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► **M7 COUNCIL REGULATION (EC) No 1217/2009**

of 30 November 2009

setting up the Farm Sustainability Data Network ◀

(codified version)

(OJ L 328, 15.12.2009, p. 27)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Regulation (EU) No 737/2011 of 26 July 2011	L 195	42	27.7.2011
► <u>M2</u>	Council Regulation (EU) No 517/2013 of 13 May 2013	L 158	1	10.6.2013
► <u>M3</u>	Regulation (EU) No 1318/2013 of the European Parliament and of the Council of 22 October 2013	L 340	1	17.12.2013
► <u>M4</u>	Commission Delegated Regulation (EU) 2017/2278 of 4 September 2017	L 328	1	12.12.2017
► <u>M5</u>	Commission Delegated Regulation (EU) 2022/2497 of 12 October 2022	L 325	13	20.12.2022
► <u>M6</u>	Commission Delegated Regulation (EU) 2023/2514 of 7 September 2023	L 2514	1	15.11.2023
► <u>M7</u>	Regulation (EU) 2023/2674 of the European Parliament and of the Council of 22 November 2023	L 2674	1	29.11.2023

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CHAPTER I

▼ M7**CREATION OF A FARM SUSTAINABILITY DATA NETWORK***Article 1*

1. To meet the needs of the common agricultural policy (CAP), including the evaluation of its impact on the agricultural sector, a farm sustainability data network (FSDN) is set up for the collection and analysis of farm-level sustainability data covering the economic, environmental and social dimensions (FSDN data). FSDN data may be used to contribute to the assessment of additional aspects related to the sustainability of Union agriculture and to address challenges faced by Union agriculture.

2. FSDN data shall cover the topics set out in Annex -I. The Commission is empowered to adopt delegated acts, in accordance with Article 19a, amending Annex -I in order to modify those topics or to add new ones. When exercising its power to adopt those delegated acts, the Commission shall:

- (a) ensure that the delegated acts are duly justified and do not create significant additional burden on the Member States or returning holdings;
- (b) carry out analyses of the relevance, feasibility and proportionality of such an amendment, including the availability and quality of appropriate data sources, in particular relevant administrative sources, and take the results of those analyses duly into account;
- (c) ensure that new topics added are linked to the CAP objectives;
- (d) not add new topics until 20 December 2028;
- (e) adopt those delegated acts, when new topics are added, at least one year before the date of application of the related implementing act as referred to in Article 8(4).

3. FSDN data and data from other datasets set out in Article 4a shall be used to carry out analyses on the state of sustainability of Union agriculture, including in a format allowing benchmarking. The Commission shall make the results of those analyses publicly available

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in the form of aggregated and anonymised FSDN data. Those data may be used to provide benchmarking information or advice to farmers with the aim of facilitating the management of holdings and improving their sustainability. The publication of results and the use of data for benchmarking or advice purposes shall comply with Article 16.

4. Member States may decide to use FSDN data as a data source as referred to in Article 8(1), point (c), of Regulation (EU) 2022/2379 of the European Parliament and of the Council ⁽¹⁾, in Article 4(1), point (c), of Regulation (EU) 2018/1091 of the European Parliament and of the Council ⁽²⁾, in Annex I to Regulation (EC) No 138/2004 of the European Parliament and of the Council ⁽³⁾, or in other acts adopted on the basis of Article 338(1) TFEU.

