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## Taiwan

### **Food and Agricultural Import Regulations and Standards - Narrative**

### **FAIRS Country Report**

#### **Approved By:**

Emily Scott, AIT Agricultural Section Deputy  
Chief

#### **Prepared By:**

AIT AGR and ATO staff

#### **Report Highlights:**

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In 2012, Taiwan was the seventh largest export market for U.S. food and agricultural products (US\$3.21 billion.) All food and agricultural products, whether domestic or imported, must comply with a range of laws designed to protect human health and prevent the introduction of animal and plant pests or diseases. This report gives an overview of Taiwan's import requirements for food and agricultural products.

**NOTE:** All sections of this report have been reviewed and updated to reflect new or updated laws and regulations.

**This report was prepared by the Agricultural Section at the American Institute in Taiwan for exporters of U.S. food and agricultural products. While all possible care was taken in the preparation of this report, the information provided may not be entirely accurate either because policies have changed since publication of the report or because clear and consistent information was not available at the time of publication. Before shipping any product, U.S. exporters should always verify current import requirements with their foreign buyers, who are normally in the best position to confirm the most up-to-date information with local authorities.**

**NOTE: FINAL IMPORT APPROVAL FOR ANY PRODUCT IS SUBJECT TO TAIWAN'S RULES AND REGULATIONS AS INTERPRETED BY TAIWAN BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

## **Section I. Food Laws:**

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On July 23, 2013, Taiwan inaugurated the Ministry of Health and Welfare (MOHW), which consolidates the former ministerial-level Department of Health (DOH), Department of Social Affairs and Child Welfare Bureau both under the Ministry of Interior Affairs and National Research Institute of Chinese Medicine under the Ministry of Education. MOHW's mission is to, "promote the health and well-being of all citizens."

On January, 1, 2010, the Taiwan Food and Drug Administration (TFDA) was established as an agency within the DOH, now MOHW. Modeled after the U.S. FDA, TFDA's mission is to, "ensure food and drug safety, to begin a new technology era, and to create a safe consumer environment." The creation of TFDA combined four former DOH bureaus -- Food Safety, Food and Drug Analysis, Pharmaceutical Affairs, and Controlled Drugs -- into one unified entity for Taiwan's food and drug safety-related services.

Responsibility for border inspection of food imports, previously commissioned to the Ministry of Economic Affairs' Bureau of Standards, Metrology and Inspection, was transferred to TFDA's three Central Centers for Regional Administration (Northern, Central and Southern) on January, 1, 2011. This reorganization and transfer of border responsibility has not been without issue. Under the TFDA, detention and rejection rates for previously approved agricultural products have risen and U.S. authorities have been forced to renegotiate previously resolved market access issues to the detriment of U.S. farmers, ranchers and exporters.

The Council of Agriculture (COA) is the statutory body responsible for animal and plant quarantine. COA's Bureau of Animal and Plant Health Inspection and Quarantine (BAPHIQ) fulfills a combination of functions similar to those conducted by USDA's Animal and Plant Health Inspection Service (APHIS) and the Food Safety Inspection Service (FSIS), such as border quarantine and inspection of fresh produce, meat and poultry, and pet food.

Taiwan's "Act Governing Food Sanitation," or the Food Sanitation Act (FSA), was first promulgated in 1975. The FSA designates the MOHW as the central competent authority responsible for the management of food safety. All major laws, regulations, rules, and ordinances concerning food safety/quality are based on the FSA.

The FSA was most recently amended in June 2013. The new FSA expand from six chapters covering 40 articles to ten chapters covering 60 articles. Taiwan is now in the process of drafting and implementing enforcement measures for the new FSA. Post continues to monitor TFDA's actions on this issue and encourages Taiwan to notify all pertinent measures to the World Trade Organization (WTO) for member nation review and comment. Parties are encouraged to work closely with the Agricultural Office at the American Institute in Taiwan (AIT) to confirm conformity with Taiwan's rapidly changing regulations. A link to the current FSA follows:

[Act Governing Food Sanitation](#)

The basic rules concerning border inspection and food import testing are stipulated in the "Regulations of Inspection of Imported Foods and Related Products," which can be retrieved via the following link:

#### [Regulations of Inspection of Imported Foods and Related Products](#)

Many of Taiwan's sanitary and phytosanitary (SPS) standards are different from U.S. standards or those established by international standards-setting bodies such as the World Organization for Animal Health (OIE), the International Plant Protection Convention (IPPC), or Codex Alimentarius (Codex). Since its WTO 2002 accession, Taiwan has taken steps to implement the terms of the WTO SPS Agreement. However, many of Taiwan's standards, laws, regulations and practices are not yet fully compliant with international standards or the SPS agreement. The fact that Taiwan is not a member of many of these international bodies also creates challenges.

