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REGULATION
From the Ministry of Agriculture and Forestry:

PLANT QUARANTINE REGULATION

PART ONE

Preliminary Provisions

Purpose

ARTICLE 1– (1) The purpose of this Regulation is to establish the procedures and principles concerning the phytosanitary conditions to which plants, plant products and other materials shall be subject upon entry into and exit from our country.

Scope

ARTICLE 2– (1) This Regulation covers the identification of quarantine pests preventing importation and the phytosanitary conditions to which plants, plant products and other materials shall be subject in entry into and exit from the Customs Territory of the Republic of Türkiye, as well as the official controls to be carried out.

(2) Products brought into free zones from abroad and products sent from free zones to abroad are also subject to the provisions of this Regulation.

Legal Basis

ARTICLE 3– (1) This Regulation has been prepared on the basis of Articles 31, 32, 33, 34, 42, 43, 44 and 45 of the Veterinary Services, Plant Health, Food and Feed Law No. 5996 dated 11/6/2010.

Definitions and Abbreviations

ARTICLE 4– (1) In this Regulation, the following terms shall have the meanings indicated below:

a) Wood packaging material: Pallets, crates, cases, boxes, dunnage, cable reels, spool reels and similar products made of wood thicker than six millimetres, used for supporting, protecting or carrying goods, except for the exceptions specified in ISPM 15,

b) Research Institute Directorates: The Central Research Institute Directorate for Crop Protection, the Biological/Agricultural Pest Control Research Institute Directorates and other Research Institute Directorates authorised by the Ministry,

c) Ministry: The Ministry of Agriculture and Forestry,

ç) Documentary check: Control that the documents submitted to the directorate in relation to the transactions within the scope of this Regulation are complete, duly prepared and consistent with each other,

d) Identity check: Physical control of whether the documents submitted to the directorate are consistent with the plants, plant products and other materials,

e) Plant: Living plants and their non-deep-frozen fruits and vegetables, tubers, corms, bulbs and rhizomes, cut flowers, leafy branches, pruning debris leaves, leaves, plant tissue cultures, living pollen, and certain parts maintaining their viability such as buds, grafts and cuttings, as well as botanical seeds intended for planting,

f) Plant Quarantine Registration and Tracking System (BKKTS): The software system in which the entry and exit transactions of plants, plant products and other materials into and from the Customs Territory of the Republic of Türkiye are registered and tracked,

g) Plant Passport: An official label or, for certain products, a mark other than a label accepted by the Ministry, prepared in accordance with the procedures determined by the Ministry and issued by the

Ministry or those authorised by the Ministry, standardised for various plants and plant products, indicating that the phytosanitary standards and special requirements established in this Regulation for plants, plant products and other materials included in Annex-1 list of the Regulation on Plant Passport System and Registration of Operators published in the Official Gazette No. 27813 dated 12/1/2011,

ğ) Plant Health Transit Document: A document drawn up in accordance with the form set out in Annex-11, accompanying or digitally created and electronically forwarded to the destination, for the dispatch of certain products whose official controls cannot be completed at the point of entry to another authorised entry customs office or approved control post within the country where the documentary check, identity and phytosanitary checks will be completed after documentary check has been carried out,

h) Phytosanitary check: The control carried out to determine whether plants, plant products and other materials, and their packaging and means of transport, are free from pests,

ı) International Standards for Phytosanitary Measures (ISPM): International Standards for Phytosanitary Measures,

i) Phytosanitary Certificate: A document drawn up in accordance with the form set out in Annex-7, or its official equivalent created electronically, or electronic Phytosanitary Certificate versions issued and approved by the National Plant Protection Organisation of countries notified by the Ministry, certifying that plants, plant products and other materials meet the phytosanitary requirements stipulated in this Regulation,

j) Plant product: Products of plant origin, unprocessed or having undergone simple processing, not falling within the definition of plant,

k) Exit: Export and exit of plants, plant products and other materials from the Customs Territory of the Republic of Türkiye including free zones,

l) Importation for trial purposes: The importation of variety or candidate variety seeds for the purposes of research and development, testing, trials and laboratory analysis, but not for propagation, demonstration, display or commercial purposes,

m) Disinfection: The cleaning process by chemical substances or physical methods with the aim of destroying or neutralising pests,

n) Other materials: Materials other than plants and plant products which carry a risk of harbouring pests from a phytosanitary perspective,

o) Plants for planting: Plants that are or are to remain planted, plants that are to be transplanted, and plants that are not planted but are intended to be planted,

ö) Kiln drying (KD): The process of drying wood in a closed chamber by applying heat and/or humidity control to achieve the required moisture content,

p) Fumigation: The process of introducing a specified quantity of a fumigant acting in gaseous form into a closed area at a specified temperature and keeping it in the environment for a specified period of time, with the aim of destroying pests,

r) General Directorate: The General Directorate of Food and Control,

s) Genetically modified organism (GMO): A living organism other than a human, obtained by gene transfer using modern biotechnological methods,

ş) Entry: Import, entry into and placing under transit procedures of plants, plant products and other materials into the Customs Territory of the Republic of Türkiye including free zones,

t) Point of entry: The first place where plants, plant products and other materials are brought into the Customs Territory of the Republic of Türkiye including free zones; in the case of air transport this is the airport, in the case of sea transport this is the seaport, and in the case of road and rail transport this is the location of the customs office responsible for that area at the place where the land border is crossed,

u) Customs Tariff Statistical Position (GTIP): A code used in international trade to identify and classify products, enabling access to detailed information about products produced in different parts of the world,

ü) Heat treatment: The process of subjecting products to a specified temperature and maintaining them at that temperature for a certain period of time in accordance with an official technical specification,

v) Export: The official controls relating to export procedures for plants, plant products and other materials in free circulation,

y) Inspector: An inspection officer trained by the Ministry and granted official control authority to carry out all types of official controls for phytosanitary purposes and to issue the necessary documents during the entry, exit, movement within the country and transit through the Customs Territory of the Republic of Türkiye of plants, plant products and other materials in free zones,

z) In vitro: Artificial conditions in a laboratory environment,

aa) In vitro plant propagation: Plant propagation in nutrient media in closed plastic or glass culture vessels under controlled artificial conditions in an aseptic environment and clean conditions,

bb) Importation: Official controls relating to the procedures of release for free circulation, customs warehousing, inward processing, processing under customs control and temporary importation of plants, plant products and other materials,

cc) Debarked wood: Wood that has been completely debarked or subjected to bark removal within the tolerance limits for bark specified in ISPM 15,

çç) Bark-free wood: Wood from which all bark has been removed, except for bark pockets between annual growth rings and bark growing inward around knots,

dd) Out-of-scope product: Products listed in Annex-5 by GTIP but excluded from phytosanitary control by expressions in parentheses,

ee) Quarantine: Placing plants, plant products and other materials under control with the aim of preventing pests from entering the country or spreading within the country,

ff) Quarantine pest: Pests listed in Annexes 1 and 2, and pests not listed in Annex 1 but found to be at risk for our country as a result of a pest risk analysis conducted because their presence in our country is unknown,

gg) Contamination: The state of infestation of pests in plants, plant products and other materials, storage areas, containers, packaging materials or means of transport,

ğğ) Laboratory expert: Personnel who graduated from plant protection departments of universities and hold at least a master's degree in the relevant field of expertise (entomology, nematology, mycology, virology, bacteriology, herbology) in which they will work in the laboratory, and who are responsible solely for carrying out analyses in the laboratory unit of their area of expertise,

hh) Lot/consignment lot: A certain number of units of a single product in a shipment that is homogeneous in terms of composition and origin,

ıı) Return to origin: The return of plants, plant products and other materials whose entry is not permitted to the exporting country,

ii) Country of origin: For plants, the country where the plants were grown; for plant products, the country where the plants from which the plant products were obtained were grown; for other materials, the country where those materials were first exposed to infestation by pests,

jj) Directorate: Agricultural Quarantine Directorate and the Ministry's Provincial or District Directorates of Agriculture and Forestry authorised by the Ministry,

kk) Sample: A sample taken from plants, plant products and other materials to be subjected to official control, of a size determined in accordance with the instructions to be prepared by the General Directorate to set the principles for sampling and analysis,

ll) Wood: All wood whether sawn or unsawn, with or without bark, including industrial, fibre, chip, paper and firewood,

mm) Approved fumigation: Fumigation carried out in accordance with a method accepted by the Ministry,

nn) Approved control post: Customs-supervised warehouses, consignee areas and similar temporary storage places under customs supervision consisting of independent sections that meet the necessary quarantine conditions, including isolation, ventilation, cold chain, humidity and similar physical

conditions specified in ISPM 34, where fumigation, destruction and similar operations can be carried out if necessary, and that prevent the risk of contamination of other products in the storage area, where products may be held until official control procedures are completed,

oo) Composite sample (bulked sample): Mixing product samples selected according to the random sampling method in a certain proportion to represent the entire product to be inspected,

öö) Official control: Monitoring, surveillance, inspection, examination, quarantine, sampling, analysis and similar operations carried out by inspectors within the scope of authority granted to verify compliance with the provisions of this Regulation of activities within its scope,

pp) Free zone: Areas that are parts of the Customs Territory of Türkiye but are considered outside the Customs Territory of Türkiye for the purposes of applying import duties and trade policy measures, where goods not in free circulation are placed on condition that they are not used or consumed except in the cases provided for in customs legislation, without being released for free circulation,

rr) Free Zone Transit Form: A document issued for products subject to pest risk analysis, determined by the Ministry, for which an application for transfer to free zones for storage and processing for re-export purposes is made, drawn up in accordance with the form set out in Annex-6,

ss) Consignment: The quantity of plants, plant products and other materials transported from one country to another under one or more Phytosanitary Certificates or Re-Export Phytosanitary Certificates within one means of transport, whether or not specified as one or more lots/consignment lots or groups,

