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 18 – point a

Regulation (EC) No 1217/2009

Article 19a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3 **and Articles** 4(3), 5(1), 5a(1), 5b(2) and (3) and 8(3) shall be

Amendment

2. The power to adopt delegated acts referred to in **Article 1(1a)**, Article 3, **Article** 4(3), **Article** 5(1), **Article** 5a(1),

conferred on the Commission for a period of **5** years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than **nine** months before the end of the **five-year** period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Article 5b(2) and (3) and **Article 8(4)** shall be conferred on the Commission for a period of **three** years from ... [the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than **six** months before the end of the **three year** period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 18 – point b

Regulation (EC) No 1217/2009

Article 19a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 3 **and Articles** 4(3), 5(1), 5a(1), 5b(2) and (3) and Article 8(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in **Article 1(1a)**, Article 3, **Article** 4(3), **Article** 5(1), **Article** 5a(1), **Article** 5b(2) and (3) and Article 8(**4**) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 18 – point c

Regulation (EC) No 1217/2009

Article 19a – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to

Amendment

5. A delegated act adopted pursuant to

Article 3 **and Articles** 4(3), 5(1), 5a(1), 5b(2) and (3) and Article 8(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 1(1a), Article 3, **Article** 4(3), **Article** 5(1), **Article** 5a(1), **Article** 5b(2) and (3) and Article 8(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 19 a (new)

Regulation (EC) No 1217/2009

Annex –I (new)

Text proposed by the Commission

Amendment

(19a) The text set out in Annex -I to this Regulation is inserted as Annex -I.

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 20

Regulation (EC) No 1217/2009

Annex I

Text proposed by the Commission

Amendment

(20) Annex I is replaced by the text in **the** Annex to this Regulation.

(20) Annex I is replaced by the text in Annex **I** to this Regulation.

Amendment 44

Proposal for a regulation

Annex -I (new)

Regulation (EC) No 1217/2009

Annex -I (new)

ANNEX -I

“ANNEX -I

***List of data categories referred to in
Article 1(1) that shall be included in the
FSDN data***

***1. Economic variables may cover the
following topics:***

- (1) general data about the farm
(ownership, legal status);***
- (2) assets (land, buildings,
equipment);***
- (3) land use (including areas facing
natural and other specific constraints);***
- (4) debts;***
- (5) inputs (costs);***
- (6) products (plant production,
livestock and animal products);***
- (7) income from non-agricultural
activities;***
- (8) quality products – geographical
indications;***
- (9) membership of producer
organisations;***
- (10) subsidies;***
- (11) production quotas and rights.***

***2. Environmental variables may cover the
following topics:***

- (1) soil management;***
- (2) wild and domestic biodiversity;***
- (3) greenhouse gas emissions and
removals;***
- (4) nutrients, pesticides and
antibiotics use and management;***
- (5) organic farming;***
- (6) carbon farming;***
- (7) animal welfare;***

- (8) waste management;*
- (9) water management;*
- (10) energy use and production.*

3. Social variables may cover the following topics:

- (1) holding and partnership description;*
- (2) labour description, including gender and age distribution;*
- (3) social security;*
- (4) working conditions for farmers and agricultural workers;*
- (5) education;*
- (6) social inclusion (well-being, living conditions for farmers and agricultural workers);*
- (7) access to infrastructure and essential services.*

EXPLANATORY STATEMENT

The Farm Accountancy Data Network (FADN) is a very valuable source of microeconomic and accountancy data collected from more than 80 000 EU farms each year. It has been in place since 1965 and makes it possible to make regular assessments of the economic and financial circumstances of farms. Strictly speaking it is not a statistical tool, because it is based on samples, but many public-sector decision-makers, researchers and agricultural organisations have become familiar with it.

We should see it as an entirely logical step – indeed, one we should welcome – that the Commission is seeking to enhance the FADN by converting it into a Farm Sustainability Data Network (FSDN), with environmental and social dimensions being added to complement the original focus on economics.

This move – which is part of the Farm to Fork strategy and is also consistent with the development of the CAP – involves making changes to existing legislation [Council Regulation (EC) No 1217/2009].

In examining the draft text, the rapporteur has been keen to emphasise that although the aims of the new FSDN are broader, it is still just as relevant and effective as the current FADN.

The rapporteur is proposing twenty-two amendments that cover three main issues.

