

Fat content of drinking milk produced in Finland and Sweden: extension of the derogation until 30 April 2009

2003/0144(CNS) - 02/07/2003 - Legislative proposal

PURPOSE : to extend the transitional measures relating to the fat content of milk for human consumption in Finland and Sweden. **CONTENT** : Council Regulation 2596/97/EC extends until 31 December 2003 the period during which transitional measures may be adopted with regard to the fat content requirements for milk on the market under the conditions set out in the Act of Accession of Austria, Finland and Sweden. In the milk and milk products sector the requirements relating to the fat content of milk for human consumption continue to cause difficulties for Finland and Sweden. To take account of the difficulties posed by the application of the Community rules on drinking milk, Finland and Sweden have since their accession benefited from a derogation relating to the fat content requirements for that milk. Originally this derogation was based on the Act of Accession and on the assumption that the Council would be re-examining the fat categories of drinking milk. However, the process of re-examination of the fat categories as well as the consolidation of the relevant rules resulted in the adoption of Regulation 2597/97/EC, which did not permit the integration of all the drinking milk marketed in Finland and Sweden. An initial period of derogation has therefore been extended twice. In December 2001, Finland and Sweden submitted reports on progress in applying those rules indicating that adaptation was causing persistent problems. In view of the persistence of the difficulties which made the derogation necessary, the attached proposal for a Regulation provides for a derogation of 5 years on the understanding that the new period will expire at the same date as the similar transitional arrangements granted for new Member States, and that 2 years before the expiry of all current derogations the Commission will make a report on the market of drinking milk, possibly accompanied by proposals to harmonise the rules covered by Regulation 2597/97/EC. Therefore, it is therefore necessary to make use of the possibility afforded by Article 149, paragraph 2 of the 1994 Act of Accession to extend the period in question. An additional period until 30 April 2009 seems appropriate. This measure proposes a status quo situation and has as such no direct financial impact.