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**COMMISSION REGULATION (EC) No 94/2002**

**of 18 January 2002**

**laying down detailed rules for applying Council Regulation (EC) No 2826/2000 on information and promotion actions for agricultural products on the internal market**

(OJ L 17, 19.1.2002, p. 20)

Amended by:

|  | Official Journal |      |            |
|--|------------------|------|------------|
|  | No               | page | date       |
| ► <b><u>M1</u></b> Commission Regulation (EC) No 305/2002 of 18 February 2002  | L 47             | 12   | 19.2.2002  |
| ► <b><u>M2</u></b> Commission Regulation (EC) No 434/2002 of 8 March 2002      | L 67             | 6    | 9.3.2002   |
| ► <b><u>M3</u></b> Commission Regulation (EC) No 1186/2002 of 2 July 2002      | L 173            | 4    | 3.7.2002   |
| ► <b><u>M4</u></b> Commission Regulation (EC) No 2097/2002 of 27 November 2002 | L 323            | 41   | 28.11.2002 |
| ► <b><u>M5</u></b> Commission Regulation (EC) No 497/2003 of 18 March 2003     | L 74             | 4    | 20.3.2003  |
| ► <b><u>M6</u></b> Commission Regulation (EC) No 185/2004 of 2 February 2004   | L 29             | 4    | 3.2.2004   |
| ► <b><u>M7</u></b> Commission Regulation (EC) No 1803/2004 of 15 October 2004  | L 318            | 4    | 19.10.2004 |

Corrected by:

► **C1** Corrigendum, OJ L 316, 20.11.2002, p. 27 (94/2002)



**COMMISSION REGULATION (EC) No 94/2002**  
**of 18 January 2002**

**laying down detailed rules for applying Council Regulation (EC) No 2826/2000 on information and promotion actions for agricultural products on the internal market**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2826/2000 of 19 December 2000 on information and promotion actions for agricultural products on the internal market, <sup>(1)</sup> and in particular Articles 12 and 16 thereof,

Whereas:

- (1) Detailed rules should be laid down for applying the measures to provide information about, and to promote, agricultural products and, secondarily, foodstuffs on the internal market.
- (2) In the interests of sound management, the frequency with which lists of themes and products eligible under these measures are to be drawn up should be specified.
- (3) In order to prevent any risk of distortion of competition, guidelines should be drawn up on the way the specific origin of products covered by promotion and information campaigns is to be referred to.
- (4) The procedure for presenting programmes and selecting implementing bodies should be determined with a view to ensuring the broadest possible competition and free movement of services.
- (5) Criteria governing the selection of programmes by the Member States and their scrutiny by the Commission should be established with a view to ensuring that the Community rules are complied with and that the measures to be implemented are effective, in particular in the light of Council Directive 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts <sup>(2)</sup>, as last amended by Commission Directive 2001/78/EC <sup>(3)</sup>.
- (6) In the context of its collaboration with the Member States, once the Commission has scrutinised the programmes it is to notify the Management Committee of the programmes approved and their budgets.
- (7) General guidelines on campaigns should be laid down for the purpose of managing the programmes to be implemented. Campaigns should have an informative aspect in accordance with Article 3 of Regulation (EC) No 2826/2000. Initially, these guidelines have been drawn up for a limited number of key sectors, without prejudice to the inclusion of other sectors or themes at a later date. Guidelines have still to be drawn up for live plants and floricultural products.
- (8) With a view to ensuring that the Community measures are effective, preferential criteria should be laid down for selecting programmes so as to optimise their impact.
- (9) In the case of programmes involving more than one Member State, provision should be made for measures to ensure that the Member States concerned cooperate in submitting and scrutinising programmes.

<sup>(1)</sup> OJ L 328, 21.12.2000, p. 2.

<sup>(2)</sup> OJ L 209, 24.7.1992, p. 1.

<sup>(3)</sup> OJ L 285, 29.10.2001, p. 1.

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- (10) The consequences, which may involve, where appropriate, a reduction of Community financing, should be spelled out in cases where an organisation is rejected for lack of part-financing by a Member State and Article 9(3) of Regulation (EC) No 2826/2000 does not apply.
- (11) The checks to be carried out by the Member States on programmes managed directly by them should be determined.
- (12) Detailed rules on the Community's financial contribution should be laid down in the interests of sound financial management. It should be specified in particular that, in the case of multiannual programmes, the Community's total financial contribution may not exceed 50 % of the total cost.
- (13) The various arrangements ensuring that commitments entered into are fulfilled should be laid down in contracts to be concluded between the parties concerned and the competent national authorities within a reasonable time limit, using standard forms of contract supplied by the Commission.
- (14) With a view to the proper performance of such contracts, contractors should lodge a security equal to 15 % of the Community contribution in favour of the competent authority. To the same end, a security should be lodged where an advance payment is applied for.
- (15) The primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 <sup>(1)</sup>, as last amended by Regulation (EC) No 1932/1999 <sup>(2)</sup>, should be defined.
- (16) With a view to budget management requirements, a penalty should be laid down for failure to submit, or late submission of, intermediate payment applications and for late payment by Member States.
- (17) In the interests of sound financial management and in order to avoid any danger that payments to be made take up the whole of the Community financial contribution and leave no balance to pay, provision should be made for advances and intermediate payments not to exceed 80 % of the Community contribution. To the same end, applications for payment of the balance must reach the competent authorities within a specified time limit.
- (18) The Member States should monitor the implementation of the measures covered by this Regulation and the Commission should be kept informed of the results thereof. In the interests of sound financial management, provision should be made for the Member States to cooperate where measures are implemented in a Member State other than the one in which the competent authority signing the contract is established.
- (19) Regulation (EC) No 2826/2000 harmonises information and promotion measures for agricultural products on the internal market and brings them together in a single text. The detailed implementing rules for the different sectors should therefore also be harmonised and simplified. Accordingly, the existing sectoral implementing provisions and regulations relating to the promotion of agricultural products should be repealed.
- (20) The measures provided for in this Regulation are in accordance with the opinion of the joint meeting of the management committees on agricultural product promotion,

<sup>(1)</sup> OJ L 205, 3.8.1985, p. 5.

