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Turkey

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Turkey Report 2014

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Report Highlights:

This report outlines specific requirements for food and agricultural products imports into Turkey. It was prepared by the Office of the US Foreign Agricultural Service in Ankara, Turkey for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I. Food Laws:

The main target of Turkish food and agriculture policy is to harmonize the related laws and regulations with the European Union (EU) *acquis communautaire*. In the scope of EU harmonization, the Turkish Government issued a new Law no. 5996 on Veterinary Services, Phytosanitary, Food and Feed on June 13th, 2010 with the objective of protecting and ensuring public health, food and feed safety, animal health and welfare, plant health and consumer interests taking into consideration environmental protection. In the past, veterinary services, phytosanitary, food and feed policies were covered by separate laws and regulations. Unlike the old bills, Law 5996 covers all stages of production, processing and distribution of food, materials and articles intended to come into contact with food and feed, controls of residues of plant protection products and veterinary medicinal products and other residues and contaminants, control of epidemic or contagious animal diseases and harmful organisms in plants and plant products, welfare of farm and experimental animals and pet animals, zootechnics, animal health and plant protection products, veterinary and plant health services, entry and exit procedures of live animals and products to country as well as related official controls and sanctions.

The Law gives an authority for the principles and procedures relating to the production, packaging, sale, import and export of spring water, drinking water, natural mineral water and water for medical purposes and the principles and procedures relating to compliance with technical and hygienic rules, ensuring fulfillment of quality standards and monitoring and control of quality standards of potable and utility water to Ministry of Health (MoH). MoH is also responsible for the principles and procedures relating to the production, import, export, and control of dietary foods for special medical purposes.

For the implementation of Law no. 5996, the Ministry of Agriculture and Rural Affairs was extensively re-organized by the Decree Law no. 639 under the name of the Ministry of Food, Agriculture and Livestock (MinFAL) in June 2011. Currently, MinFAL is the competent authority with regard to food and feed safety, veterinary and phytosanitary issues in Turkey. Under MinFAL, the General Directorate of Food and Control (GDFC) is the most important ministerial structure for food and feed safety, veterinary and phytosanitary policies, adoption of legislation related to these policies, relevant official controls and inspections at all stages of processing, distribution and placing on the market as well as ensuring animal health and welfare. The GDFC is contact point for international organizations such as Codex Alimentarius Commission, European Food Safety Authority (EFSA), European and Mediterranean Plant Protection Organization (EPPO), World Organisation for Animal Health (OIE), World Trade Organization (WTO), etc.

Another important law is Law no 5977 on Biosafety which was published in the Official Gazette on March 3rd, 2010. The objective of this Law is to establish and implement a biosafety system in order to prevent the potential risks of the genetically modified organisms and products thereof obtained through modern biotechnological means within the context of scientific and technological advancements; protect human, animal and plant health; safeguard and ensure the sustainable use of the environment and biological diversity and to determine the procedures and principles governing the control, regulation and monitoring of these activities. It governs all activities including but not limited to the research, development, processing, placing on the market, monitoring, utilization, importation, exportation, transit, transportation, preservation, packaging, labeling and storage regarding Genetically Modified Organisms and products thereof.

Veterinary medicinal products, human medicinal products and cosmetics which acquired license or got approval from the MoH do not come under the scope of the Biosafety Law. In the scope of this Law, the

Biosafety Board was established in 2011. Since then, 16 corn events and 3 soybean events have been approved by the Biosafety Board for feed use. However 2 of 16 corn events were suspended by the court decision in December 2013 (Please see GAIN Report “Turkey Repeals the Approval of Two Genetically Engineered Corn Traits” from December 27, 2013 for more information). No traits have been approved for food use. (For more information on Turkey’s Biosafety Law, please refer to the Biotechnology Annual GAIN Report.)

Enforcement of Turkish food and agriculture legislation is performed by 81 Provincial Food, Agriculture and Livestock Directorates (PAD) and 846 District Directorates (DD). The public laboratories of MinFAL, including 39 Provincial Food Control Laboratories, 1 National Food Reference Laboratory, 9 Veterinary Control Institutes and 9 Plant Quarantine Laboratories and Plant Protection Research Institute Laboratories and 87 private food control laboratories which are authorized and audited by MinFAL and are involved in the official control system. Auditing of directorates and districts and laboratories is performed by GDFC officials.

The legal infrastructure of agriculture is mainly based on regulations and/or communiqués rather than on laws. The reason for this is that the Turkish constitutional system does not allow laws to be adopted, amended or abolished easily. Therefore governments have traditionally preferred to publish regulations, communiqués, directives or circular etc. The majority of the regulations on food and agricultural products are prepared and published by the MinFAL. However, there are also regulations published by other Ministries, such as the Ministry of Finance and the Ministry of Health. About a hundred implementing regulations of Law no. 5996 has been published and enforced by MinFAL since 2011. The Turkish government rarely informs the international bodies such as the WTO about possible or actual regulation changes. Exporters should be aware that there may be some variation among Provinces in applying legislation. This may be due to the lack of guidelines for the enforcement of rules in some cases.

Most of Turkish food and agriculture-related laws, regulations, communiqués, directives, and circulars are available in Turkish on the website of the GDPC <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> and very limited number of them are in English at <http://www.tarim.gov.tr/Sayfalar/Eng-1033/Mevzuat.aspx>.

Section II. Labeling Requirements:

A. General Requirements

The communiqué regulating the packaging and labeling of foods was published on August 25, 2002. This communiqué was prepared within the framework of harmonization with the EU Directives 2000/13/EEC on the Labeling, Presentation and Advertising of Foodstuffs, 90/496/EEC Directive on Nutrition Labeling of Foodstuffs, and Directive 80/232/EEC on the approximation of the laws of the member states relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products. It was amended once in 2004 and twice in 2006.

