

PROCESS OF HARMONIZATION AND IMPLEMENTATION OF THE EU FOOD/FEED LAW IN POLAND IN THE PERIOD 1994-2009

PROCES USKLAĐIVANJA I PROVOĐENJA ZAKONA O HRANI/KRMIVU U POLJSKOJ U RAZDOBLJU 1994. - 2009.

K. Kwiatek, Ewelina Kowalczyk

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SUMMARY

In Poland in pre-accession period, in the years 1994 - 2004, the EU food/feed law was been progressively implemented, which was one of the conditions for the country accession to the European Union. In 2004, after the accession, Poland as a new EC country member was obliged to agree with Directive 95/53/EC, to draw up a coherent and coordinated national programme of official inspection of animal feedingstuffs, irrespective of the organisational structure, and the number of inspection authorities in the country. The programme was done performed by the Veterinary Inspection in the animal feedingstuffs sector, including animal feeding, i.e. comprising the whole feed chain. The objective of the programme was to lay down the substantive scope of official inspections and laboratory control testing of animal feedingstuffs, appropriate for the surveillance exercised by the Veterinary Inspection. The integral parts of implemented methodology of official control were laboratory analyses based on a new approach. The National Reference Laboratories were established in the range of food and feed analysis, which started regularly to cooperate with respective Community Reference Laboratories (CRL). This ensured implementation into practice the European analysis methods and permanent participation in proficiency testing. The restructuring and modernization of laboratory network of Veterinary Inspections was done by contribution and financial support of the European Union. As a good example of the great EU support can be the National Veterinary Research Institute and recently built new laboratories.

Key words: EU food, feed law, Poland

After the collapse of former political system in Poland, democratic changes started. They were associated with implementation of market economy principles and integration into the European Union – EU (European Community - EC), as basis for economic, social, technological and legal stabilization.

The first important step was signing the European Agreement on 16 of December 1991, which granted

Prof. Krzysztof Kwiatek, Ewelina Kowalczyk, Department of Hygiene of Animal Feedingstuffs, National Veterinary Research Institute (NVRI), Al. Partyzantow 57, 24-100 Puławy, Poland.

Poland with affiliated state status within the European Community (EC) and member countries. On 8 of April 1994 Poland submitted application for admission to the EC, formally initiating the negotiating process, which ended by Poland signing membership in the European Community on 16 of April 2003. During the vote on 7-8 of July 2003, majority of Polish community (77,45%) approved Poland admission to the EC. On 1 of May 2004 Poland became one of the EC members. During adjustment to European Community requirements, Poland was using financial assistance within the Phare programme (Poland and Hungary Assistance for Reconstructing of their Economy (1989-2003) and the Transition Facility programme (2004-2006).

In 2001 the European Commission obliged Poland to elaborate the government document „Strategy of food safety in Poland”, containing a schedule of events, institutional and legislative changes in the field of food safety, according to the EC/EU requirements. Realization of this strategy, after being accepted by the European Commission, was carried out by implementation of Food Law, which was valid in the EU at that time. Moreover, it required optimisation and harmonization of food safety and quality of official organs activities.

Nowadays, supervision of food safety is carried out by the Veterinary and Sanitary Inspection, according to defined competences. In the frame of adjustment programme of Polish law to the EU standards, the Council of Ministers on 14 of November 1995, with new resolution, made certain departments elaborate the schedule of the European Union Law implementation. In the period from 1996 to 2003 the Food Law was implemented gradually, by application of ‘old approach’, included mainly in vertical Directives. In the time of accession of Poland into European Community structures, the implementation of horizontal ‘new approach’ in Food Law was started and accomplished in 2006 – 2007. It meant the necessity for food safety assurance along the whole food chain. An integral part of official control food is laboratory research. In the structural period in Poland, research was carried out mainly by application of official methods, defined in Polish Standards. Polish standards were obligatory till 1993. In lesser degree, international and European methods (ISO, EN, AOAC) were used mainly for

food export needs. Applied methods were not validated and verified, as they are nowadays. The concept of uncertainty of measurement and result interpretation had not been used before. Firstly, the normalization resolution was revised in 1993, in association with the necessity of harmonization of Food and Agricultural Standards. This resolution established the Polish Standardisation Committee (PKN) and Technical Committees (currently 275 Committees, including 27 food and agriculture). There are also two horizontal Technical Committees (TC): food and feed microbiology and general food analysis. The main task of the TC is elaboration and implementation of Polish standards, harmonised with European (EN) and international standards (ISO) allowing them to create Polish harmonized norm marked PN-EN-ISO. Standardisation in food and agriculture has a long tradition and broad application, and Polish standards were in the past one of the basic, normative documents associated with law in this field. Additionally, till 1993, and then till 2003, Polish Standards had a nature of legal administrative regulations, defining microbiological and chemical requirements for food and feed. Partially from 1994 and entirely from 2003, Polish Standards became technical documents for free application. In the framework of standards harmonization, PKN carried out all activities leading to implementation of 80% of European Standards (EN) in Polish standards collection till 2002.

Official control laboratory analyses in pre-restructuring period were carried out in many laboratories, not always well enough equipped. In such conditions, it was difficult to carry out and assure quality control and credibility of obtained results. In the frame of taken actions, the restructuring process of laboratory base was started in order to reduce number of small and insufficiently equipped laboratories. It allowed for creating bigger, fully profiled laboratories, adapted to needs for strengthening food safety systems along the food chain, according to the EU standards. At the same time accreditation process of food and feed tests according to EN ISO 17025 standard was started. It was planned that all the applied methods in food and feed testing would be accredited till the end of 2009. In 2003 first activities were done by Ministries of Health and Agriculture, leading to liquidation of small food laboratories.

