REPUBLIC OF TÜRKİYE

MINISTRY OF TRADE

DIRECTORATE GENERAL FOR PRODUCT SAFETY AND INSPECTION

GUIDE ON IMPORT INSPECTION OF PERSONEL PROTECTIVE EQUIPMENTS

Handbook on Implementation Principles

2026

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1. SCOPE AND LEGAL BASIS

This Guide has been prepared and is implemented by the Ministry of Trade pursuant to Article 455 of Presidential Decree No. 1 on the Organization of the Presidency, the Product Safety and Technical Regulations Law No. 7223 dated 5/3/2020, the Decision on the Technical Regulations Regime put into effect by Presidential Decision No. 6038 dated 14/9/2022, and the Regulation on Technical Regulations in Foreign Trade published in the Official Gazette No. 32281 dated 16/8/2023, with the aim of determining the procedures and principles for conducting and finalizing the physical inspections of the products covered by the Communiqué on Import Inspection of Personal Protective Equipment, which is prepared and carried out by the Ministry of Trade.

Regarding matters not covered in the inspection guides, instructions given as a result of company applications shall, unless otherwise specified, apply not only to that specific case but also to other companies in the same situation.

The principles and arrangements contained in this Guide may not be understood or interpreted outside the scope of the legislation on Product Safety and Technical Regulations.

2. APPLICATIONS FOR IMPORT INSPECTION

2.1 Application by the Importing Company

Import inspection applications for products falling within the scope of the “List of Products Subject to Inspection” set out in Annex-2 of the Communiqué are made prior to the registration of the customs declaration, in accordance with the fourth paragraph of Article 181 of the Customs Regulation.

The arrangement set out in Article 5 of the Communiqué is fundamental for the application. Accordingly, the user authorized to act on behalf of the company files the application via TAREKS by entering the data relating to the import consignment, using the “Login to E-Signature Applications” section under the “E-Signature Applications” part of the Ministry's website. Upon application, TAREKS issues the company an application number, solely for the purpose of tracking its transactions before the relevant inspection unit.

2.2 Exemptions and Exceptions

The characteristics of applications granted exemption and exception from import inspection are set out in Article 6 of the Communiqué. Accordingly, products bearing an A.TR Certificate, returned-goods consignments, and products specified in Part Five of the Decision on the Implementation of Certain Articles of Customs Law No. 4458, annexed to Council of Ministers Decision No. 2009/15481 dated 9/9/2009, are exempt from physical inspection.

However, pursuant to the last paragraph of Article 6 of the Communiqué, applications bearing an A.TR Certificate may also be directed to physical inspection where necessary, based on the assessment made. In such assessments, in addition to risk analysis, account is taken of matters such as the results of the review of documents submitted by the company in its

previous applications, whether it has submitted documents not issued by the relevant party, and whether it has made cancelled or duplicate applications.

2.3 Submission of Application Documents

For every application filed, the documents specified in the first and second items of Annex-3 of the Communiqué must be uploaded to the system. For products directed to physical inspection, the documents specified in the third and fourth items of Annex-3 of the Communiqué must be uploaded in full, in electronic form, to the Risk-Based Control System for Foreign Trade (TAREKS), within twenty business days including the day of application. If these documents are incomplete and the company wishes to continue the application, the system will grant the company additional time. If the required documents are not uploaded within the time granted, the application will be finalized by the system as "Rejected: Missing Documents." In cases where an application has been finalized by the system as "Rejected: Missing Documents" due to missing documents specified in Annex-3 of the Communiqué and the company wishes to have the application reopened for inspection, this may be done once only, through the additional-time-request button available in the system.

If, due to a technical problem, the documents required to be uploaded cannot be uploaded to the system for applications filed by users via TAREKS that are subject to physical inspection, the required documents shall be submitted in person to the relevant Group Directorate. In the case of an in-person application, the documents relating to the application may be submitted by persons authorized under a power of attorney. In such a case, a power of attorney showing that the person is authorized to carry out the relevant transactions on behalf of the importer must be submitted. Inspection procedures will not be carried out where a power of attorney is not submitted.

Where the application files submitted for a single application filed via TAREKS for products covered by the same customs document contain:

- More than one HS code,
- Products of different kind, origin, brand or model under the same HS code,
- Products with different manufacturers,

it shall be sufficient, in cases where documents such as the customs document, invoice and declarations of conformity are common to and applicable for each application file, to upload such documents to TAREKS only once.

3. INSPECTION PROCESSES

The inspection process begins when the application filed via TAREKS by the user authorized to act on behalf of the company is directed to physical inspection. The import inspection process, referred to as physical inspection, is carried out so as to cover several of the following matters, in the order indicated below.

- Verification of TAREKS Application Information

- Scope Check
- Document Check
- Physical Inspection
- Laboratory Testing

First, the TAREKS application information is checked and the scope check is carried out. Once it is established that the products fall within the scope of the relevant legislation, the information and documents relating to the product are examined within the framework of the relevant legislation. As a result of the risk analysis carried out by TAREKS, products may be directed directly to testing. If a suspicion arises among the inspection units that the products are risky, the inspection may be assessed at a higher inspection stage.

3.1 Verification of Application Information

The consistency between the information declared in the TAREKS application and the documents submitted via TAREKS is checked by the relevant inspection unit. If the application information has been declared incorrectly, the application is cancelled by the inspection unit and the importing company is required to file a new application in the system. However, in cases where the brand and model have been mistakenly declared incorrectly in the system, the necessary corrections may be made in the system, without cancelling the application, following consultation with the relevant inspection unit.

3.2 Scope Check

For applications directed to physical inspection by TAREKS, it is checked, by reference to the HS code equivalent of the product, whether the product falls within the scope of products targeted for inspection by the Ministry. Applications relating to products determined to be out of scope are finalized as “Out of Scope: Inspection Result.”

For products declared as out of scope via TAREKS by the company representative, the product is directed to physical inspection upon its first importation; if the product is found to be out of scope, the import is finalized as “Out of Scope: Inspection Result.” Whether products previously found to be out of scope as a result of inspection will be directed to physical inspection on subsequent importation is determined according to the risk analysis.

3.3 Verification of Application Documents

In order to determine the conformity of the products subject to the application with their technical legislation, the information and documents submitted by the company are checked.

Documents must in principle be submitted in Turkish. However, documents submitted in English are also accepted. Where deemed necessary, notarized translations of the documents may also be requested.

The EU Declaration of Conformity uploaded by the company must contain the elements specified in Annex-1. Where a product is subject to more than one technical regulation requiring

an EU Declaration of Conformity, the manufacturer shall demonstrate that it has fulfilled all applicable rules of these technical regulations for its product by issuing a single EU Declaration of Conformity.