On December 29th, 2011, the GDFC published a new Turkish Food Codex Regulation on Labeling in the Official Gazette. It was prepared parallel to EU Directives of 2000/13/EEC, 2008/5/EC, 1999/10/EC, 2002/67/EC, 90/496/EEC, 87/250/EEC and Regulations 608/2004/EC and 1924/2006/EC and amended three times since it was published. The Regulation concerns the labelling of foods to be

delivered as such to the consumer and certain aspects relating to its presentation and advertising. Nutritional and health claims are also involved in the scope of this Regulation.

According to the Regulation, labels should not mislead the consumer by suggesting that the food possesses special characteristics when in fact all similar food possesses such characteristics and by attributing to the food effects or properties which it does not possess. Statements, signs or pictures should not be on labels which mean or imply that food has the property of preventing, treating or curing a human disease. The importer is responsible for the imported food product's labeling.

An imported food item may arrive in its original package, but a permanent "sticker" label, in Turkish, must be attached to the package before it is marketed. Each food has to be labeled clearly, completely and accurately in Turkish language before placing on the market. Other languages in addition to Turkish may also appear on the label. Labeling requirements are enforced by PAD and DD officials. Turkish authorities do not grant exceptions to their labeling regulations. The standard U.S label does not comply with Turkish labeling requirements.

Compulsory Information :

The compulsory information must appear on the packaging or on a label attached to it. The information must be marked in such a way that it is easily visible, clearly legible and indelible. The following information is compulsory on labels of foods for those domestic and imported:

- (1) The name under which the product is sold,
- (2) The list of ingredients, in descending order of weight,
- (3) Allergenic ingredients,
- (4) The net quantity of product,
- (5) Date of minimum durability. For highly perishable goods (due to microbiological activity), "use by" and date. Date must be given as day/month/year or: "best before" and date in terms of day and month for foods expected to keep for three months or less, or: "best before end" and date in terms of month and year only for foods expected to keep for more than three months but not longer than eighteen months, or "best before end" and date in terms of either month and year or year only for foods expected to keep for more than eighteen months,
- (6) Any special storage conditions or conditions of use,
- (7) The name or business name and address of business operator (i.e., manufacturer or packager or seller or importer)
- (8) Business Registration number of business operator,
- (9) Country of origin,

(10) Instructions for use,

(11) Strength of alcohol by volume with respect to beverages containing more than 1.2% alcohol by volume,

(12) The quantity of certain ingredients or categories of ingredients such as fats, oils, herbs, etc.,

(13) Production batch/lot number and date.

Additional Compulsory Information:

(14) The statement "...contains alcohol" if the ethyl alcohol is used as an ingredient in the manufacture or preparation of a food notwithstanding the amount of the alcohol. (The transition period for this requirement will end on 1 January 2015),

(15) The statement "contains ... obtained from pigs" if the product contains any product/ingredient obtained from pigs notwithstanding the amount of that product/ingredient. (The transition period for this requirement will end on 1 January 2015),

(16) The statement "...contains herbal sterol/stanol" or "...contains added herbal sterol/stanol" if herbal sterol and/or sterol ester is added to product,

(17) The statement "...contains high amount caffeine, not for children or pregnant or lactating woman" if product contains caffeine exceeding 150 mg/L,

(18) The statement "...contains licorice. Patients with hypertension should avoid the consumption" if the product contains glycyrrhizic acid or ammonium salts of glycyrrhizic acid,

(19) The statements "...contains sweeteners" or "...with sweeteners" or "...contains sugar and sweetener" or "...contains aspartame (source of phenylalanine)" if the product contains sweetener and/or added sugar,

(20) The statement "...packaged under protective atmosphere" if the product is packaged with packaging gases.

In addition to compulsory labelling, certain foodstuffs such as infant and follow-on formulas, wines, aromatized wines, spirit drinks, food supplements, energy drinks, non-alcoholic beverages, sugar, honey, coffee, meat and meat products, fruit juice, and dairy products have specific labelling requirements in their vertical communicues.

Because of difficulties fighting adulterated foods such as honey, alcoholic drinks, energy drinks, black tea and food supplements, MinFAL decided to implement a new single code system for certain food categories. This system is called "Product Verification Monitoring System (PVMS)". According to PVMS consumer will verify purchased food products information by using a 19 digit number. An

article related to PVMS was published in the second amendment of Turkish Food Codex Labeling Regulation, on September 03, 2013. MinFAL determined seven food categories, which are alcoholic beverages, food supplements, honey, energy drinks, black tea, vegetable liquid oil, infant formula, follow-on formula, supplementary baby foods to implement this system. PVMS is scheduled to go into effect on September 1, 2014, although lawsuits may further delay or alter its implementation. (For more information on the law, please refer to our December 2013 GAIN Reports on the subject.)

B. Requirements Specific to Nutritional Labeling and Nutritional claims

Nutritional labelling is mandatory when there is a nutritional and/or health claim on the label, presentation or advertisement of foodstuff. Food supplements are out of the scope of this requirement. This requirement is valid also for the foods for special dietary purposes without prejudice to its vertical legislation. Nutritional labelling includes energy value, fats, carbohydrates, proteins where required fiber, and salt/sodium, vitamins and minerals. Nutritional claims and their requirements are given in detail in the Regulation. Some examples for the nutritional claims allowed in the Regulation on Labeling are as follows:

- If the energy value of the solid food is not more than 40 kcal, the nutritional claim as “low calorie” might be on the label,
- If the energy value or ingredient amount is reduced 30 percent with respect to similar product, the claim “reduced calorie” might be on the label,
- If the amount of alpha linolenic acid amount is minimum 0,3 gr per 100 gr or 100 kcal food, the claim “source /contains/ added Omega 3 fatty acids” might be on the label,
- If the 100 gr or 100 ml foodstuff contains sugar not more than 0,5 gr, the claim “sugar free” might be on the label

To see for whole group of nutritional claims and their requirements allowed by the Regulation, please visit the web site at <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish language.