As a result Minister of Agriculture authorized for official control of food and feed in Poland designated 16 Regional Veterinary Laboratories, and then worked on of diagnostics development. In the framework of legal law harmonisation with the EU legislation, Minister of Agriculture appointed the National Veterinary Institute as National Reference Laboratory to coordinate substantial activity of 16 laboratories qualified for food and feed testing. After accession of Poland to the EU in 2004, constant cooperation between Community Reference Laboratories was established. As a result of this cooperation and contacts it was possible to introduce European method of feed and food testing in Poland and to increase the credibility of obtained results. In the process of laboratory adjustment to official control needs, financial help played an important role in official control needs, in the scope of investments and laboratory staff training from 2000 to 2004. It is important to underline the significant contribution of the EU for laboratory development of the NVRI in Pulawy, which has a function of National Reference Laboratory in the scope of animal infectious diseases, and food/feed hygiene. Extension of NRL activity allowed for substantial supervision improvement of the quality of testing, increase of staff number and installation of modern equipment. Nowadays, there are more than 500 people, employed in the NVRI, including more than 100 people of scientific staff. Moreover, 16 regional laboratories carry out official tests in veterinary field, including: animal health, food and feed hygiene of animal origin, which employ about 500 people. Conducting reference activity the NVRI in Pulawy is funded from the national budget, similarly to regional control laboratories activities. One of the important components of official control is monitoring research programmes. Mainly control tests, detecting of undesirable substances, chemical and biological residues and medical products in food and feed of animal origin have been carried out for many years in the frame of official control. New programme of safety and quality parameters control including laboratory examinations was introduced in 2004, according to the European Union requirements. Elaborated and implemented programmes, which are constituent part of official control are assessed positively in following control missions, performed as instructed by the European Commission order.

To sum up, it has to be indicated, that Poland has accomplished significant progress in the last few years, concerning elaboration and implementation of new model of official control and safety system assurance in food and feed production. This progress would not have been possible without the support of the European Union. One important element of those changes is laboratory testing of food and feed, which has been done for more than 5 years, since accession to the European Union, and constitutes effective control tool, which is still being developed. It can be stated, that model functioning in Poland can be an example in further discussion and gaining inspiration, in elaboration of their own solutions in other countries.

BIBLIOGRAPHY

1. Kwiatek, K. (2004): National programme of official control of animal feedingstuffs under surveillance of veterinary inspection in Poland. *Polish Journal of Veterinary Sciences*, 7, 217.
2. Kwiatek, K. (2006): Chosen aspects from the range of safety assurance and official control of food and feeds in the light of the new EU law. *Higiena*, 1, 4-7.
3. Kwiatek, K. (2004): Standarisation tasks in food and feed safety assurance. *Pasze Przemysłowe*, 1, 20-22.
4. Kwiatek, K., Zawadzka, E. (2005): Food safety. International cooperation in the scope of food microbiology. Standarisation aspects. *Normalizacja*, 11, 3-9.
5. Kwiatek, K. (2009): Current issues from the scope of standards and standardisation in the microbiological feed testing. *Pasze Przemysłowe*, 10/11 10-14.
6. Kwiatek, K., Anusz, K. (2009): European Parliament for Food Chain Maters-Foodlawment. *Życie Weterynaryjne*, 84(3), 240-242.
7. Kwiatek, K., Sieradzki, Z. (2009): Safety Aspects of GMO Usage in Poland in Animals Feeding. XVI International Conference KRMIVA 2009, Opatija, Croatia, 1-3.06.
8. Kwiatek, K.(2009): From local to EU regulation: adopting to a rapidly changing regulatory environment – the Polish model. Fifth European Symposium on Food Safety. 7-9.10., Berlin, Germany.

SAŽETAK

U Poljskoj se u pretpristupnim godinama 1994-2009. postupno uvodio zakon o hrani/krmivu, što je bio jedan od uvjeta pristupa Europskoj Uniji. Godine 2004., nakon pristupa, Poljska je kao nova zemlja članica EU, morala prihvatiti Direktivu 95/54/EC, sastaviti suvisao i koordiniran nacionalni program službene kontrole hrane za životinje, bez obzira na organizacijsku strukturu i broj nadzornih tijela u zemlji. Program provodi Veterinarska Inspekcija za područje hrane za životinje, uključujući hranidbu životinja, tj. čitav hranidbeni lanac. Cilj programa je oblikovati snažan djelokrug službene kontrole i laboratorijske kontrole testiranja hrane za životinje, primjeren nadzoru Veterinarske Inspekcije. Integralni dijelovi metodologije provođenja službene kontrole su laboratorijske analize na temelju novog pristupa. Osnovani su nacionalni referentni laboratoriji za analizu hrane i krmiva koji su počeli redovito surađivati s odgovarajućim referentnim laboratorijima Zajednice. Time se osiguralo provođenje u praksi europskih metoda analize i stalno sudjelovanje u stručnom testiranju. Restrukturiranje i moderniziranje mreže laboratorija Veterinarne Inspekcije obavljeno je financijskom potporom EU. Kao dobar primjer velike pomoći EU mogu poslužiti Nacionalni Veterinarski Istraživački Institut i novi, nedavno sagrađeni, laboratoriji.

Ključne riječi: EU, hrana/krmivo, zakon, Poljska