

Regulatory Environment for the Honey Trade

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ABSTRACT *This article reviews Hungary's beekeeping sector and its place in the EU honey market. Hungary is historically export-oriented, with most honey sold abroad in bulk, which depresses prices and obscures product quality. EU demand outstrips internal supply, leading to heavy reliance on imports and intense price competition. Adulteration, immature and low-quality imports—especially from China—and weak origin labelling undermine consumer trust and food safety. Market structures concentrate value away from primary producers, limiting branding, direct sales, and fair remuneration for beekeepers. The sector thus faces declining profitability and risk to colony numbers and rural livelihoods. Recommended responses include strict enforcement of EU honey definitions, clearer origin disclosure for blended honeys, unified standards and improved testing capacity, and a transparent market-monitoring system. Strengthening beekeepers' market position through collective marketing, local processing and risk-sharing schemes is essential. In conclusion, the author argues that coordinated regulatory and market reforms are needed to restore price fairness, protect product integrity, and ensure the long-term viability of Hungarian and EU beekeeping.*

KEYWORDS *agricultural law, honey trade, beekeeping, regulations, regulatory environment, food fraud, consumer protection, EU food law.*

1. Introduction

The *European Council Regulation*,¹ taking into account the importance and specificities of the beekeeping sector, contains measures and subsidies for the development of the beekeeping sector. In order to obtain subsidies, the *Hungarian National Beekeeping Programme*² has been developed in our country, which aims to improve the conditions for honey production and sales. The Programme includes a report on the domestic beekeeping sector. The following data are from the report of the Hungarian National Beekeeping Programme and its annex:

The beekeeping sector currently provides an additional or main source of income for the livelihood of about 15,000 families, thus indirectly contributing to the

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¹ European Council Regulation (EC) No 797/2004.

² Annex to FVM. Decree 152/2004./X. 18.

population retention capacity of the countryside. The average bee colony density in Hungary is 9.0 bee colonies/km². The average number of apiaries over many years has been: 15-17,000, of which the number of professional apiaries – with a minimum of 150 bee colonies – is: 900-1000.

Hungary is historically one of the largest honey-producing countries. A significant part, about 80% of the honey produced, ends up in foreign markets, in recent decades almost entirely to Western European countries. The main export products are acacia honey and mixed flower honey, the proportion of which varies depending on the vintage. Hungarian trading companies export smaller quantities of other varieties and honeycomb honey, beeswax and propolis. It is typically an export-oriented sector. 95% of the acacia honey exported is delivered in barrels - in bulk.³ Bulk sales allow for the delivery of large volumes, but due to its nature, it does not ensure the emphatic appearance of Hungarian honey of special quality. Its prices are also below what would be expected based on quality. Based on this, Hungarian beekeepers only produce and do not trade with honey.⁴ Since 2005, Hungary has exported the most honey to Italy every year, with only 40% of all our exports going to Italy.⁵ This represents approximately 2/3 of Italian imports. Italy is followed by Germany, France and Austria.⁶ These four countries buy up almost 80% of all Hungarian honey exports.

They are followed by Japan in 5th place (about 900 tonnes per year), followed by other EU Member States. In order: Spain, Romania, Belgium, Denmark and Poland. Here it should be pointed out that the European countries written after Japan buy Hungarian honey mostly for re-export purposes, so after they have bought it, they also sell it. Consumption statistical surveys of different households confirm that the annual volume of domestic honey consumption is around 4000 tons. Based on this, the annual consumption per capita can be estimated at 0.4 kg. About 90% of domestic honey consumption is household consumption. The rest is used by industry - bakeries, canneries, pharmaceutical factories and cosmetics laboratories. The basic condition is bottling at a place specified in the Food Act, as well as the existence of a product sheet.⁷ In order to carry out the export, it is important to have the documents accompanying the goods (delivery note). It is important to know that sales revenue earned abroad must be declared at home, so the primary producer⁸ does not need to apply for a European tax number.⁹

³ Unpackaged, bulk goods (*lédig* in Hungarian).

⁴ Péter Fehér, "Mi a méz, és hogyan adjuk el?," *Méhészet*, 2020. 07., 17.

⁵ Jenő Szabó, "Magyar méz a német piacon," *Méhészet*, 2020. 04., 18.

