INFORB

METHODOLOGY REGARDING THE IDENTIFICATION AND CLASSIFICATION OF ENTITIES IN FOOD SECTOR INTO ESSENTIAL AND IMPORTANT

DELIVERABLE D2.1

Version 2.0

SUMMARY

"Methodology regarding the identification and classification of entities in the food sector into essential and important", version 2.0 is a key document in the implementation process of the NIS2 Directive (EU Directive 2022/2555 concerning measures for a high common level of cybersecurity of network and information systems in the Union) in the food production, processing and distribution sector (food sector).

The methodology establishes, in a clear and concise manner, the criteria and procedures by which an economic entity operating in the food sector is qualified as an entity to which the provisions of the NIS2 Directive apply, as well as the way in which it is classified as an essential or important entity, according to the new national regulations.

According to the provisions of GEO 155/2024 on the security of network and information systems, in particular articles 5-7, the legal framework for the identification and classification of entities carrying out critical activities, including those in the food sector, is established, given their impact on national and economic security. GEO 155/2024 introduces specific obligations for entities classified as essential or important, such as the implementation of adequate cybersecurity measures and the reporting of cybersecurity incidents to the competent authorities.

The development and dissemination of MICEIA aims to support all economic entities in the food sector in identifying their position within the cybersecurity regime, while facilitating the establishment and development of functional relations with the DNSC as well as with the equivalent authorities in Bulgaria.

The methodology is designed as a flexible model, which can be adapted and extended for all sectors regulated by the NIS2 Directive and by normative acts transposing and applying it into national legislation, in accordance with the provisions of GEO 155/2024, as well as other legislative acts.

Document control information	
Settings	**Value**
Document title:	Methodology regarding the identification and classification of entities in the food sector into essential and important.
Project number:	101128047
Project name:	Implementation of the NIS Directive in the food production, processing and distribution sector in Romania and Bulgaria
Project acronym:	INFORB
Author(s):	Gabriel Hîmpă; Constantin Călin.
Deliverable identifier:	D2.1
Delivery deadline:	31.07.2025
Delivery date:	15.07.2025
Project Manager (MP):	Constantin Călin
Document version:	V2.0
Sensibility:	PU-Public
Date:	15.07.2025

Document evaluation and evaluators

Name	Role	Action	Date
Constantin Călin	Project Manager	Draft Document Created	04.02.2024
Gabriel Hîmpă	WP2 Coordinator	Original Version (DNSC)	04.03.2024
Gabriel Hîmpă	WP2 Coordinator	Final version	15.07.2025
Constantin Călin	Project Manager	Final document assumed and published	17.07.2025

Document history

Review	Date	Created by	Brief description of the changes
V0	04.02.2024	Project Manager	Document created
V0.1	04.03.2024	WP2 Coordinator	Rectification of updated document with information
V1.0	29.03.2024	WP2 Coordinator	Updated document
V2.0	15.07.2025	WP2 Coordinator	Updated document

Abbreviations

Abbreviation	Name
ACN	National competent authority
CAEN	Classification of activities in the national economy
EEA	Essential entities in the food sector
EIA	Important entities in the food sector
ENCA	Non-critical entities in the food sector
IPA	Food Profile Enterprise
L[CAEN]A	List of NACE codes corresponding to the food sector
MICEIA	Methodology regarding the identification and classification of entities in the food sector into essential and important.
PCE	Entity classification process
PIE	Entity identification process
R3EI	Register of Essential and Significant Entities

Contained

INTRODUCTION

About the methodology

In an increasingly digitized and interconnected world, the food sector is recognized as part of national and European critical infrastructure, including from a cybersecurity perspective. Protecting entities in this sector is essential to ensure service continuity, supply chain security and food safety at national level.

Directive (EU) 2022/2555 (NIS 2), transposed into national legislation by GEO no. 155/2024 and approved by Law no. 124/2025, establishes the regulatory framework for strengthening the cyber resilience of entities in critical sectors, including food. GEO no. 155/2024 establishes clear measures and concrete obligations for essential and important entities, based on the risks and operational, economic and social impacts. The normative acts issued by the DNSC (methodological norms, guidelines and instructions) detail the applicable operational, technical and reporting requirements.

The MICEIA methodology aims to identify, classify and register entities in the food sector in accordance with the provisions of GEO no. 155/2024, in the following categories:

- Essential entities (EEAs)
- Significant Entities (EIAs)
- Non-Critical Entities (ENEIA)

The classification is based on a cyber risk assessment at sector level, taking into account the impact on the food chain, the level of IT dependency and the decisions of the competent authorities in Romania and Bulgaria.

This methodology aims to comply with the provisions of the NIS 2 Directive, GEO no. 155/2024, and with the DNSC rules, thus strengthening the cyber resilience of the critical food infrastructure.

The identification and classification of entities within the food sector is carried out in accordance with the provisions of GEO 155/2024 and with the use of the electronic platform managed by DNSC – **CORB**, to maintain and update the National Register of Essential and Important Entities (R3EI).

