NON-EXHAUSTIVE LIST OF ISSUES AND QUESTIONS TO FACILITATE PREPARATIONS FOR BILATERAL MEETINGS - CHAPTER 12.

TURKEY

Title 1. General

Section 1 - Organisation

A. Presentation of the Competent Authority for each sector covered by Chapter 12 (follow the *acquis* list by titles and chapters).

- Does the repartition of competence result from a legal act? From an agreement between Ministries? Or from an agreement between services?
- As regards the system of controls, do you have any coordination between different services which have to intervene in the same establishment or farm?

B. Presentation of the relations between national competent authority and the local authorities

- Is the general regime valid for all sectors? Which legal basis? Existence of specific cases?

C. Do you have the possibility of delegation by the Competent Authority of certain tasks? (e.g.: Authorised Veterinarians)

D. Laboratories

- Organisation?
- National References laboratories?
- Approved laboratories? Accreditation?

Section 2 – Legal regime

A. Description of the national hierarchy of norms –

- Relations between: Law (Parliament); Decision of the government; of the Minister; of the Administration
- Criteria for the repartition of competences?
- Possibility of delegation of competences?

B. Adoption of legislation in compliance with EU legislation

- State of play as regards preparation of Framework Law(s)
- Strategy for the preparation of secondary legislation – Time table: General time table or a different one for each sector?
- Analysis of national legislation in comparison with EU legislation?
- Is it allowed by your rules to refer to EU legislation (references, EU notions: Member-State, Third –Countries, Commission, etc.)?

C. Would you be willing/able (?) to provide Tables of Correspondence?

Section 2 – Regulation n° 178/2002

Setting up of the RASFF (rapid alert system for food and feed)? State of play.

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Title 2. Veterinary

Chapter 1 – Control system in the internal market

I. Live animals, semen ova and embryos.

- How are the controls at the place of origin organised (registration, market, etc)? How is the national administrative Capacity?

II. Animal products

- Organisation of the controls at the origin. How is the assessment of the national administrative capacity made?

III. & IV. – Certification, Mutual Assistance.

- Are there any specific legal problems?

V. Computer systems – TRACES = new ANIMO

- (For memory – EU project)
- What is the state of play in Turkey – Organisation –?
- Do you have a "Veterinary Information system"?

VI. Funding of checks

- See – Title 3 –VII.

VII. Safeguard measures

- Do you have the legal capacity to apply a similar regime as the one from the EU?

Chapter 2 - Control system for imports

I. Live animals

- What is the present regime?
- What is the strategy for the future? If possible provide time-table?
- How do you control illegal movements at the land borders?

II. Animal products

- How is the present regime organised? Situation of the free zones, free warehouses, customs warehouses, ship-chandlers?
- What are the transit rules?
- What is the strategy for the future? If possible, provide timetable?

III. Border Inspection Posts

- (For memory – EU project)
- Strategy for the future?
- Specific case of the land borders.
- If possible, provide time-table?

IV. Computer System TRACES: new shift

- Preparation – State of play – "Veterinary "
- Do you have an information system?

V. Safeguard measures

- Do you have the legal capacity to apply a similar regime as the one from the EU?

VI. Funding of checks

- (See Title 3 – Chapter 6)

Chapter 3 - Identification and registration of animals and registration of their movements

I. Bovine animals

(For memory: EU – project)

- State of play – identification
- State of play – registration of their movements
- State of play – stetting up of the database
- What is the strategy for the future? If possible, provide time-table?

II. Porcine animals

(Number of pigs is limited in Turkey)

- State of play – identification
- State of play – registration of their movements
- State of play – setting up of the database for pigs

III. Sheep and goats

(For memory: Possible EU project in the future)

- State of play: identification
- State of play: registration of their movements
- State of play: setting up of the sheep and goats database.
- What is the strategy for the future? If possible, provide time-table?

IV. Equidae

- What is the situation in Turkey regarding identification and registration of the equidae and their movements?

Chapter 4 – Control measures for animal diseases

I. Foot and Mouth Disease

(For memory – EU project)

- Evolution of the situation in Turkey
- What is the future strategy after 2010? If possible, provide time table?

II. Classical swine fever

- Specific problems?

III. African horse sickness

- Specific problems?

IV. Avian Influenza

(For memory – EU project)

- Evolution of the situation in Turkey
- Application of similar rules as the one from the EU?

V. Newcastle disease

- Specific problems?

VI. Fish diseases

- Specific problems?

VII. Mollusc diseases

- Specific Problems?

VIII. Bluetongue disease

- Evolution of the situation in Turkey
- Application of similar rules as the one from the EU?

