

GMOs QUESTIONNAIRE

Contained use, deliberate release into the environment and transboundary movement of genetically modified organisms

31990L0219

Council Directive 90/219/EEC of 23 April 1990 on the contained use of genetically modified micro-organisms as amended by Council Directive 98/81/EC of 26 October 1998 (OJ L 117 08.05.1990 p. 1) EUR-Lex hyperlink [html](#)

Transposition

A. Which parts of the provisions of the Directive have been transposed?

Technical study on drafting National Biosafety Law is in progress.

B. When is the transposition foreseen for the remaining measures?

Technical study for drafting a biosafety law is being undertaken.

Implementation

C. What has been achieved so far as regards:

- **Designating the competent authority/ies (Art. 11)**

The Ministry of Agriculture and Rural Affairs is the competent authority.

- **Classifying GMMs (Art. 5)**

Technical studies are in progress.

- **Applying the general principles and the appropriate containment and other protective measures set out in Annex IV (Art. 6)**

Technical studies are in progress.

- **Deciding whether the public should be consulted on proposed contained uses, and if so, establishing a mechanism to do so (Art. 13)**

Technical studies are in progress. In addition, biosafety information exchange mechanism is under construction and will be connected to Biosafety Clearing House Mechanism under Cartagena Biosafety Protocol. This mechanism will provide opportunity for sharing any information available for GMOs.

- **Establishing notification procedures (Arts. 7-10)**

Technical studies are in progress.

- **Ensuring users carry out risk assessments (Art. 5)**

Technical studies are in progress.

- **Establishing criteria and procedures for emergency plans (Arts. 14-16)**

Technical studies are in progress.

- **Establishing a system for ensuring confidentiality (Art. 19)**

Technical studies are in progress.

- **Establishing a system to provide information and reports to Member states and the Commission**

Not applicable before membership.

- **Establishing an effective inspection and enforcement system**

Technical studies are in progress.

32001L0018

Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC – Commission Declaration
(OJ L 106 17.04.2001 p. 1) EUR-Lex hyperlink [html pdf](#)

Transposition

A. Which parts of the provisions of the Directive have been transposed?

Main legislation on the deliberate release of transgenic field crops is the Instruction on “Field Trials of Transgenic Culture Crops” which was enforced by Ministerial Order of Ministry of Agriculture and Rural Affairs (14 May 1998, TGD/TOH-032) which establishes procedures for experimental environmental release of transgenic field crops.

B. When is the transposition foreseen for the remaining measures?

Technical study on drafting biosafety law is in progress.

Implementation

- **Designating the competent authority/ies (Art. 4.4)**

The Ministry of Agriculture and Rural Affairs is the competent authority.

- **Phasing out antibiotic resistance markers in GMOs placed on the market according to Part C (Art. 4.2)**

The antibiotic resistance markers are not present, since placing on the market of GMOs are not authorized.

- **Phasing out antibiotic resistance markers in GMOs authorised under Part B (Art. 4.2)**

There is no GMO authorised carrying antibiotic resistance markers.

- **Establishing an effective inspection and control system to ensure compliance with the Directive provisions and in particular regarding non-authorised GMOs (Art. 4(5))**

Controls and inspections specific for GMOs have not started yet. Once inspection and control started, documentary checks and controls on traceability, labeling, qualitative and quantitative analysis and monitoring on environmental effect will be carried out.

Personnel and technical capacities of following laboratories and institutions of the Ministry of Agriculture and Rural Affairs have been built up for control and inspection of GMOs.

- Ankara Provincial Control Laboratory Directorate (PCLD)- Food and feed
- Bursa Food Control and Central Research Institute-Food and feed

- Ankara Central Research Institute Land for Field Crops-Field Crops
- Antalya West Mediterranean Agricultural Research Institute-Horticultural Crops

Following university and Turkish Science and Technology Council laboratories have also capacity to carry out analysis on GMOs.

- Hacettepe University Biology Department (Allergenicity and Toxicity)
- Middle East Technical University (METU) Biology Department (Crops)
- METU Food Engineering Department- (Crops)
- METU Central Biotechnology Laboratories (Crops)
- Turkish Science and Technology Council, Genetic Engineering and Biotechnology Research Institute (Crops)

- **Establishing a prior notification procedure for Part B releases (Art. 6)**

The Instruction on “Field Trials of Transgenic Culture Crops” enforced by Ministerial order of the Ministry of Agriculture and Rural Affairs (14.5.1998 - TGD/TOH-032) establishes the prior notification procedure for Part B releases. The Instruction determines the procedure and principles of field trials of genetically modified plants (GMPs) intended for agricultural production and it applies to all GMPs whether imported or locally developed; it determines the application procedures and information to be submitted by applicant, establishes the scientific commission for evaluation of applications, authorizes the Ministry of Agriculture and Rural Affairs to undertake field trials of GMPs by its research institutions and determines rules for field trials.