şş) Consignment interception: The rejection of a consignment intended to enter, due to its non-compliance with phytosanitary legislation, or its suspension until the non-compliance is remedied,

tt) Cold treatment: The process of exposing products to low temperatures for appropriate periods of time to make them free from pests,

uu) Single Window System (TPS): A system used in customs procedures that enables documents belonging to relevant public institutions to be issued electronically from a single point,

üü) Single Window System ID (TPS ID): A twenty-three-digit identifier code number assigned by the Single Window System for documents for which import or export compliance has been approved,

vv) Transit: The passage of plants, plant products and other materials not in free circulation through the Customs Territory of the Republic of Türkiye from a foreign country to a foreign country,

yy) Seed material: Generative and vegetative plant parts such as seeds, tubers, seedlings, saplings and cuttings used for propagation of plants,

zz) Customs Territory of the Republic of Türkiye: The borders of the Republic of Türkiye encompassing its land territory, territorial waters, inland waters and airspace,

aaa) Person concerned with the product: The natural or legal persons and the legal representatives of natural persons/authorised representatives of legal persons who are authorised and responsible for subjecting plants, plant products and other materials to official controls and monitoring them in accordance with the provisions of this Regulation,

bbb) Consignee custody (yediemin): The process of holding seedlings, saplings, indoor and outdoor ornamental plants, as well as seeds transported in a cold chain to prevent germination and cut flowers, in a closed area under customs supervision until official controls including analysis are completed,

ccc) Re-export: The re-export procedure applied for plants, plant products and other materials that have entered our country and will be exported from our country to another country,

çççç) Re-Export Phytosanitary Certificate: A document drawn up in accordance with the form set out in Annex-8, or its official equivalent created electronically, for re-exported plants, plant products and other materials,

ddd) High-risk plants, plant products and other materials: Plants, plant products and other materials not listed in the table of plants, plant products and other materials whose entry into Türkiye is prohibited in Annex-3 but determined as a result of a preliminary assessment to pose an unacceptable level of pest risk for our country,

eee) Pest: Species, strains or biotypes of plants, animals or pathogenic agents harmful to plants, plant products and other materials,

fff) Pest-free area: An area scientifically proven to be free from a specific pest and, where appropriate, where such conditions are officially maintained,

ggg) Pest-free place of production: A defined land parcel scientifically proven to be free from a specific pest,

ğğğ) Pest-free production site: A production site scientifically proven to be free from a specific pest and, where appropriate, where such conditions are officially maintained for a specified period of time,

hhh) Pest interception: The suspension of a consignment intended to enter, due to detection of a pest as a result of macroscopic examination or laboratory testing,

ıii) Pest risk analysis: The process of jointly evaluating scientific, environmental and economic indicators within the scope of relevant ISPMs to determine whether an organism is a quarantine or non-quarantine pest, or to determine the extent of phytosanitary measures to be applied in the import operations of plants, plant products and other materials,

PART TWO

Official Controls, Registration in the Plant Quarantine Registration and Tracking System

Official Controls

ARTICLE 5– (1) The entry, importation and placement under transit procedures of plants, plant products and other materials into the Customs Territory of the Republic of Türkiye including free zones, and their exit from the Customs Territory of the Republic of Türkiye including free zones, are subject to official control.

(2) Entry and exit procedures for plants, plant products and other materials within the scope of this Regulation are carried out through the BKKTS. In cases where it is not possible to carry out such procedures through the BKKTS, operations are carried out physically with the approval of the General Directorate. In transactions carried out through BKKTS, wet signatures are not required except for original documents. Information and documents that cannot be obtained electronically by the Directorate are requested from the applicant. Notifications regarding deficiencies identified during or as a result of the official control process, the measures to be applied, and similar information are made to the applicant through BKKTS. Procedures relating to conformity inspections at the import stage and inspections of products subject to the Ministry's control, as well as matters relating to product safety, are carried out in accordance with the regulation published annually by the Ministry of Trade.

(3) Official controls of plants, plant products and other materials are carried out in three stages by an inspector assigned by the Directorate: documentary check, identity check and phytosanitary check, based on the Phytosanitary Certificate or Re-Export Phytosanitary Certificate. Phytosanitary checks are carried out by on-site examination, examination through laboratory testing after sampling, and where necessary, by having detailed analysis carried out in a laboratory after sampling.

(4) Laboratory analyses of plants, plant products and other materials relating to plant health are carried out at Agricultural Quarantine Directorates, Research Institute Directorates, and other Research Institute Directorates affiliated with or authorised by the Ministry.

(5) GMO analyses of plants, plant products and other materials within the scope of biosafety legislation are carried out by Agricultural Quarantine Directorate laboratories, Food Control Laboratory Directorates and laboratories affiliated with the Ministry, as authorised by the Ministry.

(6) The inspector enters every place where plants, plant products and other materials are located within the scope of this Regulation for the purpose of official control, checks the means of transport and takes samples. No fee is paid for samples. The person concerned with the product is obliged to provide all assistance and facilitation during official control, to ensure the minimum control conditions determined by the Ministry, and where necessary, to take additional security measures.

(7) For the purpose of carrying out identity and phytosanitary checks at border posts, unsealing operations for means of transport are carried out by an authorised customs officer in the presence of an inspector. Except for products arriving by air, unloading operations of seed materials and ornamental plants at approved control posts are carried out in the presence of an inspector.

(8) During official control by the inspector, if quarantine pests listed in Annexes 1 and 2 or other pests are detected or suspected, the necessary protective measures are taken. In such a case, the inspector is authorised to establish protection and surveillance zones and to carry out the necessary controls, sampling and other examinations to prevent the spread of quarantine pests and other pests, and to take/have taken all measures including destruction of plants, plant products and other materials that may cause the spread of these organisms.

(9) Phytosanitary checks are carried out in areas and inspection rooms that meet the minimum control conditions determined by the Ministry, in daylight or in illuminated environments where daylight conditions are provided.

(10) Applications for all official control transactions under this Regulation are submitted to the relevant directorate in person with a wet signature or electronically with an electronic signature.

(11) Where the Phytosanitary Certificate or other relevant documents submitted to the Directorate in official control applications are found to be forged, operations are suspended. Return of such consignments to the relevant country is initiated, the notification form in Annex-9 is drawn up and the customs administration is informed. Documents submitted subsequently for this consignment are not accepted.

Registration in the Plant Quarantine Registration and Tracking System

ARTICLE 6– (1) Entry and exit procedures for plants, plant products and other materials commence with the registration of the relevant natural or legal person or their representative in the BKKTS by the Directorate.

(2) Applications for all official control transactions under this Regulation are submitted indicating the date and place of the control request. The period between the application date and the control request date shall not exceed three days. Applications not submitted to the Directorate within this period are cancelled.

(3) In Agricultural Quarantine Directorates, the institution director; in provincial directorates, the relevant branch manager; and in district directorates, the district director, grants authorisation through the BKKTS and is responsible for the authorisation granted.

PART THREE

Entry and Exit Procedures and Authorised Customs Offices

Entry and Exit Customs Offices

ARTICLE 7– (1) The authorised customs offices through which plants, plant products and other materials specified in Annex-5 shall enter the country are determined by the regulations of the Ministry of Trade with the approval of the Ministry.

(2) Exit procedures for plants, plant products and other materials may be carried out through all customs offices. However, in line with the phytosanitary requirements of recipient countries, the authorised exit customs offices and the Directorates authorised to carry out official controls may be restricted by the General Directorate for certain countries and products.

(3) The minimum requirements that phytosanitary border control posts must meet are determined by an instruction published by the Ministry. It is necessary for the minimum requirements specified in this instruction to be met at entry customs offices approved as phytosanitary and agricultural quarantine border control posts for the official control of plants, plant products and other materials.

Import Control

ARTICLE 8– (1) Official controls of plants, plant products and other materials are carried out at the point of first entry into the country, except for the situations described in paragraph eight.

(2) For the entry of plants, plant products and other materials into the country, applications are made through BKKTS by the natural or legal persons owning the products or their legal representatives. Applications are submitted to the relevant directorate together with the import application form printout obtained from BKKTS, attached with the original of the Phytosanitary Certificate or Re-Export

Phytosanitary Certificate issued by the National Plant Protection Organisation of the exporting country, or electronic Phytosanitary Certificate versions issued and approved by the National Plant Protection Organisation of countries notified by the Ministry. A photocopy of one of the international transport documents declared to customs for the consignment and an invoice photocopy are also required. For consignments arriving by sea, a loading document may also be required in addition to the transport document. Importers or their legal representatives must have fulfilled the following conditions prior to importation:

a) Notification to the relevant directorates prior to the importation of plants, plant products and other materials. This notification is made with the Consignment Notification Form set out in Annex-10: at least twenty-four hours before the arrival of the consignment for sea transport; at least twelve hours before the arrival of the consignment for rail and road transport; and at least four hours before the arrival of the consignment for air transport. If the period between the consignment notification and the control exceeds five working days, the application is cancelled.

b) Documents issued for products requiring prior authorisation or control documents are submitted to the relevant directorate.