C. Requirements Specific to Health Claims

According to the Regulation, health claims on the label, presentation or advertisement of foodstuff are allowed if :

- the product is consumed as food or food supplement
- the product has the claimed effect at normal consumption level
- the alcohol content of the product is not 1.2 percent
- the product contains 3 of the following requirements at the same time:
 - maximum sodium amount is 120 mg/100kcal
 - maximum 8 percent of energy value comes from saturated fatty acids

- maximum 10 percent of energy comes from added sugar
- minimum 55mg/100kcal calcium naturally

Claims are not allowed which refer to:

- negative effects on health when that foodstuffs is not consumed
- weight loss amount or rate
- advices of doctors or other medical persons

To see the whole group of health claims and their requirements allowed by the Regulation, please visit the web site at <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish language. Some examples of health claims are as follows:

- “This foodstuff contains probiotic microorganism. Probiotic microorganisms may help to regulate digestive system and support immune system”
- “This foodstuff contains omega 3 fatty acids EPA and/or DHA. EPA and/or DHA may help to protect your heart and vein health.”
- “This foodstuff contains low sodium. Low sodium may help to reduce the risk of high blood pressure and protect your vein and heart health.”

D. Labeling for Food Additives

Labeling rules for food additives are indicated in the Regulation on Food Additives which was published in the Official Gazette no. 28693, dated 06/30/2013. In this Regulation, in addition to compulsory information, there are specific labeling requirements for food additives which will and will not be supplied to the consumer.

E. Labeling for Food and Feed containing, consisting or deriving from Genetically Modified Organisms (GMO's)

In addition to general labelling rules, specific labeling rules for food and feed containing, consisting or deriving from GMO's are set in the Regulation on Genetically Modified Organisms and its Products published in Official Gazette no 27671 dated 08/13/2010. Currently, there is no GMO event approved for food use in Turkey. There are 16 corn events of which 2 of them are suspended by a court decision in December 2013 and 3 soybean events approved only for feed use. Imported feed into Turkey must be labeled “Contains GMO” if it contains GMO over 0.9 percent within a given shipment.

Section III. Packaging and Container Regulations:

Turkish Food Codex Regulation on Materials and Articles Intended to Come into Contact with Food was published on the Official Gazette no 28157 dated 12/29/2011 and it was amended on 08/03/2012. This regulation is applied to materials and articles, including active and intelligent food contact materials and articles, which in their finished state;

- are intended to be brought into contact with food;
- are already in contact with food;
- can reasonably be expected to be brought into contact with food or to transfer their constituents to food under normal or foreseeable conditions of use and were intended for that purpose;

This Regulation is not applied to materials and articles which are supplied as antiques; covering or coating materials, such as the materials covering cheese rinds, prepared meat products or fruits, which form part of the food and may be consumed together with this food and fixed public or private water supply equipment.

Under the framework Regulation, there are specific requirements related to materials and articles such as glass, paper, metal, plastics, ceramics, regenerated cellulose and those which contain vinyl chloride monomers. These regulations are available at website <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish language.

Section IV. Food Additives Regulations:

The food additive section of the Turkish legislation is quite detailed and aimed to prepare it to conform to EU regulations. Revised Turkish Food Codex Regulation on Food Additives was published in the Official Gazette no. 28693 dated 06/30/2013. The Regulation specifies general conditions for inclusion and use of food additives in the list. It sets the food additive functional groups, names of food additives, defines the food categories, and lists maximum amounts and conditions of additives allowed in defined food categories as well as exceptions and restrictions. It also lists food items in which food additives are not allowed to be used or lists certain food additives which are not allowed to be used for certain traditional foods namely fermented sucuk, heat-treated sucuk, poultry doner, doner and kofte, pastirma, pekmez, pide, bazlama, cig kofte. For example E-620-625: Glutamic acid-glutamates and E-626-635: Ribonucleotides which have the function of flavor enhancers are prohibited to use in fermented pastirma, sucuk, heat treated sucuk, poultry doner and kofte.

The Ministry states that the reason of this prohibition is to protect the traditionalism of these products and protect unnecessary usage of additives. In addition, nitrates are banned in fermented sucuk and pastirma and nitrites are banned in doner and kofte. The Ministry states that the aim of this prohibition is to prevent the additives used except for technological necessities.

Regulation is available at <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish language.

Section V. Pesticides and Other Contaminants:

Turkish Food Codex Regulation on Maximum Residue Levels of Pesticides was published in the Official Gazette no. 29157 dated 12/29/2011 and amended once in 2013. The Regulation is applied to foodstuffs of plant and animal origin to be used as fresh, processed and/or composite food in or on which pesticide residues may be present. It does not apply to the manufacture of products other than food or sowing or planting or activities authorized by national law for the testing of active substances. The Regulation lists the maximum level of pesticides which are permitted in foods and undergoes occasional updates.

Turkish Food Codex Regulation on Pharmacologically Active Substances and Their Classification Regarding Maximum Residue Limits in Foodstuffs of Animal Origin was published in the Official Gazette no. 28282 dated 05/04/2012. Pharmacologically active substances and their classification regarding maximum residue limits are set in the Regulation.

Both Regulations were prepared in the scope of harmonization to EU, however, there are differences from EU in both Regulations. The Turkish Food Law maintains provisions for regulators to refer to the Codex Alimentarius or EU Directives if the pesticides or pharmacologically active substances are not contained in the Turkish Food Codex.

Both Regulations are accessible at <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish language.

Section VI. Other Regulations and Requirements:

MinFAL has followed a dual approach in preparation of food regulations: "horizontal" legislation that covers aspects which are common to all foodstuffs such as additives, contaminants, labeling, hygiene, official controls, etc., and "vertical" legislation on specific products such as food supplements, cocoa and chocolate products, sugars, wine, spirit drinks, beer, meat and meat products, infant and follow-on formulas, honey, fruit juices, fruit jams, etc.

