

An analysis of the legal framework in Poland with regards to the food industry

Due to its location in Central Europe, Poland stands at an advantage of having a variety of natural conditions including good climate, economy and agriculture. The agriculture industry is very well developed in Poland and it employs a good percentage of people in the country. The success of agriculture in Poland is also, in part, due to its strong legislative body involved in the quality control processes of food production, manufacturing, packaging, storage and transport units of both in-house food marketing, food exports, and food imports (Krajewski and Ardanowski, 2009). This paper presents an overview and analysis of the legal framework in Poland with regards to the food and agriculture industry in the country.

Poland, being a member of the European Union, mainly follows the food and agricultural regulations set at the national level. The General Food Law (Regulation EC/178/2002) governs the general principles of the food laws all over Europe, including Poland. Hence, most of the food and agricultural products that are imported into Poland are subjected to this law. It also protects consumers against fraud or deception related to food practices. It ensures that no food product that is potentially harmful to health or the environment is sold in the market (Rucinski et al., 2014).

Apart from national regulations, there are several food laws in Poland that govern the production, supply and sale of food products. The Act on Food Safety and Nutrition was passed in August, 2006. Modifications to this Act were passed in June, 2010. The provisions of this Act include sanitary requirements with regards to food products, hygiene requirements with regards to production and packaging, and requirements of quality standards from food institutions involved in the inspection of food manufacturing and packaging units. It also deals with labeling

of food products, food safety, and penalties for crimes committed in this field (Rucinski et al., 2014).

In order to raise the standards of food products in Poland as per the European guidelines, Poland has actively adopted new laws related to food products. Monitoring and supervision of food units is also being given attention to avoid unhygienic products in the market. As per the intentions stated by the Ministry of Healthcare, it aims to have a single agency that will function along the lines of the Food Standards Agency in the United Kingdom. Also, a number of quality control systems such as GMP, HACCP and ISO have been introduced to enable the manufacturers to monitor the food quality independently (International Finance Corporation, 2009).

The Polish Regulation EC/1334/2008 deals with food additives such as flavoring substances that are added to food products to impart smell and/or taste. The additives used need to satisfy purity standards set by this regulation and to stay within the maximum limits of usage. Also, the substances used should not, in any way, be harmful to the consumers. In 2011, the Polish Minister for Health passed a regulation related to import of food products into Poland. The regulations on the 'Trade Quality of Food Products' passed in January, 2013, defined quality control procedures for food products imported into the country (Flakiewicz et al., 2013).

There are several food organizations in Poland which are responsible for the quality control and inspection of food units. The State Sanitary Inspection is responsible for checking the quality of food products. The State Veterinary Inspection is responsible for the quality control of animal products generated for consumption. The Main Inspectorate of Plant Health and Seed Consumption is responsible for plant products and plant health conditions. The Agricultural and Food Quality Inspection oversees the quality standards of food products and

exported products, border control of imported products, issuance of certification based on food quality, control of storage and transport of food, and exchange of food samples with other countries (Flakiewicz et al., 2013).

Poland has four regulations as part of the ‘Package on Food Improvement Agents’. Regulation 1331/2008 defines authorization and approval procedures for food additives, flavorings and enzymes. Regulation 1332/2008 is responsible for food enzymes, regulation 1333/2008 is responsible for food additives and regulation 1334/2008 is responsible for food flavorings. There are also several Polish regulations relating to permitted additives, purity of additives, solvents, aromas, enriching substances, dietary supplements, and other specific foodstuffs (Rucinski et al., 2014).

In spite of all the above mentioned regulations, Poland still has issues with food hygiene, VAT not being imposed on food donations and tax deductions (Bio by Deloitte, 2014). The Ministry of Healthcare needs to ensure that quality control processes cover the entire manufacturing process and not just the finished product, so that the hygiene and quality of the food product is not compromised.

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