

**Provisions Related to Sanctions and Penalties of the Law and of the Regulation are provided below;**

Relevant provisions of the Law on Organic Farming:

**Authorized Institutions**

**ARTICLE 5-** In the scope of implementation of this law, every audit and certification works are carried out by the ministry or the institution appointed by the ministry. The authorized institutions should have the technical work team consisting of experienced and well educated personnel.

The products, which are not certified by the inspection and certification body can't be sold under the name of organic products or organic input.

The inspection and certification body or certification body doesn't issue the certificate of organic product or organic input certificate for non-organic agricultural products and inputs.

The authorized institutions and inspector and certifiers should obtain the working license from the Ministry. When the working license of authorized institutions has been expired, they are not allowed to deal with the activities without obtaining the extended license from the ministry.

The working license given by the ministry is not transferable.

The inspection and certification body is consisting of two separate divisions as inspection and certification. The personnel working in division of certification can't be worked in inspection division and versa vista.

The authorized institutions should submit the report to the ministry and present the information and documents to the ministry personnel during the periods as defined in the regulation to be released conforming to this law.

The working license, working period, time extension, license cancellation, duty and authorities, authority use of authorized bodies and inspector and certifiers and the principles and methods related to inspection and certification system and employing the inspector and certifier are defined by the regulations to be released by the ministry.

**Enterprise**

**ARTICLE 6-** The enterprises should have the activities under the supervision of authorized institution thus they are not allowed to act against the provisions of the regulation to be released by the ministry in scope of this law.

The enterprisers are liable to provide the personnel of ministry and the personnel of institutions appointed by the ministry for the purpose of inspection and certification with access to the facility and to present the accountancy reports and other relevant documents. The personnel who obtained such information and documents are not allowed to submit to the other third parties except the personnel of ministry.

**The advertisement and introduction of organic products**

**ARTICLE 8-**The labels and logos of organic products and inputs are only used for organic products and inputs. The label and logo of organic products and inputs, advertisement and introduction should not be arranged in the manner of implying an incorrect impression related to the product's structure, specifications, content, quality, origin and production techniques and counterfeit, false information in addition, not include any incorrect mark, picture, form and similar indications.

The Executive Committee of Radio and TV takes the necessary measures to cause the national, regional, and local radio and televisions broadcasting within the border of Republic of Türkiye to broadcast the educational programs related to the organic agriculture for at least 30 minutes enabling the producer and consumers to be made conscious.

**Export activities of organic products and inputs**

**ARTICLE 9-** Organic products or inputs bearing no export certificate are not allowed to export under the title of organic product or organic input. The product and inputs, which were exported but

returned from the consignee, shall be deemed as returning goods to the origin. The said products and inputs are exempted from inspection and documents to be considered in respect of import activities so these goods are subject to the customs inspection in kind of the goods thus allowed to be entered under the frame of the relevant regulations.

#### **Import of organic products and inputs**

**ARTICLE 10-** Organic products or inputs bearing no export certificate are not allowed to import under the title of organic product or organic input. It is prohibited to import, distribute and sale of the products and inputs, which have been determined as non-organic products due to the inspections carried out by the customs authorities. Such products and inputs are returned to responsible enterprise or in the event of these products conforming to the relevant regulations, they are allowed to use as non-organic product or input within the borders of the country.

#### **Penalty provisions**

**ARTICLE 12-**The penalties to be applied for the persons who will not conform to such regulations of the law are given as follows;

- a) the persons who will act in contrary to the second paragraph of article 5 should pay ten billion Turkish lira as the administrative penalty;
- b) the persons who will act in contrary to the third paragraph of article 5 should pay fifty billion Turkish lira as the administrative penalty; if the action is repeated, the license and permits shall be cancelled. Even if under any other name or title, such persons shall not be allowed to have the activities in scope of this law.
- c) the persons who will act in contrary to the fourth paragraph of article 5 should pay fifteen billion Turkish lira as the administrative penalty; if the action is repeated, the administrative penalty shall be applied in double and they shall not be granted any working license anymore.
- d) the persons who will act in contrary to the fifth paragraph of article 5 should pay twenty billion Turkish lira as the administrative penalty; if the action is repeated, the license and permits shall be cancelled.
- e) the corporate bodies which will act in contrary to the sixth paragraph of article 5 should pay fifteen billion Turkish lira as the administrative penalty; if the action is repeated, the administrative penalty shall be applied in double and they shall not be granted any working license anymore.
- f) the persons who will act in contrary to the seventh paragraph of article 5 should pay twenty billion Turkish lira as the administrative penalty.
- g) the persons who will act in contrary to the first paragraph of article 6, should pay ten billion Turkish lira as the administrative penalty.
- h) the persons who will act in contrary to the second paragraph of article 6, should pay twenty billion Turkish lira as the administrative penalty.
- i) the persons who will act in contrary to article 8 should pay fifteen billion Turkish lira as the administrative penalty. If such contrary occurs due to label information, the product shall be kept until the correction of such information and the product is withdrawn from the market than the above mentioned penalty applies. The relevant enterprise shall be liable for withdrawing expenses.
- j) the persons who will act in contrary to subparagraph one of article 9 and article 10 should pay thirty billion Turkish lira as the administrative penalty.
- k) The persons and corporate bodies who will prevent such audits in accordance with this law should pay ten billion Turkish lira as the administrative penalty.

#### **Relevant provisions of the Regulation:**

**Article 41 – Fines applicable to entrepreneurs and authorized institutions which violate the law are applied as follows:**

- a) With the proposal of the provincial directorate of the location at which the violation is detected, or through a complaint made to the Committee, or as the result of the Committee directly determining a violation; the sanctions set in the subparagraphs (b), (c), (d), (e) of the first paragraph of article 12 of the Law are applied by the Ministry. These sanctions are applied after a preliminary investigation by the Committee, and if required, an investigation by the Inspection Board Presidency of the Ministry. During this investigation, authorized institution can not sign new contracts with entrepreneurs. However, it can continue control, certification or control and

certification activities at entrepreneurs with which it has previously signed a contract, subject to the decision of the Committee.

b) An administrative fine is applied by the Ministry or the highest civil authority of the location to the violators of subparagraphs (f) and (k) of the first paragraph of Article 12 of the Law.

c) Other penalties mentioned in Article 12 of the Law are applied by the highest civil authority of the location at where the violation is detected.

d) If, within one year following the finalization of the penalty, the violation is repeated, the provisions in the Law concerning repetition are applied.

Defendant can appeal to the competent administrative courts within seven days after the official communication against fines imposed by the Ministry or the highest civil authority in provinces. Course for controllers, application requirements for controlling position, controller's authority, operational manner and principles.