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COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

providing for emergency financial support for the agricultural sectors affected by adverse climatic events and natural disasters in Spain, Croatia, Cyprus, Latvia and Hungary, in accordance with Regulation (EU) No 1308/2013 of the European Parliament and of the Council

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providing for emergency financial support for the agricultural sectors affected by adverse climatic events and natural disasters in Spain, Croatia, Cyprus, Latvia and Hungary, in accordance with Regulation (EU) No 1308/2013 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

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

Having regard to 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 1234/2007¹, and in particular Article 221(1) thereof,

Whereas:

- (1) During the end of the month of October and the beginning of the month of November 2024, Spain was affected by adverse weather events of unprecedented magnitude. Successive episodes of isolated depression caused exceptionally heavy rains and devastating floods which severely affected the production in the fruit and vegetables, wine, olive and livestock sectors. These exceptionally adverse weather events were preceded in certain regions by rain deficit since the start of the season, and intense heat conditions in the months of June, July and August 2024 which led to drought conditions and severely affected the production of some crops, in particular nuts.
- (2) During the summer of 2024, Croatia experienced adverse climatic events of unprecedented magnitude. In the beginning of the year 2024, Croatia was experiencing warmer periods, followed by lower temperatures compared to long term averages, which affected the advanced growth of crops. This was followed by extremely high temperatures and exceptional heatwaves in July 2024, which significantly affected the production of certain fruits and vegetables and wine grapes, and certain arable crops, in particular maize, sunflower, soya and sugar beet.
- (3) During the months of December 2023, January 2024 and February 2024, Cyprus was affected by a marked rain deficit combined with record-high temperatures, which resulted in dry conditions. Low precipitations, dry conditions and water deficit continued during the spring and summer of 2024 and affected the cereals and olive sectors, and the production of certain fruits and vegetables, in particular the production of almonds and wine grapes.
- (4) During the month of July and in the beginning of the month of August 2024, parts of Latvia were affected by adverse climatic events of unprecedented magnitude, namely extremely intense rainfall. These events were preceded by record cold temperatures, frost and cold spells in December 2023 and January 2024, followed by unusually warm temperatures as from March 2024 and subsequently by frost events at the beginning of May 2024. These large temperature fluctuations affected the production

¹ OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>.

of crops, in particular cereals and rapeseed, and fruit and vegetables, including potatoes.

- (5) During the summer of 2024, Hungary was affected by adverse climatic conditions of unprecedented magnitude. Unusually warm temperatures coupled with a persistent rainfall deficit and drought conditions significantly affected maize crops and to a smaller extent sunflower, soya, and sugar beet, the fruit and vegetables sector, including potatoes, and the wine sector.
- (6) While there are indications that similar adverse climatic events and natural disasters occur throughout the Union in an overall context of increasing climate-change related risks to agriculture, the intensity of the events in Spain, Croatia, Cyprus, Latvia and Hungary has been extraordinary, affecting a significant area and share of production.
- (7) The significant damages caused by these adverse climatic events and natural disasters to agricultural producers and the resulting loss of income for the affected producers in Spain, Croatia, Cyprus, Latvia and Hungary endanger the economic viability of agricultural holdings.
- (8) An exceptional measure should therefore be adopted to contribute to addressing the specific problems in the wake of these adverse climatic events and natural disasters in Spain, Croatia, Cyprus, Latvia and Hungary.
- (9) The significant damages and economic loss suffered by agricultural producers due to adverse climatic events and natural disasters constitute a specific problem within the meaning of Article 221 of Regulation (EU) No 1308/2013 that cannot be readily addressed by measures taken pursuant to Articles 219 or 220 of that Regulation. The situation is not specifically linked to an identified unique market disturbance or a precise threat thereof. It is not linked either to measures that would combat the spread of animal diseases or the loss of consumer confidence due to public, animal or plant health risks.
- (10) The amounts made available to Spain, Croatia, Cyprus, Latvia and Hungary should be determined, taking into account, in particular, the respective weight of those Member States in the Union's agricultural sector, on the basis of the net ceilings for direct payments set out in Annex V to Regulation (EU) 2021/2115 of the European Parliament and of the Council², as well as the impact of the adverse climatic events and natural disasters in those Member States.
- (11) Spain, Croatia, Cyprus, Latvia and Hungary should distribute the aid through the most effective channels on the basis of objective and non-discriminatory criteria that take account of the extent of the difficulties and actual economic damages faced by the farmers concerned. They should ensure that farmers are the ultimate beneficiaries of the aid and avoid any distortions of the market or of competition.
- (12) As the amounts allocated to Spain, Croatia, Cyprus, Latvia and Hungary would address the economic difficulties faced by farmers only partially, these Member States should be allowed to grant additional national support to farmers, under the conditions set by this Regulation.

² 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, ELI: <http://data.europa.eu/eli/reg/2021/2115/oj>).

