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Food Safety in Turkey

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Executive summary

This briefing note on the "Food safety situation in Turkey" has been prepared in relation to the Committee Delegation visit to Turkey scheduled in October 2006.

The size of the Turkish food sector is estimated to be ca. USD 65 billions globally¹. It contributes to approximately 5% of the GNP and represents a 20% share in total production of the manufacturing sector. Export is dominated by processed fruits and vegetables (approximately 40%) and is growing fast (10-15% every year, 34% in 2005). Import is mainly vegetable oils and oily seeds, milk powder, sugar and confectionary. With respect to the number of existing enterprises in this sector, figures vary greatly: 27,543 according to the Ministry of Agriculture and Rural Affairs (MARA), 40,000 according to the national institute of statistics and 16,780 according to the union of the Chambers of Industry and Commerce. The unregistered part of the food sector is estimated to be as much as 40%. For example, a maximum of 30% of dairy products is being manufactured under industrial conditions. In the meat sector, this counts for approximately 50%.

The main strengths of the Turkish food sector are based on a great variety and quantity of agricultural products, a large domestic market and young population, and increasing volume of foreign trade, especially with the perspective of EU accession. But industry is not well structured yet, which results in a lack of cooperation with the agricultural sector. This is in turn related to other weaknesses such as quality and safety problems in agriculture, and technology and capacity utilization problems.

This raises the issue of the economical size of the enterprises, which is an important factor to take into consideration. The number of enterprises able to operate in line with European norms is estimated to be approx. 2,000; 90% of the food sector is composed of Small and Medium size Enterprises (SMEs). Consequently, this raises the issue of how quickly Turkey will be able to put in place and implement European practices in food safety.

There are also competency issues: besides MARA, which now holds the global competence and responsibility in accordance with the general Turkish food law n° 5179, municipalities also intervene in the control area because of their ability to provide the necessary authorisations to start a food operation, which may create confusion. There is also a share of competences between MARA and the Ministry of Industry and Commerce, the latter being responsible for a number of products such as nuts, sunflower, cotton and beets.

Despite its recent publication, the law 5179 is not strict enough in the upstream to downstream organisation of the sector, i.e. definitions not precise enough, failures in risk analysis and risk management, safeguard measures, traceability, the non-ability to ban the production or the sale of food products or ingredients for food safety reasons, and the absence of preventive measures concerning deception. Turkey still needs to adopt a stricter and more detailed legislation.

¹ Mission économique française in Ankara

The upgrading of food legislation is the object of a twinning project² with a consortium including Germany and the Netherlands.

The reorganisation of MARA has been going on for a few years. The implementation of a food directorate is under discussion with the aim of putting agriculture more in line with industry needs.

Public MARA laboratories have been technically upgraded with the help of European funding. However workforce needs better training and development (analytical results not always in accordance with those carried out in Europe, hence creating problems). The team in charge of food controls in the marketplace is not sufficient neither sufficiently skilled. Insufficient level of control on the internal market has an important consequence for the EU: Turkey not being able to make them locally, a preliminary control system (control certificate/import licence) is in force for imported foods. This is causing delays and additional costs as well as hassle with bureaucracy. Agriculture not being part of the customs agreement between EU and Turkey, the latter allows itself to take preliminary control measures, which are normally not compatible with Customs Union.

The latest evaluation Report of Turkey by the European Commission (SEC (2005) 1426) is detailing progress already accomplished as well as highlighting the considerable efforts still needed. It will take many years for Turkey to be in compliance with the *acquis communautaire* in the field of food and feed safety. The 2006 report is expected to be issued by DG-SANCO at the end of October.

In general, it can be stated that, in spite of a number of failures, MARA is putting a lot of efforts to organise the system from a legislative and regulatory standpoint (publication of orders, decrees, circular letters, and norms). However, still a tremendous amount of efforts in the area of food and feed control, as well as application measures are needed.

The existing situation in animal health and in the meat and dairy sectors may lead to difficult negotiations for Chapter 12 of the *acquis communautaire*³.

² Twinning is an initiative of the European Commission, which is designed to assist candidate countries in acquiring the independent capacity to adopt, implement and enforce the full *acquis* before accession to the European Union.

³ Presentation of the SCREENING CHAPTER 12 FOOD SAFETY, VETERINARY AND PHYTOSANITARY POLICIES is available upon request.

1. Overall situation of food safety in Turkey

The Ministry of Agriculture and Rural Affairs (MARA) is the main decision making body in Turkey in the field of food safety, veterinary and phytosanitary issues. The central body of MARA consists of 5 Directorate Generals (DGs) as main service units. Among these service units, the General Directorate of Protection and Control (GDPC) is the main unit responsible for food safety, veterinary and phytosanitary policies. This DG is the main contact point for international organizations in these areas.

