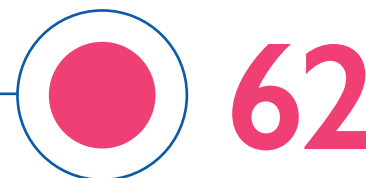


Poland



Summary of Findings

1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The government cooperated with the tobacco industry (TI) in the fight against tobacco smuggling. The Excise Forum was also established as a forum for discussion, and the TI played an active role. Suggestions and consultations are held addressing, among other things, excise duty policy.

2. INDUSTRY CSR ACTIVITIES

In 2021, the National Revenue Administration took over the Business Center Club social campaign entitled “Coming Together to Fight the Illicit Trade in Tobacco Products”.

The TI supported several secondary and tertiary public schools, and conducted workshops and internships to demonstrate tobacco production processes. In addition, British American Tobacco Polska was awarded a medal for its contribution to the economic development of Augustów County.

In August 2022, a monument dedicated to cigarettes was erected in Radom. The project was carried out as part of the Citizens' Budget initiative and partially financed by Imperial Tobacco Polska. Representatives of the TI emphasized that the idea was born on the occasion of the 100th anniversary of the tobacco factory's existence in Radom.

3. BENEFITS TO THE INDUSTRY

The proposed increase in excise tax for various tobacco products, such as cigarettes, rolling tobacco, cigars, cigarillos, dried tobacco, and next-generation products was not delayed.

In 2022, the National Revenue Administration signed an agreement with Philip Morris Polska Distribution Sp. z o.o.,

among other companies, under the Cooperation Program (*Program Współdziałania*). The objective of the Program is to initiate collaborative measures that promote compliance with tax regulations, while taking into account the specific requirements and expectations of key taxpayers, with the ultimate goal of facilitating more favorable conditions for conducting economic activities in Poland.

4. UNNECESSARY INTERACTION

On August 26, 2021, Marshal of the Podlaskie Voivodeship, Artur Kosicki, met with representatives of companies, including British American Tobacco (BAT) Polska. These companies, along with the Marshal, participated in the Economic Forum in Karpacz. The event was attended by the Prime Minister of Poland, Mateusz Morawiecki, the Minister of Health, Adam Niedzielski, many other representatives of the Polish government and other European countries. Moreover, one of the partners of the event was Japan Tobacco International (JTI) Polska.

End of 2022, the regional customs and tax office in Northern Poland organized training on counteracting cigarette smuggling to Poland and identified illegal products from new tobacco/nicotine categories, such as e-cigarette liquid or heated tobacco products. The training was conducted by the Polish branch of BAT and experts from the eSmoking Institute in Poznań, associated with this company.

The government accepted data on smuggling from the PMI-funded KPMG and Almares. The TI funds research companies to research this topic and pass the data on to the government. The General Police Headquarters cooperated with BAT and JTI in combating illegal trade in tobacco products.



5. TRANSPARENCY

The website of the Government Legislation Center discloses interactions with the TI as part of public consultations on draft legislation, but there is no record of any meetings held recently.

Regulations requiring rules on the disclosure or registration of TI entities, affiliated organizations, and individuals acting on their behalf including lobbyists are insufficient. There is no separate register for TI's companies, but information is available in a general database on individuals or organizations engaged in professional lobbying activities.

6. CONFLICT OF INTEREST

There is prohibition of contributions from the TI or any entity working to political parties, candidates, and campaigns.

One of the former First Fiscal Counsellor responsible for the VAT and Excise duty in the Permanent Representation of the Republic of Poland to the European Union, in the position of Director of Gambling's Regulation Department in the Ministry of Finance now is working in Philip Morris Distribution Polska Sp. z o.o.

7. PREVENTIVE MEASURES

The preventive measures as they currently stand are unsatisfactory. The government does not have procedures in place to disclose records of interactions with the TI, nor does it have a code of conduct for public officials when dealing with the TI. Moreover, there is also no program to raise awareness about WHO FCTC Article 5.3 guidelines within government departments. However, the TI is obligated each year to provide a report to the Chemical Substance Office.

Recommendations

1. Disseminate information about WHO FCTC Article 5.3 among government officials and local governments.
2. Limit interactions between the government and the TI, and ensure transparency of such interactions.
3. Denormalize TI interference with policymaking.
4. Undertake government-led studies on illicit trade size and not rely on TI estimates.
5. Reject any offer of assistance from the TI in setting up public policies and in fighting illicit trade.
6. Create awareness among local governments that they should reject any support from the TI for schools.