⁶ Péter Bross, "Mézexport 2019," *Méhészet*, 2020. 07., 4.

⁷ A record kept by the food manufacturer regarding the food safety and quality characteristics of the processed food.

⁸ A primary agricultural producer is a natural person over the age of 16, registered in the primary agricultural producer register, who carries out primary agricultural production activities on his own farm.

⁹ A taxable person who establishes a commercial relationship with a taxable person established in another EU member state must have a Community tax number. The material contains a list of those who are required to request a tax number, as well as information on applying for a Community tax number and checking its validity.

Another case is if the goods are delivered to retail units by an individual or a partnership entrepreneur. In this case, the supplier must, in addition to the above, produce the parameters regarding the quality of the goods, the existence of which he previously undertook in the contract. In this case, it is also necessary to obtain an EU tax number.

2. The situation of beekeeping and the honey trade

Within the framework of the presentation of honey sales, I will first deal with the situation of the honey trade, with special emphasis on the problem of Chinese honey. This is followed by an overview of the regulations on the purchase and sale of honey, and finally, the study concludes with a description of the rules of retail sales.

The world's honey production is about 1.5 to 1.8 million tons per year.¹⁰ More than half of the honey produced is produced by six countries or groups of countries: China, the United States, Argentina, the European Union, the Commonwealth of Independent States and Mexico. Hungary has a 1% share of the world's honey production. The European Union is the world's second largest producer of honey after China, yet its degree of self-sufficiency is low, approximately 50%, making it the largest importer of honey.¹¹ About 650 thousand people are engaged in beekeeping, which means the management of 18 million bee colonies. Beekeeping is an environmentally friendly agricultural activity that can be carried out in harmony with the natural environment and ecosystem. Thanks to the pollination activity of bees, beekeeping is also essential for agricultural horticulture and biodiversity in Europe. However, *in this critical honey market situation, the vulnerability of our "bee-dependent" Earth is clearly visible.*¹²

85% of honey produced in the European Union is consumed by households, the remaining 15% is used industrially.¹³ More than 50% of the honey produced is sold directly to consumers or retailers by producers. In the Member States of the European Union, there are established traditions and cultures of honey consumption, so it can be generally stated that consumers prefer the much more expensive domestic honey to the cheap imported honey. At the same time, the situation is contradictory, since the Union has been able to satisfy its internal needs for many years only with high imports, with an annual volume of 130-150 thousand tons. In the European Union, which is the world's most significant consumer, trade between Member States is very significant.¹⁴ If we look back to the period between 1994 and 1999, we can see that competition has intensified between the three main suppliers of honey to the EU - China, Argentina and

¹⁰ <https://www.ksh.hu/docs/hun/xftp/idoszaki/regiok/meheszet.pdf>

¹¹ Krisztián Pályi, "Az EU mézpiacának helyzetjelentése," *Méhészet*, 2020. 06. 26.

¹² Phillips, Ron (transl. Péter, Bross): „International Honey Trade [Nemzetközi mézkereskedelem].” *Méhészet*, 2016. 04. 10.

¹³ <https://agraragazat.hu/hir/mezhamisitas-vedelem-mezogazdasag/>.

¹⁴ Krisztián Pályi, "A mézpiacról feketén-fehéren," *Méhészet*, 2021. 03. 19.