Two other DGs of MARA are also responsible for certain aspects:

- The General Directorate of Agricultural Production and Development is involved in some issues falling under intra-community trade in live animals, semen, ova and embryos, import requirements for live animals and animal products, and zootechnics.
- The General Directorate of Agricultural Research (GDAR) is involved in GMOs and some of its laboratories take part in food, feed, animal diseases and phytosanitary controls.

Other institutions with limited responsibility are:

- The Ministry of Health for mineral waters and food for special medical purpose; and
- The Ministry of Environment and Forestry for protection of animals, GMOs and forestry propagating materials.

Units of Ministries at central level are responsible for the implementation of decisions and legislation. Implementation at the local level is done by the local units of those Ministries having local units. Implementation tasks are also carried out by Municipalities in cases where legislation so stipulates.

Therefore, the abovementioned units of MARA and institutions are responsible for the implementation of legislation and decisions taken on their areas of competence. Local units of MARA and other institutions, as well as municipalities, implement the decisions taken in the areas of their jurisprudence.

The repartition of competence between institutions and within MARA always originates from the laws. Sufficient coordination exists among the services and units within MARA, but it is not always the case between MARA and other related institutions. The general regime is valid for all sectors, and local authorities (e.g. provincial and district units of MARA, municipalities) are responsible for implementation of policies and decisions taken at the central level.

There are 81 provinces with its districts in Turkey. The MARA is represented by local MARA offices in both provinces and districts. The local managers of MARA offices report to the governors and district governors who eventually report to MARA central administration. Municipalities report to Ministry of Interior regarding their activities

GDPC is represented by the local MARA offices (Provincial Directorate). These local offices have sections such as Animal Health, Food and Feed Control, Seed Certification, Slaughterhouse Services and Control Services.

The phytosanitary part is represented by the Plant Protection Section. Plant quarantine services are handled by special directorates in provinces called Agricultural Quarantine Sections. In smaller districts these are represented by Plant Protection Sections.

1.1 Laboratories

Three kinds of laboratories, namely the Veterinary Control and Research Institutes Laboratories, the Provincial Control Laboratories and the Phytosanitary laboratories, operate under GDPC supervision. There are also private laboratories operating with the authorization of MARA.

- Veterinary Control and Research Institutes Laboratories (VCRILs)

There are 8 VCRILs active at regional level and one Foot and Mouth Disease Institute laboratory active at national level under GDPC. Animal Health Service Department of the GDPC is responsible for authorization and control of veterinary laboratories.

- Provincial Control Laboratories (PCL)

The laboratories responsible for food and feed control are affiliated to MARA-GDPC. The Public Health Service Department of GDPC is responsible for the Directorates of Provincial Control Laboratories and for authorisation and monitoring of private food control laboratories. There are 39 Provincial Control Laboratories and 1 Food Control and Central Research Institute in charge of food and feed control. There are currently 25 private food control laboratories authorized by MARA.

1.2 Control systems

Turkey is participating in the Rapid Alert System for Food and Feed (RASFF) on a voluntary basis, but no data were reported by Turkey in 2005. However, the RASFF annual report 2005 shows that Turkey ranks n°3 just after China and before India with respect to the number of notifications by member states by country of origin of the products, mainly due to contamination issues. This reflects weaknesses and failures of the national system in place, which is not functioning well; the results of the alerts received are not being monitored properly and gaps in the network of information between the central and local units occur. The Food and Veterinary Office (FVO) has already implemented various missions in Turkey in order to:

1) make appropriate recommendations to put in place control systems to prevent mycotoxin contamination in hazelnuts, pistachios and dried figs and assess the use of additives in dried fruits intended for export to the EU Turkey improve the situation with respect to the presence of contaminants in foods;

2) report on the evaluation of the control of residues and contaminants in live animals and animal products (see references);

Another FVO mission is scheduled for 2007 in Turkey.

1.3 Some general comments

Legislation is mostly in line with the *acquis* as regards *food labelling, presentation and advertising, additives and purity criteria and extraction solvents*.

For animal health, the situation is quite different and it may become a critical issue for future EU accession negotiations. All commonly listed OIE⁴ animal diseases are present in Turkey, such as foot and mouth disease, avian flu, brucellosis, bluetongue, rabies, etc., which raises issues with respect to internal and external trade of live animals and derived products. Turkey is currently a member of international networks in this field. Avian flu is most probably not the n° 1 issue; other diseases require more attention. As an example, an important vaccination programme against foot and mouth is scheduled for 2007 through EU funding of approx. 50 million Euros.