<sup>(2)</sup> OJ L 240, 10.9.1999, p. 11.

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HAS ADOPTED THIS REGULATION:

*Article 1*

For the purposes of Article 6(1) and Article 7(1) of Regulation (EC) No 2826/2000, ‘programme’ means a coherent set of measures of a scope that is sufficient to contribute towards improving information about, and sales of, the products concerned.

*Article 2*

1. In compliance with the criteria set out in Article 3 of Regulation (EC) No 2826/2000, the promotion and/or information message passed on to consumers and other target groups shall include the intrinsic qualities and/or characteristics of the product concerned.

2. Any reference to the origin of products shall be secondary to the central message of a campaign. However, the origin of a product may be indicated in the case of a designation under Community rules or a feature of a typical product needed to illustrate the promotion or information campaign.

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3. Any reference in promotion and information messages to the effects on health of consuming the products concerned must be based on generally-accepted scientific data. Such messages must be accepted by the national authority responsible for public health. The trade federation or interbranch organisation making the proposal shall keep a list available for the Member State concerned and the Commission of the scientific studies and the opinions of authorised scientific institutions on which such messages are based.

**▼B***Article 3*

The lists of themes and products referred to in Article 4 of Regulation (EC) No 2826/2000 shall be drawn up by 31 March at the latest every two years. The initial lists are set out in Annex I hereto.

**▼M7***Article 3a*

Member States shall designate the competent authority or authorities for the application of Regulation (EC) No 2826/2000. They shall inform the Commission of the names and all contact details of the designated authority or authorities, as well as of any changes to this information. The Commission shall make this information publicly available in an appropriate form.

**▼B***Article 4*

Programmes as referred to in Article 1 shall be implemented over a period of at least one year but not more than three years from the date on which the relevant contract takes effect.

*Article 5***▼M5**

1. For the purpose of implementing measures under the programmes referred to in Article 6 of Regulation (EC) No 2826/2000, the Member State concerned shall receive, in response to a call for proposals and no later than 31 January and 31 July each year, programmes drawn up by trade and interbranch associations in the Community which are representative of the sector or sectors concerned.

However, the Member States concerned shall receive programmes to be submitted in 2003 relating to olive oil, table olives and fibre flax in response to a call for proposals no later than 31 May 2003. ►**M6** The first series of programmes relating to eggs for human consumption to be

**▼ M5**

submitted in 2004 shall be received by the Member State concerned no later than 29 February 2004. ◀

Such programmes shall comply with the Community rules governing the products concerned and their marketing, and the guidelines referred to in Article 5 of Regulation (EC) No 2826/2000 and the specifications stipulating exclusion, selection and award criteria distributed to that end by the Member States concerned.

The guidelines are laid down for the first time in Annex III to this Regulation.

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The programmes shall be submitted in a form drawn up by the Commission and supplied to the Member States.

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2. Member States shall take the necessary steps to ensure that, under contracts involving their country, the authorities awarding contracts enforce Directive 92/50/EEC.

3. Where an information and/or promotion programme involving more than one Member State is planned, the Member States concerned shall cooperate in drawing up compatible specifications and calls for proposals.

4. In response to such calls for proposals, the organisations referred to in paragraph 1 shall draw up information and promotion programmes in cooperation with the implementing body or bodies that they have selected by a competitive procedure using appropriate means validated by the Member State concerned.

5. In the case of programmes involving more than one Member State, the Member States concerned shall cooperate in selecting the programmes and shall undertake to contribute to their financing in accordance with Article 9(2).

*Article 6***▼ C1**

In cases where a Member State makes no financial contribution and Article 9(3) of Regulation (EC) No 2826/2000 is not applied, the trade federation or interbranch organisation of that Member State shall be excluded from the programme.

**▼ B***Article 7*

1. ▶ **M4** No later than 15 March and 30 September each year the Member States shall send the Commission a provisional list of the programmes and proposed implementing bodies and a copy of each programme which they have selected. ◀ In the case of programmes involving more than one Member State, this notification shall be made by common accord of the Member States concerned.

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However, the programmes submitted in 2003 relating to olive oil, table olives and fibre flax in response to a call for proposals shall be notified to the Commission no later than 30 June 2003. ▶ **M6** The first series of programmes relating to eggs for human consumption to be submitted in 2004 shall be notified to the Commission no later than 31 March 2004. ◀

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2. Where a programme is found not to comply with the Community rules or the guidelines referred to in Annex III, the Commission shall inform the Member State(s) concerned, within 60 calendar days of receipt of the provisional list, that all or part of that programme is ineligible.

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3. ▶ **M4** After checking programmes on the final list referred to in the third subparagraph of Article 6(3) of Regulation (EC) No 2826/

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2000 the Commission shall decide, no later than 31 May and 15 December, which programmes it may part-finance under the indicative budgets listed in Annex III to this Regulation. ◀

The Commission shall notify the joint management committees provided for in Article 13 of Regulation (EC) No 2826/2000 of its decision. ▶M6 The first series of programmes relating to eggs intended for human consumption to be submitted in 2004 shall be decided on by the Commission no later than 31 May 2004. ◀

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However, the Commission shall decide on programmes submitted in 2003 relating to olive oil, table olives and fibre flax in response to a call for proposals no later than 15 September 2003.

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4. The proposing trade federations or interbranch organisations shall be responsible for the proper implementation of the programmes selected.

*Article 8*

Where Article 7 of Regulation (EC) No 2826/2000 is applied, the provisional list of programmes shall be communicated to the Commission no later than 15 June the first time and no later than 30 September thereafter.

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The Commission shall decide which programmes it can part-finance under the indicative budgets given in Annex III to this Regulation no later than 30 September 2002 the first time and no later than 15 December thereafter.

The Commission shall notify the joint management committees of its decision.

