

COMMUNIQUE ON CONFORMITY INSPECTION OF SOME CONSUMER PRODUCTS

Objective

ARTICLE 1 – (1) The objective of this Communiqué is to specify essential requirements of the consumer products stated in the annex in order to ensure placing safe products on the market.

Scope

ARTICLE 2 – (1) This Communiqué covers the consumer products of which placed on the market as a final product and specified in the annex.

Legal Basis

ARTICLE 3 – (1) This Communiqué is based on Law No. 4703 on the Preparation and Implementation of the Technical Legislation on Products dated 29/6/2001, Decree Law No. 640 and dated 3/6/2011 governing the Organization and Duties of Ministry of Customs and Trade, Regulation concerning the Market Surveillance and Supervision of Products passed by the Decree dated 13/11/2001 and numbered 2001/3529 and Regulation concerning the Market Surveillance and Inspection of Products of Ministry of Customs and Trade published in the Official Gazette dated 12/6/2014 and numbered 29028.

Definitions

ARTICLE 4 – (1) For the implementation of this Regulation the following definitions shall apply;

- a) Ministry: Ministry of Customs and Trade,
- b) Essential requirements: The minimum safety conditions which the product shall present regarding the level of protection for the health of persons, safety of persons and their properties, life and health of animals and plants, environment and the consumer.

Essential Requirements

ARTICLE 5 – (1) Products that are specified in the annex of this Communiqué shall meet the minimum safety conditions which the product shall present regarding the level of protection for the health of persons, safety of persons and their properties, life and health of animals and plants, environment and the consumer. Standards specified in the annex are taken into account when considering conformity to essential requirements of these products.

Obligations of manufacturer

ARTICLE 6 – (1) Manufacturers shall submit test reports from internationally accredited laboratories or authorized laboratories by the Ministry and/or all information and documentation regarding the conformity of the products to the Ministry upon its request.

(2) Notary certified Turkish translations of the mentioned test reports and documents shall also be submitted to the Ministry upon its request.

Mutual recognition

ARTICLE 7 – (1) The provisions of this Communiqué shall not apply to the products lawfully manufactured or put into free circulation in a Member State of the European Union.

(2) Nonetheless, the Ministry may submit the product referred to in paragraph (1) to an evaluation following the rules and procedures laid down in Chapter Three of Regulation on Mutual Recognition in Non-Harmonised Area which was put into force by Decision of Council of Ministers No. 2012/3169 of 2/5/2012 and as a result of this evaluation if it finds out that this product does not provide a level of protection equivalent to that sought by this Communiqué it

may prohibit placing on the market of the product, make its placing on the market subject to prior conditions or have the product withdrawn or recalled from the market.

Market surveillance and inspection

ARTICLE 8 – (1) Market surveillance and inspection of the products in the scope of this Communiqué shall be carried out by the Ministry and in accordance with the Regulation concerning the Market Surveillance and Inspection of Products of Ministry of Customs and Trade.

Penalty

ARTICLE 9 – (1) Law on the Preparation and Implementation of the Technical Legislation on Products shall be applied for the products that are not found conformed to the essential requirements as a result of Ministry's market surveillance and inspection activities.

Repeal

ARTICLE 10 – (1) Communiqué regarding production, import, market surveillance and notification principles of the pacifier, baby bottle, baby bottle cap, grow up cup, cap of grow up cup and similar products published in the Official Gazette dated 31/10/2013 and numbered 28807 and Communiqué regarding production, import, market surveillance and notification principles of the manual toothbrushes, powered toothbrushes' heads, proxy brushes published in the Official Gazette dated 31/10/2013 and numbered 28807 shall be repealed.

(2) References to the Communiqué regarding production, import, market surveillance and notification principles of the pacifier, baby bottle, baby bottle cap, grow up cup, cap of grow up cup and similar products published in the Official Gazette dated 31/10/2013 and numbered 28807 and Communiqué regarding production, import, market surveillance and notification principles of the manual toothbrushes, powered toothbrushes' heads, proxy brushes published in the Official Gazette dated 31/10/2013 and numbered 28807 shall be construed as references to this Regulation.

Entry into force

ARTICLE 11 – (1) 1st, 2nd, 3rd, 9th, 10th, 11th, 12th lines in the annex of this Communiqué shall enter into force 1/1/2017 where other provisions shall enter into force on the date its publication.

Implementation

ARTICLE 12 – (1) This Regulation shall be enforced by the Minister of Customs and Trade.

Annex
PRODUCT SCOPE OF THE COMMUNIQUÉ
AND ESSENTIAL REQUIREMENTS

	PRODUCT	HARMONISED OR REFERENCE STANDARDS
1	Children's high chairs	TS EN 14988-1 (Children's high chairs - Part 1: Safety requirements)
2	Bicycles for young children	TS EN ISO 8098 (Cycles- Safety requirements for bicycles for young children)
3	Children's cots and folding cots for domestic use	TS EN 716-1 (Furniture - Children's cots and folding cots for domestic use - Part 1: Safety requirements)
4	Manual toothbrushes	TS EN ISO 20126 (Dentistry - Manual toothbrushes - General requirements and test methods)
5	Powered toothbrush	TS EN ISO 20127 (Dentistry - Powered toothbrushes - General requirements and test methods)
6	Lighters	TS EN ISO 9994 (Lighters - Safety specification)
7	Soothers for babies and young children	TS EN 1400 (Child use and care articles - Soothers for babies and young children - Safety requirements and test methods)
8	Drinking equipment	TS EN 14350-1 (Child use and care articles – Drinking equipment – Part 1: General and mechanical requirements and tests)
		TS EN 14350-2 (Child use and care articles – Drinking equipment – Part 2: Chemical requirements and tests)
9	Seating and tables for camping, domestic and contract use	TS EN 581-1 (Outdoor furniture - Seating and tables for camping, domestic and contract use - Part 1: General safety requirements)
10	Internal blinds	TS EN 13120 (Internal blinds - Performance requirements including safety)
11	Buoyant aids for swimming instruction	TS EN 13138-2 (Buoyant aids for swimming instruction - Part 2: Safety requirements and test methods for buoyant aids to be held)
		TS EN 13138-3 (Buoyant aids for swimming instruction - Part 3: Safety requirements and test methods for swim seats to be worn)
12	City and trekking, young adult, mountain and racing bicycles	TS EN ISO 4210-2 (Safety requirements for bicycles - Part 2: Requirements for city and trekking, young adult, mountain and racing bicycles)