

BİRLEŞİK

C u s t o m s

Customs Legislation

Bulletin



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BİRLEŞİK CUSTOMS LEGISLATION TEAM



MARCH

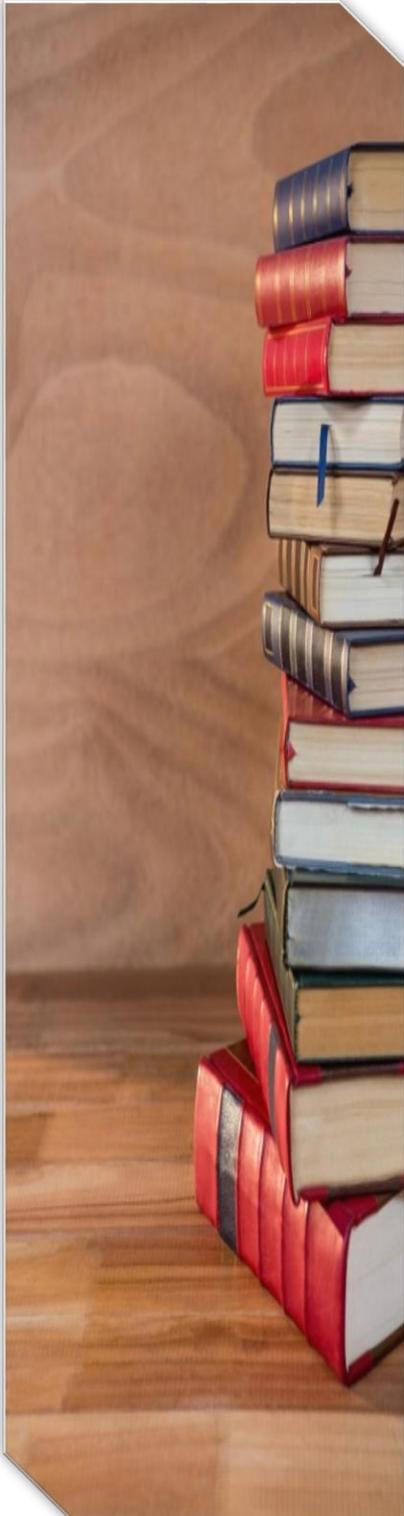
2022

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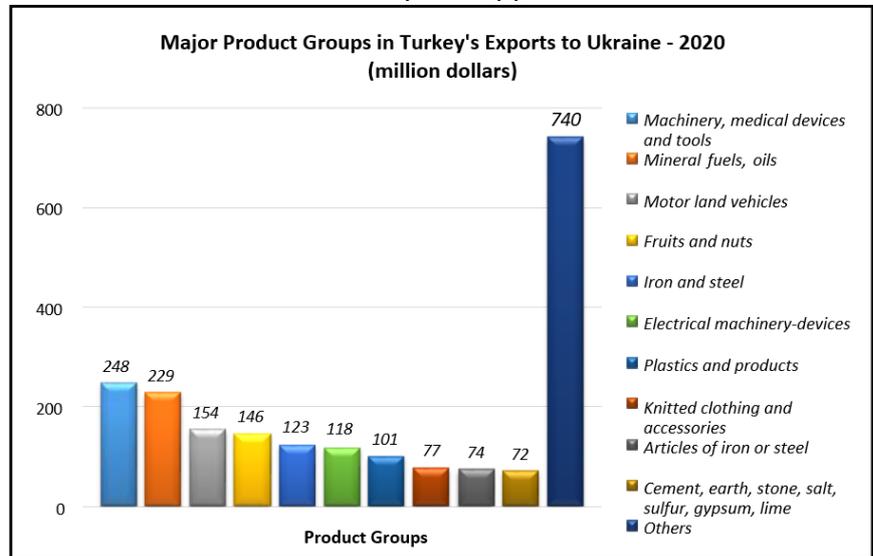


RUSSIA-UKRAINE WAR FROM THE POINT OF EXPORTS

Ukraine is the country with the largest area of 603,548 km² in Europe. Its war with Russia has passed its thirtieth day. In this article, it is aimed to examine the effects of the war, which is not clear how long it will last, only from the point of the foreign trade exports.

Let's start by examining the products that our country exports the most to Ukraine.

Such as machines, mechanical devices, motor vehicles, fruits and nuts, iron and steel, electrical machinery and appliances.



Source: Trademap

FRESH FRUITS, VEGETABLES, NUTS

The war has had a significant negative impact on our age-related fruit and vegetable exporters.

Our other negatively affected product is hazelnuts;

Between 1 January and 3 March this year, Turkey's hazelnut exports to Ukraine decreased by 28 percent, and hazelnut exports to Russia decreased by 37 percent.

SOFTWARE

An important sector was Turkish software companies providing software services to Europe through Ukraine. When we look at export revenues, it is among the top 10 export markets of the Turkish software industry.

LOGISTICS

The Sea of Azov is an inland sea between Russia and Ukraine, located northeast of the Black Sea and connected to the Black Sea by the Kerch Strait. There have been logistical problems since it was closed for security reasons. On the other hand, increasing fuel and insurance costs in flights due to the restriction of airspace also increase the cost of air transportation. It has become possible to make reservations only for foodstuffs, medical and humanitarian supplies. As for the highway, due to the density at the Turkish border crossing through Georgia to the Caucasian countries, there have been weeks of waiting at the border gate of Turkey, which opens to the Caucasus countries via **Georgia**, due to the density.

CONCLUSION

At the current stage, it is expected that storage and logistics costs will increase with the continuation of supply chain restrictions. Therefore, it is necessary to find different alternatives and routes. As the balances of international trade change, it is necessary to perceive the change correctly and see the opportunities. Countries that impose an embargo on Russia cannot export directly. Turkey can evaluate its geopolitical position within the scope of transit trade.



Similarly, when we interpret the meaning of the word 'crisis' in Chinese as consisting of components that prioritize the meanings of 'danger' and 'opportunity' in Chinese, it is thought that the People's Republic of China will take advantage of the opportunity to address the supply problem of Central Asian countries. E-Source: <https://www.bloomberght.com/savas-ukraynaya-yazilim-ihracatini-da-vurdu-2301299>
<https://www.ihkib.org.tr/fp-icerik/ia/d/2019/05/07/ukrayna-2019-1-donem-ulke-raporu-201905071331520883-AB006.pdf>

01/03/2022

Letter of the Directorate General of Customs dated 01.03.2022 and numbered 72407041 (Tunisia-MEDOS Wet Signature)

A letter has been published that the customs visa box of EUR.1/EUR.MED Movement Documents **issued for Tunisia** should be signed by the relevant customs officers until a second instruction.

01/03/2022

Letter of the Directorate General of Customs dated 01.03.2022 and numbered 72430753 (Approval Decision - Alcoholic Beverage Manufacturers and Importers Association)

A letter was published about the cancellation of paragraph 559/3 of the Customs Regulation on the process of not allowing the transit of alcoholic beverages in the warehouse outside the sales stores.

(3) *The Ministry is authorized to impose restrictions on the customs-approved operation or use to which the goods placed in warehouses may be subjected*



03/03/2022

Decision on the Principles to be Applied in the Import of Agricultural Products from Ukraine (Decision Number: 5251)

Official certificates and documents that must be submitted to the Ministry of Agriculture and Forestry within the scope of the Veterinary Services, Plant Health, Food and Feed Law No. 5996, are not required in official controls in the import or transit trade of agricultural products loaded from Ukraine until it is re-regulated by the competent authorities of the country in question.

04/03/2022

Communiqué Amending the Communiqué (Exports: 2022/1) on the Export of Certain Agricultural Products (Exports: 2022/2)

With the amendment made in the Communiqué on the Export of Certain Agricultural Products numbered 2022/1; meat of cattle, Sheep and goat meat, Offal, Peas, Rice, Wheat flour, Corn flour, Wheat semolina, Corn semolina, Ashure wheat, Soybean oil and its fractions, Sunflower seed, safflower or cottonseed oil and their fractions, rape, rapeseed and mustard oil and, Corn oil and their fractions, Margarine, Bulgur and Mixed feeds were added. to the list of agricultural products to which the Ministry of Agriculture and Forestry is authorized to regulate exports.



04/03/2022

Decision on the Amendment to the Import Regime Decision (Decision Number: 5253)

With the amendment made in the list I attached to the Import Regime Decision; customs duty will be applied as 0 percent for the import of some vegetable oils (soybean oil, palm oil, sunflower seed or safflower oils, rapeseed and mustard oil, corn oil) and rape and colza seeds until 30 June 2022 (including this date).

04/03/2022

Letter of the Directorate General of Customs dated 04.03.2022 and numbered 72486352 (Determination of SCT Base)

A letter has been published stating that the warehouse service fee before the import should be included in the SCT tax base at the time of import, whether it is exempt from VAT or not.

06/03/2022

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/8)

As a result of the final review investigation opened for the importation of Indian origin polyethylene terephthalate (PET) films to Turkey, it has been decided that the compensatory tax that is being applied will be applied exactly to the companies whose names are stated in the Communiqué, and that it will continue at 11.61% for the Others (As a Percentage of Customs Value).

07/03/2022

Letter of the Directorate General of Customs dated 07.03.2022 and numbered 72576849

A letter has been published about the Export of Imported Mobile Phones. The letter of conformity states: "According to the declared IMEI information, based on the GSMA data, it is regulated by checking the consistency of the IMEI numbers of the devices with the brand and model information, as well as the lost, stolen, changed IMEI information, and the compliance with the relevant provisions of the Regulation on the Registration of Devices with Electronic Identity Information."



08/03/2022

Decision of the Council of State's Council of Administrative Law Chambers E: 2016/2991, K: 2018/5551

The decision on the cancellation of clause 559/3 of the Customs Regulation (The Ministry is authorized to impose restrictions on the customs-approved operation or use to which goods placed in warehouses may be subjected.) has been published.

08/03/2022

Decision of the Council of State's Council of Administrative Law Chambers K:2021/2681 and E:2021/896 (About the cancellation of the 559/3rd paragraph of the Customs Regulation)

The decision on the cancellation of clause 559/3 of the Customs Regulation (The Ministry is authorized to impose restrictions on the customs-approved operation or use to which goods placed in warehouses may be subjected.) has been published.

09/03/2022

Letter of the Directorate General of International Agreements and European Union dated 09.03.2022 and numbered 72700264 (Chinese Information Requests)

A letter has been published about the form to be used in order to meet the control information requests from the People's Republic of China and the points to be considered.

10/03/2022

Letter of the Directorate General of Customs dated 10.03.2022 and numbered 72703475 (On Customs Procedures of Food Products)

A letter has been published about the urgent customs clearance of food products shipped from Russia and Ukraine.



10/03/2022

Letter of the Directorate General of Customs dated 04.03.2022 and numbered 72610756 (Status of Authorized Economic Operator AEO Questionnaire V3.3.1)

Status of Authorized Economic Operator AEO Questionnaire V3.3.1 has been published on the website of the Ministry of Trade.

10/03/2022

Letter of the Directorate General of International Agreements and European Union dated 15.02.2022 and numbered 71950796 (About performing the South Korean origin declaration control in case of doubt and necessity)

A letter has been published about the examination of the issue of whether the declarations of origin submitted for goods originating from South Korea are made by an exporter established in South Korea with particular attention by the customs administrations and the subsequent control in case of doubt and necessity.

10/03/2022

Circular No: 2022/4 (About Delivery of Returned Goods with Guarantee)

Without waiting for the answer of the investigation made before the tax office and relevant institutions on whether VAT and SCT refunds or exceptions and other rights and benefits related to the export of these goods are utilized for the returned goods, a letter has been published about the actions to be taken if the goods are requested to be received by securing the amount corresponding to them.