IX. Transmissible Spongiform Encephalopathy's

- Situation and future strategy?
- Do you have a feed ban planned for this case?
- Regime of tests? Surveillance programme?
- Have you identified specified risk materials?
- Which are the measures in case of outbreak?
- Measures planned to be undertaken for education and information?

X. Zoonoses

- Situation as regards salmonella?
- Situation as regards other zoonoses (rabies etc.)
- What is the strategy for the future? If possible, provide time table?

XI. Other Diseases

- Specific problems regarding swine vesicular disease, African swine fever, Teschen disease?
- Situation as regards PPR (Peste des petits ruminants). Strategy for the future
- Possibility to provide time table?
- Other diseases mentioned on the OIE. List A.

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XII. Notification of diseases

- Preparation of Turkey (informal participation of Turkey – EU system).

Chapter 5 - Intra community trade in live animals, semen, ova and embryos.

This chapter applies to bovine, porcine animals, sheep and goats, equidae, poultry and hatching eggs, aquaculture animals, embryos of bovine animals, semen of porcine animals, other animals, semen, ova and embryos. The rules will be fully applicable only from the date of accession.

However, preparation is necessary .In this context:

- Situation as regards Bovine brucellosis, Tuberculosis, Leucosis bovine enzootique. Programme? Time-table?
- Situation as regards Brucella melitensis .Programme? Time-table?
- Situation as regards viral arteritis and other equine diseases. Programme? Time-table?
- Fish diseases. Programme? Time table?
- Application by Turkey of the same rules that the Union as regards production and control of semen, ova, embryos in Centres and by team for collect of embryos. ? Specific problems?

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In addition, Turkey as candidate country envisages accepting the EU exports on the base of model of certificates valid for intra-community trade (progressive adoption of the acquis?).

Chapter 6 - Non commercial movements of pet animals

(For memory .EU project .Control of rabies)

- Specific problems?

Chapter 7 - Prohibition of substances and control of residues.

(For memory. EU project. General)

- Specific problems?
- Implementation requests a network of laboratories which have the capacity to perform the necessary analyses. Situation in Turkey? Does a national Programme for upgrading laboratories exist?
- What is the strategy for the future? If possible, provide time-table?

Chapter 8 - Import requirements for live animals and animal products.

This chapter apply to live animals, semen, ova and embryos (Bovine and porcine animals, ovine and caprine animals, equidae, poultry and hatching eggs, aquaculture animals, embryos of bovine animals , semen of bovine animals , other animals ,semen, ova and embryos) and Animal products (ungulate meat, poultry and ratite meat, rabbit meat and other wild and farm game meat other than those mentioned above, meat products, meat preparations and mince meat, milk and milk products, fishery products and live bivalve mollusc, other products).

The EU rules will be fully applicable only from the date of accession. However preparation is necessary. In this context:

- What is your time table for the setting up of an operational regime including Turkey as a Member-State?

- Progressive implementation requests to solve the legal issues (for example application of the lists of establishments approved by EU in other third-countries).Turkey analyse?
- Does Turkey have specific rules of import as regards Countries or part of countries which are not authorised by the EU? Or specific rules for local trade with this type of country? And for traditional exchanges?
- . Consequences of the application of EU rules for the present trends of trade?

Chapter 9 - Community International Agreements.

With an accession to the EU, Turkey will be party to the Community Agreements (with or without additional negotiation).See other Chapters of the Accession negotiation.

- Specific problems?
- Situation as regards the European Conventions (farm animals, transport, animals for slaughter).

Situation as regards the bilateral agreements in the veterinary field. What is the content of these agreements? Model? Clause of denunciation?

Chapter 10 - Animal Welfare.

I. Farm animals

- Situation as regards laying hens. What is the strategy? If possible, provide time –table?
- Situation as regards pigs. What is the strategy? If possible, provide time-table?
- Situation as regards calves. What is the strategy? If possible, provide time-table?
- Are there any specific problems?

II. Animals during transport

- What is the situation in Turkey?
- Part of transports which will be submitted to specific rules?
- Are there any specific problems?

III. Animals at the time of slaughter or killing.

- Situation. (See conclusion of the Working group)
- Regulation of "Kurban Bayran". What is the future strategy?
- Specific problems? Is certification of the meat required? / How does the certification of the meat proceed?

Chapter 11 - Zootechnics.

I., II. & III. Bovine, porcine, ovine and caprine animals.

- How does the management of the herd books proceed?
- Specific problems?

IV. & V. Equidae and equidae intended for competition.

- How does the management of the stud –books proceed?
- Relation with international organisations? Do you have a stud-book of origin in Turkey?

