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Turkey

Food and Agricultural Import Regulations and Standards

Country report

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Report Highlights:

Turkey has adopted EU regulations and its Food Codex as models for Turkish food and agricultural import regulations. All food imports must be tested at Ministry of Agriculture laboratories prior to distribution to sales outlets. The Ministry of Agriculture has the primary responsibility to ensure compliance with food and labeling regulations, but Ministry of Health and local municipality authorities also monitor compliance at the production and distribution levels.

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This report was prepared by the Office of Agricultural Affairs of the USDA/ 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 and 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- (General)

The Turkish food industry and imports are primarily regulated by three related laws and regulations: the June 2, 1995 Turkish Food Law, the November 16, 1997 Turkish Food Codex, and the June 8, 1998 Food Regulation. All the laws and regulations were developed to be in accordance with the Codex Alimentarius of FAO and WHO. Turkey has also adjusted its Food Codex in accordance with European Union (EU) food regulations and WTO requirements, after signing a customs union agreement with the EU in 1995. The Ministry of Agriculture and Rural Affairs (MARA), General Directorate of Protection and Control, has primary responsibility for production, import, and food safety issues regarding food, packing material, veterinary products, feed and pesticide products.

All packaged products are required to have a licence number supplied from the Directorate which is issued after reviewing the results of laboratory tests on the product. The registration number is valid for ten years and generally takes about two weeks to obtain. In addition to a laboratory analysis at the time of registration, the law requires products be inspected at the point of entry, wholesale and retail levels.

Section II. LABELING REQUIREMENTS

A. General Requirements

The most recent Turkish regulation on packing and labeling was published in the Official Gazette on May 13, 1998. 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. There are three different sets of labeling requirements for foods, food additives and food flavoring.

The following information must be printed on labels of all imported foods:

- Name and brand of product
- Name and address of producing company
- Name and address of importing company
- Production batch number and date
- Country of Origin
- Expiration date/shelf life
- Nutrition and caloric values
- Net weight/volume
- List of ingredients and additives
- Ministry of Agriculture production or import licence number/and date
- Storage, preparation and usage instructions when needed
- Name and type of packing material
- Special warnings, if appropriate

Label requirements are enforced by the Ministry of Agriculture and local municipality officials. If the product has a shelf life of under three months, it must include the day/month/year of expiration, if the shelf life is more than three months but less than eighteen, the month and year are required and if the shelf life is over three years, only the year is required. In the case of fruits and vegetables, which might be sold in bins or open stand, labels are required on the exterior bulk packaging materials. A new regulation, proposed by the Competition Authority, will take effect in January and requires that labels for fruit "juices" specifies whether the product contains fruit juice (75-100% concentration) or nectar (25-50% concentration).

There are several regulations which guide content and other implied claims. The Food Codex prevents inclusion of statements like "prevents or cures disease" on labels. Items with 25 percent reduced fat or energy content can use the work "light" on the label. To the best of our knowledge, there have been no cases where standard U.S. labeling was considered false or misleading.

B. Requirements Specific to Nutritional Labeling

Nutritional values (by 100 gr. measures) must be included on labels for nutritional and imported products. The MARA is allowing domestic producers a short transition period to adjust to the new requirements, but will also be requiring nutritional information on locally produced products in the near future. Daily nutritional recommendations are rarely listed. The standard U.S. nutritional fact panel may be included on the label, but cannot replace the locally required information.

Disputes regarding health claims in food should be submitted to the Ministry of Agriculture. Turkey's Competition Authority is also authorized to pursue claims of this sort.

Section III. PACKAGING AND CONTAINER REGULATIONS:

Turkish regulations includes nine different standards for food grade packaging materials, including paper, glass, metal, and plastics like PET and PVC bottles. Sizes and types of packaging used for foods is generally flexible. The industry expects the government will put more regulations into place and tighten their enforcement in the future, as staff time and funding permits.

Section IV. FOOD ADDITIVE REGULATIONS

The Turkish Food Codex lists maximum amounts of additives allowed in food items (positive list) as well as conditions under which additives cannot be used, i.e., it is forbidden to use sweeteners in 0-3 years infant formulas and baby foods. The food additive section of the codex is quite detailed and is drafted to conform with EU regulations. It refers to the FEMA and COE codes for additives, when applicable. The CODEX is available in Turkish in bookstores throughout Turkey. English versions are not available. There are numerous commercial translating firms available to translate documents into English.

