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PROPOSAL

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Subject:	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

Delegations will find attached document COM(2022) 296 final.

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Brussels, 22.6.2022
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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**

{SWD(2022) 166 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

- **Reasons for and objectives of the proposal**

The Farm Accountancy Data Network (FADN) basic act (Council Regulation (EC) No 1217/2009) is to be amended as specified in the Commission communication of 20 May 2020 entitled 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system' (F2F) and its action plan. The Commission announced its intention to convert the Farm Accountancy Data Network (FADN) into a Farm Sustainability Data Network (FSDN).

The FADN is a unique source of microeconomic and accountancy data coming every year from more than 80 000 EU farms. It has allowed assessing farms' economic and financial situations since 1965. The Commission provides the harmonised methodology and the common questionnaire, whereas the Member States collect, verify and submit the data. The FSDN will add to that environmental and social dimension.

- **Consistency with existing policy provisions in the policy area**

Farm level data and information must be reliable and of high quality to enable policymakers, farmers and other relevant stakeholders to take appropriate evidence-based decisions.

The FADN has been considered an efficient and adequate tool to collect additional environmental and social variables at farm level in addition to economic and income-related variables currently collected.

At the EU level, certain farm level data is gathered with respect to the CAP policy needs, for example:

- (1) The *Integrated Farm Statistics (IFS)*¹ aim is to provide comparable data on the agricultural holdings of the EU. Data from all agricultural holdings is collected every 10 years (censuses data) and via intermediate sample surveys every 3 or 4 years. The Member States collect information from individual agricultural holdings and data is forwarded to Eurostat. The information collected covers: land use, livestock numbers, rural development, management and farm labour input (including the age, gender and relationship to the holder of the agricultural holding). The aggregated results are presented publically. The access to the individual data farm data is restricted. The IFS provides a basis for extrapolating FADN data.
- (2) The CAP's *Integrated Administration and Control System (IACS)*² is set up for the administration and control of payments to farmers. The system applies to all income support schemes (whether obligatory or not) as well as certain rural development support measures which are granted based on the number of hectares or animals held by the farmer. Among others, the IACS database consists of the following information: an identification of all agricultural plots in the EU (land parcel

¹ Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011 (OJ L 200, 7.8.2018, p. 1–29).

² Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549–607).

identification system LPIS), a computerised database for animals in EU countries where animal-based aid schemes apply³.

- (3) Upcoming Commission implementing regulation⁴ will provide that certain individual farm level data are gathered at EU level for the CAP monitoring and evaluation purposes in addition to the CAP monitoring and evaluation framework (CMEF) data that are at national and sometimes at regional level. The Member States will provide to the Commission certain CAP beneficiary data in a harmonised manner.

All above-mentioned databases have been set up for different purposes and do not fully gather the same data and information. However, there is a potential to cross-link these (and other) databases with the FSDN data. The IACS and the upcoming CAP monitoring and evaluation database with individual farm level data include a well-established CAP beneficiary ID. The FSDN secondary legislation will explore the possibility to link the data of farms to the CAP beneficiary ID to allow exchanging the information between these databases – this link may in practice reveal complex to establish, as a beneficiary ID does not always correspond to a (single) farm. Therefore, the FSDN plans to introduce a unique farm ID, which could be introduced, for instance, under the IFS and help linking the IFS and FSDN data. Adaptations (to either the legal act, system or methods of collection) for the purpose of linking databases would be required under each database. Therefore, even if the FSDN provides possibility for interoperability, other databases and systems must mirror it.

- **Consistency with other Union policies**

The process for amending the Directive 2009/128/EC (SUD Directive)⁵ is on-going. The Commission proposal aims, amongst others, to establish an electronic recording of certain information on both pesticide use and non chemical crop protection measures by professional users (including farmers). In the future, if the legislation is adopted, this data could provide a basis for extrapolating FSDN pesticide data. Data Governance Act ([COM/2020/767](#)) and the [proposed Data Act](#) (currently under legal process) could open avenues to be explored by the proposed legal act, in particular relating to novel data collection methodologies and new sources of data in line with the aim of reducing costs to farmers and Member States.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

Article 43(2) of the Treaty establishing the European Community provides the legal basis for the provisions necessary for the pursuit of the CAP objectives.

- **Subsidiarity (for non-exclusive competence)**

The subsidiarity principle applies, as the proposal does not fall within the exclusive competence of the EU.