Mexico. Smaller EU suppliers such as Hungary, Romania and Bulgaria also faced fierce competition for markets. Romania's market share in Germany increased from 1.2% in 1994 to 5.8% in 1999, while Hungary's fell from 4.8% to 2.7% during the same period. The involvement of foreign capital-rich companies played a major role in the dynamic growth of Romanian honey exports. In the European Union, on average, the production of one kilogram of honey costs around 3.5-4 euros, but it should be noted that this price is constantly changing to a greater or lesser extent. However, in some countries the costs are much higher, in Belgium for example. it can reach up to 10 euros / kg. After a little investigation, it turns out that in many EU member states the purchase price is lower than the production price level, and in some it is almost the same, in Hungarian terms there is no profit in producing honey. This includes e.g. Slovakia or Spain too. Looking at the sales chain, after the beekeeper extracts the honey, the product changes hands at least two or three times before it reaches the final consumer. That is why it would be beneficial – in addition to the already noticeable growth – to further spread direct sales. However, it should not be forgotten that the majority of consumers purchase food in supermarkets, which offer them many advantages: competitive prices, a large selection and everything can be found and available in one place. It is also important to keep in mind the fact that honey is not a basic food, so an important task for a beekeeper is to create a private brand that indicates that their product is different from what can be purchased from the shelves of supermarkets.¹⁵ Our country cannot compete in quantity with large honey exporters, therefore domestic producers must appear on the EU honey market with branded products of impeccable quality. Cooperatives dealing with the purchase, packaging and marketing of honey already operate in EU member states. This is also important because it is not possible to raise the price of an average quality product. Currently, domestic honey processors and traders are mostly interested in the packaging and export of barreled honey. The ever-low purchase price is not favourable for producers, and traders pass on price decreases to producers. The slow but steady decline in honey production has not resulted in price increases, and in fact, based on the trends of recent years, prices have continued to fall in most Member States. A significant proportion of European producers are unable to cover their costs from honey sales. Given the ongoing processes, it can be concluded that the current number of 18 million bee colonies in the European Union will decrease to 10 million or even less in the near future.¹⁶ Imported products from outside the Union can be considered an important factor, as they have a compensating effect on both the EU product shortage and the price. Immediate and effective reforms are needed to remedy the worrying situation of the EU honey market. All parts of the market must operate in an integrated manner. It is not possible to achieve stability without understanding the reasons for the continuous price decline. The operation of indirect imports, honey adulteration, honey contamination, unfair procedures used during production, disguising the origin of honey and the

¹⁵ Tibor Csincsa, “Mit ér a méz, ha helyi,?” *Méhészet*, 2015. 11. 8.

¹⁶ <https://magyarmezogazdasag.hu/2020/07/22/az-eu-mezpiacanak-helyzetertekelese>.

irresponsible intention to distort the market are the phenomena that need to be considered in this case.¹⁷ It would be necessary to develop short, medium and long-term action plans. As a first and most important step, it is necessary to ensure that honey imported from third countries complies with the definition of EU honey - here I am primarily thinking of the already mentioned Chinese honeys. In the case of honeys originating from several countries, a detailed indication of origin would also be a particularly important step. The origin and proportion of all ingredients making up a given mixed honey should be indicated on the packaging, a practice that could increase the value of the European product and would also facilitate the smooth functioning of the internal market. In the case of other beekeeping products beyond honey – beeswax, pollen, royal jelly – a uniform, EU-level product description and standard system should be introduced, which could result in better pricing and quality assurance. I also consider it essential to set up a monitoring system that would truly ensure market transparency, instead of one that does not adequately serve the current situation. As a medium-term goal, it would be necessary to determine that EU member states receive support for the application of the most modern testing procedures in order to prove any possible cases of counterfeiting. In order to achieve higher sales revenues for beekeepers, it is of paramount importance that their role within the market is strengthened. Market practices that limit beekeepers' chances of direct access to the market must be eliminated. In the long term, in order to stabilize beekeepers' incomes, a risk-bearing plan and solution proposals must be developed through beekeeping organizations. I consider it *inevitable to support projects through which the beekeeping community can act together on the market to protect the price and quality of the products they produce*, as it is clear that their current representation of interests is not working satisfactorily.

2. 1 The problem of Chinese honey

In the early 2000s, China, which alone produces about 25% of the world's honey production, increased its EU exports from "nothing" to 80 thousand tons.¹⁸ This has now decreased to about 45 thousand thanks to Brexit, considering that Great Britain alone imports 35 thousand tons annually. This is obviously related to the fact that the British are dismissive of modern honey testing procedures – in return, they buy Chinese honey for about one dollar per kilo on average. There are several reasons for the growth of East Asian markets, starting with the sale of immature honey. Chinese beekeepers are constantly traveling with their bee colonies. Their trucks can hold 100-200 hives, which are also different from the types known to us. There is little space for honey in them, and there are hardly any honey chambers in them. For this reason, they have to be constantly turned, and the frames containing fresh nectar are collected in a cart. Their water content is over 30%, which is well above the 20% moisture content permitted in the EU. The high moisture content is later extracted in vacuum chambers in factories.

