



## EUROPEAN PARLIAMENT

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DIRECTORATE-GENERAL FOR RESEARCH  
DIRECTORATE A  
DIVISION FOR INTERNATIONAL AND CONSTITUTIONAL AFFAIRS

### FACTSHEET

**POLAND**

**Chapter 23 - Consumers and health protection**

#### 1. The *acquis* <sup>1</sup>

The *acquis* covers the areas of misleading advertising, product liability, doorstep sales, consumer credit, dangerous imitations, package travel and holiday tours, product safety, unfair terms in consumer contracts, time-share, distance selling, comparative advertising, prices on foodstuffs, guarantees on sale of consumer goods and injunctions. There is also a Council Decision establishing a Community system of information on home and leisure accidents (EHLASS) and three Commission Decisions on a consumer committee and scientific committees. Two further Commission Decisions were adopted in February 2000 concerning on-the-spot checks in the veterinary field.

The Commission considers that the need to grant consumer rights and ensure free competition and circulation of goods is still greater in the candidate countries than in the present EU. The harmonisation of consumer protection rules is considered essential to the elimination of market barriers and the creation of an integrated economic space.

The Commission considers that, in general, the formal legal transposition of the *acquis* is proceeding quite satisfactorily. Further efforts at alignment are needed for the new *acquis* in the areas of injunctions for the protection of consumer interests and for aspects of the sale of consumer goods and associated guarantees. However, all the candidates have stated that they will implement the new *acquis* and provide a calendar for the transposition of Community rules.

#### 2. The negotiations

The chapter has been closed with ten countries and provisionally closed with Bulgaria and Romania. All the countries have stated that they are ready to implement fully all the *acquis* before the date of accession with no exceptions or transitional periods.

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<sup>1</sup> Information largely drawn from the European Commission, DG Enlargement  
<http://europa.eu.int/comm/enlargement/negotiations/index.htm>

**Chapter opened:** April 1999

**Status:** closed in December 2002 (provisionally closed in May 1999)

**Transitional arrangements:** none

### **3. Latest Assessment by the European Commission <sup>1</sup>**

In its 1997 Opinion, the Commission concluded that the level of consumer protection in Poland was insufficient and that Poland would need to make substantial efforts to update its legislation and bring it in line with the *acquis*.

Considerable progress has been made since that time, and in particular over the last two years, especially with regard to ensuring that the necessary legislation has been adopted. Alignment with the *acquis* in the area of consumer protection is advanced and administrative capacity has seen a reasonable development.

Negotiations on this chapter have been provisionally closed. Poland has not requested any transitional arrangements and is generally meeting its commitments made in the accession negotiations.

In order to complete preparations for membership Poland, should continue its efforts with regard to the adoption of the *acquis* and increase its efforts to further improve the capacity to implement this legislation. The most important challenge at this time is, however, to ensure that the general public and business operators have a sufficient understanding of the legislation and of the rights and obligations which it generates.

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<sup>1</sup> European Commission, Regular Report on Poland 2002, p.113:  
[http://www.europa.eu.int/comm/enlargement/report2002/pl\\_en.pdf](http://www.europa.eu.int/comm/enlargement/report2002/pl_en.pdf)