## **Section II. Labeling Requirements:**

### **A. Overview**

Taiwan's labeling requirements are outlined in the FSA's, Chapter V "Food Labeling and Advertisement." Authorities from Taiwan's MOHW oversee and enforce food and beverage labeling requirements. Specifically, TFDA inspects imported foods at the port of entry where products with improper or altered labels risk rejection.

NOTE: With the amended June 2013 FSA, there have been significant changes to the labeling requirements specifically regarding food ingredients or additives. Interested parties are encouraged to work closely with AIT AGR to ensure compliance.

### **A. General Requirements**

All packaged food products must carry: 1) a general label and 2) a nutritional label -- both in Chinese. (NOTE: Taiwan uses traditional Chinese characters -- not the simplified characters used in mainland China). The one exception is for food additives which only require a general label.

The following businesses may apply for an exemption from the Chinese labeling requirements (i.e. both the Chinese general label and Chinese nutritional label) if imported product is over three kilograms. (NOTE: If imported product is less than three kilograms, interested companies must request an exemption from TFDA in advance.)

- Facilities that import food products for further processing
- Restaurants, fast food outlets and bakeries that import food products for their own kitchens
- Importers that import food products for further processing, repack or change-pack, i.e. products not for direct sale to consumers

Taiwan customs authorities permit the Chinese labels to be affixed to imported products in government-approved logistics centers or government-approved self-managed bonded warehouses prior to Customs clearance.

Additionally, TFDA requires basic information including product name, ingredients, expiration date and country-of-origin - in English - on the outer packaging

Many other products including dairy, beef and beef products, fruits, vegetables, instant noodles etc, require additional labeling attestations. Please see section "C. Product Specific Labeling Requirements" for additional information. For examples of approved labels/labeling formats please see Appendix III of this report.

## **General Label**

All processed food products or food additives for retail sale must have a Chinese language label with the following information:

- Product name
- Name, weight, volume or quantity of the ingredients (if a mixture of two or more ingredients, must be listed separately; for specific products prescribed by Taiwan's central competent authority, the labeling shall indicate the percentage of the main ingredient.)
- Food additives - NOTE – the regulations for food additives labeling have changed dramatically with the June 2013 FSA. Please see C. Product Specific Labeling Requirements - Food Additives, for more information. For products manufactured after June 21, 2013, the new amendment of FSA mandates the outer packaging list the names of all food additives. Name, telephone number, and detailed address of manufacturer
- Name, telephone number, and detailed address of importer
- Country of origin
- Country of origin of beef and/or beef product
- Expiration date (year/month/date) must be printed in that order.
- To distinguish the month from the date, the Chinese characters for "month" and "date" may be included on the label.
- If the shelf life of the product is three months or longer and the product is presumed to expire at the end of the month, then the expiry date may be marked with the year and month only.

## **Nutritional Label**

In addition to the general label, all packaged food products must have a nutritional label. Following the lead of many developed countries, Taiwan's nutrition labeling regulations were established to meet consumer demand and foster a better understanding of nutritional information.

The "Regulation on Nutritional Labeling for Packaged Food" was amended in July 2007 and was implemented on January, 1, 2008. The full report can be found at the following link:

[Regulation on Nutritional Labeling for Packaged Food](#)

The following products - which do not suggest nutritional claims - are exempt from mandatory nutritional labeling: 1) drinking water/mineral water; 2) fresh fruit/vegetables, meat, poultry meat, and seafood; 3) tea, coffee, herbs for brewing (without any other ingredients or food additives); 4) seasoning spices (star anise, pepper, cinnamon etc.); 5) salt and salt substitutes.

