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Prepared By: Anna Galica, Jolanta Figurska, Mira Kobuszynska

Approved By: Levin Flake

Report Highlights:

Poland is a European Union (EU) Member State and applies all EU regulations pertaining to imports of food and feed products. U.S. food and feed suppliers to Poland should verify with local importers and appropriate U.S. regulatory agencies regarding the most current local requirements prior to shipment.

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Disclaimer

This report was prepared by U.S. Embassy Warsaw's Office of Agricultural Affairs (FAS/Warsaw) for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate, either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

The following Food and Agricultural Import Regulations and Standards (FAIRS) Report should also read in conjunction with the 2023 EU FAIRS report prepared by the Foreign Agricultural Service at the U.S. Mission to the EU (FAS/USEU). The EU FAIRS report is available on their [webpage](#).

FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Executive Summary

Poland is an EU Member State and applies all relevant EU regulations pertaining to food and feed imports. This report provides an overview of the general EU food and feed legislation currently in force, as well as national rules applied in the country. Polish regulations specify the competent authorities responsible to execute implemented EU provisions and perform official controls.

Poland uses national voluntary labeling schemes for a “Made-in-Poland” label as well as a “GMO-free” label. National guidelines were also set for voluntary “Lactose-free” labeling.

In 2006 Poland passed legislation banning GE plant cultivation and use of animal feed containing ingredients enhanced through biotechnology. In practice, the ban on GE feed ingredients was postponed by the Polish Parliament several times. Recently, Poland’s Parliament prolonged another suspension of the ban until January 1, 2025.

In 2023 the EU provisions on reducing packaging waste were implemented in Poland by the amendment of the 2001 Act on the obligations of entrepreneurs regarding the management of certain waste and on the product fee and the amendment of the 2013 Act on packaging and packaging waste management. Both amendments aim to reduce the amount of waste generated, in particular plastic waste, by increasing their selective collection and recovery by introducing a deposit system in Poland binding for producers starting January 1, 2025. Moreover, both regulations expand the responsibility of producers of individual goods, and in particular they impose new obligations on them involving additional financial burdens.

U.S. food and feed suppliers to Poland should verify with local importers and appropriate U.S. regulatory agencies regarding the most current local requirements prior to shipment.

Section I. Food Laws:

Poland follows EU regulations governing food and agricultural imports specified within [General Food Law EC/178/2002](#). The EU's General Food Law (GFL) establishes general standards and requirements which are harmonized by Member States at the national level. The Government of Poland (GOP) is responsible for ensuring that the entire food and agricultural value chain is compliant with EU regulations.

The GFL established the European Food Safety Authority (EFSA) as an independent body that provides scientific analysis regarding food safety to the European Commission (EC). EFSA coordinates risk assessments and identifies emerging food safety risks in the EU, conducts crisis management, and collects and publishes food safety data within Member States. EFSA resources are available to all Member States and to other countries which apply EU food safety standards. See [here](#) for more information.

[EU food safety policy](#) is concentrated in four main areas of protection:

- Food hygiene: monitoring of compliance with EU food law, including by food imported to the EU. This applies to all food businesses, from farms to restaurants.
- Animal health: applying sanitary controls and measures for pets, farmed animals and wildlife, monitoring and managing diseases, and tracing the movement of all farm animals.
- Plant health: detection and eradication of pests at an early stage that prevents spreading and ensures healthy seeds.
- Contaminants and residues: keeping contaminants away from food and animal feed. Maximum acceptable limits apply to domestic and imported food and feed products.

The extensive EU laws cover the entire food production and processing chain within the EU, as well as imported and exported goods. Member States implement these harmonized standards and establish controls to enforce them. The EU audits the application and effectiveness of the laws and controls and provides training to the responsible EU and international authorities.

Current Polish Food Laws

On May 25, 2023 Poland [announced](#) the consolidated version of its 2006 Act on Food Safety and Nutrition (in Polish), which serves as the basis for Poland's regulatory framework for food safety and nutrition, including sanitation and hygiene conditions applicable to food products, packaging and materials, and products that have contact with food. The Act is composed as follows:

- General provisions and definitions
- Sanitary and labeling requirements for food
- Foodstuffs and children feeding in educational establishments
- Materials and products intended for contact with food
- Hygiene requirements
- Official controls on food
- Institutional cooperation for food safety
- Liability for harms caused by foods
- Criminal provisions and penalties
- Amendments to provisions in force, transitional, and final provisions

The Act implements the provision of the EU's General Food Law into the Polish legal system.

Food Authorities in Poland

Poland's primary food safety and related regulatory bodies include:

The State Sanitary Inspection (*Państwowa Inspekcja Sanitarna* [PIS]) reports to the Minister of Health (MOH) and supervises food quality, materials, and products intended for contact with food. Food safety oversight (not including production establishments) is managed by inspectors from Sanitary Epidemiological Stations in their respective districts.

The Veterinary Inspection (*Inspekcja Weterynaryjna* [IW]) reports to the Minister of Agriculture and Rural Development (MARD) and regulates animal health, food safety of products of animal origin, and international trade of food and feed products of animal origin.

The State Plant Health and Seed Inspection (*Państwowa Inspekcja Ochrony Roślin i Nasiennictwa* [PIORIN]) reports to MARD and regulates plant health, international trade of plants and plant products, the application and production of agrochemicals, other plant-protection inputs, and seed trade.

The Agricultural and Food Quality Inspection (*Inspekcja Jakości Handlowej Artykułów Rolno-Spożywczych* [IJHARS]) reports to MARD and performs all tasks specified in the Act of Commercial Quality of Agricultural Food Products, and other national and EU regulations including:

- Quality control of food in production and sales, including exported products
- Quality control of imported food products, including border control of these articles
- Evaluation and issuance of certificates of food quality
- Regulation of food storage and transportation conditions
- Coordination with officials in other countries, exchanges information and food samples

The Office of Competition and Consumer Protection (*Urząd Ochrony Konkurencji i Konsumentów* [UOKiK]) is the central antitrust and consumer protection authority. UOKiK regulates mergers to prevent monopolistic situations, or similarly, to dissolve cartels that negatively affect consumers.