Based on the well-established FADN data network, the FSDN will be a useful and efficient tool that enables the EU to contribute to the CAP objectives and make available farm level economic, environmental and social data and information for the Member States as well as the

³ https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/financing-cap/financial-assurance/managing-payments_en

⁴ Under Regulation (EU) No 2021/2115 of the European Parliament and of the Council as regards the evaluation of the CAP Strategic Plans and the provision of information for monitoring and evaluation

⁵ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71).

EU. Like the FADN, the FSDN will provide a common and harmonised survey to collect farm level data and make data comparable at EU level.

The proposal for this Regulation has been drafted in order to support as well as limit burden for both Member States and farmers, while better ensuring the quality and comparability of the FSDN farm level data.

Key criteria for the FSDN data (including economic, environmental and social ones) include consistency and comparability. Member States cannot achieve the necessary consistency and comparability without a clear European framework, i.e. EU legislation laying down the common definitions, reporting formats and quality requirements.

The objectives cannot be fully achieved by Member States acting alone. Action would be more effective if taken at EU level, based on an EU legal act ensuring the comparability of information and data in the CAP areas covered by the proposed act. The data collection itself, meanwhile, is best carried out by Member States.

- **Proportionality**

The proposal complies with the proportionality principle, as it will ensure the quality and comparability of the FSDN economic, environmental and social farm level data collected and compiled by applying harmonised approaches across Member States. Similarly, it will ensure that the network remains relevant and adapted to respond to the CAP needs. Together with the interoperability, the Regulation will make the collection and use of farm level data more cost-effective while respecting the specific characteristics of Member States' systems.

In line with the proportionality principle, the proposed Regulation limits itself to the minimum requirements to achieve its objective and does not go beyond what is necessary for that purpose.

- **Choice of the instrument**

Proposed instrument: Regulation.

Given the objectives and content of the proposal, an amendment to the existing Regulation is the most appropriate instrument.

Key EU policies such as the CAP depend on comparable, harmonised and high-quality farm level data available at European level. These can best be ensured by regulations, which are directly applicable in Member States and do not need to be turned into national law first.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

No full-fledged evaluation has been carried out for the FADN system due to the highly technical nature of the initiative. However, there are scientific studies and research projects⁶ that provide assessments related to the costs of the FADN data collection, pointing out good practices in Member States, as well as assessments of the costs of extending the scope of FADN to the environmental and social dimensions.

⁶ Examples are provided below, in section 'Regulatory fitness and simplification'.

- **Stakeholder consultations**

The conversion into the FSDN triggered different consultation activities⁷ that were targeted towards all three main identified stakeholder groups: (1) data providers, (2) data collectors and (3) data users⁸.

After various consultations with relevant stakeholders, it appears overall that all stakeholder groups are largely in favour of the FSDN initiative and of adding social and environmental aspects to the economic data collected in the FADN. While strong support was expressed for collecting farm level data in FSDN for assessing the economic sustainability of farming alongside the environmental and social sustainability, some respondents considered that the data collection effort needs to be shared between the different users and that administrative burden of data providers and data collectors should be limited. To limit the administrative burden on farmers and data collectors, the Commission introduced the notion of ‘collecting data once and using them several times’ for better data sharing between administrations, statistical authorities and private bodies. The Commission also aims to contribute to initial costs of Member States’ adjustments in the FSDN conversion process.

Data providers and data collectors expressed concerns about the privacy of the data provided, and farmers possible reluctance for sharing such information. Therefore, in the legislative proposal the Commission reinforced the individual data protection rules.

Data collectors shared their worries about the unwillingness of farmers to engage with the data collection exercises, problems with recruiting new farms and losing participating farms. The Commission, in its FSDN initiative, proposes and encourages providing feedback to farmers (e.g. via tailored advice, performance/benchmark reports) as well as providing for an obligation for farmers to answer to the FSDN survey, as it is the case for statistical surveys.

Most data providers expressed their opinions that receiving financial compensation for participating in the FSDN data collection would be relevant for them. In the initiative, the Commission proposes a possibility for Member States to set different incentives for farmers’ participation in the data network, including financial contributions.

- **Collection and use of expertise**

To prepare the FSDN proposal, the FADN Committee members as well as the specific Working Groups were consulted.

