



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2024/0608/PL (Poland)

Citizen's draft amending the Animal Protection Act and amending certain other acts

Date received : 06/11/2024

End of Standstill : 07/02/2025

Message

Message 001

Communication from the Commission - TRIS/(2024) 2993

Directive (EU) 2015/1535

Notification: 2024/0608/PL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20242993.EN

1. MSG 001 IND 2024 0608 PL EN 06-11-2024 PL NOTIF

2. Poland

3A. Ministerstwo Rozwoju i Technologii, Departament Obrotu Towarami Wrażliwymi i Bezpieczeństwa Technicznego, Plac Trzech Krzyży 3/5, 00-507 Warszawa, tel.: (+48) 22 411 93 94, e-mail: notyfikacjaPL@mrit.gov.pl

3B. Komitet Inicjatywy Ustawodawczej "STOP ŁAŃCUCHOM, PSEUDOHODOWŁOM I BEZDOMNOŚCI ZWIERZĄT" na rzecz projektu ustawy o zmianie ustawy o ochronie zwierząt oraz zmianie niektórych innych ustaw

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4. 2024/0608/PL - C90A - Well-being of animals and pets

5. Citizen's draft amending the Animal Protection Act and amending certain other acts

6. — products of animal origin obtained from pet animals; — animal by-products constituting Category 3 material referred to in Article 10 of Regulation (EC) No 1069/2009; — fireworks of class F2 and class F3



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7.

8. The draft provides for the introduction of:

- a prohibition on the use of fireworks of classes F2 and F3 (Article 7a of the Animal Protection Act — hereinafter referred to as the Act). The prohibition would not apply to entrepreneurs and scientific units operating under the Act on Explosives and entities authorised to use fireworks under separate legislation;
- a prohibition on feeding pet animals kept in animal shelters with animal by-products (Article 11kc(2) of the Animal Protection Act) which constitute Category 3 material referred to in Article 10 of Regulation (EC) No 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002;
- a prohibition on the purchase or disposal of products of animal origin obtained from pet animals (Article 10d of the Animal Protection Act)

9. The proposed changes shall improve animal welfare. The current legal framework does not provide adequate means to ensure the welfare of animals as understood by well-established scientific knowledge. A noise limit of 120 decibels for fireworks of categories F1, F2, and F3 has been set in order to adapt to the human pain threshold for audible sound. The legal position in no way takes into account the impact of the noise level and frequency of so-called fireworks on animals, which are sentient beings (Article 1(1) of the Animal Protection Act). Animals are much more sensitive to high-frequency noise than humans. Due to the fact that the hearing of animals is much more sensitive than that of humans, firework explosions cause stress in animals and can lead to tinnitus or even irreversible hearing loss. Furthermore, the explosion of fireworks releases particles that are harmful to health, such as fine dust (PM10) which is toxic not only to animals but also to humans. In view of the perceived practice of feeding animals kept in shelters for homeless animals exclusively with animal by-products which constitute Category 3 material (Article 10 of Regulation (EC) 1069/2009), it appears necessary — for reasons of animal welfare — to introduce a prohibition on the feeding of animals with such products. In view of the manner in which products from pet animals are obtained, including inhumane treatment, it is appropriate to prohibit the sale and purchase of such products.

10. Reference(s) to basic text(s):

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

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