**▼B***Article 9*

1. The Community's financial contribution to measures as referred to in Article 9(1)(b) of Regulation (EC) No 2826/2000 shall amount to:

- (a) 50 % of the actual cost of measures under programmes lasting one year;
- (b) 60 % of the actual cost of measures during the first year and 40 % during the second year under programmes lasting two years, up to a total Community contribution not exceeding 50 % of the total cost of the programme;
- (c) 60 % of the actual cost of measures during the first year, 50 % during the second year and 40 % during the third year under programmes lasting three years, up to a total Community contribution not exceeding 50 % of the total cost of the programme.

This financial contribution shall be paid to Member States as referred to in Article 10(2) of Regulation (EC) No 2826/2000.

2. Member States' financial contributions to measures as referred to in Article 9(2) of Regulation (EC) No 2826/2000 shall amount to 20 % of their actual cost. Where more than one Member State contributes to the financing, the share to be paid by each shall be proportionate to the financial contribution of the proposing organisation established in its territory.

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3. Information and promotion activities which are supported under Council Regulation (EC) No 1257/1999 <sup>(1)</sup> shall not qualify for support under Regulation (EC) No 2826/2000.

**▼B***Article 10***▼M7**

1. As soon as the final list, referred to in the third subparagraph of Article 6(3) of Regulation (EC) No 2826/2000, of programmes selected by the Member States has been drawn up, the individual organisations concerned shall be informed by the Member States whether or not their applications have been accepted. The Member States shall conclude contracts with the selected organisations within 60 calendar days of notification of the Commission decision. In case of programmes jointly presented by several professional or interprofessional organisations in more than one Member State, contracts shall be concluded within 90 calendar days. Beyond that deadline, no contracts may be concluded without prior authorisation from the Commission.

2. The Member States shall use model contracts supplied by the Commission. Where necessary, Member States may vary certain terms of the model contracts to take into account national rules but only to the extent that Community law is not prejudiced.

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3. Contracts may not be concluded by the two parties until a performance security equal to 15 % of the maximum annual financial contribution from the Community and the Member State(s) concerned has been lodged in order to ensure satisfactory performance of the contract. The security shall be lodged in accordance with Title III of Regulation (EEC) No 2220/85.

However, where the contractor is a body governed by public law or acts under the supervision of such a body, the competent authority of the Member State may accept a written guarantee from the supervisory body covering an amount equal to the percentage specified in the first subparagraph, provided that the supervisory body undertakes to ensure that:

- the obligations entered into are properly discharged, and
- the sums received are used properly to discharge the obligations entered into.

Proof that the performance security has been lodged must reach the Member State within the time limit laid down in paragraph 1.

Performance securities shall be released within the time limit and on the terms laid down in Article 12 of this Regulation for payment of the balance.

4. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be implementation of the measures covered by the contract.

5. The Member State shall immediately send the Commission a copy of the contract and proof that the performance security has been lodged. It shall also send a copy of the contract concluded by the selected organisation with the implementing body.

The latter contract shall contain the provision that the implementing body must submit to the checks provided for in Article 13.

*Article 11*

1. Within 30 calendar days of the contract being signed, a contractor may submit an application for an advance payment to the Member State concerned, together with the security provided for in paragraph 3. Beyond that date, no applications for an advance may be made.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 80.



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The advance payment may amount to no more than 30 % of the annual contribution from the Community and the Member State(s) concerned.

2. The Member State shall pay the advance within 30 calendar days of submission of the application for advance payment. Where payment is made late, Article 4 of Commission Regulation (EC) No 296/96 <sup>(1)</sup> shall apply.

3. The advance shall be paid on condition that the contractor lodges a security equal to 110 % of that advance in favour of the Member State in accordance with Title III of Regulation (EEC) No 2220/85.

However, if the contractor is a body governed by public law or acts under the supervision of such a body, the competent authority may accept a written guarantee from the supervisory body covering an amount equal to the percentage specified in the first subparagraph, provided the supervisory body undertakes to pay the amount covered by its guarantee if entitlement to the advance as paid is not established.

*Article 12*

1. Applications for intermediate payments of the Community and Member State contributions shall be submitted before the end of the calendar month following the month in which each period of three months calculated from the date of signing of the contract expires. Such applications shall cover the expenditure incurred during the quarter concerned and shall be accompanied by a summary financial statement, the relevant supporting documents and an interim report on the implementation of the contract. Where no expenditure has been incurred during the quarter concerned, a statement to that effect shall be submitted within the same time limit as for applications for intermediate payments.

Except in cases of *force majeure*, where an application for intermediate payment and the relevant documents are submitted late, the payment shall be reduced by 3 % for each whole month by which it is overdue.

Intermediate payments and the advance payment referred to in Article 11(1) taken together may not exceed 80 % of the total annual financial contribution from the Community and the Member States concerned. Once that level is reached, no more intermediate payment applications shall be submitted.

2. Applications for payment of the balance shall be submitted within four months of completion of the annual measures covered by the contract.

To be considered as duly submitted, applications must be accompanied by:

- (a) a summary financial statement showing all expenditure scheduled and incurred and all relevant supporting documents relating to the expenditure;
- (b) a summary of the work carried out (activity report);
- (c) an internal report, drawn up by the contractor, evaluating the results obtained, as ascertainable at the date of the report, and the use that can be made of them.

Except in cases of *force majeure*, where an application for payment of the balance is submitted late, the balance shall be reduced by 3 % for each month by which it is overdue.

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2a. For multi-annual programmes, the internal report referred to in paragraph 2(c) shall be submitted after completion of each annual phase, even in case where no application for payment of the balance is introduced.

<sup>(1)</sup> OJ L 39, 17.2.1996, p. 5.



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3. The balance shall not be paid until the documents referred to in paragraph 2 have been checked.

Where the primary requirement referred to in Article 10(4) is not satisfied in full, the balance payable shall be reduced proportionately.

4. The security referred to in Article 11(3) shall be released on condition that definitive entitlement to the advance as paid has been established.

