Question for written answer E-001333/2021
to the Commission
Rule 138
Tomáš Zdechovský (PPE)

Subject: Operational programs for fruit and vegetable producer organisations

Operational programs for fruit and vegetable producer organisations are usually 50 % funded by the producers and 50 % by EU funds. In response to the COVID-19 pandemic, Regulation (EU) 2020/1275 of 6 July 2020 increased the limit of financial assistance laid down in Article 34(1) of Regulation (EU) No 1308/2013 from 50 % to 70 % to help producers in the current difficult situation.

On 9 February 2021, the Czech paying agency State Agricultural Intervention Fund (SZIF) announced to producer organisations that, in accordance with Czech law (§ 4 odst. 1 Zákona č. 134/2016 Sb. o zadávání veřejných zakázek), it would not grant any funding above 50 % without the procurement conditions first being met by the producer organisations. Czech growers cannot, therefore, benefit from increased EU assistance (up to 70 %) as it is not possible to meet the procurement conditions retrospectively.

This specific method of implementation seems to go against the purpose of the regulation and is discriminatory, as the SZIF applied a retroactive requirement and did not allow for the proper implementation of the Commission’s regulation into the legislative process in Czechia. As a result, producer organisations may face sanctions.

Does the Commission deem the SZIF method of implementation compatible with EU law?