



Mr. José Manuel Barroso
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Reasonned opinion as regards Commission proposal for a regulation amending Regulations (EC) No 1290/2005 and (EC) No 1234/2007 as regards food distribution to the most deprived persons in the Union – COM(2010) 486

15 November 2010

Dear M. Barosso

On 19 September 2010 the Commission presented its amended proposal for a regulation of the European Parliament and of the Council amending Council Regulations (EC) No 1290/2005 and (EC) No 1234/2007, as regards distribution of food products to the most deprived persons in the Union – COM (2010) 486.

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The Danish Parliament finds that the proposal is in conflict with the subsidiarity principle.

The Danish Parliament finds that the scheme has changed from having been a means of making use of intervention stocks to a scheme for the supply of nutritious food products for the most deprived persons in the Union. The measures have thus shifted from having been agricultural policy measures to social policy measures. The Danish Parliament considers that the proposal does not fulfil the objectives of the common agricultural policy. This means that the legal basis cited by the Commission in the proposal is incorrect (Article 43(2) TFEU).

Furthermore, The Danish Parliament finds that the proposal could, in principle, have been based on Article 352 TFEU. However, the Danish Parliament finds that the proposed measures cannot in any way be considered necessary for achieving any of the Treaty's goals. On the contrary, the proposal conflicts with the subsidiarity principle since the goals of the scheme can be better achieved by the Member States, at the central, regional or local levels.

The Commission has neither in its proposal from 19 September 2008 (COM (2008) 563) nor in its proposal from 19 September 2010 (COM (2010) 486) stated the reasons for the proposals' compliance with the subsidiarity principle.

Best regards

Anne-Marie Meldgaard
Chair of the European Affairs Committee