# Commission Implementing Regulation (EU) No 499/2011 of 18 May 2011 amending Regulation (EU) No 945/2010 adopting the plan allocating to the Member States resources to be charged to the 2011 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the EU and derogating from certain provisions of Regulation (EU) No 807/2010

## COMMISSION IMPLEMENTING REGULATION (EU) No 499/2011

## of 18 May 2011

## amending Regulation (EU) No 945/2010 adopting the plan allocating to the Member States resources to be charged to the 2011 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the EU and derogating from certain provisions of Regulation (EU) No 807/2010

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)[(1)], and in particular points (f) and (g) of Article 43, in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro[(2)], and in particular Article 3(2) thereof,

Whereas:

(1) A number of Member States have informed the Commission in accordance with Article 3(5) of Commission Regulation (EU) No 807/2010 of 14 September 2010 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Union[(3)] that they shall not be able to use certain quantities of products allocated to them under the 2011 plan adopted by Commission Regulation (EU) No 945/2010[(4)].

(2) In accordance with Article 3(5) of Regulation (EU) No 807/2010 the Commission may allocate the available resources to other Member States on the basis of their applications and their actual use of products made available and allocations made during previous financial years.

(3) This revision of the plan for 2011 being made at a time when national administrative arrangements for the implementation of the plan should be approaching completion, it is appropriate that the reallocated quantities are not taken into account for calculating whether Member States have respected their obligation laid down in the first paragraph of Article 5 of Regulation (EU) No 945/2010 and in the second subparagraph of Article 3(2) of Regulation (EU) No 807/2010 to have withdrawn 70 % of cereals by the deadlines fixed therein.

(4) Regulation (EU) No 945/2010 should therefore be amended accordingly.

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 499/2011. (See end of Document for details)*

(5) The Management Committee for the Common Organization of the Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 945/2010 is amended as follows:

(a) In Article 5, the following paragraph is added:

For the 2011 distribution plan, the first paragraph of this Article and the first sentence of the second subparagraph of Article 3(2) of Regulation (EU) No 807/2010 shall not apply to the following quantities of cereals stored in Finland:

— 12 856 tonnes allocated to Italy and

— 306 tonnes allocated to Slovenia.

(b) Annex I and III are amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 18 May 2011.

*For the Commission, On behalf of the President*,

José Manuel SILVA RODRÍGUEZ

*Director-General for Agriculture and Rural Development*

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 499/2011. (See end of Document for details)*

ANNEX

Annex I and III to Regulation (EU) No 945/2010 are amended as follows:

(1) Annex I is replaced by the following:

‘ANNEX I

**ANNUAL DISTRIBUTION PLAN FOR 2011**

(a) Financial resources made available to implement the 2011 plan in each Member State:

(in EUR)

| **Member State** | **Distribution** |
|---|---|
| Belgique/België | 10 935 075 |
| България | 11 042 840 |
| Česká republika | 45 959 |
| Eesti | 755 405 |
| Éire/Ireland | 1 196 457 |
| Elláda | 20 045 000 |
| España | 74 731 353 |
| France | 72 741 972 |
| Italia | 102 023 445 |
| Latvija | 6 723 467 |
| Lietuva | 7 781 341 |
| Luxembourg | 107 483 |
| Magyarország | 14 146 729 |
| Malta | 640 243 |
| Polska | 75 422 222 |
| Portugal | 20 513 026 |
| România | 49 578 143 |
| Slovenija | 2 441 755 |
| Slovakia | 4 809 692 |
| Suomi/Finland | 4 318 393 |
| Total | 480 000 000 |

(b) Quantity of each type of product to be withdrawn from EU intervention stocks for distribution in each Member State subject to the maximum amounts laid down in point (a) of this Annex:

**Changes to legislation:** *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 499/2011. (See end of Document for details)*

(in tonnes)

| Member State | Cereals | Butter | Skimmed milk powder | Sugar |
|---|---|---|---|---|
| Belgique/ België | 74 030 | — | 1 687 | |
| България | 103 318 | — | — | |
| Česká Republika | 401 | — | — | 9 |
| Eesti | 7 068 | — | — | — |
| Eire/Ireland | 250 | 109 | — | |
| Elláda | 88 836 | 976 | — | |
| España | 305 207 | — | 23 507 | |
| France | 491 108 | — | 11 305 | |
| Italia | 480 539 | — | 28 281 | |
| Latvija | 50 663 | — | 730 | |
| Lietuva | 61 000 | — | 704 | |
| Luxembourg[a] | — | — | — | |
| Magyarország | 132 358 | — | — | |
| Malta | 5 990 | — | — | |
| Polska | 441 800 | — | 15 743 | |
| Portugal | 61 906 | 458 | 5 000 | |
| România | 370 000 | — | 5 600 | |
| Slovenija | 14 465 | — | 500 | |
| Slovakia | 45 000 | — | — | |
| Suomi/Finland | 25 338 | — | 899 | |
| Total | 2 759 277 | 1 543 | 93 956 | 9 |

**a** Luxembourg: allocation for the purchase of dairy products on the EU market: 101 880 EUR, to be accounted against the skimmed milk powder allocation of Luxembourg.'

(2) Annex III is amended as follows:

(a) point (a) is replaced by the following:

(a) Intra-EU transfers of cereals authorised under the plan for the 2011 budget year:

| | Quantity(tonnes) | Holder | Recipient |
|---|---|---|---|
| 1. | 39 080 | BLE, Deutschland | BIRB, Belgique |