(3) Entry control of plants, plant products and other materials is carried out in three stages: documentary check, identity check and phytosanitary check:

a) Documentary check: This is the verification that the phytosanitary certificate and other documents submitted in the entry application are consistent with the consignment notification; that the plants, plant products and growing media prohibited from entering the country as specified in Annex-3 are not present; and that the special requirements specified in Annex-4 have been met and are stated in the phytosanitary certificate. If non-compliance is detected in documentary checks, the identity check is not proceeded with.

b) Identity check: This is the physical verification of the conformity of the entry application for which documentary check has been completed with the consignment. If the identity check is non-compliant, the phytosanitary check is not proceeded with and the consignment is intercepted. If plants, plant products and other materials outside the declaration are detected, the entire consignment or the part outside the declaration is returned to origin depending on the risk of pest contamination.

c) Phytosanitary check: After the documentary and identity checks are completed, this is the determination that the consignment intended to enter and the means of transport, packaging and other contents accompanying the consignment are free from pests; do not contain plants, plant products and growing media prohibited from entering the country as specified in Annex-3; comply with the special requirements set out in Annex-4; and are not high-risk plants.

ç) Where the entry of plants, plant products and other materials for which official controls have been completed is deemed appropriate, the original of the Phytosanitary Certificate belonging to the product is kept at the directorate that issued the compliance letter. Phytosanitary certificates of products for which phytosanitary checks have been completed and which are forwarded to the relevant directorate for food feed compliance are sent to the directorate that will issue the compliance letter for safekeeping. If certified copies of the certificate are required in subsequent transactions for products covered by such a certificate, the certified copy and product quantity information are requested from the directorate holding the original certificate.

(4) The provisions of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety apply. The following matters are taken into account in the entry procedures for plants, plant products and other materials within the scope of this legislation:

a) Official controls at the point of entry are completed for plants, plant products and other materials listed on the list of products subject to agricultural quarantine control, excluding those on the lists of plant products used in the food and feed industry and materials in contact with food, as well as seed materials, seedlings, saplings and flower bulbs, and other plants, plant products and other materials outside these lists. A compliance/non-compliance letter is issued based on the outcome of official control. Official controls at the point of entry may also be completed for seed materials such as seeds, seedlings, saplings and flower bulbs on the propagation material list and those on the list of products

subject to agricultural quarantine control for which there is no analysis requirement, as well as plant products used in the food and feed industry and materials in contact with food that are on both the agricultural quarantine control and food safety control lists and for which food safety controls can be completed at entry.

b) Where official controls of products on the propagation material list (seeds, seedlings, saplings, flower bulbs, etc.) cannot be completed at the point of entry, after documentary check is carried out at the point of entry, dispatch to another authorised point of entry with a Plant Health Transit Document, the principles for which are described in paragraph eight, is permitted.

c) After phytosanitary checks have been completed for products on both the plant products used in the food and feed industry and materials in contact with food list, and the list of products subject to agricultural quarantine control, the following procedures are carried out before they are sent to the relevant provincial directorate of agriculture and forestry for food safety checks and compliance procedures:

1) Phytosanitary certificates of products found compliant after phytosanitary checks carried out at the first point of entry and to be dispatched to other points of entry are endorsed by the inspector with the stamp "Phytosanitary Check Carried Out at the Authorised Entry Customs Office."

2) Where official controls of fresh fruit and vegetable products transported in a cold chain that are on both these lists cannot be completed at the point of entry, after documentary checks are carried out at the point of entry, dispatch to another authorised point of entry with a Plant Health Transit Document is permitted.

ç) Fresh fruit and vegetable products and seeds transported in a cold chain are dispatched with a Plant Health Transit Document to an authorised point of entry in the same province or another province where phytosanitary checks can be carried out, as specified in the Ministry of Trade's regulation on customs offices authorised for the entry of products subject to the Ministry's control.

d) Production materials such as seedlings and saplings, indoor and outdoor ornamental plants, seeds transported in a cold chain to prevent germination, and cut flowers for which this Regulation requires analysis may be dispatched with a Plant Health Transit Document to customs-supervised warehouses, consignee areas and similar temporary storage places in the same province or another province listed in the Ministry of Trade's regulation on customs offices authorised for the entry of products subject to the Ministry's control, where documentary, identity and phytosanitary checks are to be completed.

e) In the case of products subject to pest risk analysis that are determined by the Ministry and intended to be re-exported to another country, these products are officially controlled at the first point of entry and dispatched to free zones with a Free Zone Transit Form.

(5) Official controls of wood packaging materials used in the transport of goods other than plants, plant products and other materials within the scope of this Regulation are carried out in cooperation with customs offices according to the risk basis and control frequency to be determined by the Ministry.

(6) The inspector verifies through laboratory testing whether the pest found during official control of plants and plant products to be entered is one of the quarantine pests listed in Annex-1. Based on the laboratory test results, the provisions of Article 16 apply to the detected pest.

(7) In consignments not declared to contain plants, plant products and other materials, where there are reasonable grounds to suspect the presence of plants, plant products and other materials, official controls are also carried out on such consignments to ensure compliance with the requirements of this Regulation.

(8) Where identity and phytosanitary checks of plants, plant products and other materials determined by the Ministry cannot be carried out at the point of entry due to insufficient technical infrastructure, physical conditions and laboratory facilities; after documentary check is carried out at the point of entry, a Plant Health Transit Document is issued in accordance with the template in Annex-11. Dispatch with a Plant Health Transit Document to an authorised point of entry in the same province or another province, or to approved control posts consisting of independent sections where the necessary quarantine conditions are met, is permitted. The Plant Health Transit Document is issued in accordance with the following principles determined by the Ministry:

a) At the first point of entry, if the means of transport are closed and sealed in a manner that prevents pests from entering and spreading in our territory, they are permitted to wait in the customs area and/or to be dispatched to an authorised customs office. Otherwise, the consignment is suspended and dispatch of the means of transport is permitted only after measures preventing pest contamination have been taken.

b) The Plant Health Transit Document issued through BKKTS by the inspector at the first point of entry physically accompanies the consignment or is transmitted electronically to the place of destination; it is verified physically or electronically by the relevant directorate at the place of destination. If the Plant Health Transit Document cannot be queried electronically, information is obtained from the directorate that issued it. The transport section of the Plant Health Transit Document (Section 4 of Annex-11) is committed to and signed by the importer/representative or carrier under the supervision of the directorate. Where the Plant Health Transit Document is issued for a returned product, the phytosanitary certificate number and application number issued upon export are entered in the relevant sections and committed to and signed by the representative or carrier of the product under the supervision of the directorate.

c) A copy of the Plant Health Transit Document issued to ensure that identity and phytosanitary checks are carried out at the approved control post by the relevant directorate in a manner that prevents the risk of pest contamination and spread during transport, is kept in the issuing Directorate's file.

ç) Official controls are carried out in customs areas, temporary storage places under customs supervision, and consignee areas provided that isolation is ensured.

d) Dispatch of consignments that cannot be controlled at the point of entry to warehouses, consignee areas and similar appropriate inspection sites is permitted provided that the means of transport or the packaging of the consignments is closed and sealed in a manner that will not cause contamination and will keep the contents unchanged during transport.

e) Consignee areas must be under customs supervision, physically disconnected from their surroundings, isolated from the external environment, measures taken to prevent pest contamination from outside, and their access must be controlled. The suitability of consignee areas is checked by the relevant directorate together with a customs officer, based on the application petition submitted by the company. Adequate facilities, equipment and apparatus must be available and/or provided at these sites. After the check, a record is drawn up by the company representative, customs officer and inspector. If the consignee areas are suitable, unloading of the products is permitted. If they are not suitable, the reasons for non-compliance and the additional measures to be taken are notified by the Directorate to the importer and the relevant customs office.

f) The Directorate responsible for control at the place of destination requests from the relevant customs office that the minimum conditions determined by the Ministry in an instruction be fulfilled and that adequate facilities, equipment and apparatus be available and/or provided.

g) Where the consignee areas referred to in subparagraph (e) are suitable, the following products for which this Regulation requires analysis are unloaded under the supervision of the inspector and customs officer to consignee areas and customs areas, and their documentary, identity and phytosanitary checks are carried out: flower bulbs, tubers, seedlings, saplings, cuttings and similar generative and vegetative plant parts; indoor and outdoor ornamental plants; seeds transported in a cold chain to prevent germination; and cut flowers.

ğ) Effective exchange of information regarding the packaging and means of transport of plants, plant products and other materials planned for importation is ensured between the Directorate at the point of entry and at the place of destination and customs offices, through the Plant Health Transit Document or via BKKTS.

(9) Where plants and plant products are to be imported from a country for the first time, or where the phytosanitary requirements relating to a previously imported product change, an appropriate pest risk analysis within the scope of ISPM 2 is required pursuant to the International Plant Protection Convention.

(10) Where plants and plant products intended to enter the country are accompanied by a Re-Export Phytosanitary Certificate, the original of the Phytosanitary Certificate issued by the country of origin

must also be present or its certified copy. Where plants and plant products whose production site or growing conditions require additional information arrive with the phytosanitary certificate of the exporting country, the original or a certified copy of the country of origin phytosanitary certificate must also be present. For plants and plant products for which information on the production site or growing periods is not required, the exporting country may issue a Phytosanitary Certificate indicating the country of origin.

(11) In entry procedures with Re-Export Phytosanitary Certificates for plants, plant products and other materials:

a) In the "Plant Protection Organisation(s)" section of the country of origin Phytosanitary Certificates enclosed with Re-Export Phytosanitary Certificates issued on behalf of our country, the name of the re-exporting country or the name of the re-exporting country together with the name "Türkiye" appears.

b) In the "Declared Point of Entry" section of the country of origin Phytosanitary Certificates enclosed with Re-Export Phytosanitary Certificates issued on behalf of our country, the first point of arrival in the re-exporting country or, if unknown, the name of the country must appear. Where the name "Türkiye" together with the name of the re-exporting country appears in the "Plant Protection Organisation(s)" section of the country of origin Phytosanitary Certificate enclosed with the Re-Export Phytosanitary Certificate, Türkiye or the first point of arrival in Türkiye is written as the point of entry.