For sanitary reasons, import of live animals from Turkey is banned by nearly all countries. Also, Turkey is extremely restrictive about import of meat products, mostly for religious reasons (Halal certification is mandatory). Turkey is also still banning bovine meat imports from the EU for reasons related to the BSE crisis, which are not considered as being justified by the European Commission.

Moreover, the annual “Fête du sacrifice” during which 4 to 5 million animals are killed in 2 days, raises specific safety issues, especially in relation with traceability.

However, Turkey has continued the alignment efforts related to *veterinary checks on third country imports and rules for imports*. A Border Inspection Post master plan and inspection manuals have been adopted, in which some of the future border inspection posts are identified in order to upgrade the inspection facilities. However, as the responsibilities are not clearly defined between the relevant services, implementing legislation on import controls did not happen so far.

Significant efforts have been observed concerning *animal diseases control measures*. For Avian Influenza, the two consecutive crises observed at the end of 2005 and early 2006 brought a lot of experience. Turkey went through a learning process, which will help greatly to handle future events. The surveillance has been significantly expanded and improved. Furthermore, it has been an opportunity for Turkey to develop cooperation with international bodies like FVO, OIE, EFSA, WHO, ECDC and the European Commission’s officials⁵.

Concerning *common measures (including zoonoses)* relating to the prohibition of certain substances and control of residues, Turkey has shown a considerable improvement on the legislative harmonisation and preparation of national monitoring plans.

⁴ OIE, World Organisation for Animal Health

⁵ FVO, Food and Veterinary Office; OIE, World Organisation for Animal Health; EFSA, European Food Safety Agency; WHO, world Health Organisation; ECDC, European Centre for Disease prevention and Control.

Despite the progress on national residues monitoring plans, analytical infrastructure needs to be upgraded and all active substances required by the EU legislation should be included in the annual plans.

1.4 Conclusion

Despite the significant ongoing efforts to improve the situation globally, there are many gaps to fill. Full implementation of EU food safety rules can only occur after restructuring the agri-food industry sector, which will take many years. More cooperation between the agricultural sector and industry will be a key factor to improve food safety all across the food chain.

2. Problems related to risk management and risk communication of certain food diseases/crises

The most appropriate examples of risk management and related risk communication are the Avian flu crisis, which occurred at fall 2005 and early 2006.

Avian Influenza or the bird flu emerged in winged animals in Hong Kong in 1997 and 6 of 18 people infected by the virus died. Afterwards the disease was also monitored in Southeast Asia countries in December of 2003 and millions of winged animals died. Since this date, the World Health Organization (WHO) and other international institutions began to track the disease more closely. Before the emergence of the disease in Turkey, 143 cases and 76 mortality cases had been notified by the WHO. All of them were monitored in Southeast Asia Countries.

History of the Turkish outbreaks

The Turkish Ministry of Health started carrying out studies on migratory birds since the emergence of the disease in the Southeast Asian countries. Turkey is registered on the International Influenza Surveillance Net and has been monitoring seasonal influenza diseases for 2 years. The types of viruses in the 14 initially selected provinces were identified, followed by sample characterisation across the whole country. Refik Saydam Hygiene Centre Directorate Virology Laboratory (RSHCD) and Istanbul University Medical Faculty Virology Department were identified as the National Reference Laboratories.

An Influenza Scientific Consultation Board was put in place in December 2004. An "Influenza Bulletin" prepared by the Primary Health Care General Directorate has been regularly sent to provinces.

"The National Pandemic Preparation Plan" was initiated in July 2005. Nearly 60 experts from universities and Training and Investigation Hospitals took part in preparing this plan. A few weeks later, a symposium on the Avian Influenza took place in cooperation with MARA, which included carrying out a practical case. In October 2005, the studies initiated for the National Pandemic Preparation Plan were completed and sent to the World Health Organization.

The Avian Influenza was first seen in Turkey in October 2005 in Kızıksa, Manyas, and Balıkesir Provinces in the Northwestern part of the country. This first outbreak led to local population training in Kızıksa Province by a group of experts from the Primary Health Care Services General Directorate. Information and training programmes were organised for the local population. Preventive medicines were given to people who had been in contact with either diseased or dead animals.

The Ministry of Health (MOH) ordered 1 million boxes of Oseltamivir (Tamiflu®) from Roche, the only producer of the medicine, within the scope of the National Pandemic Plan. Brochures were sent to all provinces via a circular letter dated 25 October 2005 under the name "The procedures and Principles to be followed in case of Avian Influenza". 60,000 health personnel getting in contact with patients were vaccinated, as well as the personnel working in poultryies.