Article 2

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

- (1) “farmer” means a natural or legal person whose holding is situated in the Union;
- (2) “farm” or “holding” means a single unit, both technically and economically, that has a single management and that undertakes economic activities in agriculture in accordance with the general use of those terms in the context of Union agricultural surveys and censuses;
- (3) “category of holding” means a group of holdings that belong to the same category, as regards the type of farming and economic size, as defined in the Union typology for holdings referred to in Article 5b;
- (4) “returning holding” means any holding for which a farm return is compiled for the purposes of the FSDN;
- (5) “farm return” means the form, either to be compiled or already compiled, with data about the returning holding excluding the links and data referred to in Article 4a(1);
- (6) “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; a list of such divisions is set out in Annex I;

⁽¹⁾ Regulation (EU) 2022/2379 of the European Parliament and of the Council of 23 November 2022 on statistics on agricultural input and output, amending Commission Regulation (EC) No 617/2008 and repealing Regulations (EC) No 1165/2008, (EC) No 543/2009 and (EC) No 1185/2009 of the European Parliament and of the Council and Council Directive 96/16/EC (OJ L 315, 7.12.2022, p. 1).

⁽²⁾ 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).

⁽³⁾ Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1).

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- (7) “data collector” means a liaison agency or an entity tasked by the liaison agency with collecting FSDN data;
- (8) “standard output” means standard value of gross production;
- (9) “personal data” means personal data as defined in Article 4, point (1), of Regulation (EU) 2016/679 of the European Parliament and of the Council⁽¹⁾ and in Article 3, point (1), of Regulation (EU) 2018/1725 of the European Parliament and of the Council⁽²⁾;
- (10) “individual data” means data associated with a returning holding which allow the holding or the farmer to be identified, either directly or indirectly, and which can be personal data or data concerning legal persons;
- (11) “anonymised data” means data in a form which does not allow natural or legal persons to be identified directly or indirectly;
- (12) “pseudonymised data” means individual data that can no longer be attributed to a specific natural or legal person 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 individual data are not attributed to an identified or identifiable natural or legal person;
- (13) “aggregated data” means the output resulting from combinations or calculations based on data related to several returning holdings.

Article 3

In order to ensure that the list of FSDN divisions can be updated following a request by a Member State, the Commission is empowered to adopt delegated acts, in accordance with Article 19a, amending Annex I with respect to the list of FSDN divisions per Member State.

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CHAPTER II

▼M7**DATA FOR COMPILING FARM RETURNS AND DATA LINKAGE***Article 4*

1. Farm returns shall be compiled by means of surveys for which Member States may use, where relevant, data from the data sources

⁽¹⁾ 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).

⁽²⁾ 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).

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referred to in paragraph 2 and other relevant data sources, as well as data compilation methods or innovative approaches for data sharing and compiling.

2. The liaison agencies shall have the right to access and use, free of charge, the following data sources:

- (a) the Integrated Administration and Control System (IACS) established by Regulation (EU) 2021/2116 of the European Parliament and of the Council ⁽¹⁾;
- (b) the system for the identification and registration of kept terrestrial animals established by Regulation (EU) 2016/429 of the European Parliament and of the Council ⁽²⁾;
- (c) the vineyard register implemented in accordance with Article 145 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽³⁾;
- (d) the organic farming registers set up pursuant to Regulation (EU) 2018/848 of the European Parliament and of the Council ⁽⁴⁾;
- (e) Member States' data for performing the monitoring and evaluation of CAP Strategic Plans (DME) obtained in accordance with the implementing act adopted on the basis of Article 133 of Regulation (EU) 2021/2115 of the European Parliament and of the Council ⁽⁵⁾;
- (f) where relevant, farm-level records collected for the establishment by Member States of action programmes pursuant to Article 5 of Council Directive 91/676/EEC ⁽⁶⁾;
- (g) any other relevant data source accessible to Member States' authorities.

3. Member States shall ensure that liaison agencies have the right to access and use the data sources referred to in paragraph 2. Member States may establish for that purpose the necessary cooperation mechanisms that facilitate effective access to, and use of, those data sources.

⁽¹⁾ Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021, p. 187).

⁽²⁾ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law") (OJ L 84, 31.3.2016, p. 1).

⁽³⁾ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

⁽⁴⁾ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

⁽⁵⁾ 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).

⁽⁶⁾ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

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The right of access and use shall also be granted where the liaison agency delegates tasks to legal or natural persons to be carried out on its behalf.

