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## TRADITIONAL AND REGIONAL FOOD PRODUCTS IN POLAND AND EUROPEAN UNION – LEGISLATION AND FOOD SAFETY

**Summary.** The paper aims at presenting the present state of law and food safety regarding traditional/regional foods. The production has to be carried out hygienically assuring food safety to the products. Legal regulations connected with production and protection of the traditional foods are contained in COUNCIL REGULATIONS (EC) No 509/2006 and No 510/2006. The mentioned above decrees create marking and requirement for three groups of food products: *Traditional Specialities Guaranteed* (TSG), *Protected Designation of Origin* (PDO) and *Protected of Geographical Indication* (PGI). Manufacturers must produce this type of foodstuff according to general hygienic rules. In order to protect the consumer, they should be subject to inspection based on COMMISSION REGULATION (EC) No 882/2004. Foodstuff should be subject to ensure that operators comply with the product specification before marketing. Verification of compliance with the specifications of any agricultural product and foodstuff produced within the EC shall be ensured by one or more competent verification organisation/body or/and authorities certification bodies operating as a product certification body after accreditation in accordance with European standard EN 45011 (2000). Foodstuffs should not contain microorganisms or their toxins or metabolites in quantities that present an unacceptable risk for human health. Foodstuff producers are obligated to fulfil microbiological requirements. Products should be monitored according to the national plan of monitoring, in range of residues of pesticides, heavy metals, dioxin or inhibitory substances and also controlled on permitted additives. The promotion of our traditional and regional foods is carried out by several organisations which are active in Poland, i.e. Polish Chamber of Regional and Local Products and Centre for Studies of Natural and Traditional Food (at University of Warmia and Mazury in Olsztyn).

**Key words:** traditional products, regional products, TSG, PDO, PGI

## Introduction

The paper stresses discusses both national and regional products giving at the same time the characteristics connected with the place of production; it is observed that the presented features are conditioned by culture, as well as tradition. In the period of progressing globalisation and human migration, when many specificities get blurred, hallmarks stay a visual sign of product origin. This concerns both food and agricultural products and the manner they are consumed in.

Mixing of tastes, on the one hand, increases expectations of consumers and modifies patterns of behaviour at the international scale making them global, while, on the other hand, consumers desire to emphasize their culinary-food identity and individuality.

Therefore, the population living in a definite region and identifying themselves with the area will observe and recognise of typical a typical local code of values, norms, customs or behaviour patterns. It may even be observed as an element to be satisfied with or proud of. Even if popularised via mass-media, the fact of the specificity (culture, tradition, customs etc.) becomes known both regionally, country and worldwide (TYRAN 2007, SZTEYN and WISZNIEWSKA-ŁASZCZYCH 2010).

Culinary tradition is thought to be a heritage that is commonly accepted and uses tradition and characteristics, specific for a given region or country, raw materials as well as historically conditioned traditional preparation or/and production methods. Traditional obviously does not mean products which are primitive or dangerous for consumers. The production must provide for hygienic conditions and assure food safety. A growing interest is observed both of consumers and manufacturers in food products which are characterised by organoleptic originality, as well as by specific features connected with culinary tradition of individual regions (SAJDAKOWSKA and ŻAKOWSKA-BIEMANS 2009). More and more consumers look for products with fresh appearance and taste different from “industrial foods”; foods that possess specific sensory features connected with definite history and tradition, and also sentimental reasons. The European Union, following France which did ten years ago, is the promoter of creation of protecting law for the regional agricultural products and food in the range of their own origin from closely definite regions, as well as the traditional methods of production. Introduction of such legal controls influences the process of enlargement of the production of traditional and regional food products (STANKIEWICZ 2005, DUCZKOWSKA-MALYSZ 2010, SZTEYN and WISZNIEWSKA-ŁASZCZYCH 2010).

## Legal regulations

Law regulations connected with production and protection of the traditional foods are in COUNCIL REGULATION (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed and COUNCIL REGULATION (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs. In Poland legal controls are contained in Law on registration and protection of names and signs of agricultural products and food products, as well as traditional products (USTAWA... 2005).