5. Member States shall make the payments referred to in the previous paragraphs within 60 calendar days of receipt of the application for payment. However, that period may be interrupted at any time during the 60 days after the application for payment is first recorded as received, by notifying the contractor concerned that the application is not acceptable either because the amount is not due or because the supporting documents required for all additional applications have not been supplied or because the Member State sees the need for further information or checks. The payment period shall start running again from the date of receipt of the information requested, which must be forwarded within 30 calendar days. Except in cases of *force majeure*, where the above payments are made late, the amount reimbursed to the Member State shall be reduced in accordance with Article 4 of Regulation (EC) No 296/96.

6. Performance securities as provided for in Article 10(3) must remain valid until the balance is paid and shall be released by means of a letter of discharge issued by the competent authority.

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7. Within 60 calendar days of receipt, the Member States shall send to the Commission the summaries referred to in paragraph 2(a) and (b) and the internal evaluation report referred to in paragraph 2(c).

They shall send to the Commission twice a year the quarterly interim reports required for intermediate payments in accordance with paragraph 1: the first and second quarterly reports shall be sent within 60 calendar days of receipt of the second quarterly report and the third and fourth quarterly reports together with the summaries and report referred to in the first subparagraph of this paragraph.

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8. After the balance has been paid, the Member State shall send the Commission a financial statement detailing the expenditure incurred under the contract.

It shall also certify that, in the light of checks carried out, all the expenditure may be considered eligible under the terms of the contract.

9. Any securities forfeit and penalties imposed shall be deducted from the expenditure part-financed by the Community and declared to the EAGGF Guarantee Section.

*Article 13*

1. In particular by means of technical, administrative and accounting checks at the premises of the contractor and the implementing body, the Member States shall take the steps necessary to verify that:

- (a) the information and supporting documents supplied are accurate, and
- (b) all the obligations laid down in the contract have been fulfilled.

Without prejudice to Council Regulation (EEC) No 595/91<sup>(1)</sup>, the Member States shall inform the Commission at the earliest opportunity of any irregularities detected during checks.

2. The Member State concerned shall determine the most appropriate way of checking on the measures covered by this Regulation and shall notify the Commission thereof.

<sup>(1)</sup> OJ L 67, 14.3.1991, p. 11.

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3. In the case of programmes covering more than one Member State, the Member States concerned shall take the necessary steps to coordinate their checks and shall inform the Commission thereof.

4. The Commission may take part at any time in the verifications and checks provided for in paragraphs 2 and 3. To that end, the competent authorities of the Member States shall notify the Commission in good time of verifications and checks planned.

The Commission may also carry out any additional checks it considers necessary.

*Article 14*

1. Where undue payments are made, the beneficiary shall repay the amounts concerned plus interest calculated on the basis of the time elapsing between payment and repayment by the beneficiary.

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The interest rate to be used shall be that applied by the European Central Bank to its principal financial operations in euro, as published in the C series of the *Official Journal of the European Union*, in force on the first calendar day of the month in which the due date falls, increased by three and a half percentage points.

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2. Amounts recovered and the relevant interest shall be paid to the paying agencies or departments and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund in proportion to the Community financial contribution.

*Article 15*

Articles 10, 11, 12, 13 and 14 shall also apply to programmes presented in accordance with Article 7 of Regulation (EC) No 2826/2000.

The contracts for these programmes shall be concluded between the Member States concerned and the selected implementing organisations.

*Article 16*

1. The following provisions are hereby deleted:

- (a) Articles 13, 14, 15, 16 and 17 of Commission Regulation (EEC) No 2159/89 of 18 July 1989 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72 <sup>(1)</sup>;
- (b) Article 6 of Commission Regulation (EC) No 1905/94 of 27 July 1994 on detailed rules for the application of Council Regulation (EC) No 399/94 concerning specific measures for dried grapes <sup>(2)</sup>.

2. The following Regulations are hereby repealed:

- (a) Commission Regulation (EEC) No 1348/81 of 20 May 1981 on detailed rules for applying Council Regulation (EEC) No 1970/80 laying down general implementing rules for campaigns aimed at promoting the consumption of olive oil in the Community <sup>(3)</sup>;
- (b) Commission Regulation (EEC) No 1164/89 of 28 April 1989 laying down detailed rules concerning the aid for fibre flax and hemp <sup>(4)</sup>;
- (c) Commission Regulation (EEC) No 2282/90 of 31 July 1990 laying down detailed rules for increasing the consumption and utilisation of apples and the consumption of citrus fruit <sup>(5)</sup>;

<sup>(1)</sup> OJ L 207, 19.7.1989, p. 19.

<sup>(2)</sup> OJ L 194, 29.7.1994, p. 21.

<sup>(3)</sup> OJ L 134, 21.5.1981, p. 17.

<sup>(4)</sup> OJ L 121, 29.4.1989, p. 4.

<sup>(5)</sup> OJ L 205, 3.8.1990, p. 8.

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- (d) Commission Regulation (EEC) No 3601/92 of 14 December 1992 laying down detailed rules for the application of specific measures for table olives <sup>(1)</sup>;
- (e) Commission Regulation (EEC) No 1318/93 of 28 May 1993 on detailed rules for the application of Council Regulation (EEC) No 2067/92 on measures to promote and market quality beef and veal <sup>(2)</sup>;
- (f) Commission Regulation (EC) No 890/1999 of 29 April 1999 on the organisation of publicity measures relating to the Community system for the labelling of beef and veal <sup>(3)</sup>;
- (g) Commission Regulation (EC) No 3582/93 of 21 December 1993 on detailed rules for the application of Council Regulation (EEC) No 2073/92 on promoting consumption in the Community and expanding the markets for milk and milk products <sup>(4)</sup>;
- (h) Commission Regulation (EC) No 803/98 of 16 April 1998 laying down detailed rules for 1998 for the application of Council Regulation (EC) No 2275/96 introducing specific measures for live plants and floricultural products <sup>(5)</sup>.

3. The Regulations listed in paragraph 2 shall continue to apply to information and promotion programmes approved before the entry into force of this Regulation.

*Article 17*

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

<sup>(1)</sup> OJ L 366, 15.12.1992, p. 17.

