

## **Effects of Non-Tariff Measures on Turkey's Exports to the European Union**

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### **Abstract**

*Turkey and the European Union (EU) are two economies that have long term economic relations with each other. The EU is major trading partner of Turkey so that a foreign trade policy implemented by the EU is expected to affect export performance of Turkey directly. Non-tariff measures are trade policy instruments which have gained importance after the Global 2008 crisis. Effects of non-tariff measures imposed by the EU on industrial products between 2002-2007 years and standards imposed by the EU that covers maximum level of food contaminants in agricultural products between 2001-2014 years on export performance of Turkey in related products is analyzed in the study. Results show that non-tariff measures and food contaminant standards imposed by the EU mostly caused decreases on Turkey's export performance. Moreover, Turkey is out of the EU market or about to stay out of the EU market in several agri-food products because of food contaminant standards. However there are some products that the export performance of Turkey continued to increase after the standard declarations.*

**JEL Classifications:** F13, F19

**Keywords:** Non-tariff measures, European Union, Turkey

### **Introduction**

The World Trade Organization (WTO) efforts to eliminate general trade policy instruments (tariffs and quotas) seem to be successful compared to the previous years. There are multiple agreements confirmed by members to restore trade atmosphere in a way that all countries can participate. But countries or economies still suffer from protectionist actions of their trade partners in 21st century as it was back in 19th century. The aim is the same, protection, but the tool is different called non-tariff measures, especially invisible barriers which is very hard to eliminate, follow and resist. Notably developing countries encounter strong hassles on exports to other countries. Agricultural products are main export products of developing countries and these products are not durable enough and very sensitive. These structures of agricultural goods make them very vulnerable against non-tariff measures and causes decreases on export performance of developing countries. Turkey and the European Union are both economies which have deep and long term economic relations with each other. The European Union's severity of foreign trade in Turkey is 40% approximately. So policies implemented by the European Union both for liberalization and restriction effects foreign trade performance of Turkey directly. Moreover, severity of the European Union in total world trade is 32% in 2013 so the policies of the union affect rest of the world including Turkey. Protective initiatives have raised in several countries after the global 2008 economic crisis and the European Union is one of the leading economy supports this trend. The 16<sup>th</sup> report of Global Trade Alert shows that the EU27 takes the first place with 510 trade protective policies implemented between December 2008 and 2014 within other analyzed countries. Agriculture is substantial area for the European Union in the frame of common agriculture policy.

Turkey have started complete membership negotiations with the EU and it is asserted that agriculture will be the most controversial issue within 35 negotiation issues because of Turkey's agricultural production potential which makes Turkey an important competitor in international agri-food markets. European Union have implemented non-tariff measures both agricultural and industrial products and effected their trade partners' exports. This study is focused on some non-tariff measure policies implemented by the EU and effects of these policies on exports of Turkey. The study is organized as follows; previous studies and their results are summarized in Section 2. Short descriptions of non-tariff measures are explained in Section 3. Section 4 consists brief tables of non-tariff measure policies implemented by EU in different years and effects of them on Turkey's export of related products. Results and recommendations are presented in Section 5.

### ***Literature Review***

Non-tariff measure issue is a new and ongoing subject for economists to research. But beginning from 1980s; researchers have started to point out about the effects of measures on imports in international trade. Before the destruction of Berlin Wall, number of import restrictions and varieties in 1980s were outstanding. Countries tended to implement trade barriers as an economic problem solver and there are 850 ways to restrict imports and countries used all of them including the U.S. where is known as the major defender of free trade. U.S. implemented non-tariff barriers to 34% of their manufacture products. The ratio reached 32% in France, 34% in Italy, 22% in United Kingdom's and 20% in West Germany (Onkvisit and Shaw 1986). In 1990s the tendencies of protectionism have begun to change. Using NTM data for selected countries in 1989-1993 Daly and Kuwahara (1998) show that application of customs duties or tariffs are less than non-tariff measures. Import measures which are used to protect local industry such as voluntarily export restrictions, anti-dumping and countervailing duty mostly implemented by Japan, Canada, US and EU are relatively much more used measures among others. It is possible that countries where exposed to these measures can retaliate to their trade partners.

Within non-tariff measures technical barriers to trade are significantly used by countries especially on agricultural products. By calculating tariff-rate equivalent Calvin and Krissoff (1998) concludes that US apple exports to Japan had been affected more negatively because of technical barriers implemented than tariffs. High tariffs, phytosanitary requirements caused decreases on Japanese apple imports and authors state that these measures not only protect local producer rant of Japan but also prevent to maximize social welfare. Charlier and Rainelli (2002) investigates the consistency of EC's import ban on meat and meat products from US based on growth hormone regulations with the Sanitary and Phytosanitary Agreement implemented by the WTO. According to the authors after the US complaint; WTO Dispute Settlement Body and The Appellate Body decided that European import ban is inconsistent with the WTO agreement involved. Import ban costs 116, 8 million \$ to the US annually and EU's approach to this complaint such as precautionary measures may be implemented in required situations may cause discriminatory and arbitrary actions. Developing countries or developed countries are not alone about being exposed to technical barriers. Members of EU countries encounter many technical barriers as well. Agriculture and food, textile and mining are the most effected sectors in the EU. Certificate procedures, quantity control measures and other technical regulations are major compulsive barriers for the enterprises of the EU (Walkenhorst, 2004). Pokrivcak et. al. (2013) declares that most of Russian standards on EU dairy product imports are detailed and unnecessary. They estimatenon-tariff measures of Russia cause increases on both fixed and variable costs of EU exporters by 5%-10% by using gravity model.

Speaking of the EU it should be emphasized that non-tariff barriers do not only affect international trade. Chen (2004) have shown that border effects among the EU countries reduce trade. The study based on 7 EU countries and 78 manufactory sector data illustrates that non-tariff barriers are not significant besides product-specific information costs. As technical barrier, informal barriers cause border effect increases. To remove market segmentations originated from non-tariff barriers European Commission has imposed Single Market Program (SMP) in 1992 to remove price differences among member countries. Gullstrand and Johansson (2005) concludes that price-cost margins of Swedish firms were decreased after the membership to the EU in 1995 based on the examinations of firm-level data between 1985-1997 years. Among the sectors analyzed by authors only firms in motor vehicles and electrical equipment sectors started to behave uncompetitive after the membership. There are different approaches developed to analyze to find the hidden reason of trade policies. Tavares (2006) claims that reclassification of tariff lines can be prepared for not only to identify new specific products produced in the sectors but also to address protectionist purposes. The author examines 90 manufacturing industries over 12 years and estimates an equation to reveal the reclassification of tariff lines in the EU.

He finds that protectionist purposes are also affective on the preparation of EU customs classification. Studies also show that effects of non-tariff barriers imposed by the EU may cause increases on trade volumes. Lozza et al. (2008) illustrates the effects of tariffs and non-tariff measures imposed by EU-15 on Central and Eastern European countries' agriculture and food product trade using data between 1999-2004 years and establishing gravity equation model. According to the findings of the paper sanitary measures stimulated trade volume of countries joined to the EU in 2007. Phytosanitary measures are not evaluated as a barrier to trade for both country groups joined to the EU in 2004 and 2007 but quality measures diminishes the exports of those countries. EU regulations on agriculture and food products can discourage firms to maintain. Hermann (2009) states that EU's regulation as non-tariff barrier on novel food products or exotic or traditional foods as described from their perspective are hard to follow. It takes approximately 39 months for a firm to fulfill the requirements. And he emphasizes about complexities, length and uncertain structure of regulations. Non-tariff barrier issues are not only concerning trading relations between developed and developing countries. It occurs also in trading relations between developed countries. There are 40 trade issues recognized between US, Japan and the EU between 2002-2007 years according to Hanson (2010). There are various non-tariff barrier categories concerning the dispute among those 3 developed countries such as trade administrations, safeguard measures, sanitary and phytosanitary measures, safeguard measures, etc.