- **Impact assessment**

Given the highly technical nature of the initiative and the limited policy choice for the Commission, an impact assessment was not deemed necessary. The impact assessment

⁷ 1) the Roadmap (was available on [Have your say Europa website](#) from June 4 until July 4. Overall, 33 feedback were received.), 2) targeted written consultation via EU survey (an on-line questionnaire took place during summer 2021 more than 300 replies received), 3) the FSDN stakeholders’ workshops (first workshop in February 2021 with aim to take stock of stakeholders’ knowledge and experience as regards collecting and using different farm level data. Second workshop (September 2021) served to discuss the outcomes of the Roadmap and targeted consultation activities and to exchange on concrete simplification and modernization proposals) as well as 4) the FADN committees’ (April and October 2021 with all Member States Liaison Agencies representatives) and 5) three specific Working Groups’ meetings (on the FADN simplification & modernisation; on future FSDN and on FADN individual data request tool) with meetings that took place from spring 2021 until spring 2022, 20 Member States experts and several Commission staff members discussed the FADN and FSDN related topics).

⁸ (1) *data providers* (farmers), (2) *data collectors* (public authorities responsible for data collection, submission and for access to administrative data in EU Member States (e.g. Member State authorities, FADN Liaison offices, National Statistical Institutes) and (3) *data users* (e.g. policy-makers, farm advisors, academia, researchers, evaluators, consultancies).

accompanying the 2018 legislative proposals for CAP Post 2020 identified the need to adapt and strengthen existing data sources to match better with the new policy, as well as the need to enhance data quality especially in relation to indicators linked to agro-environment, biodiversity and climate. The impact assessment also suggested expanding the FADN coverage to provide the best possible representation of market-oriented farms. It further specified that a revision may be required for variables in the farm return (also taking into account the recommendations of the FLINT project⁹) and for the way in which CAP beneficiaries participation in the FADN data collection is organized.

• **Regulatory fitness and simplification**

For the conversion of the FADN into the FSDN, simplification and burden reduction were considered a central component of the initiative, alongside sustainability. The aim has been to identify the areas in which data collection methods can be simplified and costs reduced accordingly.

Firstly, it must be acknowledged that the data collection methods vary strongly between Member States, as they can choose their most suitable method of collecting FADN farm level data. In addition, there is no detailed overview of each Member State data collection method(s) together with detailed costs and burden overview. Therefore, the most recent studies and projects (their overview is listed below) as well as relevant outcomes from the consultation activities were taken on board for this simplification and burden reduction exercise. Based on them, certain simplification and burden reductions paths are proposed further below. However, ultimately, it will be up to the Member States to choose the most suitable path(s) all together with the FSDN data collection method(s) for collecting additional environmental and social variables.

1. The study ‘Cost of and good practices for FADN data collection’ was carried out and published in 2015¹⁰. The main objective of this study was to examine the methods and costs in the Member States for the collection of FADN data, considering the data use for benefits of participating farmers as well as in a better policymaking. The results of this study confirm that there is no uniform method for collecting FADN data; Member States choose their own manner to collect the data. As a result, the costs of collecting FADN data vary strongly between Member States¹¹. The study provides three main factors of cost difference:

- 1) the scale and size of the FADN sample (e.g. Malta collects data from 536 agricultural holdings, whereas Poland from 12,100),
- 2) the different methods applied to collect FADN data (e.g. data collected directly by the FADN liaison agency or via hired private accountancy companies) and
- 3) external factors such as different wage levels between Member States and different average farm sizes within the FADN field of observation.

The choice of data collection methodology can offset, at least to some extent, higher costs arising from greater wage levels and from increased farm scale. The most efficient form of data collection in terms of public cost is from existing accounts (which have been produced at

⁹ LEI- WUR et al. (2016) Farm Level Indicators for New Topics in policy evaluation project (FLINT), project financed under the FP7

¹⁰ https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cmef/regulation-and-simplification/cost-and-good-practices-fadn-data-collection_en

¹¹ According to the study, the total public cost to budget of Member States for the EU-28, averaged for the 2012-14 period, was just over EUR 58 million. At the EU-28 level a (weighted) average cost level is EUR 678 per completed Farm Return, but with considerable variation between Member States, ranging from an average (2012-14) of EUR 107 in Bulgaria and EUR 156 in Romania, to EUR 2,905 in Belgium.

private cost). At the same time, this method appears to be the least flexible. Where environmental and social data are not available under existing accounts, the data collection method for FSDN may need adjustments or changes. Finally, the study specifies that adding or deleting an extra variable does not have a huge impact on the ratio of total data collection costs per number of variables. With the system framework established, the annual costs are mostly fixed costs (related to setup and run of survey, including human resources, training, IT system) and specific variable costs (e.g. updating instructions, adding specific code) are minor.