- Which are the rules for the Organisation of competitions?
- Specific problems?

VI. Other pure-bred animals.

- Do zootechnical certificates also apply in Turkey? (Bees, birds, dogs, cats, etc.)
- Specific problems?

VII. Imports from third countries.

- What is the situation in Turkey? Do you have any Specific problems?

Chapter 12 - Veterinary expenditures.

- What are the rules for the compensation of the owners of animals in case of disease outbreaks?
- What is the technical budgetary regime?
- Specific problems?

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Title 3. Placing on the market of food and feed.

I. EU structural requirements for establishments.

Two categories: approved establishments and registered establishments.

A. Approved establishments.

Different sectors: Read meat (slaughterhouses, cutting plant); Poultry meat (slaughterhouses, cutting plants); Farm game meat and rabbit meat; Wild game meat ; Meat preparations and minced meat; Milk and milk products; fishery products (including factory vessels and freezer vessels) and aquaculture products; Snails; Leg frogs; Other products intended for human consumption(casing, gelatine , …); Animal by-products establishments ;Warehouses.

For each sector, how many establishments do comply with the EU structural requirements, and how many do not?
Have you a national programme for the upgrading of non-compliant establishments?

B. Registered establishments.

- Situation.
- Specific problems.

C. Specific cases;

- Situation of the milk farms (Raw milk sector)
- Fishing vessels.

II. Direct sales

- Situation in Turkey.
- Differences according to the sectors? (Milk, poultry meat, etc.)

III. Microbiological criteria.

- General situation for foodstuffs
- Case of raw milk and milk products. What is the percentage of raw milk in compliance with EU rules? Are there regional differences? Or differences according to the size of the farms? Do you have a national programme as regards the quality of milk (raw milk, milk products)?

IV. Control rules.

A. HACCP.

- Situation in Turkey.
- Specific problems?

B .Official Controls.

- Situation in Turkey?
- Status of the official veterinarians, auxiliaries?
- Specific problems?
- Import controls for products of non animal origin?
- Situation in Turkey?

- Do you have a list of entry points?

V. Rules for animal by-products.

A. Do you have a specific system of collection of cadavers? What is the current situation in Turkey?

B. What is the treatment of category I (risk materials), category II, and category III?

- Type of treatments?
- National programme?
- Mode of financing? In particular for category I
- Specific rules for remote areas?
- Specific problems?

VI. Funding of checks

A. Situation in Turkey. Are the costs of the controls assessed in general, by specific sector (meat, milk…), or by domain (residues, microbiological controls, external borders…)? Who provides the wages to the staff?

B .Regarding the level of the minimal EU fees: do you assess it as sufficient, insufficient or excessive?

C. Specific problems?

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Title 4. Food safety

I. Horizontal Issues

Presentation of the organisation and division of competences in the field of food safety

- How is the field of food safety organised?
- Describe which authorities are responsible for the transposition and implementation of the EC food safety *acquis*?
- Describe and detail the level and the areas of official controls already implemented in the food safety *acquis*?
- Who is the designated contact-point for the Commission?

State of transposition of EC *acquis* and preparedness

- What is the current status on the state of transposition and preparedness of the food safety EC *acquis*?
- What is the state of implementation of the food safety EC *acquis*
- What is the current status on preparedness of translation into English of national texts and their availability?

II. General Food Law

Definition of responsibilities – article 17 Operators/Member States

- What are the provisions on division of responsibilities?
- What are the provisions on penalties applicable to infringements of food law

Traceability –article 18

- Has traceability system been put in place at all steps of the food chain (from agricultural production to retail distribution)?
- Have systems and procedures been put in place and able to identify from whom and to whom a product has been supplied? (link "supplier-product" and "customer-product)
- Are the above systems and procedure in condition to allow for this information to be made available to the competent authorities?
- Which information is available and/or registered and/or what's the timing of records keeping?

Withdrawal, Recall and Notification – art 19

- How do operators inform competent authorities when they ascertain that a food does not meet food safety requirements (which procedures are in place)?
- Is there any provision in place to withdraw/recall from the market foods not meeting food safety requirements and informing competent authorities?
- Is there any obligation to notify a withdrawal to competent authorities?
- Which criteria are taken into account for the withdrawal?
- Is the public informed? Which procedures have been put in place to ensure that the public is informed in case of recall?