It is not accurate completely to say that non-tariff measures are the only reasons behind decreases on volume exports. Pedroza Filho et al. (2014) analyzes effects of non-tariff barriers imposed by the EU on Brazilian fishery products. As a consequence of the paper only fresh fish exports of Brazil to the EU are affected negatively from trade regulations within fishery products. They also states that other factors also should be considered on analyzing export volume contractions. However, number of measures implemented by EU on fishery products have increased and this situation remains as potential risk for Brazilian exporters. Turkey and the EU have established deep economic integrations with each other especially after the membership of Turkey to the Customs Union in 1996. Togan (2015) points out that after more than 15 years there are various problems between Turkey and the EU about the elimination of technical barriers. He concludes that such of an elimination costs 536 million euros for Turkey and around 30 million euros can be afforded by funds received from the EU. His suggestion is to establish a mechanism between Turkey and the EU which may be called Surveillance Body to assess Turkey's coherence potential regarding regulations introduced by the EU. Elimination of technical barriers to trade by the EU is beneficial for Turkey's economic welfare. Zahariadis (2005) findings supports this argument. His analysis calculated by general equilibrium model covers 9 regions includes Turkey's principal trading partners and 20 sectors. He points out that a full certification and standardization coherence contributes a significance positive gain on Turkey's economic welfare. Other study prepared by Harrison et al. (1996) declares that for Turkish exporters an improved access system should be organized in steel, textile and apparel and agricultural sector. In the scenario he draws in the study welfare gain of Turkey is calculated 0.6 percent of Turkey's GDP.

### ***Description of Non-Tariff Barriers***

Implementations such as import licenses, rules of origin, standards concerning health and sanitary measures are in group of "invisible barriers" within non-tariff measures (Meller, 2003:5). Although most of the measures aim to contract imports, some of the measures are implemented to promote or contract exports rather than imports (Seyidoğlu, 2007:194). Most common policy argument of non-tariff measure is quotas which include quantity contractions or import bans. It is possible for a government to gain income by selling import licenses to the firms which pay the highest prices. Quotas cause price increases depending on demand elasticity of the product. Quotas also may cause smuggling and bribery. This argument may be effective in terms of import contraction more than tariffs because it is possible to remove the destructive of tariffs by decreasing prices. However, quotas do not be preferred so much at present. Technical measures to trade are used instead (Beghin, 2006:3). Import bans mean to prohibit of a product's access to the market completely. There are various reasons to implement such measure either politic or economic. The most important economic reason is to protect local industry from foreign markets (Seyidoğlu, 2007:212). Volunteer export contractions are based on agreements which contracts exports in terms of quantity or value between two countries. The sides of agreement are generally a developed and a developing country. Developing country accepts to contract their export voluntarily. In this case, there is pressure on the developing country and the developed country aims to protect their local industry from developing country (Seyidoğlu, 2007:194). Governments provide export subsidies to local industries to support their competition performance with foreign firms.

Tax repayments, low cost credits, extra supporting payments are different samples of export subsidies. The aim is to decrease production cost of local firms to prepare them to compete with international prices. No additional consumption cost occurs in this policy because sales are based on international prices. Countries use their export-import banks or other institutions to support their exporters. According to a policy note prepared by The Economic Policy Research Foundation of Turkey in 2009; USA, China, India, Sweden, Slovenia, Japan, Brazil (no export-import bank), Canada are some examples where they use export subsidies. Another measure which is certain to have destructive effect on trade is countervailing duty. If the price of the foreign firm is lower than the local price, governments are authorized to collect taxes to close price gaps. This instrument is commonly used on agricultural products. With this implementation, free market rules or directive mission of prices are dissipated. Governments are also authorized to receive taxes from exports. The aims of this implementation are providing income to budget, increasing international price of the product or prevention of price increases via supply shortages. This measurement is commonly used in developing countries. Thailand receives export taxes from rice exports, Brazil from coffee exports and Sri Lanka from tea exports (Seyidođlu, 2007:204). Export tax arguments are also implemented for political reasons and to block raw material export to produce value added products within the country.

