

Opinion of the Committee of the Regions — The aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments

(2014/C 415/07)

Rapporteur	Povilas Žagunis, Mayor of Panevėžys District Municipality (LT/EA)
Reference document	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 COM(2014) 32 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. whereas the development of a healthy lifestyle is important even from school age, and having regard to the European Union's capacity to boost people's ability to lead a healthy lifestyle and to the capacity of local and regional authorities to adopt and implement measures supported by joint European programmes in a way that is tailored to the individual case;
2. underlines that organic and non-GMO food should form an important part of a sustainable diet for children;
3. highlighting the significance of the programme for the supply of fruit and vegetables in which 25 Member States participate (the United Kingdom, Finland and Sweden do not participate) and from which 8,4 million children in 61 396 schools benefited in 2012/2013; and of the programme for the supply of milk, in which all Member States participate and from which 20,3 million children across the whole EU benefited in 2011/2012; and highlighting the opportunities enjoyed by all participating Member States;
4. whereas this legislative initiative, despite its narrow thematic limits, affects several important areas of the EU's and Member States' competences: the CAP and the single market; public health; and, to a limited extent, the education sector;
5. welcomes the proposal, drawn up with reference to the 2011 report of the European Court of Auditors⁽¹⁾, to merge the schemes for distributing milk and fruit in schools (the former introduced in 1977 and extended to secondary schools in 2008, and the latter introduced in 2009) and to lay down common rules for their co-financing, as well as the recommendations on increasing efficiency and improving coordination;
6. welcomes the option given to the Member States under Regulation (EC) No 1308/2013 as amended of transferring a portion of the funding earmarked for distribution of fruit and vegetables, bananas and milk, within the national allocations (Article 23a(4)); this ensures not only greater flexibility in the use of resources, but also creates the conditions at Member State level to avoid possible problems related to the worryingly high proportion (in some cases 30 %) of unused funds that are set out in the financial statement on the proposal (Point 1.5.1), and calls for local and regional authorities to be involved in this transfer process;
7. expresses concern, however, regarding the share of funding which the Member States may transfer at their own discretion under the proposal, noting that the proposed percentage of 15 % is not based on a thorough assessment, particularly bearing in mind that the proportion of unused funding is as much as 30 % in some cases with both the schemes that are to be amended, and that the proposal therefore does not really seem to be sufficiently consistent with the principles of good governance;

⁽¹⁾ Special Report No 10/2011 of the European Court of Auditors on whether the School Milk and School Fruit Schemes are effective (ECA/11/35 of 24.10.2011).

8. welcomes the provision in amended Regulation (EC) No 1308/2013 that would allow the Member States to supplement the scheme from their own resources or by attracting private funding, which it sees as a good basis for synergies in the deployment of national and European funding, with the aim of achieving a positive outcome irrespective of Member State preferences;

9. recommends improving the aid scheme for the distribution of fruit and vegetables and milk in schools by providing the option of switching national aid allocations. For example, if it transpires just before the expiry of the six-year scheme that one Member State has not used up the funding allocated to it, the first step should be to consider transferring funds to regions that have made greater use of their funding; it should subsequently be possible to switch the national allocation to Member States that have used up or exceeded their funding, so as to encourage Member States that have successfully implemented the scheme and motivate those that have not implemented it so efficiently to make further efforts;

10. points out that the principles currently applied for dividing allocations between the Member States, namely the empirical criterion (how the Member States have used the aid in the past) and need (actual number of children aged six to ten as a percentage of the Member State's population) are very rigid and may not be adequate to effectively determine the need for support;

11. suggests, in view of the diversity existing within Europe, considering the introduction of additional criteria on which to base national allocations for the school milk and fruit scheme. Such criteria could include: the region's level of development, mean vitamin deficiency calculated (using the method of the World Health Organisation) as the difference between objective nutritional requirement (400 g fruit per day) and actual mean fruit consumption of children, eating habits (the diet of the southern Member States traditionally contains more fruit and vegetables than that of the northern Member States), etc.;

12. questions the appropriateness of the proposal in recital 7 to give the Commission delegated powers to adopt certain acts in respect of adopting additional rules concerning the balance between the two criteria, and thinks that this might be an attempt to expand the Commission's powers at the expense of the Member States' competences;

13. is concerned about the obligation imposed on the Member States under the Regulation to monitor the scheme ⁽²⁾, and in particular about the red tape this obligation would entail for national as well as local and regional authorities in the Member States, and urges the Commission and the Member States to ensure that red tape associated with monitoring the scheme is kept to a minimum;

