



2025/1989

3.10.2025

COMMISSION REGULATION (EU) 2025/1989

of 2 October 2025

correcting Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 108(4) thereof,

Having regard to Council Regulation (EU) 2015/1588 of 13 July 2015 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid ⁽¹⁾, in particular Article 2(1) thereof,

After consulting the Advisory Committee on State Aid,

Whereas:

- (1) Commission Regulation (EU) No 1408/2013 ⁽²⁾ contains errors, introduced by Commission Regulation (EU) 2024/3118 ⁽³⁾. In particular, in Article 7(3a) of Regulation (EU) No 1408/2013, the date 20 December 2024 should be replaced by 16 December 2024 to align it with the date of entry into force of Regulation (EU) 2024/3118. In the Annex to Regulation (EU) No 1408/2013, the maximum cumulative amount of *de minimis* aid granted by the United Kingdom in respect of Northern Ireland should be 65,37 million EUR instead of 59,96 million EUR. Those errors affect the substance of those provisions.
- (2) Furthermore, Article 1(2) of Regulation (EU) No 1408/2013 contains an incorrect reference to Commission Regulation (EU) No 1407/2013 ⁽⁴⁾. That reference should have been updated by Regulation (EU) 2024/3118 because at the time of adoption of that Regulation, Regulation (EU) No 1407/2013 had already expired. Article 5(2) of Regulation (EU) No 1408/2013 contains an incorrect reference to the scope of Commission Regulation (EU) No 717/2014 ⁽⁵⁾. That reference should have been aligned by Commission Regulation (EU) 2023/2391 ⁽⁶⁾ which amended Regulations (EU) No 1408/2013 and (EU) No 717/2014.
- (3) All language versions of Regulation (EU) No 1408/2013 should therefore be corrected accordingly.
- (4) Further corrections are also necessary in certain language versions.
- (5) Article 3(2) of the Swedish language version of Regulation (EU) No 1408/2013 contains an error as regards the period for granting of *de minimis* aid to a single undertaking. That error affects the substance of that provision.

⁽¹⁾ OJ L 248, 24.9.2015, p. 1, ELI: <http://data.europa.eu/eli/reg/2015/1588/oj>.

⁽²⁾ Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector (OJ L 352, 24.12.2013, p. 9, ELI: <http://data.europa.eu/eli/reg/2013/1408/oj>).

⁽³⁾ Commission Regulation (EU) 2024/3118 of 10 December 2024 amending Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector (OJ L, 2024/3118, 13.12.2024, ELI: <http://data.europa.eu/eli/reg/2024/3118/oj>).

⁽⁴⁾ Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L 352, 24.12.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/1407/oj>).

⁽⁵⁾ Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector (OJ L 190, 28.6.2014, p. 45, ELI: <http://data.europa.eu/eli/reg/2014/717/oj>).

⁽⁶⁾ Commission Regulation (EU) 2023/2391 of 4 October 2023 amending Regulations (EU) No 717/2014, (EU) No 1407/2013, (EU) No 1408/2013 and (EU) No 360/2012 as regards *de minimis* aid for the processing and marketing of fishery and aquaculture products, and Regulation (EU) No 717/2014 as regards the total amount of *de minimis* aid granted to a single undertaking, its period of application and other matters (OJ L, 2023/2391, 5.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2391/oj>).

- (6) In addition, there is an error in Article 3(3) of the Greek language version of Regulation (EU) No 1408/2013 as regards the period for granting of *de minimis* aid, and in Article 5(2) of the Danish, Greek and Lithuanian language versions of that Regulation as regards the highest ceilings applicable to the cumulative amount of *de minimis* aid granted to undertakings specified in that provision. Those errors affect the substance of those provisions.
- (7) The Danish, Greek, Lithuanian and Swedish language versions of Regulation (EU) No 1408/2013 should therefore be corrected accordingly. The other language versions are not affected by those errors.
- (8) To ensure equal treatment of all countries to which Regulation (EU) No 1408/2013 applies, the correction of the errors should take effect on the date of entry into force of Regulation (EU) 2024/3118. Therefore, this Regulation should apply from 16 December 2024,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1408/2013 is corrected as follows:

- (1) in Article 1, paragraph 2 is replaced by the following:

‘2. Where an undertaking is active in the primary production of agricultural products and is also active in one or more of the sectors or has other activities falling within the scope of Regulation (EU) 2023/2831, that Regulation shall apply to aid granted in respect of the latter sectors or activities, provided that the Member State concerned ensures, by appropriate means such as separation of activities or distinction of costs, that the primary production of agricultural products does not benefit from *de minimis* aid granted in accordance with that Regulation.’;
- (2) *(does not concern the English version)*;
- (3) in Article 5, paragraph 2 is replaced by the following:

‘2. Where an undertaking is active in the primary production of agricultural products as well as in the primary production of fishery and aquaculture products, *de minimis* aid granted for activities in the sector of agricultural production in accordance with this Regulation may be cumulated with *de minimis* aid for activities in the fishery and aquaculture sector in accordance with Regulation (EU) No 717/2014 up to the highest ceiling laid down in either of those Regulations, provided that the Member State concerned ensures, by appropriate means, that the primary production of agricultural products does not benefit from *de minimis* aid granted in accordance with Regulation (EU) No 717/2014.’;
- (4) in Article 7, paragraph 3a is replaced by the following:

‘3a. Any individual *de minimis* aid granted between 1 January 2014 and 16 December 2024 in accordance with the provisions of this Regulation as applicable at the time of granting the aid shall be deemed not to meet all the criteria in Article 107(1) of the Treaty and shall therefore be exempt from the notification requirement in Article 108(3) of the Treaty.’;
- (5) in the Annex, the last entry in the table is replaced by the following:

‘United Kingdom in respect of Northern Ireland	65,37’
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Article 2

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

It shall apply from 16 December 2024.

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

Done at Brussels, 2 October 2025.

For the Commission
The President
Ursula VON DER LEYEN