Dumping is described as an exporter firm's selling initiatives from lower prices in foreign markets than their local prices in their local markets. Some export subsidies are also declared as dumping implementations. Countries are authorized to open investigation in the framework of international laws to expose dumping initiatives of other countries and receive anti-dumping taxes. Anti-dumping measures are constantly implemented by countries, several applications are made to Dispute Settlement Body established by World Trade Organization. As described above, an invisible barrier includes different measures concerns trading products. These measures are based on shapes, design, function, performance, contents, etc. conditions required by importing countries from exporting countries. Agreement on Technical Barriers to Trade and Agreement on Sanitary and Phytosanitary Measures are the legitimate ground of invisible barrier implementations. Countries must provide scientific evidence to implement such standards regarding these agreements. But it is not a hassle for developed countries to provide necessary evidence especially on agricultural products and manufactured products also. Ofodile (2009) declares that implementing international standards is not a binding obligatory for importing countries as long as the importing country evaluates the standards inappropriate and find against its trade targets. Under the Agreement on Sanitary and Phytosanitary Measures countries are allowed to implement such measures more protective with the support of scientific evidence provided (Lupien, 2002:409). In terms of human health countries can determine their own standard without providing coherence with international standards. Therefore, risk ratios based on scientific analysis are quite low. For instance, the disease risk of maximum aflatoxin standards implemented by European Commission in 2001 for dried fruits, nuts and cereals are 1.4 possibility in a billion (Otsuki, Wilson, & Sewadeh, 2001:1). Very low risk levels may be used as an opportunity for countries where aim to protect their markets.

### ***Effects of Non- Tariff Measures on Turkey's Exports to the EU***

Samples of non-tariff measures can be observed also in Turkey-EU bilateral trade. The EU has used non-tariff measure arguments occasionally on Turkey's export products and it is quite possible that these measures have affected negatively Turkey's export performance and earnings originated from. The focus of this chapter is to provide applied evidence about the possible results of EU non-tariff measure implementations on Turkey. As it may be seen in Table 1, the EU is an important trading partner not only for exports but also for imports as well. Between 2002-2014 exports of Turkey to the EU in total export is 40% on average. Although economic crises the unions have been through and deflation risks cause decreases on export rates, EU still remains as one of the most important trading partner for Turkey. According to the indicators Turkey imports from the EU is at undeniable levels.

**Table 1: Turkey's Foreign Trade with EU**

<b>Years</b>	<b>Total Exports (000 \$)</b>	<b>Exports to the EU (000 \$)</b>	<b>Rate of Exports to the EU in Total Exports (%)</b>	<b>Total Imports (000 \$)</b>	<b>Imports from the EU (000 \$)</b>	<b>Rate of Imports from the EU in Total Imports (%)</b>
<b>2000</b>	27 774 906	15 688 009	56.48	54 502 821	28 552 276	52.39
<b>2001</b>	31 334 216	17 575 678	56.09	41 399 083	19 840 787	47.93
<b>2002</b>	36 059 089	20 457 907	56.73	51 553 797	25 698 221	49.85
<b>2003</b>	47 252 836	27 479 360	58.15	69 339 692	35 156 836	50.7
<b>2004</b>	63 167 153	36 698 919	58.1	97 539 766	48 130 900	49.34
<b>2005</b>	73 476 408	41 532 953	56.53	116 774 151	52 781 362	45.2
<b>2006</b>	85 534 676	48 148 628	56.29	139 576 174	59 447 587	42.59
<b>2007</b>	107 271 750	60 754 022	56.64	170 062 715	68 472 309	40.26
<b>2008</b>	132 027 196	63 719 097	48.26	201 963 574	74 513 444	36.89
<b>2009</b>	102 142 613	47 228 119	46.24	140 928 421	56 616 302	40.17
<b>2010</b>	113 883 219	52 934 452	46.48	185 544 332	72 391 053	39.02
<b>2011</b>	134 906 869	62 589 257	46.39	240 841 676	91 439 406	37.97
<b>2012</b>	152 461 737	59 398 377	38.96	236 545 141	87 657 462	37.06
<b>2013</b>	151 802 637	63 039 810	41.5	251 661 250	92 457 992	36.7
<b>2014</b>	157 642 154	68 529 094	43.5	242 182 754	88 783 685	36.7

**Source:** Turkish Statistical Institute.

The EU trade policies have important effects on global trade trends as the most successful economic integration in the world. After the 2008 global economic crisis countries tried to avoid their economy from negative effects of crisis atmosphere. This aim forced to countries take protectionist measures described above. The EU is not an exception. In 2008- 2014 the union implemented 510 protectionist measures and took the first place among 10 most protectionist countries (Evenett, 2014:66).