14. has reservations about the principle established in the Regulation that the EU would pay a maximum amount of aid per portion of product rather than a defined percentage of the aid, and notes the risks entailed in calculating the amount in this way, i.e. that setting a specific amount of aid could eventually lead to attempts to use cheaper, but lower-quality products; proposes that the EU financial aid (ceiling) and actual size of the subsidy should continue to be set in accordance with Article 43(3) of the Treaty on the Functioning of the European Union;

15. in view of the risk that fixing an amount of EU aid per portion could lead to compromises on the quality of products delivered, calls on all interested parties to take measures to guarantee and check that the agricultural products delivered are of sufficiently high quality;

16. with reference to the conclusion of the European Court of Auditors report that the lack of a mechanism for targeting priority needs has contributed significantly to the discrepancy between the objectives and outcome of the school milk scheme, is unhappy with the wording of Article 23 of Regulation (EC) No 1308/2013 (on the supply of agricultural products to educational establishments), which does not specify how important it is when developing the six-year schemes to distribute fruit and vegetables to consult local and regional authorities and take their experiences into account;

⁽²⁾ Article 24 of Regulation (EC) No 1308/2013.

17. calls on the Commission, given that any attempt to impose EU-level requirements relating to intra-state consultations on the Member States would have to be considered a violation of the subsidiarity principle, to include in the Regulation a recommendation that the Member States make more use of feedback from local and regional authorities, since these bodies are closest to the end user and target group; in particular, local authorities should be involved in hearings taking place in conjunction with drawing up the national six-year schemes to deliver fruit and vegetables;

Scope of the scheme

18. points out that if people get into the habit of consuming fruit, vegetables and milk, this will also have long-term economic effects and would help in achieving the common European goals of improving competitiveness and strengthening cohesion;

19. notes that with only a few exceptions, foods are local products and that promoting their consumption therefore contributes to increasing current demand and — at the macro level — meeting the CAP objectives. Encouraging children to eat more healthy foods also promotes healthy eating habits and ensures sustainable consumption in the future. Stimulating the consumption of fruit, vegetables and milk should therefore be seen as part of joint efforts to increase Europe's competitiveness;

20. taking account of ongoing discussions on the degree of processing of products eligible for aid under this scheme and given the importance of the principle of establishing a healthy diet at an early age, suggests that financial support under the aid scheme should be limited to products that are unprocessed or minimally processed, and which contain no harmful additives, sweetening agents, flavour enhancers or salt;

21. in view of Europe's diversity, believes that it is not sensible to try and lay down at European level what types of fruit and vegetables can be distributed in schools under the aid scheme, but that instead each Member State, at regional or local level, should decide itself what fruit, vegetable and milk products are suitable for distribution in schools;

22. is critical of the proposal under the new scheme to limit milk distribution to drinking milk, and considers that minimally-processed milk products without harmful additives — natural (unsweetened) milk products such as yoghurt or fresh cheeses — should also be eligible for aid;

23. points out that limiting the range of eligible products would not only reduce choices for children and make the scheme less attractive, but also means that children with lactose intolerance, but who are able to eat fermented milk products such as unsweetened yoghurt, would not benefit from the scheme;

24. underlines the importance of the quality of products distributed under the aid scheme, an aspect that is ignored in the Regulation; consultations with beneficiaries, schools and other social and economic partners have shown that trying to acquire larger quantities for the same price often results in poorer quality, and that procurement procedures are often only pro forma, leading to instances of children receiving products that are far from the highest quality;

25. therefore calls on the Commission and the Member States to adopt measures to establish minimum standards for the quality of the food supplied under the aid programme and to ensure compliance with these standards;

26. points to the conclusions of the report by the European Court of Auditors stating that the school milk programme is not very efficient and has not achieved the expected results, as the subsidised produce would probably in any case have been included in school meals or been bought by the beneficiaries even without subsidy. Moreover, when designing and implementing the programme, insufficient consideration was given to the educational goals that had been set ⁽³⁾;

⁽³⁾ Special Report No 10/2011 from the European Court of Auditors entitled 'Are the School Milk and School Fruit Schemes effective?', ECA/11/35 dated 24/10/2011.