Importing/Exporting rules – articles 11 and 12

III. Contaminants/Import Control Procedures for Food of Plant Origin

Authority responsible for legislation

- What is the competent authority responsible for drafting legislation on contaminants?(*name, address + contact information*)

Control

- What are the competent authority(ies) for the control of imported foodstuffs from third countries? (*name, address + contact information*)
- In case control has started: what type of control (inquiries, control of documents, random sampling, and analysis), frequency of control, and planning of control targets?
- What are the measures taken in case of non-conform products?

Laboratories

- What are the name(s), location(s) and responsibilities of official laboratories used in the analysis of contaminants in foodstuffs (*name, address + contact information*)?
- Which laboratories have received accreditation? Provide a list.
- Which are the activities undertaken in developing and validating detection methods?

IV. GMOs

Contact Person for Peer Reviews

- What is the name of the contact person responsible for the peer review on GM food and novel food *(Name, address and contact information)*?

List of GM food and Novel food

- Is it possible to provide a list of GM food placed on the market {*food containing, consisting of, or produced from or containing ingredients produced from GMOs)*?
- Is it possible to provide a list of novel food placed on the market {*novel food as defined in Art 1 of the Novel Food Regulation 258/97*)?

Transposition

- What is the national legislation relating to the Novel Food Regulation 258/97 and what is the date of adoption and date of entry into force of this?
- What is the national legislation relating to GMO Regulation 1829/2003 *1830/2003* and what is the date of adoption and date of entry into force of this?

Compatibility

- What are the specific provisions in national legislation transposing the EU acquis on Novel Food (258/97) and GM food (1829/2003 *1830/2003*) not yet adopted and implemented?
- What are the national provisions on GM food and Novel Food other than those listed under Regulations 258/97 and 1829/2003 *1830/2003* (such as "GMO-free" food production)?

Authority responsible for legislation

- What is the competent authority responsible for drafting legislation on GM food and novel food (including labelling) (*name, address + contact information*)?

Authority receiving applications

- What are the competent authority(ies) for the authorisation of GMO food and novel food (*name, address + contact information*)?

Assessment capacity

- What are the body or bodies responsible for GMO food and Novel Food assessment before marketing (*name, address + contact information*)?

Control

- What are the competent authority(ies) responsible for the inspection of GM food and novel food (including labelling) *name, address + contact information*)?
- Where relevant, please indicate central / regional structure
- In case control has started: what type of control (inquiries, control of documents, random sampling, and analysis), frequency of control, and planning of control targets?

Laboratories

- What are the name(s), location(s) and responsibilities of official laboratories used in the analysis of GMO food and novel foods (*name, address + contact information*)?
- Which are the laboratories that have received accreditation?
- Which activities are undertaken in developing and validating detection methods?

V. Food Contact Material

Authority responsible for legislation

- What is the competent authority responsible for drafting legislation on food contact material?

Approval system

- What is the system of approval for food contact material producers?
- Is there a system for giving/approving health certificates?
- Are official approvals necessary for establishments producing Food contact Materials?

Legislation

- How do you define food contact materials in your legislation?

Structure, reporting relationships and responsibilities

- Please describe the organisation and staffing of the competent authorities in the field of materials and article intended to come into contact with foodstuffs

Inspections and Controls

- Which authority/ies set/s up inspection and sampling plans for food contact materials according to Art. 14 of Directive 89/397/EEC?

- What routine monitoring programmes are in place in your country regarding food contact materials? Are there programmes for import control?

- In case of a serious health risk, can food contact materials be taken off the market? If yes, who is in charge?

VI. Natural Mineral Water

Legislation

- What is the competent authority responsible for drafting legislation on natural mineral water?
- How are natural mineral water, spring water and table water defined in your legislation?
- Are there different requirements for these categories of waters in your legislation?
- What is the minimum requirement of content of minerals in your legislation?

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Title 5. Specific rules for feed

I. Horizontal Issues

Presentation of the organisation and division of competences in the field of animal nutrition:

- How is the field of animal nutrition organised?
- Describe which authorities are responsible for the transposition and implementation of the EC *acquis* for specific feed legislations?
- What are the names, addresses, phone, fax and e-mail address of the contact persons at central level? What are the names, addresses, phone, fax and e-mail address of the contact persons at central level?
- What are the responsibilities of each service?
- Who is the designated contact-point for the Commission?

State of transposition of EC *acquis* and preparedness:

- What is the current status on the state of transposition and preparedness of the EC *acquis* for specific feed legislations?
- What is the state of implementation of the EC *acquis* for specific feed legislations?
- What is the current status on preparedness of translation into English of national texts and their availability?

Contact Person for Peer Reviews:

- Name contact person responsible for peer reviews *(Name, contacts)*?

