



COMMISSION IMPLEMENTING REGULATION (EU) 2026/159

of 21 January 2026

on temporary emergency measures for Hungary derogating from a provision of Delegated Regulation (EU) 2017/891, to resolve specific problems in the fruit and vegetables sector 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) 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 1234/2007 ⁽¹⁾, and in particular Article 221(1) thereof,

Whereas:

- (1) Due to severe adverse meteorological events relating to frost that took place in Hungary in April and May 2025, the production of fruit has been drastically damaged. This has resulted in losses for the 2025 fruit harvest, particularly in relation to cherries, apples, apricots, walnuts, plums, pears, peaches and strawberries. The estimated losses amount to EUR 29,2 million. An estimated 57 % of the producer members of recognised producer organisations in the fruit and vegetables sector were impacted. The drop in the yield of different fruit sorts for the year 2025 is estimated to be 41 %. Even production techniques, such as air mixing machines, heat production or antifreeze irrigation were ineffective. The damage has heavily impacted the fruit production in Hungary in the year 2025.
- (2) In light of the severe adverse meteorological events of April and May 2025, the producer members of many recognised producer organisations in the fruit and vegetables sector are facing a significant reduction in production. To address these consequences and their impact on the value of products sold, producer organisations should be exempted in the year 2025 from the requirement, laid down in Article 11(2) of Commission Delegated Regulation (EU) 2017/891 ⁽²⁾, that the economic value of products sold by producers that are not members of the producer organisation is to be below the value of marketed production of the producer organisation.
- (3) The overall situation caused by the severe adverse meteorological events of April and May 2025 constitutes 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 existing identified unique market disturbance or a precise threat thereof. It is not linked either to measures that would fight against the spread of animal diseases or the loss of consumer confidence due to public, animal or plant health risks.
- (4) 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 April and May 2025 on producer organisations in the fruit and vegetables sector, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*. Since Article 221(4) of Regulation (EU) No 1308/2013 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.

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

⁽²⁾ 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).

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Temporary derogation from Delegated Regulation (EU) 2017/891

1. By way of derogation from Article 11(2) of Delegated Regulation (EU) 2017/891, in the year 2025, a producer organisation identified by Hungary as affected by the severe adverse meteorological events of April and May 2025 may sell products from producers that are not members of a producer organisation irrespective of the economic value of that activity compared to the value of the producer organisation's marketed production.
2. The producer organisations referred to in paragraph 1 shall prove to the competent authority of Hungary that the conditions laid down in paragraph 1 are met.

Article 2

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 22 January 2027.

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

Done at Brussels, 21 January 2026.

For the Commission
The President
Ursula VON DER LEYEN