The ultimate objective is to strengthen the resilience of the food sector to cyber threats and ensure the security of network and information systems, by correctly identifying the relevant entities and establishing the applicable cybersecurity requirements.

Definitions

Food enterprise: – any entity, public or private, involved in any stage of the production, processing or distribution of food products, including logistics operators essential to the supply chain.

Food (or **food**) – according to Regulation (EC) No 178/2002, any product intended for human consumption, including beverages, chewing gum, water, additives or other substances integrated into the food process.

> Food products include beverages, chewing gum and any substance, including water, intentionally incorporated into food during their production, preparation or treatment. They include water after the point of compliance as defined in Article 6 of Directive 98/83/EC and without prejudice to the requirements of Directives 80/778/EEC and 98/83/EC.
>
> Food products do not include:
> (1) animal feed.

(2) live animals, unless they are prepared for placing on the market for human consumption.

(3) plants before they are harvested.

(4) medicinal products within the meaning specified in Council Directives 65/65/EEC (1) and 92/73/EEC (2).

(5) cosmetics within the meaning of Council Directive 76/768/EEC (3).

(6) tobacco and tobacco products within the meaning of Council Directive 89/622/EEC (4).

(7) narcotic or psychotropic substances within the meaning of the Single Convention on Narcotic Drugs of 1961 and the United Nations Convention on Psychotropic Substances of 1971.

(8) residues and contaminants.

Production, processing and distribution stages – means any stage, including importation, starting with and including the primary production of a food product and ending with and including its storage, transport, sale or supply to the final consumer.

Retail trade – means the handling and/or processing of food products and their storage at points of sale or delivery to the final consumer and includes distribution terminals, catering operations, factory canteens, institutional catering, restaurants and other similar operations in the field of food services, stores, supermarket distribution centres and wholesale points of sale.

Placing on the market – means holding food for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution and other forms of transfer itself.

Critical food service – any activity in the agri-food chain whose dysfunction would significantly affect the food supply or public health.

Essential entities in the food sector (art. 4 para. (1) of GEO no. 155/2024**)** – operators in the food sector identified as critical based on the criteria established by GEO 155/2024, Annex I, respectively by the DNSC norms (size, economic and societal impact, digital dependence, systemic function).

They are those food-related enterprises whose services and operations are considered vital for the continued functioning of the critical infrastructure and the national food economy. These entities are essential to ensure public food and to maintain stability and security in terms of access to and supply of food.

Important entities in the food sector (art. 4 para. (2) of GEO no. 155/2024) – operator in the food sector that does not fall as essential, but has been identified according to the risks generated on the supply chain or IT infrastructure. They are those companies that are significant for maintaining the stability of the food chain, but which do not fall within the strict critical infrastructure.

Non-critical entities in the food sector (art. 4 para. (3) of GEO no. 155/2024**) –** are those companies with a food profile that, although they are not classified as essential entities or important entities, play a role in ensuring the supply of food, and a possible cybersecurity incident can affect the functioning of their own networks and information systems, as well as the food supply.

> For these entities, the application of the provisions of the NIS2 Directive is voluntary, but the national competent authority can provide support in ensuring cybersecurity and the restoration of any essential services for society following cybersecurity incidents.

Size capping rule – all entities that qualify as medium-sized enterprises pursuant to Art. 2 of the Annex to Recommendation 2003/361/EC[1] or that exceed the medium-sized enterprise ceilings provided for in para. (1) of that article, and who provide services or carry out their activities within the European Union.

---

[1] Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Recommendation 2003/361/EC **Art. 2** **Employees and the financial ceilings that determine the categories of enterprises.**	**Staff and financial ceilings determining the categories of enterprises:** 1. **The category of micro, small and medium-sized enterprises (SMEs)** shall consist of undertakings employing *fewer than 250 persons* and having an annual turnover not exceeding **EUR 50 million** and/or *a total annual balance sheet not exceeding **EUR 43 million***. 2. Within the SME category, **a small enterprise** shall be defined as an undertaking employing *fewer than 50 persons and having an annual turnover and/or total annual balance sheet not exceeding **EUR 10 million***. 3. Within the SME category, **a micro-enterprise** is defined as an enterprise that employs *fewer than 10 people* and whose annual turnover and/or total annual balance sheet does not exceed ***EUR 2 million***.

The Register of Essential Entities and Important Entities – is established, completed and kept at the level of the national competent authority (in Romania and Bulgaria, respectively). R3EI covers all entities, public or private, to which the provisions of the NIS2 Directive apply, qualified and classified as essential and important.

> The records of entities are kept according to classification and by sectors/subsectors established in the annexes to the NIS2 Directive (respectively in the national legislation transposing it).
>
> R3EI - record managed by DNSC, periodically updated according to GEO 155/2024 and the DNSC Order on the registration of NIS 2 entities.

NACE codes (Classification of Activities in the National Economy) – are used to classify and identify economic activities in different fields and sectors. The classification of economic activities according to NACE codes allows organisations and other stakeholders to monitor and regulate economic activities in different sectors, including the food sector. This is important for collecting statistical data, developing public policies and enforcing sector-specific regulations.