Section II. Labeling Requirements:

General Requirements

The standard U.S. label fails to comply with EU labeling requirements. On December 13, 2014, the EU's "[Food Information to Consumers \(FIC\) Regulation 1169/2011](#)" became applicable to all pre-packaged food and drink products marketed in the EU, including those imported from third countries. The mandatory nutrition declaration requirement introduced by the FIC regulation became applicable on December 13, 2016.

To assist food business operators in complying with the EU's food labeling rules, the European Commission, as well as several Member State authorities and EU food federations, have published guidance documents.

- European Commission: [Notice on questions and answers on the application of Regulation 1169/2011 on the Provision of Food Information to Consumers](#) (June 2018)
- European Commission: [Infographic on the new labeling rules](#)

- FoodDrink Europe (EU Food and Drink Industry Confederation): [Guidance on the Provision of Food Information to Consumers](#)

U.S. exporters are strongly advised to check for additional requirements with their importers.

In December 2020 the European Commission published a roadmap outlining its intention to advance a legislative proposal to [revise](#) Regulation (EU) 1169/2011. A legislative proposal was expected in the fourth quarter of 2022 but has still not been released.

Additional information pertaining to general EU food labeling requirements can be found in the [2023 EU FAIRS report](#).

Basic Laws on Food Labeling in Poland

In Poland, food labeling requirements are defined by:

- the Act of August 25, 2006, on the Food Safety and Nutrition (consolidated text: [Polish Journal of Laws 2023, item 1448](#))
- the Act of December 21, 2000, on the Commercial Quality of Food Products (consolidated text: [Polish Journal of Laws 2023, item 1980](#)), and
- the Regulation of MARD of December 23, 2014 on Labeling of the Specific Types of Foodstuffs ([Polish Journal of Laws 2015, item 29](#), as amended)

Compulsory Information on Labels

Article 9 of FIC Regulation 1169/2011 sets out the list of mandatory declarations on food and drink labels:

- Name of the food
- List of ingredients
- Allergens listed in Annex II
- Quantity of certain ingredients or category of ingredients
- Net quantity of the food
- Date of minimum durability or “use by date”
- Any special storage conditions and/or conditions of use
- Name of business and address of the food business operator under whose name the food is marketed. If that operator is not established in the EU, the name and address of the importer
- Country of origin or place of provenance in accordance with the provisions of Article 26
- Instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions
- Alcoholic strength by volume for beverages containing more than 1.2% by volume of alcohol
- Nutrition declaration

Poland follows EU rules, with the specification that compulsory information must appear in Polish on a label (stickers are permitted). The label information has to be in line with [Article 9 of FIC regulation 1169/2011](#) and must be marked in such a way that it is easily visible and clearly legible. Article 13 of the FIC regulation specifies that the minimum font size for printing mandatory information on food and drink labels is 1.2 millimeters.

[Examples](#) (in Polish) of the labels containing compulsory information for pork sausage, cheese, honey, strawberry jam, apple juice, and bread are available on the website of IJHARS.

Labeling Irregularities

The most frequent and common irregularities in labeling found during store inspections by Polish authorities include:

- Mandatory label information presented using smaller font than specified in applicable regulations
- Lacking complete manufacturer identification, including physical address and/or contact information
- Incorrect ingredient information, including incomplete list of ingredients, lack of information on allergenic ingredients, food additives, overstatements in meat content, or ingredients not indicated in descending order
- No percentage of ingredients specification used in production, such as lack of hazelnuts content in "milk chocolate with hazelnuts"
- Providing misleading claims or information regarding composition or product method, such as using the term 'Bio' on non-organic products, or unsubstantiated claims that the product is environmentally friendly
- Using label graphic to suggest that a product is somehow different than it is
- Improper use of the product name, such as "wine" in relation to fermented wine
- Lacking the name and qualitative characteristics (grade, size, sorting information) for horticultural products.

Other Specific Labeling:

Made-in-Poland Voluntary Labeling

As of January 1, 2017, new regulations on voluntary marking of foodstuffs with the words "*Produkt Polski*" (*Made in Poland*) went into effect in Poland. Manufacturers can place the "*Produkt Polski*" logo on products produced in Poland with the use of Polish raw materials and containing no more than 25 percent of components derived from imported ingredients (this percent does not include water content). Meat marketed with the "*Produkt Polski*" label should be derived from animals born in Poland and whose breeding and slaughter took place in Poland.

GMO-free Voluntary Labeling

The rules for labeling products as free from genetically modified organisms (GMOs) are set forth in the 2019 Law on the Labeling of Products Produced without the Use of Genetically Modified Organisms as GMO-free (consolidated text [Polish Journal of Law 2021, item 763](#)). GMO-free labeling is entirely voluntary and applies to the following product groups:

- Foods of plant origin, but only those that have genetically modified counterparts approved for the EU market that have been entered in the European Commission's register of genetically modified food and feed (i.e., corn, canola, soybeans, sugar beets, and cotton)
- Food of animal origin (e.g., meat, milk, eggs) obtained from animals or from animals fed with GMO-free feed during the grace period preceding its acquisition, and the feeding process of these animals was documented
- Multi-ingredient food, all whose ingredients are products of animal and plant origin will meet the conditions specified for labeling them as GMO-free, representing at least 50 percent of the

total weight of all ingredients at the time of use, not counting the weight of water used as an ingredient for production

- Feed.

The law does not cover labeling as GMO-free seed, fertilizers, cosmetics, or crop protection products used in plant production.

In the case of food that contains, consists of, or was produced from GMOs listed in the GMO food and feed register, it is allowed to be labeled as GMO-free if the content of genetic modification in that GMO is no more than 0.1 percent, and the presence of GMOs in that food is accidental or technically unavoidable.

Lactose-Free Voluntary Labeling

Legal provisions in the area of food safety, both at the EU and national level, do not currently contain detailed requirements for labeling foodstuffs for general consumption with messages referring to the absence, low or reduced content of lactose (such as "lactose free", "does not contain lactose").