4. The Commission is empowered to adopt delegated acts, in accordance with Article 19a, amending paragraph 2 of this Article by adding new appropriate data sources established by Union law.

Article 4a

1. In addition to the farm return, the Member States shall determine the links between the returning holding and the identifiers pertaining to that holding in the following datasets:

(a) DME;

(b) IACS.

Member States shall send to the Commission either those links, or directly the data related to the returning holding in the datasets referred to in the first subparagraph, other than identifiers. The Member States which send the data directly shall provide the FSDN number of the returning holding.

2. The Commission is empowered to adopt delegated acts, in accordance with Article 19a, amending the list of datasets referred to in paragraph 1 of this Article and adding new appropriate and relevant datasets. When exercising its power to adopt those delegated acts, the Commission shall:

(a) ensure that the delegated acts are duly justified and do not create significant additional burden on the Member States or returning holdings;

(b) carry out analyses of the relevance, feasibility, proportionality and quality of such datasets and take the results of those analyses duly into account.

3. The Commission shall adopt implementing acts listing the data to be extracted from the datasets referred to in paragraph 1 of this Article, as well as laying down detailed rules on technical specifications and deadlines for transmission of those data between Member States and the Commission. Those data shall be linked to the purpose of this Regulation as set out in Article 1 and to one or more of the topics set out in Annex -I. When adopting those implementing acts, the Commission shall take into account the relevance of those data and the feasibility of extracting data referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

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4. The Commission shall prepare and make available to the Member States technical guidelines on the methodology for extracting the relevant data.

Article 5

1. The field of the survey shall cover holdings having an economic 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 holdings referred to in Article 5b.

The Commission is 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 adequately represented in the plans for the selection of returning holdings established by the Member States in accordance with Article 5a.

The Commission shall adopt, on the basis of data and input received from 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).

2. To qualify as a returning holding, a 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. Member States may adopt national rules to encourage participation in surveys.

In exceptional cases, Member States may also adopt rules to address possible cases in which the number of returning holdings set in the plan for the selection of returning holdings is likely not to be achieved. Such rules, however, shall not provide for penalties for farmers.

▼ M3*Article 5a*

1. ► M7 Each Member State shall draw up a plan for the selection of returning holdings that ensures a representative sample of the field of survey. ◀

The Commission shall adopt delegated acts, in accordance with Article 19a, laying down the rules by which Member States are to draw up such plans. Such rules shall ensure that plans for the selection of returning holdings:

— are drawn up on the basis of the most recent statistical data,

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— are presented in accordance with the Union typology for holdings, and

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— specify, in particular, the distribution of returning holdings per category of holding and the detailed rules for their selection.

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2. In accordance with the rules adopted in accordance with paragraph 1, and on the basis of the data received from Member States, the Commission shall adopt implementing acts fixing the number of returning holdings per Member State and per FSDN division. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

3. The number of returning holdings to be selected per FSDN division may be up to 20 % less or greater than the number laid down in the implementing acts to be adopted pursuant to paragraph 2, provided that the total number of the returning holdings of the Member State concerned is respected.

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4. The Commission shall adopt implementing acts establishing and updating models and methods relating to the form and content of the data to be notified to the Commission by Member States. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

*Article 5b***▼ M7**

1. Holdings shall be classified in a uniform manner according to the Union typology for holdings.

The typology for 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.

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2. The type of farming of a holding shall be determined by the relative contribution of the standard output of the different characteristics of that holding to the total standard output of the holding.

The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, fixing the reference period for the standard output.

3. Holdings shall be classified by a limited number of types of farming. General types of farming shall be specified. Depending on the amount of detail required, the general types of farming shall be divided into principal types of farming.

The Commission shall be empowered to adopt delegated acts, in accordance with Article 19a, concerning the determination of the general and principal types of farming.

The correspondence between general and principal types of farming and particular types of farming specialisations corresponding to principal types of farming shall be specified.

