EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The Member States participating in the EU school fruit, vegetables and milk scheme set out by Regulation (EU) No 1308/2013 are required to evaluate the implementation of the scheme.

This delegated act sets out the nature and type of the information to be provided in the Member States’ evaluation report or reports, if the scheme is implemented at regional level, in order to assess the effectiveness of the school scheme against its objectives of increasing the consumption of selected agricultural products and shaping healthier diets.

This aims at improving the quality of Member States’ evaluation report(s) and facilitating the Commission’s assessment and consolidation of the results.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission consulted experts from the Member States within the Expert Group for Agricultural Markets, sector Animal Products.

Prior to the preparation of this delegated act, the Commission discussed non-binding guidelines to assist Member States in the evaluation of the school scheme, in the Expert Group meeting of 20 September 2018. The guidelines included 1) definitions and examples, for a shared understanding of the requirements, 2) common evaluation questions and corresponding indicators and 3) an outline of the evaluation report due by 31 March 2023.

The draft delegated act, underpinned by those evaluation guidelines, was presented and discussed for the first time in the Expert Group meeting of 12 December 2019.

The draft versions of the delegated act were transmitted to the European Parliament and to the Council, when convening the Expert Group meetings.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The delegated act amends Article 9 on monitoring and evaluation in Commission Delegated Regulation (EU) 2017/40. A new paragraph details the nature and type of information to be provided in the Member States’ evaluation report or reports, if the scheme is implemented at regional level, in order to assess the effectiveness of the school scheme against its objectives of increasing the consumption of selected agricultural products and shaping healthier diets.

In parallel, an implementing act sets out the detailed specific rules for the uniform format and content of the Member States’ evaluation report or reports.

COMMISSION DELEGATED REGULATION (EU) …/...

of XXX

amending Delegated Regulation (EU) 2017/40 as regards the evaluation of the implementation of the school scheme

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[[1]](#footnote-1), and in particular Article 24(2)(b) and Article 223(2)(a) thereof,

Whereas:

1. Pursuant to Article 9(2) of Commission Delegated Regulation (EU) 2017/40[[2]](#footnote-2) Member States are required to evaluate the implementation of their school scheme in order to assess its effectiveness against the objectives of the school scheme of increasing the consumption of selected agricultural products and shaping healthier diets. With a view to an effective evaluation of the school scheme and to foster transparency and accountability on the use of Union aid, the nature and type of information that the Member States are to notify to the Commission in their evaluation reports should be specified.
2. Delegated Regulation (EU) 2017/40 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Delegated Regulation (EU) 2017/40 is amended as follows:

1. paragraph 2 is replaced by the following:

‘2. Member States shall evaluate the implementation of the school scheme in order to assess its effectiveness against its objectives. That evaluation shall include an assessment of the consumption of fruit, vegetables, milk and milk products by children and their awareness about the variety of agricultural products and about the health benefits of the consumption of those products. The results of that evaluation shall be submitted to the Commission by way of an evaluation report, or if a Member State implements the school scheme at regional level, by way of a corresponding number of evaluation reports.’;

*The paragraph in Regulation (EU) 2017/40 is completed with the nature and type of information in the Member States’ evaluation, taking up the two common evaluation questions included in the guidelines for the Member States’ evaluation of the school scheme (Note (2018)5450792 of 24.10.2018). Reference is also made to the evaluation report or reports, if the school scheme is implemented at regional level, that the Member States shall submit to the Commission. The additional specific rules on the content of those reports are for the implementing regulation.*

1. in Paragraph 5, the first subparagraph is replaced by the following:

‘5. Where a Member State does not submit its evaluation report or evaluation reports containing the results of the evaluation provided for in paragraph 2 of this Article to the Commission by the time limits referred to in Article 8(2) of Implementing Regulation (EU) 2017/39, the amount of the next definitive allocation shall be reduced as follows:’.

*Minor editing: reference is made to the evaluation report or reports, if implementation of the school scheme is at regional level.*

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,

 For the Commission

 The President
 […]

1. OJ L 347, 20.12.2013, p. 671. [↑](#footnote-ref-1)
2. Commission Delegated Regulation (EU) 2017/40 of 3 November 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments and amending Commission Delegated Regulation (EU) No 907/2014 (OJ L 5, 10.1.2017, p. 11). [↑](#footnote-ref-2)