

Aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments

2014/0014(COD) - 16/06/2014

The Greek Presidency of the Union highlights the progress achieved in the first half of 2014 on the proposals for regulations merging the schemes for the supply of fruit and vegetables, bananas and milk in schools. One of the proposals aims to streamline the existing schemes with a view to increasing their efficiency and effectiveness and reducing the administrative burden.

The Presidency presented its **report on the state of progress with the work** on the Commission proposals for regulations merging the schemes for the supply of fruit and vegetables, bananas and milk in schools.

This progress report can be summarised as follows:

- 1) **merger of proposals:** most of the delegations considered that the choice of a merger of the two schemes was well-grounded and seems preferable to the option of adjusting to keep the current separate setting while strengthening the school milk scheme educational dimension and as well as the synergies between the two schemes;
- 2) **legal basis of the proposals:** the delegations unanimously supported the Council Legal Service's view that Article 43(3) TFEU – and not Article 43(2) TFEU - is the correct legal basis for the fixing of the level of aid;
- 3) **the basic act and the delegated powers:** many delegations voiced concerns on the overall balance between the basic act and delegated acts. They considered that some of the issues for which the Commission had proposed to be empowered to adopt delegated acts (for example, how the criteria for the allocation of funds would be applied or the conditions for the transfers of allocations between the two components of the scheme) were essential provisions to be regulated in the basic act. Delegations also pointed out that the issue of the legal basis has an impact on the general architecture of delegated and implementing acts of the proposal;
- 4) **objective and the scope of the programme:** in general, delegations shared the objective of merging the school schemes, thus increasing their efficiency and effectiveness and consolidating the legal and financial framework. They also confirmed the original objectives of the schemes, i.e., **the promotion of the consumption of fruit, vegetables and milk**, underlying the nutritional benefits for children. However, while a few delegations could support a narrow list of products for regular distribution as suggested by the Commission, many others considered the proposed scope unsatisfactory and preferred the scope of the existing schemes, in particular, those relating to dairy products. Among the delegations wishing an extension of the scope, several called for dairy products other than drinking milk - notably cheese, yoghurt, lactose - free milk - to be considered. Several delegations also called for processed fruit and vegetables (notably fresh juices). A few also asked for honey, table olives and olive oil to be included. A number of delegations made it clear that an enlarged scope **could not justify an increased budget**;
- 5) **financing provisions:** if most delegations could support the amount of the total envelopes for fruit and vegetable, including bananas, and for milk, the criteria for the allocation of Union aid were

discussed extensively. On the financial provisions, most delegations could support the amount of the total envelopes for fruit and vegetable, including bananas, and for milk. However a few delegations considered the proposed EU aid for milk (80 million euros for school year) to be inadequate. Moreover, several delegations contested the choice of the criterion of “**the historical use of funds under previous schemes for the supply of milk and milk products to children**” to determine the milk envelope. They considered that it could be detrimental to those Member States that so far had not fully benefited from the “school milk scheme” or had no historical record having joined the EU only recently. However, a number of other delegations considered the criterion of the historical use of funds particularly important to ensure that there would be no disruption in the functioning of the “school milk scheme” in their Member State. Some delegations contesting this criterion suggested using the same criteria as that used for fruit and vegetables, i.e., **the number of children and the degree of development of the regions within a Member State**. They stressed that this would further simplify of the scheme. Eventually, the Greek Presidency noted the Commission intention to further consider the specific situation of Member States such as those that joined the EU very recently and that therefore have no historical record of the use of milk funds. Finally, a few delegations insisted on the need to take into account the specificities of small Member States and fix **minimum envelopes of aid** (as it is now the case of the “school fruit scheme”). The Commission showed some understanding for their request. These minimum envelopes should be fixed in the basic act and not through delegated acts.

- 6) **reduction of the administrative burden:** finally, several delegations remained to be convinced that the merged scheme would not increase the administrative burden both for national administrations and schools, notably in relation to the mandatory supporting educational measures, the involvement of national health authorities, national strategies, monitoring and reporting, price monitoring or the necessity to prove the added value of EU aid. The delegations notably called for **national strategies to remain simple and for requirements to remain proportionate**. The Greek Presidency noted the suggestions made by delegations on how to simplify the determination of the level of Union aid.

The European Parliament is expected to start its work on the proposal in autumn 2014.