4. The economic size of the holding shall be determined on the basis of the total standard output of the holding.

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5. The importance of the gainful activities directly related to the holding other than the agricultural activities of the holding shall be determined on the basis of the contribution of those gainful activities to the output of the holding.

6. The standard outputs and the data for their determination shall be transmitted to the Commission (Eurostat) by the liaison agency designated by each Member State in accordance with Article 7 or by the body to which that function has been delegated.

7. The Commission shall adopt implementing acts laying down:

- methods for the calculation of particular types of farming specialisations referred to in paragraph 3 and for assigning the holding to a principal type of farming,
- the method for the calculation of the economic size of the holding,
- economic size classes for the holdings, referred to in paragraph 1,
- methods for the calculation of the output of the holding, and for estimating the contribution of other gainful activities to that output, for the purposes of paragraph 5,
- the method for the calculation to determine the standard outputs of each characteristic referred in paragraph 2, the procedures for collecting the corresponding data and the means of, and deadlines for, the transmission of the standard outputs to the Commission, in accordance with paragraph 6.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

▼ B*Article 6***▼ M7**

1. Each Member State shall set up a national committee for the FSDN ('the National Committee').

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2. The National Committee shall be responsible for the selection of returning holdings. To this end, its duties shall, in particular, include approval of the plan for the selection of returning holdings.

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3. The chairman of the National Committee shall be appointed by the Member State from among the members of this Committee.

The National Committee shall take its decisions unanimously. In the event of unanimity not being achieved, decisions shall be taken by an authority appointed by the Member State.

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4. Member States which have several FSDN divisions may, for each of the FSDN divisions under their jurisdiction, set up a regional committee for the FSDN ('the Regional Committee').

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The Regional Committee shall, in particular, have the duty of cooperating with the liaison agency referred to in Article 7 in selecting the returning holdings.

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5. The Commission shall adopt implementing acts laying down detailed rules for the application of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

*Article 7***▼ M7**

1. Each Member State shall appoint a liaison agency the tasks of which shall be to:

- (a) inform the National Committee, the Regional Committees and the data collectors of the applicable regulatory framework and to ensure proper implementation thereof;
- (b) 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) compile:
 - (i) the list of returning holdings;
 - (ii) where applicable, the list of the data collectors able to complete farm returns;
- (d) produce the farm returns;
- (e) verify that the farm returns have been duly completed and, where necessary, address any errors or inaccuracies detected;
- (f) forward the duly completed farm returns to the Commission in the required format and within the set deadline;
- (g) send the links or the data referred to in Article 4a(1);
- (h) transmit the requests for information provided for in Article 17 to the National Committee, to the Regional Committees and to the data collectors, and forward the relevant answers to the Commission;
- (i) offer to any returning holding the possibility to obtain its results, either from the liaison agency or from an organisation it appoints, as soon as possible but in any event no later than four months after the Commission confirms that the farm return is duly completed; where possible, those results shall include benchmarking information, comparing those results with regional, national, Union or sectoral averages;
- (j) set out a plan to incentivise farmers' participation in the FSDN and submit it to the Commission together with the plan for the selection of returning holdings;
- (k) make available, either by itself or by an organisation it appoints, the obtained results in the form of aggregated and anonymised data such as at regional, national, Union or sectoral level.

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2. The Commission shall adopt implementing acts laying down detailed rules for the application of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

▼ M7*Article 8*

1. Each returning holding shall be the subject of an individual farm return and shall be identified in the FSDN by a unique national FSDN number.

2. The data provided by each duly completed farm return shall be such that it is possible to:

- (a) describe the returning holding by reference to the main elements of its factors of production;
- (b) describe the income of the holding in its various forms;
- (c) describe the economic, environmental and social situation of the holding;
- (d) verify the information given by appropriate means, such as on-the-spot checks and remote controls.

3. The data on the farm return shall relate to a single holding and to a single reporting year of 12 consecutive months. Those data shall refer to agricultural activities of the holding itself and other gainful activities directly related to the holding. No data related to any inheritance, private bank accounts, property other than the holding, personal taxation or private insurance shall be taken into account in preparing the farm returns.