27. for this reason and having regard to the value of milk for children, calls on the Member States to look into the demand for milk products that are to be supplied under the school milk programme and to use EU financial support exclusively to supply school canteens with milk products that meet the criteria for healthy nutrition and are of the highest nutritional value;

28. is concerned about the worrying statistic that shows that 22 million children in the EU are overweight and 5 million of them are obese ⁽⁴⁾ and that in 2011, adult EU citizens in the EU-27 ate, averaged out over the year, less than half the quantity of fruit and vegetables recommended by the World Health Organisation ⁽⁵⁾; in this context, highlights the important role played by schools as places where young people are prepared for life in imparting knowledge on healthy eating and developing healthy eating habits;

29. in this context, points to the role of local and regional authorities, which in many cases are responsible for educational establishments, in promoting healthy lifestyles and calls for measures and cooperation in this area to be a priority;

30. is satisfied with the quality requirements ⁽⁶⁾ contained in legislation to date and recommends that these be retained, or if possible further tightened in accordance with the recommendations of nutritionists;

31. points out that, despite the wide range of regional, national and European health initiatives ⁽⁷⁾, the general social environment is detrimental to a healthy lifestyle: in 2011, EU-27 citizens ate, on average, less than half the quantity of fruit and vegetables recommended by the World Health Organisation ⁽⁸⁾; in this context, expresses doubt about the age limit set out in the programme, which restricts support to children aged between six and 10 years, and considers this inadequate to develop healthy eating habits in the current unfavourable circumstances for healthy lifestyles, and recommends considering the possibility of extending this programme both to younger children who attend a crèche, nursery school or other pre-school facility and to children over the age of ten;

Sustainable development and environmental protection

32. points to the sustainable development dimension of distributing fruit, vegetables and milk, and in particular the negative impact that transporting goods has on the environment and public health, and therefore calls for the supply of products under the aid scheme to involve more foods produced or grown locally or in neighbouring regions;

33. in view of sustainable development considerations and the need to cultivate a sustainable consumption culture among EU citizens at an early age, calls on the Commission and the Member States to launch a more comprehensive debate among experts and policy-makers on legal options for favouring fruit, vegetables and milk products sourced regionally, including possible exemptions from public procurement laws and any amendments to them;

⁽⁴⁾ School Fruit Scheme, http://ec.europa.eu/agriculture/sfs/european-commission/index_en.htm

⁽⁵⁾ Despite 2 % growth on 2010, EU-27 citizens consumed a daily average of 185,52 g of fruit and vegetables in 2011 — much less than the 400 g recommended by the WHO. See the Freshfel Consumption Monitor, http://www.freshfel.org/asp/what_we_do/consumption_monitor.asp

⁽⁶⁾ Requirements for the composition of milk products: the milk content by weight must not be less than 90 %, sugar content is limited (to less than 7 %), fruit and vegetables must meet EU quality requirements, and no added sugar is allowed in juice.

⁽⁷⁾ On 30 May 2007, for instance, the Commission published its White Paper *A Strategy for Europe on Nutrition, Overweight and Obesity-related Health Issues*.

⁽⁸⁾ Despite 2 % growth on 2010, EU-27 citizens consumed a daily average of 185,52 g of fruit and vegetables in 2011 — much less than the 400 g recommended by the WHO. See the Freshfel Consumption Monitor, http://www.freshfel.org/asp/what_we_do/consumption_monitor.asp

34. calls for these schemes to allow for the possibility of prioritising support for local production and short marketing chains and urges that priority also be given to organic food products;

Potential educational impact

35. is concerned by the alarming statistic that 22 million children across the EU are overweight and 5 million actually obese, and that in 2011 the average fruit and vegetable consumption of the adult population in the EU-27 was less than half the WHO-recommended amount⁽⁹⁾; notes in this regard that school plays an important role in giving young people life skills and in cultivating healthy eating habits;

36. highlights here the role of local and regional authorities, which are often responsible for educational establishments, in promoting a healthy lifestyle, and urges that more emphasis be placed on measures and cooperation in this area;

37. points to the potential educational impact of the scheme for distributing fruit, vegetables and milk, which both informs young people about the EU and improves their understanding of farming — with a view to creating closer links between consumers and local, food producers and supporting local, environmentally friendly forms of farming — stockbreeding, healthy and unhealthy foods, a balanced diet, and the relationship between what they eat and their own health, as well as reducing food waste; welcomes the option provided for of also financing supporting measures, e.g. to raise awareness of the benefits of healthy and essential foods;

38. points to the findings of scientific studies showing that the proliferation of unhealthy foods and obesity can only be combated effectively through a range of different measures, with both schools, parents and society involved in the nutritional education of children; therefore regards the information and awareness-raising effort addressing these target groups as an integral part of the scheme for the supply of fruit, vegetables and milk in schools⁽¹⁰⁾;

39. bearing in mind the trend in today's consumer society to consume appealingly presented and packaged products and given the fact that attractive presentation often results in the consumption of substances whose effect on health is unclear, urges with respect to the scheme under discussion that more attention be paid to providing information about unprocessed foods and the benefits of the nutrients they contain;

40. shares the European Commission's concerns that, unlike the school fruit programme, few educational measures have hitherto been implemented in connection with the school milk programme⁽¹¹⁾, and points out that local and regional authorities are in a position to carry out such measures efficiently by adapting them to the information needs of the children in each locality or region;

41. in consideration of the subsidiarity principle and the fact that education programmes fall within the remit of the Member States and EU involvement in national education programmes may therefore be inappropriate, suggests that all educational measures relating to the scheme for distributing fruit, vegetables and milk should be taken principally at the level of individual Member States and that no minimum level of funding be imposed on them.