- **Establishing procedures for consultation of the public and, where appropriate, groups (Art. 9)**

Technical studies are in progress. In addition, biosafety information exchange mechanism is under construction and will be connected to Biosafety Clearing House Mechanism under Cartagena Biosafety Protocol. This mechanism will provide opportunity for sharing any information available for GMOs.

- **Establishing a prior notification procedure for Part C releases (Art. 13)**

Technical studies are in progress.

- **Ensuring the CA has sufficient capacity to receive and evaluate notifications and their modifications (Arts. 6, Art. 7, 9, 13 & 15)**

Notifications and their modifications for field trials are being evaluated by MARA through “application acknowledgement committee” in terms of sufficiency of the information and documents provided in the dossier; and then through “scientific pre-evaluation committee” in terms of applicability of the field trial of crops. Specific research institutes of MARA are mandated to carry out field trials of crops, and capacities of some laboratories have been built up for GMO evaluations. However, the capacity of MARA is needed to be strengthened to be able to evaluate notifications for all types of environmental release and marketing of GMOs and products thereof.

- **Establishing a public register of locations of Part B releases (Art. 31.3(a))**

Experimental release is only permitted under the control of the research institutes of the Ministry of Agriculture and Rural Affairs in accordance with the instruction on “Field Trials of Transgenic Culture Crops” enforced by Ministerial order of the Ministry of Agriculture and Rural Affairs (14 May 1998 - TGD/TOH-032). Hence the locations of experimental releases are within the research institutes; and, they are registered by MARA.

- **Establishing a register of locations of GMOs grown under Part C (Art. 31.3(b))**

Technical studies are in progress.

- **Requiring notifiers to send results of the release to CA (Art. 10)**

Technical studies are in progress.

- **Ensuring that products placed on the market comply with specified labelling and packaging requirements (Art. 21)**

Since production and imports of GMOs are not permitted/authorized in the country, no labelling and packaging requirements specified.

- **Ensuring confidentiality of information and intellectual property rights (Art. 25)**

Technical studies are in progress.

- **Establishing a procedure to supply Member States and Commission with information.**

Not applicable before membership.

32003R1830

Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC
(OJ L 268 18.10.2003 p. 24) EUR-Lex [hyperlink](#) [html](#) [pdf](#)

Implementation

What has been achieved so far as regards:

- **Ensure that inspections and other control measures including sample checks and testing are carried out (Art. 9(1))**

Specific controls and inspections of GMOs have not started yet. Once inspection and control started, documentary checks and controls on traceability, labelling, qualitative and quantitative analysis and monitoring on environmental effect will be carried out.

- **Laying down the rules on penalties applicable to infringements of the Regulation (Art. 11)**

Technical studies are in progress.

32003R1946

Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms (Text with EEA relevance) (OJ L 287 05.11.2003 p. 1) EUR-Lex hyperlink [html pdf](#)

Implementation

What has been achieved so far as regards:

- **Participating in the international information procedure (Article 15)**

Biosafety Information Exchange Mechanism is under construction and will be connected to Biosafety Clearing House Mechanism under Cartagena Biosafety Protocol. This mechanism will provide opportunity for sharing any information available for GMOs.

- **Designating the national contact points for notification of unintentional transboundary movements (Article 15 and 17)**

The Ministry of Agriculture and Rural Affairs is the only national contact point.

- **Designating one or more competent authorities (Article 17)**

The Ministry of Agriculture and Rural Affairs is the only competent authority at present.

- **Laying down the rules on penalties applicable to infringements of the provisions of the Regulation and to ensure that they are implemented (Article 18)**

Technical studies are in progress.

Implementation

What has been achieved so far concerning the following implementing measures:

- **Commission Decision 2002/623/EC:**
Guidance notes for environmental risk assessment

Environmental risk assessments of six maize and two cotton varieties have been performed under the Instruction (14 May 1998 TGD/TOH-032) on “Field Trials of Transgenic Culture Crops”. The methods and procedures used in these assessments are in parallel with the EU guidance.

- **Council Decision 2002/811/EC:**
Guidance notes for monitoring

Since production or import of GMOs are not permitted, there is no monitoring yet. Technical studies are in progress.

- **Council Decision 2002/812/EC:**
Summary notification Part C format

Technical studies are in progress.

- **Council Decision 2002/813/EC:**
SNIF Part B

Instruction (14 May 1998 TGD/TOH-032) on “Field Trials of Transgenic Culture Crops” covers the notification format for experimental release of GMPs.

- **Commission Decision 2003/701/EC:**
Establishment of a format for presenting the results of deliberate release of higher plants for research purposes

Technical studies are in progress.

- **Council Decision 2004/204/EC:**
Detailed arrangements for the operation of the GM registers

Technical studies are in progress.

- **Commission Regulation (EC) 65/2004:**
System for the development and assignment of unique identifiers

Technical studies are in progress.

- **Commission Decision 2005/463/EC:**
Network of information exchange for coexistence

Technical studies are in progress. Biosafety Information Exchange Mechanism is under construction and will be connected to Biosafety Clearing House Mechanism under Cartagena Biosafety Protocol. This mechanism will also provide opportunity for sharing any information available for coexistence.