

COMMISSION IMPLEMENTING REGULATION (EU) No 562/2011

of 10 June 2011

adopting the plan allocating to the Member States resources to be charged to the 2012 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the European Union and derogating from certain provisions of Regulation (EU) No 807/2010

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular points (f) and (g) of Article 43, in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽²⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) In accordance with Article 2 of Commission Regulation (EU) No 807/2010 of 14 September 2010 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Union ⁽³⁾, the Commission has to adopt a distribution plan to be financed from resources available in the 2012 budget year. That plan has to lay down, in particular, for each of the Member States applying the measure, the maximum financial resources available to carry out its part of the plan, and the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies.
- (2) The Member States involved in the distribution plan for the 2012 budget year have supplied the Commission with the information required in accordance with Article 1 of Regulation (EU) No 807/2010.
- (3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.
- (4) Taking into account the fact that availability of intervention stocks for the supply of the scheme for food distribution to the most deprived persons is substantially reduced in relation to the previous year, it is appropriate that the 2012 annual plan is adopted as soon as the

Member States supplied the Commission with the information required in Article 1 of Regulation (EU) No 807/2010. The fast adoption aims to allow the Member States additional time to organize the implementation of the Union annual plan with a view to giving a chance to national authorities and charities to find alternative sources of food.

- (5) Article 4 of Regulation (EU) No 807/2010 provides that, where no rice is available in intervention stocks, the Commission may authorise the removal of cereals from the intervention stocks as payment for the supply of rice or rice products mobilised on the market. Accordingly, given that there are currently no intervention stocks of rice, the removal of cereals from intervention stocks as payment for mobilising rice products in the market should be authorised.
- (6) Article 8(1) of Regulation (EU) No 807/2010 provides for the transfer between Member States of products unavailable in the intervention stocks of the Member State in which such products are required to implement the annual distribution plan. Accordingly, the intra-Union transfers necessary to implement that plan for 2012 should be authorised, subject to the conditions laid down in Article 8 of Regulation (EU) No 807/2010.
- (7) Due to the current market situation in the cereals sector, which is marked by high market price levels, it is appropriate, in order to secure the Union's financial interests, to increase the security, which is to be lodged by the contractor undertaking the supply operation of cereals as provided for in Articles 4(3) and 8(4) of Regulation (EU) No 807/2010.
- (8) To implement the annual distribution plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.
- (9) In accordance with Article 2(2) of Regulation (EU) No 807/2010, the Commission has consulted the major organisations familiar with the problems of the most deprived persons in the Union when drawing up the annual distribution plan.
- (10) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 242, 15.9.2010, p. 9.

HAS ADOPTED THIS REGULATION:

Article 1

In 2012, the distribution of food to the most deprived persons in the Union under Article 27 of Regulation (EC) No 1234/2007 shall be implemented in accordance with the annual distribution plan set out in Annex I to this Regulation.

The use of cereals as payment for mobilising rice products on the market is authorised, as referred to in Article 4(2) of Regulation (EU) No 807/2010.

Article 2

The intra-Union transfer of products listed in Annex II to this Regulation shall be authorised, subject to the conditions laid down in Article 8 of Regulation (EU) No 807/2010.

Article 3

By way of derogation from the fifth subparagraph of Article 4(3) and from the first subparagraph of Article 8(4) of Regulation (EU) No 807/2010, for the 2012 distribution plan, before cereals are removed from intervention, the contractor undertaking the supply operation shall lodge a security equal to EUR 150 per tonne.

Article 4

For the purpose of implementing the annual distribution plan referred to in Article 1 of this Regulation, the date of the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 shall be 1 October 2011.

Article 5

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 June 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

ANNEX I

ANNUAL DISTRIBUTION PLAN FOR 2012

(a) Financial resources made available to implement the 2012 plan in each Member State:

(in EUR)

Member State	Distribution
Belgique/België	2 795 058
България	4 183 873
Česká republika	122 600
Eesti	718 782
Éire/Ireland	1 304 105
Elláda	4 805 742
España	18 084 154
France	15 869 928
Italia	22 103 802
Latvija	1 558 586
Lietuva	1 849 759
Luxembourg	47 463
Magyarország	3 237 794
Malta	131 505
Polska	17 310 824
Portugal	4 524 628
România	12 035 925
Slovenija	515 467
Slovakia	959 383
Suomi/Finland	1 327 965
Total	113 487 343