Please see below some horizontal regulations and publishing dates:

Date of official gazette	Name of regulation	Important articles
December 17, 2011	Official import controls of plant originated food and feed	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and feed law: - Importers should get an electronic username and password for pre-notification - Importers should electronically fill attached pre-notification form for plant origin food; feed and food contact material and attached copies of certificate, ingredient list, and other documents which will be determined by MINFAL. - Border Inspection Post or provincial directorates provide a date of inspection

		<ul style="list-style-type: none"> - Frequency of analysis is determined by risk analysis - If there is a non-compliance, importers can either use special treatment, declare change in intent of use, send it back or confiscate the product - If there is a protocol between two countries electronic certificate will be accepted - Turkish translated labeling should be done before actual import control carried out.
December 17, 2011	Measurements to monitor certain substances and their residue on live animals and animal products.	<ul style="list-style-type: none"> - EU harmonization regulation, 96/23/EC - EU harmonization regulation, 97/747/EC - If inspectors detect residue on imported animals or animal products they will increase the frequency of analysis from the same country of origin
December 17, 2011	Food Hygiene	<ul style="list-style-type: none"> - EU harmonization regulation, 852/2004/EC - Based on 5996 law, veterinary services, plant health, food and feed law: - Define general hygiene criteria for premises including HACCP criteria and good management practices
December 17, 2011	Food premises registration and approval	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and feed law - Define which premises requires registration and define criteria of how they should register
December 17, 2011	Food and Feed official controls	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and feed law: - MinFAL is now ready to delegate some of their control and inspection authority to accredited private food control offices or some NGOs. Import and export controls are excluded. - MinFAL decided to publish the list of approved premises, approvals suspended premises, approvals cancelled premises, it will increase transparency. - Defined traceability, responsibility, general requirements for imports and exports - Establishing rapid alert system
December 17, 2011	Pre-notification and veterinary checks of animal and animal products entering to the country	<ul style="list-style-type: none"> - EU harmonization regulation, 282/2004/EC - EU harmonization regulation, 136/2004/EC - Based on 5996 law, veterinary services, plant health, food and feed law: - Pre-notification of imports of animals and animal products - Veterinarians responsibilities to check and sign forms
December 17, 2011	Specific rules for animal products official inspections	<ul style="list-style-type: none"> - EU harmonization regulation, 854/2004/EC - Based on 5996 law, veterinary services, plant health, food and feed law - Approval of premises - General hygiene rules - Raw meat inspections - Role and duties of official veterinarian and his/her assistant

		- Live animal inspections and animal welfare
December 17, 2011	Veterinary checks on products entering to the country	- EU harmonization regulation, 97/78/EC - Based on 5996 law, veterinary services, plant health, food and feed law: - Pre-notification and veterinary checks at the border inspection post - Issuance of veterinary check form - Frequency of veterinary controls - Physical criteria of border inspections post
December 17, 2011	Veterinary checks on live animals entering to the country	- EU harmonization regulation 97/794/EC - EU harmonization regulation, 91/496//EC - Based on 5996 law, veterinary services, plant health, food and feed law - One day before arrival, importers should inform amount, variety and expected date of arrival to veterinary border inspection - Veterinary controls should contain documentary checks, physical checks, - First veterinary checks should be done at the border inspection posts
December 17, 2011	Domestic animal and animal products movements	- Based on 5996 law, veterinary services, plant health, food and feed law - Issuance of veterinary health certificate on animal movements - Define vehicle criteria on animal and animal products movements
December 21, 2011	Animal hospital regulation	- Based on 5996 law, veterinary services, plant health, food and feed law - Criteria to setup animal hospital including staff qualifications
December 21, 2011	Veterinary checks on animal and animal products entering to the country	- EU harmonization regulation 97/78/EC - EU harmonization regulation, 91/496//EC - EU harmonization regulation, 2007/275//EC - Based on 5996 law, veterinary services, plant health, food and feed law - Attached list of regulation classifies which products are animal and animal products
December 23, 2011	Animal welfare regulations	- Based on 5996 law, veterinary services, plant health, food and feed law - Defines criteria of animal farms including barns, cages for chickens etc.
December 23, 2011	Protection and combating measurements against cattle leucosis	- Based on 5996 law, veterinary services, plant health, food and feed law - Vaccination to leucosis cattle is prohibited - Animal movements to herds that have leucosis cattle restricted
December 23, 2011	Protection and combating measurements against cattle anthrax	- Based on 5996 law, veterinary services, plant health, food and feed law - Diagnosis, notification and combating measures.

December 23, 2011	Surveillance of zoonosis and zoonotic agents, related antimicrobial resistance and food borne outbreak	<ul style="list-style-type: none"> - EU harmonization regulation 97/78/EC - Based on 5996 law, veterinary services, plant health, food and feed law - Surveillance of Brucellosis,
December 24, 2011	Criteria of livestock markets registration, inspections	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and feed law
December 24, 2011	Animal welfare during animal transportation	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and feed law - Criteria of animal transportation vehicles including ships and trucks - Responsibilities, training, inspections and reports
December 24, 2011	Animal by products that are not intended to use for human consumption	<ul style="list-style-type: none"> - EU harmonization regulation 1069/2009/EC - Categorization of byproducts - Collection and transportation criteria
December 24, 2011	Semen, Ovum and Embryo production center establishments regulations	<ul style="list-style-type: none"> - Registration, approval and certification of centers
December 27,2011	Special hygiene regulation for animal products	<ul style="list-style-type: none"> - EU harmonization regulation, 853/2004//EC - Based on 5996 law, veterinary services, plant health, food and feed law - Defines criteria for animal slaughtering and animal products processing facilities
December 27,2011	Feed hygiene	<ul style="list-style-type: none"> - EU harmonization regulation, 183/2005//EC - Based on 5996 law, veterinary services, plant health, food and feed law - Registration and approval of feed premises
December 27,2011	Placing on the market and use of feed	<ul style="list-style-type: none"> - EU harmonization regulation, 767/2009//EC - Based on 5996 law, veterinary services, plant health, food and feed law - Principles of labeling and presentation
December 27,2011	Methods of sampling and analysis for the official control of feed	<ul style="list-style-type: none"> - EU harmonization regulation, 767/2009//EC - Based on 5996 law, veterinary services, plant health, food and feed law
December	Turkish food	<ul style="list-style-type: none"> - Based on 5996 law, veterinary services, plant health, food and