The changed decrees define marking and requirement for three groups of food products. ***Traditional Specialities Guaranteed*** is the first group of food which contains traditional agricultural products or foodstuffs recognised and registered by Community for their specific character and traditional methods of production through their registration under Regulation. These products can be produced on the Community territory according to their specification. Products called ***Protected Designation of Origin*** belong to the second group of foodstuffs, which means that they were produced in a specific region, place or in, exceptional cases, a country. Their quality or characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and the production, processing and preparation of which take place in the defined geographical area. A name is provided for marking and identification of agricultural or food products, which definite quality, recognisable popularity or different characteristic parameters are from a given geographical environment or place. The third group – ***Protected of Geographical Indication*** marking is applied when the product's name refers to a region, specific place or, in exceptional cases, a name of a country, where the specific foodstuff is made. Definite quality, renown and different characteristic quality make this geographical origin attributed, alongside with production, processing or preparation of product held within a definite close geographical area. The sign of regional and traditional products is subject to the registration, which should protect these products before their forging or else the appropriation of the name (SURATNO 2004, STANKIEWICZ 2005).

And the most important matter for consumers – products marked by Protected Designation of Origin (PDO), Protected of Geographical Indication (PGI), as well as Traditional Specialities Guaranteed (TSG) must be safe for consumers and produced under all principles of hygiene from safe components/raw materials. Then as consumers want to experience culinary pleasures, manufacturers wish to make money having sold the traditional agricultural products and foodstuffs. However, the foodstuffs have to be produced in agreement with the same hygienic rules (MAKALA 2004, KOŁOŻYN-KRAJEWSKA and DOLATOWSKI 2010).

In order to protect the consumer, Traditional Specialities Guaranteed (TSG) should be subject to inspection based on REGULATION (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules. Such a voluntary system, enabling operators to make known the quality of these products throughout the Community, should offer every guarantee in order to ensure that any references which may be made to the quality in the trade are substantiated. The product specification should be defined by groups of producers which assures their regularity and safety for consumer. TSG foodstuff should be subject to ensure that operators comply with the product specification before marketing. Products are subject to the registration in a member state country with hugging a procedure for raising objections at national level, in order to ensure that the agricultural product or foodstuff concerned is traditional and has specific parameters. The right to object should be granted to citizens of third countries with a legitimate interest, under the same criteria as those applying to Community producers. The option of registering traditional specialities guaranteed should be open to third-country producers, and in special cases, should be

able to use either a TSG name together with a particular indication and, where appropriate, provided that the agricultural product or foodstuff which is produced or processed complies with the requirements of the relevant specification. If they are to be attractive to producers and reliable for consumers, indications relating to the specific character of an agricultural product or a foodstuff should be granted to legal protection and be subject to controls. The Commission shall keep a register of the traditional specialities guaranteed recognized throughout the Community under COUNCIL REGULATION (EC) No 509/2006. TSGs recognised at Community level are entered into a register, which is kept by the Commission. Register is divided into two lists according to whether or not the use of the name is reserved to those producers who comply with the product specification. The group decides about restriction of name on stage of folding documentation for registration. Within six months from the date of publication in the *Official Journal of the European Union* any member state or third country, may object to the registration proposed by lodging a duly substantiated statement with the Commission. From the date of publication, a name entered in the register may be used only to identify the agricultural product or foodstuff corresponding to the product specification as a traditional speciality guaranteed. Registered names may be used on the labelling of products not corresponding to the registered specification, but without 'TSG' Community symbol (SURATNO 2004, STANKIEWICZ 2005).

Producers shall, peaceably with right, be obliged to subjected control. Verification of compliance with the specifications any agricultural products and foodstuffs produced within the EC shall be ensured by one or more competent verification organisation/body or/and authorities certification bodies operating as a product certification body. In a case of agricultural products and foodstuffs produced in a third-country, verification of compliance with the specifications, before placing the product on the market, shall be ensured by one or more public authorities designated by the third country, and/or one or more product certification bodies after accreditation in accordance with European standard EN 45011 (2000) (General Requirements for Bodies Operating Product Certification Systems).