In an effort to conform with EU policies, the GOT recently announced that it was prohibiting the inclusion of certain antibiotics in animal feeds. Draft regulations have also been circulated which would limit or ban production and imports of some genetically modified seeds and other products.

See Appendix III. for a partial list of labeling requirements for imported food additives and flavorings.

Section V. PESTICIDE AND OTHER CONTAMINANTS

The Turkish Food Codex lists the maximum level of pesticides and hormones which are permitted in food items (The list of permitted pesticides and hormones is about 12 pages long and is contained in Section 17 and 18 of the Codex). The Ministry of Agriculture is responsible for enforcing the regulation. All pesticides must be registered with the Ministry of Agriculture.

Section VI. OTHER REGULATIONS AND REQUIREMENTS

The importer is responsible for registering each product. The process can normally take up to two weeks. Radiation tests cost about \$80, while a normal laboratory analysis costs a nominal \$20. Laboratory testing is required for all packaged products and samples.

The existing food control regime can be confusing at the production and distribution levels. Although the Ministry of Agriculture is responsible for checking the quality of both imported and locally produced foods, Ministry of Health officials are responsible for controlling and approving local food processing plants for hygienic conditions before they go into production. The Ministry of Health and local municipalities also monitor products at the retail/wholesale level. Food factories are supposed to be checked twice a year and markets no less than three times a year, but the checking is often irregular, and inspection generally focus on larger markets, rather than small shops.

Section VII. OTHER SPECIFIC STANDARDS

See Appendix III for additional information on food additive and flavoring standards.

The Turkish Government also maintains complex standards for poultry and meat (currently banned) imports and requires inspection of foreign slaughter houses by Turkish Ministry of Agriculture officials with the cost of their travel paid by the local importer.

Section VIII. COPYRIGHT/TRADEMARK LAWS

While there was a flood of new legislation on copyrights registration and trademarks in 1995 and since, in anticipation of EU accession, many of the regulations have yet to be enforced. However, with limited staffing, this organization is only somewhat effective in monitoring compliance. Companies must apply to the Turkish Patent and Trademark Institute for trademark registration. 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 six months and costs about US\$250. Additional legislation is pending which would strengthen applicable laws and penalties for copyright infringement.

Section IX. IMPORT PROCEDURES

A. Import Regulations

Imports of food products into Turkey are allowed only if they conform with Turkey's Food Codex Regulations. Turkey is currently trying to harmonize all of its food import regulations to those of the European Union system, as represented by the regulations that are contained in the Turkish Food Codex Regulation (TFCR). Importers of food product samples are expected to follow the same procedures.

B. The Import Process

In order to import any foodstuff, an importer must first submit a written application to the Turkish Ministry of Agriculture, General Directorate of Protection and Control. Attached to the application letter must be the following documents:

1. A completed import permit form obtainable from MARA/Protection and Control ;
2. A Proforma Invoice;
3. An Analysis Report from government agency or under the exporting company's letterhead, providing physical, chemical, microbiological and heavy metal specifications on the product imported. Frozen seafood is exempted from this requirement. A dioxin free certificate is required if the product is imported from Belgium and Germany.
4. For consumer ready products, a sanitary or phytosanitary certificate from the government food inspection agency of the country of origin stating that the product meets the phytosanitary requirements of the importing country, is fit for human consumption and is freely marketed in the country origin;
5. A sample of the Turkish label for the product.
6. For alcohol products, a "distribution certificate" provided by the producer's company to the importer and/or distributor indicating that the Turkish company is authorized to market and deliver the product in Turkey;
7. For "special" foods such as diet foods, foods for diabetics, vitamins, baby foods, etc. the importer must provide a written declaration that he will not advertise the foodstuff in such a way as to mislead the consumer.

The importer will normally receive written approval along with an approved import permit from the Ministry of Agriculture within one or two weeks.