4. In order to ensure that the data collected by means of farm returns are comparable, irrespective of the returning holdings surveyed, the Commission shall adopt implementing acts laying down rules on the following:

- (a) the variables and the definitions of variables linked to one or more of the topics set out in Annex -I;
- (b) the start and the end of the reporting year;
- (c) the form and layout of the farm return;
- (d) the methods and deadlines for data transmission to the Commission, including possible extensions of deadlines and exemptions for specific variables that may be granted to a Member State upon justified request;
- (e) the frequency of data transmission, which shall be annual or less frequent depending on the nature of variables.

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When adopting those implementing acts, the Commission shall, to the greatest extent possible, make use of variables available from existing data sources when adding, modifying or replacing variables, and take into account the need not to create significant additional burden on the Member States or returning holdings. Before adopting those implementing acts, the Commission shall analyse the feasibility of the proposed variables based, inter alia, on inputs from Member States, including the availability and quality of new and existing data sources, possible implementation of new methods, and the financial burden on the Member States and returning holdings. The results of that analysis shall be discussed in the committee referred to in Article 19b(1).

The implementing acts referred to in this paragraph shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

Article 8a

1. The farm returns and either the links or the data referred to in Article 4a shall be submitted to the Commission by the liaison agency by means of a computerised data system established by the Commission. The data shall be submitted electronically on the basis of forms made available to the liaison agency through that system.

2. The Commission shall adopt implementing acts laying down detailed rules on storage, processing, reuse and sharing of data referred to in paragraph 1 of this Article within the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

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CHAPTER IV

GENERAL PROVISIONS

▼ M7*Article 16*

1. Individual data obtained during the implementation of this Regulation shall be used only for performing tasks for the purpose of Article 1 of this Regulation. In any event, Member States and the Commission shall not use such individual data for any other purposes, in particular for controls in accordance with Regulation (EU) 2021/2116 or for taxation purposes.

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2. FSDN data and, for the purposes of this Regulation, data from other datasets set out in Article 4a may be made public provided that they are both aggregated and anonymised.

3. The Commission may grant access to pseudonymised data for research purposes. The Commission is empowered to adopt delegated acts, in accordance with Article 19a, to supplement this Regulation with the rules and conditions for such access at Union level. When adopting those delegated acts, the Commission shall take into account the need for the protection of individual data and, in particular, the rules for data transfers to recipients located outside the territory of the Union as set out in Chapter V of Regulation (EU) 2016/679 and Chapter V of Regulation (EU) 2018/1725. The Commission shall request an opinion of the European Data Protection Supervisor prior to adopting those delegated acts.

Article 16a

1. The Member States and the Commission shall each adopt and implement appropriate technical and organisational measures, including as regards the computerised data system referred to in Article 8a, to ensure and to be able to demonstrate that their collection, processing, compilation and transmission of individual data are restricted to the purposes of this Regulation.

2. Individual data shall be kept as long as they are needed to perform time series analyses.

3. Individual data shall not be made available to persons other than those whose functions require them to have access to those data for the purposes of this Regulation.

4. It shall be prohibited for any person participating or having participated in the FSDN to divulge any individual data or any other individual details the knowledge of which was acquired in the exercise of their duties or otherwise incidentally to such exercise. Member States and the Commission shall take all appropriate measures to address infringements of that prohibition.

Article 16b

1. The processing, management and use of personal data collected under this Regulation shall comply with Regulations (EU) 2016/679 and (EU) No 2018/1725.

2. The Commission shall be the controller for the processing of personal data included in farm returns from the moment those data are received by the Commission. Member States shall determine the controller, and, where relevant, the processor, for the processing of personal data included in farm returns concerning holdings situated in their territories.

▼B*Article 17***▼M7**

1. The National Committee, the Regional Committees, the liaison agency and data collectors shall be bound, within their respective

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areas of responsibility, to furnish the Commission with any relevant information which the Commission may request of them regarding the discharge of their duties under this Regulation.