Test reports submitted by companies within the scope of the inspection must be current, must be issued by accredited laboratories, and must be dated prior to the transport document. The company that had the test carried out must be the manufacturer or importer of the product. Test reports must contain information identifying the product, such as brand and model/serial number. In order to establish a causal link between the product and the test report, the information on the product or its packaging must match the information in the test report during inspections. Where a causal link between the product and the test report cannot be established, and provided the company agrees, samples must be taken from the products and tested.

Photographs uploaded to the system within the scope of the TAREKS application must relate to the imported product and must have been taken within the customs area. If it is determined during physical inspection that the photographs uploaded to the system do not match the product, the matter is reported to our Directorate General. If it is determined that photographs have been uploaded to the system for the purpose of abusing the inspection procedures, this will be taken into account in the risk assessment of TAREKS.

Where, as a result of the information and documents submitted at the time of application and the examinations carried out on the product, the need for more detailed research arises, or where the documents and information submitted by the importer at the time of application do not relate to the product, and it is considered that the company did not intend to mislead the inspection units, the company shall be requested to complete the documents relating to the product within an additional period of 45 days. If the requested documents are not submitted within the 45-day additional period granted, starting from the date on which the relevant inspector first requests a document via TAREKS, the application is finalized as “Rejected: Missing Documents.” In the case of missing documents, applications must not be finalized by the inspector as cancelled.

3.3.1 Matters Relating to the EU Declaration of Conformity, EU Type-Examination Certificate and Test Reports

3.3.1.1 EU Declaration of Conformity

EU Declarations of Conformity to be issued by the manufacturer or its authorized representative must comply with the provisions of Article 16 of the PPE Regulation.

3.3.1.2 Turkish User Manual

The information and markings required to be included in the Turkish user manual are specified in Article 1.4 of Annex-2 of the Regulation.

In addition to the name and address of the manufacturer or its authorized representative, the manufacturer must provide, together with the PPE placed on the market, a user manual containing the following:

- a. Information on storage, use, cleaning, maintenance, servicing and disinfection. Cleaning, maintenance and disinfection products recommended by the manufacturer must not harm the user or the PPE when used in accordance with the instructions given in the user manual.
- b. The performance results recorded in the technical tests applied to measure the class or level of protection provided by that PPE,
- c. Where applicable, the characteristics of accessories and spare parts suitable for that PPE,
- d. Where applicable, the protection classes suitable for different risk levels and the corresponding limits of use,
- e. Where applicable, the month, year or period of the service life or expiry date of the PPE or certain of its parts,
- f. Where applicable, the appropriate packaging form for transport,
- g. The meaning of the markings,
- h. The risk against which the PPE is designed to protect,
- i. Reference to this Regulation and, if any, reference to other harmonized legislation,
- j. The name, address and identification number of the notified body or bodies involved in the conformity assessment procedures for the PPE,
- k. Reference numbers and dates of the relevant harmonized standard(s) or references to other technical specifications used,
- l. The website address where the EU Declaration of Conformity can be accessed.

The information under items (i), (j), (k) and (l) above need not be included in the user manual where the EU Declaration of Conformity accompanies the product.

This information must be clear, precise and in Turkish, or, if the PPE is placed on the market in another member state, in the official language(s) of that member state.

Products may be permitted for import from companies that wish to remedy deficiencies relating to the Turkish user manual (either its complete absence and/or its absence from the product) at their own warehouse within the country, by obtaining a written declaration (Annex-2) that they will prepare a Turkish user manual in accordance with the requirements of the Regulation and/or that they will not place the product on the market before remedying the deficiency in question. Applications in this situation are finalized as “Conditional Acceptance – Minor Deficiency: Inspection Result.”

3.3.1.3 EU Type-Examination Certificate / Test Report

For Category II and III PPE, an EU Type-Examination Certificate is requested by the Inspector in the following circumstances:

- Where the products display suspicious characteristics indicating that they pose a serious risk or danger with regard to the provisions governing the essential health and safety requirements specified in the Regulation,
- Where the identifying information on the product, such as brand and model, stated in the EU Declaration of Conformity, is not consistent with the product,
- Where the technical regulations and/or standards referred to in the EU Declaration of Conformity have been updated,
- Where the standards declared in the EU Declaration of Conformity as used to ensure conformity with the essential requirements of the Regulation do not cover the product,
- Where the EU Declaration of Conformity has been issued after the departure date of the product subject to import,

For Category I PPE, a test report is requested where:

- The EU Declaration of Conformity does not refer to a harmonized standard.

It is essential that declarations of conformity, EU Type-Examination Certificates or test reports be issued before or on the same date as the transport document (bill of lading, CMR, TIR carnet). This is because the declaration of conformity must be issued by the manufacturer, based on the relevant test and certification processes, as one of the conditions for placing the product on the market and as part of the production process. It is essential that the standards referred to in the documents submitted regarding the product subject to inspection be current. However, where they are not current, EU Type-Examination Certificates/test reports issued after the invoice date shall also be accepted, provided that: the product meets the requirements of the old standard and this is confirmed by an EU Type-Examination Certificate/test report prepared according to the old standard; and, without any part/design/component being changed, it is confirmed, through a current EU Type-Examination Certificate/test report, that the product also meets the requirements of the current standard. Where it cannot be established from the submitted reports that no part/design/component change has occurred, this must be confirmed in writing by the testing body/notified body that issued the first report/certificate.

EU Declarations of Conformity that need to be reissued due to material errors are accepted even if issued after the date of the transport document (bill of lading, CMR, TIR Carnet), provided the above conditions are met.

It is essential that the standard(s) referred to in the submitted documents be current. However, where the relevant standard referred to in the document is not current, provided that the product primarily conforms to the non-current standard, that conformity with the revised part is not covered by the EU Type-Examination Certificate/test report, and that the revised part of the standard is not applicable to the product under inspection, the body that issued the EU Type-Examination Certificate/test report shall be requested to certify that “the EU Type-Examination Certificate/test report submitted for the product subject to import inspection does not contain current standards, and that the criteria relating to the difference between the

current standards and the standards in the existing EU Type-Examination Certificate/test report are, in essence, not applicable to the imported product."

- Where this is certified in writing, the inspection is completed according to the non-revised standards in the existing report/certificate.
- Where this is not certified in writing, the matter is examined by the Inspector upon the importer's request. If, as a result of the examination, it is established that the difference between the standards is not applicable to the product, the import inspection is completed taking the existing test reports into account.

3.3.2 Equivalence Declarations

For Category II and III PPE protecting against risks, declarations made by the manufacturer regarding the equivalence of different models of the product subject to inspection are not accepted.