29,2011	codex, maximum residue limits of pesticides	feed law
December 29,2011	Turkish food codex, flavorings and certain food ingredients with flavoring properties	- EU harmonization regulation, 1337/2008//EC - EU harmonization regulation, 2065/2003//EC - Based on 5996 law, veterinary services, plant health, food and feed law
December 29,2011	Turkish food codex; food additives	- EU harmonization regulation, 1333/2008//EC - Based on 5996 law, veterinary services, plant health, food and feed law
December 29,2011	Turkish Food Codex	- Based on 5996 law, veterinary services, plant health, food and feed law
December 29,2011	Turkish Food Codex preparation	- Based on 5996 law, veterinary services, plant health, food and feed law
December 29,2011	Turkish food codex, Microbiological criteria for foodstuff	- Based on 5996 law, veterinary services, plant health, food and feed law - EU harmonization regulation, 2073/2005//EC
December 29,2011	Turkish food codex, labeling	- Based on 5996 law, veterinary services, plant health, food and feed law - EU harmonization regulation, 2000/13/,/79/112/,2002/67/,/608/2004/,/90/496,87/250,1924/2006 EEC
December 29,2011	Turkish food codex, contamination	- Based on 5996 law, veterinary services, plant health, food and feed law - EU harmonization regulation,1881/2006/EC
December 29,2011	Turkish food codex, materials and articles intended to come into contact with food	- Based on 5996 law, veterinary services, plant health, food and feed law - EU harmonization regulation,1935/2004/EC
December 4, 2012	Turkish food codex, composition and labeling of foodstuffs suitable for people intolerant to gluten	- EU harmonization regulation, 41/2009/EC
December 4, 2012	Turkish food	- EU harmonization regulation, 1881/2006/EC

	codex, sampling, testing method for dioxin and similar products	
December 4, 2012	Turkish food codex, indications or marks identifying the lot to which a foodstuff belongs	- EU harmonization regulation, 89/396/EC

All Regulations are accessible at <http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx> in Turkish and a few are available in English at <http://www.tarim.gov.tr/Sayfalar/Eng-1033/Mevzuat.aspx>.

Section VII. Other Specific Standards:

Some food products are regulated by MinFAL as vertical legislation through individual Communiqués to face special requirements. The production, processing, storage, transportation and marketing conditions and product criteria are determined in these Communiqués. Please see below the list of some vertical Communiqués under Turkish Codex Regulation:

Communiqué on Aromatized Wines

Communiqué on Wine

Communiqué on Spirit Drinks

Communiqué on Energy Drinks

Communiqué on Non-Alcoholic Beverages

Communiqué on Fruit Juices and Similar products

Communiqué on Coffee and Coffee Extracts

Communiqué on Chocolate and Chocolate Products

Communiqué on Food Supplements

Communiqué on Fermented Milk

Communiqué on Infant Formulas

Communiqué on Follow-on Formulas

Communiqué on Cereal-based Supplementary Baby Foods for Infants and Young Children

Communiqué on Sportsman Foods

Communiqué on Black Tea

Communiqué on Chewing gum

Cocoa and cocoa products

Communiqué on Frozen Food

Communiqué on Gluten-Free Foods

Communiqué on Ice cream

Communiqué on Jams marmalades jelly

Communiqué on Lentils

Communiqué on Pasta
Communiqué on Rice
Communiqué on Salt
Communiqué on Sugar
Communiqué on Vegetable Oils
Communiqué on Olive
Communiqué on Egg and Egg Products
Communiqué on Meat and Meat Products
Communiqué on Wheat Flour
Communiqué on Honey

A complete list of Communiqués is accessible in Turkish at the following link:
<http://www.tarim.gov.tr/Sayfalar/Mevzuat.aspx>

Energy Drinks: According to Communiqué on Energy Drinks, caffeine content should not be more than 150 mg/L in energy drinks. Also, the following ingredients have maximum levels:

-Inositol	100 mg/L
-Glucoronolactone	20 mg/L
-Taurine	800 mg/L

Also, health certificates for energy drinks must contain the phrase “product is free from harmful substances and fit for human consumption”. This can be problematic, as FDA will not usually issue a certificate with this language. In some instances, this problem can be overcome by getting a certificate of free sale from a government agency at the state or local level.

Live Cattle and Meat and Poultry:

Turkey has banned all meat, beef, poultry and slaughter cattle imports for years, but in 2010 it opened the market temporarily for meat, feeder cattle, and slaughter cattle. Please see GAIN Attaché Reports on the FAS website for the latest updates on the status of import requirements as it changes frequently.

In January 2014, the United States and Turkey signed a new protocol to permit the import of live female breeding cattle from the United States and there is also a protocol from November 2009 for the import of live breeding bulls. A certificate for fattening cattle was finalized in March 2012. Cut meat imports to Turkey are still banned from all countries. Turkey only allows imports of poultry products for re-export.

In order to track which products are restricted for which diseases in Turkey, one can view the following website:

<http://www.tarim.gov.tr/Sayfalar//Icerikler.aspx?rid=416&NodeValue=416&KonuId=107&zGroup=0&ListName=Icerikler>.

The list of all countries appears in the first column with the corresponding disease in the next column. The list is in alphabetical order and the United States comes first because in Turkish it is abbreviated as

“ABD”. The list is in both Turkish and English.

