



European Economic and Social Committee

NAT/201
Fat content/milk (Finland and
Sweden)

Brussels, 24 September 2003

OPINION

of the European Economic and Social Committee

on the

Proposal for a Council Regulation amending Regulation (EC) No. 2596/97 extending the period provided for in Article 149(1) of the Act of Accession of Austria, Finland and Sweden

COM(2003) 372 final - 2003/0144 (CNS)

On 16 July 2003 the Council, in accordance with Article 262 of the Treaty establishing the European Community, decided to consult the European Economic and Social Committee on the

Proposal for a Council Regulation (EC) No. 2596/97 extending the period provided for in Article 149(1) of the Act of Accession of Austria, Finland and Sweden
COM (2003) 372 final – 2003/0144 (CNS).

The Bureau instructed the Section for Agriculture, Rural Development and the Environment to draw up an opinion on the subject.

In view of the urgency of the work, at its 402nd plenary session on 24 and 25 September 2003 (meeting of 24 September), the European Economic and Social Committee appointed **Mr Staffan Nilsson** as rapporteur-general and adopted the following opinion by 89 votes to 2, with 1 abstention.

1. Background

1.1 The transitional arrangements provided for in the Act of Accession of Austria, Finland and Sweden granted a derogation from the Council Regulation on the harmonisation of the fat content of milk (EC Nr 2596/97)¹. After being extended, the derogation is set to expire on 31 December 2003 (EC 2703/1999)².

1.2 Finland and Sweden were invited to report the measures taken to conform to Community rules. The Commission examines these in its report "on certain aspects of the markets for preserved milks and drinking milks", published together with the proposal to amend the Regulation.

2. The Commission proposal

2.1 The Commission notes that, in some respects, fat content requirements continue to create difficulties for Finland and Sweden. It therefore proposes that the derogation enabling Austria, Finland and Sweden to diverge from Community rules on fat content of milk should be further extended to 30 April 2009.

2.2 The Commission also reports that six new Member States (Cyprus, Hungary, Latvia, Lithuania, Malta and Poland) have been granted the same derogation until 30 April 2009.

2.3 The Commission states its intention to prepare a report on the market for drinking milk, possibly accompanied by proposals to harmonise the rules, by 2007.

¹ OJ L 351 of 23/12/1997 p 12

² OJ L 327 of 21/12/1999, p 11

3. **EESC comments**

3.1 The EESC endorses the proposal to extend the derogation.

3.2 Both Finland and Sweden market a few drinking milk products with a lower fat content. A significant number of consumers remain opposed to the imposition of a fat content increase for these products.

3.3 Given that the derogation has been extended and that six new Member States are in the same situation, it is important that the Commission's 2007 report should carefully assess the issue of harmonising the fat content of milk on the market. The point of departure should be the interests and wishes of consumers, and whether these are best protected through harmonisation of permitted fat content or through harmonised fat content labelling.

Brussels, 24 September 2003.

The President
of the
European Economic and Social Committee

The Secretary-General
of the
European Economic and Social Committee

Roger Briesch

Patrick Venturini