



2025/1159

12.6.2025

**COMMISSION DELEGATED REGULATION (EU) 2025/1159**

**of 31 March 2025**

**correcting Delegated Regulation (EU) 2022/126 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 conditions (GAEC) standard 1**

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<sup>(1)</sup>, and in particular Article 45, points (a), (c) and (h), thereof,

Whereas:

- (1) Article 11(4) and (5) of Commission Delegated Regulation (EU) 2022/126<sup>(2)</sup> lays down specific rules on investments in irrigation for sectoral interventions in the fruit and vegetables sector, in the apiculture sector, in the wine sector, in the hops sector, in the olive oil and table olives sector and in the other sectors referred to in Title III, Chapter III, of Regulation (EU) 2021/2115.
- (2) With a view to ensuring that beneficiaries investing in irrigation under sectoral interventions and rural development interventions follow the same rules, the requirements on investments in irrigation under sectoral interventions need to be corrected and aligned with those set out in Article 74 of Regulation (EU) 2021/2115 for investments in irrigation under Rural Development.
- (3) The requirement to set up percentages for potential water savings and effective reduction in water use referred to Article 11(4), point (a), of Delegated Regulation (EU) 2022/126 only applies to investments in the improvement of an existing irrigation installation or an element of irrigation infrastructure since this is the only investment in irrigation where such savings can be effectively measured. Consequently, the current wording of Article 11(4) and (5) of Delegated Regulation (EU) 2022/126 should be corrected in order to clearly place this requirement among the conditions applicable to investments in the improvement of existing irrigation systems included in Article 11(5) of that Delegated Regulation.
- (4) The conditions laid down in Article 11(6), points (a) and (b), of Delegated Regulation (EU) 2022/126 are cumulative. The wording of that provision should be corrected to express this in an explicit way.
- (5) Several inadvertent syntax mistakes contained in Article 11(10) of Delegated Regulation (EU) 2022/126 should be corrected.

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

<sup>(2)</sup> 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](http://data.europa.eu/eli/reg_del/2022/126/oj)).

- (6) Article 31(6), point (b), of Delegated Regulation (EU) 2022/126 establishes rules regarding the basis for the calculation of the value of marketed production, in particular, as regards the cost of transport internal to the producer organisation. Due to an unintended omission of part of the text of this paragraph, the current provision provides for the exclusion of all costs of transport internal to the producer organisation, whereas the wording of the predecessor provision of Article 22(6), point (b), of Commission Delegated Regulation (EU) 2017/891 <sup>(3)</sup> allowed for a part of these costs to be included in the calculation. Indeed, the value of marketed production covers several types of costs, including the costs of transport internal to the producer organisation, which are incurred and borne by the producer organisation. Those costs are included in the selling price when the producer organisation puts its production on the market. Therefore, such costs should not be completely excluded from the calculation of the value of marketed production. However, to prevent excessive use of those costs, only part of them should be included in the calculation, i.e., the costs of transport internal to the producer organisations, in circumstances where the distance between the centralised collection or packing points of the producer organisation and the point of distribution of the producer organisation does not exceed 300 km. Therefore, Article 31(6), point (b), of Delegated Regulation (EU) 2022/126 should be corrected by adding the missing part of the paragraph.
- (7) Delegated Regulation (EU) 2022/126 should therefore be corrected accordingly.
- (8) In order to ensure the smooth implementation of the envisaged interventions and allow for appropriate planning by farmers and consideration by competent authorities, it is important to correct as a matter of urgency the inadvertent errors in Delegated Regulation (EU) 2022/126. This Regulation should therefore enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

#### Article 1

Delegated Regulation (EU) 2022/126 is corrected as follows:

- (1) Article 11 is amended as follows:
- (a) paragraph 4 is replaced by the following:
- ‘4. Member States may provide, in their CAP Strategic Plans, support for investments in irrigation provided that a water meter system enabling measurement of water use at the level of the holding or the relevant production unit is in place or is put in place as part of the investment.’;
- (b) paragraph 5 is replaced by the following:
- ‘5. Support for investments in the improvement of an existing irrigation installation or an element of irrigation infrastructure may be provided under the following conditions:
- (a) the investments are assessed by the beneficiary *ex ante* as offering potential water savings reflecting the technical parameters of the existing installations or infrastructures;
- (b) where the investments affect bodies of groundwater or surface water whose status have been identified as less than good in the relevant river basin management plan as referred to in Directive 2000/60/EC of the European Parliament and of the Council (\*) for reasons related to water quantity, an effective reduction in water use is achieved contributing to the achievement of good status of these water bodies, as laid down in Article 4(1) of that Directive.

<sup>(3)</sup> Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011 (OJ L 138, 25.5.2017, p. 4, ELI: [http://data.europa.eu/eli/reg\\_del/2017/891/oj](http://data.europa.eu/eli/reg_del/2017/891/oj)).

Member States shall set percentages for potential water savings and effective reduction in water use as an eligibility condition in their CAP Strategic Plans in accordance with Article 111, first paragraph, point (d), of Regulation (EU) 2021/2115. Such water savings targets shall be determined by taking into account the needs set out in the river basin management plans referred to in Directive 2000/60/EC.

The conditions set out in this paragraph shall not apply to investments in an existing irrigation installation or in an element of irrigation infrastructure which affects only energy efficiency, to investments in the creation of a reservoir or to investments in the use of reclaimed water which do not affect a body of groundwater or surface water.

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(\*) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/60/oj>);

(c) paragraph 6 is replaced by the following:

‘6. Support for investments in irrigation resulting in a net increase of the irrigated area affecting a given body of groundwater or surface water may be provided under the following conditions:

- (a) the status of the water body has not been identified as less than good in the relevant river basin management plan for reasons related to water quantity; and
- (b) an environmental impact analysis shows that there will be no significant negative environmental impact from the investment; that environmental impact analysis shall be either carried out by or approved by the competent authority.’;

(d) paragraph 10 is replaced by the following:

‘10. Where investments are replaced, the residual value of the replaced investments shall be:

- (a) added to the operational fund of the producer organisation; or,
- (b) subtracted from the cost of the replacement.

Notwithstanding the first subparagraph, Member States shall not provide support for the mere replacement of investments by identical assets.’;

(2) in Article 31(6), point (b) is replaced by the following:

- ‘(b) costs of transport internal to the producer organisation, association of producer organisations, transnational producer organisation, transnational association of producer organisation or producer group where the distance between the centralised collection or packing points of the organisation or group and the point of distribution of the organisation or group exceeds 300 km.’.

## Article 2

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, 31 March 2025.

For the Commission  
The President  
Ursula VON DER LEYEN