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COMMISSION IMPLEMENTING REGULATION (EU) 2025/1017

of 26 May 2025

on temporary emergency measures for Spain derogating from certain provisions of Regulation (EU) 2021/2115 of the European Parliament and of the Council and from Commission Delegated Regulation (EU) 2022/126, to resolve specific problems in the fruit and vegetables and wine sectors caused by severe adverse meteorological events

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ([1]), and in particular Article 148(1) thereof,

Whereas:

(1) Due to severe adverse meteorological events that took place in the region of Valencia in Spain in October and November 2024, the production of fruit and vegetables and of wine grapes and wine products as well as the production potential and the infrastructure of producer organisations and wine producers have been dramatically damaged. A high-altitude isolated depression causing the catastrophic flash flooding and torrential rain severely affected or even destroyed orchards and vineyards located in this region. It caused therefore not only enormous losses in relation to the 2024 harvest but is also expected to impact negatively the fruit and vegetables and wine sectors in the years to come. The estimated losses resulting from the damages to the 2024 harvest caused by the catastrophic flash flooding and torrential rain amount to EUR 644,6 million. Some products experience particularly high level of damage, e.g. the estimated losses in the almond and hazelnut sectors amount to EUR 49,3 million, with expected production losses of above 30 % for almonds and even 50 % for hazelnuts in 2024. Almost 30 000 hectares of vineyards were severely impacted. Moreover, the negative consequences for the most affected areas extend beyond the production of this year, as they include damages to the orchards' trees, vineyards and permanent structures as well as destruction of machinery, terraces and irrigation systems. These damages will weigh on the future production capacity of those areas.

(2) Many of the fruit and vegetables producers heavily impacted by the severe adverse meteorological events of October and November 2024 are members of recognised producer organisations that implement operational programmes. Ever since October 2024, these producer organisations and their producer members have been facing difficulties in fulfilling their outstanding commitments for the 2024 programmes and in taking on obligations under the programmes for the year 2025. As a consequence, some of the approved interventions may not be implemented and therefore part of the operational funds would not be spent while measures taken by the producer organisations to manage the crisis situation risk to remain ineligible for the Union financing. Wine producers whose vineyards were severely affected are facing similarly difficult circumstances since they were not only deprived of the 2024 harvest but they also need to restore their damaged vineyards and entire infrastructure as soon as possible in order to be able to produce wine again. Against this background, it is necessary to take urgent actions to address the situation by allowing some flexibility in the implementation of operational programmes, which would enable producer organisations to spend the resources of the operational funds on precisely targeted interventions and to efficiently redirect the Union financing within these funds, and in the implementation of wine interventions by derogating to

([1]) OJ L 435, 6.12.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/2115/oj.

the extent that is strictly necessary from certain provisions of Regulation (EU) 2021/2115 laying down rules for the interventions in the fruit and vegetables sector as well as from the rules on the replacement of investments laid down in Commission Delegated Regulation (EU) 2022/126 ([2]).

(3) Pursuant to Article 47(2), points (f), (g) and (h), of Regulation (EU) 2021/2115, recognised producer organisations and associations of producer organisations may implement, as part of their approved operational programmes, interventions pursuing crisis prevention and management objectives in the fruit and vegetables sector. These interventions are intended to increase their resilience against crisis and to help managing crisis. However, pursuant to Article 50(7), first subparagraph, point (d), of that Regulation, such interventions are not to comprise more than one third of the total expenditure under the operational programme in order to avoid an overspending of funds under the operational programme for financing solely crisis management interventions. However, given the severe consequences of the severe adverse meteorological events of October and November 2024 and the high level of destruction they caused in the fruit and vegetables sector, it is necessary to provide greater flexibility for the affected producer organisations and to enable them to focus their resources under operational programmes on crisis management interventions addressing the consequences of those events. Therefore, the rule laid down in Article 50(7), first subparagraph, point (d), of that Regulation should not apply to the operational programmes paid or implemented in the year 2025 in respect of areas affected by the severe adverse meteorological events of October and November 2024.

(4) Moreover, recognised producer organisations and associations of producer organisations need to be able to redirect funds, including Union financial assistance within their corresponding operational fund, to the interventions that are necessary to address the consequences of the severe adverse meteorological events of October and November 2024. To ensure that recognised producer organisations and associations of producer organisations are able to do this, it is necessary, without prejudice to Article 51 of Regulation (EU) 2021/2115, to increase in the years 2024 and 2025 the limit of Union financial assistance laid down in Article 52(1) of that Regulation from 50 % to 70 % of the actual expenditure incurred.

(5) In accordance with Article 58(1), first subparagraph, point (a)(iv), of Regulation (EU) 2021/2115, the normal renewal of vineyards consisting of replanting with the same grape variety according to the same system of vine cultivation when vines have come to the end of their natural life is not eligible under the restructuring and conversion of vineyards type of intervention. However, as a consequence of the severe adverse meteorological events of October and November 2024, many vineyards located in the Valencia region in Spain were severely damaged or even entirely destroyed. In order to restore the production potential of the affected wine growers, those vineyards must be replanted. Such replanting would not primarily aim at improving any vineyard management techniques but rather on restoring vineyards as they existed before the severe adverse meteorological events of October and November 2024. Therefore, it is appropriate to support wine growers in this recovery process and exceptionally allow for the normal renewal of vineyards to be eligible under the restructuring intervention.