(12) For plants and plant products produced in an EU member state and exported from another EU member state to our country, for which information on the production site or growing periods is required, the exporting EU member state may issue a Phytosanitary Certificate indicating the country of origin and containing production site information.

(13) For plants and plant products listed in Annex-4 for which pest-free area information relating to the production site is required, the list of areas designated as free from the relevant pest by the national plant protection organisation in the country of origin is notified in advance in accordance with the relevant ISPMs. Where the phytosanitary status in the declared pest-free areas changes, the updated area list is sent by the national plant protection organisation.

(14) Where there are special requirements in Annex-4 relating to treatments for which no treatment method is specified; studies on the efficacy of the treatment method concerned and their documentary evidence are sent in writing to the national plant protection organisation before importation for conformity assessment.

(15) It is checked whether the wood packaging materials accompanying plants, plant products and other materials intended to enter the country comply with ISPM 15 standards. Entry of wood packaging materials not complying with ISPM 15 standards is not permitted and return to the exporting country is applied.

(16) The Phytosanitary Certificate accompanying plants produced under in vitro conditions and intended to be imported in vitro must declare that they are in vitro.

(17) After the importation of plants, plant products and other materials listed in Annex-1 of the Regulation on Plant Passport System and Registration of Operators published in the Official Gazette No. 27813 dated 12/1/2011 is completed, a plant passport must accompany these products.

(18) For products listed in the agricultural quarantine control list of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety, for which phytosanitary exemption is indicated with the expression (excluding…) in parentheses next to the product name with the GTIP code, an out-of-scope letter is issued as an e-document through the single window system or as an official letter, within the framework of the matters specified in the communiqué determining the principles of import inspection of products subject to Ministry control.

Transit Control

ARTICLE 9– (1) The passage of plants, plant products and other materials not in free circulation through the Customs Territory of the Republic of Türkiye from a foreign country to a foreign country is subject to transit procedures. However, plants, plant products and other materials brought to the port area in closed containers by sea with a Phytosanitary Certificate not issued on behalf of Türkiye and

sent abroad or domestically by sea again from the same port area without being opened, and plants, plant products and other materials brought to the airport area in closed packages by air and sent abroad or domestically by air again from the same airport without being opened, are not subject to transit control.

(2) For plants, plant products and other materials for which transit control is requested, applications are submitted to the relevant directorate by the natural or legal person, legal representative of the natural person/authorised representative of the legal person or the carrier of the product, together with the original of the Phytosanitary Certificate or Re-Export Phytosanitary Certificate, or electronic Phytosanitary Certificate versions issued and approved by the National Plant Protection Organisation of countries notified by the Ministry, and a photocopy of one of the international transport documents declared to customs.

(3) Plants, plant products and other materials must be transported in closed and sealed means of transport in a manner that prevents pests from entering and spreading in our territory during transit passage. The consignment is subjected to documentary, and where necessary identity and phytosanitary checks; and transit passage is permitted upon determination that it poses no risk from a phytosanitary perspective.

(4) Plants, plant products and other materials listed in Annex-3 as prohibited from entry are transited in refrigerated or closed container means of transport, with their customs status unchanged. They may under no circumstances be subject to unloading, offloading or transshipment operations.

(5) No Phytosanitary Certificate or Re-Export Phytosanitary Certificate is issued for plants and plant products in transit through the Customs Territory of the Republic of Türkiye without being exposed to pest infestation or contamination.

(6) If a consignment has been exposed to pest infestation or contamination during transit passage due to unforeseen circumstances, a Phytosanitary Certificate indicating the country of origin is issued and the continuation of the transit passage of the product is ensured, provided that the requirements of the recipient country are met and measures to prevent pests from entering our territory are taken. If the recipient country withdraws from the import, the consignment is returned to the exporting country.

(7) In the event of merging of plants and plant products within the scope of transit passage with another consignment, a change in the means of transport, splitting of the consignment or a change in its packaging, no Phytosanitary Certificate or Re-Export Phytosanitary Certificate is issued as long as no risk is created from a phytosanitary perspective.

Free Zones

ARTICLE 10– (1) Entry controls of plants, plant products and other materials brought from abroad into free zones are carried out at the point of entry into the Customs Territory of the Republic of Türkiye including free zones.

(2) Official exit controls of plants, plant products and other materials sent from free zones to abroad are carried out in the free zones.

(3) No phytosanitary check is carried out upon importation into our country of plants, plant products and other materials brought from abroad and entered into the free zone following phytosanitary check.

(4) No phytosanitary check is carried out upon entry from the Customs Territory of the Republic of Türkiye into free zones or from one free zone into another.

(5) If, after plants, plant products and other materials entered into the free zone following phytosanitary check are processed, the GTIP of the new product falls under the category of plants, plant products and other materials in Annex-5, no phytosanitary check is carried out upon importation of the resulting new plants, plant products and other materials into our country.

(6) In the procedures for sending products subject to pest risk analysis to free zones:

a) Only applications for entry into free zones of products determined by the Ministry among products subject to pest risk analysis, for processing exclusively in free zones and re-exporting to another country, are accepted. Applications of consignments outside the products subject to pest risk analysis

and determined by the Ministry are not accepted. A Free Zone Transit Form is issued for consignments found suitable after documentary, identity and phytosanitary checks, and their passage is permitted.

b) No phytosanitary certificate is issued for products permitted to pass to the free zone with a Free Zone Transit Form; they are not permitted to be dispatched to another place under customs supervision within the country or to another free zone, or to move in free circulation within the country. These products exit from the free zone to abroad only with a Re-Export Phytosanitary Certificate.

(7) Phytosanitary checks are carried out on ISPM 15-marked wood packaging materials accompanying goods entering free zones, and if found suitable, their entry is permitted without requiring a Phytosanitary Certificate.

Products Subject to Pest Risk Analysis

ARTICLE 11– (1) Importation of products requiring pest risk analysis is not permitted where the pest risk analysis has not been completed or has not resulted positively.

Plants, Plant Products and Other Materials Prohibited from Entry

ARTICLE 12– (1) Entry of plants, plant products and other materials listed in Annex-3 into the country is not permitted.

(2) Subject to the provisions of Article 9, paragraph one does not apply to plants, plant products and other materials in transit passage from a foreign country to a foreign country through the Customs Territory of the Republic of Türkiye.

Pests Prohibited from Entry

ARTICLE 13– (1) Entry into the country of quarantine pests regulated in Annexes 1 and 2, pests not listed in these annexes but found to pose a risk for our country as a result of pest risk analysis, and plants, plant products and other materials and means of transport infested with these organisms is not permitted. Until the pest risk analysis is completed, the necessary quarantine measures are taken in the customs area.

(2) Pests found to pose a risk for our country as a result of pest risk analysis are regulated in Annex-1 as quarantine pests.

(3) Products whose entry into the country is not permitted as a result of pest risk analysis are returned to the exporting country.

Special Requirements Applicable to Plants, Plant Products and Other Materials

ARTICLE 14– (1) The special requirements applicable to plants, plant products and other materials intended to enter the country are set out in Annex-4. Entry of plants, plant products and other materials not meeting these requirements into the Customs Territory of the Republic of Türkiye including free zones is not permitted.

Restrictions on the Entry of High-Risk Plants, Plant Products and Other Materials

ARTICLE 15– (1) A risk assessment is carried out by a commission to be established by the Ministry for products on the list of high-risk plants, plant products and other materials prepared by the Ministry. The rules to be applied during the risk assessment process and the procedures to be carried out regarding matters within the scope of this Regulation are determined by an instruction prepared by the Ministry.

(2) The risks identified and the phytosanitary measures to be taken at the end of the risk assessment process for high-risk plants, plant products and other materials are determined by the Ministry and notified to countries.

Interception and Notification Regarding Plants, Plant Products and Other Materials as a Result of Official Controls

ARTICLE 16– (1) Situations requiring interception and notification are as follows:

a) Where plants and plant products and other materials intended to enter the country are found to be infested with quarantine pests listed in Annexes 1 and 2 and/or pests not listed in Annexes 1 and 2 but found to pose a risk for our country as a result of pest risk analysis; where they are listed in Annex-3;

and where products within the scope of the instruction establishing the principles for GMO analysis in seed materials are found to be infested with GMO, the consignment is intercepted and return procedures are initiated. The owner of the product and the relevant customs office are informed in writing. These products are returned to the exporting country within at most ten days by the customs office in accordance with customs legislation and may not be destroyed within the Customs Territory of the Republic of Türkiye or abandoned to customs offices.

b) Where plants and plant products and other materials intended to enter the country with a phytosanitary certificate issued on behalf of our country do not meet the special requirements specified in Annex-4, are incomplete, are not suitable; or where other documents relating to the import transaction are incomplete, the missing document cannot be obtained or the deficiency in the documents cannot be remedied, the consignment is intercepted and a period of twenty days is given for the deficiencies to be remedied. During this period, the responsible representative of the consignment is obliged to take or have taken special protective measures against any risk of deterioration or contamination of the product. If the deficiencies cannot be remedied, the owner of the product and the relevant customs office are notified in writing. These products are returned to the exporting country within at most ten days in accordance with customs legislation.

c) Where plants, plant products and other materials intended to enter the country are found to be infested with any pest known to be present in our country and subject to control, other than quarantine pests listed in Annexes 1 and 2, the consignment is intercepted. Upon request, a single approved fumigation or disinfection operation in the customs area, the costs of which are borne by the person concerned, is permitted. If the product is found to be free from pests in the official control carried out after the treatment, entry into the country is permitted. If pests are detected as a result of the control, entry of the product into the country is not permitted and it is returned to the exporting country within at most ten days in accordance with customs legislation.