Provisions regarding allergens have been developed at European Union level only for the labeling of food with no or low gluten content. One of the important reasons for the lack of legal regulations on the lactose-free labeling is the high variability of individual lactose tolerances. Therefore, the use of the lactose-free claim should comply with the general food labeling requirements.

Following [guidance](#) (in Polish) from PIS, pursuant to Article 7 of EU Regulation 1169/2011, the information on food shall not be misleading, in particular as to the properties and composition of the food, by ascribing to the food an activity or properties that it does not possess, or by suggesting that the food has special properties, when in fact all similar foods have such properties, especially by specifically emphasizing the presence or absence of certain ingredients or nutrients. Therefore, highlighting information about the absence of lactose in a food by using messages such as "lactose-free" is only justified if the final product does not contain lactose, and if the consumer could expect the presence of lactose in a given product (for example in milk and dairy products in which lactose is normally present).

Bearing in mind the safety of food labeled as "lactose-free", food business operators placing such information in the labels, advertising or presentation of foodstuffs should have documentation confirming the absence of lactose. Confirmation that a given food does not contain lactose may be the implemented internal control procedure established by the establishment based on a risk assessment, as well as the results of laboratory tests of raw materials and/or products performed with the frequency set in the internal control procedure by the manufacturer who is responsible for food safety.

Due to the lack of regulations regarding the maximum lactose content in products labeled as "lactose-free", for this type of product, the lowest and safest possible value for the consumer should be taken, specifically, the value of 0.01 percent (10 milligram of lactose per 100 gram of product).

Medical/Health/Nutrition Claims

Regulation No. 1924/2006 concerning nutrition and health claims in food products applies to nutrition and health claims made in commercial communications, whether in the labeling, presentation or advertising of food intended for final consumers. This regulation also applies to food intended for restaurants, hospitals, schools, canteens, and similar mass catering institutions. The use of nutrition and

health claims is voluntary and the responsibility for their use rests with the food business operator, who is obliged to provide all relevant information justifying the use of the claim during an official control.

Based on Regulation 1924/2006, the EC issues regulations and implementing decisions regarding, among other things, the authorization or rejection of individual claims. A continuously updated list of approved (and rejected) health claims, along with the legal acts concerning the authorization/rejection of individual claims, can be found in the EC's [register](#).

In accordance with the Polish 2006 Act on the Food Safety and Nutrition, food products can be labeled with nutrition and health claims if they comply with the EU provisions of Regulation (EC) No. 1924/2006.

The provisions of Regulation No. 1924/2006 (recital 21 of the preamble) and Regulation No. 432/2012 (recital 9 of the preamble) provide for the possibility for food business operators to slightly modify the wording of health claims (so-called flexible wording). The purpose of the modification should be to make it easier for the consumer to understand the content of the claim, taking into account factors such as language and cultural differences, as well as the type of target population. However, the modified wording of the statement must not be misleading and reinforce the message (e.g., suggest treatment). It is recommended that the wording of the statement used by the trader should be as close as possible to the authorized one. [Guidelines](#) (in Polish) with a set of good practices for the use of flexible statement wording can be found on the PIS website.

Plant-based Meat and Dairy Alternatives

As regards the plant-based meat and dairy alternatives, Poland follows the EU rules. To date, there is no EU-harmonized definition of the terms “vegetarian” and “vegan” and no specific requirements for the labeling of plant-based meat and dairy alternatives. In July 2017, the European Court of Justice (ECJ) ruled that plant-based products cannot be labeled with dairy names such as “cheese,” “butter” or “milk”. The ECJ based [its ruling](#) on [Regulation 1308/2013](#), which defines definitions and designations that may only be used for the marketing of dairy products. A list of exceptions for non-dairy products that may be labeled with reserved dairy names was established by [Commission Decision 2010/791](#). Detailed information can be found in the [2023 EU FAIRS report](#).

Section III. Packaging and Container Regulations:

Size and Content

[Council Directive 76/211/EEC](#) specifies the maximum tolerable error between the actual content weight and the quantity indicated on the label. [Directive 2007/45/EC](#) abolished regulations on mandatory pack sizes at both EU and national levels. Under this Directive, only wine and spirits have defined package sizes, except for *shochu* bottled in Japan. Mandatory nominal quantities for wines and spirits are set out in the Annex to Directive 2007/45/EC.

Poland follows EU size and content regulations. Detailed information can be found in the [2023 EU FAIRS report](#).

Packaging Waste Management

Member States are required to reduce packaging waste and must introduce systems for reuse, recovery, and recycling of packaging materials. Council Directive 94/62/EC harmonizes national measures concerning the management of packaging and packaging waste and its impact on the environment. Commission Decision 97/129/EC regulates collection, reuse, and recovery, including recycling, a voluntary identification system for packaging. An overview of current EU packaging and related waste regulations is available on the EC's [website](#).

Poland follows EU packaging waste management regulations. Detailed information can be found in the [2023 EU FAIRS report](#).

Reducing Packaging Related Waste

In May 2018 the European Commission proposed new rules to target the ten single use plastic products most often found on Europe's beaches and seas, as well as lost fishing gear. The ban of certain products could also affect food packaging. Some provisions of [Directive \(EU\) 2019/904](#) to reduce the impact of certain plastic products on the environment, such as the ban on single-use plastics, went into effect on July 3, 2021. This was the deadline for Member States to transpose the directive into national laws, regulations, and administrative provisions. Other provisions in the Directive, such as the extended producer responsibility, will take effect by the end of 2024. Detailed information can be found in the [2023 EU FAIRS report](#).

In Poland, the EU provisions were implemented in 2023 by the amendment of the 2001 Act on the obligations of entrepreneurs regarding the management of certain waste and on the product fee ([Polish Journal of Law of 2023, item 877](#)) and the amendment of the 2013 Act on packaging and packaging waste management and certain other acts ([Polish Journal of Law of 2023, item 1852](#)). Both amendments aim to reduce the amount of waste generated, in particular plastic waste, by increasing their selective collection and recovery by introducing deposit system in Poland binding for the producers starting January 1, 2025. Under the deposit system, recycled plastic bottles up to three liters of volume, metal cans up to one liter of volume, and glass bottles up to 1.5 liters of volume will need to be labeled with a marking indicating the amount of deposit. Moreover, both regulations expand the responsibility of producers of individual goods - in particular, they impose new obligations on them involving additional financial burdens.