- (13) In order to give Spain, Croatia, Cyprus, Latvia and Hungary the flexibility to distribute the aid as the circumstances of the farmers concerned require, it should be allowed to cumulate that aid with other support financed by the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development without overcompensating the farmers.
- (14) In order to avoid overcompensation, Spain, Croatia, Cyprus, Latvia and Hungary should take into account the support granted under other national or Union support instruments or private schemes to respond to the economic losses suffered.
- (15) As the Union aid is fixed in euro, it is necessary, to ensure a uniform and simultaneous application, to fix a date for the conversion of the amount allocated to Member States not having adopted the euro as their national currencies, as it is the case for Hungary. Since this Regulation does not provide for a deadline for the submission of the applications for aid, it is appropriate to consider, for the purposes of Article 30(3) of Commission Delegated Regulation (EU) 2022/127³, the date of entry into force of this Regulation as the operative event for the exchange rate regarding the amounts set out in this Regulation.
- (16) In order to ensure the effectiveness of this exceptional measure, beneficiaries should rapidly receive the emergency financial support. Additionally, a timely monitoring of the budget as well as an up-to-date follow up and efficient use of the agricultural reserve, thereby maximising its availability and enhancing the capacity to respond promptly to emerging crises, should be ensured. Therefore, it is appropriate to define an eligibility date for Member States to pay this support to the beneficiaries. Any payments made after this date should be considered ineligible for Union financing.
- (17) The Union should therefore finance the expenditure incurred by Spain, Croatia, Cyprus, Latvia and Hungary under this exceptional measure only where such expenditure is made by a certain eligibility date. The support for this exceptional measure should therefore be paid by 30 September 2025.
- (18) As no payments made after 30 September 2025 are to be considered eligible under any circumstances, Article 5(2) of Delegated Regulation (EU) 2022/127, which provides for a proportional reduction of the monthly payments effected after the deadline, is not to apply.
- (19) Spain, Croatia, Cyprus, Latvia and Hungary should communicate to the Commission detailed information about the implementation of this Regulation, to enable the Union to monitor the efficiency of the measure introduced by this Regulation.
- (20) In order to ensure that farmers receive aid as soon as possible, Spain, Croatia, Cyprus, Latvia and Hungary should implement this Regulation without delay. Therefore, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

³ Commission Delegated Regulation (EU) 2022/127 of 7 December 2021 supplementing Regulation (EU) 2021/2116 of the European Parliament and of the Council with rules on paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro (OJ L 20, 31.1.2022, p. 95, ELI: http://data.europa.eu/eli/reg_del/2022/127/oj).

HAS ADOPTED THIS REGULATION:

Article 1

1. Union aid of a total amount of EUR 98 600 000 shall be available to Spain, Croatia, Cyprus, Latvia and Hungary to provide exceptional support to farmers subject to the conditions set out in this Regulation.
2. The Union expenditure incurred in accordance with this Regulation shall not exceed a total amount of:
 - (a) EUR 68 000 000 for Spain;
 - (b) EUR 6 700 000 for Croatia;
 - (c) EUR 3 500 000 for Cyprus;
 - (d) EUR 4 200 000 for Latvia;
 - (e) EUR 16 200 000 for Hungary.
3. Spain, Croatia, Cyprus, Latvia and Hungary shall use the amounts referred to in paragraph 2 for measures aiming to compensate the most affected farmers for their economic losses impacting on the viability of their farms in the sectors and productions impacted by adverse climatic events in the regions affected.
4. The measures referred to in paragraph 3 shall be taken on the basis of objective and non-discriminatory criteria that take account of the actual economic losses borne by the affected farmers. The measures shall be of such a nature that the resulting payments do not cause any market or competition distortion.
5. Spain, Croatia, Cyprus, Latvia and Hungary shall ensure that, when farmers are not the direct beneficiaries of the payments of the Union aid, the economic benefit of the Union aid is passed on to them in full.
6. The expenditure borne by Spain, Croatia, Cyprus, Latvia and Hungary referred to in paragraph 2 in relation to the payments for the measures referred to in paragraph 3 shall only be eligible for Union aid if those payments are made by 30 September 2025.
7. For the purposes of Article 30(3) of Delegated Regulation (EU) 2022/127, the operative event for the exchange rate as regards the amounts set out in Article 1(2) of this Regulation shall be the date of entry into force of this Regulation.
8. Measures under this Regulation may be cumulated with other support financed by the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development.
9. Spain, Croatia, Cyprus, Latvia and Hungary may grant additional national support for the measures taken under paragraph 3 up to a maximum of 200 % of the respective amounts set out in paragraph 2, on the basis of objective and non-discriminatory criteria, provided that the resulting payments do not cause any market or competition distortion, or overcompensation. Spain, Croatia, Cyprus, Latvia and Hungary shall pay the additional national support by 31 December 2025.
10. In order to avoid overcompensation, when granting support under this Regulation, Spain, Croatia, Cyprus, Latvia and Hungary shall take into account the support granted under other national or Union support instruments or private schemes to respond to the economic losses concerned.

Article 2

1. Without delay, and no later than 31 May 2025, Spain, Croatia, Cyprus, Latvia and Hungary shall notify to the Commission of the following, in relation to the measures referred to in Article 1(3):
 - (a) a description of the measures to be taken;
 - (b) the criteria used to determine the methods for granting the aid, its amounts and the methods and rationale for distributing the aid across farmers;
 - (c) the intended impact of the measures in view of compensating farmers for economic losses;
 - (d) the actions taken to verify that the intended impact of the measures is reached;
 - (e) the actions taken to avoid distortion of competition and overcompensation;
 - (f) the forecast for payments of the Union expenditure broken-down per month until 30 September 2025;
 - (g) the level of additional national support to be granted pursuant to Article 1(9);
 - (h) the actions to be taken to control the eligibility of farmers and to protect the financial interests of the Union.
2. No later than 31 March 2026, Spain, Croatia, Cyprus, Latvia and Hungary shall notify the Commission of the total amounts paid per measure, when applicable, broken down by Union aid and additional national support, the number and type of beneficiaries and the assessment of the effectiveness of the measure.

Article 3

This Regulation shall enter into force on the day following that of 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.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN