

Mr Per Westerberg
President
Riksdagen
Sverges riksdag
SE-100 12 Stockholm

Brussels, 4/04/2011
C/2011/2302

Dear President,

I would like to thank you for forwarding the opinion of the Swedish 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}

The Commission takes note that this opinion concludes that the proposed Regulation does not comply with the principle of subsidiarity.

The Commission has carefully examined your arguments and would like to reply to them, in the context of the political dialogue, by drawing the attention of the Riksdag to the following elements: firstly, the Commission would like to assure you that it takes very seriously the Treaty obligation 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 2008¹, in which it analysed subsidiarity in terms of value added and the necessity for the intervention by the EU in this field.

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 at reasonable prices, it also has a primary role in the disposal of public intervention stocks of agricultural products.

It is worth recalling that 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%.²

While intervention stocks have indeed decreased in recent years, intervention remains an important market stabilisation tool, offering a safety net against price volatility. The management of intervention at EU level is the responsibility of the European Commission. Under the aegis of the Common Agricultural Policy, the food aid programme for the most deprived offers the perfect foil for this mechanism and 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.

¹ http://ec.europa.eu/agriculture/markets/freefood/fullimpact_en.pdf

² Commission Regulation (EU) No 945/2010

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.

The impact assessment noted 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 the NGO community across participating Member States.

The Commission would like to draw the Riksdag's particular attention to the extent to which responsibility for implementing the Programme is delegated to the participating Member States, in recognition of the subsidiarity principle.

First, it is entirely the responsibility of the Member State concerned to identify the target population to which it wishes to direct the food aid. This is usually done in consultation with charities or public authorities with the appropriate local knowledge.

Second, the Commission would emphasise that the Union has no role in purchasing products from the market; this is entirely the responsibility of the Member States.

The Commission would like to thank the Riksdag once again for having examined the above mentioned Commission proposal and looks forward to continuing the political dialogue in future on this and other subjects.

Yours faithfully,