Materials in Contact with Food Products

Regulation 1935/2004 specifies the main requirements for all materials which come in contact with food products. It also establishes labeling and traceability requirements and the EFSA's authorization procedures. Annex I to Regulation 1935/2004 lists the group of materials that may be subject to specific measures, which may require additional steps and include lists of authorized substances and materials. A summary of EU and national legislation as well as guidance documents and contact information with regard to the submission of applications for authorization can be downloaded from the EC's [website](#).

Detailed information on general EU regulations can be found in the [2023 EU FAIRS report](#).

Polish Regulations on Materials in Contact with Food Products

In Poland, EU provisions are directly applied, and the 2006 Act on Food Safety and Nutrition regulates the requirements for food-contact-material producing establishments in Poland and designates PIS as the competent authority to perform official controls.

In accordance with Article 55 of the 2006 Act on Food Safety and Nutrition, materials and articles intended to come into contact with food marketed in Poland must be labeled in Polish. Materials and products may additionally be labeled in other languages.

Section IV. Food Additive Regulations:

The EU's "Package on Food Improvement Agents" includes four Regulations: [Regulation 1331/2008](#) (amended by [Regulation \(EU\) 2019/1381](#) on the transparency and sustainability of the EU risk assessment in the food chain) establishes a common authorization procedure for food additives, food enzymes, and food flavorings, [Regulation 1332/2008 on food enzymes](#), [Regulation 1333/2008 on food additives](#) and [Regulation 1334/2008 on flavorings](#). Only additives included in the EU's positive list may be used in food products marketed in the EU. Inclusion in the EU positive list is based on a risk assessment by the European Food Safety Authority (EFSA).

[Commission Implementing Regulation 234/2011](#) explains in detail how applications to update the EU positive lists should be drafted (content, data requirements, and presentation). EFSA then verifies the suitability of the data. It has also been adjusted by [Commission Implementing Regulation \(EU\) 2020/1823](#) to accommodate the changes linked to [Regulation \(EU\) 2019/1381](#) on the transparency and sustainability of the EU risk assessment in the food chain. These new provisions went into effect on March 27, 2021.

Annex II to [Food Additives Regulation 1333/2008](#) lists all additives approved for use in foods and their conditions for use. The authorized uses of additives are listed according to the category of food to which they may be added. Annex I to regulation 1333/2008 lists the definitions of 26 different categories of food additives. Only additives included in the EU's positive list are authorized under specific conditions. An important difference from U.S. legislation is that the EU does not allow the use of flour bleaching agents chlorine, bromates, and peroxides.

Annex III to Regulation 1333/2008 contains a second list of food additives approved for use in food ingredients such as other food additives, food enzymes, food flavorings, and nutrients. [Commission Regulation 231/2012](#) sets out specifications for food additives listed in Annexes II and III. Member States may continue to prohibit the use of certain categories of food additives in traditional foods listed in Annex IV to regulation 1333/2008.

In 2016, EFSA completed a re-evaluation of EU-approved food colors. As a result, Annex V to Regulation 1333/2008 was amended to introduce mandatory labeling information for six food colors: Quinoline Yellow (E104), Sunset Yellow (E110), Ponceau 4R (E124), Tartrazine (E102), Azorubine/Carmoisine (E122) and Allura Red AC (E129). Foods containing these colors must be labeled "may have an adverse effect on activity and attention in children." [Commission Regulation 232/2012](#) lowered the limits for food colors Quinoline Yellow (E104), Sunset Yellow (E110) and Ponceau 4R (E124). Food color Red 2G (E 128) was removed from the EU's positive list.

On January 14, 2022, the European Commission adopted [Commission Regulation \(EU\) 2022/63](#), which bans the use of titanium dioxide (TiO₂ also known as E171) as a food additive in food products. Foods containing titanium dioxide (E171) that were produced according to the rules applicable up until

February 7, 2022 might have continued to be sold in the market until August 7, 2022. After that date, they may remain on the market until their date of minimum durability or 'use by' date and from then a full ban applies.

On July 20, 2023, [Regulation \(EU\) 2023/1329 amending the specification for glycerol \(E 422\), polyglycerol esters of fatty acids \(E 475\) and polyglycerol polyricinoleate \(E 476\)](#) entered into force. [Regulation \(EU\) 2023/1428 amending the specification for mono- and diglycerides of fatty acids \(E 471\)](#) entered into force on July 30, 2023.

The EC's [food additives database](#) provides detailed information on the different food additives allowed in the EU. More information on the use of food additives can be obtained from the European Commission's website at https://ec.europa.eu/food/safety/food_improvement_agents/additives_en.

Poland follows EU food additive regulations. Detailed information on EU food additive regulations can be found in the [2023 EU FAIRS report](#).

Section V. Pesticide and Other Contaminants:

Plant Protection Products

Regulation 1107/2009 establishes rules for the authorization of plant protection products (PPPs). PPPs (i.e., pesticides) must contain active substances approved on the active substances list as established under [EU Commission Implementing Regulation No 540/2011 of May, 2011](#) and authorized for use in the EU.

Rules for marketing and using pesticides in Poland are regulated by the Law on plant protection products of March 8, 2013 (consolidated text: [Polish Journal of Laws of 2023, item 340](#)).

Basic rules for the protection of plants against harmful organisms are available in the Act on Protection of Plant against Harmful Organisms of February 13, 2020 (consolidated text: [Polish Journal of Laws of 2022, item 2056](#)).

Official Controls on Plant Protection Products (PPPs) and their Residues in Food

The rules for placing plant protection products on the market and packaging are set out in the provisions of Regulation (EU) 2017/625 on official controls, Regulation (EU) No 1107/2009 on the placing of plant protection products on the market, and the 2013 Polish Act on plant protection products.