However:

- For Category I PPE protecting against risks, where the importer submits a test report issued by an accredited laboratory, the documents or reports are accepted if issued by the accredited testing body that prepared the report (referring also to the test report issued for the relevant product model/models, and clearly stating that the results of the referenced test report also apply to the product model/models considered equivalent to the model subject to that test report).
- For Category II and III products under the Regulation, documents or reports relating to the equivalence of products are accepted only if issued by the notified body that issued the EU Type-Examination Certificate for the model/models whose equivalence is accepted. Equivalence documents/reports must, with reference to the EU Type-Examination Certificate issued for the original model/models, clearly state that the matters contained in that certificate (such as the harmonized standard applied, test results and performance values) also apply to the product model/models whose equivalence is accepted.

3.4 Physical Inspection

Where products are directed by the system to physical inspection, the products may be subjected to physical inspection in order to establish a causal link between the products and the documents uploaded to the system, and to remove any doubts that may arise regarding products directed to document inspection. During physical inspection, it is essential to examine the structure and characteristics of the products, and to determine whether all required reports have been submitted or, for products for which a report cannot be submitted, which tests will be requested. Details of the matters identified must be recorded in the Physical Inspection/Sampling Report set out in Annex-2.

Persons accompanying the inspection during the inspection and sampling carried out in the customs area for applications directed to physical inspection are required to submit a power of attorney showing that they are authorized to carry out the relevant transactions on behalf of

the importer. Inspection procedures will not be carried out where a power of attorney is not submitted.

For products for which physical inspection is to be carried out, all correspondence with the inspection unit must be conducted through the “Inspection Messages” tab. If company officials are not present or the products are not ready at the scheduled time of physical inspection, the inspection schedule will be rearranged without regard to the application date. If the products are not present in the inspection area, the application will be finalized as “Rejected: Inspection Result.”

Where possible, photographs of the product should be taken during physical inspection and archived for use where necessary.

Products for which there is a reasonably justified serious doubt as to safety may be sent to a laboratory for testing, and action will be taken according to the test result. If the importing company does not accept the test and requests, by petition, that the product be declared non-conforming, the application is finalized as “Rejected: Inspection Result.” If the importing company objects to the decision to test or to the non-conformity decision made upon petition, the matter is reported to the Directorate General.

3.4.1 Marking Check

The CE marking must conform to the shape specified in the “CE” Marking Regulation published in the Official Gazette No. 31493 dated 27/5/2021, and the design of the marking may not be altered other than by reducing or enlarging it in accordance with the proportions in the drawing. Unless otherwise specified in the relevant technical regulation, it must be at least 5 mm in size, and must be affixed to the product or its information plate in a visible, legible and indelible manner or, where this is not possible or durability cannot be guaranteed due to the nature of the product, to the packaging and to the documents accompanying the product required by the relevant technical regulation. Where companies declare that, due to the nature of the product, it is not possible to affix the CE marking, inspections are continued taking into account the markings on equivalent products.

CE marking affixed on a properly attached paper label is also accepted as appropriate, provided that the CE marking has been affixed in a visible, legible and indelible manner in the places required by the Regulation to which the product is subject, and that it is printed on the same label together with other information relating to the product (product image, product characteristics, instructions for use, manufacturer/importer address information, other markings, warnings, etc.). Such marking must give a clear impression that the CE marking was affixed during the production process. In this respect, the presence of the CE marking together with other product information on that label is deemed to give sufficient indication that the CE marking was affixed during the production process.

Where the CE marking is not affixed in the size required by the relevant Regulation, provided no other non-conformity is found as a result of the inspection, taking into account criteria such as the design, nature and dimensions of the product and the placement of its label,

the inspection is finalized as “Conditional Acceptance: Warning.” Examples of CE markings that conform and do not conform to the graphics and design set out in the Regulation are shown in Annex-3.

3.4.2 Inspection of Adapters Accompanying the Product

Even if the main product falls outside the scope of the relevant technical legislation, a test report may be requested and/or tests may be applied, where necessary, for detachable (non-integral) adapters accompanying the product. Accordingly, where an external adapter is included with/in the unit packaging of products, the marking information on the adapters will also be checked. Where adapters are found non-conforming as a result of this inspection, it is deemed acceptable for such adapters to be separated from the main products by handling, provided it is documented that they have been returned to origin, transited directly or via a free zone to a third country, sold for export, or abandoned to the customs administration where located for disposal by destruction at the owner's expense. Following the handling, the application should be finalized once the main product is tested with conforming adapters, tests are found satisfactory, and the handling of all products under the application is completed.

Where adapters accompanying products directed to testing by TAREKS are also tested and these tests are found satisfactory, the inspection should be deemed satisfactory in this respect without requiring an EU declaration of conformity and/or marking information (including the CE marking, brand and model) for the adapters. Where tests on the adapters are unsatisfactory but the tests on the main products are satisfactory, and the importer does not accept separate testing for the adapters, or where the main products are also found non-conforming due to the adapters, the handling matters set out in Article 4.4.2 shall be taken into account.

3.4.3 Warnings

During physical inspection, it must be checked whether warnings that are required to appear on the product or its packaging under the legislation to which the product to be imported is subject are present on the product as required by the relevant legislation. Where the warnings required to be present on the product under the relevant technical legislation are missing or absent, handling of such warnings in the customs area may be permitted. (See: 4.4)

In addition, applications for which the test result is satisfactory except for matters relating to marking, and which were sent for testing, may be finalized as “Conditional Acceptance – Warning: Inspection Result” following submission by the company of the undertaking, a sample of which is set out in Annex-6, to ensure that the necessary warnings can be added prior to placing the product on the market.

3.5 Laboratory Testing Procedures

Where companies cannot submit a test report, where inspectors have serious doubts regarding the products, or where products are directed directly to testing by TAREKS, the products are sent for testing (provided the company agrees).

For applications sent for testing, samples are taken from the products by inspectors and sent for testing, provided that shipping and testing costs are borne by the importer. Samples are sent by the relevant inspection unit to one of the designated laboratories, on a sequential and rotating basis. Inspections are finalized according to that test result. The result of the sample taken shall apply to all items it represents. It is essential to keep the number of samples to a minimum. The number of samples to be taken is determined according to the technical legislation of the product, and additional samples may be taken where deemed necessary.

During sampling, the necessary information must be entered in the Physical Inspection/Sampling Report set out in Annex-2, and this report must be signed both by the relevant inspector and by the company's authorized representative. At this stage, the representative's power of attorney will be checked, and photographs of the samples taken will be taken by the inspection unit. The sample retained by the inspection unit will be recorded in the sample register. Reference (control) samples are kept at the Group Directorate. The period for objecting to test results is 15 business days. Where an objection is raised to test results, reference samples are, where possible, sent to a testing body different from the first laboratory to which the products were sent, for retesting.

For files directed to testing by the system but which cannot be tested due to testing capacity, product characteristics or quantity, the process must continue as a review of the test report, and such cases, together with the relevant HS code and the reason the product could not be tested, must be reported immediately to our Directorate General.