ç) Where plants, plant products and other materials intended to enter the country are found to be infested with any pest not listed in Annex-1 and whose presence in our country is unknown, entry is not permitted and a pest risk analysis is carried out. Quarantine measures are taken until the pest risk analysis is concluded and if it is found to pose a risk, entry is not permitted and it is returned to the exporting country at the latest by the end of the period for objecting to the analysis result.

(2) The front of the original or printout of the Phytosanitary Certificate or electronic Phytosanitary Certificate versions issued and approved by the National Plant Protection Organisation of countries notified by the Ministry, belonging to plants, plant products and other materials not permitted to enter the country, is cancelled by writing the phrase “Entry into Türkiye is prohibited” in red ink and returned to the person concerned. However, if some lots in a Phytosanitary Certificate representing more than one lot of products are accepted and some are rejected, the original of the Phytosanitary Certificate is taken and a certified copy containing the phrase “Entry into Türkiye is prohibited” is given to the person concerned.

(3) A non-compliance letter is issued as an e-document through the TPS or as an official letter for plants, plant products and other materials for which a decision of non-entry and return has been taken, within the framework of the provisions of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry’s control and product safety.

(4) Regarding plants, plant products and other materials intercepted for the reasons stated below, a Notification Form set out in Annex-9 is issued in English from BKKTS by the inspector within two working days following the completion of the procedures, signed and stamped by the relevant inspector, uploaded to BKKTS and sent to the General Directorate from BKKTS. Notification of the interception is made to the relevant country by the General Directorate and directorates authorised to carry out entry controls are informed through BKKTS. Reference numbers are created in the format “TR Province Traffic Code-Year-Notification Sequence Number” in the notification forms. These interceptions are as follows:

a) Found to be infested with any pest or GMO.

b) Found to be infested with quarantine pests listed in Annexes 1 and 2.

c) The following deficiencies and non-compliances in the documents relating to the product:

1) Absence of a Phytosanitary Certificate or Re-Export Phytosanitary Certificate.

2) Invalid Phytosanitary Certificate and Re-Export Phytosanitary Certificate.

3) Forged Phytosanitary Certificate and Re-Export Phytosanitary Certificate.

ç) Presence within the consignment of partially prohibited plants, plant products and other materials.

d) Presence within the consignment of partially undeclared plants, plant products and other materials.

e) Detection that wood packaging materials accompanying the product do not bear the ISPM 15 logo or have not been produced in accordance with the required procedures.

f) Detection of fumigation and disinfection operations not carried out in accordance with the required procedures.

(5) Consignments that have entered the country without being subjected to official control in compliance with the conditions specified in Article 8 are returned to the authorised customs office at the first point of entry.

(6) Where seed materials transported by passengers without declaration through entry customs offices are detected, they are confiscated and the necessary quarantine measures are applied and destroyed, regardless of quantity.

(7) Where the entry or export to a third country of exported plants, plant products and other materials that have returned for various reasons is not deemed appropriate pursuant to the provisions of this Regulation, or where they cannot be freed from non-quarantine pests through fumigation and disinfection operations, destruction operations are applied.

(8) Destruction operations are carried out together with the inspector, a customs official, where necessary other officials from other institutions, and the product owner or their representative, the costs of which are borne by the product owner, within the framework of the relevant legislation.

(9) After return or destruction operations for plants, plant products and other materials following official controls, the Directorate requests from the relevant customs office a document proving return to origin or destruction records proving destruction.

Entry of Products by Post or Cargo

ARTICLE 17– (1) Plants, plant products and other materials arriving by post or cargo are controlled in accordance with the provisions of this Regulation and entry into the country is permitted.

(2) The phrase “BİTKİ-PLANT” is written in large, dark letters in Turkish and English on parcels containing plants and plant products.

Entry into the Country and/or Movement within the Country of Scientific Materials and Pests

ARTICLE 18– (1) The entry into the country and/or movement within the country of organisms listed or not listed in the annexes to this Regulation, and of plants, plant products and other materials, for the purposes of scientific research, trials and variety breeding, is determined by the Ministry.

(2) Seed materials entering for open field activities to be carried out for the purposes of scientific research, trials and variety breeding do not fall within the scope of paragraph one.

(3) The entry of pests whose presence has been determined in our country, other than those covered by the communiqué to be published by the Ministry within the scope of paragraph one, is carried out within the principles to be determined by the Ministry. For pests not listed in Annex-1 and whose presence has not been determined in our country, pest risk analysis is carried out by the Ministry. Procedures are carried out within the principles to be determined by the Ministry as a result of the evaluation of the pest risk analysis.

PART FOUR

Export

Export Controls

ARTICLE 19– (1) Applications for the export of plants, plant products and other materials are submitted to the relevant directorate by the natural or legal persons owning the product or the legal representatives of natural persons/authorised representatives of legal persons, together with the export application form printout obtained from BKKTS. Export prior authorisations for products requiring prior export authorisation must be prepared in the name of the Directorate where the Phytosanitary Certificate will be issued.

(2) Except for plants, plant products and other materials prohibited from export, official controls are carried out taking into account the pest that the product may harbour and the parts of the product in which the pest may be found.

(3) Plants, plant products and other materials intended for export and their packaging are subjected to official control with respect to the phytosanitary requirements of the recipient country. Where necessary, additional laboratory analyses are carried out or caused to be carried out.

(4) Identity and phytosanitary checks are carried out in the areas where the product is produced, packaged or stored according to the product groups and recipient country requirements, and when the entire consignment is ready; provided that minimum control conditions such as appropriate equipment, apparatus and lit control tables are available.

(5) Official controls of production materials such as seedlings and saplings and products in the indoor and outdoor ornamental plants group are carried out in authorised production areas and cold storage facilities; fresh fruit and vegetable products in packaging facilities with a Business Registration Certificate, registered fruit and vegetable wholesale markets and registered warehouses, and in warehouses and control areas where control conditions are met; and forest products in licensed enterprises where fumigation, heat treatment, pressure chemical impregnation, drying and similar processes are carried out, in timber processing workshops and forest product warehouses, in the appropriate manner.

(6) No official control is carried out if official control for products on or in vehicles is requested. The basic principle is that the product to be exported is processed in the region where it is produced, made ready for export, and upon completion of official controls there, a Phytosanitary Certificate is issued for products found suitable. However, where official controls cannot be carried out in the province where the product is produced due to reasons such as the packaging facility being in another province, official controls are carried out if the products are unloaded to a packaging facility in another province or to a suitable warehouse, depot or control site where control conditions are met, unaffected by adverse external factors and with no phytosanitary risk.

(7) Where an additional declaration is requested by the recipient country regarding the pest-free status of the production site/land for plants and plant products intended for export, the Provincial or District Directorate of Agriculture and Forestry checks whether the relevant pest is present at the production site during the period requested by the recipient country. An additional declaration is issued in line with the official letter of the Provincial/District Directorate stating that the relevant pest is not present at the production site/land.

(8) It is checked whether the wood packaging materials accompanying plants, plant products and other materials intended for export comply with ISPM 15 standards. Export of non-compliant consignments is not permitted.

(9) If the recipient country requests additional food safety-related analysis or operations such as fumigation, disinfection, heat treatment or cold treatment to be carried out on the product, documents relating to the analysis and/or operation carried out are requested.

(10) Phytosanitary and quarantine analyses are carried out in the laboratories of the directorates specified in paragraph four of Article 5, depending on the nature of the analysis.

(11) For plants, plant products and other materials meeting the phytosanitary requirements of the recipient country, a Phytosanitary Certificate is issued in one original and two copies in accordance with the rules of ISPM 12. The original and one copy are given to the exporter. One copy is kept at the Directorate. A certified copy in the quantity requested by the exporter is given to them. The Phytosanitary Certificate may also be created electronically. The Phytosanitary Certificate issued physically or electronically is required by the customs office during customs controls.

(12) Plants, plant products and other materials must exit within fourteen days from the date of issuance of the Phytosanitary Certificate and Re-Export Phytosanitary Certificate. Plants, plant products and other materials for which the exit has not been completed within this period are re-examined.

(13) Plants, plant products and other materials for which official control has been carried out and a Phytosanitary Certificate has been issued may be subjected to official control again where necessary until their exit. If non-compliance with the status at the time of the initial inspection is observed during re-inspection, the existing Phytosanitary Certificate is cancelled and the customs office is informed to prevent the exit of the product if customs procedures have been initiated.

(14) Within the scope of the regulation published annually by the Ministry of Trade regarding commercial quality inspection of products subject to Turkish standards, it is mandatory for the company to record in the relevant field of the customs declaration the Single Window System ID number required by the customs office for Phytosanitary Certificates issued for fresh fruit and vegetable products.

(15) In addition to the products regulated in paragraph fourteen, it is also mandatory for the company to record in the relevant field of the customs declaration the Single Window System ID number through which information relating to the Phytosanitary Certificate can be transmitted electronically for products listed in Annex-5.

(16) Phytosanitary Certificates must contain the information specified in ISPM 12 standards and explanations relating to plant health. When it is requested that expressions unrelated to plant health be included as an additional declaration, documents relating to the requested information are sent to the recipient country in the annex to the certificate, without such information unrelated to ISPM 12 standards being included in the Phytosanitary Certificate, Re-Export Phytosanitary Certificate or supplementary document.

(17) Operations relating to the use of foreign-stamped wood packaging materials in free circulation for export are carried out within the framework of the provisions of the Regulation on Heat Treatment and Marking of Wood Packaging Materials published in the Official Gazette No. 32613 dated 26/7/2024.

Re-Export Controls

ARTICLE 20– (1) For the re-export of plants, plant products and other materials, applications are submitted through BKKTS by the natural or legal persons owning the product or legal representatives of natural persons/authorised representatives of legal persons. In applications, the original or certified copy of the summary declaration or relevant customs document showing that the products were registered at the authorised entry customs office is requested.

(2) The provisions of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety apply. In re-export procedures for plants, plant products and other materials within the scope of this legislation:

a) For products on the agricultural quarantine control list, together with the import application form printout obtained from BKKTS, a certified copy of the Phytosanitary Certificate issued by the National Plant Protection Organisation of the sending country, approved by the Directorate that previously issued the import compliance letter, and a letter with the quantity of product that can exit are submitted to the relevant directorate.

b) For products on both the plant products used in the food and feed industry and materials in contact with food list, and the agricultural quarantine control list, together with the import application form printout obtained from BKKTS, the Phytosanitary Certificate of products found suitable for importation after official controls for plant health and food and feed safety are completed; a copy of the compliance letter written to the customs office showing suitability from the perspective of food and feed legislation; and a letter with the quantity of product that can exit are submitted to the relevant directorate.

In the situations described in subparagraphs (a) and (b), at the documentary check stage of products for which an import compliance letter has been issued and for which a re-export application has been made, it is checked first taking into account the product quantity specified in the country of origin Phytosanitary Certificate and the compliance letter, whether a Re-Export Phytosanitary Certificate has been issued from a different Directorate or at a different time. If the product quantity and identifying information are suitable for issuing a Re-Export Phytosanitary Certificate, identity and phytosanitary

checks are completed and a Re-Export Phytosanitary Certificate or a Phytosanitary Certificate indicating the country of origin is issued.

c) For products on both the plant products used in the food and feed industry and materials in contact with food list, and the agricultural quarantine control list, where phytosanitary official controls have been completed and entry has been found appropriate but for which no import compliance letter has been issued because no food and feed safety control application has been made, and for which a Re-Export Phytosanitary Certificate is requested; a certified copy of the Phytosanitary Certificate indicating that the phytosanitary check has been completed and a letter with the quantity of product that can exit are submitted to the relevant directorate. At the documentary check stage of these products, it is first checked, taking into account the product quantity in the country of origin phytosanitary certificate, whether a Re-Export Phytosanitary Certificate has been issued from a different directorate or at a different time. If the product quantity information and identifying information are suitable for issuing a Re-Export Phytosanitary Certificate, identity and phytosanitary checks are completed and a Re-Export Phytosanitary Certificate is issued.

ç) For products on the plant products used in the food and feed industry and materials in contact with food list for which an import application has been made to our country and food and feed safety official controls have resulted positively, applications are submitted together with the import application form printout obtained from BKKTS and one of the copies of the Phytosanitary Certificate or Health Certificate, Free Sale Certificate or Global Certificate of the country of origin to the relevant directorate. At the documentary check stage of these products, it is first checked, taking into account the product quantity in the country of origin certificate, whether a Re-Export Phytosanitary Certificate has been issued from a different directorate or at a different time. If the product quantity information is suitable for issuing a Re-Export Phytosanitary Certificate, identity and phytosanitary checks are completed and a Re-Export Phytosanitary Certificate is issued.

d) For products on the plant products used in the food and feed industry and materials in contact with food list for which no import application has been made to our country, applications are submitted together with the import application form printout obtained from BKKTS, a certified copy of the declaration submitted to the authorised entry customs office upon arrival in the country, one of the copies of the country of origin Phytosanitary Certificate or Health Certificate, Free Sale Certificate or Global Certificate, and a health certificate issued by the relevant directorates as a result of food safety controls, and a letter with the quantity of product that can exit, to the relevant directorate. At the documentary check stage of these products, it is first checked, taking into account the product quantity specified in the country of origin certificate and the declaration, whether a Re-Export Phytosanitary Certificate has been issued from a different directorate or at a different time. After the re-exporting Directorate confirms from the provincial directorate of agriculture and forestry in the same province whether the product's export is appropriate within the scope of the communiqué relating to goods prohibited from export and subject to prior authorisation from a food and feed export perspective, and relevant legislation, a Re-Export Phytosanitary Certificate is issued.

(3) Where the National Plant Protection Organisation of the recipient country requests a Re-Export Phytosanitary Certificate for a product present in our customs area and not subject to the Ministry's control, a Re-Export Phytosanitary Certificate is issued as a result of official controls.

(4) The original Phytosanitary Certificate/Phytosanitary Certificates of the country of origin or their certified copy/copies are attached to the issued Re-Export Phytosanitary Certificate.

(5) By ticking the appropriate boxes in the declaration section of Re-Export Phytosanitary Certificates, it is stated whether the original phytosanitary certificate or a certified copy is enclosed with the re-export certificate; whether the consignment has been repackaged; whether the containers are original or new; and whether additional inspection has been carried out.

(6) No Re-Export Phytosanitary Certificate is issued where non-compliance is detected from a plant health perspective in the entry controls of plants, plant products and other materials on the agricultural quarantine control list in the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety.

(7) No Re-Export Phytosanitary Certificate is issued where plants, plant products and other materials included in the consignment intended for re-export are processed in a manner that changes their characteristics in the re-exporting country. However, where the phytosanitary import requirements requested by the recipient country for the processed or unprocessed product are the same, a Re-Export Phytosanitary Certificate is issued.

(8) No Re-Export Phytosanitary Certificate is issued for plants, plant products and other materials contaminated with pests designated as quarantine pests by the recipient country.

(9) A Re-Export Phytosanitary Certificate is issued for products that have been repackaged, reloaded, stored, divided or combined with other imported consignments, provided that the consignment is not contaminated with pests designated as quarantine pests by the recipient country. Where consignments are combined, all plants, plant products and other materials added to these consignments must meet the phytosanitary requirements of the recipient country.

(10) Even where the consignment has been divided or combined with other imported consignments, the original Phytosanitary Certificate/Phytosanitary Certificates of the country/countries of origin or their certified copy/copies are attached to the issued Re-Export Phytosanitary Certificate.

(11) If contamination risk is identified, additional inspection or laboratory analysis is carried out to verify that the consignment is not contaminated with pests designated as quarantine pests by the recipient country.

(12) In consignments re-exported multiple times, all original phytosanitary certificates or their certified copies must be included in the consignment for re-export. The Phytosanitary Certificate number stated in the declaration section of the Phytosanitary Certificate for re-export must be the number of the Phytosanitary Certificate issued by the National Plant Protection Organisation of the most recent re-exporting country.

(13) Where additional declarations are required in a Re-Export Phytosanitary Certificate to be issued in our country, these declarations must relate to applications in our country. Additional declarations taken from the country of origin Phytosanitary Certificate or its certified copies may not be transferred to the Re-Export Phytosanitary Certificate issued by our country.

(14) In cases where phytosanitary import requirements of the recipient country such as vegetation period control and soil analysis cannot be met:

a) Where the information required by the importing country is declared in the origin Phytosanitary Certificate by the country of origin,

b) Where the National Plant Protection Organisation of the country of origin issues a supplementary document to the country of origin Phytosanitary Certificate for the information required by the importing country,

c) Where an alternative phytosanitary measure compatible with and equivalent to the phytosanitary import requirements of the recipient country, such as laboratory analysis or fumigation/disinfection treatment, is accepted as an appropriate measure,

a Re-Export Phytosanitary Certificate is issued.

(15) For products determined by the Ministry among products subject to pest risk analysis; a Re-Export Phytosanitary Certificate is issued where phytosanitary checks have been completed in the free zone for re-export, entry has been made, processed only in the free zones and it has been determined that the recipient country's requirements are met. However, where there is no free zone at the first point of entry, official controls are completed at the first point of entry and the product is dispatched with a Free Zone Transit Form to the free zone where it will be processed.

Returned Plants, Plant Products and Other Materials

ARTICLE 21– (1) For exported or re-exported plants, plant products and other materials that have returned for various reasons, applications for entry are submitted through BKKTS by natural or legal persons or legal representatives of natural persons/authorised representatives of legal persons. Applications are submitted together with the returned product application form printout obtained from BKKTS and the original of the Phytosanitary Certificate or Re-Export Phytosanitary Certificate

belonging to the product issued by our country, or a certified copy issued by the issuing Directorate, to the relevant directorate. During the application, the person concerned with the returned product submits to the relevant directorate photocopies of one of the international transport documents, the customs exit declaration and the invoice relating to the returned product, together with the document from the competent authority of the importing country containing the reason for return.

(2) Official controls of returned products are carried out in accordance with the import control principles specified in Article 8.

(3) Official controls of returned plants, plant products and other materials are carried out at the first point of entry into the country. However, where returned products are products for which a Plant Health Transit Document can be issued, and where it is not possible to carry out phytosanitary checks due to insufficient technical infrastructure, physical conditions and laboratory facilities at the point of entry, documentary checks are carried out at the point of entry and the product is dispatched with a Plant Health Transit Document.

