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CONTRIBUTION

From:	General Secretariat of the Council
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Subject:	Regulation amending Regulation (EU) No 1308/2013 (CMO) as regards the school scheme, sectoral interventions, the protein sector, hemp, marketing standards, import duties, the availability of supplies and securities - Comments from Luxembourg

Luxemburg comments on the proposal on the draft Regulation concerning financing of the Common Market Organization and School Scheme in the new programming period 2028+ on block 1

We would like to thank the Presidency for the opportunity to provide feedback on the new proposal concerning the school scheme. We appreciate the ongoing dialogue and would like to reiterate several points that have been raised in previous meetings.

General comments

We regret that there is no earmarked EU budget for school schemes anymore. The fixing regulation provides for fixed envelopes per member states in Annex I as well as minimum envelopes per member states for the school milk and school fruit scheme in art. 5 §4. Those achievements were made under the last Luxembourgish Presidency and guaranteed earmarked budget for an important scheme for agriculture.

School schemes

As regards giving priority to certain milk types in **article 28 4b**), we are opposed to the obligation to prioritize skimmed or semis skimmed milk as well lactose-free. The reason is that there is **scientific evidence supporting whole milk**. Recent studies suggest that whole-fat milk may offer health benefits that are equal to or greater than those of reduced-fat milk. Furthermore, there is also evidence, that whole milk is not linked to obesity (see for example. Bhavadharini et al. (2020) & Vanderhout et al.

<https://pubmed.ncbi.nlm.nih.gov/32423962/>

<https://pubmed.ncbi.nlm.nih.gov/31851302/>

Their findings support the notion that whole-fat dairy is not inferior—maybe even superior—to reduced-fat options for key metabolic outcomes in both children and adults. Furthermore, prioritization of skimmed and semi-skimmed milk will risk **resulting in long-distance supply chain**, opposite to the requested short-supply chain that we had now already in place.

In Luxemburg and in the close neighborhood, is the offer of small-sized fresh milk cartons from local dairies limited to whole fresh milk. Skimmed and semi-skimmed

fresh milk are only available in large-size milk cartons, leading to increased portion sizes, and consequently, a higher risk of food waste.

Moreover, we have a request for clarification on monitoring and evaluation. We would also appreciate further details on how the Commission plans to monitor, evaluate, and report on the implementation of this proposal. Clear guidance on these processes would help Member States align their efforts and ensure transparency and effectiveness

Article 28.2 states that the products distributed shall not contain more than 10% of free sugars. Both EFSA and WHO use the term of free sugars to refer to added as refined sugars, or naturally present in honey, syrup, fruit and vegetable juices and juice concentrates. It should be clearly stated that free sugars do not include sugars naturally present in milk fruits or vegetables. Is it correct that the possibility for allowing added sugars in article 28.3 in processed fruit and vegetables or milk products would thus be limited to a maximum of 10%?

In article 28.4 Member States are required to prioritize seasonal fruits and vegetables. While seasonal supply is very important for Luxembourg, the term seasonal is not well defined, and for large parts of the school year one could argue that there are no seasonal fruits available in our region (for example apples distributed throughout the year). If the term prioritize means supply more than 50%, than this would be problematic

In article 38.5 Member States are required to prioritize products of some categories: (a) products with low climate footprint; - what are the rules to determine low climate footprints? (c) products which are contained in sustainable packaging; - what are the rules to determine sustainable packaging? In how far are packaging made of wood, cardboard, or reusable plastic packaging considered as sustainable? (e) products which are locally produced and marketed through short supply chains; - does this mean that rules on public procurement do not play in this respect? Would it for example be possible to refer to a public tender to “short supply chains” as defined through the Commission proposal of 10.12.2025 amending regulation 1308/2013? (f) products which originate from small farms as determined by Member States; - how can Member states control the size of farms in other Member States?

Meat designation

As regards the proposal on the new definition of Meat and meat products (Annex I Part Ia) we support the clarification of food labelling as it helps consumers to understand whether these foodstuffs are of animal or vegetable origin.

We thank you for considering our comments and look forward to continued collaboration to ensure the success of the school scheme.