C. Customs Inspections and Documentation

Upon entry of the product at Customs, the importer should be prepared to present the approved import license as well as other normal import documentation such as the bill of lading. In addition, the importer should be prepared to present Customs with the exporting company's analysis report for physical, chemical, microbiological and heavy metal content, and a phytosanitary certificate from the official food inspection agency of the country of origin stating that the product meets the phytosanitary requirements of the importing country.

Turkish Ministry of Agriculture officials will take samples of the imported product to government laboratories for physical, chemical and microbiological analysis and confirm that it matches the information supplied from the exporting country. Import of the foodstuff is allowed if the results of the analysis are found to be acceptable and consistent with Turkish regulations, and the imports have been approved by the MARA. Results of the analysis are normally completed within two to three working days.

In addition, if the foodstuff is a bulk or semi-processed commodity, it is checked by plant quarantine specialists or veterinarians for consistency with Plant Quarantine Law (Law No: 6968) and Animal Health Law (Law No: 3285).

Appendix I. Government Regulatory Agency Contacts

Directorate of Protection and Control (Mr. Erkan Ince)

Food Control Services

Ministry of Agriculture and Rural Affairs

Akad Cad. 3, Ankara, Turkey

Phone: (90-312) 418-0521 Fax:(90-312) 416-6523

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

1) Ankara Provincial Food Control Laboratory Directorate

Ankara, Turkey

phone: (312) 315-7934

2) Istanbul Provincial Food Control Laboratory Directorate

Istanbul, Turkey

phone: (212) 663-3931

3) Izmir Provincial Food Control Laboratory Directorate

Izmir, Turkey

phone: (232) 435-0879

Turkish Patent Institute

Izmir Cad. No. 28

Phone (90-312) 419-0230 Fax (312) 419-0248

Competition Authority (Mr. Fevzi Ozkan- Food Issues)

B-3 Blok, Bilkent Plaza

Ankara, Turkey

Phone 266-6969/ext. 6007 Fax (312) 266-7955

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.

Foreign Agricultural Service Offices in Turkey:

American Embassy (Unal Sarigedik)
110 Ataturk Blvd.
Kavaklidere, Ankara
Phone (312)468-6110 Fax: 467-0056
agankara@fas.usda.gov

American Consulate (Ibrahim Sirtioglu)
Mesrutiyet Caddesi No. 104-108
Tepebasi, Istanbul
Ph (212) 251-3602 Fax: 243-5262

Appendix III.

A. TURKISH LABELING FOR IMPORTED FOOD ADDITIVES

1. The name and address of the exporting company;
2. The name(s) and corresponding EU tariff number(s) of the food additive(s);
3. The names, uses, and amounts in decreasing order, of any other substances used to dilute, dissociate, standardize, or facilitate the storage and marketing of the food additive;
4. The specific usage and storage instructions, if needed;
5. A statement indicating that the additive can be used in food;
6. The lot and serial number;
7. The net quantity;
8. If the additive is to be used only in restricted amounts, the applicable percentage restrictions;
9. If the product is derived from an animal, indication of the animal type.
10. The date of production;
11. The expiration date, conforming with provisions of Section 9 of the TFCR on packaging and labeling;
12. The import permission date and number;
13. Artificial sweeteners such as aspartame which will be sold directly to the consumer should have a cautionary statement that the product if used in excess can cause diarrhea, and that the product includes phenylalanine if applicable.

B. TURKISH LABELING FOR IMPORTED FOOD FLAVORINGS

1. The name and address of the manufacturer or packer or seller company;
2. A statement indicating that this is a "Flavoring Substances" or a more specific description of the flavoring;
3. A statement indicating that this flavoring substance is suitable to be used in food;
4. The list of flavoring substances by their categories in decreasing order;
5. The names, classifications, and EU numbers in decreasing order of those flavoring substances listed in Article 2 of the Food Flavoring Section (Section VI) below, if they are used in the food;

6. The maximum quantities of those ingredients allowed are listed in Appendix 12
7. A statement indicating that this flavoring substance is "For Food Production";
8. Net quantity;
9. The lot or serial number;
10. The date of production and shelf life;
11. The import permission date and number;
12. The specific storage and usage conditions, if needed;

NOTE: If the food additive is sold directly to the consumer, the product should also contain instructions for use.