(4) Taking into account the reason for return, after it is verified that the returned plants, plant products and other materials are identical to the exported plants, plant products and other materials, it is determined whether they are free from quarantine pests listed in Annexes 1 and 2.

(5) Plants, plant products and other materials whose entry into the country is not deemed appropriate pursuant to the provisions of this Regulation are not permitted entry and are destroyed. However, where the recipient country's conditions are officially notified as appropriate by a document issued by the country's competent authority and transport in closed conditions preventing pest contamination and spread is possible, export to a third country is carried out.

(6) Where returned plants, plant products and other materials are found to be infested with any pest known to be present in our country and subject to control, other than quarantine pests listed in Annexes 1 and 2, if it is possible to free them from the pest through fumigation or disinfection operations, fumigation or disinfection operations are carried out at the expense of the owner; if the product is found to be free from pests in the official control carried out after the treatment, entry is permitted.

(7) Where products lose their commercial value through rot, mould, putrefaction and similar deterioration during controls of returned products at the first point of entry, despite the absence of identified phytosanitary risk, the consignment is intercepted. Final assessment is carried out together with the Provincial Directorate of Agriculture and Forestry Food and Feed Branch Directorate at the first point of entry, at the request of the person concerned with the product.

(8) Where entry is requested for products that have been exported without a Phytosanitary Certificate in accordance with the request of the recipient country, only with a Health Certificate or similar documents, but have returned for any reason, and that are listed on the agricultural quarantine control list in the regulation published annually by the Ministry of Trade; after it is verified from the existing documents that the returned product is identical to the exported product, those found suitable after official control are permitted entry.

(9) Where entry is requested for products listed on the agricultural quarantine control list in the regulation published annually by the Ministry of Trade that have been exported without a Phytosanitary Certificate despite the request of the recipient country but have returned for any reason, the product is destroyed without official control.

(10) Operations relating to returned plants, plant products and other materials are notified to the General Directorate within five days by the Directorate carrying out the operations.

(11) Where the entry application for returned products is submitted to the customs office where the export was processed and this Directorate is not authorised for importation, taking into account the reason for return, documentary and identity checks are carried out. After it is verified that the returned product is identical to the exported product, it is dispatched with a Plant Health Transit Document set out in Annex-11 to an authorised customs office or approved control post within the scope of the communiqué designating authorised entry customs offices, for phytosanitary checks.

(12) Products that have exited from our customs area for export and have returned because transit countries on the route to the recipient country have not permitted passage, are ensured to transit to the

authorised Directorate with a Plant Health Transit Document, without altering the integrity of the means of transport and product at the time of exit.

PART FIVE

Phytosanitary Certificates

Phytosanitary Certificate and Re-Export Phytosanitary Certificate

ARTICLE 22– (1) For the entry of plants, plant products and other materials into the country, the original of a Phytosanitary Certificate or Re-Export Phytosanitary Certificate issued by the National Plant Protection Organisation of the country of origin or the exporting country in one of the Turkish or English languages, in accordance with the forms set out in Annexes 7 or 8 or in another format covering the information in these forms, and in compliance with the rules of ISPM 12, must be present. Certificates written in other languages must be accompanied by a certified Turkish translation approved by a sworn translator.

(2) The Phytosanitary Certificate or Re-Export Phytosanitary Certificate is addressed to Türkiye. The certificate bears the stamp of the relevant service of the exporting country, the date, the place of issue, and the name, surname and signature of the authorised person.

(3) Where notified to the Ministry by National Plant Protection Organisations of countries and accepted by the Ministry; Phytosanitary Certificates drawn up in accordance with the rules of ISPM 12; signed with an electronic, wet or digital signature; approved with a dry stamp, seal, verification code or QR code; for which the security criteria or verification link of the Phytosanitary Certificate are notified; and in similar format, are accepted as original Phytosanitary Certificates.

(4) The special requirements set out in Annex-4 to be specified in the Phytosanitary Certificate or Re-Export Phytosanitary Certificate in the importation of plants, plant products and other materials are written explicitly as an additional declaration in a manner consistent with ISPM 12 in the relevant section of the Phytosanitary Certificate or Re-Export Phytosanitary Certificate. Additional declarations containing information relating to the production site may not be written in the Re-Export Phytosanitary Certificate.

(5) No erasure or deletion may appear on the Phytosanitary Certificate or Re-Export Phytosanitary Certificate; changes and corrections made are approved by the relevant National Plant Protection Organisation.

(6) Where the certificates are found to have been used other than for the purpose for which they were issued, or to have been issued fraudulently, or where tampering with the original certificate is detected, legal proceedings are initiated by the relevant directorate against the exporting company for which the phytosanitary certificate was issued, and the General Directorate is informed about the matter.

(7) The Phytosanitary Certificate or Re-Export Phytosanitary Certificate is issued at most fourteen days before the date of shipment. However, in certificates where the inspection date and issuance date are stated separately, the period between the inspection date of the product and the date of dispatch shall not exceed fourteen days. In Phytosanitary Certificates issued after the date of shipment, the inspection date of the product must be stated.

(8) No official controls commence for the entry application of plants and plant products into our country without the original of the Phytosanitary Certificate or Re-Export Phytosanitary Certificate. Electronic Phytosanitary Certificates and Re-Export Phytosanitary Certificates of countries approved by the Ministry and issued in accordance with ISPM 12 are also accepted as valid. Furthermore, where accepted by the National Plant Protection Organisation of the recipient country, electronic Phytosanitary Certificates and Re-Export Phytosanitary Certificates are issued in accordance with ISPM 12.

(9) Phytosanitary Certificates or Re-Export Phytosanitary Certificates may be issued in electronic signature, QR-coded and verifiable document form.

(10) Where the necessary information does not fit in the relevant section of the Phytosanitary Certificate during issuance, this information is added to the Phytosanitary Certificate as a list in a supplementary

document. The relevant section of the Phytosanitary Certificate states that the necessary information for that section is provided as an annex. These supplementary documents must bear the same serial number, date, signature and stamp as the Phytosanitary Certificate, and page numbers must be indicated.

(11) Where the recipient country requests additional information after export has taken place, a supplementary document bearing the same date and number as the Phytosanitary Certificate is issued and approved by the directorate where the phytosanitary certificate was issued.

(12) At least one Phytosanitary Certificate must be issued for each means of transport for plants, plant products and other materials intended to enter our country by road or ro-ro transport.

(13) For product consignments intended to enter our country by rail and sea, a separate Phytosanitary Certificate must be issued for each wagon/hold/container. However, where the product is in separate wagons/holds/containers due to the large quantity of product, a single Phytosanitary Certificate may be accepted provided that:

a) The sender and recipient are the same,

b) The necessary information to identify the consignment relating to each means of transport such as the train, ship and similar, including the number, number and similar of wagons and containers, has been stated in the Phytosanitary Certificate/bill of lading/summary declaration/invoice or similar documents by the exporting country.

(14) In the export/re-export of plants, plant products and other materials from our country, a separate Phytosanitary Certificate or Re-Export Phytosanitary Certificate must be issued for each means of transport or sections of wagons, holds, containers and similar means of transport. However, where officially requested by the National Plant Protection Organisation of the recipient country, a single Phytosanitary Certificate is issued for more than one means of transport.

(15) During the issuance of Phytosanitary Certificates and Re-Export Phytosanitary Certificates, after the additional information requested by recipient countries has been entered by the inspector, the phrase "None/Yok" is written in the empty sections or those sections are closed to prevent any subsequent additions.

(16) In the entry application of plants, plant products and other materials into our country, a name and address must be written in the "Name and address of consignee" field of the Phytosanitary Certificate issued by the National Plant Protection Organisation of the exporting country.

(17) In order to enable the traceability and inspection of the exporting country, the "Name and address of the sender" must be written in the phytosanitary certificate. The exporter's address must be in the exporting country; however, where an international company with a foreign address is the exporter, the name and address of the sender of the product or the local agent in the country where the Phytosanitary Certificate is issued must be stated.

(18) Issued Phytosanitary Certificates or Re-Export Phytosanitary Certificates, except for quantity of product and country of destination, may be renewed at the request of the exporter in exceptional circumstances such as damage to the certificate, changes in address or points of entry in the country of destination, or erroneous information. In such a case, the relevant directorate requests from the exporter and retains the return of the original of previously issued Phytosanitary Certificates, their certified copies and supplements if any. The other requirements relating to renewal of Phytosanitary Certificates are as follows:

a) Phytosanitary Certificates returned for renewal or that cannot be returned due to loss are cancelled by the relevant directorate. Newly issued Phytosanitary Certificates may not bear the same number as the replaced certificate.

b) Where a previously issued phytosanitary certificate has been returned or cannot be returned due to loss, a new Phytosanitary Certificate or Re-Export Phytosanitary Certificate may be issued in its place. The phrase "This certificate has been issued in place of the cancelled certificate dated ……. with serial number ……." is written in the additional declaration section of the newly issued phytosanitary certificate or Re-Export Phytosanitary Certificate.

(19) The Phytosanitary Certificate or Re-Export Phytosanitary Certificate contains only information relating to phytosanitary matters. No statements relating to animal or human health matters, pesticide

residues, organic products, radioactivity, letters of credit or similar commercial information, or quality or other conditions unrelated to plant health are included.

(20) Where a consignment is imported and subsequently re-exported to another country, the certificates to be issued by the first exporting country for the plants, plant products and other materials must meet the phytosanitary requirements of the re-exporting country and the country of destination. The name of the re-exporting country and the country of destination must be included in the "Plant Protection Organisation(s)" section of these certificates.