(b) Quantity of each type of product to be withdrawn from EU intervention stocks for distribution in each Member State subject to the maximum amounts laid down in point (a) of this Annex:

(in tonnes)

Member State	Cereals	Butter	Skimmed milk powder
Belgique/België	—		1 560,273
България	39 144,763		—
Česká republika (*)	450,000		—
Eesti (**)	—		383,316

(in tonnes)

Member State	Cereals	Butter	Skimmed milk powder
Éire/Ireland	—		727,985
Elláda	—		2 682,689
España	—		10 095,040
France	—		8 859,003
Italia	—		12 338,912
Latvija	—		870,043
Lietuva	—		1 032,583
Luxembourg (***)	—		—
Magyarország	—		1 807,420
Malta	1 230,373		—
Polska	—		9 663,348
Portugal	—		2 525,764
România	112 609,424		—
Slovenija	—		287,747
Slovakia	8 976,092		—
Suomi/Finland	—		741,304
Total	162 410,652		53 575,425

(*) Česká Republika: allocation for the purchase of dairy products on the EU market: 37 356 EUR, to be accounted against the skimmed milk powder allocation and additional 33 263 EUR, to be accounted against the butter allocation of Česká Republika.

(**) Eesti: allocation for the purchase of dairy products on the EU market: 30 440 EUR, to be accounted against the butter allocation of Eesti.

(***) Luxembourg: allocation for the purchase of dairy products on the EU market: 44 989 EUR, to be accounted against the skimmed milk powder allocation of Luxembourg.

ANNEX II

(a) Intra-Union transfers of cereals authorised under the plan for the 2012 budget year:

	Quantity (tonnes)	Holder	Recipient
1	33 988,763	Agency for Rural Affairs, Suomi/Finland	Държавен фонд 'Земеделие' — Разплащателна агенция, България
2	5 156,000	RPA, UK	Държавен фонд 'Земеделие' — Разплащателна агенция, България
3	450,000	SJV, Sverige	SZIF, Česká Republika
4	1 230,373	SJV, Sverige	Ministry for Resources and Rural Affairs Paying Agency, Malta
5	16 880,298	BLE, Deutschland	Agenția de Plăți și Intervenție pentru Agricultură, România
6	41 360,295	Agency for Rural Affairs, Suomi/Finland	Agenția de Plăți și Intervenție pentru Agricultură, România
7	54 368,831	SJV, Sverige	Agenția de Plăți și Intervenție pentru Agricultură, România
8	147,000	FranceAgriMer, France	Pôdohospodárska platobná agentúra, Slovenská Republika
9	8 829,092	SJV, Sverige	Pôdohospodárska platobná agentúra, Slovenská Republika

(b) Intra-Union transfers of skimmed milk powder authorised under the plan for the 2012 budget year:

	Quantity (tonnes)	Holder	Recipient
1	2 682,688	BLE, Deutschland	OPEKEPE, Elláda
2	330,350	SZIF, Česká Republika	FEGA, España
3	6 308,486	OFI, Ireland	FEGA, España
4	3 456,204	RPA, UK	FEGA, España
5	2 118,853	RPA, UK	FranceAgriMer, France
6	7 905,602	BIRB, Belgique	AGEA, Italia
7	1 476,378	OFI, Ireland	AGEA, Italia
8	2 749,632	Dienst Regelingen Roermond, Netherlands	AGEA, Italia
9	207,300	SJV, Sverige	AGEA, Italia
10	870,042	Lietuvos žemės ūkio ir maisto produktų rinkos reguliavimo agentūra, Lietuva	Rural Support Service, Latvia
11	1 807,420	RPA, UK	Mezőgazdasági és Vidékfejlesztési Hivatal, Magyarország
12	3 294,212	BLE, Deutschland	ARR, Polska
13	1 675,024	Lietuvos žemės ūkio ir maisto produktų rinkos reguliavimo agentūra, Lietuva	ARR, Polska

	Quantity (tonnes)	Holder	Recipient
14	4 693,285	RPA, UK	ARR, Polska
15	2 525,314	RPA, UK	IFAP I.P., Portugal
16	287,747	Dienst Regelingen Roermond, Netherlands	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja, Slovenija
17	252,008	PRIA, Eesti	Agency for Rural Affairs, Suomi/Finland
18	489,296	Dienst Regelingen Roermond, Netherlands	Agency for Rural Affairs, Suomi/Finland