In Poland, PIORIN is the competent authority for supervision of marketing and use of PPPs in the field. As regards imported PPPs, the National Revenue Administration, in cooperation with PIORIN, is responsible for import controls.

PIS is responsible for official controls on residues of PPPs in food. A multi-annual residue control plan is in place. Samples are taken at all marketing stages, including at import. Pesticide residues form an integral part of the plan for official control of food. The plan specifies the number of samples to be taken by each district office of PIS, the commodities to be sampled, the scope of the laboratory analysis for the different commodities, and the analytical methods. The district offices of PIS and, for imports, the border officer of PIS, are responsible for inspections, sampling, and follow-up.

Official Controls on Contaminant Residues in Animal Products

IW is the competent authority for the control of residues in live animals and animal products. They draft (with the help of the National Veterinary Research Institute), approve, and supervise execution of the annual National Residue Control Plan (NRCP). On the basis of the NRCP, more detailed plans, tailored to each region, are prepared and distributed to the regional and border offices of IW. These plans contain details on the number of samples to be taken at district level, and the relevant matrix.

The border offices of IW are responsible for sampling food of animal origin imported from non-EU countries. They take official samples for residues and microbiological contamination.

Section VI. Other Requirements, Regulations, and Registration Measures:

On January 1, 2021, Poland's so-called "sugar tax" entered into force. The sugar tax is on beverages containing: sugars (monosaccharides or disaccharides), substances used for their sweetening properties (sweeteners) and caffeine or taurine. The tax consists of a fixed and variable component. The fixed component amounts to PLN 0.50 (\$0.12) for the content of sugars in an amount equal to or less than 5 g in 100 ml of beverage or for the content of at least one sweetener (in any amount). The variable component consists of fee which amounts to PLN 0.05 (\$0.012) for each gram of sugar above 5g/100ml, expressed per liter. Fee of PLN 0.01 (\$0.0025) per liter is added for beverages containing caffeine and/or taurine. Beverages where mass proportion of fruit, vegetable or fruit/vegetable juice constitutes not less than 20 percent of ingredients, as well as carbohydrate electrolyte drinks, in which the content of sugars is above 5 g per 100 ml of beverage are only assessed the variable tax amount. The fees add up, but the maximum amount of fee cannot exceed PLN 1.2 (\$0.30) per 1 liter of beverage.

Poland applies a Value Added Tax (VAT) for agricultural and food products either imported or produced domestically. Poland's VAT ranges from 0 to 23 percent depending on the product's level of processing. However, on February 1, 2022, the GOP introduced measures under "Anti-inflation Shield 2.0" including, among other things, implementation of 0 percent VAT for basic foods. Foods covered by the "Anti-inflation Shield" include dairy, produce, meat, fish, fruits, vegetables, plant-based drinks, cereals, and bakery products. With approval from the European Commission, the GOP extended the 0 percent VAT for basic foods beyond January 2023, through December 31, 2023. A list of VAT rates applicable in Poland can be found [here](#).

Poland also applies an excise tax, which is an indirect tax levied on certain goods including beer, wine, liquor, tobacco products, fuel, electricity, and cars. In Poland, the excise tax is harmonized with the EU tax levied on each product. Excise tax rates for certain products can be determined by individual Member States but cannot be lower than EU minimum levels.

Some excise products are subject to obligatory excise strips (e.g., bottle bandoliers), which need to be placed on individual product packaging. These regulations are obligatory for alcoholic beverages (except beer) and tobacco products. For bulk shipments of wine and spirits, excise bandoliers should be applied prior to entering the EU. Importers commonly supply U.S. shippers with excise bands to be put on products prior to shipping. Imported products must have excise tax stickers on them before entering Poland (based on a partial pre-payment). Once the product enters the country, the remainder of the tax must be paid. Exception to the above procedure occurs when, upon arriving at EU destination, products

are stored in customs bonded warehouses. In such a situation, bottle bandoliers need to be applied before products can be released from the customs bonded warehouse.

A list of excise duties applicable to alcoholic beverages and tobacco in EU can be found [here](#).

Section VII. Other Specific Standards:

Dietary Supplements and Special Nutritional Products

Poland takes a stricter approach regarding dietary supplement labeling than other EU countries. Polish regulations require the term “dietary supplement” (*suplement diety*) to be used along with the brand name wherever the brand name is mentioned on the product label.

Detailed requirements regarding the composition and labeling of dietary supplements are specified in the Regulation of the Minister of Health of October 9, 2007 on the Composition and Labeling of Dietary Supplements ([Polish Journal of Laws of 2018, item 1951](#), as amended). The provisions of this regulation state, inter alia, that dietary supplements placed on the market should be labeled with the following information on the packaging:

- The phrase "dietary supplement"
- The names of the categories of nutrients or substances that characterize the product or an indication of the nature of these substances
- Recommended daily dose of the product
- A warning about not exceeding the recommended daily dose
- A statement that dietary supplements cannot be used as a substitute (replacement) for a varied diet
- A statement that dietary supplements should be stored outside of small children reach

The content of vitamins and minerals, as well as other substances with a nutritional or other physiological effect, declared in the labeling should be given in terms of the daily portion of the product recommended by the manufacturer. Information on the content of vitamins and minerals should also be provided as a percentage of the nutrient reference values set out in point 1 of Part A of Annex XIII to [Regulation \(EU\) No 1169/2011](#) of the European Parliament and of the Council on the provision of food information to consumers.

Pursuant to Article 29 (1) of the 2006 Act on Food Safety and Nutrition, dietary supplements and fortified foods are subject to notification to the head of PIS, Chief Sanitary Inspector, of first marketing on the territory of Poland. PIS maintains a [register](#) of products subject to this notification.

Fortified Food Products

Pursuant to Article 28 of the 2006 Act on Food Safety and Nutrition, vitamins, minerals, or other substances with a nutritional or other physiological effect may be added to food products in accordance with the requirements set out in Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and certain other substances to foods. Vitamins and minerals may not be added to unprocessed foods (including, in particular, fruit, vegetables, meat, poultry, and fish) and beverages containing more than 1.2% alcohol by volume (except for certain derogated products).