**Note:** A nutritional claim is any claim or representation that states, suggests or implies a food product has a particular nutritional property such as "high calcium" or "low sodium"

The nutritional labeling for a packaged food shall provide the following information in a conspicuous place on the outer package or container of the product:

- The heading "Nutrition Labeling"
- Energy content
- Protein, fat, saturated fat, trans fat, carbohydrate and sodium content (note that the carbohydrate listing includes dietary fiber)
- Contents of other nutrients declared in the nutrition claim
- Contents of other nutrients voluntarily labeled by the manufacturer

Also, packaged food product importers and/or manufacturers will need to consider and include the following standards and measurements on the product package or label:

- With respect to the energy and nutrient content, the labeling value for solid (semi-solid) food shall be expressed in units of 100 grams or grams per serving, and for liquid food (beverages) in units of 100 milliliters or milliliters per serving. If the value is expressed on a per-serving basis, the number of servings contained in each package of the product shall also be specified.
- With regard to the labeling units for energy and other nutrient content, the energy content shall be expressed in kcal; protein, fat and carbohydrate content shall be expressed in grams; sodium content in milligrams; and other nutrients in grams, milligrams or micrograms, as appropriate.
- Each nutrient may be further expressed in percentage of Daily Value of Nutrient Intake. The following numerical values shall serve as the basis of the Daily Value of Nutrient Intake:

Daily Value of Nutrient Intake	
Nutrient	Value
Energy	2000 kcal
Protein	60 gram
Fat	55 gram
Carbohydrate	320 gram
Sodium	2400 mg
Saturated fatty acids	18 gram
Cholesterol	300 mg
Dietary fiber	20 gram

Vitamin A	600 mcg
Vitamin B1	1.4 mg
Vitamin B2	1.6 mg
Vitamin C	60 mg
Vitamin E	12 mg
Calcium	800 mg
Iron	15 mg

- Nutrient content shall be expressed in no more than three significant figures; for each serving, the energy, protein, fat, carbohydrate and sodium content shall be expressed as an integer or to the first decimal place.
- Energy, protein, fat, carbohydrate, sodium, fatty acids, and sugar content may be labeled as "0" if it meets the criteria in the following table (Note: trans fat means the non-conjugated trans fatty acids formed in the process of partial hydrogenation of edible oils.)

Nutrient	Criteria for being labeled as "0"
Energy	Nutrient content is less than 4 Kcal for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Protein	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Fat	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food
Carbohydrate	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food.
Sodium	Nutrient content is less than 5 mg for 100 gram of solid (semi-solid) food or 100 ml of liquid food.
Saturated fatty	Nutrient content is less than 0.1 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food.
Trans fatty	Nutrient content is less than 0.3 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food.
Sugar	Nutrient content is less than 0.5 gram for 100 gram of solid (semi-solid) food or 100 ml of liquid food

#### A. Product Specific Labeling Requirements

In addition to the general and nutritional labeling requirements for all products, the following food products have specific labeling requirements:

**Dairy Products** - If in liquid form, the dairy product label must also indicate shelf life and storage conditions. For those products claiming "Fresh Milk," they should conform to Taiwan's Chinese National Standards 3056, the link for which is below. However, the document is only available in Chinese and at a cost of \$NT20, or approximately \$USD 0.67.

## Taiwan's Chinese National Standards 3056.

**Food Ingredients** - All packaged food ingredients that are packed in Taiwan and comprised of two or more ingredients must list the country of origin and be listed - in volume order - on the outer packaging.

**Food Additives** – Taiwan formerly granted waivers, allowing for labeling language such as “flavoring agents,” “natural flavoring agents,” “emulsifiers,” and “leavening agents,” for instance. Per the new FSA, these waivers are no longer in place and food products manufactured after June, 21, 2013, containing additives are required - on the outer packaging - to list the names of the additives. AIT/AGR recognizes the issues related to this level of disclosure and is working with the Taiwan authorities and interested business parties to come to a mutually agreeable solution. Until then, interested parties should work closely with AIT/AGR to ensure compliance.

**Packaged Fruit and Vegetable Juices** –All packaged fruit and vegetable juices that contain less than 100% natural juice should indicate on the outer package the percent natural juice. If the percentage of natural juice is less than 10%, the products are required to display "less than 10% of natural juice" conspicuously in the front of the outer package.

**Vegetarian Foods** – All packaged foods claiming to be vegetarian should indicate the type of vegetarian ingredients. For example: “pure vegetarian” i.e. food product without egg or milk; “vegetarian and egg” i.e. vegetarian food containing egg; “vegetarian and dairy” vegetarian food products containing dairy.

**Packaged Drinks Containing Caffeine** - All packaged drinks containing caffeine should indicate the caffeine content on the outer packages:

- Packaged drinks that contain 20mg/100mL or more of caffeine must indicate actual mg/mL on the outside container.
- Packaged drinks that contain < 20mg/100mL of caffeine must indicate “Under 20mg/100mL” on the outside container.
- Coffee, tea and cocoa drinks that contain 2mg/100mL or less can indicate “Low Caffeine” instead of “under 20mg/100mL” on the outside container.
- Small packaged instant coffee in powder form must indicate actual mg/serving on the container.