<sup>(2)</sup> OJ L 132, 29.5.1993, p. 83.

<sup>(3)</sup> OJ L 113, 30.4.1999, p. 5.

<sup>(4)</sup> OJ L 326, 28.12.1993, p. 23.

<sup>(5)</sup> OJ L 115, 17.4.1998, p. 5.

**▼ M5***ANNEX I*

- (a) List of themes for which information and/or promotion measures may be carried out:
- information about protected designations of origin (PDOs), protected geographical indications (PGIs), guaranteed traditional specialities (GTSs) and the graphic symbols laid down in agricultural legislation,
  - information about organic farming,
  - information about agricultural production systems that guarantee product traceability and the labelling of such products,
  - information on the quality and safety of food and nutritional and health aspects.
- (b) List of products which may be covered by campaigns:
- fresh fruit and vegetables,
  - processed fruit and vegetables,
  - milk products,
  - quality wines psr, table wines with a geographical indication,
  - olive oil and table olives,
  - flowers and live plants,
  - fibre flax,
  - beef and veal, fresh, chilled or frozen,
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- eggs for human consumption.

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## ANNEX III

## GUIDELINES FOR PROMOTION ON THE INTERNAL MARKET

**Information on the Community system of protected designations of origin (PDOs), protected geographical indications (PGIs) and traditional specialties guaranteed (TSGs) and their respective logos**▼ M4

## 1. OVERVIEW OF THE SITUATION

The Community's information campaign in 1996 to 1998 was the first step taken to publicise the existence, meaning and benefits of the two Community systems for protecting agri-foodstuffs with specific characteristics and for increasing their commercial value.

In view of the campaign's short run, recognition of these designations, which now cover more than 600 Community products, should be improved by continuing with the measure to publicise their meaning and benefits. The information will also cover the Community logos created to this end, in particular the logo for PDOs and PGIs created in 1998.

## 2. GOALS

- To provide comprehensive information on the quality system and its effects on protecting the products that have been registered and increasing their commercial value,
- to demonstrate the content and European nature of quality systems for agricultural products and foodstuffs by means of multi-product campaigns for products from a single Member State or from several Member States,
- to encourage producers/processors not yet taking part in the Community quality system to use such a system by conforming to the specifications for the various products registered,
- to stimulate demand for the products concerned by informing consumers and distributors of the existence, significance and benefits of the quality systems and their logos, the conditions under which designations are awarded, the relevant checks and controls, and the traceability system.

## 3. MAIN TARGETS

- Producers and processors, and associations thereof,
- distributors (supermarkets, wholesalers, retail outlets, restaurants), and associations thereof,
- consumers and associations thereof,
- opinion multipliers.

## 4. MAIN MESSAGES

- The product/products has/have specific characteristics associated with its/their geographical origin (PDO/PGI), in particular as regards the elements justifying the link with its/their geographical environment/geographical origin and its/their reputation/renown. Preference will be given to multi-product campaigns for products from a single Member State or from several Member States,
- the product/products has/have specific characteristics associated with its/their particular traditional method of production, regardless of where it is/they are produced (TSG),
- quality aspects (safety, nutritional value and taste, traceability),
- diversity, richness and flavour of the products concerned,
- the presentation of some PGI, PDO or TSG products as examples of the successful commercial enhancement of foodstuffs with special characteristics,
- goals of the system: protecting the products that have been registered and increasing their commercial value, and in particular combating usurpation and imitations of protected designations.

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## 5. MAIN CHANNELS

- Electronic (Internet site),
- PR contacts with the media (specialised, women's and culinary press),
- contacts with consumer associations,
- point-of-sale information,
- audio-visual media,
- written documents (leaflets, brochures, etc.),
- participation at trade fairs and shows,
- publicity in the specialised press,
- for programmes submitted by one or more Member States, information and training actions on the Community systems for PDOs/PGIS/TSGs.

## 6. DURATION OF THE PROGRAMME

Between 24 and 36 months, with targets set for each stage.

## 7. INDICATIVE BUDGET

EUR 4 million.

**▼B****Information on the graphic symbol for the most remote regions****1. OVERVIEW OF THE SITUATION**

The outside evaluation study shows that the Community's 1998-99 information campaign on the graphic symbol (logo) for the most remote regions was received with a great deal of interest on the part of those operating in that sector.

As a result, some producers and processors sought approval for their quality products, so that they could use the logo.

In view of the short run of this first campaign, the time is now ripe to improve the various target-groups' awareness of the logo by continuing the measures to inform them about its meaning and benefits.

**2. GOALS**

- To publicise the existence, meaning and benefits of the logo.
- To encourage producers and processors in the regions concerned to use the logo.
- To improve awareness of the logo among distributors and consumers.

**3. MAIN TARGETS**

- Local producers and processors.
- Distributors and consumers.
- Opinion multipliers.

**4. MAIN MESSAGES**

- The product is typical and natural.
- It originates in a Community region.
- Quality (safety, nutritional value and taste, production method, link with origin).
- The product's exotic nature.
- Variety of the supply, including out of season.
- Traceability.

**5. MAIN CHANNELS**

- Electronic channels (Internet site, etc.).
- Telephone information line.
- PR contacts with the media (e.g. specialised journalists, women's press, culinary press).
- Demonstrations at points of sale, fairs and shows, etc.
- Contacts with doctors and nutritionists.
- Other channels (leaflets, brochures, recipes, etc.).
- Audio-visual media.
- Publicity in the specialised and local press.

**6. DURATION OF THE PROGRAMMES**

24-36 months, with targets set for each stage.

**7. INDICATIVE BUDGET**

EUR 3 million.



**▼B****Organic production****▼M4****1. OVERVIEW OF THE SITUATION**

The consumption of organically produced agricultural products is particularly popular among urban populations, but the market share of these products is still fairly limited.

Levels of awareness among consumers and other interested parties about the characteristics of the organic farming method are still relatively low.