2. The FLINT¹² research project defined farm level indicators to improve the policy evaluation on (amongst others) cross compliance, sustainability and innovation in the CAP. Data collection on these indicators was linked to the FADN in a pilot-network in several European countries. The results of this project 1) confirm that the FADN-based system is an efficient and suitable tool for collecting additional environmental and social farm level data; 2) provide a solid scientific evidence base together with lists of possible new variables, examples of how to collect data for these new variables, and identify bottlenecks in implementation¹³ and analytical benefits¹⁴.

3. The study on the costs of extending the FADN to FSDN¹⁵ is an update of two previously described studies. It provides some additional costs analysis of adding 'FLINT data'¹⁶ to the current FADN dataset. It estimates that the EU average cost of FADN data collection equals to 750 EUR per farm return, whereas costs of extending into FSDN (by adding all FLINT data) would increase costs to 1040 EUR per farm return, i.e. an increase of about 40%. This study confirmed the results of the 2015 study showing great differences between countries for the current FADN costs of data collection as well as the expected additional costs linked to FSDN conversion. The study also confirmed that certain Member States have already collected certain variables on sustainability foreseen for the FSDN, whereas others have not, and may thus face higher initial costs. The total expenditure of data collection is thus not directly comparable between Member States. Ultimately, the estimated changes in costs show a wide range, from countries such as Ireland (+10%) and the Netherlands (+11%) to France (+124%) and Malta (+225%)¹⁷. Nevertheless, it must be added, that this costs calculation

¹² FLINT (Farm-level Indicators for New Topics in Policy Evaluation): <https://www.flint-fp7.eu/>

¹³ Bottlenecks in implementation of FLINT: significant increase in costs if all indicators are to be implemented. In order to compensate, one of possible solutions would be to decrease sample from 85,000 farms to 55,000 farms. The latter would result in unreliable estimates in some Member States. Another bottleneck is application of different methods in collecting farm level data in Member States, for some Member States (mainly where accountancy companies are involved) it seems more difficult and/or costly to add additional variables.

¹⁴ Possible analytical benefits highlighted in the FLINT project would be re-use of existing data/information, collecting sustainability data depends on systemic recording which in longer perspective reduces administrative burden and increase quality and finally, additional sustainability data allow for better and new types of policy evaluation and research.

¹⁵ Cost of Extending the Farm Accountancy Data Network to the Farm Sustainability Data Network: Empirical Evidence <https://edepot.wur.nl/551988>

¹⁶ Flint data – a list of approx. 70 specific data items to describe 31 relevant sustainability themes set by environmental, economic and social dimensions

¹⁷ The costs per Member States in absolute terms varies as well. They are influenced by applied data collection methodology, the extent to which Flint data were already part of the national FADN systems, the number of Flint indicator themes relevant in the country (e.g.: there are hardly any pesticides on crops in the Irish FADN sample where livestock dominates), as well as the type and the size of a given farm. In addition, the set-up costs are considered in the study, but they differ strongly between Member States. The studies classifies Member States according to the following 3 types: 1) as the Netherlands/Ireland: already many data available, Flint data gathered in same process as FADN; 2) as Poland/Hungary: not many data available, Flint data gathered in same process as FADN and 3) as France/Greece: not many data available, Flint data gathered in a separate farm visit. Examples of the

includes adding all 70 variables as provided in the FLINT project, whereas the proposed conversion into FSDN does not aim at adding as many as 70 variables and the addition of variables will be progressive over time. First, the extension into FSDN will be gradual. Second, according to the initial estimation, the extension would consider a range from 5 to 25 new variables, to be further assessed with the ongoing analysis for the pilot project described in point 4 below, and also considering the evolution of the legal framework after the Farm to Fork and Biodiversity strategies. In addition, the benefits stemming from the simplification process as well as the interlinkages and data sharing with other databases are not considered in the study. As a result, the FSDN extension costs can be estimated as much lower than in the mentioned study.

4. An on-going pilot project¹⁸ will carry out analysis and provide detailed information on sustainability variables and their data sources for each Member State. As already stated, the data collection methods depends on the Member State choice. Therefore, this pilot project will deliver an assessment of the data collection method(s) applied for collecting sustainability data for each Member State and show how they are (or can be) linked with the FADN data collection system. Results will describe the situation in each Member State and will provide a reasonable estimate of the administrative burden and costs related to their data collection¹⁹. These outcomes will directly feed into the work on the FSDN secondary legislation.