If the importing company does not agree to the product being sent for testing, the application will, based on the company's written declaration, be finalized as “Rejected: Inspection Result.”

Due to the nature of Personal Protective Equipment products, the practice of equivalent/comparable products is not applicable; each model is assessed separately.

3.6 Application Cancellation Procedures

Cancellation is a procedure applied only to correct a material error or errors identified during the review of an existing application, so as to allow the application to be repeated. Applications for which inspection is ongoing may only be cancelled by the inspector.

Where, other than in respect of brand and model information, one or more items of application information have been incorrectly or incompletely recorded in the system, the relevant inspection unit shall send a message explaining the matter via the “Inspection Messages” tab, and the inspection process for the application shall be continued through to the final stage. Where it is established, as a result of the inspection, that the products cannot pass the import inspection, the application shall be finalized as “Rejected”; in other cases, it shall be finalized as “Cancelled: Inspector's Cancellation” to allow the company to correct its error. Such material error must be noted as an inspector's note when closing the application. Where the brand or model has been mistakenly declared incorrectly in the system, the necessary

corrections may be made by the company via the system, without the application being cancelled, following consultation with the relevant inspection unit.

Where, following completion of the inspection procedure, an application relating to products subjected to inspection by the inspection unit is cancelled due to material errors, inspection procedures for the same consignment must be carried out according to the type of inspection assigned by TAREKS.

Where, while inspection is ongoing, a request is made for the transfer of the products subject to inspection to another company, inspection procedures for the relevant application shall continue on the basis of the existing application; where the products covered by the application are found conforming, upon submission of documents evidencing the transfer, the transferring company's application shall be finalized as “Cancelled: Inspector's Cancellation.” Where any doubt arises regarding the transfer transaction, the matter must be reported to our Directorate General.

Cancellation requests made by companies other than in the circumstances specified above will not be accepted. Requests for cancellation of an application on the grounds that the products are to be returned to origin or transited to another country will not be accepted. However, an application may be finalized as rejected upon a written petition obtained from the company stating that the application should be finalized as rejected.

3.7 Duplicate Applications

Filing a new application/opening a new item via TAREKS for products subject to an application whose inspection has been finalized as rejected, in order to import such products, or for products that are the subject of an ongoing application/application item, for the purpose of avoiding inspection, is referred to as a duplicate application. This prevents the risk analysis from operating effectively and correctly.

In order to prevent duplicate applications, the following matters must be observed with respect to inspection applications in which a material error is found in the application information:

- Once it is understood that the application in question needs to be cancelled, the company officials must be immediately informed by the relevant inspection unit, and the cancellation must be carried out following the inspection process,
- In the relevant inspection message and, if contact is established with the company official, during any discussion held, it must be emphasized that no new application should be filed for the cancelled products until the cancellation has been confirmed via the system, otherwise sanctions may be applied to the company and the user.

In this context, where it is determined that a company has made a duplicate application, the inspections must be directly finalized as “Rejected: Misleading Action” and the matter must be reported to our Directorate General.

3.8 Documents Not Issued by the Relevant Party

Where there is doubt as to the authenticity of a document submitted within the scope of an import inspection, the authenticity of the document is investigated via the website of the issuing body. Where this is not possible, the issuing body is contacted by e-mail and the authenticity of the document is confirmed. Where the reply indicates that the documents are forged or are not accurate, valid or consistent, the document in question shall be deemed not to have been issued by the relevant party. Where the information requested from the relevant body by e-mail is not sent within 20 days, the matter is reported to our Directorate General.

Where it is established that a document submitted to TAREKS was not issued by the relevant party, renewal of the document shall not be requested. The inspection in question is directly finalized as "Rejected: Document Not Issued by the Relevant Party" and the matter is reported to our Directorate General. Administrative sanctions will be applied to both the company and the user in this regard, pursuant to Article 13 of the Communiqué.

On the other hand:

- If the original document exists on the issuing body's website, this must be stated in the letter to be sent to our Directorate General,
- If contact is established with the issuing body by e-mail and the full original document or its cover page is received, it must be submitted as an annex to the letter reported to our Directorate General,
- If the correct document or its cover page cannot be obtained, this must be stated in the letter addressed to our Directorate General,

Where it is understood that a forgery has occurred, or a transaction of doubtful authenticity has taken place, with respect to the information and documents submitted for one of the application items, action shall be taken pursuant to the above provisions only for the item(s) in question, while the inspection of the other item(s) shall be completed in accordance with the relevant technical legislation.

Attempts to Mislead the System

Attempts aimed at preventing the correct operation of the risk analysis are considered to be actions misleading the system; where such attempts are detected, the relevant application must also be finalized as "Rejected: Misleading Action."

4. FINALIZATION OF THE INSPECTION

4.1 Applications to be Finalized with Conditional Acceptance

4.1.1 Conditional Acceptance: Minor Deficiency

Unless otherwise specified in the technical legislation, where the importer information required to be present on/in the product/its packaging cannot be identified, the application is finalized as "Conditional Acceptance – Minor Deficiency: Inspection Result," so that whether

such deficiencies have been remedied can be verified through market surveillance and inspection practices.

4.1.2 Conditional Acceptance: Further Processing

Pursuant to subparagraph (f) of the second paragraph of Article 5 of the Framework Regulation on Market Surveillance and Inspection of Products, published in the Official Gazette No. 31537 dated 10/7/2021, unless otherwise specified in the relevant technical legislation, products obtained by a manufacturer from another manufacturer, or imported by the manufacturer where the manufacturer is located abroad, for the purpose of carrying out a further processing operation such as assembly, packaging, processing or labeling, are not considered to have been placed on the market. Pursuant to this article, applications "not considered to have been placed on the market" may be assessed under the further processing regime.

For an application to be assessed as further processing, the company carrying out the import must be the manufacturer. Accordingly, for further processing requests made by companies to be found acceptable, a capacity report, industrial registry certificate, and, if available, descriptive documents relating to production and final products must be requested from the companies in order to prove that they are manufacturers, and it must be established through examination of these documents that the companies are producers. The importing company shall be requested to submit a capacity report showing that it is the manufacturer, together with an undertaking, a sample of which is set out in Annex-5, describing the operations to be applied to the product and stating that final products complying with the relevant technical legislation will be placed on the market.

In order for an inspection to be finalized as further processing, it must be verified from the capacity report whether the manufacturing company produces the relevant final product.

Semi-finished products to be subjected to further processing must be sent for testing, even if not directly directed to testing by TAREKS, in accordance with the product's technical legislation, in a manner demonstrating, to the extent permitted by the structure and characteristics of the product, that the product is appropriate and safe. Requests for further processing received for final products must not be accepted, and inspections must be continued with respect to the relevant technical legislation. In addition, requests for further processing relating to adapters and chargers accompanying the product will not be found acceptable.