¹⁷ Phillips, Ron (transl. Hevesi, Mihály). „International Honey Market [Nemzetközi mézpiac]”. *Méhészet*, 2016. 07. 22.

¹⁸ <https://magyarmezogazdasag.hu/taxonomy/term/87?page=8>.

Enzymes produced in the bee's pharyngeal gland are added to the nectar by the bee to produce simple sugars. If the honey is not allowed to ripen completely by the bee, its beneficial elements for health are filtered out and the honey is reduced to a mere sweet additive.¹⁹ This in itself is a cause for serious concern. There are some Chinese beekeepers who insist on producing ripe honey, but the price of these products is much higher, so they do not reach Europe. It is therefore safe to say that all exported honey from China to the EU is immature (due to its price), and therefore does not comply with the EU honey directive. It is no coincidence that the Chinese are striving to have the ISO regulation allow the acceptance of immature honey as a kind of second quality. Another interesting fact is that China's honey consumption exceeds not only its domestic honey production, but also the amount increased by imports. In some regions, 100% of the honey available on store shelves contains added sugar, but even in the most favorable areas, the result is around 50%.²⁰

2. 2 Honey adulteration practices

In all cases, *the essential condition for adulteration is a cheaper, more easily accessible substitute product than the original product*. In the case of honey, this was sugar. In the early 19th century, its production began in sugar refineries in Hungary, and in the following years, sugar factories operating using the industrial method were founded one after another.²¹ This change also affected honey, which was the only sweetener available until then. Several erroneous state measures brought honey production to a low point. Partly due to the invention of mobile hives, partly due to the appearance of beekeeping associations, the beekeeping industry received new impetus. However, the cheap sugar and expensive honey produced in large quantities led to the appearance of adulteration. Due to the pressure exerted on the government by beekeepers, a law was soon passed prohibiting the adulteration of agricultural crops, products and articles.²² However, the legislation was not sufficient for its creation to bring the expected results. The reason for this was that the personal and technical background for continuous inspections was not available, and any detected violations of the law were only considered a violation, regardless of the extent of the actual damage caused. Contemporaries also recognized that results could only be achieved with the cooperation of the authorities, producers, distributors and consumers. The sale of honey became increasingly a matter of trust, due to the poor quality counterfeits entering the market. The interests of domestic consumers were protected by honey purchased directly from the producer, while the quality of export honey was guaranteed by the fact that the batches distributed through the Executive Representation of the National Hungarian Beekeeping Association were tested without exception and could be exported abroad with a certificate of

¹⁹ Gretchen D. Jones, and Vaughn M. Bryant, "Pollen Studies of East Texas Honey." *Palynology* 38, no. 2 (2014): 242–58.

²⁰ Phillips, Ron (transl. Péter, Bross): „International Honey Trade 2. [Nemzetközi mézkereskedelem 2.].” *Méhészet*, 2016. 05. 18.

²¹ László Szabó, "A mézhamisítás múltja," *Méhészet*, 2019. 22–23.

²² Act XLVI of 1895.

analysis. Based on the lessons learned in recent years, the demand for natural honey has increased worldwide, while at the same time the amount of honey produced has decreased.²³ Despite this, the honey supply is operating smoothly, so it can be concluded that the trade in fake honey is unfortunately becoming more and more widespread. In the event that bees cannot produce enough honey to meet the needs of the market, the selling price of honey should increase based on the principle of supply and demand. In the absence of this, however, it can be stated with certainty that the market has been flooded with products that are called and marketed as honey, but in fact are not, are not products produced by bees. Today, official bodies, institutions,²⁴ and various professional organizations²⁵ have begun to take action to curb honey adulteration. Natural honey²⁶ is a product consisting of constantly changing components, which is the result of the joint interaction of the flora and fauna. This is in complete contradiction to the current honey trade trend, of homogeneous honey with uniform parameters. The latter is manufactured, while the former is produced. Honey adulteration is a deliberate crime committed by perpetrators in order to gain an unfair market advantage by producing and then marketing beekeeping products that do not meet the globally accepted standards and quality criteria for honey.²⁷ One of the most important objectives of food law – as stated in Regulation 178/2002/EC – is to protect the interests of consumers, to provide adequate information to consumers, to prevent food adulteration and fraudulent or deceptive practices.²⁸ The authenticity of honey can be examined from two aspects. One is to assess whether the given honey is truly the result of the transformation of sweet juices collected by bees from flowers and plants. On the other hand, it is also considered adulteration if the geographical or botanical origin of the honey is not the same as that indicated. There are more than a hundred plants throughout Europe from which bees make varietal honey.²⁹ The geographical origin cannot be neglected either, as the soil, climate, and surrounding vegetation at the collection site are also factors influencing the composition and appearance of honey. The simplest way to adulterate honey is to use an artificial enzyme to imitate the process that takes place in the bee's stomach, i.e. the breakdown of sucrose into