> As regards the link between NACE codes and the food sector, this is reflected in a specific way by the assignment of NACE codes for the different activities related to the production, processing and distribution stages.

General considerations regarding identification and classification

In the identification process, the definition of essential entities in the food sector from the perspective of the NIS 2 Directive and GEO no. 155/2024 is made according to the following factors:

(1) **The importance of the services provided.** The nature of the services offered by the entity and the impact that their interruption or compromise could have on the food supply and the functioning of the food chain will be considered.

(2) **The degree of dependency of the population**. Entities that provide food supplies to a significant number of people, or that are the only sources of certain food products in each geographical area, can be considered essential from this point of view.

(3) **Relevance of technological infrastructure**. The analysis will also include an assessment of the entity's dependence on information and communication systems for its management and operations.

(4) **Potential threats and vulnerabilities**. The degree of exposure to cyber risks and the entity's ability to cope with these threats will be analysed, as well as the impact on food security in case of a possible compromise of information systems.

(5) **Applicable regulations and standards**. The cybersecurity specialist will also consider the specific requirements imposed by the NIS Directives and other relevant cybersecurity regulations.

In the identification process, the definition of important entities in the food sector is made according to several factors:

(1) **Role in the food chain** – Important entities are those that make a significant contribution to the production, distribution, or marketing of food, making them important for maintaining the flow of food to consumers.

(2) **Vulnerabilities and potential threats** – The entity's degree of exposure to cyber risks and vulnerabilities in their IT infrastructure will be assessed. Important entities may be targeted by cyberattacks for financial, reputational or geopolitical reasons, although the impact of an attack on them may be more limited than with essential entities.

(3) **Impact on food supply** - The impact that the disruption of the activities of the major entity could have on the availability and accessibility of food for consumers will be considered. These entities can be vital for maintaining stability in the food supply in a particular region or for a specific segment of the population.

(4) **Compliance with cybersecurity requirements** – Important entities must comply with the cybersecurity requirements set out by the NIS 2 Directive and other relevant regulations in the field. These requirements may include reporting cybersecurity incidents, implement appropriate security measures, and ensuring the resilience of IT infrastructure against cyber threats.

Depending on these criteria and the specific assessment of each entity in the food sector, essential entities will be **identified and classified,** and they will be subject to specific cybersecurity requirements, according to the provisions of the NIS 2 Directive.

The classification of economic entities in the food sector into essential entities and important entities in the light of the NIS 2 Directive requires a careful assessment of several factors, as follows:

(1) **Impact on food supply** - The role of each entity in ensuring food supply and the impact that interrupting or compromising its activities could have on access to food for consumers.

Entities that have an essential contribution to supply and which, in the event of a disruption, could seriously affect the availability of food are likely to be classified as essential.

(2) **Dependency and interconnectivity** - The degree of dependence of economic entities or business systems on an economic entity's food sector and its interconnectivity with other stakeholders in the food chain is an assessment factor.

Entities that are essential or important for the functioning of other entities or for the stability of the food chain could also be considered essential or important.

(3) **Vulnerabilities and potential threats** - The specific vulnerabilities of economic entities in the food sector in terms of cybersecurity and the potential threats they face are another factor. This includes the analysis of the risks associated with IT systems, production processes, the supply chain and other relevant aspects.

(4) **Compliance with cybersecurity requirements** - Assessment of the economic entity on compliance with the cybersecurity requirements set out by the NIS2 Directive, GEO 155/2024 and other relevant

subsequent regulations. This may include assessing the cybersecurity measures implemented by the entity, the ability to report cybersecurity incidents, and other compliance issues.

(5) **Food sector analysis -** It involves an in-depth examination of the food sector, identifying supply chains, data flows and interdependencies between the economic entity and various other entities in this sector. This would help to understand the specific context and how the economic entity contributes to the functioning of this critical sector.

(6) **Data recovery capacity assessment -** The ability of each economic entity to recover its data and continue its activity in the event of a cybersecurity incident or other unforeseen events. This is important to determine the resilience of the entity and to minimize the impact on the food supply in the event of crisis situations.

(7) **Stakeholder consultation -** It involves consulting and collaborating with various stakeholders in the food industry, such as regulators, professional organisations and representatives of the public and private sectors, to gain a comprehensive view of the key and important entities in the sector.

(8) **Regular assessment update -** Food sector dynamics and evolving cyber threats may require regular assessment updates of key and important entities.

The NIS 2 classification of food business economic entities into core and significant entities involves a comprehensive analysis of impact, dependency, vulnerabilities and compliance with cybersecurity requirements, with the aim of identifying and protecting economic entities that are critical for the stable functioning of the food chain and food supply.

PROJECT:

101128047 – INFORB – DIGITAL-ECCC-2022-CYBER-03-NIS-DIRECTIVE

Co-funded by the European Union

ECCC
EUROPEAN CYBERSECURITY
COMPETENCE CENTRE

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Cybersecurity Competence Centre. Neither the European Union nor the European Cybersecurity Competence Centre can be held responsible for them.