**2. GOALS**

- To encourage the consumption of organic farming products,
- to broaden awareness among consumers, farmers, processors and distributors of organic farming and its products,
- to make the Community rules on organic production methods, the checks performed and the Community organic farming logo known to the public at large.

**3. MAIN TARGETS**

- Consumers in general and specific target groups of consumers,
- farmers, processors and distributors (supermarkets, wholesalers, caterers and canteens, points of sale),
- opinion multipliers.

**4. MAIN MESSAGES**

- Organic products are natural, suited to modern daily living and a pleasure to consume. They result from production methods that respect the environment and animal welfare. The products are subject to stringent production and traceability rules. They are checked for compliance throughout the food chain by independent bodies and public authorities,
- information on the Community logo (which may be supplemented with information on the collective logos introduced in the Member States, provided that their specifications meet stricter conditions than those laid down for the Community logo).

(The messages must be well thought out and positive; messages for consumers must take account of the specific consumption patterns of the different target groups.

Use of the word 'organic' and its equivalent in other languages with respect to food products is protected by law. The Community logo is the symbol for organic products which is understood throughout the European Union and which indicates that the products meet strict EU production criteria and have undergone stringent checks).

**5. MAIN CHANNELS**

- Electronic channels (e.g. Internet site) and audiovisual media,
- telephone information line,
- PR contacts with the media (e.g. specialised journalists, women's press, food industry press, radio and TV broadcasts on organic food products or cookery),
- contacts with doctors, nutritionists, teachers and other specific groups,
- point-of-sale information and demonstrations,
- written documents (brochures, journals, etc.),
- publicity in the general and specialised press.

**6. DURATION OF THE PROGRAMME**

Between 12 and 36 months, giving priority to multiannual programmes that set objectives for each stage.

**7. INDICATIVE BUDGET**

EUR 6 million.

**▼M5****Milk and milk products****1. OVERALL ANALYSIS OF THE SITUATION**

There has been a drop in the consumption of liquid milk, particularly in the major consumer countries, mainly due to competition from soft drinks among young people. By contrast, there is an overall increase in the consumption of milk products expressed in milk equivalent.

**2. GOALS**

- To increase liquid milk consumption
- To consolidate consumption of milk products
- To encourage consumption by young people.

**3. TARGET GROUPS**

- Children and adolescents, especially girls aged eight to 14
- Young women and mothers aged 15 to 40
- People aged over 55.

**4. MAIN MESSAGES**

- Milk and milk products are healthy, natural, high-energy products suited to modern living and enjoyable to consume.
- Messages must be positive and take account of the specific nature of consumption on the different markets.
- The continuity of the main messages must be ensured during the entire programme in order to convince consumers of the benefits to be had from regularly consuming these products.

**5. MAIN CHANNELS**

- Electronic channels
- Telephone information lines
- PR contacts with the media (e.g. specialised journalists for women's and young people's press)
- Contacts with doctors and nutritionists
- Contacts with teachers
- Other channels (leaflets and booklets, children's games, etc.)
- Demonstration at sales points
- Visual media (cinema, specialised TV channels)
- Radio spots
- Publicity in the specialised press (young people and women).

**6. DURATION OF PROGRAMMES**

12 to 36 months, giving priority to multi-annual programmes that set targets for each stage.

**7. INDICATIVE BUDGET**

EUR 6 million.

▼ **M5****Wine****1. OVERALL ANALYSIS OF THE SITUATION**

Wine production is ample while consumption is static or even in decline for certain types of wine, and supply from third countries is on the increase.

**2. GOALS**

To inform consumers about the variety, quality and production conditions of European wines and the results of scientific studies.

**3. TARGET GROUPS**

Consumers, excluding young people and adolescents as referred to in Council Recommendation 2001/458 <sup>(1)</sup>.

**4. MAIN MESSAGES**

- Community legislation strictly regulates production, quality indications, labelling and marketing, so guaranteeing for consumers the quality and traceability of the wine on offer.
- The attraction of being able to choose from an extremely wide selection of European wines of different origins, highlighting the growing of European wines and its link to the local area.
- Drinking wine in moderation in conjunction with a balanced diet.

**5. MAIN CHANNELS**

Information and public relations measures:

- training for distributors and caterers,
- contacts with the medical profession and specialised press,
- other channels (Internet site, leaflets and brochures) to guide consumers in their choice and create opportunities for consumption at family events.

**6. DURATION OF PROGRAMMES**

12 to 36 months, giving priority to multi-annual programmes that set objectives for each stage.

**7. INDICATIVE BUDGET**

EUR 6 million.

<sup>(1)</sup> OJ L 161, 16.6.2001, p. 38.

▼ **M5****Fresh fruit and vegetables****1. OVERALL ANALYSIS OF THE SITUATION**

In this sector, the need to ensure a steady and regular disposal of supply is more pronounced for some products, regardless of the communication measures taken hitherto.

There is a noticeable lack of interest among consumers under 35, which is even stronger among the school-age population. This is not in the interests of a balanced diet.

**2. GOALS**

The aim is to restore the image of the products as being 'fresh' and 'natural' and to bring down the average age of consumers, chiefly by encouraging young people to consume the products concerned.

**3. TARGET GROUPS**

- Young households under 35
- School-age children and adolescents
- Mass caterers and school canteens
- Doctors and nutritionists.

**4. MAIN MESSAGES**

- The products are natural
- The products are fresh
- Quality (safety, nutritional value and taste, production methods, environmental protection, link with the product's origin)
- Enjoyment
- Balanced diet
- Variety and seasonal nature of supply of fresh products
- Ease of preparation: fresh foods require no cooking
- Traceability
- Consuming these products is good for the health.

**5. MAIN CHANNELS**

- Electronic channels (Internet sites presenting the products, with games for young people)
- Telephone information lines
- PR contacts with the media (e.g. specialised journalists, women's press, youth magazines and papers)
- Contacts with doctors and nutritionists
- Educational measures targeting children and adolescents by mobilising teachers and school canteen managers
- Other channels (leaflets and brochures with information on the products and recipes, children's games, etc.)
- Visual media (cinema, specialised TV channels)
- Radio spots
- Publicity in the specialised press (young people and women).

