Further charges by the President of UOKiK regarding the unfair use of contractual advantage against farmers

* **The President of UOKiK has brought charges of unfair use of contractual advantage against Bunge Poland and Procam Poland.**
* **They concern, among others, contractual provisions under which the companies shifted the risks associated with force majeure, such as drought, frost, or hailstorms, onto suppliers.**
* **We would like to remind you that farmers should not be penalised for the consequences of such events.**

**[Warsaw, 13 October 2025]** The Office of Competition and Consumer Protection (UOKiK) has gathered evidence indicating that Bunge Poland and Procam Poland included contractual provisions which were disadvantageous to farmers regarding events of default due to circumstances for which suppliers are not responsible, particularly force majeure. In addition, Procam Poland imposed an unreasonably short deadline for notifying the company that a farmer’s crops had been affected by force majeure. Consequently, the President of UOKiK charged both companies with unfairly using their contractual advantage in dealings with suppliers.

According to the President of UOKiK, both companies, by unevenly distributing the risk of contract performance between the parties, may be violating good practices and the interests of their suppliers.

**Force majeure**

Force majeure factors primarily include weather conditions that may affect agricultural producers and, consequently, their crops. However, other events may also impact the quantity and quality of yields, including damage caused by wildlife, insects or plant diseases, as well as circumstances which, although not directly related to production, have a significant effect on the agricultural producer’s ability to operate, such as serious illness.

According to the President of UOKiK, the risk of drought or hail cannot be borne solely by one contracting party, especially when that party is the weaker one. If this is the case, it constitutes a flagrant example of the unfair use of contractual advantage.

“There is no doubt that agricultural production depends on many factors over which farmers themselves have no control. Extreme weather conditions, such as droughts or hailstorms, can drastically affect the financial situation of farmers. The provisions contained in contracts with purchasers should not further aggravate this situation. Therefore, under Polish law, contracts for the supply of agricultural products must allow suppliers to be exempted from liability for non-performance or improper performance of the contract when the reason is the occurrence of force majeure”, emphasises President of UOKiK Tomasz Chróstny.

**Big business vs farmers**

Both Bunge Poland and Procam Poland are part of international corporations and are among the largest purchasers of agricultural produce in Europe.

“The charges I have brought against these companies concern situations in which farmers, due to the occurrence of force majeure, not only failed to achieve the expected income but were also exposed to losses resulting from the obligation to pay a contractual penalty. At the same time, the companies in question are significant players on the European and global markets, undoubtedly having a contractual advantage over their suppliers. They must not use their power to arbitrarily shape the terms of cooperation with smaller entities. The larger the entity and the greater its advantage over suppliers, the greater its responsibility to comply with applicable regulations. We consistently protect farmers from such practices”, says President of UOKiK Tomasz Chróstny.

This is not the first action in which UOKiK has addressed the issue of holding farmers accountable for the effects of force majeure. Previously, the President of UOKiK fined two companies – [PolishAgri](https://archiwum.uokik.gov.pl/news.php?news_id=18759&news_page=4) and [Cefetra Poland](https://archiwum.uokik.gov.pl/news.php?news_id=18543&news_page=5) – for unfair use of contractual advantage over farmers. In August 2025, [the court of appeal upheld the position of the President of UOKiK](https://x.com/UOKiKgovPL/status/1961317040578265159) in the latter case, setting a fine of nearly PLN 1.2 million.

If you are an entrepreneur or farmer and operate in the agri-food industry and your major counterparty abuses its competitive advantage by imposing unfavourable terms of cooperation, **report it to UOKiK.** We have launched a special **form** to help you report any irregularities. Click here to fill it out: <https://ankieta.uokik.gov.pl/formularz-zgloszenie-przewaga/>.