

New scheme for fruit and milk in schools

During the 27 May 2015 plenary session, Members will be asked to vote on a report prepared by the Committee on Agriculture and Rural Development, amending the European Commission's legislative proposal on a new single scheme for fruit and milk in schools. The proposal aims to merge two separate existing schemes, one for the distribution of milk, and the other, fruit and vegetables, in schools. However, the plan remains uncertain since the Commission has put it on hold pending an evaluation of the earlier schemes. There is also disagreement on the legal basis of the draft regulation between the Council, on the one hand, and the Commission and the Parliament, on the other.

Background and Commission proposal

Each year, nearly 30 million school children in Europe benefit from two EU-funded programmes, the [School Milk Scheme](#) (set up in 1977) and the [School Fruit Scheme](#) (2009), intended to encourage children to consume healthy foodstuffs and adopt good eating habits, in a context of rising rates of child obesity. The two programmes differ significantly from a legal and operational point of view. In January 2014, the Commission published a [legislative proposal](#) aimed at merging the two schemes under a joint legal and financial framework, in order to increase efficiency and reduce the administrative burden for national and local actors. The proposal seeks to address problems of poor nutrition and excessive weight among children more effectively and reinforces the educational aspects of the schemes. It provides for a budget each school year of €80 million for the milk component and €150 million for fruit and vegetables.

In December 2014, the incoming European Commission presented its work programme for 2015, which stated in its [annex](#) that the legislative proposal on the merging of the fruit and milk schemes was to be put on hold while an evaluation was conducted as part of the CAP simplification exercise (currently under way, led by Agriculture Commissioner Phil Hogan). The Commission recommended that both Council and EP should suspend their work on the proposal until the review was completed.

Debates in the European Parliament and the Council

Despite the Commission's recommendation, Members of the AGRI Committee decided to carry on their work on amending the legislative proposal under the rapporteur's lead (Marc Tarabella, S&D, Belgium). On 14 April 2015, they adopted the report by 32 votes to six, with seven abstentions. They thus endorsed the Commission's plan to merge the two schemes and proposed to extend the range of healthy food products distributed to school children, to put greater emphasis on educational activities, to increase the milk scheme's funds by 20% and to ensure a fairer distribution of EU funds among Member States.

In the course of 2014, the Agriculture and Fisheries Council also examined the Commission proposal and identified a number of issues, the main one being its legal basis. All Member States agreed that Article 43(3) TFEU (with Parliament only consulted on the proposal prior to the Council acting) should be used instead of Article 43(2) (ordinary legislative procedure). On 7 November 2014, the Council wrote to the Commission requesting a modification of the legal basis. No progress has been made on the issue since.

Vote in plenary

On 27 May, Parliament will be asked to vote on the amendments to the draft legislative proposal as adopted by the AGRI Committee and on the EP's negotiating [mandate](#). Even if the Council does not envisage talks at this stage, the adoption of the mandate would be a signal that Parliament supports the Commission's legislative proposal and would like it to go ahead. In the absence of inter-institutional agreement on the proposal, both existing schemes will continue to apply under their separate financial and legal set-ups.