**Instant Noodles** - All packaged instant noodles that include only seasonings or condiments should note on outer packaging "Flavored Noodles." For example, "Beef Noodles" should be labeled as "Beef Flavored Noodles". Instant noodles that include both seasoning condiments and actual ingredients should note on packaging "xx Noodles," e.g. "Beef Noodles" or "Seafood Noodles."

**Frozen Foods** - For imported frozen foods, the following information is required in Chinese on the label:

- Type of frozen food

- Preservation method and storage conditions
- Cooking instructions if the products are not ready-to-eat.

#### **A. Health Food Specific Labeling Requirements**

According to MOHW's "Health Food Control Act" products with health food claims must prove that the product has the capacity to contribute to health and/or decreases disease risk, i.e. the claims are scientifically verified. However, no health foods may claim to actually prevent illness. Any product with health food claims must be approved by the MOHW before being marketed. The import permit is valid for five years. Below are links to the "Health Food Control Act" and the "Enforcement Rules of Health Food Control Act":

[Health Food Control Act](#)

[Enforcement Rules of Health Food Control Act](#)

The following information shall be conspicuously displayed in Chinese on the containers, packaging or in the health foods/food product's written instructions:

- Product name
- Contents name, weight or volume (if a mixture of two or more components, must be listed separately)
- Name of food additives
- Expiration date, method and preservation/storage conditions
- Name and address of the manufacturer. For imported foods, the name and address of the Taiwan company, i.e. importer, distributor etc.
- The approved health effects
- Reference number of the permit, "health food" legend and standard logo
- Intake amount and important messages for consumption of the health food and other necessary warnings;
- Nutrients and content
- Other material facts as may be designated by the MOHW
- Country of origin
- Country of origin of beef and beef offal if the product contains such ingredients

#### **A. Alcohol Labeling Requirements**

Alcohol labels must be in traditional Chinese and must include brand name, product type, alcohol content, origin of imported alcohol products, names and addresses of manufacturers and importers, volume, expiration date for products with alcohol content of 7% or less, health warnings (examples include "excessive drinking endangers health," "don't drink and drive," etc.), and other labeling as required by the central competent authority. The brand name must be printed in large, broad or bold typeface that is larger than that of other font on the label. Importers may also include on the label the year, age and/or geographical origin. English can be used as a secondary language on the label.

Items that do not need to be labeled in Chinese are brand names, names and addresses of foreign manufacturers and geographical indication. Volume should be stated in liters, centiliters or milliliters. The "Tobacco and Alcohol Administration Act" can be found at the following webpage:

[Tobacco and Alcohol Administration Act](#)

**A. Labeling Requirements Specific to Products Containing GMO Soybeans/Corn as Raw Materials**

Taiwan currently requires that products containing genetically modified soy or corn ingredients which account for over 5% of the final products need to be labeled as "GMO" or "Containing GMO." Non-GM soybeans mixed with less than the threshold 5% GM soybeans or corn ingredients may be regarded as non-GMO products. If there is no biotech alternative available, however, a product may not be labeled "Non-GM."

Due to demands from consumer groups and anti-GMO activists, TFDA is currently contemplating reducing the GMO labeling 5% threshold to 0.9%. Post understands that the proposed text should be made available for public comment in January 2014, with notification to the WTO at the same time or shortly after.

The current labeling regulations do not apply to products that do not contain pieces of transgene(s) or protein such as cornstarch, corn syrup, corn oil, soy oil, and soy sauce. However, in the January 2014 it is anticipated that TFDA will also seek to include these products in GMO labeling requirements. Soybean or corn food products that are not packaged for retail sale are not currently subject to the GMO food-labeling requirement. This includes food products sold in wet markets, small specialty shops or by street vendors.

It is very important that companies work closely with importers and AIT/AGR to ensure compliance with current regulations.

**A. Country of Origin Labeling**

Starting on January, 1, 2010, all food products including fresh produce, meat and processed foods sold in bulk packaging at retail markets need to indicate product name and the country of origin on a card, logo (label), sign board, etc.

Effective September, 12, 2012, all food products that contain beef or edible beef offal are required to specifically note the beef's country of origin on a card, logo (label), sign board, etc. This new regulation also extends the labeling requirement to include food vendors, e.g. restaurants, fast food outlets, stalls and carts, which now must clearly identify the country of origin of any beef or beef offal. As the picture to the left shows, however, some facilities appear to be widely covering all bases.

