SCREENING CHAPTER 01
FREE MOVEMENT OF GOODS

AGENDA ITEM: EXTERNAL BORDER CHECKS

Country Session: The Republic of TURKEY
20 – 24 February 2006

PRODUCT SAFETY LEGISLATION

- The Framework Law No.4703 transposed the principles of General Product Safety Directive;

  - ✓ Producers, importers and distributors have to place only safe products on the market,

  - ✓ Product - requirements based on general safety requirement and specific requirements in "vertical" regulations,

  - ✓ Public authorities are responsible to carry out market surveillance and enforcement.

- Conformity checks with the rules on product safety in the case of imported products are specified by the Decree on Technical Regulations and Standardization for Foreign Trade.

TRANSPOSITION OF REGULATION 339/93/EEC

- The adaptation policy;

  - ✓ to have initially a good understanding of its practical implementation in the EU,

  - ✓ to establish necessary administrative and technical structure in the country

- The instruments used;

  - ✓ technical assistance through several EU Projects (TAIEX, Matra/PSO etc.)

  - ✓ study visits to the Member States (Germany, Greece, the Netherlands, Sweden, etc.)

THE MATRA PROJECT ON 339/93/EEC

- The Project;

  - ✓ Supported by the Netherlands

  - ✓ Customs and public authorities of both parties participated

- The targets;

  - ✓ to compare relevant national legislation with 339/93/EEC

  - ✓ to create a common understanding of its practical implementation in Turkey through pilot projects

  - ✓ to share the experience obtained from the Project to the other relevant parties

REQUIREMENTS FOR ADAPTATION

- Customs authorities should have;

    ✓ necessary technical information and / or,

    ✓ at least a list of risky products

- The application of "Risk Analysis" is crucial,

- A close co-operation and an effective communication among relevant parties,

- A strong administrative and technical infrastructure,

- The decision must be taken within 3 working days.

STEPS TAKEN FOR ADAPTATION

- The Decree was revised in October 2005,

- A regulation has been drafted to transpose 339/93/EEC and sent to the Commission for its views,

- A hand-book has been prepared for practical implementation,

- Product Safety System has been developed for effective communication and risk analysis,

- Pilot implementation has started for a few product groups (PPE and Toys).

HOW IT WORKS - I
(DETERMINATION OF RISKY PRODUCTS)

- Products Safety System (PSS) becomes an important tool for determination of products to be subject to import checks;

  ✓ Storage and assessment of the data,

  ✓ Rapid, effective and reliable communication between the parties.

- Risk-analysis is based on search-profile by relevant authorities;

  ✓ Market surveillance results, complaints, accidents, notifications (RAPEX) etc.

- Search-profile;
  ✓ CN-code, importer, manufacturer, country, time-period etc.
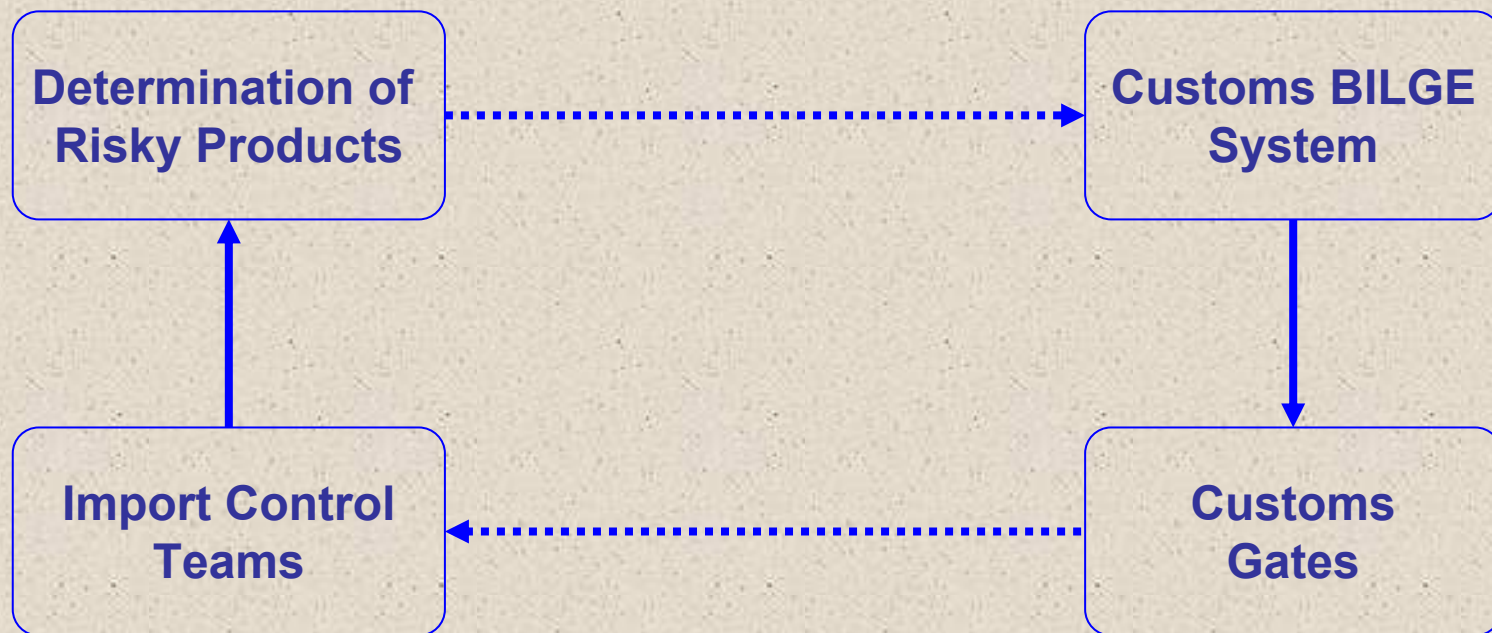
HOW IT WORKS - II
(SUSPENSION FOR FREE CIRCULATION)

- Undersecretariat for Foreign Trade (UFT) notifies the "Risky Products" to the Customs,

- When these products are declared, the customs authorities suspend the release and notify regional inspectorates,

- Only products coming from third countries are subject to border checks.