In Poland, there is also the regulation of the Minister of Health of September 16, 2010 on Enriching Substances Added to Food ([Polish Journal of Laws of 2010, item 1184](#)). It specifies foodstuffs to which vitamins or minerals are obligatorily added and sets minimum and maximum levels of vitamins and minerals. If the fortified food product is marketed in another EU Member State, however, the requirements of this regulation do not apply.

Labeling of foodstuffs enriched with vitamins and/or minerals should include a nutrition declaration covering the following elements:

- Energy value
- Amount of fat
- Saturated fatty acids
- Carbohydrates
- Sugars
- Proteins
- Salt
- Total amount of vitamins and / or minerals present in the product after their addition

Novel Foods

For more information on novel foods please see the PIS's [website](#). Information is available in Polish and refers to the European Commission's [website](#).

Genetically Engineered (GE) Feed and Food

Since 2006 Poland has officially taken steps to make the country "GMO-free." Poland passed legislation banning GE plant cultivation and implemented a ban on the use of animal feed containing ingredients enhanced through biotechnology. In practice, the ban on GE feed ingredients has been postponed by the Polish Parliament several times. In 2022 the Polish Parliament postponed provisions of the 2006 Feed Act banning the use of GE feed ingredients for livestock, including U.S. soybean meal, until January 1, 2025.

Poland follows EU rules on GE food. According to EU Regulation No 1829/2003, genetically engineered food and/or feed cannot be placed on the market unless they are covered by the EU authorization, and the conditions specified in the authorization are met. Official controls of genetically modified food are carried out by the State Sanitary Inspection authorities throughout the year.

Controlled entities are mainly shops, wholesalers, production plants, as well as mass caterers which might use products that may be genetically engineered (i.e., establishments where soy protein is used).

The tested products are mainly soybean, corn, and rice and their products, vegetables, meat and meat products, poultry, confectionery and pastries, and food concentrates. The scope of the control includes:

- Checking the correct labeling of foodstuffs
- Control of documentation accompanying foodstuffs
- Inspection of certificates attesting to the absence of unauthorized GE products - the requirement specified by decisions of the European Commission with regard to emergency measures taken in the event of detection of unauthorized GMOs in foodstuffs.

Since 2004 PIS has been developing an annual "food sampling plan for testing" as part of official food control and monitoring. In terms of controlling the presence of GE food, more than 600 samples are taken for testing every year, of which only a few are disqualified (approximately 1-2 percent), mainly

due to a lack of proper labeling of products containing authorized GE products or due to the presence of unauthorized GE products. For example, samples of products containing corn, soybean or their derivatives, products labeled with the information "GMO-free" and imported potatoes, fruits, and vegetables (papaya, tomato, squash) are taken for testing. Non-compliance most often concerns products from the group of confectionery products (wafers with filling, cookies) and grains and flour products (linseed, flax seeds, rice noodles).

Traceability and Labeling of GE Foods

Regulation 1829/2003 (articles 12-13) regulates GE labeling for processed food products. The regulation does not require labeling for food products that are not food ingredients, such as processing aids. Meat, milk, or eggs obtained from animals fed with GE feed or treated with GE medicinal products do not require additional labeling. EU traceability rules require all business operators to keep detailed records for suppliers and buyers of GE products.

The need for proper labeling of GE food is aimed at ensuring that consumers can make an informed choice between genetically modified food and its conventional counterpart. In Poland, it is verified by PIS within the framework of official food controls.

At the level of the European Union, there are no regulations that would regulate the labeling of products of animal origin with information that genetically modified feed and/or genetically modified medicinal products were or were not used during animal husbandry. So far, the labeling of food with information such as "GMO-free," "non-GMO," "made with (name of ingredient) non-GE," and any other term that may be similarly understood by the consumer has also not been regulated.

The aforementioned issues have been regulated in Poland at the national level in the Law on the Labeling of Products Produced without the Use of Genetically Modified Organisms as GMO-free. The law allows producers to voluntarily, in accordance with the law, label food and feed with graphic signs standardized throughout Poland. For more details, please check Section II. Labeling Requirements.

Section VIII. Trademarks, Brand Names, and Intellectual Property Rights:

In the EU, trademarks can be registered at the national, regional, or EU levels. Trademarks registered at the national level are protected only in that Member State. Applications must be submitted directly to the relevant national Intellectual Property (IP) office. For Poland it is the [Patent Office](#).

Applications for the protection of a trademark in all EU Member States must be submitted to the EU Intellectual Property Office ([EUIPO](#)).

Section IX. Import Procedures:

When products enter the EU, they need to be declared to Customs Service according to their classification in the Combined Nomenclature (CN). The CN document is updated and published every year, and the latest version can be found on the European Commission's [website](#).

Upon its accession to the European Union on May 1, 2004, Poland became part of the EU customs union, and the same import duty rates are applicable. Tariff rates are contained in the EU's Common

External Tariff. Information on customs duty rates is available from the Integrated Tariff of the European Community (TARIC) database. The EU's on-line TARIC customs database can be consulted to look up commodity codes and relevant import duties. TARIC is a multilingual database covering all measures relating to tariff and trade legislation. A list of Member States' customs authorities can be found [here](#).

Following guidance from the Polish National Revenue Administration, when importing goods into the customs territory of the European Union, the release for free circulation procedure applies. Once goods are cleared under this procedure, they obtain the customs status of EU goods and can be further freely traded within the European Union. The release for free circulation procedure is initiated based on a customs declaration filed by the importer. The declaration can be filed in a paper form or in an electronic form via AIS/IMPORT or AIS/e-COMMERCE system. Detailed instructions (in Polish) are available [here](#).

The compliance with the procedure is required from the EU importer. More information (in Polish) on import procedures is available [here](#).

Additional information on general EU import procedures can be found in the [2023 EU FAIRS report](#).

Products Already on the EU Market

A Regulation on the mutual recognition of goods entered into force on April 19, 2020. [Regulation 2019/515](#) replaces Regulation 764/2008 and provides mutual recognition of lawful goods marketed in one Member State across the EU. It introduced a voluntary 'mutual recognition declaration' to demonstrate that their products are lawfully marketed in another EU market. More detailed information can be found on the EC's [website](#).

