

# Food distribution to the most deprived persons in the Community

2008/0183(COD) - 20/09/2011

The Council held a policy debate on a proposal for a regulation concerning the distribution of food products to the most deprived persons in the Union.

A qualified majority in favour of guaranteeing the effective functioning of the programme until the end of 2013 could not be reached. The Presidency took note of the positions of the delegations and undertook to reflect on how to take the work forward on this file.

The initial proposal on this matter was presented to the Council in 2008 (*please refer to the summary dated 17/09/2008*). In 2010, the Commission submitted an amended proposal on the same subject (*please refer to the summary dated 17/09/2010*). In both cases, a blocking minority emerged against the proposal.

It should be noted that **on 23 December 2008, Germany brought an action against the Commission before the Court of First Instance** seeking partial annulment of the Commission regulation on implementing the programme in 2009. On 13 April 2011, the ruling of the General Court annulled those provisions of the Commission regulation allowing market purchases. Such purchases accounted for 90% of the resources allocated for the 2009 programme.

**On 10 June 2011, the Commission adopted a Regulation on implementing the programme in 2012.** That Regulation provides for a cut of over €360 million from the 2012 programme - from €480 million to €113.5 million - to take account of the ruling. The 2012 scheme will thus be based exclusively on existing intervention stocks (just over 162 000 tonnes of cereals and less than 54 000 tonnes of skimmed milk powder), with Member States getting less than a quarter of what they received in earlier years. Furthermore, given the market prospects, it is unlikely that there will be any intervention stocks in the market year 2011- 2012. Therefore, the programme could not be run in 2013.

**For the new multiannual financial framework**, the Commission has proposed a transfer of the funding of the food aid programme from Heading 2 Sustainable Growth: Natural resources to Heading 1 "**Smart & Inclusive Growth**", where the Commission considers it fits more appropriately with the poverty reduction target of the Europe 2020 strategy. A new legislative proposal for the period starting in 2014 will be submitted by the Commission in due course.

However, the Presidency firmly believes that at the current time of high unemployment and widespread exclusion in Europe, it is essential to show solidarity with those in greatest need and to secure the effective continuation of the programme in 2012 and 2013. The Presidency therefore invites Ministers to hold a policy debate on this issue.