**Table 2: Non-Tariff Measures Implemented by EU and Effects on Turkey's Export**

<b>Product Name</b>	<b>Non-Tariff Measure Implemented</b>	<b>Implementation Year</b>	<b>Changes on Turkey's Export to the EU</b>
Articles of Apparel and clothing accessories	Quotas, countervailing duty, dumping	2006	Decreases observed from 9% to 4% comparing to the previous year. Extra-EU trade contracted 12% and decreases observed at all textile sub-groups.
Fabric textiles and articles thereof	Quotas, dumping	2002-2005- 2006	Relative decreases occurred on articles of apparel. Increase on performance on other fabric textile is 126% in 2004 and -47% in 2006 compared to the previous year.
Vegetables, fruits and edible foods thereof	Metaldehyde prohibition	2004-2005-2006-2007	Compared to the previous year exports of Turkey increased 48% in 2004, 33% in 2005, -16% in 2006. Decreases observed on extra-EU import performance from 11% to -2%. After the end of implementation export increase of Turkey is 11% according to the previous year. There are sharp increases and decreases observed on export quantity of vegetables and fruits.
Hard coal tar and mineral fuels and products of their distillation	Complete prohibition	2002-2005-2006	Turkey's export quantity of ores and their ashes increased 91% in 2003, 49% in 2004 and 48% in 2009.
Plastic and articles thereof	Prohibitions to protect human health	2000-2004-2005-2006-2007	Monetary decreases occurred on Turkey's export earnings compared to previous years from 46% to 22%. However, Extra- EU import continued to increase from 6% to 14%.
Machinery and equipment for energy production	Countervailing duty, anti-dumping measures	2006-2007	No negative effect observed on Turkey's export. Increases are 21% in 2006 and 47% in 2007.
Electrical machinery and equipment	Countervailing duty, anti-dumping measures	2006-2007	In 2004-2007 years Turkey's export performance decreased from 37% to 6%. Extra-EU import performance also decreased from 37% to -12% compared to observed previous year.
Machinery and equipment used in various industry sectors	Countervailing duty	2005-2006-2007	Export performance decreased from the level of 19% to -8% compared to the previous year in 2007 in various machinery and equipment.
Sound recorders, television image accessories and such electrical articles	Countervailing duty	2004-2006-2007	Related to other indicators
Vehicles other than railway or tramway rolling-stock, parts thereof	Anti-dumping measures and duties	2005-2006	Increase percentage of export performance of related goods is 70% in 2004, 12% in 2005, 27% in 2006 and 38% in 2008. Extra-EU import fell from 14% to 8% and 11% in years implemented.

Source: Ceylan, 2015:102-126.

EU non-tariff measures other than technical barriers and their effects on Turkey's export performance is summarized in Table 2 for 2002-2007 years. All product groups in the table except for machinery and equipment had been negatively affected from non-tariff measures. It is not completely accurate to assert that non-tariff measurements are the only reason behind that situation. But non-tariff measure implementations are one of the reasons to be considered. Export performance ratios of Turkey to the EU compared to the previous year had decreased after the non-tariff measure imposed. The measures also caused decreases on EU's import performance as well.