The FSDN proposal aims at reducing costs and administrative burden for farmers and Member States in the long-term perspective. Based on findings and analysis, the following elements are taken into consideration in the proposal:

- (1) Building on good foundations. Collecting sustainability data, whether within or outside FADN, will generate costs. Using the already well-established FADN system and its network is a more cost-efficient choice for collecting additional environmental and social farm level data to assess the EU policy, instead of establishing a new separate and additional database. FADN economic data are a requirement under the EU policy. Therefore, costs and burdens linked to maintaining and improving FADN will continue to exist. In addition, there is a risk of diminishing the relevance of a pure economic FADN would be higher.
- (2) Changes over time. The conversion into the FSDN is a process that will take time. Even though, it is estimated that 2025 is the first year of collecting new data, the number of new variables will be limited at first. The initial estimation indicates that number of new variables would be in between 5 to 25.
- (3) Interoperability helps. The FSDN will encourage the re-use of already available data in other databases and sources (e.g. links with the IACS, other relevant databases of the national statistical offices). In a longer perspective, this will reduce costs of collecting data for the Member States, and at the same

estimated costs for certain Member States (in absolute terms, EUR per farm, where the first item is the estimated costs of the current FADN data, the second item – the combined FADN and Flint data costs) are as follows: Ireland (EUR 1000 and EUR 1104, respectively), the Netherlands (EUR 3000 and EUR 3333), Poland (EUR 656 and EUR 860), Hungary (EUR 500 and EUR 566), France (EUR 500 and EUR 1119), Greece (EUR 1273 and EUR 1910)

¹⁸ The IPM2-FSDN pilot project started in December 2021 and will end in November 2023. The technical specifications are available here: <https://etendering.ted.europa.eu/document/document-file-download.html?docFileId=111485>

¹⁹ An important interim deliverable is planned for October 2022. It will consist of screening of the environmental and social topics in Member States, their data sources as well as carry out analysis of the current data collection methods as well as for the future FSDN topics.

time reduce farmers' burden (i.e. collecting farm data once, using them multiple times).

- (4) Use of modern and digital data collection methods. The FSDN will promote using alternative, modern and digital tools for collecting data. The FADN simplification and modernisation screening showed certain areas of possible cost and burden reduction by use of modern tools (e.g. linked to geolocation). In addition, collecting data remotely (e.g. use of satellites, sensors measuring) and linking them with other available administrative data can further reduce costs and burden for both Member States and farmers (e.g. saving costs as less contact with farmers will be required, reuse of already available information). Further detailed work will be carried out, when the secondary legislation will be reviewed.
- (5) Choice to collect annually or periodically. The FSDN initiative plans to distinguish between annual and periodical (every few years) data collection, as some variables may not needed to be collected every year. Therefore, some costs will be saved with that approach and it is expected that a longer time-span for the periodical collections will help to plan these data collections better.
- (6) Financial support to Member States and farmers. The EU budget already contributes to the collection of the FADN data, via the EU standard fee. As for FSDN, in order to help Member States to cover initial costs due to the conversion, it is planned that the EU budget will contribute financially to the setup and modernisation of the Member States' systems. In addition, in order to incentivise farmers participating in the data network, Member States will be allowed to pay farmers for delivering data. At the same time, the FSDN will mirror the statistics rules where a farmer has an obligation to reply to a survey.

To sum up, the above-mentioned assessment shows that the conversion into the FSDN will create additional costs and some burden²⁰, mainly for Member States, in the short period. These are mainly linked to the initial phase of the conversion process, where certain modifications to data collection methods and/or IT adjustment may be required in some Member States. However, in the longer-term perspective, it is considered that costs and burdens will decrease for both Member States and for farmers.

- **Fundamental rights**

The proposal enhances the protection of fundamental rights related to reinforcement of individual data protection rules, improving the compliance with Article 7 and 8 of the Charter of Fundamental Rights of the European Union.

4. BUDGETARY IMPLICATIONS

Article 19 of the regulation 1217/2009 specifies that the EU budget covers the Commission IT costs as well as the annual contribution (the EU standard fee) that covers part of costs of the Member States' data collection. It is noted that over the last 12 years, the EU standard fee has slightly increased²¹. However, this increase did not fully cover the inflation over that period.

²⁰ As specified in analysis, at that point in time it is not possible to provide concrete figures, as main costs are linked to the possible adjustments of the method for collecting data. The methods and linked costs varies strongly between Member States. The on-going IPM2-FSDN pilot project will bring more information and estimations on that subject at the earliest in autumn 2022.

