

## REGULATION OF THE COUNCIL OF MINISTERS

of 27 April 2004

on the determination of entities competent to inspect maximum permitted levels of radioactive contamination of foodstuffs and feedingstuffs following a radiation event<sup>1</sup>

Pursuant to the provisions of art. 97 section 4 of the Atomic Energy Law of 29 November 2000 (Journal of Laws of 2001, no. 3, item 18, as amended<sup>2</sup>), the following is ordained:

### §1

This regulation determines the entities competent to:

- 1) inspect maximum permitted levels of radioactive contamination of foodstuffs and feedingstuffs following a radiation event in line with European Union regulations;

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<sup>1</sup> This regulation lays down the conditions for transposing the following European Union regulations:

- 1) Council Regulation no. 737/90/EEC of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (OJ L-82 of 29/03/1990, page 1).
- 2) Council Regulation no. 616/2000/EC of 20 March 2000 amending Council Regulation (EEC) no. 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (OJ L-75 of 24/03/2000, page 1).
- 3) Commission Regulation no. 1609/2000/EC of 24 July 2000 establishing a list of products excluded from the application of Council Regulation (EEC) no. 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (OJ L-185 of 25/07/2000, page 27).
- 4) Commission Regulation no. 1661/1999/EC of 27 July 1999 laying down detailed rules for the application of Council Regulation (EEC) no. 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station (OJ L-197 of 29/07/99 page 17).
- 5) Commission Regulation No 1621/2001 of 8 August 2001 amending Regulation (EC) no. 1661/1999 as regards the export certificate required for agricultural products and the list of customs offices permitting the declaration of products for free circulation in the Community (OJ L-215 of 09/08/01 page 17).
- 6) Council Regulation no. 3954/87/Euratom of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L-371 of 30/12/87 page 11).
- 7) Council Regulation no. 2218/89/Euratom of 18 July 1989 amending Regulation 87/3954/EURATOM of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L-11 of 27/07/89 page 1).
- 8) Commission Regulation no. 944/89/Euratom of 12 April 1989 laying down maximum permitted levels of radioactive contamination in minor foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L-101 of 13/04/89 page 17).
- 9) Council Regulation no. 2219/89/EEC of 18 July 1989 on the special conditions for exporting foodstuffs and feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L-211 of 22/07/89 page 4).
- 10) Commission Regulation No 770/90/Euratom of 29 March 1990 laying down maximum permitted levels of radioactive contamination of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L-83 of 29/03/90 page 78).
- 11) Commission Regulation no. 1608/2002/EC of 10 September 2002 amending Regulation (EC) no. 1661/1999 as regards the list of customs offices permitting the declaration of products for free circulation in the Community (OJ L-243 of 11/11/2002, page 7).

<sup>2</sup> The amendments to the act have been published in the Journal of Laws of 2001, no. 100, item 1085, no. 154, item 1800, of 2002, no. 74, item 676, no. 135, item 1145, of 2003, no. 80, item 717, no. 124, item 1152, of 2004, no. 70, item 632.

- 2) issue decisions to ban the turnover or export to non-EU Member States of foodstuffs and feedingstuffs whose radioactive contamination exceeds the maximum permitted levels of radioactive contamination;
- 3) notify the European Commission of every reported instance of exceeding the maximum permitted levels of radioactive contamination of foodstuffs and feedingstuffs.

## §2

1. Veterinary Inspection authorities shall be competent to inspect the maximum permitted levels of radioactive contamination of foodstuffs of animal origin and feedingstuffs following a radiation event.
2. State Sanitary Inspection authorities shall be competent to inspect the maximum permitted levels of radioactive contamination of foodstuffs, excluding foodstuffs indicated in section 1 above, following a radiation event.

## §3

1. The county veterinarian shall be competent to issue decisions to ban the turnover or the export to non-EU Member States of foodstuffs of animal origin and feedingstuffs whose radioactive contamination exceeds the maximum permitted levels of radioactive contamination.
2. The State voivodship sanitary inspector shall be competent to issue decisions to ban the turnover or the export to non-EU Member States of foodstuffs, excluding foodstuffs indicated in section 1 above, whose radioactive contamination exceeds the maximum permitted levels of radioactive contamination.

## §4

The Chief Sanitary Inspector, acting in agreement with the President of the Atomic Energy Agency, shall be competent to notify the European Commission of every instance of exceeding the maximum permitted levels of radioactive contamination of foodstuffs and feedingstuffs.

## §5

This regulation shall become effective as of the date the Republic of Poland acquires membership in the European Union.