8 / 20

SECTION 1. ENTITY IDENTIFICATION

Through the process of identifying food companies (economic entities) in the food sector, in accordance with the provisions of the NIS 2 Directive and GEO no. 155/2024 on ensuring a high common level of cybersecurity of networks and information systems, aims to ensure that these entities are aware of cyber risks and adopt appropriate measures for the protection of their activities, thus contributing to the stability and security of the food chain.

The scheme of the identification process can be found in Annex no. 1 to this methodology.

Entity identification steps

Step 1. Belonging to the food sector

Belonging to the food sector is determined according to the entity's object of activity (main and/or secondary), *where object of activity = ω*. The list of NACE codes corresponding to the food sector is included in Annex no. 3 to this methodology.

At the same time, for the food sector in the [CORB] platform, the food sector (which is part of the list of sectors/subsectors established in the annexes to the NIS2 Directive and taken over by the DNSC according to GEO no. 155/2024) will be set by default.

All the activities carried out by the economic entity at the time of identification will be analyzed, corresponding to the main and secondary/secondary object of activity (only if they are carried out and not just listed in the act of incorporation).

If membership in the food sector is established, i.e. the economic entity provides services or carries out active activities within the Union (in Romania or Bulgaria respectively) in accordance with the NACE codes established for the food sector, the economic entity is a potential entity to which the NIS Directive 2 may apply.

> Consequently, if $\omega \in$ **L[NACE]A**, then:
>
> The economic entity **is an entity that belongs to the food sector**.

Stage 2. Fulfilment of special criteria

After establishing the belonging to the food sector, the economic entity continues the identification process, respectively determining whether the special criteria are met, in accordance with **art. 8 para. (2) of GEO no. 155/2024** and with the provisions of art. 2 para. (2) of the NIS Directive 2.

Member States, respectively Romania and/or Bulgaria, may set threshold values for the special criteria. In this case, for the food sector they are:

No.	Special criterion	Indicate	Additional data	Threshold value
1	The entity is **the only provider** in a Member State *of a service that is essential to support critical societal and economic activities*.	A		Yes

No.	Special criterion	Indica te	Additional data	Threshold value
2	**The disruption of the service provided** by the entity could have a *significant impact* on public *safety*, *security* or *health*.	B		Yes
3	**The disruption of the service provided** by the entity could *generate significant systemic risk*, including cross-border impact.	F		Yes
4	The entity is **critical** because *of its specific importance at national or regional level* for the sector or type of services concerned or for *other interdependent sectors* in the Member State.	D		Yes
5	The entity has been identified as a critical entity under **Directive (EU) 2022/2557 on the resilience of critical entities.**	the		Yes

If at least one of the special criteria is met, the entity is identified as essential within the meaning of GEO 155/2024, regardless of size.

> Consequently, if **α = Yes** or **β = Yes** or **φ = Yes** or **δ = Yes** or **η = Yes**, then:
> The economic entity **is an entity to which GEO 155/2024 and the NIS 2 Directive apply.**tag.

Stage 3. Size of the economic entity

According to **GEO no. 155/2024, art. 8 para. (1),** economic entities that qualify as **medium-sized or large enterprises** within the meaning of Recommendation 2003/361/EC are included.

Category	Number of employees - l -	Turnover (EUR million) -M-	Total assets (EUR million) - s -
Medium enterprise	50-249	$(10 - 50]$	$(10 - 43]$
Large enterprise	≥ 250	> 50	> 43

For the calculation of the turnover and total assets, the equivalent in national currency (RON for Romania, respectively BGN for Bulgaria) is used.

> Consequently, if **λ ≥ 50** and (**μ > 10** and/or **σ > 10),** then
> **The economic entity is an entity to which GEO 155/2024 and the NIS 2 Directive apply**.

Step 4. Qualification of entities

After completing stages 1 – 3, if:

- the entity belongs to the food sector,
- meets at least one of the **special criteria**, or
- meet or exceed the ceilings for **medium-sized enterprises**,

then the entity is qualified as an essential or important entity within the meaning **of GEO 155/2024 and the NIS 2 Directive**.

After the completion of the EIP, the identified economic entity has the obligation to register in the **CORB platform** and to notify the DNSC of its status, according to the provisions of **art. 14 para. (1) of GEO 155/2024**.

> If the IPA ∈ the food sector and meets at least one of the special criteria or IPA ≥ meets or exceeds the medium-sized enterprise ceilings, then:
>
> The economic entity is qualified as essential or important and falls under GEO 155/2024 and the NIS 2 Directive.

The identification of entities in the food sector is an essential first step in the implementation of the NIS 2 framework and related national legislation, ensuring a clear delineation of organizations falling under the cybersecurity requirements.

The process allows not only to highlight the entities concerned, but also to hold them accountable for the risks specific to the digital environment, creating the prerequisites for the implementation of appropriate preventive and corrective measures.

In this way, the correct identification of these economic actors contributes to safeguarding the continuity of business in the food sector and strengthening the resilience of the entire supply and distribution chain.

