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**Decree of the Ministry of Agriculture and Forestry  
on the Implementation of the School Milk Subsidy Granted from the Funds of  
the European Community  
(595/2001)**

*Section 1 – Objectives*

- (1) This Decree lays down further provisions on the national implementation of the aid for the supply of certain milk products defined in the following Council and Commission Regulations to pupils in educational establishments:
- a) Council Regulation (EC) No 1255/1999 on the common organisation of the market in milk and milk products (hereinafter referred to as Council Regulation)
  - b) Commission Regulation (EC) No 2707/2000 laying down rules for applying Council Regulation (EC) No 1255/1999 as regards Community aid for supplying milk and certain milk products to pupils in educational establishments (hereinafter referred to as Commission Regulation).

*Section 2 – Beneficiaries*

- (1) The beneficiaries of the aid shall be pupils in regular attendance at educational establishment belonging to the following groups:
- a) pupils in pre-school establishments  
Children entered on the day-care or educational establishment's roll on the first day of operation of each term in August or January who attend pre-school education and who are over 3 years old, other than children referred to in point b of this subsection, are considered pupils in pre-school establishments.
  - b) pupils in primary schools
  - c) pupils in secondary schools.
- (2) Subsidised milk products may also be used in the preparation of meals.
- (3) As an exception to subsection 2, a point of distribution may not use subsidised milk products in the preparation of meals.
- (4) At a reasonable request of the supplier the Ministry of Agriculture and Forestry may grant a permission to derogate from subsection 3.
- (5) In this Decree the point of distribution, when the aid is applied for by the supplier or municipality, may refer to
- a) an agent who itself does not have any pupils eligible for the aid, such as old-age home, health care centre or municipal central kitchen
  - b) a kitchen of an educational or day-care establishment which also caters for units which are not eligible for the aid.

*Section 3 – Eligible products*

- (1) Milk and milk products set out in Annexes I-VII to Commission Regulation (EC) No 2707/2000 may qualify for the aid.

*Section 4 – Maximum subsidisable quantity*

- (1) To calculate the maximum 0,25 litre quantity, the following must be taken into account:
- a) the total quantity of milk products for which there is entitlement to the aid during the period covered by an application

- b) the number of eligible pupils or children entered on the establishment's roll on the first day of operation of each term (August or January). This number is used in the application during the whole term.
- c) the number of school days or days of operation.

#### Section 5 – *General conditions for granting the aid*

- (1) Aid can be applied for by the following parties:
  - a) the educational establishment
  - b) an authority responsible for the establishment who applies for the aid in respect of the products distributed to the pupils
  - (c) a supplier of the products approved by the Ministry of Agriculture and Forestry.
- (2) The education and day-care establishments providing education for the beneficiaries may have only one valid entitlement per calendar month with the beneficiaries referred to in subsection 1 above.
- (3) Without prejudice to applying the second subsection, two applications concerning the same term may not be accepted from an applicant defined in subsection 1(a and b) above.
- (4) Applicants defined in subsection 1(a and b) of this section must notify the information referred to in section 4(b and c) in the aid application. The notification must be based on written documents, which must be available to the control authority. An applicant defined in subsection 1(c) of this section must notify information referred to in section 4(b and c) in the aid application. The information must be based on notification by the education or day-care establishment of the beneficiary or the municipality. This information must be available to the control authority,

#### Section 6 – *Approval of applicants*

- (1) Educational and day-care establishments, points of distribution and municipalities and suppliers of the products which apply for the aid must register with the Intervention Unit of the Ministry of Agriculture and Forestry before introducing the aid. The registration means that the beneficiary is entitled to apply for the aid concerned.
- (2) By signing the registration form the applicant for the registration gives the commitment referred to in Articles 8 and 9 of the Commission Regulation. A unit which has received the approval must notify without delay any changes to the information relating to the registration to the Intervention Unit of the Ministry of Agriculture and Forestry.

#### Section 7 – *General conditions for approval*

- (1) When the supplier applies for the aid this must be immediately reflected in the price paid by the beneficiary. The supplier must apply a dual price system allowing the beneficiary to order the eligible milk products at either the normal or subsidised price.
- (2) A point of distribution must apply for the registration referred to in section 6 if the aid is applied for by an applicant defined in Section 5(b or c).

#### Section 8 – *Payment applications*

- (1) Applicants defined in section 5(1)(a and b) of this Decree may make payment applications twice a year after each term. The payment applications for the autumn term may cover the calendar months 8-12 (August-December). The payment applications for the spring term may cover the calendar months 1-7 (January-July).
- (2) An applicant defined in section 5(1)(c) of this Decree may make payment applications after each calendar month.
- (3) The payment application must be made by an aid application form available at the Ministry of Agriculture and Forestry.

- (4) If the aid is applied for by an applicant defined in section 5(b or c), the following information must be annexed to the aid application:
- a) individual educational and day-care establishments
    - period covered by the application and year
    - name of the applicant
    - registration number of the applicant
    - name, registration number and data on the school days/days of operation and number of children/pupils referred to in section 4(b or c) of the educational or day-care establishment to which the supplier has delivered subsidised products during the period covered by the application or the municipality has applied for the aid
    - total quantities of products purchased to the eligible children/pupils of the educational or day-care establishment during the period covered by the application and related aids according to products based on product numbers as well as total amount of aid
    - milk is reported in litres, yoghurts in kilos of yoghurt and cheeses in kilos of cheese
  - b) central kitchens and points of distribution
    - period covered by the application and year
    - name of the applicant
    - registration number of the applicant
    - name and registration number of the central kitchen or point of distribution to which the supplier has delivered subsidised products during the period covered by the application or the municipality has applied for the aid
    - data on the school days/days of operation and number of children/pupils referred to in section 4(b or c) of the educational or day-care establishment catered for by the central kitchen/point of distribution
    - total quantities of products purchased to the eligible children/pupils of the central kitchen/point of distribution during the period covered by the application and related aids according to products based on product numbers as well as total amount of aid
    - milk is reported in litres, yoghurts in kilos of yoghurt and cheeses in kilos of cheese

#### Section 9 – *Control measures*

- (1) The Ministry of Agriculture and Forestry carries out the control of applicants defined in section 5(1).

#### Section 10 – *Entry into force*

- (1) This Decree enters into force on 4 February 2001. Preparations for the organisation of the aid referred to in the Decree may be undertaken before the Decree's entry into force.