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The Comparison of EU and Turkey Concerning Legal Regulations Imposed on Organic Agriculture

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1. Introduction

The fast growing world population and the uncontrolled advancement in industry and agriculture have brought on many problems concerning the human health and environment. Among these problems, the most crucial one is the increasing use of many different chemicals in agriculture. This application has improved soil fertility but the consequence of mixing the sentetical mineral manure in underground waters has had negative effects, the main one being the contamination of the drinking waters which began causing a threat to human health.

Apart from this, in developed countries, high revenue groups of people and the conscious consumers have started to demand natural and nature protecting products. To fulfill this demand, some countries which produce and export agricultural products, started to produce and trade organic products. And it is possible to say that the importance of organic farming has increased. For the developing countries, the demand for organic products has created new export opportunities. In comparison to conventional products, organic products incur high production costs and have a high selling price. More over, the transition to organic farming requires time, and necessity of certification in organic production.

2. Progress Around the World

The most important effects of globalization are the increase of world trade capacity, and the advancement of many international companies. Meanwhile these effects had an influence in the agricultural, food and technological sectors. At the end of the Uruguay Round meetings, the agreements were accepted and put into practice in 1995. The integration of the agricultural sector to global economy has been improved and the trade system regarding agricultural product regulations have been organised through legislation: the practices of technical obstacles and health preventions have taken on new regulations.

Nowadays, there is generally no difference between trade rules of organic products, conventional products and biotechnological products.

The rules which are applied for organic products are not only concerned about the WTO but also about many different international organisations. In order to control the main food security, it is necessary to practice the general standards given by "CODEX Allimentarius Com-mision" which has been established for this aim by the United Nations Food and Agriculture Organisation (FAO) and by the World Health Organisation (WHO).

This commission is constituted for practicing programmes about the basic food standards for both organic and biotechnological products.

Other international organisations concerned with organic agriculture:

- United Nations Industry Development Organisation (UNIDO),
- United Nations Food and Agriculture Organisation (FAO),
- World Health Organisation (WHO),
- International Genetic Engineering and Biotechnology Center (ICGEB),
- Economical Co-operation and Development Organisation (OECD),
- United Nations Environment Programme (UNEP),
- Biological Sorting Agreement (CBD),
- International Animal Illness Office (OIE),
- International Organic Agriculture Movements Federation (IFOAM).

3. Progress of Organic Agriculture in Turkey

The basics of the organic agriculture have been determined by Turkish regulations. The production period has been controlled independently by certification bodies. Growing consumer consciousness, increase in demand and a fast growing market share of organic products around the world, has provided the nation with the opportunity to export organic products.

The organic agriculture concept was introduced 15 years ago in Turkey. And the legal regulations were started by the Agricultural and Village Affairs Ministry in 1992. The Ecologic Agriculture Organisation (ETO) was established in 1998 in Izmir.

Organic products are mostly exported. The most important markets where organic products exported to are the European Union and United States of America. These products have provided important trade opportunities in foreign trade for Turkey.

4. Legalization of Organic Agriculture in Turkey

Contrary to Europe and other countries, the ecological agriculture activities in Turkey has started to fulfil the demands of the importer firms. In earlier times, due to the lack of regulation for organic agriculture in Turkey, the production and the exporting activities took on the importer countries' regulations.

The EU regulation 2092/91 was published on the 14th of January 1992. In the 94/92 numbered addition of the regulation, the exporting obligations of the third countries to EU concerning organic products have been stated. These countries were obliged to form a file which contains the regulations for organic agriculture and to put these regulations into practice.

To integrate all of these improvements in European Union, The Ministry of Agriculture and Rural Affairs began the preparation for the regulations by co-operating with different institutions and establishments. "The regulation for plant and animal products using ecological production methods" was published in a formal newspaper dated 24 December 1994, volume 22145.

This regulation was needed for domestic exporting and consumption purposes. Later on, some of the regulations were changed to solve the problems farmers incurred while practicing them. The corrective text was published in a formal newspaper on the 29th June 1995, volume 22328. There are some other organisations which continue providing certain activities and services for organic agriculture in Turkey. These include:

- Ecological Agricultural National Directing Committee
- Ecological Agriculture Committee
- Ecological Agriculture Organisation Association

The Ecological Agricultural National Directing Committee consists of these groups:

- The directorship of The Ministry of Agriculture and Rural Affairs-Investigation Planning and Coordination Group (APK),
- Prime Ministry State Planning Organisation,
- Foreign Trade Councelarship, Environment Ministry,
- Health Ministry,
- Industry and Trade Ministry,
- Improvement of Export Study Center (İGEME),
- The Union of Exporters,
- The Union of Agricultural Chambers and
- The Ecologic Agricultural Organisation Association Representatives.

The Ecological Agriculture Committee (ETK), consists of these groups:

- Directorship of The Ecological Agricultural Committee (ETK) is The Ministry of Agriculture and Rural Affairs-APK Committee Planning and Project Office Directorship.
- Agricultural Production Supporting General Directorship. (two representatives)
- Protecting and Control General Directorship. (two representatives)
- Agricultural Investigations General Directorship. (one representative)
- Organisational and Supporting General Directorship. (one representative)
- Foreign Relations and European Community Coordination Office Directorship. (two representatives).

This committee is responsible for the country's ecological agricultural activities and their controllings.

The *Ecological Agricultural Organisation Association* (ETO) has been founded to conduct studies which are necessary for the improvement of organic agriculture. The private and formal institutions which are interested in organic farming must be members of this organisation.

4.1 Regulation concerning organic agriculture in Turkey

This regulation regards the vegetal and animal products as well as production, processing, storing, marketing, technical and managing methods in Turkey. The regulation consists of five parts, forty items and six additional.