⁽⁹⁾ Despite a 2 % increase on 2010, EU-27 citizens consumed a daily average of 185,52 g of fruit and vegetables in 2011 — much less than the 400 g recommended by the WHO. See Freshfel Consumption Monitor, http://www.freshfel.org/asp/what_we_do/consumption_monitor.asp

⁽¹⁰⁾ Public Health Nutr. October 2009; 12(10):1735-42. doi: 10.1017/S1368980008004278. Epub 2008 Dec 23. Downward trends in the prevalence of childhood overweight in the setting of 12-year school- and community-based programmes.

⁽¹¹⁾ 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 COM(2014) 32 final, 30.01.2014.

II. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

Article 23(2)

Text proposed by the Commission	CoR amendment
(2) Member States wishing to participate in the aid scheme established in paragraph 1 ('the school scheme') may distribute either fruit and vegetables including bananas or milk falling within CN code 0401, or both.	(2) Member States wishing to participate in the aid scheme established in paragraph 1 ('the school scheme') may distribute either fruit and vegetables including bananas or milk falling within CN code 0401, or both other unsweetened dairy products like yogurt (neither flavoured nor containing added fruit, nuts or cocoa (CN code 0403 10 11 to 0403 10 39) or cheese and curd (CN code 0406).

Reason

See point 21 of the draft opinion.

Amendment 2

Article 23(3)

Text proposed by the Commission	CoR amendment
(3) As a condition for their participation in the school scheme Member States shall draw up, prior to their participation in the school scheme, and subsequently every 6 years, at national or regional level, a strategy for the implementation of the scheme. The strategy may be amended by a Member State, in particular in the light of monitoring and evaluation. The strategy shall at least identify the needs to be met, the ranking of the needs in terms of priorities, the target population, the results expected and the quantified targets to be attained in relation to the initial situation, and lay down the most appropriate instruments and actions for attaining those objectives.	(3) As a condition for their participation in the school scheme Member States shall draw up, prior to their participation in the school scheme, and subsequently every 6 years, at national or regional level, a strategy for the implementation of the scheme. The strategy may be amended by a Member State, in particular in the light of monitoring and evaluation interim evaluations. The strategy shall at least identify the needs to be met, the ranking of the needs in terms of priorities, the target population, the results expected and the quantified targets to be attained in relation to the initial situation, and lay down the most appropriate instruments and actions for attaining those objectives.

Reason

An attempt to streamline the procedure administratively. See also point 10 of the draft opinion.

Amendment 3

Article 23a(8)

Text proposed by the Commission	CoR amendment
(8) Member States participating in the school scheme shall publicise, at the places where the food is distributed, their involvement in the scheme and the fact that it is subsidised by the Union. Member States shall ensure the added value and the visibility of the Union school scheme in relation to the provision of other meals in educational establishments.	(8) Member States participating in the school scheme shall publicise, at the places where the food is distributed, their involvement in the scheme and the fact that it is subsidised by the Union. Member States shall ensure the added value and the visibility of the Union school scheme in relation to the provision of other meals in educational establishments.

Amendment 4

Article 24(1)

Text proposed by the Commission	CoR amendment
In order to promote the healthy eating habits of children and to ensure that the aid under the school scheme is aimed at children in the target group referred to in Article 22, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning rules on: (a) the additional criteria related to the targeting of aid by Member States; (b) the approval and selection of aid applicants by Member States; (c) the drawing-up of the national or regional strategies and on the supporting educational measures.	In order to promote the healthy eating habits of children and to ensure that the aid under the school scheme is aimed at children in the target group referred to in Article 22, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning rules on: (a) the additional criteria related to the targeting of aid by Member States; (b) the approval and selection of aid applicants by Member States; (c) the drawing-up of the national or regional strategies and on the supporting educational measures.

Reason

See point 11 of the draft opinion.

Brussels, 7 October 2014

*The President
of the Committee of the Regions*
Michel LEBRUN