On 27 December 2005, MARA announced that Avian Influenza was seen in Aralık Province. A group of experts was immediately sent to the region by the Ministry. Investigations were expanded in Erzurum upon the notification that there were some suspected winged animal deaths in Erzurum Province Horasan District.

On 31 December 2005, 4 people from the same family between the ages of 4 and 15 were referred to Van Yüzüncü Yıl University and hospitalized due to high fever, respiration insufficiency, leucopenia and severe pneumonia picture. Apparently, the family had eaten 2 dead chickens slaughtered by the children. Avian Influenza virus was finally detected in lung samples of the patients, which was confirmed by further checking at the WHO reference laboratory in London. These 4 people and 2 additional ones died.

The case was immediately notified to WHO and a public announcement was made via press conference. A Crisis Coordination Centre was set up within MARA, and notification activities via press were accelerated. A group of experts from WHO, European Commission and CDC went to Turkey to handle first negotiations with the Avian Influenza Scientific Board of the Ministry of Health. All measures taken were carefully reviewed by MARA.

Additional cases were detected in January 2006 in other provinces, adding up to a total number of 21 human cases. No other case was reported after that.

New outbreaks in birds continued to be reported across the country. Poultry outbreaks of highly pathogenic H5N1 avian influenza have been confirmed in 12 of the country's 81 provinces by mid-January. Outbreaks in additional 19 provinces were under investigation.

Foreign experts from WHO, America and Europe CDC, FAO, OIE, the Avian Influenza Scientific Consultation Committee members and MARA representatives met under the directorship of the Under secretary of the Ministry of Health. Case definitions, preventive measures, surveillance and treatment protocols with regard to the Avian Influenza were reviewed.

An information and education meeting with the participation of governors, health directors, agriculture and internal affairs directors of 81 provinces and 2 physicians from every province took place on 20 - 21 January 2006. Avoidance of high-risk behaviours remains the most important way for local populations to protect themselves from infection.

Conclusion

The first outbreak of October 2005 was attributed to contaminated domestic poultry and migratory waterfowl.

The second outbreak in December confirmed reports of human infection with Avian Influenza. It is thought to have occurred following introduction of the virus by man. The region is known to lie along migratory routes.

It was acknowledged by WHO authorities that Turkey treated the matter early, behaved transparently, notified early and maintained any kind of cooperation.

WHO stated that the testing quality of the reference laboratory (RSHCD) in Turkey was high, and there were no proof of transmission among human beings.

However that highlighted the weaknesses of the state of preparation of Turkey for such a major crisis, and a lack of coordination between the two outbreaks.

The goodwill demonstrated by Turkish authorities in openly cooperating with international bodies took them through an extremely valuable learning process. The experience gained allows to conclude that they are now much better prepared to manage a future crisis and communicate the risks and consequences better and quicker.

3. Status of preparation of Turkey (based on the *acquis communautaire*) in the area of food safety (i.e. avian flu, food hygiene, and feed hygiene) and forthcoming challenges

Food safety, including veterinary and phytosanitary policy, are covered in Chapter 12 of the *acquis*. Turkey is making progress in the area of food safety, veterinary and phytosanitary policy although preparations in this area are still at an early stage. A number of laws do already exist, which already implement part of the *acquis* into Turkish food law. Food labelling and trade of fruit and vegetables are good examples. Further details can be found in Annex 1.

In its 2005 Report, the Commission stipulates that “Turkey has shown limited progress in transposition and implementation of the food safety *acquis*. On the administrative capacity for control measures, the Ministry of Agriculture and Rural Affairs has substantially increased the number of food inspectors in 2005 and carried out regional training courses. Communiqués on wine, alcohols, milk and milk products have entered into force.”

The Turkish *Food Law n° 5179* of 2004 is the first attempt to transpose EU general food law as laid down in regulation 178/2002/EC. However, it is not in line with the EU *acquis* and needs to be reviewed in the framework of a new "food feed and veterinary package". The Law has transferred the competences of the Ministry of Health on food safety and control to MARA, the Ministry of Agriculture and Rural Affairs. However due to delays in the preparation of related implementing regulations, there has been a significant gap in official controls.

Four framework laws, respectively on general food law, animal health, food hygiene and plant health, are under preparation. Adoption is pending review and approval from the Turkish Parliament and debate is likely going to take place in October 2006. According to Commission's services - DG-SANCO – the draft proposals are aligned with the *acquis communautaire* if adopted as such. They have been prepared with the support of Germany via a “Twinning Project”. The adoption of these four key pillars of legislation will provide the necessary framework to implement the various existing EC directives and regulations.