Section VIII. Copyright and/or Trademark Laws:

Companies must apply to the Turkish Patent and Trademark Institute for trademark registration. A separate application is required for each brand name. After the initial inspection and check, the trademark is announced in the Official Trademark Gazette for three months. If there are no objections during this period, the trademark can be registered. The process takes about four months.

Section IX. Import Procedures:

Import Regulations

Imports of food products into Turkey are allowed only if they conform to regulations related to import controls and Turkish Food Codex. Turkey is harmonizing its food import regulations and Turkish Food Codex Regulation with those of the European Union. If the product in question is not covered by the Turkish Food Codex, officials can refer to the international regulations such as International Standardization for Standardization (ISO), Codex Alimentarius or relevant EU Directives if it is not harmonized yet, on a case-by-case basis.

Import Process

Before December 2011, the majority of food and non-food imports required a “Control Certificate” which is an import license that states whether or not the product is eligible for import. However, according to the new import regime in December 2011, Control Certificates are required only for animal, animal products, and certain plants. Please see APPENDIX A - HS CODES of commodities which require Control Certificate prior to import.

According to new import control regulations for food and feed of plant origin and materials and articles intended to come into contact with food, there is a pre-notification system in place in Turkey. The importer should register the required information for each product in the electronic system which is called Food Safety Information System (FSIS) of General Directorate of Food and Control (GDFC), which is accessible by the importer. Required information contains product name, product category, country of origin, name of importer, name of exporter or manufacturer together with ingredient list and label of product. This information is evaluated and approved by the Provincial Directorate (PAD) if it complies with the legislation in force. Later, the importer notifies the PAD about shipment details by filling the shipment notification form through FSIS and uploads the certificate related to product to be imported within a minimum 3 days and a maximum 20 days before arrival of commodity. When the product arrives at customs, the importer makes an application with the original documents to PAD. Inspectors of PAD check the documents and product. If the result of these checks is positive then inspectors take a sample. Frequency of sampling is determined by PAD. If the results of the analysis comply with the legislation, PAD sends a conformity letter to customs to release the product in question. The process normally takes up to one week depending on the type of analysis. Analysis is carried out by the official control laboratories and private laboratories which are authorized by GDFC. The cost of analysis for both official control laboratories and private laboratories is determined annually by GDFC and it is published in the GDPC’s website.

For animal and animal originated products, a control certificate is required to be approved prior to import. The importer should apply to PAD together with following documents for approval of Control Certificate:

1. Filled Control Certificate Form
2. Proforma invoice or invoice
3. Sample veterinary health certificate
4. Document of Country of origin
5. Ingredient List
6. For food supplements, food for special dietary purposes and for products and feed where national legislation does not exist, specification document
7. Label/draft label
8. Commercial Activity Certificate or Trade Registry Gazette where importer is registered
9. Other documents where MinFAL requested

After approval of Control Certificate within one or two weeks by PAD, it is registered to FSIS for animal sourced food products. Control Certificates are valid for a period of between 4 and 12 months, depending on the product. Control certificates are sometimes used as an instrument to deny or delay the importation of some products. After receiving a Control Certificate, the importer should inform the border inspection post and PAD about the arrival of the shipment at least one working day before arrival by filling and submitting the Veterinary Entrance Document. When the commodity arrives at port, the importer fills out an application with the Control Certificate and the originals of documents which are approved before by PAD. Inspectors of PAD check the documents and product. If the result of these checks is positive, then, inspectors take sample. Frequency of taking sample is determined by PAD. If the results of analysis comply with legislation, then PAD sends conformity letter to custom to release the product in question. The process normally takes up to one week depending on the type of analysis. Analyses are carried out by official control laboratories and private laboratories which are authorized by GDFC.

A Control Certificate is required also for seeds prior to import. A Control Certificate is valid for 6 (six) months and such time period cannot be extended. An individual preliminary permit application is required for each Control Certificate. For the approval of a Seed Control Certificate, the following documents are required;

- a. Letter of Application
- b. Control Certificate Form
- c. Original copy of invoice/pro forma invoice or its copy certified by importer and its Turkish translation. Items required to be included in invoice/pro forma invoice:
 1. Invoice/Pro forma invoice date and number (such date cannot be older than 6 (six) months);
 2. Type and variety of seed to be imported;
 3. Quantity, lot/batch number and monetary value of seed to be imported;
 4. Name, authorized signature and seal of importer company;
 5. Contact details of importing company.

- d. A document certifying that respective seed is not a genetically modified organism (GMO):
 1. Letter of Undertaking III (Annex-6) shall be required from importer company.
 2. Importer company can declare it on pro forma invoice or with an individual document. In case such document is a copy, it must be approved by importer company.
 3. In case it cannot be documented by importer company, an analysis report certifying that it is free from GMO shall be required.
- e. Preliminary import permit; bank receipt evidencing that application fee has been paid.
- f. Seed Certificate

While many U.S. foods are imported into Turkey without problems, some U.S. companies have encountered difficulty complying with demands from import officials for certificates that are not normally issued in the United States. Requirements and standards for some imported foods may be stricter than both those currently applied in the EU and those applied to domestically produced products.