DIRECTORATUL NAȚIONAL
DE SECURITATE CIBERNETICĂ

REPUBLIC OF BULGARIA
MINISTRY OF ELECTRONIC GOVERNANCE

certSIGN®

eˣpertware

SECTION 2. CLASSIFICATION OF ENTITIES

Classification of entities in the food sector, in accordance with the provisions of the NIS2 Directive and GEO no. 155/2024, aims to establish their level of importance for food supply, food chain safety and economic stability, as well as the appropriate sizing of cybersecurity measures and related incident notification obligations.

The classification allows entities to be delineated into **essential entities, significant entities and non-critical entities** for the purpose of proportionately applying the requirements for cybersecurity risk management measures and reporting obligations.

The classification of entities is mandatory for qualified entities to which GEO no. 155/2024 applies and **voluntarily** for entities that choose the voluntary application of the NIS2 Directive.

Stages of the classification of entities

Step 1. Assessment of Essential Entity Status

Member States, respectively Romania and Bulgaria, will set out further guidance on the considerations for identification as an essential entity.

Based on GEO no. 155/2024, articles 6 and 7, in conjunction with the provisions of the NIS2 Directive, entities in the food sector are classified as **essential** if they are in one of the following situations:

Cod	Considerations regarding the classification of essential entities	Additional guidance	Applicability	Threshold value (Vp)
CSE1	Entities identified as **critical entities** in accordance with Directive (EU) 2022/2557.	Regardless of the size of the economic entity.	Yes/No	All critical entities in the food sector
CSE2	Entities that Romania and Bulgaria have identified as operators of essential services in accordance with Directive (EU) 2016/1148 or national law and that have qualified.	Example Romania: OSE in the Drinking *Water Supply and Distribution* / Essential Service *Bottled Drinking Water Supply (Takeover, Bottling, Logistics and Water Quality Control).*	Yes/No	All food sector ESOs
CSE3	Economic entities of the type mentioned in Annex II NIS2/ sector "Production, processing and distribution of food" that are identified as **essential entities** pursuant to art. 2 para. (2) letters (b)-(e).	According to the special characteristics (Section 2. Entity Identification/ Stage 2. Fulfilment of special characteristics)	Yes/No	Large food companies

Consequently, if **Vp(CSE1, CSE2, or CSE3) = True**, then:
The economic entity is classified as an essential entity.

Stage 2. Significant entity quality assessment

Entities in the food sector that do not qualify as essential, but meet the identification criteria provided by GEO 155/2024 and NIS2, are classified **as important**:

Cod	Considerations regarding the classification of significant entities	Additional guidance	Threshold value
CSI1	Qualified entities to which GEO 155/2024 applies, and which are not essential are **important entities**.	Automatically, by exclusion following the classification stage as essential	Qualified economic entities in the food sector
CSI2	Economic entities of the type mentioned in Annex II NIS2 / sector "Food production, processing and distribution" that are identified as **important entities** pursuant to art. 2 para. (2) letters (b)-(e).	According to the special criteria defined in the Identification	Medium-sized enterprises in the food sector

> Consequently, if **Vp(CSI1 or CSI2) = True**, then:
> **The economic entity is classified as an important entity.**

Stage 3. Identification as a non-critical entity

Essential entities that do not classify as an entity to which the NIS2 Directive applies are considered **non-critical entities** and may apply the provisions of the NIS2 Directive **on a voluntary basis**.

Also, by identifying and classifying as a non-essential/important entity, the economic entity can seek guidance and support from the national competent authority.

Non-critical entities are small enterprises and micro-enterprises. Thresholds/identification data for non-critical entities:

Category	Number of employees - l -	Turnover (EUR million) -M-	Total assets (EUR million) - s -
Small	10 - 49	≤ 10	≤ 10
Micro-enterprises	≤ 9	≤ 2	≤ 2

For the calculation of the turnover and total assets, the equivalent in national currency (RON for Romania, respectively BGN for Bulgaria) is used.

> Consequently, if $\lambda < 50$ and $\mu \leq 10$ and/or $\sigma \leq 10$, then
> **The economic entity is classified as a non-critical entity.**

Change in the classification of entities

During the operation of the IPA, qualified and classified economic entities may be subject to re-evaluation if there are changes regarding:

- Object of activity.

- Values of special criteria and indices.

- Changes to the thresholds set by the competent authorities.

Following the re-evaluation, the classification may change:

- From essential to important or vice versa.

- From important to non-critical or vice versa.

- Until exclusion from the scope of the NIS2 Directive and GEO 155/2024.

The economic entity has **the legal obligation** to resume the identification and classification process whenever changes occur that affect the criteria based on which it was initially classified.

The categorization of food business entities is an essential tool for the proportionate and effective application of the requirements of the NIS2 and GEO 155/2024, allowing differentiation of the level of responsibilities and obligations according to the role and importance of each entity. This approach ensures both the adequate protection of the food chain and economic stability and the efficient use of resources, avoiding overburdening entities with unjustified obligations. In this way, classification becomes the foundation for the balanced application of cybersecurity measures and for increasing the resilience of the food sector.