²¹ In 2010 equalled to EU 155 per farm return, at present (2022) up to EUR 180 per farm return. In fact, from 2015 there are 2 parts in the fee, i.e. EUR 160 (fixed part) + EUR up to EUR 20 (bonuses part, its

Moreover, it was assessed that the EU contribution covers only up to 30% of the Member States data collection costs²².

With respect to the EU budget, the FSDN proposal aims to extend and amend the current scope by:

- (1) differentiating budgets for regular and special surveys,
- (2) allowing financing the setup and modernisation of Member States FSDN data collection systems and their IT adjustments,
- (3) incentivising participation of farms by allowing Member States a different allocation of fees in relation to the standard output value of the holding,
- (4) allowing Member States to set incentives for farmers participation in the data network by providing for example a financial contribution to farmers.

Overall, the 2022 FADN EU budget amounts to EUR 16.7 million. The FSDN budget is planned to increase in order to cover the above-mentioned extensions of the scope. However, as the final amount strongly depends on the shape and details of the secondary legislation, the amount cannot be fully assessed at this stage.

5. OTHER ELEMENTS

• Implementation plans and monitoring, evaluation and reporting arrangements

The proposed regulation is expected to be adopted by the European Parliament and the Council as soon as possible, and the Commission is expected to adopt the implementing measures shortly afterwards. The regulation will be directly applicable in all Member States without the need for an implementation plan.

Member States will need to provide data to the Commission as from 2026 (for the 2025 accounting year).

• Explanatory documents (for directives)

Not applicable.

• Detailed explanation of the specific provisions of the proposal

The proposed amendment applies to Articles 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8, 16, 17, 19, 19a, of Regulation (EU) 1217/2009, in order to convert the FADN into FSDN by extending the scope of the data collection to cover the environmental and social dimension in addition to economic dimension; by simplifying and modernising the current data set; by motivating farmers to participate in the data network; and by helping Member States in the data collection process (e.g. interlinks with other relevant databases, providing a contribution for the conversion process).

payment depends on the timely submission data and its quality). For last paid year (2019), only 14 Member States out of 28, received certain part of the bonus fee payment.

²² Based on some Member States assessment, the EU standard fee covers the FADN data collection costs: in Denmark – 23.6%, Portugal – 30%, France 29.5%, Poland 22%.

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

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Having regard to the opinion of the European Data protection Supervisor,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The development of the Union agricultural sector and of the common agricultural policy requires objective and 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 1217/2009³.
- (2) In the Commission impact assessment supporting the 2018 legislative proposals for the Common Agricultural Policy (CAP) Post 2020⁴, the need to enhance the collection of farm-level data was identified.

¹ OJ C , , p. .

² OJ C , , p. .

³ 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).

⁴ SWD(2018) 301 final, Commission Staff Working Document - Impact Assessment - Proposals for a
- Regulation of the European Parliament and of the Council 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 Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council
- Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013
- Regulation of the European Parliament and of the Council amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of

- (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.
- (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.
- (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 Directive⁵ 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 be based both on regular and special surveys depending on the informative needs.
- (6) With regards to the field of survey set in Article 5 of Regulation (EC) No 1217/2009, the main criteria for the representativeness of accountancy data and the selection criteria for regular surveys shall be maintained, while adding further information for the other aspects of sustainability and bearing in mind that the resulting survey may not be representative with respect to environmental or social variables. Depending on the needs to collect such information, special surveys may be organised with different selection criteria and periodicity, including ad hoc or periodical (every few years) surveys.
- (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.

the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands

⁵ 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.

- (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.
- (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 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.
- (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) 2016/679⁶ and (EU) 2018/1725⁷ 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) 223/2009⁸ should be complied with.
- (11) In order to ensure data protection, detailed rules should be set on data management. Therefore, the Commission should be empowered to adopt delegated acts supplementing the non-essential elements of Regulation (EC) No 1217/2009 to include therein the rules on the data management process, in particular the farm ID, data storage, data quality and validation, use of data, access to and transmission of primary data, processing of primary data, combination of data with other data sources, procedure for ensuring availability of detailed and aggregated data, compatible data storage and exchange systems, review of refusal to provide data, obligations for end-users of scientific data and other interested parties.
- (12) In order to ensure uniform conditions for the implementation of Regulation (EC) No 1217/2009, the implementing powers should be conferred on the Commission to adopt

⁶ 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).

⁷ 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).

⁸ 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).

implementing acts on the specific management of regular and special surveys, as well as with regard to specific data protection rules.

