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NOTE

From: General Secretariat of the Council
To: Delegations

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 1308/2013 and Regulation (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments
Proposal for a COUNCIL REGULATION amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products
- Delegations' comments to the Presidency revised texts

Following the Working Party on Horizontal Agricultural Questions on 16 September 2015, delegations will find in Annex the comments from the Hungarian delegation.

Comments from the Hungarian delegation

- Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1308/2013 and Regulation (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments (doc. 5958/14 - "Single CMO proposal"))

- Proposal for a COUNCIL REGULATION amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products (doc. 6054/14 - "Fixing Regulation proposal")

WP HAQ 16/09/2015

We would like to thank the Presidency for the revised text, especially for widening the scope of the products, for the simplification of the strategy and for the proposal to regulate the financial issues in the fixing regulation, which we support.

At the same time, we would like to emphasize that maintaining the possibility of developing the school schemes is a fundamental objective of Hungary. In Hungary, the school schemes have significantly developed in the past years. The development of the school fruit and vegetables scheme was due to the extra union aid received from the reallocation of the budget and to the national financial resources used in excess of the amount of the union aid. The number of children participating in the scheme has doubled, the participation rate has reached 95% of the target group, and we have also widened the scope of the products. Similarly, the number of children participating in the school milk scheme has tripled and that is due to the fact that the school milk budget has no upper limit.

Unfortunately, we cannot see the possibility of further developing the school schemes on the basis of the current proposal, therefore...

a) School Fruit and Vegetables Scheme

- Art. 5(2) of Reg. (EU) No 1370/2013

We kindly ask the Commission to include the historical use in the list of the allocation criteria of the school fruit and vegetables scheme or to ensure in another way that the final allocations of each Member State do not decrease.

Hungary used Union aids of EUR 4.8 million in average for the school fruit and vegetables scheme with a national co-financing rate of 53% in the last 3 school years – including the current school year. So we cannot support a proposal which results in a reduced final allocation for Hungary. The lower final allocation could result in a smaller-scale scheme, which would jeopardize the effectiveness.

- **Art. 5(4) of Reg. (EU) No 1370/2013**

Hungary does not agree with the rate of 20% for the transfer. A higher percentage of the funds than 15% can result in a situation where the school fruit and vegetables scheme of one Member State will compete with the school milk scheme of another Member State for the Union aid and it can cause a decreasing efficiency of both programs at EU level. Moreover, we think it is important that the 150 million euros allocated to the school fruit and vegetables scheme should be spent on promoting the fruit and vegetable consumption of the children.

b) School Milk Scheme

- **Art. 5(0)(b) of Reg. (EU) No 1370/2013**

Regarding the school milk scheme, we do not agree with introducing a ceiling of the school milk budget. Taking into account the dynamic increase of the number of participating children, the upper limit might become an obstacle to implement the scheme.

- **Last subparagraph of Art. 5(2) of Reg. (EU) No 1370/2013**

We cannot support the introduction of a minimum amount of Union aid for each Member State in case of the school milk scheme, because we are one of the main beneficiaries of the scheme and probably our final allocation would be lower than the amount we use currently when the a minimum amount of Union aid is introduced, even if there is the historical use among the allocation criteria. That happened in case of apiculture programs where system of minimum amounts was introduced.

- **Art. 23(2)(b) of Reg. (EU) No 1308/2013**

We are happy with the widened scope of products, however, we also suggest including the products falling within the CN code 0402. The products falling within the CN code 0403 also contain added sugar and sweetener, so it is not reasonable to exclude the products falling within the CN code 0402.

- **Art. 23(6) of Reg. (EU) No 1308/2013**

It is not quite clear what products can be distributed during the implementation of the accompanying measures. Please make the text clearer in this respect.