WORLD TRADE ORGANIZATION

G/SPS/N/POL/26

20 May 2026

(26-3743)

Page: 1/3

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION OF EMERGENCY MEASURES

1.	**Notifying Member:** POLAND **If applicable, name of local government involved:**
2.	**Agency responsible:** Public Health Department, Ministry of Health
3.	**Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):** Food originating from third countries that contains residues of certain plant protection active substances banned for use in the European Union
4.	**Regions or countries likely to be affected, to the extent relevant or practicable:** **[X] All trading partners** **[ ] Specific regions or countries:**
5.	**Title of the notified document:** Regulation of the Minister of Health of 30 April 2026 on the establishment of specific requirements for foodstuffs concerning residues of active substances of plant protection products. **Language(s):** Polish. **Number of pages:** 3 https://members.wto.org/crnattachments/2026/SPS/POL/26_02678_00_x.pdf
6.	**Description of content:** On the basis of Article 54 of Regulation (EC) No 178/2002, the Polish authorities have undertaken legislative measures aimed at strengthening the requirements concerning the presence of residues of the following plant protection products in food: glufosinate, thiophanate-methyl, carbendazim and benomyl.
7.	**Objective and rationale: [X] food safety, [ ] animal health, [ ] plant protection, [ ] protect humans from animal/plant pest or disease, [ ] protect territory from other damage from pests.**
8.	**Nature of the urgent problem(s) and reason for urgent action:** In view of the threat to human health, and on the basis of Article 54 of Regulation (EC) No 178/2002, the Polish authorities have undertaken legislative measures aimed at strengthening the requirements concerning the presence of residues of certain plant protection products in food. Therefore, the regulation sets out specific requirements for selected foodstuffs. The foodstuffs listed in the regulation may not contain detectable residues of the following active substances: 1. **glufosinate:** this substance is classified as toxic for reproduction category 1B. Its approval expired on 31 July 2018 due to the absence of an application for renewal; 2. **thiophanate-methyl, carbendazim and benomyl:** these substances are closely related, as thiophanate-methyl and benomyl metabolise into carbendazim. Thiophanate-methyl is classified as toxic for reproduction category 2 and mutagenic category 2, and has also been identified as an endocrine disruptor in humans (EFSA, 2018). Carbendazim and benomyl are classified as toxic for reproduction category 1B and mutagenic category 1B. The approval of benomyl expired in November 2002 following the Commission's decision not to include it in the list of approved active substances. The approval of carbendazim expired in November 2014 due to the

absence of an application for renewal, while the approval of thiophanate-methyl was not renewed in October 2020 after the withdrawal of the renewal application.

These substances have been identified as particularly harmful and frequently used in third countries, while at the same time being prohibited for use in the European Union.

The approval of benomyl expired in November 2002 under a Commission decision on non-inclusion. The approval of carbendazim expired in November 2014 due to the absence of an application for renewal, while the approval of thiophanate-methyl was not renewed in October 2020 following the withdrawal of the application for approval (Commission Implementing Regulation (EU) 2020/1498).

In the absence of a new proposal from the European Commission, the previous MRLs remain in force and, according to the EFSA opinion published on 23 August 2021, lead to exceedances of toxicological reference values for certain plant products.

Furthermore, the Codex Alimentarius Commission (CAC) concluded that the available toxicological information is insufficient to allow a re-evaluation of the reference values for carbendazim, and consequently no MRL for carbendazim can be considered safe. In November 2025, the CAC revoked all Codex MRLs (CXLs) for the sum of carbendazim, benomyl, and thiophanate-methyl, expressed as carbendazim.

9. Is there a relevant international standard? If so, identify the standard:

[X] Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*: Codex MRLs (CXL) are available for the dithiocarbamates group, including glufosinate (No. 175)

[ ] World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:

[ ] International Plant Protection Convention *(e.g. ISPM number)*:

[ ] None

Does this proposed regulation conform to the relevant international standard?

[ ] Yes [X] No

If no, describe, whenever possible, how and why it deviates from the international standard: Detailed explanation in point 8.

10. Other relevant documents and language(s) in which these are available:

11. Date of entry into force (*dd/mm/yy*)/period of application (as applicable): 7 June 2026.

The regulation enters into force one month after the date of its publication in the Polish Journal of Laws (the regulation was published on 6 May 2026). The regulation applies for a period of 12 months from the date of its entry into force, while also taking into account that it remains in force until the date on which the relevant European Union provisions enter into force or until the date on which the European Commission or the Council of the European Union refuses to adopt such provisions. Consequently, depending on further developments (including the entry into force of the relevant EU legislation), this period may be shortened or extended.

In view of the need to protect consumer health, it is proposed that the regulation enter into force one month after its publication. This will allow for the management of foodstuffs already on the market or already contracted (in transit). This period is also sufficient for businesses involved, among other things, in the import of foodstuffs to adapt to the new requirements.

[ ] Trade facilitating measure

12. Agency or authority designated to handle comments: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

	European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 E-mail: sps@ec.europa.eu
13.	**Text(s) available from: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:** European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 E-mail: sps@ec.europa.eu