- (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 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.
- (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.
- (15) The name of the Committee for the Farm Accountancy Data Network should be modified to reflect the changes in the current Regulation. However, the current Committee should continue existing with the same functions, adapting to the new scope of the data network.
- (16) Regulation (EC) No 1217/2009 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1217/2009 is amended as follows:

- (1) the title of the Regulation is replaced by the following:

‘Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of sustainability data of agricultural holdings in the Union’;

- (2) the title of Chapter I is replaced by the following:

‘CREATION OF A UNION FARM SUSTAINABILITY DATA NETWORK’;

- (3) Article 1 is replaced by the following:

‘Article 1

1. A Union farm sustainability data network (‘FSDN’ or ‘data network’) is set up to collect farm level economic, environmental and social data.
2. The data obtained pursuant to this Regulation shall contribute to the assessment of EU agriculture’s sustainability.

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**.

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 (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).

*** 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).’;

(4) Article 2 is replaced by the following:

‘Article 2

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

- (a) ‘farmer’ means the natural person responsible for the day-to-day management of an agricultural holding;
- (b) ‘holding’ means a farm business, in accordance with its general use in the context of Union agricultural surveys and censuses;
- (c) ‘category of holding’ means a group of agricultural holdings that belong to the same categories, as regards the type of farming and economic size as defined in the Union typology for agricultural holdings defined in Article 5b;
- (d) ‘farm return’ means the questionnaire filled in with the data of an agricultural holding according to the FSDN common methodology;
- (e) ‘returning holding’ means any agricultural holding making farm returns for the purposes of the data network;

- (f) ‘Farm Sustainability Data Network division’ or ‘FSDN division’ means the territory of a Member State, or any part thereof, delimited with a view to the selection of returning holdings;
- (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;
- (h) ‘standard output’ means standard value of gross production;
- (i) ‘personal data’ means personal data as defined in Regulations (EU) 2016/679 and (EU) 2018/1725, however extending protection to the legitimate interests of farmers who are legal persons;
- (j) ‘farm ID’ means the unique identification number for an individual holding, with regards to processing of data under this Regulation;
- (k) ‘processing data’ means any operation or set of operations which is performed on data of persons, according to Article 3(3) of Regulation (EU) 2018/1725;
- (l) ‘primary data’ means data associated with individual farms, natural or legal persons or individual samples;
- (m) ‘metadata’ means data giving qualitative and quantitative information about the collected primary data;
- (n) ‘anonymised data’ means data based on primary data in a form which does not allow natural or legal persons to be identified directly or indirectly;
- (o) ‘pseudonymised data’ means personal data that cannot be longer attributed to a specific subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural or legal person;
- (p) ‘aggregated data’ means the output resulting from summarising the primary or detailed data for specific analytic purposes.’;

(5) the following Article is inserted:

‘Article 2a

A list of FSDN divisions is set out in Annex I.’;

(6) in Article 3, the term ‘FADN’ is replaced by ‘FSDN’;

(7) the title of Chapter II is replaced by the following:

‘DATA FOR THE DETERMINATION OF INCOMES OF AGRICULTURAL HOLDINGS AND COLLECTION OF OTHER SUSTAINABILITY INFORMATION’;

(8) Article 4 is replaced by the following:

‘Article 4

1. This Chapter shall apply to the collection of accountancy and other sustainability data. FSDN data shall be collected by means of regular and special surveys.
2. The competent authority for FSDN may use other data sources in order to collect and re-use data to feed the FSDN surveys.
3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a supplementing this Regulation with the rules on the data management process, in particular the farm ID, data storage, data quality and validation, use of data, access to and transmission of primary data, processing of primary data, combination of data with other data sources, procedure for ensuring availability of detailed and aggregated data, compatible data storage and exchange systems, review of refusal to provide data, obligations for end-users of scientific data and other interested parties.
4. The Commission shall adopt implementing acts establishing and updating form and content of common regular and special surveys as well as methods and requirements for reusing and sharing data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).’;

(9) Article 5 is replaced by the following:

‘Article 5

1. 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.

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.

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).

2. To qualify as a returning holding, an agricultural holding shall:

- (a) be covered by the field of the survey referred to in paragraph 1;
- (b) be representative, together with the other holdings and at the level of each FSDN division, of the field of survey.

