II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/1238

of 17 June 2020

amending Delegated Regulation (EU) 2017/40 as regards the evaluation of the implementation of the school scheme

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 24(2)(b) and Article 223(2)(a) thereof,

Whereas:

(1) Pursuant to Article 9(2) of Commission Delegated Regulation (EU) 2017/40 ([2]) Member States are required to evaluate the implementation of their school scheme in order to assess its effectiveness against the objectives of the school scheme of increasing the consumption of selected agricultural products by children and educating them about healthy eating habits. In order to foster transparency and accountability on the use of Union aid, the nature and type of information that the Member States are to notify to the Commission in their evaluation reports should be specified.

(2) Delegated Regulation (EU) 2017/40 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Delegated Regulation (EU) 2017/40 is amended as follows:

(1) paragraph 2 is replaced by the following:

'2. Member States shall evaluate the implementation of the school scheme in order to assess its effectiveness against its objectives of increasing the consumption of fruit, vegetables, milk and milk products by children and educating them about healthy eating habits. The results of that evaluation shall be submitted to the Commission by way of an evaluation report. A Member State that implements the school scheme at regional level may choose to submit a corresponding number of evaluation reports.';

(2) in the first subparagraph of paragraph 5, the introductory phrase is replaced by the following:

'Where a Member State does not submit its evaluation report or evaluation reports containing the results of the evaluation provided for in paragraph 2 of this Article to the Commission by the time limits referred to in Article 8(2) of Implementing Regulation (EU) 2017/39, the amount of the next definitive allocation shall be reduced as follows:'.

([1]) OJ L 347, 20.12.2013, p. 671.

([2]) Commission Delegated Regulation (EU) 2017/40 of 3 November 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments and amending Commission Delegated Regulation (EU) No 907/2014 (OJ L 5, 10.1.2017, p. 11).

Article 2

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, 17 June 2020.

For the Commission
The President
Ursula VON DER LEYEN