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## Poland

## Biotechnology

## Update

## 2008

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**Report Highlights:**

The future of biotechnology in Poland is uncertain, as this week the picture became clouded by the Government's announcement it would seek to overturn an order from the EU to change its legislation. Earlier, Poland had planned to update its policies on a GMO ban against feed and seed in legislation, after the EC threatened to take Poland to the EU Court in Luxembourg. While its legislation must be updated, will Poland create a cultivation approval process that is fair and transparent?

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Annual Report  
Warsaw [PL1]  
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As a result of severe criticism from the European Commission about Polish legislation, biotech usage continues to be a hot issue. Feed and Seed legislation in force from 2006 and a draft GMO legislation approved by the previous government in 2007 (and rejected by the EC in the end of 2007) are non-compliant with EU law. These legal acts were taken by the past government; a new government came to power with different political parties in October 2007. Feb. 12, Poland announced in the press that it intends to fight the decision of the EU in the Court of Justice at Luxembourg.

The 2006 Feed legislation ordered a ban on biotech feeds to be created after August 2008. After two announcements from the EC criticizing Poland as non-compliant with EU legislation, the Polish government announced that it has started to work on regulations allowing GM feeds to be imported and used in Poland. There was a strong reaction from the poultry and pork industry, as well as agricultural economists saying that non-GM feeds would enormously increase the cost of meat production and make it unprofitable.

In 2006, Poland also introduced Seed legislation prohibiting registration and sale of biotechnology crops in Poland. The EC criticized this legislation that it did not provide any new scientific justification explaining the ban. After the EC announced it would launch a legal action against Poland at the Luxembourg-based European Court of Justice, the Minister of Agriculture, Sawicki has confirmed that the government will start to change feed and seed legislation to make it compliant with EU law.

Polish farmers want to cultivate GM varieties, including corn and rape seed, and they see in it solutions to their problems with European corn borer and root worm. Specialists say that about 270,000-320,000 hectares out of a total 600,000-700,000 under corn cultivation in Poland are infested by the European corn borer, and this area is fast growing every year due to warmer-than-usual weather. Perversely, actual legislation does not ban the GMO cultivation but prohibits the sale of GM seeds. Opponents argue that the majority of Poland's regional authorities wish to protect its nation's biodiversity and have announced that their regions are GMO-free. These decisions were political, and unscientific. Press comments from the government indicate that the new GMO law that will be adapted to EU law, may make rules for their cultivation very complicated.

According to press interviews, Minister Sawicki has commented on both sides of the issue telling some that that feed legislation will be changed to allow the import and use of biotech feeds and at other points adding it is important for Poland to stay GMO free. The press also cited him as saying that he is considering the cultivation of biotech crops for feed and industrial purposes, not for consumption. Where the government of Poland stands on biotechnology is unclear.

Although, the government has promised to introduce a new GMO law by the end of 2008, it's too early to predict how fast the Polish government will change the legislation and whether it will be successful. The legislative process is very slow. Any amendment to the existing law has to be approved by the Cabinet and the two-chamber Parliament. Parliamentarians, including some Polish euro-deputies, feel strongly against biotech.

Last year, the Council for Food Economy, the advisory body to the Minister of Agriculture, together with the Feed Association, the Grain and Feed Chamber, the Association of Poultry Producers, Importers and Processors, and the Polish Association of Producers, Exporters and Importers of Meat, as well as with the support from the National Chamber of Commerce prepared a negative opinion about the ban on biotech feed. The opinion was sent to the Ministers of Agriculture, Environment and Health. In the beginning of 2008, the Mazovian

Farmers Chamber sent its opinion on GMO requesting more effort from the National Council of Farmers Chambers to convince the government to allow farmers to cultivate of GM seeds. In January 2008, the Ambassador of the Republic of Argentina sent an open letter to Minister Sawicki expressing his deep concern with the feed legislation and the incompliance of the Polish law with EU legislation. All three documents were recently published in the Information Bulletin of the Grain and Feed Chamber. February 12, the Grain and Feed Processors Association wrote and open letter to Prime Minister Tusk asking that the feed ban be overturned.



FAS/Warsaw distributed copies of the Polish scientific publication "Kosmos" about biotechnology issues, published by the Polish Society of Naturalists, to ministries, parliamentarians, associations of producers or poultry, meat, grain and feed. The scientific studies discussed the conditions for safe GM planting, and included articles by scientists supported by USDA's Borlaug Fellowship program.

See also: [PL7037](#) FAS/Warsaw Biotechnology Annual Report 2007.