Next legal fixing for traditional and regional food is COUNCIL REGULATION (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs. While looking for a special taste in foodstuff, in view of the wide variety of products on market, and abundance of product information provided, consumer should be given clear and succinct information regarding the product's origin. In case of traditional and regional foods, unique marking guarantees authenticity and quality of chosen product. There were qualified two kinds of geographical descriptions, namely: Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI). Foods with these signs should fulfil definite requirements specified in product specification. And so as in case of TSG foodstuff, protection of geographical signs and names of designation of origin, EC should require registering them on community market. Enrolment to register serves for delivering specific information for participants in trade subjects also as well as for consumers. The procedure of registration is the same like for GTS foodstuff. The changes in consumer preference should go also in composition of food or in technology of production (technical progress) of PGI and PDO. The credible system of official controls of names of origin and geographical sign protected on the EC territory should be the same.

COUNCIL REGULATION (EC) No 510/2006 lays down the rules on the protection of designations of origin and geographical indications for agricultural products intended for human consumption listed in Annex I to the Treaty (art. 32) and for foodstuffs listed in Annex I to this Regulation and for agricultural products listed in Annex II. The scope of the regulation focus, i.e. food products of animal origin, are foods like alive animals, meat and edible offals, fish, crustaceans, mollusks and different water invertebrates, creamery products, poultry eggs, natural honey, edible products of animal origin, intestine, blisters and animals' stomachs ( except fish), back fat and different processed products from pig's fat, processed chicken fat, fats and oils from fish, mammals, poultry meat products and mammals.

The specification of product on the basis which enables using protected name of protected geographical indication (PGI) and protected designation of origin (PDO) has to contain the following elements:

- the name comprising the designation of origin or the geographical indication,
- a description including the raw materials, if appropriate, and principal physical, chemical, microbiological or organoleptic characteristics of the product or the foodstuff,
- the definition of the geographical area,
- evidence that the agricultural product or the foodstuff originates in the defined geographical area a description of the method of obtaining and, if appropriate, the authentic and unvarying local methods of production,
- by alternative information concerning packaging so determines and gives reasons why the packaging must take place in the defined geographical area to safeguard quality or ensure the origin or ensure control,
- detailed information between the quality or characteristics of the agricultural product or foodstuff and the geographical environment referred,
- the link between a specific quality, the reputation or other characteristic of the agricultural product or foodstuff and the geographical origin,
- the name and address of the authorities or bodies verifying compliance with the provisions of the specification and their specific tasks,
- any specific labelling rule,
- any requirements laid down by Community or national provisions.

In Law about trade quality of agricultural product from 2000 (USTAWA... 2001) and in Law on safety of food and nutrition (USTAWA... 2006 b), the financial punishments foresee and the limitation of freedom, for persons using illegally protected names and/or symbols of these names.

## **Hygienic requirements for production**

The microbiological requirements for foodstuff are contained in COMMISSION REGULATION (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs, amended by COMMISSION REGULATION (EC) No 1441/2007 of 5 December 2007.

Foodstuffs should not contain microorganisms or their toxins or metabolites in quantities that present an unacceptable risk for human health. Regional and traditional foodstuff producers, like other food producers, are obligated to fulfil the mentioned above microbiological requirements. The proceeding of compliance should contain investigation of products in reference to settled data of criteria through taking samples, making analysis and initiation of corrective action according to food law, as well as the recommendations given by a proper organ (SPYCHAJ et AL. 2009, KOŁOŻYN-KRAJEWSKA and DOLATOWSKI 2010).

