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From:	General Secretariat of the Council
To:	Delegations
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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 - Comments from the Romanian delegation

Delegations will find in the annex the comments from the Romanian delegation on the above-mentioned proposal.

RO WRITTEN COMMENTS on the FSDN Proposal (doc. 10592/22)

RO insists on the need to keep the economic dimension as a predominant feature of FADN also in the future FSDN. Given that for the past 57 years, FADN has assessed the economic and financial situation of the farmers, the economic dimension of FSDN remains central – we suggest the inclusion, in recital 4, of a reference to the fact that the “economic dimension should remain the predominant feature of FSDN”.

We consider that data provision by farmers should remain voluntary given the costs and the increased burden involved – in this regard, we suggest the deletion of article 5, par. 3 and 4 while recital 14 should be amended accordingly by adding a reference to the fact that “Member States should identify ways and incentives to encourage farmers to take part in FSDN”.

We strongly support the need to fully anonymise data in order to guarantee individual data protection. We are against pseudonymising data as this does not offer sufficient guarantees for individual data protection – in this regard, we suggest the deletion of references to pseudonymized data in recitals 8, 9, 10 as well as in article 2 (o) and in article 16, par. 2.

Farm advisory services which have access to farm level data in order to provide assistance to farmers and contribute to the development of the data should be bound by confidentiality rules in order not to publicly disclose the information on the farm, as also regulated in the CAP Strategic Plans Regulation – we suggest that a link to art. 151, par. 3 of Regulation 2021/2115 on CAP strategic plans is made in Recital 3 and 4.

We cannot support the power given to the European Commission to adopt delegated acts on data management, regarding farm ID, use of data, access to and transmission of primary data, etc, as listed in article 4, as well as to the ones regarding the rules on fixing the threshold for the field of the survey. This should be done via Implementing Acts – in this regard, we suggest replacing delegated acts with implementing acts in Recital 11, article 4, par. 3, article 5, second sub-paragraph of par. 1, article 8, par. 4.

In recital 1, the following could be added “data is key for monitoring and evaluating the impact policies and measures might have in the agricultural sector as well as their implementation”.

In Recital 5, a link with other overlapping data collection initiatives should be made (ex. SAIO).