Additional information on the EU mutual recognition procedures can be found in the [2023 EU FAIRS report](#).

Import Control Procedures on Agricultural Products and Food

EU legislation requires goods imported in the EU or exported outside the EU to comply with a number of safety, health, and environmental rules, which protect consumers and the planet. It is the primary role of the officers of the Polish [National Revenue Administration](#) to check if goods entering or leaving the EU comply with all these rules. However, for imported food and agricultural goods other competent authorities are involved.

Food of Plant Origin and Food Contact Materials

The sanitary border control, performed by the PIS, covers foods of non-animal origin and food contact materials classified under CN codes specified in the annex to the regulation of the Minister of Health (MOH) of December 8, 2011 on the list of goods subject to sanitary border control ([Polish Journal of Laws, item 1612](#)). Border sanitary controls are carried out at border crossings by state border sanitary inspectors and at the place of destination of goods (at the importer's or recipient's premises) by district state sanitary inspectors or state border sanitary inspectors. Regulation of the MOH of September 24, 2007 (consolidated text: [Polish Journal of Laws 2023, item 507](#)) provides a list of border crossings through which food products and food packaging and contact materials (subject to the sanitary border control) may be introduced into the EU.

The manner and procedure of official food control by the PIS bodies are specified in Article 79-84 of the 2006 Act on Food Safety and Nutrition and in Article 43-46 and 65-72 of EU Regulation 2017/625 (Regulation on Official Controls). The person responsible for the import of the goods applies for inspection to PIS no later than 48 hours, and in the case of microbiologically unstable foodstuffs no later than 24 hours, before the planned import. The specimen of the application for the sanitary border control is specified in the Regulation of the Minister of Health of February 14, 2007 (Polish Journal of Law 2007, item 286) and available in bilingual (Polish-English) version [here](#).

During the border control, the official authorities check the documentation of the goods, and the identification of the goods, additionally physical control may be carried out, including visual inspection of the goods. As part of physical control, samples for laboratory tests may also be taken. During the documentation control, the application for border sanitary control, commercial and batch identification documents as well as other documents, including, for example, the results of laboratory tests, are checked. Physical checks are carried out in the event of suspected non-compliance with health requirements, or when there are doubts as to the identification of the goods. As a result of the inspection, the competent authority of the PIS issues a certificate confirming compliance with health requirements by the controlled goods, and based on the certificate, the customs authorities assign the relevant customs use.

Sanitary border control does not apply to goods that are imported in quantities that indicate their non-commercial nature, including those for research and experiments or for the purposes of promotion and advertising.

Products of Animal Origin

Veterinary border inspection is based on the [Regulation](#) (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and PPPs. The contact information of Polish border control posts is available [here](#) (in Polish).

In accordance with Commission Implementing Regulation (EU) 2019/1013, the entity responsible for the consignment of animals or products, at least one working day in advance of the expected arrival of the consignment to the EU, pre-notifies the border veterinary officer at the border inspection post of first arrival to the EU. Importers shall give advance notification by completing and submitting the relevant part of the Common Health Entry Document (CHED) to the electronic system [TRACES NT](#). The model of CHED for Products is set out in Annex II, Part 2, Section B to Commission Implementing Regulation (EU) 2019/1715.

General policies and procedures of veterinary border controls are available [here](#) (in Polish).

Import controls on Labeling and Commercial Quality of Agricultural and Food Products

Certain imported agri-food products are subject to commercial quality control by IJHARS, in accordance with the Law of December 21, 2000 on Commercial Quality of Agri-Food Articles (referred to as the 2000 Law on Commercial Quality).

At the import stage, IJHARS inspectors control goods listed in the Regulation of MARD of January 18, 2013 on the List of Agri-food Products Imported from Abroad and Their Minimum Quantities Subject

to Commercial Quality Control (consolidated text: [Polish Journal of Laws of 2020, item 1934](#), as amended). It includes, among other things, beef, pork, fish, dairy products, vegetables, nuts, and dried fruit. Thus, the minimum quantity of a product with a specific CN code indicated in the regulation in question refers to a specific size of a production batch.

Commercial quality control of agri-food products imported from a third country may be carried out at border crossings in accordance with the Regulation of MARD of April 8, 2015, on the List of Border Crossings Where Commercial Quality Control of Agri-food Products Imported from Abroad Is Carried Out ([Polish Journal of Laws of 2015, item 592](#), as amended), as well as in branches or places designated in the territory of the Regional Inspector.

Inspection activities are aimed at determining the compliance of the goods with commercial quality regulations and the quality declaration submitted by the importer. The quality declaration is, for example, the product specification, quality certificate, information from the product label.

Commercial quality control of goods imported from abroad includes at least one of the following:

- Verification of documents allowing identification of the agri-food product, quality certificates, laboratory test results, and other documents proving its commercial quality
- Checking the packaging, labeling, presentation of the article, and the conditions of its storage and transport
- Visual inspection of the agri-food product (visual inspection may include inspection of organoleptic characteristics)
- Taking samples and their evaluation or laboratory testing
- Determination of the quality class of the agri-food article

Detailed information about import control of commercial quality is available in Polish [here](#).

Section X. Trade Facilitation:

Advance Ruling

Business operators can obtain [Binding Tariff Information](#) (BTI) from customs authorities to get the proper product classification and relevant import duty. A BTI decision is legally binding in all Member States. A BTI is valid from six to three years. All BTI decisions issued by Member States' customs authorities are entered into an EBTI-database.

In Poland, applications for BTI are submitted only in electronic form via the Platform for Electronic Tax and Customs Services ([PUESC](#)), for that service available in Polish only. Since July 1, 2023 BTIs are issued by the Director of the National Revenue Information. In addition to the description of the goods in the application (box 9), sometimes it is necessary to attach additional documents containing supplementary information about the goods, allowing for unambiguous identification and determination of the appropriate code of the goods tariff nomenclature, and where possible, it will also be helpful to provide goods samples.