Import procedures shall be permitted, under the further processing regime, for products for which all necessary documents have been obtained and which have been found conforming with respect to the tests that could be carried out, and the application shall be finalized as "Conditional Acceptance: Further Processing," to be assessed under market surveillance inspection.

4.1.3 Conditional Acceptance: Warning

Where the markings specified in the technical legislation of the product (such as materials in contact with food, CE marking, etc.) are not affixed in the size specified in the relevant legislation, provided that, taking into account criteria such as the design, nature and dimensions of the product and the placement of its label, no other non-conformity is found as a result of the inspection and the test report is satisfactory, the inspection shall be finalized, on a one-time basis, as "Conditional Acceptance: Warning." Where the matter subject to warning recurs in subsequent applications, the application shall be finalized as "Rejected: Marking Deficiency."

4.2 Applications to be Finalized with Rejection

Where a breach of the relevant legislation is determined as a result of the inspection, the application is finalized as "Rejected: Inspection Result." The reason for non-conformity must be recorded in detail as an inspector's note on the application and also communicated to the user via the message set out in Annex-6. This is notified to the customs administration in a letter stating the reason for rejection, and the customs administrations will not permit the import of the product in question.

Where products need to be tested and the importing company does not agree to have the products tested and requests, by petition, that they be declared non-conforming, the application will be finalized as "Rejected: Inspection Result."

Where companies have entered information on multiple products (brand-model-quantity, etc.) collectively under a single item in a TAREKS application, and it is understood that the application item contains both products to be finalized as rejected and products for which import may be permitted, a new TAREKS application must be filed for the conforming products, and after the new application is filed, the existing application is finalized as "Rejected: Inspection Result." A new TAREKS application may only be filed for products found conforming. Where it is understood that a new application has been filed for non-conforming products, action shall be taken for the relevant products in accordance with the principles applicable to duplicate applications.

For applications directed to physical inspection via TAREKS and whose inspection process is ongoing, where it is determined that inspection has been avoided through unlawful means such as improper use of an TPS number or unauthorized transit trade, and given that the products subject to the application are not present at customs, together with these avoidance actions, the relevant application must be finalized as "Rejected: Misleading Action," and our Directorate General must be informed immediately.

Where it is determined that the products were not present in the customs area at the time of inspection, for reasons such as an incomplete shipment or the products not yet having arrived in the customs area, the relevant application item must be finalized as "Rejected:

Inspection Result," since no determination or examination could be carried out with respect to the products.

4.3 Conformity Inspection Results

Inspection Result	Explanation
1) Accepted: Inspection Result	Where no breach of the relevant technical legislation is determined as a result of the physical inspection, the application is finalized as "Accepted: Inspection Result."
2) Out of Scope: Inspection Result	Where it is determined that the products are not within the scope of the relevant technical legislation and/or are not among the products targeted for inspection by reference to their HS code, the application is finalized as "Out of Scope: Inspection Result."
3) Conditional Acceptance – Minor Deficiency: Inspection Result	In order to ensure that deficiencies identified during inspection are remedied immediately after completion of the import procedures and, in any event, before placing on the market, applications are finalized as "Conditional Acceptance – Minor Deficiency: Inspection Result."
4) Conditional Acceptance – Further Processing: Inspection Result	Applications for which the necessary documents have been obtained for semi-finished products anticipated to undergo further processing, to be converted into final products after being placed on the market, are finalized as "Conditional Acceptance – Further Processing: Inspection Result."
5) Conditional Acceptance – Warning: Inspection Result	Where there are non-conformities relating to the size of the CE marking required to be present on the product, or non-essential marking deficiencies, provided there is no other non-conformity, the application is finalized as "Conditional

	Acceptance – Warning: Inspection Result.”
6) Rejected: Inspection Result	Where a breach of the relevant legislation is determined as a result of the inspection, the application is finalized as “Rejected: Inspection Result.”
7) Rejected: Missing Documents	Where the requested documents are not submitted within the time granted during the inspection, the inspection is finalized as “Rejected: Missing Documents.”
8) Rejected: Marking Deficiency	Where the conformity markings required under the relevant legislation are not present on the product, the application is finalized as “Rejected: Marking Deficiency.”
9) Rejected: Test Result	Applications sent for testing during inspection and for which the test result is unsatisfactory are finalized as “Rejected: Test Result.”
10) Rejected: Document Not Issued by the Relevant Party	Applications in which it is determined during inspection that a document not issued by the relevant party has been uploaded are finalized as “Rejected: Document Not Issued by the Relevant Party.”
12) Cancelled: Inspector's Cancellation	Applications with no non-conformity, but in which information mistakenly declared by the company needs to be corrected, are finalized as “Cancelled: Inspector's Cancellation.”

4.4 Handling Requests

Only handling requests, other than corrective operations requiring technical intervention such as dent or notch repair, may be assessed. For products that do not conform to their technical legislation with respect to matters that can be remedied in the customs area, such as the Turkish user manual, labeling, marking (other than brand, model and CE marking), or packaging, corrective requests that do not pose a risk in terms of health, safety, environmental

protection, or the accurate information of consumers shall be notified in writing to the relevant inspection unit.

Where such a handling request is found acceptable, the company is granted a handling period of up to 30 days. Handling operations must be carried out in an area under the control of the customs directorate. Upon completion of the handling operation, within or at the end of the 30-day handling period, the company must submit a written petition to the relevant inspection unit stating that the deficiencies have been remedied. Following submission of the petition, the inspection units must examine the products in question in the customs area to determine whether the handling operation has been carried out in accordance with the relevant technical legislation, and the application must not be finalized until the handling operations are completed. Where it is determined that the necessary corrections have been made, the application is finalized as “Accepted: Inspection Result.” Handling operations obtained from the customs administration without application to the relevant inspection unit will not be accepted.

4.4.1 Requests for Handling of the CE Marking

For products bearing the CE marking, requests to handle the CE marking may be assessed for companies whose technical files, relating to products for which they can prove trademark registration and manufacturer status, satisfy the conditions listed in the first paragraph of Article 5, entitled “Obligations of the Manufacturer,” of the “CE” Marking Regulation, and provided no obvious non-conformity is identified in the products.

4.4.2 Requests for Handling of Adapters

Handling of adapters from products found non-conforming due to the accompanying adapters shall be permitted, provided that:

- It is documented, pursuant to subparagraph (ç) of paragraph 4 of Article 181 of the Customs Regulation, that the non-conforming adapters to be separated from the products subject to the application have been returned to origin, transited directly or via a free zone to a third country, sold for export, or abandoned to the customs administration where located for disposal by destruction at the owner's expense,
- The products are tested with conforming adapters and a satisfactory result is obtained.