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

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

(10) Article 5a is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by the following:

‘Each Member State shall draw up a plan for the selection of returning holdings that ensures a representative sample of the field of survey, including both regular and, when relevant, special surveys.’;

(b) in paragraphs 2 and 3, the term ‘FADN’ is replaced by ‘FSDN’;

(11) in Article 5b, paragraph 1 is replaced by the following:

‘1. Agricultural holdings shall be classified in a uniform manner according to the Union typology for agricultural holdings, such as type of farming, their economic size and the importance of other gainful activities directly related to them.

The typology for agricultural holdings shall be used in particular for the presentation, by type of farming and by economic size class, of data collected through the Union farm structure surveys and the FSDN.’;

(12) Article 6 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Each Member State shall set up a national committee for the data network (hereinafter referred to as ‘the National Committee’).’;

(b) in paragraph 4, the term ‘FADN’ is replaced by ‘FSDN’;

(13) in Article 7, paragraph 1 is replaced by the following:

‘1. Each Member State shall appoint a liaison agency whose tasks shall be:

(a) to inform the National Committee, the Regional Committees and the data collectors such as accountancy offices of the applicable regulatory framework and to ensure proper implementation thereof;

(b) to draw up the plan for the selection of returning holdings, to submit it to the National Committee for its approval and, thereafter, to forward it to the Commission;

(c) to compile:

(i) the list of returning holdings;

(ii) where applicable, the list of the data collectors able to complete farm returns;

- (d) to produce the farm returns sent to it by the data collectors including from data gathered from other data sources;
 - (e) to verify that the farm returns have been duly completed;
 - (f) to forward the duly completed farm returns to the Commission in the required format and within the set deadline;
 - (g) to transmit the requests for information provided for in Article 17 to the National Committee, to the Regional Committees and to the data collectors and to forward the relevant answers to the Commission;
 - (h) to make available the obtained results for providing advice and feedback to farmers on their sustainability performance.’;
- (14) Article 8 is replaced by the following:

‘Article 8

1. Each returning holding shall be the subject of an individual farm return and identified by a farm ID.
2. The data provided by each duly completed farm return shall be such that it is possible:
 - (a) to characterise the returning holding by reference to the main elements of its factors of production;
 - (b) to assess the income of the holding in its various forms;
 - (c) to assess the economic, environmental and social sustainability of the holding;
 - (d) to test, by means of on-the-spot checks, the veracity of the information given.
3. The data on the farm return shall relate to a single agricultural holding and to a single reporting year of 12 consecutive months, and shall concern exclusively that agricultural holding. Those data shall refer to agricultural activities of the holding itself and other gainful activities directly related to the holding.
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.
5. In order to ensure that the data collected by means of the farm returns are comparable, irrespective of the returning holdings surveyed, the Commission shall adopt implementing acts laying down the form and layout of the farm return and the methods and deadlines for data transmission to the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).’;

- (15) Article 16 is replaced by the following:

‘Article 16

1. It shall be prohibited to use for taxation purposes any individual data or other individual details obtained in implementation of this Regulation.
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.’;

(16) in Article 17, paragraph 1 is replaced by the following:

‘1. The National Committee, the Regional Committees, the liaison agency and data collectors shall be bound, within their respective areas of responsibility, to furnish the Commission with any information which the latter may request of them regarding the discharge of their duties under this Regulation.

Such requests for information made to the National Committee, the Regional Committees or to the data collectors and the relevant answers shall be forwarded in writing through the liaison agency.’;

(17) Article 19 is replaced by the following:

‘Article 19

1. Appropriations to be included in the general budget of the Union, in the Commission section, shall cover:

(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;

(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;

(c) all the costs of the computerised systems operated by the Commission for running and developing the network, the reception, verification, processing, interoperability, analysis, of the data supplied by the Member States. Those costs include, where appropriate, the costs of

disseminating the results of those operations and the costs of studies into, and development of, other aspects of the data network.

2. Costs in respect of the setting up and operation of the National Committee, Regional Committees and liaison agencies shall not be included in the general budget of the Union.

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.

4. The standard fee payable to Member States may be partly or entirely paid to farmers for their participation to FSDN surveys. Member States may establish a specific allocation key whereby part of or the total amount paid to participating farmers is a function of the farm standard output value.

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

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).';

(18) Article 19a is amended as follows:

(a) paragraph 2 is replaced by the following:

'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 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.';

(b) paragraph 3 is replaced by the following:

'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.';

(c) paragraph 5 is replaced by the following:

‘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. ’;

(19) in Article 19b,

paragraph 1 is replaced by the following:

‘1. The Commission shall be assisted by a Committee called ‘Committee for the Farm Sustainability Data Network’. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁹.

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

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

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

⁹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).