(6) With the view to offering an adequate support to wine growers in an urgent need of restoring their vineyards and their suddenly lost production potential, it is important to provide for an increased co-financing rate of 80 % of the actual costs incurred for the renewal of vineyards identified by Spain as affected by the severe adverse meteorological events of October and November 2024, as it is already the case for other Union interventions aimed at restoring agricultural potential, in particular those referred to in Article 73(3), first subparagraph, point (d)(i), of Regulation (EU) 2021/2115. In addition, given that a compensation for loss of revenue in the form of a permission of the co-existence of old and new vines is not appropriate in the given situation, it is necessary to provide that the compensation to producers affected by the severe adverse meteorological events of October and November 2024 for loss of revenue due to the implementation of the intervention may only take the form of a financial compensation for a maximum period of three years.

([2]) Commission Delegated Regulation (EU) 2022/126 of 7 December 2021 supplementing Regulation (EU) 2021/2115 of the European Parliament and of the Council with additional requirements for certain types of intervention specified by Member States in their CAP Strategic Plans for the period 2023 to 2027 under that Regulation as well as rules on the ratio for the good agricultural and environmental condition (GAEC) standard 1 (OJ L 20, 31.1.2022, p. 52, ELI: http://data.europa.eu/eli/reg_del/2022/126/oj).

(7) According to Article 11(10) of Delegated Regulation (EU) 2022/126, investments in tangible and intangible assets which benefit from Union financial assistance are not to be replaced by identical assets during the durability period. In order to alleviate financial and operational difficulties for producer organisations and associations of producer organisations that lost their investments due to the severe adverse meteorological events of October and November 2024 and to enable them to invest in tangible and intangible assets again, it is necessary to derogate in the year 2025 from the prohibition to replace investments by identical assets.

(8) In view of the necessity to take immediate action and urgently adopt measures to alleviate the severe negative effects of the severe adverse meteorological events of October and November 2024 on producer organisations and associations of producer organisations in the fruit and vegetables sector and on wine producers in Spain, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*. Since Article 148(3) of Regulation (EU) 2021/2115 provides that the measures are to remain in force for a period not exceeding 12 months, this Regulation should apply for 12 months from its date of entry into force.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Common Agricultural Policy Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Temporary derogations from Regulation (EU) 2021/2115 with regard to the fruit and vegetables sector

1. By way of derogation from Article 50(7), first subparagraph, point (d), of Regulation (EU) 2021/2115, the limit of one third of the total expenditure for interventions within the types of intervention referred to in Article 47(2), points (f), (g) and (h), of that Regulation, shall not apply to operational programmes paid or implemented in the year 2025 in respect of areas identified by Spain as affected by the severe adverse meteorological events of October and November 2024.

2. The limit laid down in Article 52(1) of Regulation (EU) 2021/2115 shall be 70 % of the actual expenditure incurred in the years 2024 and 2025 for operational programmes implemented by producer organisations or associations of producer organisations identified by Spain as affected by the severe adverse meteorological events of October and November 2024.

Article 2

Temporary derogations from Regulation (EU) 2021/2115 with regard to the wine sector

1. By way of derogation from Article 58(1), first subparagraph, point (a)(iv), of Regulation (EU) 2021/2115, the normal renewal of vineyards consisting of replanting with the same grape variety according to the same system of vine cultivation, without improvements to vineyard management techniques shall be allowed in respect of vineyards identified by Spain as affected by the severe adverse meteorological events of October and November 2024.

2. By way of derogation from Article 59(1), first and second subparagraphs, of Regulation (EU) 2021/2115, the Union financial assistance for restructuring of vineyards referred to in paragraph 1 of this Article shall not exceed 80 % of the actual costs of the restructuring of vineyards identified by Spain as affected by the severe adverse meteorological events of October and November 2024.

3. By way of derogation from Article 59(1), third subparagraph, of Regulation (EU) 2021/2115, the compensation to producers affected by the severe adverse meteorological events of October and November 2024 for loss of revenue due to the implementation of the intervention referred to in paragraph 1 may only take the form of a financial compensation for a maximum period which shall not exceed three years.

Article 3

Temporary derogation from Delegated Regulation (EU) 2022/126

By way of derogation from Article 11(10), second subparagraph, of Delegated Regulation (EU) 2022/126, Spain may allow the mere replacement of investments by identical assets by producer organisations, associations of producer organisations or wine producers identified by Spain as affected by the severe adverse meteorological events of October and November 2024 provided that the loss of the initial assets is due to the occurrence of those events.

Article 4

Entry into force and application

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

It shall apply until 27 May 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 May 2025.

For the Commission
The President
Ursula VON DER LEYEN