PROJECT:

101128047 – INFORB – DIGITAL-ECCC-2022-CYBER-03-NIS-DIRECTIVE

Co-funded by
the European Union

ECCC
EUROPEAN CYBERSECURITY
COMPETENCE CENTRE

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Cybersecurity Competence Centre. Neither the European Union nor the European Cybersecurity Competence Centre can be held responsible for them.

14 / 20

SECTION 3. ENTITY RECORDS

At the level of the national competent authority (in Romania and Bulgaria respectively) the *Register of Essential Entities and Important Entities shall be established and maintained*.

1. Establishment and maintenance of the record of entities

In accordance with the provisions **of GEO no. 155/2024**, **the Register of Essential Entities and Important Entities** in the Food Sector is established and maintained **at the level of the national competent authority in Romania**. The register also contains the record of non-critical entities that choose to voluntarily apply the provisions of GEO no. 155/2024, respectively of the NIS 2 Directive.

The register is the official tool through which the competent authority monitors the application of cybersecurity measures and the fulfilment of incident reporting obligations by qualified entities.

2. Obligation to notify

After the completion of the **identification and classification process, qualified and classified economic entities** have the obligation to submit to **the national competent authority in Romania a notice of registration**, to be registered in the Register.

The notification shall contain at least the following information:

- the full name of the entity.
- registered office and correspondence address.
- up-to-date contact details (official email addresses, phone numbers).
- technical identifiers: IP addresses, other operationally relevant addresses.
- contact details of the person designated for the relationship with the competent authority.
- sector of activity ("Food production, processing and distribution").
- where applicable, the list of EU Member States in which it provides services within the scope of the NIS 2 Directive.

3. Maturity assessment obligation

To final classification and inclusion in the Official Register, economic entities that qualify as entities to which GEO no. 155/2024 and the NIS 2 Directive apply are also **required to submit a cybersecurity maturity assessment**.

4. Use of the CORB platform

After the implementation and operationalization **of the "Platform for National and Cross-Border Cooperation NIS - Romania and Bulgaria" (CORB),** the data and information necessary for notification and registration will be filled **in directly by the economic entities in the CORB platform**.

The cybersecurity maturity assessment will also be carried out through the platform, according to the methodology established at the level of the competent authorities.

5. Obligation to update data

After registration, **qualified economic entities** are required to notify **the competent authority of any change in the data submitted** without delay within **10 working days** from the date of the change.

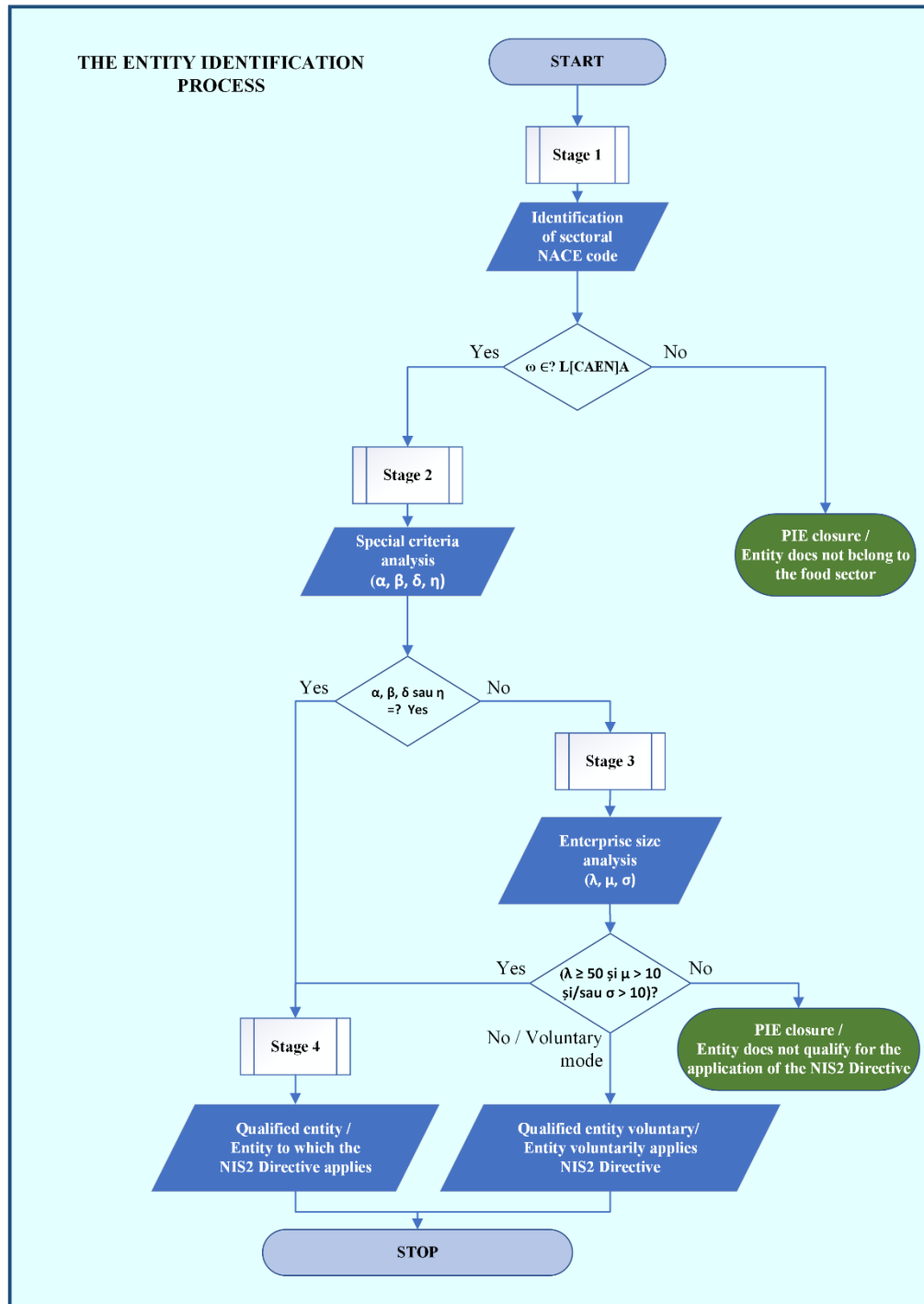The notification shall include any amendment:

- contact details.

- technical identifiers.
- of the person designated for the relationship with the competent authority.
- of the changes in the object of activity relevant from the perspective of classification.

The record of entities through the National Register of Critical and Important Entities (which includes also non-critical entities with voluntary application) is the central mechanism for monitoring and coordinating the implementation of NIS2 requirements and GEO 155/2024. This official tool ensures transparency, traceability and accountability of entities in the food sector, facilitating the verification of the implementation of cybersecurity measures and incident notification obligations. In this way, the record keeping of entities not only has an administrative but also a strategic role, contributing to increasing the resilience and stability of the food chain.

ANNEXES

Annex no. 1. Identification process diagram

THE ENTITY IDENTIFICATION PROCESS

START

Stage 1

Identification of sectoral NACE code

$\omega \in$? L[CAEN]A — Yes / No

Stage 2

Special criteria analysis ($\alpha, \beta, \delta, \eta$)

α, β, δ sau η =? Yes — Yes / No

Stage 3

Enterprise size analysis (λ, μ, σ)

($\lambda \geq 50$ și $\mu > 10$ și/sau $\sigma > 10$)? — Yes / No

PIE closure / Entity does not belong to the food sector

Stage 4

No / Voluntary mode

PIE closure / Entity does not qualify for the application of the NIS2 Directive

Qualified entity / Entity to which the NIS2 Directive applies

Qualified entity voluntary/ Entity voluntarily applies NIS2 Directive

STOP

DIRECTORATUL NAȚIONAL
DE SECURITATE CIBERNETICĂ

REPUBLIC OF BULGARIA
MINISTRY OF ELECTRONIC GOVERNANCE

certSIGN®

e×pertware

Annex no. 2. Scheme of the classification process
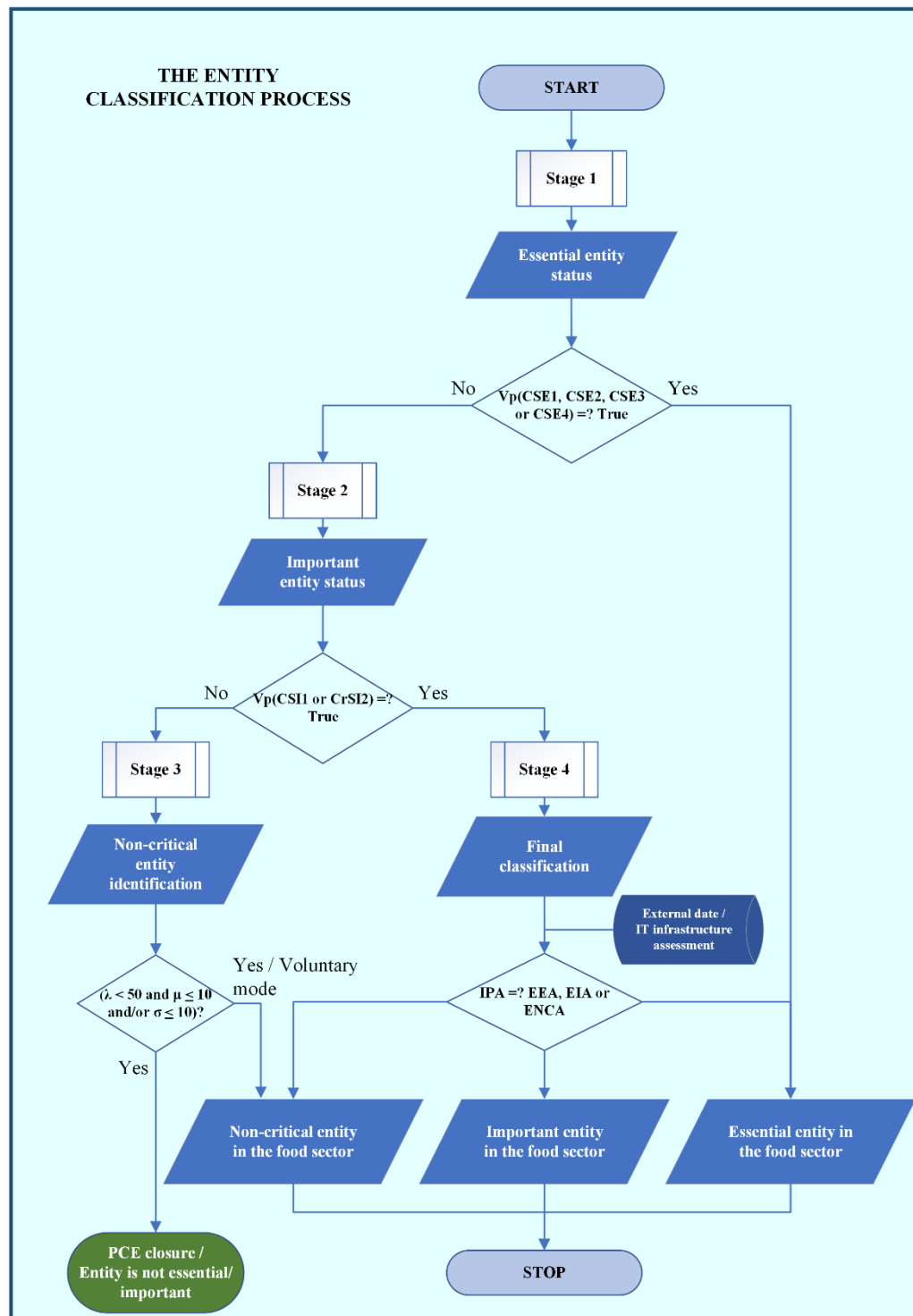
THE ENTITY CLASSIFICATION PROCESS