HOW IT WORKS - III
(INSPECTION OF SHIPMENT)

- Inspections are based on:

  - ✓ compliance of documents / marking / labeling

  - ✓ sampling / laboratory tests

- Decision is taken within 3 working days.

- Result;

  - ✓ release for free circulation or,

  - ✓ refusal

- Sanctions depend on the results of inspections,

- All inspections are recorded in PSS for risk analysis.

IMPORT CHECKS

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┌──────────────────────┐                    ┌──────────────────────┐
│ Determination of     │ ·················> │ Customs BILGE        │
│ Risky Products       │                    │ System               │
└──────────────────────┘                    └──────────────────────┘
          ▲                                             │
          │                                             ▼
┌──────────────────────┐                    ┌──────────────────────┐
│ Import Control       │ <················· │ Customs              │
│ Teams                │                    │ Gates                │
└──────────────────────┘                    └──────────────────────┘
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············· **Traditional ways (fax, letter, etc.)**

───── **On-line**

ÜRÜN GÜVENLİĞİ VERİ TABANI

...teme Giriş

...llanıcı Kodu : [ ]
...fre : [ ]
[DEVAM]

1 → **Secure Log-in**

...n Güvenliği

...B Teknik Mevzuat Uyumu
...B Mevzuatı
...B Mevzuat Ar...a
...rünler
...B Direktifleri
...B'deki Onaylanmış Kuruluşlar
...lite-Çevre Belgeleri KOBİ Desteği

2

...PEX

...da Ürünleri
...da Dışı Ürün...

3

...er

...nalat Denetim...rine İlişkin Rehber
...örüş ve Öneri...r

...tişim
...ydalı Web Ad...esleri

Ürün Güvenliği

Piyasaya arz edilecek her ürünün, insan sağlığı, can ve mal güvenliği, hayvan ve bitki yaşam ve sağlığı, çevre ve tüketicinin korunması açısından asgari güvenlik koşullarını sağlaması gerekmektedir.

Güvenli ürün, normal kullanım koşullarında risk taşımayan veya kabul edilebilir ölçülerde risk taşıyan ve yukarıda bahsedilen temel gerekler bakımından azami ölçüde koruma sağlayan ürünü ifade eder ve ilgili mevzuatına uygun ürünler güvenli olarak kabul edilirler. Yazının Devamı

Şikayet ve İhbarlar

Tüketicimizin sağlık ve emniyetinin korunmasına katkıda bulunun!

4

Product Safety Legislation

RAPEX Notifications

Consumers, Users and Producers

- CN-Code
- Firms
- Country
- Product
- Brand
- Amount, etc.

BEYANNAME BİLGİLERİ KONTROL İŞLEMLERİ

BAKANLIK	Dış Ticaret Müsteşarlığı	BAKANLIK BİRİM	Marmara Bölge Müdürlüğü-İs	BİLDİRİM SEBEBİ	Riskli Ürün
GÜMRÜK KAPISI	HALKALI GÜMRÜK MÜDÜRLÜĞÜ	İHRACATÇI FIRMA	P.D.P. Parfums De Paris Sa	ÜRETİCİ FİRMA	Maisto International inc.
BELGE NO	197285	BELGE TARİHİ	19-12-2005	MENSEİ ÜLKE	TAYLAND
İTHALATÇI FIRMA	Ataç Dış Ticaret A.Ş.	İHRACATÇI ÜLKE	İSVİÇRE	MEVZUAT	Oyuncaklar Hakkında Yönetm
İTHALAT NO	01-05-535	KONTEYNIR NO	0	MÜŞAVİR FİRMA	Onur Gümrük Müşavirliği Ltd.
G.T.İ.P.	950390510000	DÖVİZ CİNSİ	ABD DOLARI	MARKASI	Oyuncak Olmayan Diğer Ürün Jaguar
MİKTAR	240.0	BİRİM	ADET	DEĞER	1852.37
FATURA TARİHİ	17-11-2005	FATURA NO	704470		
GÜMRÜĞE GELİŞ TARİHİ	23-11-2005	BİLDİRİM TARİHİ	21-12-2005		

A copy of Customs Declaration and Invoice

KONTROL BAŞLAMA TARİHİ		(00-00-0000)	GÜMRÜĞE BILDIRIM TARİHİ		(00-00-0000)
KONTROL SONUÇ			KONTROL GÖREVLİ		
KONTROL TÜRÜ					

- Sample
- Periods
- Check-lists
- Labs,
- Inspectors

NUMUNE TARİHİ		(00-00-0000)	NUMUNE ALIM YERİ		
NUMUNE MİKTAR	0.0		NUMUNE BİRİM		
NUMUNE İŞARETLERİ			LABORATUVAR		

Results of Inspection

NOT

EVRAK DURUMU KONTROL DEVAM EDİYOR   MEVZUAT   RESİM

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Picture

RESİM - Microsoft Internet Explorer

NEXT STEPS

- A time-table for other sectors,

- On-line communication between PSS and BILGE,

- Self-assessment of data by PSS to define risky products,

- Extension of PSS to internal market surveillance (a pilot project has been initiated),

- Extension of PSS to RAPEX notifications,

- Quality assurance of import control procedure.

THANK YOU FOR YOUR ATTENTION