The first part is about, the content, the aim, the base and the definitions of organic agriculture and process. "The Ministry, The Ecological Agriculture National Directing Committee, The Ecological Agriculture Committee, The Ecological Agriculture Organisation Association, control and certification bodies, labelling, producing, marketing, enterprising, contents, plant protect-

ing, ecological agriculture, ecologic product” and some other concepts are explained in this part.

The second part contends with the ecological production and rules of vegetal producing, storing and processing of the ecologic products, and animal husbandry.

The third part explains the control and certification system. This part also explains the mission and responsibilities of the Ecological Agriculture Committee (ETK). Briefly, in this part the connections of the enterprising, certification body and the ministry have been organized.

The fourth part talks about the labelling of the organic products.

In the fifth part there are some verdicts which have been reached by the Ministry of Agriculture. In this regulation there are 6 additional parts:

Additional 1 generally explains the ecological product principals.

There is a list of plant protecting preparations which allow for the use of fertilizer or soil fertilizers in additional 2.

Additional 3 is about important aspects of managing the farm and keeping records about the process.

Additional 4 refers to that which information should be reported to the related authority.

Additional 5 states that the same language should be used both in the labelling and controlling process.

Additional 6 is about the list of materials which are used for the processing of organic products.

5. Regulation Regarding Organic Agriculture in the European Union

The European Council’s regulation “The Ecological Agriculture and the Ecological Product and Food Items Labelling” numbered (EWG) Nr: 2092/91 (EEC) No: 2092/91 was put into practice in 22.07.1991. The most important addition in this regulation concerns the parts of animal husbandry and beekeeping. This regulation is accepted as a national law in all member countries.

The regulation also explains the certification policy of the Community which is prepared in the EU Commission.

The related organisations’ instructions have been used in the determination of the regulation for organic agriculture.

The EU Regulation contains 11 parts:

- The practising areas
- The concepts
- The labelling
- The production methods
- The control system
- The declaration of the control system period according to the determined rules
- The general actions of practicing

- Import from the third world countries
- Free circulation of goods in the Community
- Managerial rules and practice
- The additional

The regulations concerning the practicing areas refer to the lands which will be used for organic agriculture.

The concepts state the explanation of how to write the word “ecologic” which must be written on the products.

The production methods explain how to produce the organic product.

The control system establishes the controlling system in all the member countries. Because of this additional, member countries have to be prepared and the farms must be controlled.

The appropriateness of the controlling period according to the determined rules explains how to form the sign that shows the appropriateness of the product in each step of the organic production process.

“Other general precautions of the practice” is the part which shows what should be done to a member country in the position of acting against the regulations.

The “import from the third world countries” regulation depicts the rules which the third world countries should obey when they want to export organic goods to the EU.

The free circulation of goods in community is the part which contains the rules about importing and exporting organic products among the member countries.

The managerial rules and practice illustrate the general rules that should be obeyed by the members. The member countries give the reports about ecologic agricultural information to the commission.

In the regulation of the European Union, the main principals about the organic agriculture and the rules which must be obeyed have been declared in the additional parts.

Additional 1 mentions the basic principles of practicing organic farming.

Additional 2 contains the list of permitted fertilizers, plant protecting chemicals and anything concerning animal husbandry.

Additional 3 is about the control and the controlling process.

Additional 4 contains the information about production and processing organic products which should be sent to the related organisations.

Additional 5 shows the translations of words which express shows that the product is appropriate for the controlling process.

Additional 6 contains the list of additives which can be used in organic products.

Additional 7 refers to the number of animals allowed to live in a farm.

Additional 8 refers to the minimum number of animals allowed to live in a barn.

6. Comparison of the Legal Regulations

There are a lot of similarities in structure and content concerning the regulations between the EU and Turkey. The Turkish regulation has been planned not only for the integration to the common agricultural policy in the EU but also to organize the progress of organic agriculture in Turkey.

The Turkish regulation is a partial translation of the European Union's regulation so there are many insufficiencies.

Although the EU regulation can integrate the changing conditions easily, such types of integrations cannot be seen in the Turkish regulation.

The Turkish regulation was changed on the 29th of June, 1995 but there are also some deficiencies in this regulation.

When we examine both the regulations, there is some similar information about organic agricultural processes.

Despite the regulation which is being used in Turkey, there is no information about production of medical herbs, the aquatic products, the green house production the organic mushroom effect etc. More over there are other insufficiencies about animal husbandry.

However, the regulation which belongs to the European Union is very complicated and difficult to understand. It consists of detailed information about labelling, packaging, storing, managing, transportation and marketing areas. Moreover, the logos which have to be used on the organic products contain colours, contents and fonts.

Despite the regulations' deficiencies, it is really effective for private sector firms. Apart from this, as it is mentioned in ETK regulations, funding is provided to keep ecologic agricultural records in one place.

There are some comments about protecting the consumer rights in EU regulation but there isn't any expression about this aspect in Turkish regulation.

The insufficiency of Turkish regulation is obvious. For this reason, a sketch regulation has been prepared by the related organisations. The sketch regulation will solve most of the existing problems. Also, it will accelerate the process of integration of CAP.

7. Conclusion and Recommendations

Organic agriculture is fairly recent in Turkey and it is an environmental friendly type production.

The majority of the production is exported so it provides foreign exchange to the country. The number of the production areas and the kinds of products increase year by year.

There are some deficiencies in the Turkish regulation. To correct these deficiencies a sketch regulation has been prepared. These regulations must be put into practice urgently.

A study to protect consumer rights has to be conducted in Turkey.

Moreover promotion studies have to be conducted to increase organic product consumption in Turkey.

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