²³ Péter Bross, “Csalás és bűncselekmény,” *Méhészet*, 2021. 22–23.

²⁴ Like Apimondia, which is the international association of beekeeping organizations.

²⁵ Example: The American Honey Producers Association filed a lawsuit against local honey importing companies that purchased honey from abroad at prices below the average import price, presumably to aid each other's commercial activities.

²⁶ A natural sweet substance collected by bees from plant nectar or living plant sap, or from the secretions of living plant parts by insects that suck plant sap, which is collected by the bees, transformed by adding their own substances, stored, dehydrated and matured in honeycombs.

²⁷ Aliz Feketéné Ferenczi, István Szűcs, and Viktória Vida, “A hazai méhészeti ágazat helyzetének elemzése (termelés, kereskedelem),” *Táplálkozásmarketing* 8, no. 2 (2021): 22.

²⁸ Regulation (EC) No. 178/2002, Article 8.

²⁹ Zsanett Bodor, “Újszerű módszerek mézek eredetének és hamisításának kimutatására,” *Méhészet*, 2020. 28–30.

glucose and fructose. This requires ascorbic acid or citric acid, which starts the breakdown of sugar by heating the syrup. There are two known forms of adulteration of honey with sugar syrup, direct and indirect adulteration. In the direct method, for example, corn, beet sugar or cane sugar is mixed with honey, while in the indirect method, sugar is given to the bees as food during the collection period. Mannose is one of the substances that confirms the adulteration of honey with sugar syrup.³⁰ It is very similar in structure to glucose. It is mostly produced by hydrolysis of complex plant sugars, but it can also be produced by converting fructose and glucose. This process takes place under alkaline conditions, and since honey is naturally acidic, this process cannot occur naturally in it. If the presence of mannose is proven in honey, the product can be considered adulterated.³¹ However, there is one exception, namely sweet dew honey, which, due to its specific properties, also contains a detectable amount of mannose in its natural form. Another form of adulteration is the resin filtration of honey. In this case, the honey is filtered in order to get rid of unwanted substances. However, the related labeling rules stipulate that since the pollen content may decrease during such filtration, the filtration must also be labeled. The absence of this labeling also constitutes adulteration. This method originates from China.³² It is important to note that this technology was not developed for the purpose of adulteration, but to purify honey coming from polluted environments. In China, resin-filtered honey is not considered a counterfeit product, but they do not take into account that in the process the honey is transformed, loses coloring substances and other ingredients, which significantly reduces the original taste and medicinal value of the final product. Another popular procedure for honey counterfeiters is to mix filtered honey with authentic honey, which is not allowed if the label refers to botanical or geographical origin. A further technology is the addition of pollen or enzymes to filtered honey, or overheating the honey, to prevent crystallization.³³ Products that have been changed in the above ways or mixed with these substances cannot be called “honey” under any circumstances, since international standards such as the Codex Standard and the Council Directive on honey only allow the mixing of pure honeys.³⁴

In one of the court judgments³⁵ examined on this subject, the Court concluded that the documentary evidence was not sufficient to prove beyond any doubt that the honey purchased by the plaintiff was identical to the product purchased from the defendant. According to the facts, the honey was delivered only four days after the purchase, in unmarked barrels. In these circumstances, there was a

³⁰ Mannose is a hexose monosaccharide sugar molecule. Its name comes from the biblical word manna(en): Latin manna, Greek manna.

³¹ QSI laboratory announcement, translated by Krisztián Pályi, “Mannóz – a mézhamisítás jele?,” *Méhészet*, 2016. 11. 17.

³² László Csujá, “A megoldás kézenfekvő, mégis kérdőjeles,” *Méhészet*, 2017. 18.

