# English summary – SFC specialist report

# The current status and implementation of regulations concerning direct sales in Poland for the purposes of the Campaign on Short Food Chain systems (SFC) 'Eat Wisely, Know what you Eat!'

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The report presents a review of current tax and food safety regulations in Poland concerning so called 'direct sales', which provides a basis for Short Food Chain systems (SFCs). Possibilities of 'direct sales' refer to a form of selling, which does not include an intermediary. This form of selling is becoming increasingly popular as food awareness of consumers grows, especially those who want to buy food products of known/traceable origin. The consumer wants to know the producer and the way the product being bought has been produced – because it is the producer who is the guarantor of quality, authenticity and safety.

The report presents the various forms of so-called 'direct sales' that are currently available to farmers. These are: primary production, direct sales, direct delivery, marginal-local-restricted sales, agricultural retail sales, registered production facility. Each of these legal forms of food production and sales defines a set of hygiene and veterinary requirements. All of these legal possibilities must be also consistent with European Union legislation, which supersedes national legislation. Matters related to food safety do not provide much scope for reinterpretation in national regulations, but member states have much greater scope in this regard when it comes to tax issues. The farmer can select the form of 'direct sales', which is the most appropriate to his/her needs, conditions and possibilities. Analysis completed by the Ministry of Agriculture and Rural Development have indicated that it is necessary to increase the scope of direct selling, especially in relation to Agricultural Retail Trade (RHD), allowing internet sales and also sales to shops, cafeterias and restaurants. RHD should be limited to non-industrial scale production, which requires greater clarity and a definition of the term 'small-scale production'. It is also necessary to allow farmers to do their food processing in kitchen incubators and other shared kitchens, which fulfil hygiene rule, not limiting food processing only to the farm itself.

The recommendations listed above have been taken into account in "*proposed changes to some laws relating to permitting farmer food sales to shops and restaurants*" prepared by the Ministry of Agriculture and Rural Development (18 May 2018) and accepted by the Council of Ministers on 25/09/2018. The new regulations are to come into force from 1 January 2019.

Regulations permitting farmers to sell directly to consumers unprocessed and processed food products apply to individual farmers. There are no regulations allowing and incentivising joint action of producers and consumers, which should be a priority when it comes to scaling up SFC systems. The proposed changes in RHD regulations are necessary, but not sufficient for the development of SFCs, which, above all, require coordinated joint action. With this in mind, it is necessary to consider introducing possibilities of joint selling as part of agricultural activity, modelled on the formula of Collective Sales Points (PSZ), which function well in France as a basis for the development of SFC systems. Public support programmes for SFC systems should be in the form of tax incentives and financial support programmes that focus especially on small farms, especially those which do not currently function in the market, but are interested in participating in SFC systems. Such support programmes will require a legal definition of what constitutes a small farm in the Polish situation.