In the case of products from the group of agri-chemical goods, precise manufacturer's data on the raw material composition of the goods (up to 100 percent) and the technology of its production are necessary, as well as information on the use of the preparations, method of their dosing, type and size of

packaging, value of the goods, test results, etc. If there is a need to conduct additional laboratory tests or expert opinions, the person applying for a BTI is required to pay (at the request of the Polish National Revenue Administration) a specific amount of an advance to the indicated account to cover the costs of the tests.

More information (in Polish) can be found [here](#).

Additional information on EU advance rulings can be found in the [2023 EU FAIRS report](#).

Other Trade Facilitation Measures

Poland's agricultural trade has been increasing over the years, supported by the 2004 EU accession as well as partnerships in free trade agreements that the EU has [signed](#).

Poland, within an overall EU acceptance process, [ratified](#) the World Trade Organization's Trade Facilitation Agreement (TFA) on October 5, 2015.

In Poland, border inspection should be completed within 24 hours from the moment of declaring the shipment for inspection. The duration of inspection may be extended pending any need to take and analyze product samples.

On May 1, 2019, Polish Customs Authorities activated the Automated Import System ([AIS](#)), which is an information system dedicated to handling customs declarations and statistical information. AIS involves the development of a paperless environment for handling operations related to goods brought into the customs territory of the EU. Documents required by the AIS system are specified in the Polish Regulation of the Minister of Finance of September 8, 2016 on Customs Declarations, the consolidated text of which was published in the [Polish Journal of Laws of 2022, item 1096](#) (in Polish), based on EU's regulations ([EU](#) 2015/2447, [EU](#) 2016/341 and [EU](#) 2013/952).

On December 15, 2021 the Platform for Coordination and Exchange of Data - [Single Window](#) for entrepreneurs was launched. The aim of the platform is to enable all parties to handle matters electronically and to limit direct (physical) contact between entrepreneurs and administrative bodies to a minimum, which is intended to facilitate and speed up the handling of matters related to the import of goods from third countries. It started with the possibility to obtain documents on fishery catch border control, but was extended in 2022 to sanitary border control documents and PPP border control documents.

Poland's switch to electronic documentation for customs clearance has improved clearance efficiency. All leading Polish importers work with private Customs Clearance Agents who subscribe to the Polish Customs online network, making the clearance process efficient. In general, Polish importers do not inform Post about administrative delays or problems with inspection of shipments at the border inspection posts. The most frequent issue in the customs clearance procedure is the lack of the appropriate [HS](#) code on documentation.

Inspection Fees

MARD and MOH, respectively, set border inspection fees for food and agricultural products.

Fees for border checks on the commercial quality of agri-food products were introduced as of January 1, 2021. Currently, importers are required to pay fees for the border control of the commercial quality of agri-food products if the result of this control are not satisfactory. Control costs are calculated based on the Regulation of MARD of November 8, 2022, on the Rates of Fees for Activities Carried Out as Part of the Commercial Quality Control of Agri-food Products ([Polish Journal of Laws of 2022, item 2354](#)). They include documentation control, access to the inspection place, collection of samples for testing, sample shipment, laboratory tests, and other activities related to the inspection of an agri-food product.

Fees related to veterinary border control were updated on August 11, 2022, and currently are based on the following legal acts:

- Fee for activities related to veterinary border control - in accordance with the price list set out in the Regulation of MARD of July 29, 2022, on the Fee Rates for Activities Performed by the Veterinary Inspection (text in [Polish Journal of Laws 2022, item 1672](#))
- Stamp duty in accordance with the Act of November 16, 2006 on Stamp Duty:
 - for issuing an administrative decision - in the amount of PLN 10 (Article 1 (1) (1) (a) and item 53 of Part I of the Annex to the Act)
 - on the power of attorney (submission of a document confirming the power of attorney or proxy, or a copy, excerpt or copy thereof) - in the amount of PLN 17 (art. 1 section 1 point 2 and part IV of the Annex to the Act)

Fees related to plant health border control are based on the following legal act: Regulation of MARD of September 21, 2020 on the Fee Rates Charged by the State Plant Health and Seed Inspection Service ([Polish Journal of Laws 2020, item 1771](#)).

Fees related to sanitary border control are based on the following legal acts: Regulation of MOH of July 24, 2017 Amending the Regulation on Fees for Activities Performed by the State Sanitary Inspection Authorities (as last amended [Polish Journal of Laws 2022, item 1130](#)).

Appendix I: Government Regulatory Key Agency Contacts

Ministry of Agriculture and Rural Development

Tel: (+48-22) 623 1510

<https://www.gov.pl/web/rolnictwo>

E-mail: kancelaria@minrol.gov.pl

Office of the Chief Veterinary Officer, General Veterinary Inspectorate

Tel.: (+48-22) 623 2203/2089

Fax: (+48-22) 623 1408

<https://www.wetgiw.gov.pl/>

E-mail: wet@wetgiw.gov.pl

Main Inspectorate of Plant Health and Seed Inspection

Tel: (+48-22) 652 9290/620 2824

<http://piorin.gov.pl/>

E-mail: gi@piorin.gov.pl

Inspectorate for Trade Quality Control of Agricultural Food Products

Tel: (+48-22) 623 2900

<http://www.ijhars.gov.pl/>

E-mail: sekretariat@ijhars.gov.pl

Chief Sanitary Inspectorate

Tel: (+48-22) 536 1302

<https://www.gov.pl/web/gis>

E-mail: inspektorat@sanepid.gov.pl

National Institute for Public Health

Tel: (+48-22) 542 1328

<https://www.pzh.gov.pl/>

E-mail: pzh@pzh.gov.pl

Appendix II: Other Import Specialist Technical Contacts

For additional market access information and other related questions, please contact:

U.S. Embassy, Poland

United States Department of Agriculture/Foreign Agricultural Service

Regional Office of Agricultural Affairs (Covering Poland, Lithuania, Latvia, and Estonia)

Warsaw, Poland

Ph: +48 22 504 2336

Email: agwarsaw@state.gov

Attachments:

No Attachments