The first is the nature of the new variables that are to be introduced and therefore collected from those making up the sample. Although the basic act is not the place for an exhaustive list of those variables, the rapporteur thinks it's important that it should provide a framework – something that the current regulation does not do, and did not need to do for the FADN. At the moment, most FADN data are drawn solely from farm accounts. The addition of the environmental and social strands will make it necessary to draw on other sources of information. Although much focus will be placed on the use of existing information, on the cross-checking of databases and on anything that avoids duplication when it comes to making demands on farmers, these extra dimensions will of course have a cost. And that cost must be kept down to ensure that the tool can continue to supply data in an efficient manner. The rapporteur is not prepared to give the Commission a blank cheque to collect any kind of information. A realistic approach would be to agree on a stable framework, the details of which would be set out only in the secondary legislation. We shouldn't forget that the FSDN will only be useful if it gives decision-makers information based on variables collected from all over the EU, over long periods of time. That means that the list of data collected should not be modified often.

The next issue is the fact that farmers participate in the network on a voluntary basis. The extensive exchanges the rapporteur has had, especially with the liaison agencies in various Member States, have led him to conclude that the quality of the data in the FADN as it currently stands is down to the fact that farmers take part in the network voluntarily. Most Member States have satisfactory return rates at present, and the rapporteur does not consider it justified to make participation compulsory, particularly if additional data is requested. On the contrary, he believes that if participation is perceived as a constraint, this will have an adverse impact on data quality. The rapporteur is, however, very much in favour of promoting

incentives, such as providing advisory feedback in response to returns and thereby enabling farms to see, on the basis of a number of different criteria, how they compare with others in the same region or sector at EU level.

The final issue is that of data confidentiality and establishing how information is to be used. The rapporteur has no doubt that the Commission intends to protect the identity of respondents and to ensure that data are used solely for the purpose for which they have been gathered. He does take the view, however, on the basis of the opinion of the European Data Protection Supervisor, that the use of a farm identifier (which is needed to cross-check databases) and ‘pseudonymisation’ mean that there is a need for a framework that is stricter and clearer than the one currently set out in the regulation, to ensure that participants are offered every possible guarantee when it comes to data protection.

So this is the spirit in which the rapporteur is proposing the amendments. His sole wish is help achieve an FSDN that provides more clarity for decision-makers, operates in a manner that respects Member States’ and farmers’ ability to act and aims to ensure that data quality is the same throughout the EU, so as to secure a future for our farming and tackle all the challenges it faces.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amending Council Regulation (EC) No 1217/2009 as regards conversion of the Farm Accountancy Data Network into a Farm Sustainability Data Network
References	COM(2022)0296 – C9-0206/2022 – 2022/0192(COD)
Date submitted to Parliament	22.6.2022
Committee responsible Date announced in plenary	AGRI 4.7.2022
Rapporteurs Date appointed	Jérémy Decerle 29.8.2022
Discussed in committee	12.7.2022 9.1.2023
Date adopted	22.3.2023
Result of final vote	+: 45 –: 0 0: 1
Members present for the final vote	Mazaly Aguilar, Clara Aguilera, Álvaro Amaro, Attila Ara-Kovács, Carmen Avram, Adrian-Dragoș Benea, Benoît Biteau, Daniel Buda, Isabel Carvalhais, Dacian Cioloș, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Paola Ghidoni, Francisco Guerreiro, Martin Hlaváček, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Camilla Laureti, Gilles Lebreton, Elena Lizzi, Chris MacManus, Colm Markey, Marlene Mortler, Ulrike Müller, Maria Noichl, Juozas Olekas, Daniela Rondinelli, Bronis Ropė, Anne Sander, Simone Schmiedtbauer, Veronika Vrecionová, Sarah Wiener
Substitutes present for the final vote	Rosanna Conte, Claude Gruffat, Anja Hazekamp, Ladislav Ilčić, Manolis Kefalogiannis, Petros Kokkalis, Benoît Lutgen, Gabriel Mato, Alin Mituța, Christine Schneider, Irène Tolleret
Date tabled	24.3.2023

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

45	+
ECR	Mazaly Aguilar, Ladislav Ilčić, Krzysztof Jurgiel, Veronika Vrecionová
ID	Rosanna Conte, Paola Ghidoni, Elena Lizzi
PPE	Álvaro Amaro, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Niclas Herbst, Jarosław Kalinowski, Benoît Lutgen, Colm Markey, Gabriel Mato, Marlene Mortler, Anne Sander, Simone Schmiedtbauer, Christine Schneider
Renew	Dacian Cioloș, Jérémy Decerle, Martin Hlaváček, Elsi Katainen, Alin Mituța, Ulrike Müller, Irène Tolleret
S&D	Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Adrian-Dragoș Benea, Isabel Carvalhais, Paolo De Castro, Camilla Laureti, Maria Noichl, Juozas Olekas, Daniela Rondinelli
The Left	Anja Hazekamp, Petros Kokkalis, Chris MacManus
Verts/ALE	Benoît Biteau, Claude Gruffat, Francisco Guerreiro, Bronis Ropė, Sarah Wiener

0	-

1	0
ID	Gilles Lebreton

Key to symbols:

+ : in favour

- : against

0 : abstention