Products should be monitored according to the national plan of monitoring, in range of residues of pesticides, heavy metals, dioxins or inhibitory substances. The requirements with range of residues of additional substances are contained in Regulation of Ministry of Health from 18th September 2008 in the area of permitted additional substances. Products have to be produced in suitable hygienic conditions which should be subject to the control of proper organs. Conditions for meat production are defined in Law of 16 December 2005 about products of animal origin in suitable decrees (USTAWA... 2006 a), the Law about trade quality of agricultural products and foodstuffs from 2000 (USTAWA... 2001), the Law about food safety and nutrition from 2006 (USTAWA... 2006 b), specially in Decree of Ministry of Agriculture and Rural Development from 27 July of 2007 in matter of general lapses from requirements for producing traditional food of animal origin (ROZPORZĄDZENIE... 2007). All requirements are harmonized with the Polish law, H5 regulations, i.e. with REGULATIONS EC No 178/2002 (2002), 852/2004 (2004 a), 853/2004 (2004 b), 854/2004 (2004 c) and 882/2004 (2004 d).

Relating to the fact that the demand for regional products is growing, along with their prices, varied analytical techniques have been applied aiming at confirmation of a given product specification and elimination from the market of unfair manufacturers “forging” foodstuff. They use for example prohibited additives or raw materials or replace pork meat by cheaper turkey/poultry meat. The procedures include immunological techniques, electrophoresis, all types of chromatography or PCR techniques (RATKOWSKA et AL. 2009, SPYCHAJ et AL. 2009).

## Polish protected products

Polish agricultural products and foodstuffs registered by European Committee into Register as protection of designations of origin and geographical indications and traditional speciality guaranteed are, for example: bryndza podhalańska (ewe’s milk smoked cheese from Podhale region) – PDO, oscypek (ewe’s milk smoked cheese) – PDO, miód wrzosowy z Borów Tucholskich (heather honey from the Tuchola Forests region) – PGI, rogal świętomarciński (crescent-shaped bun) – PGI, wielkopolski ser smażony (fried cheese from the Wielkopolska region) – PGI, andruty kaliskie (Calisian gofers) – PGI, olej rydzowy (oil from saffron milk cap mushroom) – GTS, truskawka kaszubska (strawberry from the Kaszuby region) – PDO. So far then no meat products have been registered. The names of meat products waiting for registration (published in July 2009) are: kielbasa myśliwska (hunter’s sausage), kielbasa jałowcowa (juniper sausage), kabanosy (thin dry-smoked pork stick sausages) and kielbasa lisecka (lisecka sausage, published in February 2010).

After the procedures of registration have been completed in Poland and the names of agricultural products and foodstuffs sent, they will be subject to registration by European Committee; presently, they are subject to temporary protection on the territory of Poland (basis art. 35 p. 1 of Law of 17 December 2004 on registration and protection of names and designations of agricultural products and on traditional products (USTAWA... 2005). There are following agricultural products and foodstuffs:

- 1) podkarpacki miód spadziowy (honeydew type of honey from Podkarpackie region) – applies for PDO,
- 2) miód drahimski (sort of honey from Stare Drawsko region) – applies for PDO,
- 3) śliwka ‘Szydłowska’ (plum cultivar) – applies for PDO,
- 4) kiełbasa lisecka (lisecka sausage) – applies for PGI,
- 5) karp zatorski (species of carp from Zatorze region) – applies for PDO,
- 6) suska sechłońska (kind of dry smoked plum) – applies for PGI,
- 7) miód kurpiowski (sort of honey from Kurpie region) – applies for PGI,
- 8) fasola ‘Korczyńska’ (bean cultivar) – applies for PGI,
- 9) jabłka ‘Łąckie’ (apple cultivar) – applies for PGI,
- 10) fasola ‘Wrzawska’ (bean cultivar) – applies for PDO,
- 11) obwarzanek krakowski (kind of bagel from Cracow region) – applies for PGI,
- 12) miód z Sejneńszczyzny or miód z Łódzkiej (sort of honey from Sejny region or from Łódzkie region) – applies for PDO, registration together with Lithuania,
- 13) chleb prądnicki (sort of bread from the Prądnik river region) – applies for PGI,
- 14) fasola ‘Piękny Jaś z Doliny Dunajca’ or fasola ‘Z Doliny Dunajca’ (bean cultivars) – applies for PDO,
- 15) jabłka ‘Grójeckie’ (apple cultivar) – applies for PGI,
- 16) kołacz śląski or kołocz śląski (kind of cake from Silesia region) – applies for PGI.

