

Food distribution to the most deprived persons in the Community

2008/0183(COD) - 31/01/2012 - Commission communication on Council's position

The Commission supports the results of the inter-institutional negotiations and can therefore accept the Council's position at first reading in order to secure the continuation of the scheme up to 2013.

The Council's position is the result of intensive intergovernmental and inter-institutional negotiations which followed the adoption by the European Parliament of its position at first reading on 26 March 2009.

On the trilogue discussions on 6 December 2011, the European Parliament expressed its strong support in favour of the continuation of the programme. On 15 December 2011, the Council reached a political agreement for the continuation of the scheme up to 2013. The Council position at first reading is scheduled for adoption on 23 January 2012.

The main provisions of the revised programme are the following:

- market purchases are made a regular source of supply for the programme to complement intervention stocks. However, priority would be given to the use of suitable intervention stocks where these are available;
- the scheme remains **fully funded out of the EU budget with a ceiling of €500 million per budget year**;
- Member States choose the food products on the basis of objective criteria including nutritional values and suitability for distribution;
- Member States may give preference to food products of Union origin;
- the storage costs born by the charities become eligible for reimbursement.

The main points of the compromise, which were negotiated and agreed upon by the three institutions, are the following:

- the current scheme ends following a phasing-out period, which would terminate with the **completion of the 2013 annual plan**;
- the **legal basis** of the Most Deprived Programme of the EU remains unchanged (Articles 42 and 43 (2)) for the duration of the phasing-out period;
- retroactive applicability as from 1 January 2012;
- in order to facilitate the agreement, the provisions relating to the Lisbon alignment are exceptionally not included, so the current implementing rules would continue to apply.

The Commission has made a declaration which takes note of a **joint declaration from France and Germany** in which these two countries state that:

- that they agree to continue the program for a transition period ending definitely on 31 December 2013 in order to allow charity organizations in Member States using the current program to take into account the new situation;
- that they consider that the conditions are not met for a proposal of a new program for a period post 2013 to be presented by the Commission and adopted by the Council;
- that they cannot agree with legal and financial proposals by the Commission of such a program in the future.