COUNCIL REGULATION (EEC) No 1080/77

of 17 May 1977

on the supply of milk and certain milk products at reduced prices to schoolchildren

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by Regulation (EEC) No 559/76 [2], and in particular to the second paragraph of Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to the second paragraph of Article 26 of Regulation (EEC) No 804/68, it may be decided to make a Community contribution to the financing of programmes for the supply, at reduced prices to schoolchildren, of milk products falling within heading No 04.01 or 22.02 of the Common Customs Tariff, provided that these programmes fulfil certain conditions ;

Whereas, in view of the situation on the markets in milk products and in order to widen sales opportunities therefor, the introduction of such programmes should be encouraged and a Community contribution made to their financing ; whereas, to give the measure maximum effectiveness, the beneficiaries, the maximum daily quantity and the types of product distributed should be laid down at Community level ;

Whereas the Community outlay should be matched by a substantial contribution in the Member States, whether from the national budget or from the budgets of the local or regional authorities concerned ;

Whereas, for the purposes of financing the Community contribution, this measure should be included among those referred to in Article 4 of Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products [3],

HAS ADOPTED THIS REGULATION :

Article 1

1. From the start of the 1977/78 milk year the Community shall contribute for a period of at least five years to financing Member States' programmes for supplying milk and certain milk products at reduced prices to schoolchildren.

2. In the case of whole milk, the Community contribution shall be equal to 50 % of its target price. The contribution for other milk products shall be determined in accordance with the procedure referred to in Article 4 and shall not be less than that fixed for whole milk, taking into account the fat content of the product in question.

Article 2

The Community contribution shall be subject to the following conditions :

1. The programme shall be drawn up and implemented by the Member State or by a regional or local authority.

2. The beneficiaries of the programme shall be schoolchildren to be defined in accordance with the procedure referred to in Article 4.

3. The Community contribution referred to in Article 1 (2) shall relate only to whole milk and chocolate-flavoured whole milk which have been pasteurized or subjected to a UHT process, and yoghourt falling within heading No 04.01 of the Common Customs Tariff. Other requirements, in particular as regards the quality at the time of distribution, and derogations in connection with the abovementioned processing of the milk may be adopted in accordance with the procedure referred to in Article 4. This procedure may also be used to include semi-skimmed milk on the list of products distributed.

4. The milk supplied to the school shall not amount to more than 0·25 litre per pupil per schoolday.

[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 67, 15. 3. 1976, p. 9.
[3] See page 6 of this Official Journal.

However, this maximum may be increased in accordance with the procedure referred to in Article 4 where the type of school concerned enables any change in the destination of the products supplied at reduced prices to be avoided.

5. The financial contribution of the public authorities in the Member States shall be at least 50 % of that of the Community.

Subject to conditions to be determined in accordance with the procedure referred to in Article 4, that contribution may consist of a grant towards providing schools with the equipment necessary to store and distribute the milk.

Article 3

For the purposes of financing the Community contribution, this measure shall be included among those referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 4

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN