

## Regulation on Market Surveillance and Inspection of Products Offered to the Market Through Remote Communication Tools and Its Implementation Guide Published

### A. Introduction

Within the scope of Law No. 7223 on Product Safety and Technical Regulations, which entered into force on March 12, 2021, special regulations were deemed necessary for the market surveillance and inspection of products offered to the market through e-commerce. In this context, the Regulation on Market Surveillance and Inspection of Products Offered to the Market Through Remote Communication Tools (“**Regulation**”), prepared by the Ministry of Trade (“**Ministry**”), was published in the Official Gazette dated October 30, 2024 and numbered 32707, and entered into force on April 1, 2025.

To ensure the effective implementation of the Regulation, the “Implementation Guide for the Regulation on Market Surveillance and Inspection of Products Offered to the Market Through Remote Communication Tools” (“**Guide**”) was published by the Ministry on March 27, 2025 and subsequently updated on May 16, 2025.

You can access the full text of the Regulation [here](#), and the latest version of the Guide [here](#).

### B. Scope and Purpose of the Regulation

The Regulation sets out the conditions for making available on the market or placing on the market products offered through remote communication tools, sales listings, the obligations of economic operators who place these products on the market or make them available on the market, as well as various service providers. It also defines the duties,

powers, and responsibilities of the competent authorities that prepare technical regulations related to these products or conduct their inspection, along with the procedures and principles governing market surveillance and inspection activities to be carried out within this scope.

Without prejudice to the provisions of the specific legislation governing sales, advertising, and promotional activities carried out through remote communication tools, the Regulation covers all products that are placed on the market or made available on the market via remote communication tools.

In addition, the Regulation covers the supply chain from the first availability of a product on the market up to its delivery to the end user; however, it does not cover any transfer of the product whether for consideration or free of charge between end users.

### C. Key Provisions Highlighted in the Guide

The Guide has been prepared to facilitate compliance with the legislation for all actors within the e-commerce ecosystem primarily those operating in Türkiye and those offering products to the Turkish market from abroad. It provides a detailed explanation of the obligations related to import inspections, market surveillance, and product safety processes.

The Guide also elaborates on key procedural and regulatory requirements, including the obligation to have an economic operator established in Türkiye, the procedures for

import inspections and market surveillance, mandatory regulations applicable to products offered for sale via e-commerce, and the specific information that must be included in sales listings.

The key regulatory provisions highlighted in the Guide are outlined below:

## **1. Economic Operator Established in Türkiye**

Pursuant to Article 5, paragraph 4 of the Regulation, in order for a product falling within the scope of legislation<sup>1</sup> published by the Ministry to be made available on the market through remote communication tools, there must be an economic operator established in Türkiye. Otherwise, the product cannot be offered for sale to end users in Türkiye.

This provision aims to protect consumers against potential risks posed by products procured from abroad via remote communication tools, and to ensure that a responsible economic operator established in Türkiye can be identified and held accountable in cases of non-compliance related to the product.

In this context, the Guide provides a detailed explanation of who may act as an economic operator established in Türkiye, as well as how operators established outside Türkiye that target end users in the Turkish market are to designate an economic operator established in Türkiye.

## **2. Responsibilities of the Economic Operator Established in Türkiye**

The Guide sets out in detail the responsibilities of economic operators established in Türkiye regarding product safety and compliance. Within this scope, key obligations include the preparation and retention of the declaration of

conformity and technical documentation for the period specified in the legislation, notifying the competent authority of any non-compliant or risky products, and promptly taking necessary corrective actions.

In addition, information and documentation requested by the competent authorities must be provided in a timely manner. In cases of non-compliance, measures such as product recall or withdrawal from the market must be implemented in cooperation with the authorities. Failure to fulfill these obligations may result in administrative sanctions under Law No. 7223.

## **3. Market Surveillance Mechanisms and Import Inspections**

According to the Guide, during physical inspections, it will be checked whether the name and contact information of the economic operator established in Türkiye are present on the product, its packaging, or accompanying documentation. If such information is missing or in the event of another non-compliance, the release of the product into free circulation may be suspended. The Guide emphasizes that inspections should be risk-based and states that, in case of deficiencies, corrective measures may be required and administrative sanctions may be imposed.

## **4. Minimum Information Required in Sales Listings**

As stipulated in the Guide, regardless of the product category, every sales listing must include the seller's name, registered trade name, postal and email addresses, information about the manufacturer or importer, product-related warnings and safety information in Turkish,

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<sup>1</sup> You can access the current list of legislation [here](#).

conformity markings, and clear and complete product images and descriptions.

For products falling within the scope of the legislation referenced in Article 5, paragraph 4 of the Regulation, it is also required that information regarding the economic operator established in Türkiye be included in addition to the details.

## 5. Removal of Non-Compliant Content

Pursuant to Article 12, paragraph 1(b) of the Regulation, if a non-compliant product that has been placed on the market or made available on the market is promoted or sold online, the competent authority may request the removal of the content by notifying the intermediary service provider via email or other means of communication. This notification is made using information such as contact details, domain name, IP address, and similar sources available on the website. Upon delivery of the notification, a 24-hour period begins for the removal of the content.

If the content is not removed within this period, or if the same product is found to have been re-listed on the system after its removal, the competent authority shall decide to block access to the content and notify the Information and

Communication Technologies Authority for the enforcement of this decision. This provision applies equally in cases where the website is directly owned by the economic operator. Decisions regarding access blocking are implemented by restricting access to the relevant URL or through other similar technical means.

## D. Conclusion

The Regulation and the Guide impose obligations on market actors with the aim of enhancing compliance with legislation and ensuring consumer safety for products offered to the market through remote communication tools.

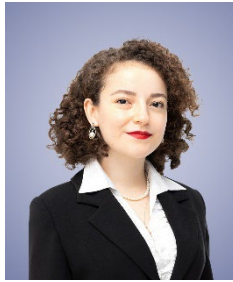
Given that non-compliance with these provisions may result in administrative sanctions under Law No. 7223 and the relevant secondary legislation, it is of utmost importance that all actors fully and timely comply with the applicable requirements.

For more information and support, you can contact us at [info@lbfpartners.com](mailto:info@lbfpartners.com).

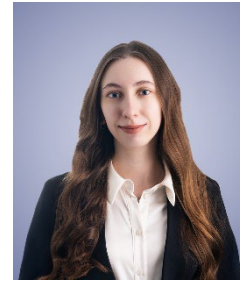
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