**Table 3: Effects of Non-Tariff Measures Implemented by EU on Turkey's Agri-food Exports**

Food products out of EU Market	Export products of Turkey which decreases while EU's total import increases	Export products that decrease with EU total import at the same time	Products that no change Turkey's export performance or increased
Cereal bran, sharps, residue except maize, wheat, rice	Cabbage, fresh except lettuce	Spinach, fresh	Spinach, frozen
Milk and cream	Lettuce and chicory	Ground-nuts, prepared or preserved	Infant foods of cereals
Nutmeg	Maize (corn) for some years	Walnuts in shell	Apples, dried
Currants	Turmeric (curcuma)	Hazelnuts in shell fresh or dried	Dried fruit and nut mixtures
Vermouth and other flavored grape vine	Cereals	Maize (corn) for some years	Coffee, roasted
Apple juice	grapefruit juice (for some years)	grapefruit juice (for some years)	Fruit and vegetable juices (for some years)
oats	Durum wheat	Orange juice	Maize (corn) flour
Maize (corn) groats	Maize oil, refined	Wheat flour	Pasta, couscous, etc.
Meat of sheep or goats	Maize (corn) starch	Edible mix& preparations of animal fat (for some years)	Baked bread, pastry, wafers, etc.
Meat of bovine animals	Crustaceans, mollusks	Skipjack	Maize (corn) hulled, sliced
Edible offal	Leguminous vegetables	Eels, fresh or chilled	Fish, fresh or chilled or frozen
Cranberries, bilberries, similar fruits, fresh	Edible animal products	Eels, frozen	Vegetables, fresh or chilled (for some years)
Poultry fat	Cereals, except maize grain	Germ of cereals (for some years)	Edible mix& preparations of animal fat (except for some years)
Bovine, sheep or goat fats		Shark, fresh or chilled	potatoes
Meat, edible offal of domestic poultry		Live bovine animals	Fish, marine, mammal fat
Sardines			Seabream
Seed of cereals			Eels, live
Varieties of bonitos			rice
Shark, frozen			Fish and sea mammals
Vegetable protein			Smoked fish meal for human consumption
Soya sauce			
Sheep or goats, live			
Salted, dried or smoked meat			

Source: Ceylan, 2015:202,298.

The EU is determining maximum levels of food contaminants in agri-food products by commission regulations declared at official journal of the European Union. The maximum levels are obligatory for raw, dried, processed, etc. food products. The contaminants regulated are nitrates, mycotoxins (aflatoxins, ochratoxin A, patulin, deoxynivalenol, zearalenone, fumonisins, T-2 toxins and HT-2 toxins), metals (lead, cadmium, mercury and inorganic tin), monochloropropane-1,2-diol, dioxins and PCBs and polycyclic aromatic hydrocarbons. These contaminants may cause various diseases on human body and can be transferred to the human by consumption. Levels determined on a product can be different from previous year which is ironic. Because the changing structure of maximum levels is also another hardship for exporters.

Table 3 is prepared by investigating all European Commission regulations declared in 2001-2014 years. Export quantities and values of Turkey to the EU in mentioned years on related products observed. The change in Turkey's export performance with the regulations declared by the EU is divided into four parts as seen in the columns of Table 3. It is clear that there are products that has no access to the EU market, products that Turkey started to lose its power or about to stay out of the market in the EU while EU imports are increasing, products that EU started to import less than previous years from all other countries including Turkey and products that Turkey's export performance increased. These results are combined from out of more than 40 products raw or dried or processed, etc. Price changes, production amount changes of related product in Turkey, total imports of the EU from all other countries are also examined to include other factors regarding exports of Turkey. Only wine product prices are higher than average EU total import prices because of high tax burdens in Turkey (Gümüş & Gümüş, 2008:551). Ceylan (2015) finds that production levels decreased in 2000-2013 years among analyzed products are soya sauce, sheep meat, ginger, sharks and halibut fish. Products that Turkey has no access to the EU are the agri-food products that Turkey has comparative advantage. The same situation exists for the products that Turkey started to export less amounts during 2001-2014 while EU total import increased. These results show that Turkey is below the potential of real export performance to the EU and non-tariff measures are partly responsible from this situation regarding other factors.

### ***Conclusion***

The EU is Turkey's major trading partner. Around 35% of export products take place in EU market. Turkey has started to lose export performance in EU market on agri-food products since 2002. Many other factors may be responsible originated from EU or Turkey for such a change during 2001-2014. But non-tariff measures on industrial products and invisible barriers on agri-food products implemented by the EU have important effect. Turkey has comparative advantage on meat products, cereal products and vegetable products but have no access in the EU market because of standards concerning human health, public health, sanitary or phytosanitary measures. Other non-tariff measures such as quotas, countervailing duties, anti-dumping measures and dumping measures also caused decreases on export of Turkey. Harmonization of EU standards and mutual recognition is necessary to minimize negative effects of non-tariff measures. Enhancing transparency and providing more efficiency on WTO studies is needed to eliminate this new-protectionist actions initiated by the EU and other countries.



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