At the time of this report's publication, AIT had received no reports of trade disruptions as a result of this amended requirement. The below link will direct users to the updated regulation:

## Regulations Governing the Labeling of Bulk Foods

### **Section III. Packaging and Container Regulations:**

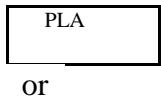
The Taiwan Environmental Protection Administration (TEPA) is the statutory body responsible for the waste removal, disposal or recycling, including food product packaging or containers. According to Article 15 of TEPA's Waste Disposal Act (link to English version included below), manufacturers or importers shall be responsible for the recycling, disposal and removal of an article, or its package/container.

#### Waste Disposal Act

All recyclable materials are required to bear the standard recycling symbol, illustrated as symbol "A" below. Symbol "B" below is also required for all plastic materials, but the name of the resin corresponding to the number inside the logo (PVC, etc.) is not required except for bio-plastics.

Symbol A: Standard Recycling Symbol

Symbol: B. Society of Plastics Industry Resin Identification Code (numbering from 1 to 7)



or

Codes: 1 = PET; 2 = HDPE; 3 = PVC; 4 = LDPE; 5 = PP; 6 = PS; 7 = other materials, including bio-plastics. If the material is bio-plastic, the English acronym of the bio-plastic (PLA, PHA, PHB, PHV, PHBV, etc.) must be indicated below the SPI code No. 7 as shown above.

The recycle symbols can be imprinted or labeled on containers or packages. For additional information regarding Taiwan's disposal and recycling requirements:

Environmental Protection Administration  
83 Junghwa Road, Sec. 1  
Taipei 100, Taiwan  
Tel: 886-2-23117722  
Fax: 886-2-23116071  
Home page: <http://www.epa.gov.tw>

Processed food gift boxes, either locally manufactured or imported, are subject to the "Regulation on Excessive Packaging Restriction." The regulation establishes manufacturers, importers, or vendors/sellers as the responsible parties for reducing the use of excessive packaging. The English version of the TEPA's "Excessive Product Packaging Restrictions," can be retrieved at the TEPA

website:

#### [Regulation on Excessive Packaging Restriction](#)

On August, 3, 2010, the COA amended Taiwan's "Quarantine Requirements for Wood Packaging Materials Used in Imported Commodity." Taiwan's requirements, which are loosely based on the International Standards for Phytosanitary Measures No. 15 guidelines, can be read on COA's BAPHIQ website:

#### [BAPHIQ Plant Protection and Quarantine Regulations](#)

### **Section IV. Food Additives Regulations:**

Processed food products that contain artificial food additives are subject to strict tolerance levels and acceptable use requirements as prescribed by TFDA. The TFDA regulation "Standards for Scope, Application and Limitation of Food Additives" covers over eight hundred food additive standards and regulations. The most recent version of this food additive regulation was amended and promulgated on November, 25, 2013, and is available in English at the below TFDA webpage. Additives that are not identified on the permitted list are prohibited for use in foodstuffs in Taiwan.

#### [Standards for Scope, Application and Limitation of Food Additives](#)

Foreign suppliers or their Taiwan importers may apply to the MOHW for approval of new-to-Taiwan food additives. The MOHW will only consider accepting and/or adding new-to-Taiwan food additives to the "Standards for Scope, Application and Limitation of Food Additives" upon receipt of a formal application from the manufacturer or a designated representative. The MOHW requires: (1) animal safety test data; (2) international acceptability of the proposed food ingredients; (3) an evaluation report stating that the ingredients are necessary to manufacture the product; (4) a description of the analysis method; and (5) product specifications. The MOHW will then evaluate the acceptability of these additives and make a formal determination within four to six months.

As previously noted, the labeling requirements for food additives have changed dramatically. Interested companies are encouraged to work closely with AIT/AGR to ensure compliance.

### **Section V. Pesticides, Veterinary Drugs and Contaminants:**

#### **A. Overview**

Imports of fruit, vegetables, meat and other food products are subject to inspection and testing for pesticides, animal drugs and other agrochemicals or contaminants, such as heavy metals in seafood, by TFDA inspectors at the port of entry. MOHW is responsible for establishing and promulgating Taiwan's permanent maximum residue limits (MRLs).