Conclusion

Some progress has been made in specific parts of the veterinary, phytosanitary and food sectors. Nevertheless, transposition and implementation of the *acquis* in these fields require substantial efforts to achieve full compliance.

Certain implementing rules have been drafted in the veterinary area. However, as the legal basis has not yet been put in place, adoption has not yet taken place. A global package integrating modification of the food law, hygiene rules and veterinary framework law has to be adopted in order to achieve progress in this area.

In order to execute the tasks required under the *acquis*, it seems necessary to restructure and strengthen the Ministry of Agriculture and Rural Affairs. Special attention should be paid to reinforce and upgrade the control systems. Food processing establishments should be improved with regard to technical and hygienic conditions. A series of recommendations of sectors or areas are to be discussed with the Turkish authorities (i.e. Avian flu, food labelling).

4. A non-exhaustive list of issues and questions which can be debated with the Turkish Authorities

- Presentation of the relations between the national competent authority and the local authorities; is it valid for all industry sectors?
- Description of the national hierarchy of norms – Relations between: Law (Parliament); Decision of the government; of the Minister; of the Administration; Criteria for the repartition of competences?
- Adoption of legislation in compliance with EU legislation:
 - State of play as regards preparation of Framework Law(s) - Analysis of national legislation in comparison with EU legislation (tables of correspondence)?
 - Strategy for the preparation of secondary legislation – Time table: General time table or a different one for each sector?
 - Setting up of the RASFF system (Rapid Alert System for Food and Feed)? State of play.
- Control system in the internal market on live animals and animal products
 - How are the controls at the place of origin being organised (registration, market, etc)? What is the national administrative capacity?
 - What is the state of play in Turkey – Organisation - Is there a “Veterinary Information system”?
 - Safeguard measures: is there a similar regime as the one from the EU?
- Control system for imports of live animals and animal products
 - What is the present regime?
 - What is the strategy for the future? If possible provide timetable?
 - How are illegal movements at the land borders controlled?
 - Safeguard measures: is there a similar regime as the one from the EU?
 - Identification and registration of animals and registration of their movements
- Control measures for animal diseases (foot and mouth, Avian flu, swine fever, blue tongue, fish diseases, TSE, zoonoses, other diseases)
 - Evolution of the situation in Turkey, specific problems

- Regime of test? Surveillance programmes?
- Implications for intra community trade in live animals?
- Notification of diseases, participation of turkey to the EU system?
- Measures in case of outbreak, measures planned for education and information
- Application of similar rules as the ones of the EU?
- Future strategy
- Import requirements for live animals and animal products
 - Consequences of the application of EU rules for the present trends of trade?
- Prohibition of substances and control of residues:
 - Specific problems? Strategy, time table for the future?
 - Situation with respect to adequate laboratory network with the capability to perform necessary analysis? Plan or national programme to upgrade?
- Placing on the market of food and feed
 - EU structural requirements for establishments: two categories (approved establishments and registered establishments)
 - Approved establishments for meat, fish and dairy, animal by-products, warehouses, etc.: for each sector, how many establishments do comply with the EU structural requirements and how many do not? Is there a national programme for the upgrading of non-compliant establishments?
 - Registered establishments: what is the situation? Specific problems? Specific cases? Situation of the milk farms (Raw milk sector)?
 - Microbiological criteria:
 - General situation for foodstuffs
 - Case of raw milk and milk products. What is the percentage of raw milk in compliance with EU rules? Are there regional differences? Or differences according to the size of the farms? Is there a national programme as regards the quality of milk (raw milk, milk products)?
 - Control rules:

- Use of HACCP⁶ in Turkey? State of play? Specific problems?
- Official controls: Situation in Turkey? Specific problems? Import controls for products of non animal origin?
- Food safety, Horizontal Issues
 - Presentation of the organisation and division of competences in the field of food safety; how is the field of food safety organised?
 - Which authorities are responsible for the transposition and implementation of the EC food safety acquis?
 - Which areas of official controls are already implemented in the food safety acquis
 - What is the current status on the state of transposition and preparedness of the food safety acquis?
- General Food Law
 - Traceability: is a traceability system in place at all steps of the food chain (from agricultural production to retail distribution)?
 - Withdrawal, Recall and Notification: how do operators inform competent authorities? Are there procedures in place? Is there any obligation to notify a withdrawal to competent authorities? Is the public informed in case of recall?
- Other issues: contaminants/Import control procedures for food of plant origin, food contact material
- Specific rules for animal nutrition

⁶ HACCP stands for Hazard Analysis and Critical Control Points

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