(21) Phytosanitary Certificates or Re-Export Phytosanitary Certificates are considered invalid in the following situations:

a) Containing incomplete or unfinished information.

b) Containing erroneous information.

c) Containing contradictory or inconsistent information.

ç) Containing languages or information inconsistent with the Phytosanitary Certificate templates.

d) Written illegibly or damaged.

e) Containing supplementary documents not approved.

f) Electronic phytosanitary certificates transmitted through a transmission channel not authorised by the National Plant Protection Organisation.

(22) In the situations of invalidity described in paragraph twenty-one, additional information is requested for Phytosanitary Certificates or Re-Export Phytosanitary Certificates. Where additional information cannot be obtained from the National Plant Protection Organisation of the exporting country, the consignment is rejected.

(23) Phytosanitary Certificates or Re-Export Phytosanitary Certificates are considered fraudulent and are not accepted in the following situations:

a) Those not drawn up in the format officially approved by the National Plant Protection Organisation.

b) Those not dated, stamped, marked, sealed or signed by the issuing National Plant Protection Organisation, or those lacking the place of issue, inspector name and surname.

c) Those issued by unauthorised persons.

ç) Those containing information, alterations, erasures or deletions added by unauthorised persons.

(24) In the situations referred to in Article 23, procedures are carried out in line with the information received from the National Plant Protection Organisation of the exporting country.

(25) The list of plants, plant products and other materials required to carry a Phytosanitary Certificate is specified in Annex-5.

Situations Where a Phytosanitary Certificate is Not Required

ARTICLE 23– (1) No Phytosanitary Certificate is required for plants and plant products sent as donations by natural and legal persons in foreign countries to official institutions and organisations or charitable organisations for consumption purposes, as accepted by the Ministry; and the entry of those found suitable after phytosanitary checks at authorised entry customs offices is permitted.

(2) No Phytosanitary Certificate is required for fresh and dried fruits and vegetables brought by passengers for consumption purposes, not exceeding three kilograms in quantity. However, where plants, plant products and other materials listed in Annex-5 that are not intended for passenger consumption are detected during checks on passenger baggage by customs officers at passenger entry points and notified to the Ministry, the product is destroyed.

(3) The General Directorate, where necessary, introduces restrictions on plants, plant products and other materials brought by passengers in order to prevent the contamination and spread of pests.

(4) No Phytosanitary Certificate is required for ISPM 15-marked wood packaging materials accompanying goods entering our country.

(5) No Phytosanitary Certificate is required for ISPM 15-marked wood packaging materials accompanying goods entering and/or accumulated in free zones, upon their entry into the Customs Territory of the Republic of Türkiye.

(6) Where it is detected by the customs office and notified to the Ministry that plants, plant products and other materials in the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety have entered our country illegally, have been abandoned to customs, or the transfer of ownership to the public has been requested; the macroscopic and microscopic controls provided for in this Regulation are carried out without requiring a Phytosanitary Certificate, and compliance is issued for those whose result is found suitable. Where the result is not found suitable and return is not possible, destruction operations are carried out under customs supervision within the scope of customs legislation.

(7) No Phytosanitary Certificate is required for out-of-scope products by GTIP that are listed on the agricultural quarantine control list and propagation materials such as seeds, seedlings, saplings and flower bulbs of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety but excluded from phytosanitary control by expressions in parentheses; and out-of-scope operations are carried out within the scope of the regulation published annually by the Ministry of Trade regarding the inspection of products subject to the Ministry's control and product safety.

PART SIX

Sampling and Analysis

Sampling and Sending Samples for Analysis

ARTICLE 24– (1) The inspector carries out a general macroscopic inspection of means of transport together with plants, plant products and other materials in official controls and takes samples where necessary.

(2) Samples necessary for the analysis of microbial fertilisers intended for importation are taken by inspectors and sent to the relevant laboratory.

(3) Samples are taken in a sufficient quantity to represent the consignment, separately for each lot/consignment lot, for each plant group regardless of lot/consignment lot number, and for each variety in the consignment. The analysis is carried out on the sample taken and the result of the analysis covers the lot/consignment lot, plant group or variety from which the sample was taken.

(4) If the analysis results of a composite sample taken separately from lots/consignment lots in the same consignment reveal that the sample is infested, the entire consignment or all lots/consignment lots are considered infested.

(5) Where more than one product is transported in the same vehicle, samples are taken separately for each product or each lot/consignment lot, regardless of whether a separate or single Phytosanitary Certificate has been issued for each product, and sent for analysis. If one of the analysis results shows infestation, all products in the vehicle are returned.

(6) Samples are taken in a sufficient quantity from pests, from plant and plant product parts infested with pests, from plant and plant product parts likely to harbour pests, or from a composite sample prepared according to the random sampling method if the product has a homogeneous distribution, in accordance with the instructions to be published by the General Directorate setting out the principles for sampling.

(7) The owner or authorised representative of the plants, plant products and other materials is obliged to provide the necessary quantity of samples to the inspector on duty. No fee is paid for the samples taken.

(8) Samples taken in accordance with the principles of this Regulation are packaged, sealed and labelled, and sent for analysis to the laboratory by the Directorate as quickly as possible.

(9) The procedures and principles for sampling and sending for analysis are determined by the General Directorate instruction.

(10) Samples are taken from plants produced under in vitro conditions and intended to be imported in vitro.

(11) For bulk products arriving by sea, samples are taken from plant and plant product parts likely to harbour pests, separately for each hold or as a composite sample in sufficient quantity in accordance with the instruction to be published by the General Directorate setting out the principles for sampling, and sent for analysis. If any of the analysis results of samples taken as composite samples show infestation, all of the product from which the sample was taken is considered infested.

(12) Where a formal application is made to the Directorate by the person concerned with the product to stop the analysis and cancel the procedure after the samples taken during the official control stage have been submitted to the laboratory, the following procedures continue until the analysis is concluded:

a) In export procedures, where the analysis result is compliant with this Regulation, the application is cancelled. Where quarantine pests are detected as a result of analysis, the application is cancelled and the necessary phytosanitary measures are taken within the scope of the relevant legislation.

b) In import procedures, where the analysis result is compliant with this Regulation, the application is cancelled. Where the return of the product is requested without waiting for the analysis result, the original of the Phytosanitary Certificate is kept at the Directorate and a copy stamped “True Copy” is given to the person concerned. Where quarantine pests are not detected as a result of analysis, the original of the Phytosanitary Certificate is delivered to the person concerned; and where infestation is detected, it is delivered to the person concerned with the phrase “Entry into Türkiye is prohibited” written on it. Notification of the interception is made to the relevant country by the General Directorate.

(13) The procedures and principles for sampling and sending seed materials subject to GMO analysis for analysis are determined in accordance with the instruction containing the applications relating to GMO analysis in seed materials.

(14) Where the quantities of lots/consignment lots and varieties of seed materials of the same species intended to be imported for trial and demonstration purposes are equal to or less than the sample quantity to be taken, all lots/consignment lots and varieties are sampled and composited for analysis. If infestation is detected in the composite sample, all lots/consignment lots and varieties are considered infested.

Objection and Evaluation of the Objection

ARTICLE 25– (1) The owner or representative of plants and plant products submits their objection to the analysis results of samples taken in accordance with the principles of this Regulation in writing to the Directorate that took the sample within seven days from the date they are notified of the result. If the analysis was not carried out at the directorate where the objection is filed, the directorate that took the sample notifies the directorate where the analysis was carried out of the objection.

(2) To evaluate the objection, a commission of three persons is formed by the directorate that carried out the analysis. This commission consists of subject matter experts working at the Central Research Institute for Crop Protection and/or Research Institute Directorates and/or Agricultural Quarantine Directorates with laboratories, who are relevant to the analysis in question. The expert who carried out the analysis subject to the objection may not serve on this commission. Where the owner or representative of the product subject to the objection requests that the commission meeting be held by video conference, the proceedings for evaluating the objection and examining the analysis method and results may be carried out by video conference.

(3) The commission obtains all information, documents, preparations and photographs from the expert who carried out the analysis for examination. The commission may consult the inspector who took the sample if it deems necessary.

(4) The commission examines the analysis method and results. If no deficiency or error is identified in the analysis process as a result of the examination, the result is final and no further objection may be made.

(5) If a deficiency or error is identified in the analysis process as a result of the commission’s examination, the analysis is repeated by the experts serving on the commission from available samples

if any, or from freshly taken samples if not, in a laboratory designated by the commission. The repeated analysis result is final and no further objection may be made.

(6) The finalised commission decision is notified to the product owner or representative in an official letter within two working days following the completion of the commission's examination.

(7) In connection with the objection, expenses such as analysis fees, travel allowances, accommodation and travel costs of commission members are paid by the party making the objection.

(8) The owner or representative of plants and plant products, where GMO is detected as a result of the analysis of samples taken in accordance with the principles of this Regulation, submits their objection within the scope of the legislation on GMOs in writing to the directorate that took the sample.

PART SEVEN

Miscellaneous and Final Provisions

Administrative Sanctions

ARTICLE 26– (1) In cases of acting contrary to the provisions of this Regulation, carrying out irregular transactions in bad faith, or misleading the Ministry by tampering with or forging official documents requested by the Ministry, the provisions of Articles 38 and 42 of Law No. 5996 apply.

Repealed Regulation

ARTICLE 27– (1) The Plant Quarantine Regulation published in the Official Gazette No. 28131 dated 3/12/2011 is repealed.

Entry into Force

ARTICLE 28– (1) This Regulation enters into force ninety days after its date of publication.

Execution

ARTICLE 29– (1) The provisions of this Regulation are executed by the Minister of Agriculture and Forestry.