11/03/2022

Communiqué Amending the Communiqué (Communiqué No: Export 2006/7) on the Goods Subject to Registered Export (Export 2022/3)

For veneer (including those obtained by slicing laminated wood), for plywood or similar laminated wood and leaves for other trees, saw lengthwise, sliced or opened into leaves, of which thickness not exceeding 6 mm (HS Code: 44.08) were added to the List of Goods Subject to Registered Export included in the annex of Communiqué No. 2006/7 on Goods Subject to Registered Export.



12/03/2022

Decision on Determining the Effective Dates of Certain Agreements (Decision Number: 5291)

Decision on the Determining the Effective Dates of Certain Agreements (Decision on the Approval of the Free Trade Agreement between the Republic of Turkey and the EFTA States and the Agricultural Agreement between the Republic of Turkey and the Swiss Confederation)

14/03/2022

Letter of the Directorate General of Customs dated 14.03.2022 and numbered 72789924 (goods that are not allowed to be transported from warehouses to abroad under transit regime)

A letter has been published about the cancellation of 72700509 and 72769729 approvals for the goods that are not allowed to be transported from warehouses under the transit regime.

15/03/2022

Decision on the Amendment of the Decision on the Implementation of Some Articles of the Customs Law No. 4458 (Decision Number: 5303)

With the amendment made to the Decision on the Implementation of Some Articles of the Customs Law No. 4458: The fixed customs duty to be collected from non-EU countries by mail or cargo, which does not have a commercial quantity and nature and whose value does not exceed EUR 150, has been increased from 20 percent to 30 percent. A single and fixed tax will be charged for drug shipments not exceeding EUR 1,500. Biological materials sent from abroad to our country for medical examination will also be considered within the scope of exemption if they are sent on behalf of medical laboratories and genetic centers licensed by the Ministry of Health. Motor transport vehicles put into free circulation within the scope of national defense and internal security cannot be sold without collecting customs taxes, unless ten years have passed from the date of registration of the declaration, and after ten years, customs duties will not be required on the sale of these vehicles (Effectiveness; 1/5/2022)



16/03/2022

Letter of the Directorate General of Customs dated 16.03.2022 and numbered 72833749 (Egypt - ACID System)

A letter has been published about the Advanced Cargo Information (ACI-ACID) (Preliminary Shipment Information) system developed for the registration of export shipments to Egypt.

17/03/2022

Letter of the Ministry of Trade, Directorate General of Product Safety and Inspection, dated 17.03.2022 and numbered 72875616 (Communiqué on Product Safety and Inspection No. 2022/25, Import Inspection)

A letter has been published stating that brake pads are subject to inspection within the scope of the Communiqué on Import Inspection of Vehicle Parts No. 2022/25, regarding whether the components and parts of brake pads with HS Codes 8708.30.91.00.11, 8708.30.91.00.19 and 8708.30.99.00.11 are subject to inspection or not, and the need to apply for these products via TAREKS.

17/03/2022

Letter of Erenköy Customs Directorate dated 17.03.2022 and numbered 72920959 (On Returned Goods)

Regarding the returned goods; A letter has been published that there is no instruction not to deliver the goods, even if a guarantee is taken in the Order of the Directorate numbered 2022/46, and about the delivery of the goods, in case a guarantee has been entered in the system, in case the delivery of the goods is requested by guaranteeing the VAT and SCT refund or exemption for the export of the returned goods, and the amount corresponding to other rights and benefits.

18/03/2022

Letter of the Directorate General of Customs dated 18.03.2022 and numbered 72935719 (Ukraine Bilateral and Transit Pass Documents)

A letter has been published stating that transit documents should not be sought for a temporary period in bilateral or transit transportation made by vehicles with Ukrainian license plates.



18/03/2022

Letter of the Directorate General of Customs dated 18.03.2022 and numbered 72934799 (Roadworthiness Certificates of Ukrainian Vehicles)

A letter has been published on the acceptance of the expired Roadworthiness Certificates of Ukrainian vehicles until 30 June 2022.

19/03/2022

Circular No: 2022/5 (TPS-Ministry of Agriculture and Forestry-Out of Scope Text)

The Out of Scope Text regulated in accordance with the Communiqué on Import Inspection of Products Subject to the Control of the Ministry of Agriculture and Forestry has been taken to Single Window System.