C. Additional Information on Food Additives:

The classification, name or synonym, and EU food additive number, the name of the final food product that the food additive may be used in, the maximum amount of the food additive that may be used, and other technical requirements related to food additives are provided in Appendices 1 through 11 of the Turkish Food Codex Regulation (TFCR). Among the regulations contained in the TFCR are lists of 1) substances that may not be used as food additives 2) food items for which food additives are not allowed and 3) food items for which coloring materials may not be used. Those lists follow:

1. A partial list of substances that may not be used as food additives:

- * White or yellow dextrine, roasted or dextrinated starch, starch modified with acidic or alkaloid treatment, bleached starch, physically modified starch, and starch treated by enzymes,
- * Ammonium chloride,
- * All amino acids and their salts, glycine, cysteine, cystine and their salts, and those do not have an additive function,
- * Casein and caseinates,
- * Flavoring substances,
- * Minerals, vitamins and all other similar substances used to support nutritional values of the food.

2. A partial list of foods for which additives are not allowed:

- * Bulk or semi-processed non processed commodities,
- * Honey,
- * Vegetable and livestock origin non emulsified solid and liquid fats and oils,
- * Naturally fermented but non-flavored milk products,
- * Sugar,
- * Dried pasta,

3. A partial list of foodstuffs for which food colorings are not allowed except under those conditions listed in Appendix 7 of the TFCR:

- * Raw vegetable and livestock origin solid and liquid fats and oils,
- * Eggs and egg products,
- * Flour, flour products and starch,

- * Bakery products,
- * Pasta products,
- * Sugar,
- * Tomato paste and canned tomatoes,
- * Tomato origin sauces,
- * Fruit and vegetable juices and nectars,
- * Processed fruits, vegetables and mushrooms,
- * Chestnut paste,
- * Red and white meat, including sea products and poultry, and their products,
- * Roasted coffee, tea, and chicory and their extracts and mixes,
- * Wines,
- * Wine vinegars,
- * All baby foods,
- * Honey,
- * Malt and malt products,
- * Non flavored cheese,

In addition, the following criteria are applied to food additives:

- * No artificial sweeteners may be used in baby food.
- * Seasonings like paprika, saffron, turmeric etc. may be used in the production of food products because they are not considered to be coloring material.

D. Additional Information on Food Flavorings

Among the regulations governing the use of food flavorings are the following:

1. There must not be any item or element in such a dose in the flavoring substances which could have toxic effect.
2. The quantities of the elements in flavoring substances must not exceed the following limits:
 - Arsenic : 3 mg/kg
 - Lead : 10 mg/kg
 - Cadmium : 1 mg/kg
 - Mercury : 1 mg/kg
3. The amount of 3,4 benzopyrene must not exceed 0.03 mg/kg.
4. The maximum quantities of food flavoring substances are listed in Table 12 of the TFCR.
5. If the flavoring substances are derived from a livestock product then the product type must be indicated.

E. Relevant European Union Directives

A number of EU Directives were used as the basis for the development of many of the regulations contained in the Turkish Food Codex Regulations. Some of the most relevant of these directives follow:

- 1) OJ L 226 22 September 1995
Commission Directive 95/45/EU of 26 July 1995 laying down specific purity criteria concerning colors for use in foodstuffs.
- 2) OJ L 237/13 10 October 1994
European Parliament and Council Directive 94/36/EEC of 30 June 1994 on colors for use in foodstuffs.
- 3) OJ L 184 15 July 1988
Council Directive of 22 June 1988 on the approximation of the laws of the Member States relating to flavorings for use in foodstuffs and to source materials for their production.
- 4) OJ L 61 18 March 1995
European Parliament and Council Directive No 95/2/EU of 20 February 1995 on food additives other than colors and sweeteners.
- 5) OJ L 175 19 July 1993
Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs.
- 6) OJ L 33 8 February 1979
Council Directive of 18 December 1978 on the Approximation of the Laws of the Member States relating to the labeling, presentation and advertising of foodstuffs for sale to the ultimate consumer.
- 7) OJ L 186 30 June 1989
Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs.
- 8) OJ L 290 24 November 1993
Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning official control of foodstuffs.

Note: OJ is the Official Journal of the European Union