Commission Implementing Regulation (EU) No 221/2014 of 7 March 2014 amending Regulation (EC) No 288/2009 in respect of fixing the indicative allocation of the aid under the School Fruit and Vegetables Scheme

COMMISSION IMPLEMENTING REGULATION (EU) No 221/2014

of 7 March 2014

amending Regulation (EC) No 288/2009 in respect of fixing the indicative allocation of the aid under the School Fruit and Vegetables Scheme

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Council Regulation (EU) No 1370/2013 of 16 December 2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products[(1)], and in particular Article 5(2) thereof,

Whereas:

(1) Article 5 of Regulation (EU) No 1370/2013 sets the overall amount of the Union aid for the supply of fruit and vegetables, processed fruit and vegetables and banana products to children as referred to in Article 23 of Regulation (EU) No 1308/2013 of European Parliament and of the Council[(2)] (hereinafter 'school fruit and vegetables scheme'). Furthermore, Article 5 of Regulation (EU) No 1370/2013 fixes the maximum co-financing rates and a minimum amount of that aid per Member State.

(2) The Commission should fix the indicative allocation of the aid for the school fruit and vegetables scheme to each Member State on the basis of criteria referred to in Article 23(5) of Regulation (EU) No 1308/2013. The Commission should furthermore periodically assess whether the indicative allocation remains consistent with those criteria.

(3) Annex II to Commission Regulation (EC) No 288/2009[(3)] sets the amount of the indicative allocation of Union aid per Member State based on the overall Union budget of EUR 90 million. Since Regulation (EU) No 1370/2013 increases the overall budget for the school fruit and vegetables scheme to EUR 150 million and it fixes new co-financing rates, a new indicative allocation should be fixed.

(4) The new indicative allocation should also take into account the criteria referred to in Article 23(5) of Regulation (EU) No 1308/2013 based on the latest available data from 2012 as regards the number of children in the age group of six- to ten-year olds as a proportion of the population in Member State's regions.

(5) Regulation (EC) No 288/2009 should therefore be amended accordingly. To take into account the periodicity of the school year, the new indicative allocation should therefore become applicable as from 1 August 2014.

***Changes to legislation:** Commission Implementing Regulation (EU) No 221/2014 is up to date with all changes known to be in force on or before 02 March 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Regulation (EC) No 288/2009

Annex II is replaced by the text set out in the Annex to this Regulation.

Article 2

Entry into force and application

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 August 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 March 2014.

For the Commission

The President

José Manuel BARROSO