

**IMPORT LICENSING REGIME FOR ALCOHOL AND ALCOHOLIC BEVERAGES**

Responses by Turkey to the questions by the United States

The following communication, dated 23 April 2010, is being circulated at the request of the delegation of Turkey.

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**Responses to the questions in G/LIC/Q/TUR/5**

*Question: It is our understanding that prior to importing distilled spirits; importers must first obtain a "Control Certificate" from the Ministry of Agriculture and Rural Affairs (MARA). The application form for this certificate must also be accompanied by a considerable number of documents. Can Turkey please confirm that such an import requirement exists? Are there any other import procedures that must be met to import distilled spirits?"*

*Answer: Health and sanitary controls are applied to distilled spirits in Turkey during both importation and production. Imports of distilled spirits require a "control certificate" issued by the Ministry of Agriculture and Rural Affairs (MARA) for sanitary purposes. In accordance with the national legislation. ("Communique on Standardization in Foreign Trade Concerning Importation of Products Subject To The Inspection of Ministry of Agriculture and Rural Affairs")*

Along with the necessary application form the following documents are requested by MARA in the issuance of "Control Certificate": a pro forma invoice or invoice, list of components of the product, specification/features document, a health certificate, a certificate of analysis, products label/label draft.

MARA reserves the right to proceed for further inspection and lab analysis on samples of distilled spirits and alcoholic beverages during importation on the grounds of safety and health considerations.

All these inspections are carried out only for the sole purposes of ensuring food safety and protection of human health and life in accordance with the provisions of SPS Agreement. Importation of product is allowed, unless the results of inspections/lab analysis do contradict with the information declared through documents submitted for the issuance of control certificates in line with the relevant legislation.

*Question: Are domestic producers also required to obtain the same Control Certificate from MARA?*

Answer

1. Domestic producers of distilled spirits have to obtain a "production permit" from MARA according to the article 4 of the *"Law On Adoption Of The Amended Decree Law On The Production, Consumption And Inspection Of Food"* numbered 5179. The law states that enterprises producing foodstuffs, food substances and food contact materials are asked to obtain a "food business working permit" indicating the compliance with the minimum technical and hygienic requirements and "a registry number" as articulated in the Regulation of MARA.
2. Domestic producers have to prove that their production methods fully meet the food safety conditions to get "production permit".
3. In this regard, no distinction is made between domestically produced and imported goods as to the requirement of meeting sanitary conditions in food production and importation of food .

That is to say, the products in question are subject to the same procedures during importation and domestic production.

*Question: Based on our initial review of the requirement, it appears that this procedure should be notified to the Committee on Import Licensing. Does Turkey intend to notify this procedure to the Committee on Import Licensing Procedures?*

*Question: We kindly request that Turkey could provide responses to each question contained in the Questionnaire on Import Licensing specifically for the procedures for distilled spirits.*

Answer: We do not think that the questions 3 and 4 do qualify for the subject matter. As explained in the first two answers above, the measure under consideration is not an Import Licensing requirement.

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