The definition of traditional/regional foods is perceived by consumers variously. Sociological investigations performed by Warsaw University of Agriculture (SGGW) showed, that this type of food is perceived as produced for hundreds of years or else for generations, in definite regions but and also as food which was eaten at the young age. The most frequent qualities of these products are: their individual appearance, absence of food additives, name including a word with traditional meaning or country, and probably more expensive. Equally important can be the fact of passing nutritional standards on by mothers or grandmothers; the traditional/regional type of food has been most probably consumed at family and religious celebrations, as well as during official dinners or lunches (STANKIEWICZ 2005, SAJDAKOWSKA and ŻAKOWSKA-BIEMANS 2009). Lack of information for consumers, or advertising in mass media in connection with lack of marked products in shops, would be of rather low effectiveness in appealing to the public consciousness concerning the propriety and quality of traditional products. The main task of our traditional and regional foods promotion is carried out by several organisations active in Poland, e.g. Polish Chamber of Regional and Local Products (since 2004). The aim of the activity is providing support for traditional both local and regional products as far as their popularisation, introduction to market, information for

Table 1. List of traditional products, according to provinces, registered according to Law of 17 December 2004 (for June 2010) (USTAWA... 2005)

Tabela 1. Lista produktów tradycyjnych, według województw, zarejestrowanych zgodnie z Ustawą z dnia 17 grudnia 2004 roku (stan na czerwiec 2010) (USTAWA... 2005)

Province	Number of registered products	
	total	meat products
Dolnośląskie	20	0
Kujawsko-pomorskie	23	3
Lubelskie	67	8
Lubuskie	8	0
Łódzkie	49	7
Małopolskie	33	3
Mazowieckie	25	10
Opolskie	44	8
Podkarpackie	85	31
Podlaskie	43	5
Pomorskie	106	14
Śląskie	104	10
Świętokrzyskie	25	2
Warmińsko-mazurskie	19	12
Wielkopolskie	73	27
Zachodniopomorskie	8	0
Total	732 (100%)	142 (19.4%)

Table 2. List of Polish food products published in *European Union Official Journal*, Series C (for February 2011) [<http://ec.europa.eu/agriculture/quality/door/list.html>]Tabela 2. Lista polskich produktów żywnościowych opublikowanych w *Dzienniku Unii Europejskiej*, serii C (stan na luty 2011) [<http://ec.europa.eu/agriculture/quality/door/list.html>]

No.	Name	Indication	Date of publication
1.	Fasola 'Piękny Jaś z Doliny Dunajca' (bean cultivar)	PDO	18.11.2010
2.	Jabłka 'Grójeckie' (apple cultivar)	PGI	27.11.2010
3.	Kołacz śląski / kołocz śląski (kind of pie from Silesia region)	PGI	05.11.2010
4.	Karp zatorski (species of carp from Zatorze region)	PDO	21.09.2010
5.	Miód drahimski (sort of honey from Stare Drawsko region)	PDO	15.09.2010
6.	Chleb prądnicki (sort of bread from Prądnik river region)	PGI	10.07.2010

Table 3. List of Polish agricultural products and foodstuffs registered on EC level (for February 2011) [<http://ec.europa.eu/agriculture/quality/door/list.html>]Tabela 3. Lista polskich produktów rolniczych i artykułów spożywczych zarejestrowanych na poziomie EC (stan na luty 2011) [<http://ec.europa.eu/agriculture/quality/door/list.html>]