4.5 Objection to Inspection Results

Applications finalized as rejected due to the failure to submit documents on time, or applications in respect of which the company objects to the inspector's rejection decision (claiming, for example, a possibility that markings, brand, model, etc. were overlooked, or claiming out-of-scope status), may be reopened for inspection. In this context, companies may object to the inspection result, via the objection button available in TAREKS, only once, within 1 year, for applications finalized as rejected. The period for objecting to test results is 15 business days.

No additional 45-day period will be granted for applications reopened for inspection; the importer will be requested to submit, immediately, its missing documents, objection petition, technical file (if requested) and other obligations. Companies may in no way object to applications finalized as “Rejected: Document Not Issued by the Relevant Party” and “Rejected: Misleading Action.” However, in applications finalized as “Rejected: Missing Documents,” the missing documents; in applications finalized as “Rejected: Marking Deficiency,” documents such as pictures, designs, diagrams, etc. indicating the location of the missing marking, the objection petition and other documents; and in applications closed as “Rejected: Test Result,” a petition requesting a new test, and in all cases any additional documentation requested by the inspector, must be uploaded to the system within a maximum of 15 business days. Applications of companies that fail to fulfil their obligations within this period will again be finalized with the same rejection, and no further objection will be permitted via the system.

Where an application, despite having been the subject of an objection via the system within 1 year, is again finalized as rejected, the Directorate General may, on a one-time basis, consider a request to reopen the application for inspection, so that the company may remedy the deficiencies. No additional 45-day period will be granted for applications reopened for inspection under this provision; the importer will be requested to submit its missing document within 15 business days.

4.6 Transit Requests for Non-Conforming Products

Where companies wish to transit products covered by an application finalized as “Rejected” as a result of inspections, such requests require the favorable opinion of our Directorate General pursuant to subparagraph (ç) of paragraph 4 of Article 181 of the Customs Regulation. Companies in this situation must apply in writing to our Directorate General; state, in their application, the country to which the product will be sent in transit; declare that the product complies with the legislation of that country; and complete in full the documents set out in Annex-7, in accordance with the “Transit Permit” heading under the “Old Help” tab of TAREKS. Where products are returned to origin, the favorable opinion of our Directorate General is not required.

Maximum care must be exercised in transactions carried out to guard against the possibility that non-conforming products intended for transit trade may, in whole or through the splitting of the consignment, be attempted to be placed on our market on behalf of the relevant company and/or different companies, thereby becoming the subject of inspection, and our Directorate General must be informed immediately of applications giving rise to suspicion.

Where it is determined that inspection has been avoided through unlawful means such as unauthorized transit trade, and given that the products subject to the application are not present at customs, together with these avoidance actions, the relevant application shall be finalized as “Rejected: Misleading Action.”

5. INDIVIDUAL PRINCIPLES

5.1 Conformity Documents to be Submitted According to Category

It is the obligation of the manufacturer/importer to declare which category the equipment to be imported falls into.

Submission of a Declaration of Conformity is mandatory for all categories; other documents to be submitted according to the relevant categories are as follows.

For Category I PPE:

- EU Declaration of Conformity
- A test report where the manufacturer does not apply the relevant harmonized standard, applies it partially, or no such standard exists,
- A test report where the manufacturer applies the relevant harmonized standard, but only in the case of doubt,

For Category II PPE:

- EU Declaration of Conformity
- EU Type-Examination Certificate

For Category III PPE:

- EU Declaration of Conformity
- EU Type-Examination Certificate
- A document/report issued by the relevant notified body certifying that the conformity assessment procedures specified in Annex-7 and Annex-8 of the Regulation have been carried out, or a document/contract issued by the relevant notified body certifying that these procedures are currently being carried out and have not yet been completed, or will be carried out at a future date.

5.2 Explanatory Information on Certain Products

5.2.1 Gloves

Where the packaging of gloves to be imported states that they may be used for purposes such as construction, painting, gardening, repair or pest control, they must be assessed within the scope of the Regulation; where no such statement appears on the product and it is stated only that they are for use in household work such as dishwashing or cleaning, they must be assessed as outside the scope of the Regulation.

However, gloves imported in bulk, declared by the importer as manufactured solely for household use, may also be assessed as outside the scope of the Regulation, provided that the undertaking set out in Annex-5 is completed by the importer together with the “Out-of-Scope Certificate Application Form,” and that no doubt is identified by Trade inspectors during customs inspections as to whether the gloves fall within the scope of the Regulation (for

example, an attempt to import leather gloves as dishwashing gloves). In such cases, however, information concerning the transaction, together with a copy of the undertaking signed by the importer (Annex-5), must be reported urgently to the Directorate General for transmission to the Ministry of Labour and Social Security.

In classifying gloves protecting against mechanical effects, the point requiring attention is, in particular, whether the product should be assessed as Category I or Category II. In this regard, work gloves with reinforced fingers against effects such as cutting or puncturing should be assessed as Category II. In addition, products that are specifically Category II and are subject to a standard such as EN 388 must have pictograms containing safety symbols affixed to them.

For gloves imported as personal protective equipment that come into contact with food, the “CE” marking will not be required on the glove itself; it will be sufficient for the CE marking and other markings to be present on the packaging of such gloves.

Mandatory Chemical Testing for Leather Gloves: For gloves made of leather, where the product is directed to physical inspection or testing, Chromium VI, Phthalate, Formaldehyde and Azo Dye tests are mandatory.

Motorcyclist Glove Testing: Where no accredited laboratory is available, motorcyclist gloves (EN 13594) are tested by reference to the standards EN 420 (Innocuousness), EN 21420 (Size/Cuff) and EN 388 (Tear and Cut Resistance).

5.2.2 Sunglasses

As sunglasses are assessed as Category I, a Declaration of Conformity is sufficient. However, in the event of doubt, a test report may be requested, within the framework of the principle of proportionality, for a few randomly selected models. In addition, where the importer declares itself to be the manufacturer, it must be able to submit a summary technical file within a reasonable period if requested. In this respect, again, a summary technical file or test report may be requested, within the framework of the principle of proportionality, not for all glasses models but for one or a few randomly selected models. Test reports to be submitted for sunglasses upon request may be issued by an accredited laboratory or by the manufacturer itself.

The filter category number must be indicated on the sunglasses or in their documentation. Where it is not indicated, a “Filter Category Declaration” obtained from the manufacturer must be submitted, and the test result must be consistent with this declaration.