**6. DURATION OF PROGRAMMES**

12 to 36 months, giving priority to multi-annual programmes that set targets for each stage.

**7. INDICATIVE BUDGET**

EUR 6 million.

**▼B****Processed fruit and vegetables****1. OVERVIEW OF THE SITUATION**

There is a structural imbalance on this market which is more pronounced for some products that also face stiff competition from imports and where the attempts at communicating with consumers have met with little success.

In particular it is worth noting that consumers are receptive to processed products because they are easy to prepare. This is therefore a market with growth potential which can also benefit basic production.

**2. GOALS**

The image of the product needs to be modernised and made more youthful, giving the information needed to encourage consumption.

**3. MAIN TARGETS**

- Housewives.
- Mass caterers and school canteens.
- Doctors and nutritionists.

**4. MAIN MESSAGES**

- Quality (safety, nutritional value and taste, preparation methods).
- Ease of use.
- Enjoyment.
- Variety of supply and availability throughout the year.
- Balanced diet.
- Traceability.

**5. MAIN CHANNELS**

- Electronic channels (Internet site).
- Telephone information line.
- PR contacts with the media (e.g. specialised journalists, women's press).
- Demonstrations at points of sale.
- Contacts with doctors and nutritionists.
- Other channels (leaflets and brochures featuring products and recipes).
- Visual media.
- Women's press, culinary press, professional press.

**6. DURATION OF THE PROGRAMMES**

12-36 months, giving priority to multiannual programmes that set objectives for each stage.

**7. INDICATIVE BUDGET**

EUR 3 million.

**▼ M1****Live plants and flower products****1. OVERVIEW OF THE SITUATION**

The supply situation in the sector is increasing competition between products from within the Community and products from third countries.

The evaluation studies of the promotion campaigns carried out from 1997 to 2000 suggest that, in order to facilitate the sale of Community production within the European Union, the whole chain from producer to distributor needs to be better organised and rationalised, and consumers should be better informed about the intrinsic qualities of products.

**2. GOALS**

- To increase the consumption of flowers and plants of Community origin.
- To rationalise the industry of each Member State and keep participants more informed at all stages, in particular encouraging practices which benefit the environment.
- To strengthen the partnership between professionals from several Member States, allowing, amongst other things, the most advanced knowledge in the sector to be shared, and certain specific products to be developed.

**3. MAIN TARGETS**

- Producers
- Nurseries
- Distributors
- Students
- Opinion multipliers: journalists, teachers
- Consumers.

**4. MAIN MESSAGES**

- Quality of European products
- Environmentally-friendly production methods
- Techniques aiming for more durable products
- An optimum mix of varieties of plants and flowers.

**5. MAIN CHANNELS**

- Fairs and exhibitions: stands representing products of several Member States
- Training measures for professionals, consumers and students
- Shared knowledge leading to greater product durability
- Consumer information measures through the press, and also through initiatives such as catalogue publishing, gardeners' calendars, and possibly a 'plant of the month' campaign: measures to promote pot plants
- Increased use of electronic media (Internet, CD-ROM, etc.).

**6. DURATION OF PROGRAMME**

Twelve to 36 months, giving priority to programmes presenting a strategy and properly justified objectives for each stage.

**7. INDICATIVE BUDGET**

EUR 4 million.

▼ **M5****Olive oil and table olives****1. OVERALL ANALYSIS OF THE SITUATION**

While the supply of olive oil and table olives is on the increase, demand for these products varies widely between traditional consumer markets and those where they are a relatively new phenomenon.

In the traditional consumer Member States (Spain, Italy, Greece and Portugal), the products concerned are generally well-known and consumption is high. In other words, these are mature markets where there is little prospect of any overall increase in demand.

In the 'new consumer' Member States, per capita consumption is still low and many consumers do not yet know about the different qualities and uses of olive oil and table olives. This is the market where there is major scope for increasing demand.

**2. GOALS**

- To increase consumption in the 'new consumer' Member States by increasing market penetration and diversifying the use of these products.
- To consolidate and, where possible, increase consumption in the traditional consumer Member States by improving information to consumers about aspects which remain little known and getting young people into the habit of buying the products.

**3. TARGET GROUPS**

- (a) In the 'new consumer' Member States:
- Chief purchasers
  - Opinion formers (gastronomes, chefs, restaurants, general and specialised press (gastronomy, women's, various styles))
  - Distributors.
- (b) In the 'traditional consumer' Member States:
- Chief purchasers aged 20 to 35
  - Consumer press
  - Medical and paramedical press.

**4. MAIN MESSAGES**

- (a) In the 'new consumer' Member States:
- olive oil, in particular extra virgin oil, is the natural product of an ancient tradition and know-how ideally suited to a highly-flavoured modern cuisine,
  - tips for daily use (hot and cold) throughout the year,
  - the different quality categories and variety of flavours of olive oil,
  - the organoleptic characteristics of virgin olive oil (aroma, colour, taste) vary subtly between varieties, areas, harvests, PDOs/PGIs, etc. This diversity offers a wide range of culinary sensations and possibilities,
  - the nutritional qualities of olive oil make it an important part of a balanced and health diet,
  - information on the quality control, certification and labelling system for olive oil,
  - table olives are a natural and healthy product, which can be eaten as snacks or in complex dishes.
- (b) In the 'traditional consumer' Member States:
- the different categories of olive oil and the specific features of virgin oils,
  - the meaning and advantages of the Community PDO/PGI system and information about all the olive oils and/or table olives registered as PDOs/PGIs throughout the Community,
  - information on the quality control, certification and labelling system for olive oil,



▼ M5

- despite its long history, olive oil is a modern product with both nutritional and culinary value,
- the characteristics of the different varieties of table olives.

Without prejudice to Article 2(3), information on the nutritional qualities of olive oil must be based, in particular, on the documentation produced for the seventh olive oil promotional campaign and validated by the Commission's scientific assistant.

