

IV. NEW AND GLOBAL + OLD APPROACH PRODUCT LEGISLATION:**A. Standard questionnaire to be filled for each sector individually:****Sector:** Detergents**1. Harmonisation of laws including technical regulations****1.1. Legal basis**

- **References (and copies) of the publication of acts and decrees transposing Directive(s) into the national legislation of your country:**

Regulation (EC) No: 648/2004 of the European Parliament and of the Council of 31 March 2004 on Detergents

- **Date of entry into application of the national measures transposing the Directive:**

The related Articles of the national Regulation on the Exclusive Characteristics of Foodstuffs and of Appliance and Equipment Related to Public Health Regulation was revised in order to transpose the relevant EC legislation and was entered into force on 13 November 2004 (Official Gazette No. 25642, dated 13 November 2004).

There are 5 implementing Communiqués of this regulation listed below.

1. “The Communiqué concerning the Biodegradability of Anionic, Nonionic, Ampholytic, Cationic Surfactants and the Methods of Testing the Biodegradability of Anionic and Non-ionic Surfactants in Detergents” has been drawn up in full harmony with directives below:

- a) “Council Directive 73/404/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to detergents”,
- b) “Council Directive 73/405/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of anionic surfactants”,
- c) “Council Directive 82/242/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non-ionic surfactants amending Directive 73/404/EEC”,
- d) “Council Directive 82/243/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of anionic surfactants amending Directive 73/405/EEC”,
- e) “Council Directive 86/94/EEC of 10 March 1986 on the approximation of the laws of the Member States relating detergents, amending for the second time Directive 73/404/EEC”.

2. “The Communiqué concerning the Characteristics, Packaging and Labelling of Detergents”,
3. “The Communiqué concerning the Labelling of Bleaching Liquid and Mechanical Cleaning Powder”,
4. “The Communiqué concerning the Rules of taking Samples from Detergents, Bleaching Liquid and Mechanical Cleaning Powder”,
5. “The Communiqué concerning the Declaration of Detergents”.

They were published in the Turkish Official Gazette No. 25934 dated 12 September 2005 and put into force on the date of its publication.

- **If not yet transposed, please indicate the state of play, expected timing, steps to be undertaken, difficulties encountered (if any):**

The new Detergent Regulation No. 648/2004 was adopted by the European Parliament and the Council on 31 March 2004, published in the European Official Journal on 8 April 2004 and entered into force on 8 October 2005.

This new regulation consolidates the existing community legislation on biodegradability and labeling of detergents by bringing together the five Directives and the single Regulation current in this field. Therefore, technical studies will be initiated to transpose the new EU regulation into national law soon.

1.2. Responsible authority

- **Name and contact details of the competent authority (government, ministry, department, service) and person(s) in charge of transposing the Directive into national legislation**

Ministry of Health (MoH).
Directorate General for Primary Health Care

Head of Department Şefik KUTLU
Email: skutlu@saglik.gov.tr

Biologist M.Sc. Tuba ATİLA
Email: tubatr@yahoo.com

1.3. Notified bodies

- **Has your country the intention to notify conformity assessment bodies for the Directive? If so, could you already identify these bodies (name, and contact details) and indicate the conformity tasks (products and modules) that they will be entitled to perform**

2. Implementation

2.1. Participation in Standing Committee and Experts' Group

- **Name, function and contact details of the representatives (and their alternates, if any) of your country's governmental authorities designated or to be designated**

to represent your country in the meetings of the standing and experts' group established under the Directive:

The Ministry currently does not participate to any committees, however, desires to participate.

The name of the representative: Biologist M.Sc. Tuba ATİLA

2.2. Implementing structure

- ***Responsible authority central/local:***

Name and contact details of the competent authority (government ministry, department, service) and person(s) in charge of implementing the provisions of the Directive in the territory of your country:

Ministry of Health (MoH).
Directorate General for Primary Health Care

Head of Department Şefik KUTLU
Email:skutlu@saglik.gov.tr
Biologist M.Sc. Tuba ATİLA
Email:tubatr@yahoo.com

The local authorities (Provincial Health Directorates) work on behalf of the MoH for the market surveillance of detergents in 81 provinces.

- ***Implementation:***

- **Explain how implementation of the Directive in your country will be ensured (monitoring and control tools: market surveillance and others)**

Turkish legislation on detergents provides necessary power for the competent authority for effective implementation. In this framework, a market surveillance system has been established to monitor the compliance of the products to the principles laid down in the legislation.

- **Explain how market surveillance is carried out and on which basis**

Market surveillance for detergents has been launched with the entry into force of the relevant Turkish legislation listed in question (1.1). Inspectors located in 81 provinces carry out market surveillance and report the results of inspection to the MoH. In the case of the complaints and when necessary, the samples taken during surveillance activities will be tested and analyzed by the Refik Saydam Hygiene Institute

- **Resources available: specify the number and qualification of personnel designated for market surveillance activities (divided in office staff/field personnel)**

Market surveillance on detergents is being carried out in cooperation with the central organisation and Provincial Health Directorates of the MoH. Inspectors located in 81 provinces carry out market surveillance and report the results of inspection to the MoH.

- **Cost: What budget will be provided for market surveillance activities? How will this be financed?**

Market surveillance activities are financed by the MoH.

- ***Methods of enforcement:***

- **What means/methods will be available in your country for enforcing compliance with the Directive(s)?**
- **Which are the reactive methods available?**
- **Rights of the authority: What are the powers of the authority?**
- **Penalties: which will be the penalties applicable to violation of the national implementing measures?**

Regulation on the Exclusive Characteristics of Foodstuffs and of Appliance and Equipment Related to Public Health Regulation

Law No. 4703 relating to the Preparation and Implementation of the Technical Legislation on the Products” (the Law No. 4703)

Law No. 4077 relating to the Consumer Protection

3. Calibration, metrology, standards, testing, certification, conformity assessment, accreditation and market surveillance

Please provide information on the relevant regimes for the products in this sector:

- **short description and**
- **further evolution.**

Market surveillance and inspection is being carried out in accordance with the procedures and principles laid down in the relevant technical detergents Regulations and/or the Law No. 4703 and the Regulations relating to the implementation of this Law.

In the case of the complaints and when necessary, the samples taken during surveillance activities will be tested and analyzed by the Refik Saydam Hygiene Institute.