Exceptions :

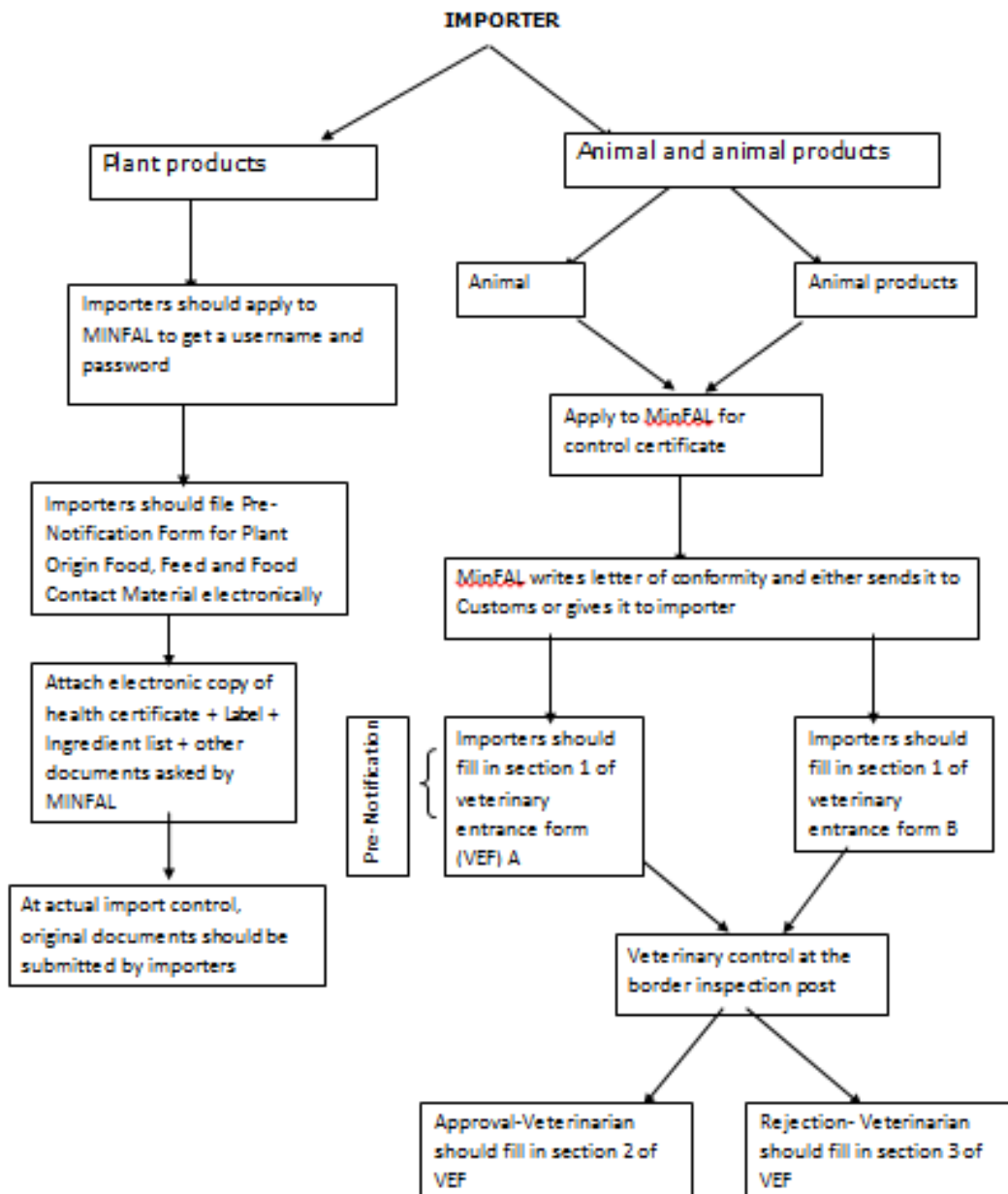
MinFAL might implement an exemption for the import controls of food and feed which is not for commercial use if:

- it is for scientific purposes, for exhibition, for sportive or cultural activities
- it is for consular or diplomatic representatives' own use
- it is for sample purposes only
- it is donated in crisis time

Sending samples:

Requirements for shipping product samples are slightly different than for products intended for consumption. For the importation of samples, there is no pre-permission or control certificate required. Technically, there are no documentation requirements if the sample is for an exhibit or scientific research.

For commercial samples, the importer needs to fill out a special form from the PAD and provide a copy of the pro-forma invoice (if it is free of charge, this is simply stated on the invoice). Once the PAD has that form, they prepare a letter to relevant custom to notify them to release the sample. Note - there is no health certificate requirement.



Customs Inspection and Documentation

Upon entry of the product at Customs which are specified for food and agricultural products, the importer should be prepared to present the approved Control Certificate (if required) together with originals of invoice, ingredient list, certificate of origin, veterinary health certificate or plant health certificate, etc., as well as other import documentation such as the bill of lading. Inspectors from the PAD take samples of the product and send it to the MinFAL’s official laboratory or a private laboratory authorized by MinFAL for physical, chemical and microbiological analysis. Import of the foodstuff is

allowed if the results of the analysis are found to be acceptable and consistent with related regulations, and imports have been approved by PAD. If the inspection results do not comply with Turkish legislation requirements, the importer may request secondary sample tests. In the case that the secondary test results are also against the Turkish import requirements then the shipment is rejected by PAD.

In addition, if the foodstuff is a bulk or semi-processed commodity, it is checked by plant quarantine specialists or veterinarians for consistency with the appropriate law and regulations.

HS Codes of commodities which require Control Certificate

Products subject to veterinary control	Seed, saplings and flower bulbs
HS CODE	HS CODE
01.01	GTİP
01.02	0601.10.10.00.00
01.03	0601.10.20.00.00
01.04	0601.10.30.00.00
01.05	0601.10.40.00.00
01.06	0601.10.90.10.00
02.01	0601.10.90.90.00
02.02	0601.20.30.00.11
02.03	0601.20.30.00.12
02.04	0601.20.30.00.13
0205.00	0601.20.30.00.14
02.06	0601.20.90.10.11
02.07	0601.20.90.10.19
02.08	0601.20.90.90.00
0209.00	0602.10.10.00.00
02.10	0602.10.90.00.00
03.01	0602.20.10.00.00
03.02	0602.20.90.00.19
03.03	0602.30.00.00.00
03.04	0602.40.00.00.00
03.05	0602.90.30.00.00
03.06	0602.90.45.00.11
03.07	0602.90.45.00.12
04.01	0602.90.49.00.00
04.02	0602.90.50.00.00
04.03	0602.90.70.00.11
04.04	0602.90.70.00.12
04.05	0602.90.91.00.00
04.06	0602.90.99.00.00
0407.00	0701.10.00.00.00