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

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2. If the information supplied is inadequate or if such information fails to arrive in good time, the Commission may, with the collaboration of the liaison agency, send experts to work on the spot.

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Article 19

1. The European Agricultural Guarantee Fund (EAGF) shall finance expenditure covering:

- (a) an amount 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 an FSDN division or a Member State is less than 80 % of the number of returning holdings laid down in accordance with Article 5a(2) and (3) for that FSDN division or for the Member State concerned, the amount applied for each farm return from that FSDN division or from the Member State concerned shall be reduced by 20 %; if such reduction was already applied for the two previous consecutive years in respect of an FSDN division or a Member State, the reduction shall be of 25 %;
- (b) all the costs of the computerised data systems operated by the Commission for running and developing the FSDN and for the reception, verification, processing, interoperability and 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 FSDN.

2. The EAGF shall also provide financial contributions to Member States in order to contribute to Member States' implementation costs when setting up the system for collecting the environmental and social variables under this Regulation, including for training and interoperability between data collection systems, necessitates significant adaptations in the FADN data collection system of a Member State. Such contributions shall be provided to Member States by 31 December 2027.

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3. The amount referred to in paragraph 1, point (a), may be partly or entirely paid to farmers for their participation in FSDN surveys in accordance with allocation criteria established by Member States.

4. The Commission shall adopt implementing acts establishing the detailed procedures in relation to the amount referred to in paragraph 1, point (a), and to the contributions referred to in paragraph 2. In the implementing acts relating to the contributions, the Commission shall make clear on the basis of which criteria those contributions are to be allocated. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19b(2).

▼ M3*Article 19a*

1. The power to adopt the delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

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2. The power to adopt delegated acts referred to in Article 1(2), Article 3, Article 4(4), Article 4a(2), Article 5(1), Article 5a(1), Article 5b(2) and (3) and Article 16(3) shall be conferred on the Commission for a period of five years from 19 December 2023. 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.

3. The delegation of power referred to in Article 1(2), Article 3, Article 4(4), Article 4a(2), Article 5(1), Article 5a(1), Article 5b(2) and (3) and Article 16(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.

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4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

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5. A delegated act adopted pursuant to Article 1(2), Article 3, Article 4(4), Article 4a(2), Article 5(1), Article 5a(1), Article 5b(2) and (3) and Article 16(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.

▼M7*Article 19b*

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 Council ⁽¹⁾.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

In the case of implementing acts referred to in Article 4a(3) and Article 8(4), point (a), of this Regulation, where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph, of Regulation (EU) No 182/2011 shall apply.

Article 19c

The Commission shall submit to the European Parliament and to the Council by 20 December 2028 an evaluation report on the implementation of Article 4a and Article 7(1), point (g), accompanied, where appropriate, by a proposal for a legislative act amending Article 19(1), point (a).

▼B*Article 20*

Regulation No 79/65/EEC is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Article 21

This Regulation shall enter into force on the twentieth day following 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.

⁽¹⁾ 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).

▼M7*ANNEX -I***List of topics****Economic**

General information on the holding

Type of occupation

Assets and investments

Quotas and other rights

Debts and credits

Value added tax

Inputs

Land use and crops

Livestock production

Animal products and services

Market integration

Quality products – geographical indications

Membership in producer organisations

Risk management

Innovation and digitalisation

Other gainful activities related to the holding

Subsidies

Indicative share of off-farm income

Environment

Farming practices

Soil management

Nutrient use and management

Carbon farming

Greenhouse gas emissions and removals

Air pollution

Water use and management

Plant protection use

Antimicrobial use

Animal welfare

Biodiversity

Organic farming

Certification schemes

▼ M7

Energy consumption and energy production

Food loss on primary production level

Waste management

Social

Labour

Education

Gender balance

Working conditions

Social inclusion

Social security

Infrastructure and essential services

Generation renewal

▼ B*ANNEX I***▼ M7****List of FSDN divisions****▼ B***Belgium*

1. Vlaanderen
2. Bruxelles — Brussel
3. Wallonie

Bulgaria

1. Северозападен (Severozapaden)
2. Северен централен (Severen tsentralen)
3. Североизточен (Severoiztochen)
4. Югозападен (Yugozapaden)
5. Южен централен (Yuzhen tsentralen)
6. Югоизточен (Yugoiztochen)