No	Name	Indication	Date of registration
1.	Wiśnia 'Nadwiślańska' (cherry cultivar)	PDO	16.12.2009
2.	Redykołka (sheep milk smoked cheese)	PDO	01.12.2009
3.	Truskawka kaszubska lub Kaszëbskô malëna (strawberry from Kaszuby region)	PDO	28.11.2009
4.	Andruty kaliskie (Calisian gofers)	PGI	22.04.2009
5.	Wielkopolski ser smażony (fried cheese from Wielkopolska region)	PGI	21.04.2009
6.	Rogal świętomarciński (crescent-shaped bun)	PGI	31.08.2008
7.	Miód wrzosowy z Borów Dolnośląskich (heather honey from Lower Silesian Forests)	PGI	31.05.2008
8.	Oscypek (ewe's milk smoked cheese)	PDO	14.02.2008
9.	Bryndza podhalańska (ewe's milk smoked cheese from Podhale region)	PDO	12.06.2007
10.	Jabłka 'Łąckie' (apples cultivar)	PGI	05.11.2010
11.	Obwarzanek krakowski (kind of bigel from Cracow region)	PGI	30.10.2010
12.	Śliwka 'Szydłowska' (plum cultivar)	PGI	30.10.2010
13.	Kielbasa lisecka (lisecka sausage)	PGI	13.10.2010
14.	Suska sechłońska (kind of dry smoked plum)	PGI	09.10.2010
15.	Podkarpacki miód spadziowy (sort of honey from Podkarpacie region)	PDO	07.08.2010
16.	Miód kurpiowski (sort of honey from Kurpie region)	PGI	13.07.2010
17.	Fasola 'Korczyńska' (bean cultivar)	PGI	13.07.2010

consumers or training of manufacturers are concerned. Traditional Centre for Studies of Natural and Traditional Food (at University of Warmia and Mazury in Olsztyn) conducts active operations as a European Network of Regional Culinary Heritage.

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## TRADYCYJNE I REGIONALNE PRODUKTY ŻYWNOŚCIOWE W POLSCE I UNII EUROPEJSKIEJ – LEGISLACJA I BEZPIECZEŃSTWO ŻYWNOŚCIOWE

**Streszczenie.** W pracy przedstawiono aktualny stan prawny i stan wymagań higienicznych w odniesieniu do żywności tradycyjnej i regionalnej. Produkcja tej żywności musi się odbywać w warunkach zapewniających bezpieczeństwo zdrowotne. Zagadnienia prawne związane z wytwarzaniem produktów metodami tradycyjnymi oraz z ochroną produktów regionalnych są zawarte w Rozporządzeniach Rady (WE): nr 509/2006 oraz 510/2006. Określają one zasady znakowania oraz wymagania dla trzech grup produktów spożywczych: *Gwarantowanej Tradycyjnej Specjalności (GTS)*, *Chronionej Nazwy Pochodzenia (ChNP)* oraz *Chronionego Oznaczenia Geograficznego (ChOG)*. Producenci muszą taką żywność produkować zgodnie z ogólnymi zasadami higieny. W celu ochrony konsumentów żywność tradycyjna i regionalna podlega systemowi kontroli zgodnie z Rozporządzeniem Komisji (WE) nr 882/2004. Produkty przed przekazaniem ich do obrotu handlowego powinny być sprawdzane pod względem zgodności ze specyfikacją. Kontrola zgodności ze specyfikacją procesu/składu produktów rolnych i środków spożywczych jest zapewniana przez jeden lub kilka organów kontrolnych w danym kraju oraz/lub jednostki certyfikujące produkty. Jednostki certyfikujące muszą spełnić normę EN 45011 lub wymagania przewodnika 65 ISO/IEC i muszą być akredytowane. Środki spożywcze nie powinny zawierać mikroorganizmów, ich toksyn ani metabolitów w ilościach stanowiących zagrożenie dla zdrowia ludzi. Przedsiębiorstwo produkujące żywność regionalną i tradycyjną jest zobowiązane przestrzegać wymagań mikrobiologicznych. Produkty powinny być monitorowane, zgodnie z krajowym planem monitoringu, w zakresie pozostałości pestycydów, metali ciężkich, dioksyn czy też substancji hamujących oraz stosowania dodatków. W celu promocji naszej żywności tradycyjnej i regionalnej działa w naszym kraju kilka organizacji, w tym Polska Izba Produktów Regionalnych i Lokalnych oraz Centrum Badań Żywności Naturalnej i Tradycyjnej na UW-M w Olsztynie.

**Słowa kluczowe:** produkty tradycyjne, produkty regionalne, GTS, ChNP, ChOG

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