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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 German delegation

Delegations will find attached the comments of the German delegation in relation to WK 17865 2022 INIT in view of the meeting of the AGRIFIN Working Party of 13 January 2023.

Questions regarding the overall scope of FSDN

As regard providing written answers to the questions to the WK 17865 2022 INIT by 13 January for next the AGRIFIN Working Party meeting, the **German Delegation** reply to:

Question 1. Scope of sustainability in relation to delegation of power and farm level data

Economic sustainability

Current article 1(3) of Regulation (EC) 1217/2009 stipulates that data obtained in the framework of the FADN serve as a basis for agriculture, agricultural markets and farm income analyses

Question to delegations: In your opinion, should income related aspects be limited to agricultural production and farm related activities (other gainful activities directly related to the farm) like in the current FADN, or should they be expanded to also include other business and incomes not related to agricultural activities?

A final position on this aspect can only be taken after further discussions on the scope and the extent of the proposal. Generally, with the introduction of additional variables for the ecological and the social dimension of sustainability, the number of variables on the economic dimension rather should be reduced than increased to confine additional burdens for farmers, accounting offices and liaison agencies.

Environmental sustainability

Environmental sustainability may require detailed information to accomplish analyses. In the new proposal for a FSDN, data is collected at farm level but the need for analyses sometimes goes beyond that. An example in this sense could be the detailed information at parcel level related to soil conditions, pesticides and farming practices.

Question to delegations: How should environmental sustainability data be framed in the current proposal?

FSDN Data should be collected at farm level and not at parcel level to avoid overloading participating farmers and thereby put at risk the system of voluntary participation. The limits of competition law with regard to the exchange of information and data must also be observed.

Social sustainability

Social sustainability has many dimensions. On the one hand, it could be related to the quality of life of the farmer/manager, on the other hand it can involve aspects related to safety, health and quality of life of all employees of the farm. Social sustainability in a wider sense could also include social interactions beyond the farm like for example interactions in local networks and interactions with family and friends.

Question to delegations: In your opinion, how should social sustainability be framed within the current proposal? What topics should be included and what topics are considered as not being relevant for FSDN?

Both the ecological and the social dimension of sustainability should be based on variables already existing in other data bases as far as possible.

Question 2. Input harmonization

Recital 11 and article 4(3) of the current proposal stipulate the empowerment for the Commission to adopt delegated acts that affect the gathering, storage and processing of data. The Explanatory Memorandum mentions that it will be up to the Member states to choose the most suitable way of collecting data, something that is often seen as a strength of the survey. At previous working parties, many member states expressed the view that the output and not the input, should be harmonized at FSDN level. At the same time, some input harmonization could help to ensure the output.

Question to delegations: Do you consider that some aspects of input harmonization should be in the regulation, and if so, which would be those aspects?

Germany strongly supports the approach of output harmonization rather than prescribe MS in detail how to collect data. Hence input harmonization should be limited to aspects where it proves necessary to ensure data protection and data quality.

Question 3. Access to registered data

To reduce the administrative burden for both farmers and data collectors, the Commission proposes to increase the possibility to cross-link other data sources to FSDN. As such, The Explanatory Memorandum mentions the Integrated Administration and Control System (IACS) and the Data for Monitoring and Evaluation (DME) as examples of such sources. Access to registers by liaison agencies are also needed to provide linking information.

Question to delegations: Do the proposed amendments make it possible for the liaisons agencies in your countries to access administrative registers and other registers for the purposes of FSDN?

Germany deems necessary to concretize the usable data sources in the legal text. The current wording of Article 4 (*The competent authority for FSDN may use other data sources in order to collect and re-use data to feed the FSDN surveys.*) is not sufficient. An approach comparable to Art. 8 of the SAIO Regulation (EU 2022/2379) seems more appropriate for this purpose.

Question 4. The purpose of advice

In recitals 3 and 4 of the proposal it is stated that FSDN should contribute to the improvement of advisory services to farmers and benchmarking of farm performance. The text in recital 13 and in article 7(h) of the proposal encourages tailored advice and benchmark reports for participating holdings.

Questions to delegations:

1. Do you consider FSDN should be seen as a general tool for advice and therefore that an advisory purpose should be a part of the general aim of the regulation?

The proposal encourages tailored advice but statistical analyses of farm performance could also be focused on correlations and best practices etc. That could be used as an input for advisory packages and advisory services benefitting all farms in EU.

We agree, that on an aggregated level, FSDN results could be a useful input for advisory packages and advisory services.

2. If the advisory element should focus on the farms participating in FSDN, should the advice be seen as:

- a. Part of an incentive scheme to contribute information to FSDN?
- b. An advisory scheme where participating farmers not only sign up to contribute information to FSDN but also sign up to get extended advice in some way?

By all means the advisory element should remain voluntary to avoid jeopardizing participation of farmers.