22/03/2022

Letter of the Directorate General of Customs dated 22.03.2022 and numbered 73083156 (Tunisia - Manual EUR.1/EUR.MED Movement Certificate)

A letter has been published about the fact that EUR.1/EUR.MED Movement Certificates to be used in exports to Tunisia are not prepared in electronic environment (MEDOS) until a second notification and the said documents are prepared manually.

22/03/2022

Letter of the Directorate General of Customs dated 22.03.2022 and numbered 73039593 (TPS-Ministry of Agriculture and Forestry-Out of Scope Letter)

A letter about the circular numbered 2022/5 on TPS-Ministry of Agriculture and Forestry-Out of Scope Letter has been published.



24/03/2022

Letter of East Marmara Regional Directorate of Customs and Foreign Trade dated 24.03.2022 and numbered 73123676 (AEO Monitoring Applications)

A letter has been published about the method by which companies that will apply for on-site monitoring and inspection activities will make the said applications.

24/03/2022

Ruling of the Revenue Administration dated 24.03.2022 and numbered E-76264044-135[52-1-756]-40751 (Change of HS Code for cameras covered by the SCT (IV) list)

A letter has been published about the fact that taxation will continue within the scope of the list (IV) attached to the SCT Law although it is included in different HS codes in the Turkish Customs Tariff Schedule in 2022 due to the correlation in the cameras within the scope of the SCT (IV) list.

26/03/2022

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/11)

The dumping investigation initiated against the import of low-density polyethylene, classified under HS code 3901.10.90.00.11 in Communiqué on the Prevention of Unfair Competition in Imports 2020/22 originating from Saudi Arabia, was closed without precaution.

26/03/2022

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/10)

A final review investigation has been opened for the import of photovoltaic cells (Solar Panels) that have been assembled into a module or arranged on boards. registered under HS Code 8541.43.00.00.00 originating from the People's Republic of China.



28/03/2022

Letter of the Directorate General of Customs dated 28.03.2022 and numbered 73216421 (NCTS Stamp Duty)

In order to ensure the electronic accrual and collection of stamp duties accrued for transit declarations registered in the NCTS system, a letter has been published about the creation of options for stamp tax during the creation of the transit declaration and that these regulations will be put into effect on 11/04/2022.

29/03/2022

Decision on the Amendment of the Decision Regarding the Determination of Value Added Tax Rates to be Applied to Goods and Services (Decision Number: 5359)

With the amendment made to the Decision on Determination of Value Added Tax Rates to be Applied to Goods and Services; the VAT rate for products such as detergents, soap, toilet paper, paper towels, napkins, toothpaste, toothbrushes and dental floss was reduced from 18 percent to 8 percent; the VAT rate for food and beverage services was determined as 8 percent. The VAT rate for yachts, boats, boats and cruise ships was increased to 18 percent. The VAT rate for all seeds and saplings certified by the Ministry of Agriculture and Forestry was determined as 1 percent. Milking machines and machines and devices used in dairy, milk cooling tanks and machines and devices for separating eggs, fruits or other agricultural products according to their weight or size were included under the scope of agricultural machinery with an 8 percent VAT rate based on tariffs and HS Codes. The list of medical devices for which 8 percent VAT is applied based on tariff and GTIP has been expanded to include all medical devices subject to the provisions of the Medical Device Regulation and the In Vitro Diagnostic Medical Device Regulation. The VAT rate was determined as 8 percent for the first 150 square meters of residences larger than 150 square meters, and 18 percent for the portion exceeding this number.

29/03/2022

Customs General Communiqué (Customs Tariff Schedule) (Serial No: 4)

The Customs Tariff Schedule Prospectus prepared on the basis of the Harmonized System Nomenclature Prospectus prepared by the Harmonized System Committee of the World Customs Organization.

30/03/2022

Communiqué on the Prevention of Unfair Competition in Imports (No: 2022/9)

A final review investigation has been opened for the product defined as phthalic anhydride, originating from the Republic of Korea, under HS Code 2917.35.0.00.00.



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