04.08	0703.10.11.00.00
0409.00	0703.20.00.00.12
0410.00	0712.90.11.00.00
05.06	0713.10.10.00.19
05.07	0713.20.00.00.11
0510.00	0713.31.00.00.11
05.11	0713.32.00.00.11
15.01	0713.33.10.00.00
15.02	0713.34.00.00.11
1503.00	0713.35.00.00.11
15.04	0713.39.00.00.11
1506.00	0713.40.00.00.11
1516.10	0713.50.00.00.11
1518.00	0713.60.00.00.11
1601.00	0713.90.00.00.12
16.02	0713.90.00.00.13
1603.00	1001.11.00.00.00
16.04	1001.91.10.00.00
16.05	1001.91.20.00.11
1702.11	1002.10.00.00.00
19.01	1003.10.00.00.11
19.02	1003.10.00.00.19
19.05	1004.10.00.00.00
20.04	1005.10.13.00.00
20.05	1005.10.15.00.00
2103.90.90	1005.10.18.00.00
21.04	1005.10.90.00.00
2105.00	1006.10.10.00.00
21.06	1007.10.10.00.00
23.01	1007.10.90.00.00
2835.25.00.00.00	1008.21.00.00.11
2835.26.00.00.00	1008.21.00.00.12
30.01	1008.60.00.00.00
30.02	1201.10.00.00.00
3503.00	1202.30.00.00.00
	1204.00.10.00.00
	1205.10.10.00.00
	1205.90.00.00.00
	1206.00.10.00.00
	1207.10.00.00.00
	1207.21.00.00.00
	1207.30.00.00.00
	1207.40.10.00.00

	1207.50.10.00.00
	1207.60.00.00.00
	1207.70.00.00.00
	1207.91.10.00.00
	1207.99.20.00.00
	1207.99.91.00.00
	12.09
	1212.99.41.00.00
	1212.99.49.00.00

Appendix I. Government Regulatory Agency Contacts:

Prof. Irfan Erol, General Director

General Directorate of Food and Control (GDPC)

Ministry of Food, Agriculture and Livestock (MinFAL)

Eskisehir Yolu 9. Km. Lodumlu, Ankara, Turkey

Phone: (312) 287 33 60

Fax : (312) 286 39 64

There are 16 Provincial Agricultural Directorate Authorities, each of which has the first-line regulatory authority to issue Control Certificates for specific products. They are intended to be the primary point of contact for importers to submit their import applications.

The Main Provincial Agricultural Directorate Authorities are:

Istanbul Provincial Agricultural Directorate

Bagdat Cad. No.333, Kadikoy

Istanbul, Turkey

Phone: (90-216) 467 57 34

Fax: (90-216) 369 81 51

Izmir Provincial Agricultural Directorate

Universite Cad. No: 47 Bornova, Izmir, Turkey

Phone: (90-232) 462 60 33

Fax: (90-232) 462 24 93

Mersin Provincial Agricultural Directorate

Gazi Mah. Mersin, Turkey

Phone: (90-324) 326 40 13

Fax: (90-324) 326 40 12

Turkish Patent Institute

Hipodrom Caddesi No:115 (06330) Yenimahalle / ANKARA
Phone: (90 312) 303 10 00
Fax: (90 312) 303 11 73

Turkish Competition Authority

B-3 Blok, Bilkent Plaza
Ankara, Turkey
Phone: (312) 291 44 44
Fax (90 312) 266-7920

There are 40 provincial food control laboratories, the four largest being:

1. National Food Reference Laboratory - Ankara, Turkey

Phone: (90 312) 315-0089 or 315-8709
Fax: (90 312) 315 7934

2. Ankara Provincial Food Control Laboratory Directorate - Ankara, Turkey

Phone: (90 312) 315-0089 or 315-8709
Fax: (90 312) 315 7934 2)

3. Istanbul Provincial Food Control Laboratory Directorate - Istanbul, Turkey

Phone: (90 212) 663-3961 or 663-3959
Fax: (90 212) 663-4296

4. Izmir Provincial Food Control Laboratory Directorate - Izmir, Turkey

Phone: (90 232) 435-1481 or 435-6637
Fax: (90 232)-462 4197

Turkish Food and Drink Industry Association Federation

Chairman: Semsi Kopuz

General Secretary: Ersin Taranoglu

Address: Altunizade Mah.Kısıklı Cad. Tekin Ak İş Merkezi No:3 Kat:2 Daire:7 34662 Bağlarbaşı-Üsküdar ISTANBUL

Phone: : 00 90 216 651 86 81

Fax : 00 90 216 651 86 83

E-Mail: tgdf@tgdf.org.tr

Web: <http://www.tgdf.org.tr/english/>

All Food Importers Association

Chairman: Mustafa Manav
General Secretary: Melehat Ozkan
Address: Büyükdere Cad.Somer Apt.No:64 Kat:5 D:13 Mecidiyeköy - İSTANBUL
Phone: 0212 347 72 22
Fax : 0212 347 25 70
E-Mail: tugider@tugider.org.tr
Web: <http://www.tugider.org.tr/>

Appendix II. Other Import Specialist Contacts:

U.S. exporters are advised to contact the FAS offices in Ankara or Istanbul for additional information and/or a list of private sector firms which can provide assistance with customs clearance and import regulation issues. In most cases, the importing company or agent should be familiar with (and ultimately responsible for) existing regulations.

Foreign Agricultural Service Offices in Turkey:

American Embassy
110 Ataturk Blvd.
Kavaklıdere, Ankara
Tel: +90-312-455 55 55
Fax: +90-312-467 00 56
Email: agankara@fas.usda.gov

American Consulate, Istanbul
Kaplıcalar Mevki Sokak
İstinye, 334460 Istanbul
Tel: +90-212-335-9000
Fax: +90-212-335-9077
Email: agistanbul@fas.usda.gov