

Brussels, 18.04.2011  
C/2011/2673

Ms Anne-Marie Meldgaard  
Chairperson of the European  
Affairs Committee  
Folketinget  
Christiansborg  
DK – 1240 Copenhagen

Dear Ms Meldgaard,

*I would like to thank you for forwarding the reasoned opinion of the Danish Parliament on the Commission 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 the distribution of food products to the most deprived persons in the Union {COM (2010) 486}.*

*In responding to the opinion of the Danish Parliament, I would like to draw your attention to the following elements:*

*First, I would like to assure you that the Commission takes very seriously the Treaty obligation (article 5 of Protocol 2) to motivate its proposals in light of the subsidiarity and proportionality principles. In preparation of this proposal the Commission carried out an impact assessment in 2008, in which it analysed subsidiarity in terms of value added and the necessity for intervention by the EU in this field. This assessment is publicly available.<sup>1</sup>*

*In this respect, the Commission endeavours to ensure that the various justifications, which are mainly set out in the impact assessment accompanying a given proposal, are reflected in more detail in the respective explanatory memoranda of its proposals.*

*The purpose of the European Programme of Food Aid for the Most Deprived Persons is two-fold. While it certainly seeks to fulfil the CAP's Treaty objective of ensuring that food reaches consumers, it also has a primary role in the disposal of public intervention stocks of agricultural products.*

*To provide you with the most recent information, 87% of the resources devoted to food procurement in the programme's 2010 plan were sourced through intervention stocks. In the recently adopted plan for 2011, the share will rise to 97%.<sup>2</sup>*

*Even if the situation in the markets has improved, intervention remains an important market stabilisation tool, offering a safety net against price volatility. The management of intervention at EU level is entirely the responsibility of the European Commission. Under the*

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<sup>1</sup> [http://ec.europa.eu/agriculture/markets/freefood/fullimpact\\_en.pdf](http://ec.europa.eu/agriculture/markets/freefood/fullimpact_en.pdf)

<sup>2</sup> Commission Regulation (EU) No 945/2010

*aegis of the Common Agricultural Policy, the food aid programme for the most deprived remains the single largest outlet for intervention stocks.*

*It is therefore our view that the proposal's merits lie in its dual contribution to two of the objectives of the Common Agricultural Policy as enshrined in the Treaty, namely, market stabilisation and ensuring that supplies reach consumers at reasonable prices. In this scheme, both goals go hand in hand and cannot be considered separately.*

*The 2008 impact assessment considered various options for the programme's future, ranging from the maintenance of the status quo to the termination of the programme. It elaborated as well on the subsidiarity issue, as mentioned above.*

*The impact assessment emphasised that the food aid programme did not seek to replace or substitute private or national actions, but rather to complement and underpin them. It is the Commission's experience in many of the 20 participating Member States, in particular those where no food distribution previously existed, that the initiation of the EU programme has had what could be described as a snowball effect, enabling the development of various types of locally-based social aid programmes.*

*This view was largely supported in an internet-based public consultation and by the NGO community across participating Member States.*

*A final argument as regards compliance of the programme with the subsidiarity principle is the extent to which responsibility for implementing the Programme is delegated to the participating Member States.*

*- It is entirely the responsibility of each Member State to identify the target population to which it wishes to direct the food aid. They usually do this in consultation with charities or public authorities with the appropriate local knowledge.*

*- The Union has no role in purchasing products from the market; this is entirely the responsibility of the Member States.*

*The Commission hopes that these clarifications address the questions and concerns raised in the opinion of the Danish Parliament, and I look forward to continuing our policy dialogue.*

*Yours sincerely,*

*/-/ Maroš Šefčovič*