However, Bulgaria may constitute a single division until 31 December 2009

Czech Republic

Constitutes a single division

Denmark

Constitutes a single division

▼ M4*Germany*

1. Schleswig-Holstein/Hamburg
2. Niedersachsen
3. Bremen
4. Nordrhein-Westfalen
5. Hessen
6. Rheinland-Pfalz
7. Baden-Württemberg
8. Bayern
9. Saarland
10. Berlin
11. Brandenburg
12. Mecklenburg-Vorpommern
13. Sachsen
14. Sachsen-Anhalt
15. Thüringen

▼ B*Estonia*

Constitutes a single division

Ireland

Constitutes a single division

Greece

1. Μακεδονία — Θράκη
2. Ήπειρος — Πελοπόννησος — Νήσοι Ιονίου
3. Θεσσαλία
4. Στερεά Ελλάδα — Νήσοι Αιγαίου — Κρήτη

Spain

1. Galicia
2. Asturias
3. Cantabria
4. País Vasco
5. Navarra
6. La Rioja
7. Aragón
8. Cataluña
9. Baleares
10. Castilla-León
11. Madrid
12. Castilla-La Mancha
13. Comunidad Valenciana
14. Murcia
15. Extremadura
16. Andalucía
17. Canarias

▼ M5*France*

1. Île de France
2. Champagne-Ardenne
3. Picardie
4. Haute-Normandie
5. Centre
6. Basse-Normandie
7. Bourgogne
8. Nord-Pas de Calais
9. Lorraine
10. Alsace
11. Franche-Comté
12. Pays de la Loire
13. Bretagne

▼ M5

14. Poitou-Charentes
15. Aquitaine
16. Midi-Pyrénées
17. Limousin
18. Rhône-Alpes
19. Auvergne
20. Languedoc-Roussillon
21. Provence-Alpes-Côte d'Azur
22. Corse
23. Antilles françaises
24. La Réunion

▼ M2*Croatia*

1. Kontinentalna Hrvatska
2. Jadranska Hrvatska

However, Croatia may constitute a single division for the three years following accession.

▼ B*Italy*

1. Piemonte
2. Valle d'Aosta
3. Lombardia
4. Alto Adige
5. Trentino
6. Veneto
7. Friuli — Venezia Giulia
8. Liguria
9. Emilia — Romagna
10. Toscana
11. Umbria
12. Marche
13. Lazio
14. Abruzzi
15. Molise
16. Campania
17. Puglia
18. Basilicata
19. Calabria
20. Sicilia
21. Sardegna

▼ B*Cyprus*

Constitutes a single division

Latvia

Constitutes a single division

Lithuania

Constitutes a single division

Luxembourg

Constitutes a single division

▼ M1*Hungary*

1. Észak-Magyarország
2. Dunántúl
3. Alföld

▼ B*Malta*

Constitutes a single division

Netherlands

Constitutes a single division

Austria

Constitutes a single division

Poland

1. Pomorze and Mazury
2. Wielkopolska and Śląsk
3. Mazowsze and Podlasie
4. Małopolska and Pogórze

Portugal

1. Norte e Centro
2. Ribatejo-Oeste
3. Alentejo e Algarve
4. Açores e Madeira

Romania

1. Nord-Est
2. Sud-Est
3. Sud-Muntenia
4. Sud-Vest-Oltenia
5. Vest
6. Nord-Vest
7. Centru
8. București-Ilfov

▼ **B**

Slovenia

Constitutes a single division

Slovakia

Constitutes a single division

▼ **M6**

Finland

1. Etelä-Suomi
2. Pohjanmaa, Sisä- and Pohjois-Suomi

▼ **B**

Sweden

1. Plains of Southern and Central Sweden
2. Forest and mixed agricultural and forest areas of Southern and Central Sweden
3. Areas of Northern Sweden

