

Food distribution to the most deprived persons in the Community

2008/0183(COD) - 15/02/2012 - Final act

PURPOSE: to maintain the food distribution scheme to the most deprived persons in the Union in 2012 and 2013.

LEGISLATIVE ACT: Regulation (EU) No 121/2012 of the European Parliament and of the Council amending Council Regulations (EC) No 1290/2005 and (EC) No 1234/2007 as regards distribution of food products to the most deprived persons in the Union.

CONTENT: at the December 2001 Agriculture Council last year, a political agreement within the Council guaranteed the continuation of the programme for the distribution of food to the most deprived persons in 2012 and 2013. The Council's position at first reading was adopted on the basis of this political agreement. This position was pre-negotiated with the European Parliament with the aim of reaching an early second-reading agreement in order to allow the entry into force of the new rules as soon as possible. This regulation provides for retroactivity as from 1 January 2012 since it was impossible to adopt it before the end of year 2011.

The current programme under which the European Union can supply food from intervention stocks to the most deprived persons was created in 1987. It was incorporated into the "single common market organisation" regulation in 2007. Current rules also allow products to be purchased by way of exception on the open market for the purposes of the scheme where there is a temporary shortfall in the availability of that product in intervention stocks, or where transfer would be required in small quantities from the intervention stocks of a Member State other than the one in which the product is to be distributed. However, for 2012 and 2013 the market purchases would no longer be limited to situations of temporary unavailability of intervention stocks. This is linked to the fade-out of intervention stocks due to the reframing of the CAP and high prices of agricultural commodities. The new rules stipulate that for optimising the nutritional balance, the choice of foods distributed has been extended to those to which intervention does not apply.

The **main amendments** compared to the current scheme are as follows:

Products: the new provisions of the programme **enlarge the scope of products** - now market purchases are made a regular source of supply for the scheme to complement intervention stocks which previously constituted the core of the programme. Member States shall choose the food products on the basis of objective criteria including nutritional values and suitability for distribution. For that purpose, Member States may **give preference to food products of Union origin**.

Distribution schemes: Member States wishing to participate in the food distribution scheme shall submit, to the Commission, food distribution programmes containing the following: (i) details of the main characteristics and objectives of such programmes; (ii) the organisations designated; (iii) the requests for quantities of food products to be distributed each year and other relevant information. The Commission shall adopt **annual plans** setting out annual financial allocations by the Union per Member State.

Financing: the Union shall finance the eligible costs under the scheme. This financing shall not exceed **EUR 500 million per budget year**.

The eligible costs under the scheme shall be: (i) the cost of food products released from intervention stocks; (ii) the cost of food products purchased on the market; and (iii) the costs of transporting food products in intervention stocks between Member States.

ENTRY INTO FORCE: 23.02.2012.

APPLICATION: from 01.01.2012 until the completion of the 2013 annual plan.