

COMMISSION DECISION

of 31 January 1989

approving a programme concerning the milk sector in Scotland pursuant to
Council Regulation (EEC) No 355/77

(Only the English text is authentic)

(89/125/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of
15 February 1977 on common measures to improve the
conditions under which agricultural and fishery products
are processed and marketed⁽¹⁾, as last amended by
Council Regulation (EEC) No 1760/87⁽²⁾, and in
particular Article 5 thereof,

Whereas, on 11 February 1988, the British Government
forwarded a programme for the milk sector in Scotland;
whereas it submitted supplementary information on 29
August and 17 October 1988;

Whereas the purpose of this program is to concentrate
and reorientate the processing and marketing of drinking
milk and of milk products in such a way as to increase
the competitiveness of the sector and enhance the value
of its products; whereas this programme constitutes a
programme within the meaning of Article 2 of Regulation
(EEC) No 355/77;

Whereas, in view of the situation on the milk market,
approval of the programme may not extend to investment
projects:

- which provide for an increase in milk-processing
capacity, unless such projects furnish evidence that
equivalent capacity is being closed down,
- which relate to the production of butter, whey powder,
milk powder, butteroil, lactose, casein and caseinates,
- which relate to the production of other products
giving rise to EAGGF Guarantee Section expenditure
which, given the market situation, cannot be justified;

Whereas approval of the programme may not extend to
investments concerning research and development;

Whereas given the day to day delivery system existing in
the programme area, the need to fund UHT
milk-processing equipment has not been proved;

Whereas approval of the programme may not extend to
investments concerning milk collection;

Whereas approval of the programme may not extend to
investments for the manufacture of products such as
certain types of cheeses for which there is already surplus
production capacity within the European Community;

Whereas approval of the programme may not extend to
investments concerning products not listed in Annex II
to the Treaty;

Whereas the programme contains the details required
under Article 3 of Regulation (EEC) No 355/77, showing
that the objectives laid down in Article 1 thereof may be
achieved in the sector processing and marketing milk and
milk products in Denmark; whereas the time required for
the execution of the programme does not exceed the
period laid down in Article 3 (1) (g) of that Regulation;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the Scottish milk sector,
forwarded by the British Government on 11 February
1988 and supplemented on 29 August and 17 October
1988 pursuant to Regulation (EEC) No 355/77, is hereby
approved.

2. Approval shall not extend to projects which:

- provide for an increase in milk-processing capacity,
unless such projects furnish evidence that equivalent
capacity is being closed down,
- relate to the production of butter, whey powder, milk
powder, butteroil, lactose, casein and caseinates,

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

— relate to the production of other products giving rise to EAGGF Guarantee Section expenditure which, given the market situation, cannot be justified.

3. Approval of the programme shall not extend to investments concerning products not listed in Annex II to the Treaty, to investments concerning research and development, to milk collection or to the manufacture of products for which there is already surplus production capacity within the European Community, to UHT milk-processing equipment ;

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 31 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission