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Poland - Act of 27/04/2001 - Environmental Protection



Full title:	ACT of 27 April 2001 Environmental Protection Law (OJ 2001 No. 62 item 627)
Relevant Sections	<p>Articles 80, 80a-c: Title I – General Provisions: Section VIII: Environmental education, environmental protection research and advertising</p> <p>Articles 167 and 171a: Title III – Anti-pollution measures: Section II: Facilities, devices, substances and products.</p>
	Title I – General Provisions: Section VIII: Environmental education, environmental protection research and advertising
Article 80	Any advertising or any other promotion of a product or service should not contain content promoting a consumption model (pattern of consumption) contrary to the principles of environmental protection and sustainable development; in particular such advertising and promotion should not use wildlife images to promote products and services that adversely affect the natural environment.
Article 80a	<p>1. Any advertising and other type of promotion which includes information about a product to the extent specified in the Art. 167(1), should be legible and should conform to the requirements defined on the basis of Art. 167(4), point 3.</p> <p>2. The Minister for the Economy, in consultation with the Minister for the Environment, with a view to ensuring that consumers are able to easily assess those product characteristics, significant from an environmental protection perspective, may set out, by regulation, specific requirements regarding the insertion of product information in advertising and promotional materials, referred to in Art. 167(1), including:</p> <ol style="list-style-type: none"> 1) the numerical designation identifying the product or product group and their names; 2) the requirements for the product information being legible.
Article 80b	Compliance with the requirements referred to in Art. 80a (2), shall be supervised by the Trade Inspectorate (Inspekcja Handlowa).
Article 80c	Social organizations may request the competent administration authorities to apply measures to stop advertising or other type of promotion of goods or services, if this advertising or other type of promotion is contrary to Art. 80.
	Title III – Anti-pollution measures; SECTION II – Facilities, devices, substances and products; Chapter 3 – Products
Article 167	<p>1. The product should be accompanied by information regarding:</p> <ol style="list-style-type: none"> 1) its consumption of fuel or consumable items; 2) the volume of emissions related to the use of the product; 3) the environmentally-safe use, disassembly, re-use and disposal of the product.

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2. The (product) retailer shall ensure that the information referred to in para. 1 is also displayed at the (product's) point of sale.

3. The Minister for the Economy, in consultation with the Minister for the Environment, taking into account the product characteristics and their impact both during and after product use, shall determine, by regulation, which products are subject to the obligations referred to in para 1 and 2 and also the details of how to implement the obligations in this regard.

4. In the regulation referred to in para. 3 the following shall be established:

- 1) the numerical designation identifying the product or product group and their names;¹
- 2) any requirements regarding the information referred to in Art 167(1), as required, including:
 - a) the labelling of the product and its components,
 - b) the form and content of the information,
 - c) the methods of presenting the information at the points of sale (of the products);
- 3) any requirements for determining the values for fuel consumption and consumables or product emission levels, so as to include it in the information referred to in para. 1.

5. The (product) retailer shall ensure that the list (fact sheet = fuel economy guide) referred to in Art. 171a is available free of charge at the point of sale of the product, as specified on the basis of Art. 171a, para.2, point 4.

6. The provisions of paras 2-5 regarding product sale and the retailer shall also apply to the entity financing product leasing in areas where products are offered for lease, and to the entity displaying the products at public exhibitions.

Article 171a

1. In order to ensure that product buyers have the information referred to in Art. 167(1), administrative bodies, on an annual basis, shall draw up and make available free of charge, lists/ fact sheets (i.e. Fuel Economy Guide) regarding the selected products which are available on the market, to the extent specified under para. 2.

2. The President of the Council of Ministers (The Prime Minister), guided by the need to ensure that consumers are easily able to assess the characteristics of the product, relevant from the environmental protection perspective, shall determine, by way of regulation:

- 1) the products, for which such information is to be included in the fact sheets/ lists;
- 2) Types of information to be included in the fact sheets/ lists;
- 3) The administrative bodies/ agencies obliged to draw up, update and make available the fact sheets/ lists, along with the details of how to implement these obligations;
- 4) detailed requirements on how to make the fact sheets/lists available at product points of sale.

3. In the regulation referred to in paragraph. 2, the following shall be established, in particular:

- 1) the numerical designation identifying the product or product group and their names²;

¹ This is referring to eight-digit Combined Nomenclature (CN) Codes; for instance CN Code 8703 denotes Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including passenger/ freight cars (station wagons) and racing cars. Refer to Regulation 28/12/2004.

² In this case, this is referring to the identification number (symbol) according to the Polish Classification of Goods and Services - Polskiej Klasyfikacji Wyrobów i Usług (PKWiU) – as seen in the lists (fuel economy guide) referred to in the text. The lists can be accessed [here](#)

2) the form, content, method and deadline for issuing the fact sheets/ lists as well as when and how they shall be updated;

3) the date (deadline) when the product information is to be passed on by the administrative bodies who hold it.

4. Administrative bodies/ agencies holding the information, specified on the basis of para. 2 are obliged to pass it on free of charge by the date referred to in para 3 point 3.