START

Stage 1

Essential entity status

$Vp(CSE1, CSE2, CSE3$ or $CSE4) =?$ True — No / Yes

Stage 2

Important entity status

$Vp(CSI1$ or $CrSI2) =?$ True — No / Yes

Stage 3

Non-critical entity identification

$(\lambda < 50$ and $\mu \leq 10$ and/or $\sigma \leq 10)?$ — Yes

Stage 4

Final classification

External date / IT infrastructure assessment

$IPA =?$ EEA, EIA or ENCA

Yes / Voluntary mode

Non-critical entity in the food sector

Important entity in the food sector

Essential entity in the food sector

PCE closure / Entity is not essential/ important

STOP

Annex no. 3. Sectoral NACE codes

NACE Section	NACE Division	CAEN Group	NACE Class	Description
C - Manufacturing				
C		101		Production, processing and preservation of meat and meat products
		102		Processing and preservation of fish, crustaceans and molluscs
		103		Processing and preservation of fruits and vegetables
		104		Manufacture of vegetable and animal oils and fats
		105		Dairy Manufacturing
		106		Manufacture of milling products, starch and starch products
		107		Manufacture of bakery products and flour products
		108		Manufacture of other food products
	11			Beverage Manufacturing
G - Wholesale and retail trade; repair of motor vehicles and motorcycles				
G			4611	Intermediation in trade in agricultural raw materials, live animals, textile raw materials and semi-finished products
			4617	Intermediation in the trade of food, beverages and tobacco
			4631	Wholesale of fruit and vegetables
			4632	Wholesale of meat and meat products
			4633	Wholesale of dairy products, eggs, oils and edible fats
			4634	Beverage wholesale
			4636	Wholesale of sugar, chocolate and sugary products
			4637	Wholesale of coffee, tea, cocoa and spices
			4638	Specialised wholesale of other foods, including fish, shellfish and molluscs

NACE Section	NACE Division	CAEN Group	NACE Class	Description
			4639	Non-specialised wholesale of food, beverages and tobacco
			4711	Retail trade in non-specialist shops with predominantly sales of food, beverages and tobacco
			4721	Retail sale of fresh fruit and vegetables in specialized stores
			4722	Retail sale of meat and meat products in specialized stores
			4723	Retail sale of fish, crustaceans and molluscs in specialized stores
			4724	Retail sale of bread, pastries and sugar products in specialist shops
			4725	Beverage retail in specialty stores
			4729	Retail sale of other food products in specialized stores
			4781	Retail sale of food, beverages and tobacco products through stands, kiosks and markets
			4791	Retail through order houses or via the Internet
H - Transport and storage				
H			5210	Storage
I - Hotels and restaurants				
I			5510	Hotels and other similar accommodation facilities
	56			Restaurants and other food service activities

Additional Notes	In the table above, if it is listed only:
	(1) NACE division – then all groups and classes in the entire division are taken into account;
	(2) NACE group – then all classes in the entire group are taken into account.
	For NACE sections: H and I, only cases in which food products are identified (storage, food production, human feeding, etc.) will be considered.
	If an economic entity carries out only tobacco-related activities (trade, production, etc.) of the NACE classes in the table, the NIS2 Directive does not apply to them.