▼ **M5**



ANNEX II

Repealed Regulation with list of its successive amendments

Council Regulation No 79/65/EEC
(OJ 109, 23.6.1965, p. 1859)

1972 Act of Accession, Annex I, Point II.A.4 and
Annex II, Point II.D.1
(OJ L 73, 27.3.1972, p. 59 and p. 125)

Council Regulation (EEC) No 2835/72
(OJ L 298, 31.12.1972, p. 47)

Council Regulation (EEC) No 2910/73
(OJ L 299, 27.10.1973, p. 1)

1979 Act of Accession, Annex I, Points II.A. and
II.G.
(OJ L 291, 19.11.1979, p. 64 and p. 87)

Council Regulation (EEC) No 2143/81
(OJ L 210, 30.7.1981, p. 1)

Council Regulation (EEC) No 3644/85
(OJ L 348, 24.12.1985, p. 4)

1985 Act of Accession, Annex I, Point XIV(i)
(OJ L 302, 15.11.1985, p. 235)

Council Regulation (EEC) No 3768/85
(OJ L 362, 31.12.1985, p. 8) only point (2) of the Annex

Council Regulation (EEC) No 3577/90
(OJ L 353, 17.12.1990, p. 23) only Annex XVI

1994 Act of Accession, Annex I, Point V.A.I
(OJ C 241, 29.8.1994, p. 117)

Council Regulation (EC) No 2801/95
(OJ L 291, 6.12.1995, p. 3)

Council Regulation (EC) No 1256/97
(OJ L 174, 2.7.1997, p. 7)

Council Regulation (EC) No 806/2003
(OJ L 122, 16.5.2003, p. 1) only point (1) of Annex II

2003 Act of Accession, Annex II, Point 6.A.1
(OJ L 236, 23.9.2003, p. 346)

Council Regulation (EC) No 2059/2003
(OJ L 308, 25.11.2003, p. 1)

Commission Regulation (EC) No 660/2004
(OJ L 104, 8.4.2004, p. 97)

Commission Regulation (EC) No 1791/2006
(OJ L 363, 20.12.2006, p. 1) only point 1 of Section A of
Chapter 5 of the Annex

Commission Regulation (EC) No 1469/2007
(OJ L 329, 14.12.2007, p. 5)



ANNEX III

CORRELATION TABLE

Regulation No 79/65/EEC	This Regulation
Articles 1 and 2	Articles 1 and 2
Article 2a	Article 3
Article 3	Article 4
Article 4	Article 5
Article 5	Article 6
Article 6(1)(a)	Article 7(1)(a)
Article 6(1)(b), first indent	Article 7(1)(b)(i)
Article 6(1)(b), second indent	Article 7(1)(b)(ii)
Article 6(1)(c), first indent	Article 7(1)(c)(i)
Article 6(1)(c), second indent	Article 7(1)(c)(ii)
Article 6(1)(e), (f) and (g)	Article 7(1)(e), (f) and (g)
Article 6(2)	Article 7(2)
Article 7	Article 8
Article 8	Article 9
Article 9	Article 10
Article 10	Article 11
Article 11	Article 12
Article 12	Article 13
Article 13	Article 14
Article 14	Article 15
Article 15	Article 16
Article 16	Article 17
Article 17	—
Article 18	—
Article 19	Article 18(1), (2) and (3)
Article 20(1) and (2)	Article 18(4) and (5)
Article 21, first and second paragraphs	Article 18(6)
Article 21, third paragraph	—
Article 22	Article 19
Article 23	—
—	Article 20
—	Article 21
Annex	Annex I
—	Annex II
—	Annex III