³³ According to the Hungarian Food Codex’s [Magyar Élelmiszerkönyv] guidelines for honeys with special markings, the core temperature of honeys during processing must not exceed 40 degrees Celsius.

³⁴ Directive 2001/110/EC.

³⁵ I.Pf.20.395/2010/5.

suspicion that the honey might have been substituted, in particular on the basis of the results of the analysis of the sugar content of the product. The presence of added sugar indicates that the honey was adulterated, which is a serious aggravating circumstance in legal terms.

A similar situation was observed in several other cases examined during my research,³⁶ which indicates that disputes regarding the authenticity and purity of honey are a recurring problem in the honey industry. This issue is of particular importance both from the point of view of consumer protection and ensuring the purity of market competition.

In another judgment issued in connection with the adulteration of honey³⁷ – which was issued on the subject of infringement of personality rights – the Court examined whether the second-tier defendant, as a publisher, committed an infringement when it published an announcement in a professional journal. The article reported that samples of various honey products were collected in Budapest and then transported to Bremen for laboratory testing. The results were documented in an English-language report and published in foreign professional journals. The reports contained the term “adulterated”, the Hungarian equivalent of which is “hamsított.” According to the plaintiff, the defendant’s statement was unlawful in two respects: firstly, because the honey tested was not “adulterated” in the sense that no fundamental material change had taken place, only foreign sugar content had been added to the product; secondly, because the method of the laboratory test³⁸ was – in its opinion – not certified, so its result could not be considered well-founded. At the same time, the Court found that the plaintiff’s personal rights had not been violated. In its decision, the Court took into account the expert opinion obtained, according to which, although the test method in question is not among the methods officially accepted in Hungarian legislation, its results are accepted by the professional community and can be considered reliable. Furthermore, based on the expert opinion, it also recorded that the presence of foreign substances added to the honey – in particular sugar – justifies the use of the term “adulterated”, which is generally accepted in professional practice. In its judgment, the Court emphasized the importance of the constitutional freedom of expression, according to which the expression of an opinion does not in itself constitute a violation of the law, even if not everyone agrees with its content.³⁹ The assessment of the contested communications must be carried out not from a formal point of view, but from a substantive point of view, i.e. the truthfulness of the communication and the intention to provide information in the public interest are the guiding principles.⁴⁰

Overall, both cases illustrate that of honey adulteration poses significant challenges in several respects. The lessons learned from these cases are that when

³⁶ A similar ruling was made in court decisions no. 4.P.20.428/2009/8 and no. 1.Pf.20.395/2010/5.

³⁷ 33.P.20.625/2008/7. BH

³⁸ LC-IRMS method, which is not included in the Hungarian Food Codex, Volume 3.

³⁹ LB BH 1993. 89. decisions.

⁴⁰ LB Pk. 12.

testing the authenticity and purity of honey, it is of paramount importance to use professional and recognized testing methods and to ensure that legal qualifications are made in accordance with professional customs and community expectations.

In 2018, the European Commission defined four basic elements that must be present in the case of adulteration: intent, violation of the law, - in the case of honey, violation of the provisions of the Codex Alimentarius - economic advantage, and consumer dissatisfaction. Instrumental analytical methods have also proven to be effective in identifying the origin and detecting adulteration techniques.⁴¹ However, these require significant time-, money- and labor-intensive tests, as well as serious sample preparation.⁴² Another problem is that none of the methods can detect honey adulteration with complete certainty, which is due to the diverse composition of honey. Due to oversupply due to adulteration, the price of pure, natural honey is decreasing. As a consequence, we can also expect the demand for traditional countries to produce and export pure honey, which has recently shown a significant decline in export volumes, and also the impact of this phenomenon is the emergence of new honey-producing countries that are re-exporting cheap imported honey directly or in a mixture, presented as a locally produced product. Adulteration threatens the image and attractiveness of honey as a naturally produced product among consumers, and also harms the interests of honest beekeepers. It also harms consumers, who often do not receive the product they intended to buy. *In conclusion, it can be stated that honey adulteration poses a direct threat to food safety.*