5.2.3 Aprons Providing Protection Against X-Rays

Aprons used for protection against devices posing a risk of ionizing radiation fall within the scope of the PPE Regulation and are assessed as Category III. Although these aprons vary, the most well-known are the aprons worn by radiology technicians that cover the entire body. In addition, gonad protectors, aprons and similar items worn to protect the body's specific parts against X-rays, whether worn by patients or by healthy persons to prevent illness, fall within the

scope of both medical devices (Class 1) and personal protective equipment (Category III), and must therefore be assessed under both Regulations.

5.2.4 Category I Products such as Swimming and/or Diving Goggles and Masks

With the commencement of import inspection of swimming and/or diving goggles and masks at the beginning of 2009, doubts arose as to whether such products should be assessed as PPE or as toys, on the one hand because some swimming and/or diving goggles and masks were used, particularly by children, for play on beaches and gave the impression of imitation PPE rather than genuine PPE, and on the other hand because test reports prepared in accordance with both toy and PPE legislation existed for such products.

In this context, a final decision was reached following discussions carried out between the European Commission and the Ministry of Family, Labour and Social Services. Swimming and/or diving goggles and masks are accepted, in accordance with the PPE Regulation and the Communiqué on the Categorization Guide for Personal Protective Equipment, as simple-structure products falling within Category I and certified by an EU Declaration of Conformity, and submission of the EU Declaration of Conformity is deemed sufficient for the import of such products. Where an EU Declaration of Conformity referring to a non-harmonized standard is submitted, a test report issued by an accredited laboratory relating to the non-harmonized standard referred to in the declaration of conformity must also be submitted in addition.

For Category I PPE, where the manufacturer does not apply, only partially applies, or where no relevant harmonized standard exists, an EU Declaration of Conformity issued by the manufacturer, based on a document issued by an accredited testing body certifying that the essential requirements specified in the PPE Regulation have been met through a national standard or other means, is sufficient.

5.2.5 Diving Masks

For “Diving Masks” to be imported, since the products are assessed under Category I, the declaration of conformity to be provided by the manufacturer, stating that the essential requirements are met, shall be sufficient; and where the “EU declaration of conformity” states that the products are manufactured in accordance with the EN 250 standard, it is deemed sufficient for the test report to state that clauses 6.8.3.1 and 6.8.3.2 (head harness) and 6.8.2.4 (impact resistance of the eyepiece/eyepieces) of the EN 250 standard are met.

5.2.6 Gas Mask Components (Mask Straps)

Although the mask strap is a product manufactured for use together with the gas mask, since it is not considered an essential part of the mask in terms of respiratory protection and is merely a part enabling the product to be used, it is assessed as a PPE component that does not need to bear the CE marking, provided it is described in the user manual and associated with the mask.

5.2.7 Face Shield Headgear

Face shield headgear, together with the visor, constitutes the “Face Shield” protective equipment. There is no separate standard for headgear among the harmonized standards under the PPE Regulation. For this reason, a separate “EU Type-Examination Certificate” is not required for headgear. There is no obstacle to the import of such products provided that an EU Type-Examination Certificate has been issued attesting conformity of the Face Shield to the EN 166 standard, that the markings shown separately for the visor and the headgear in the content of the EU Type-Examination Certificate verify the product, and that the manufacturer states in the EU Declaration of Conformity that the headgear, when used with the appropriate visor, will meet the requirements of the EN 166 standard.

5.2.8 Bulletproof Vests and Garments

PPE designed for military or law enforcement purposes means PPE specifically designed for such purposes. This applies to all PPE categories and is not assessed within the scope of this Regulation. (PPE Regulation, Article 2/2-a) However, PPE that may be used by armed forces or law enforcement forces but is not specifically designed for their use falls within the scope of this Regulation. Fire brigades are not counted among “armed or law enforcement forces”; the equipment they use is PPE within the scope of this Regulation.

Bulletproof garments or vests for protection personnel are also unrelated to armed forces or law enforcement forces and are assessed as Category III PPE.

5.2.9 Corrective Sun/Protective Glasses

Where corrective glasses provide protection other than against sunlight (for example, against impacts, corrosive agents, etc.), they are classified solely according to their protective properties, as the category of personal protective equipment corresponding to the relevant hazard. Corrective sunglasses are not assessed as PPE.

5.2.10 Motorcyclists' Clothing and Protective Parts

Clothing and additional protection (for example, gloves) designed for motorcyclists for private use are not assessed as PPE if they only provide protection against climatic conditions.

Clothing and additional protection (for example, gloves, boots) designed for motorcyclists for professional use are assessed as Category I PPE if they only provide protection against climatic conditions.

Motorcyclists' clothing and additional protection (for example, parts protecting the limbs and back against impact, elbow or shoulder protectors, protectors against cuts and abrasions) are assessed as Category II PPE if they provide additional protection.

5.2.11 High-Visibility Clothing and Accessories

High-visibility clothing and accessories (for example, reflective stickers and attachable accessories) are assessed as Category II PPE.

High-visibility devices (for example, reflective key rings, backpacks with reflective and/or fluorescent material) are not assessed as PPE.

5.2.12. Test Methods for Safety Footwear

For occupational safety footwear (EN ISO 20345), where no accredited laboratory is directly available, tests are carried out according to EN ISO 20344 methods (Adhesion Strength, Impact, Compression, Slip and Electrical Resistance).

5.2.13. Firefighter Footwear Tests

For firefighter footwear (EN 15090), in addition to the physical tests above, a “Heat Insulation” test (Article 6.3.1) is applied.

5.2.14. Selection of Communiqué for Protective Headgear

For import purposes, if the product is “Personal Protective Equipment” (e.g. industrial safety helmet), the PPE Communiqué must be selected; if not (e.g. vehicle/motorcycle helmet), the Vehicle Parts Communiqué must be selected.

5.2.15. Marking of Earmuffs Mounted on Helmets

For earmuffs packaged in pairs that form an integrated system when mounted on a helmet, it is sufficient for the CE marking to be present on a single part, rather than on each part separately.

6. ANNEXES

Annex-1 Sample EU Declaration of Conformity

EU DECLARATION OF CONFORMITY

- 1. Product model/type, batch or serial number of the product
- 2. Name and address of the manufacturer or its authorized representative.
- 3. The statement “This declaration of conformity is issued under the sole responsibility of the manufacturer.”
- 4. Object of the declaration (may include a sufficiently clear colour image where necessary for identification enabling traceability of the product)
- 5. A statement that the object of the declaration described above is in conformity with the relevant legislation, and the name of the legislation with which it conforms
- 6. References to the relevant harmonized standards used or references to other technical regulations relating to the declaration of conformity.
- 7. Additional information:

Signed for and on behalf of

(Place and date of issue)

(Name, position) (Signature)

Annex-2 Physical Inspection and Sampling Report

IMPORT INSPECTIONS

PHYSICAL INSPECTION AND SAMPLING REPORT

Date: …/…/….

