

Council Regulation (EU) 2016/795 of 11 April 2016 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

Article 1

Amendments to Regulation (EU) No 1370/2013

Regulation (EU) No 1370/2013 is amended as follows:

- (1) Articles 5 and 6 are replaced by the following:

Article 5

Aid for the supply of school fruit and vegetables and of school milk, accompanying educational measures and related costs

1 Union aid for the financing of accompanying educational measures as referred to in point (b) of Article 23(1) of Regulation (EU) No 1308/2013 shall not exceed 15 % of Member States' annual definitive allocations as referred to in paragraph 6 of this Article.

2 Union aid for related costs as referred to in point (c) of Article 23(1) of Regulation (EU) No 1308/2013 shall in total not exceed 10 % of Member States' annual definitive allocations as referred to in paragraph 6 of this Article.

The Commission shall adopt implementing acts fixing the maximum level of Union aid per category of such costs as a percentage of Member States' annual definitive allocations or as a percentage of the costs of the products concerned.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.

3 The amount of Union aid for the milk component of the products referred to in Article 23(5) of Regulation (EU) No 1308/2013 shall not exceed EUR 27/100 kg.

4 The aid referred to in Article 23(1) of Regulation (EU) No 1308/2013 shall be allocated to each Member State in accordance with this paragraph and taking into account the criteria laid down in the first subparagraph of Article 23a(2) of Regulation (EU) No 1308/2013.

From 1 August 2017 until 31 July 2023, the indicative allocations of the aid referred to in points (a) and (b) of the second subparagraph of Article 23a(1) of Regulation (EU) No 1308/2013 for each Member State shall be as set out in Annex I. During that period, point (c) of the first subparagraph of Article 23a(2) of Regulation (EU) No 1308/2013 shall not apply to Croatia.

From 1 August 2023, the Commission shall adopt implementing acts fixing, on the basis of the criteria referred to in the first subparagraph of Article 23a(2) of Regulation (EU) No 1308/2013, the indicative allocations to each Member State of the aid referred to in points (a) and (b) of the second subparagraph of Article 23a(1) of that Regulation. However, Member States shall each receive at least EUR 290 000 of Union aid for

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) 2016/795, Article 1. (See end of Document for details)

the distribution of school fruit and vegetables and at least EUR 193 000 of Union aid for the distribution of school milk, as defined in Article 23(2) of Regulation (EU) No 1308/2013.

The Commission shall subsequently assess at least every 3 years whether those indicative allocations remain consistent with the criteria laid down in Article 23a(2) of Regulation (EU) No 1308/2013. Where necessary, the Commission shall adopt implementing acts fixing new indicative allocations.

The implementing acts referred to in this paragraph shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.

- 5 Where, for a given year, a Member State has not submitted a request for Union aid in accordance with Article 23a(3) of Regulation (EU) No 1308/2013 or has requested only part of its indicative allocation as referred to in paragraph 4 of this Article, the Commission shall reallocate that indicative allocation or the unrequested part thereof to those Member States who have notified it of their willingness to use more than their indicative allocation.

The Commission shall, by means of implementing acts, adopt the measures necessary for carrying out such a reallocation, which shall be based on the criterion referred to in point (a) of the first subparagraph of Article 23a(2) of Regulation (EU) No 1308/2013 and limited according to the level of use of the definitive allocation of Union aid as referred to in paragraph 6 of this Article by the Member State concerned for the school year that ended prior to the annual request for Union aid.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.

- 6 Following the requests submitted by the Member States in accordance with Article 23a(3) of Regulation (EU) No 1308/2013, the Commission shall each year adopt implementing acts fixing the definitive allocation of aid for school fruit and vegetables and for school milk among participating Member States within the limits set out in Article 23a(1) of Regulation (EU) No 1308/2013, taking account of the transfers referred to in Article 23a(4) of that Regulation.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.;

- (2) the following Annex is inserted:

ANNEX INDICATIVE ALLOCATIONS for the period 1 August 2017 to 31 July 2023 (as referred to in the second subparagraph of Article 5(4))

Member State	Indicative allocation for school fruit and vegetables	Indicative allocation for school milk
Belgium	3 367 930	1 650 729
Bulgaria	2 093 779	1 020 451
Czech Republic	3 123 230	1 600 707
Denmark	1 807 661	1 460 645
Germany	19 696 932	9 404 154

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Estonia	439 163	700 309
Ireland	1 757 779	900 398
Greece	3 218 885	1 550 685
Spain	12 932 647	6 302 784
France	22 488 086	12 625 577
Croatia	1 360 232	800 354
Italy	16 711 302	8 003 535
Cyprus	290 000	500 221
Latvia	633 672	700 309
Lithuania	900 888	1 032 456
Luxembourg	290 000	193 000
Hungary	3 029 587	1 756 776
Malta	290 000	193 000
Netherlands	5 431 641	2 401 061
Austria	2 238 064	1 100 486
Poland	11 639 985	10 204 507
Portugal	3 283 397	2 220 981
Romania	6 866 848	10 399 594
Slovenia	554 020	320 141
Slovakia	1 708 720	900 398
Finland	1 599 047	3 824 689
Sweden	2 854 972	8 427 723
United Kingdom	19 391 534	9 804 331
Total	150 000 000	100 000 000

(3) the Annex is numbered as ‘Annex II’.

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EU) 2016/795, Article 1.