3. Regulations for the purchase and sale of honey

When purchasing honey, the beekeeper must obtain a veterinary certificate,⁴³ which - unless otherwise provided by law - is issued in four copies by the official veterinarian competent for the place where the honey is stored.⁴⁴ In the event that the place where the bees are kept and the place where the honey is stored are not the same, and therefore the examination of the bee colonies is not possible, the assistance of the official veterinarian competent for the place where the bees are kept must be requested. The owner of the honey keeps the original copy of the certificate, two copies must be given to the purchaser, and one remains with the official veterinarian. The purchaser must collect the certificates, register them, keep them at the place of purchase for three years and present them to the official veterinarian during an inspection. Only natural persons, legal persons or business associations with legal personality registered by the station are entitled to purchase honey. Purchase and storage may only take place at a location

⁴¹ These include high-performance liquid chromatography, measurements based on nuclear magnetic resonance, or mass spectrometric determination of the ratio of stable isotopes.

⁴² László Békési, Bohus, Magda, [Mézhamisítás mesterfokon,” *Méhészet*, 2017. 30.

⁴³ In accordance with Annex 5.

⁴⁴ Endre Buczkó, “Méhcsaládok adásvétele,” *Méhészet*, 2016. 04., 28.

authorized by the station, where the honey purchaser is required to display the permit in a clearly visible place. The purchaser must keep a record of the purchased honey, which includes the name and address of the beekeeper, the date of purchase, the type and quantity of the purchased honey, and the number of the veterinary certificate. If the honey is not processed at the purchaser's premises, the purchaser must attach a copy of the veterinary certificate to the shipment, and the record must state when and to which honey factory the honey was transported.⁴⁵

3. 1 Rules for the retail sale of honey

The primary agricultural producer may sell honey and other beekeeping products produced exclusively on his own farm in compliance with the specific legislation in force on the production and distribution of food.⁴⁶ The Food Act⁴⁷ introduced the following changes for primary producers selling beekeeping products directly to consumers: the obligation to obtain a permit before starting the operation of a food production site has been abolished, and from the entry into force of the Act, a product sheet must be prepared, which must include the following: the name of the producer, its location, the composition of the material per unit of the food produced, a brief description of the production, and the compositional characteristics of the food. In addition, a notification obligation has been introduced for the start and termination of the food producer's operation. This is done at the territorially competent veterinary station. The notification must include the name and address of the food producer, the place of production of the food, the scope of the food producer's activities and the requirements related to the food produced.

3. 2 The issue of distinguishing between breach of the contract of assignment and defective performance of the contract of sale in the honey trade

According to the facts of the case, the parties concluded a sales contract for the purchase of mixed flower honey, which was performed in two installments by the agent acting on the buyer's side, upon receipt of the honey.⁴⁸ The plaintiff brought an action against the first-degree defendant on the grounds of defective performance of the contract, and against the second-degree defendant, as an agent, for breach of the contract of assignment. According to the facts established by the court, the honey was transported in unmarked barrels, mixed with products from other producers, and was delayed, and no sampling was carried out during the performance of the contract. According to the plaintiff, these circumstances establish the fact of defective performance and the breach of obligations arising from the assignment. Based on the legal and food safety regulations regarding the storage of honey – as a food product – the storage containers must be clean, disinfected and suitable for food storage. The purchaser, processor and seller of honey must ensure that bees cannot enter empty and full containers. Producers

⁴⁵ FVM Decree 70/2003. (VI. 27.) 14. § (3).

⁴⁶ Government Decree 35/2005.

⁴⁷ Act LXXXII of 2003.

⁴⁸ 2.Pf.21.891/2005/3.

are subject to the same obligation regarding their own products. Furthermore, the purchaser must clean the containers after each emptying and, if necessary, disinfect them, and only clean containers may be issued to producers. However, in the circumstances of the case, the court concluded that the fact of defective performance could not be proven. The identity of the delivered and the originally purchased honey could not be established beyond doubt due to the circumstances of the transport, in particular, the mixing and the lack of sampling. Consequently, the claims brought on the grounds of defective performance or breach of the contract of assignment could not stand. The legal dispute clearly illustrates that strict adherence to storage, transport and receipt protocols during the trade of food products – especially high-value honey – is not only a food safety requirement, but also a civil law requirement. The lack of appropriate documentation (sampling, verification of storage conditions) may also make subsequent claims impossible, especially if proof of the origin, condition or quality of the goods becomes necessary.