Application Date/Number:

Importer's Name/Tax Number:

Location of the Products:

Elements Identified in the Physical Inspection (manufacturer-importer information, brand-model, marking, presence of warnings, type of product, etc.)

Example 1: The product bears the CE marking, brand-model and manufacturer information, all of which are conforming. Importer information is missing.

Example 2: The product bears the CE marking, but its design is non-conforming.

If samples were taken:

Total number of samples taken:

Number of reference (control) samples taken:

I accept that the information stated above is accurate. I accept, within the scope of this report, that the samples taken/examined represent all of the relevant products covered by the above application and that their results are binding. I undertake that all costs arising from the testing procedures will be borne by us, and I agree that the inspections will be finalized according to the test result. I accept that, following notification of the inspection result to us, we may object to the test result only within 15 business days, and I undertake that, if we do not collect the sample by the end of the objection period, we will not assert any right with respect to such samples.

Company Representative

Name and Surname:

Signature:

Date:

Trade Inspector/Assistant Inspector

Name and Surname:

Signature:

Annex-3 Further Processing Undertaking

TO THE MINISTRY OF TRADE

We undertake and declare that we will finalize, in accordance with the relevant technical legislation, within no more than 6 months, the … brand … model products which we wish to import pursuant to the Communiqué on Import Inspection of Personal Protective Equipment (Product Safety and Inspection: 202…/11); that we will not, under any circumstances, transfer them to third parties within the specified period; and that we will not offer the products for sale on the domestic market before they are finalized; and that, should we act to the contrary, pursuant to subparagraph (d) of the first paragraph of Article 13 of the Decision on the Technical Regulations Regime put into effect by Presidential Decision No. 6038 dated 14/9/2022, we will pay, for recording as revenue to the budget, the Turkish Lira equivalent, calculated at the Central Bank of the Republic of Türkiye foreign exchange selling rate as of the date on which our affiliated tax office notifies us, of 60% of the CIF value of the imported product, and that we will make this payment in accordance with the provisions of Law No. 6183 on the Collection Procedure of Public Receivables dated 21/7/1953; and that, should it be established by the relevant competent body that the final product of the import consignment finalized within the specified period does not comply with the provisions of the aforementioned Regulation, we accept the obligations and sanctions specified in Law No. 7223 dated 5/3/2020.

Importer's Title

Authorized Signature

Date

Address:

Name of the tax office:

Tax registration number:

Date and number of the customs declaration:

CIF value of the imported product:

Photographs of the imported product and its final form:

Annex-4 Procedures and Principles for Transit Operations

Where it is determined, as a result of inspections carried out under Product Safety and Inspection (ÜGD) Communiqués, that products do not comply with their technical regulation and/or are not safe, the matters to be included in the application made by the importer to our Ministry, and the conditions to be met, for the products to be transited to a third country are as follows:

1) Transit is not permitted to member countries of the European Union (EU) Common Market, member countries of the European Free Trade Association (EFTA), the Turkish Republic of Northern Cyprus, or free zones.

2) Opinions may be obtained from the relevant Institutions and Organizations and Directorates General regarding the countries to which transit is to be made, in light of conjunctural developments in international trade.

3) The application to be submitted to the Ministry by the importing company for the transit of the relevant products must include the following:

- a) A duly completed copy of the table set out in Annex-4C,
- b) A declaration and undertaking that the product to be transited complies with the legislation of the destination country (Annex-4A),
- c) The warehouse declaration, bill of lading, sample invoice and other documents,
- d) A specimen signature circular and/or power of attorney showing that the person filing the application is authorized to sign and/or represent.

4) Where the relevant products are transferred by the importing company to another company, the application to be submitted to the Ministry by the transferee company for the transit of the products must include the following:

- a) A duly completed copy of the table set out in Annex-4D,
- b) Invoices and similar documents evidencing the transfer of the products,
- c) A declaration and undertaking that the product to be transited complies with the legislation of the destination country (Annex-4B),
- d) The warehouse declaration, bill of lading, sample invoice and other documents,
- e) A specimen signature circular and/or power of attorney showing that the person filing the application is authorized to sign and/or represent.

5) In order for the transferee company to obtain a transit permit, it must be registered in the Risk-Based Control System for Foreign Trade (TAREKS).

6) The transit permit request submitted to the Ministry is finalized favorably once it is confirmed that the specified conditions are met. In this context, notification is made to the relevant customs administration and to the company that the transit permit has been granted.

7) In addition, to prevent attempts to re-place the transited products on our market, notification is made to the Directorate General of Customs and to the Directorate General of Trade Research and Risk Assessment for the follow-up of such products for a period of at least 3 months.

8) In order to prevent the transited products from subsequently being re-imported into our country, information relating to the transit transaction is entered into TAREKS through the system.

TO THE MINISTRY OF TRADE

(Directorate General of Product Safety and Inspection)

As a result of the inspection carried out under Product Safety Inspection Communiqué No. …, application No. …, filed via the Risk-Based Control System for Foreign Trade by … company for products with HS code … and described as …, has been finalized as rejected.

Pursuant to subparagraph (ç) of the fourth paragraph of Article 181 of the Customs Regulation, we wish to transit the products rejected as a result of the inspection to … (name of country). We declare and undertake that the products in question comply with the legislation of …(name of country), to which they are to be transited.

We respectfully submit the matter for your order and consideration.

Name/Title of the Importer or its Representative

Company Seal

Authorized Signature(s)

Date

TO THE MINISTRY OF TRADE

(Directorate General of Product Safety and Inspection)

As a result of the inspection carried out under Product Safety Inspection Communiqué No. …, application No. …, filed via the Risk-Based Control System for Foreign Trade by … company for products with HS code … and described as …, has been finalized as rejected. The products in question have been transferred and delivered by the said company to … company under transfer invoice No. … .

Pursuant to subparagraph (ç) of the fourth paragraph of Article 181 of the Customs Regulation, we wish to transit the products rejected as a result of the inspection to … (name of country). We declare and undertake that the products in question comply with the legislation of …(name of country), to which they are to be transited.

We respectfully submit the matter for your order and consideration.

Name/Title of the Transferee Company or its Representative

Company Seal

Authorized Signature(s)

Date

PRODUCTS SUBJECT TO TRANSIT REQUEST

Company Tax Number	TAREKS Application	Bill of Lading Date	Bill of Lading Number	HS Code/Type of Product	Quantity

Name/Title of the Importer or its Representative

Company Seal

Authorized Signature(s)

Date

PRODUCTS SUBJECT TO TRANSIT REQUEST (TRANSFER)

Transferring Company Tax Number	Transferee Company Tax Number	TAREKS Application	Bill of Lading Date	Bill of Lading Number	HS Code/Type of Product	Quantity	

Name/Title of the Transferee Company or its Representative

Company Seal

Authorized Signature(s)

Date