## 5. MAIN CHANNELS

(a) In the 'new consumer' Member States:

- The Internet
- Promotion at points of sale (tasting, recipes, information)
- Publicity (or publicity editorials) in the general, culinary, women's and lifestyle press
- Public relations with opinion formers (specialised journalists, chefs, etc.).

(b) In the 'traditional consumer' Member States:

- The Internet
- Publicity (or publicity editorials) in the specialised press (women's, culinary, etc.) focusing on updating the product's image
- Promotion at points of sale
- Public relations and PR contacts with the press (events, participation in consumer shows, etc.)
- Joint actions taken with the medical and paramedical profession.

## 6. DURATION OF PROGRAMMES

12 to 36 months, giving priority to programmes that set a properly reasoned strategy and objectives for each stage.

However, pending all the results of the external evaluation of the seventh campaign, programmes approved in 2003 will last for 12 months.

## 7. INDICATIVE BUDGET

EUR 6 million, broken down as follows:

- 70 % for programmes to be implemented in one or more 'new consumer' Member States,
- 30 % for programmes to be implemented in one or more 'traditional consumer' Member States.

▼ M5**Fibre flax**

## 1. OVERALL ANALYSIS OF THE SITUATION

The liberalisation of international trade in textiles and clothing has brought European flax into contact with sharp competition with flax from outside the Community, offered at very attractive prices, and other fibres. At the same time, consumption of textiles is tending to stabilise.

## 2. GOALS

- To develop the image and reputation of European flax
- To increase consumption of this product, as identified by the 'Masters of Linen' mark
- To capitalise on the distinctive qualities of European flax, as identified by the mark
- To inform consumers about the characteristics of new products placed on the market.

## 3. TARGET GROUPS

- Prescribers (stylists, designers, makers, editors)
- Distributors
- Textiles, fashion and interior design education circles (teachers and students)
- Opinion leaders
- Consumers.

## 4. MAIN MESSAGES

- The quality of the product comes from the conditions in which the raw material is produced, the use of suitable varieties and the know-how brought to bear all along the production chain.
- European flax offers a wide range of products (clothing, decoration, household linen) and a wealth of creativity and innovation.
- The 'Masters of Linen' mark, based on compliance with specifications, identifies top-quality European flax in the light of criteria relating to specific production and processing conditions in the European Community, from crop to cloth.

## 5. MAIN CHANNELS

- Electronic channels (Internet sites)
- Professional shows
- Information measures targeting users downstream (designers, makers, distributors, editors)
- Information at sales points
- Relations with the specialist press
- Educational information measures in fashion schools, textile engineer courses, etc.

## 6. DURATION OF PROGRAMMES

12 to 36 months, giving priority to multiannual programmes that set objectives for each stage.

## 7. INDICATIVE BUDGET

EUR 1 million.

▼ M5**Beef and veal**

## 1. GOALS

The aim of the communication programme is to restore confidence in the beef and veal market by coordinated efforts in the Member States concerned. It is to be a flexible programme: the objectives and broad structure will be common to all, but the particular combination of elements and the timing will vary from Member State to Member State as the situation demands. There is a need for consistency, but not uniformity. The programme will cover all beef markets.

The body responsible for the programme must be identified in each Member State. A point of contact is also to be provided.

The programme should address consumers' concerns and reassure them about beef and veal.

The information campaign

The campaign will concentrate on reassuring consumers, who need to know that European and national legislation lays down rules to ensure product safety (e.g. traceability and labelling) and provides effective control throughout the production chain.

The campaign will operate at three levels: European Union, national authorities, and the private sector.

The content and meaning of any national or private labels used should be explained.

All material is to give the addresses of the European and national websites.

## 2. MAIN MESSAGES

- Beef and veal is nutritious and subject to regulation
- Effective safety measures are in place, including checks
- Beef and veal labelling is designed to reassure consumers
- More information is available if the consumer would like it.

## 3. TARGET GROUPS

A. **Individual consumers**

- The key consumer audience is women aged 25 to 45, with children, living in urban areas. These women are the core of the food-buying market.
- A second target group is single people and couples aged under 35 with good purchasing power, whose product choice is guided by convenience and taste.

B. **The institutional market (schools, hospitals, catering providers, etc.)**

The specialised press and consumer associations are also directly involved as opinion multipliers.

## 4. MAIN CHANNELS

- e-tools (Internet),
- telephone information line,
- contacts with media (e.g. consumer journalists, scientific and specialised press), conferences, question-and-answer sessions given by independent food safety experts. These sessions will involve traders, consumer groups and other institutional market entities,
- print media (e.g. consumer magazines, regional press, leaflets, brochures, etc.),
- visual media, such as poster advertising, point-of-sale materials, TV,
- radio.

## 5. INDICATIVE BUDGET

EUR 6 million.

**▼ M6****Eggs for human consumption****1. OVERALL ANALYSIS OF THE SITUATION**

From 1 January 2004, eggs intended for human consumption shall be stamped on the shell with a code identifying the producer and the system employed to rear the laying hens. This code shall be composed of a number identifying the farming method (0 = organic, 1 = free range, 2 = barn, 3 = cage), the ISO code of the Member State where the production centre is situated and a number allocated to the production centre by the relevant authority.

**2. GOALS**

- To inform the consumer of the new standards for marking eggs and fully explain the meaning of the code printed on eggs.
- To provide information on egg-production systems by means of the code printed on eggs.
- To provide information about existing traceability systems.

**3. TARGET GROUPS**

- Consumers and distributors.
- Opinion leaders.

**4. MAIN MESSAGES**

- To publicise and explain the new code printed on eggs in compliance with Directive 2002/4/EC, and the characteristics of the different categories of eggs to which this code refers.

**5. MAIN CHANNELS**

- Electronic channel (website, etc.).
- Printed material (brochures, leaflets, etc.).
- Information at sales points.
- Advertising in the press and in food magazines, women's magazines etc.
- Relations with the media.

**6. DURATION OF THE PROGRAMME**

12 to 24 months.

**7. INDICATIVE BUDGET**

EUR 4 million.