II. Specific questions

1. Additives

- Is there a national positive list of permitted feed additives?
- Is this list according to the EU positive lists?
- How are antibiotics, coccidiostats and growth promoters regulated?
- What legislative measures have been taken to ensure compliance with EU legislation regarding feed additives, so that EU authorised feed additives can be marketed in your country by the day of accession?
- Are you aware of non-EU authorised feed additives placed on the national market and used at this moment?
- What measures will be taken to ensure that non-EU authorised feed additives and possible currently authorised under the national system will be no longer allowed and withdrawn from the market by the day of accession?
- Is there a national procedure of authorisation of feed additives? Please describe.

2. Compound feed

- What are the labelling rules for compound feed? Are there in line with the EC legislation?

3. Undesirable substances

- Do you have legislation on undesirable substances? Are there in line with the EC legislation?

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Title 6. Phytosanitary

Chapter 1 - Plant Health -Harmful Organisms

I. General Control Measures

Control of domestic production:

- Timing: during production and/or marketing
- What is the type of control?
- Which are the infringement procedures?

Description of control of imports:

- Which type of inspection?
- What are the relations with customs?
- Which is the frequency of checks?
- Which are the statistics on interceptions

Are there lists of quarantine organisms, are they based on pest risk assessments?

Comparison with EU lists:

- Presence or absence of pests listed in Annexes I and II to Directive 2000/29/EC?
- Source of information (with reference to ISPM 8)?

II. Specific Control Measures

Are there systematic surveys for the presence of harmful organisms? If yes, describe the surveys (frequency, density of controls, timing, and findings) and the targeted harmful organisms.

Are there specific measures planned in case of outbreaks? If yes description of measures and targeted harmful organisms

III. Protected Zones

Are there any provisions for certain areas with a specific phytosanitary status to benefit from additional guarantees?

IV Registration of operators – Plant Passports

Is there any registration of producers, importers or warehouses? If yes, who has to be registered and what are the conditions for registration?

Are there specific documents for trade of plant and plant products within the national territory?

V. Import for third countries

Are there specific measures applied to imports from certain countries? In which way do they differ from the normal rules?

VI Inspections and notifications of interceptions

Is there a system of exchange of information between inspectors and local and /or central authorities in case of interception? Are interceptions notified to EPPO? If yes, please describe the procedure.

Are there rules for imports on scientific or research purposes of normally banned material?

VII Derogations

Are there legislative provisions for derogating from the normal import rules? What conditions have to be fulfilled for the granting of derogation?

Chapter 2 -Plant Health - Plant protection products

I. Placing on the market

Please describe the system of authorisations of active substances and plant protection products.
What is the content of the current lists of authorised and/or prohibited active substances? Comparison with the EC lists.

- What are the requirements and risks taken into account with regard to requirements listed in Annexes II (Identity of the active substance, Physical and chemical properties of the active substance, Further information on the active substance to Directive 91/414/EEC?
- Are there specific provisions for authorisation of micro-organisms as plant protection products?
- Have micro-organisms been authorised as plant protection products?
- What is the duration of an authorisation?
- What is the procedure to withdraw an authorisation?
- Description of the controls carried out to ensure compliance of Plant Protection Products put on the market.

II. Pesticide residues

- Description of the procedure for fixing Maximum Residue Limits (MRLs)
- Comparison between the national MRLs and the harmonised EU MRLs.
- Description of the controls of compliance of residues in products of plant and animal origin including statistics (in particular number of pesticides checked, number of analysis carried out, frequency of non compliance)
- Infringement procedures
- Laboratory capacity

Chapter 3 - Quality of Seeds and Propagating Material

Description of certification and/or approval procedures of seeds and plant propagating material of:

- Fodder plants
- Cereals
- Vine
- Vegetable seed and material other than seed
- Fruit plants
- Ornamentals
- Forestry
- Beet
- Potatoes

- Oil and fibre plants

What are the national labelling and packaging requirements for seeds and propagating material?

Do national catalogues of plant varieties exist? Which are the requirements and procedure for registration (notably DUS, VCU, maintenance and denomination requirements)?

What are the import conditions for seeds and propagating material?

Chapter 4 - Plant Variety Rights

- Description of the national plant variety right system.
- Is the national system based on the1978 Act or on the1991 Act of the UPOV Convention?
- Which are the criteria for granting protection?

Chapter 5 - International agreements

With an accession to the EU, Turkey will be party to the Community Agreements (with or without additional negotiation).

- Specific problems?
- Do you have bilateral agreements in the phytosanitary sector?
- Do bilateral agreements include provisions on import conditions, lists of harmful organisms of quarantine importance or agreements on checks in the exporting country?
- Clause of denunciation?

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