Milk and milk products: common organisation of the markets (CMO), additional general rules for drinking milk

2007/0027(CNS) - 15/02/2007 - Legislative proposal

PURPOSE: the amendment of Council Regulation (EC) No 2597/97 in order to simplify a number of rules.

PROPOSED ACT: Council Regulation.

BACKGROUND: this proposal is being presented as a package, alongside two other, related proposals on the dairy sector. The other two proposals concern the amendment of:

- Council Directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption. See CNS/2007/0025

- Council Regulation (EC) No 1255/1999 on the common organisation of the market in milk and milk products. See CNS/2007/0026.

CONTENT: current legislation states that only three categories of drinking milk may be produced and marketed in the EU namely: skimmed milk (0.5% fat or less); semi-skimmed milk (1.5% and 1.8% fat) and whole milk (3.5% fat or more).

However, a large number of derogations to the above exist. These derogations will expire in 2009 (other than for Estonia where the derogation will expire in April 2007). Estonia has, therefore, asked for a prolongation of its derogation until 2009.

At the same time and in order to respond to new nutritional habits, the Commission is proposing to liberate the drinking milk market by allowing the production and marketing of milk with fat contents outside the three established categories. Provisions are being proposed that will allow consumers to have clear, labelled, information regarding the fat content of the milk being consumed. The result of liberalising the milk market thus will be the abolition of the derogations; increased transparency; and enhanced trade among the Member States.

As far as the financial consequences are concerned, the Commission estimates that the liberation of the drinking milk Regulation will not lead to a change in the consumption of lower fat drinking milk. Given that the trend in the average fat content is not expected to change the Commission does not foresee any changes to the Community budget as a result of the proposed amendments.