Taiwan does not automatically adopt those MRLs established by international standard or rule setting bodies, e.g. Codex Alimentarius, as default standards; Taiwan authorities are required by law to establish domestic MRLs. All established MRLs are implemented across the board for both imports and domestically produced products. However, all imports are subject to border inspection upon arrival while local products are usually subject to surveillance or monitor only at a much lower inspection frequency.

U.S. exporters should be aware that many pesticides or animals drugs commonly used in the United States and internationally have not yet been assigned Taiwan MRLs. Agrochemicals without a Taiwan MRL are effectively set at the non-detectable (ND) limit or the detected residues must not exceed the level of detection of the analytical method. As Taiwan border authorities utilize very sensitive, state-of-the-art equipment, imported products containing even minute residues of such chemicals may be vulnerable to rejection.

Historically, the review process for new MRLs has been slow with long backlogs. In recent years, however, Taiwan authorities have significantly reduced the list of pending MRL applications. The United States is expected to submit a prioritized list of new and renewed applications for Taiwan's review in the near future.

## A. Inspection Regimes

The “Regulations of Inspection of Imported Food and Related Products,” which was most recently amended on April, 1, 2013, greatly changed Taiwan’s food import inspection mechanism and noncompliance sanctions. While this report attempts to give an overview of Taiwan's inspection methodology, a link to the regulation text is included here:

### [Regulations of Inspection of Imported Food and Related Products](#)

Under this regulation three different inspection regimes are outlined:

1. Regular randomly-selected batch inspection: The inspection is performed based on a 2-5% inspection rate.
  - Reinforced randomly-selected batch inspection: The inspection is performed based on a 20-50% inspection rate.
  - Batch-by-batch inspection: The inspection is carried out for each submitted batch of product, 100% testing rate.

The initial testing frequency or inspection rate is effectively determined by the competent authority out of consideration for the public health and safety.

In the instance of a single violation, the inspection frequency of the same commodity imported by the same importer will be elevated, e.g. from 2-5% regular random inspection rate to 20-50% reinforced random inspection rate. Following two consecutive violations, inspections will increase from the

elevated 20-50% rate to 100% or batch-by-batch inspections.

If the same cause of the violation on the same commodity continues to occur, MOHW may require a “plan of improvement” from the exporter, producing region/area or country. If the improvement plan is not satisfactory, MOHW may temporarily suspend imports from the index source, which may extend to the entire supplying country.

#### **A. Fruit and Vegetables**

A link to TFDA's regulation "Pesticide Residue Limits in Food" detailing allowable residue tolerances in fruit and vegetables is provided below. (Note: If an MRL is not noted, assume that the tolerance is ND or non-detectable.)

##### Pesticide Residue Limits in Food

Importers of perishable fresh produce may apply to TFDA for temporary release to their own warehouses of cargo selected for testing with an importer affidavit, but products cannot be moved to commerce until a satisfactory test outcome is obtained. Noncompliance with Taiwan's pesticide standards will result in the recall and the rejection of the products.

#### **A. Grains, Soybeans**

Pesticide residues on imports of plant products other than fruit and vegetables such as food grains or soybeans are no longer “monitored-only” but are inspected in line with the “Regulations of Inspection of Imported Food and Relevant Products.” If a noncompliance is found, the inspection/test rate for the same commodity imported by the same importer will be elevated, e.g. depending on the commodity, from 2-5% to 20%-50% then to 100%. A non-compliant test result on imported bulk commodities is justification to reject the shipment.

#### **A. Meat and Poultry**

Taiwan's pesticide residue levels in livestock and poultry meat, "Standards for Pesticide Residue Limits in Livestock and Poultry Products," last updated on August, 20, 2013, can be retrieved via the following TFDA link:

##### Standards for Pesticide Residue Limits in Livestock and Poultry Products

"Standards for Veterinary Drug Residue Limits in Foods," which details vet drug tolerances in meat and poultry product can be retrieved here:

##### Standards for Veterinary Drug Residue Limits in Foods

According to TFDA regulation, drugs not specifically listed in the regulation, "should not be detected."

On October, 11, 2012, Taiwan established a 0.01 ppm MRL in beef muscle meat for ractopamine, a feed additive commonly used in the United States and many other countries, expanding access for U.S. beef and beef products. The USDA Food Safety Inspection Service (FSIS) webpage listed below can provide additional information for parties interested in exporting U.S. beef to Taiwan.

#### [FSIS Export Library for Taiwan](#)

##### **A. Seafood**

TFDA maintains strict tolerances for heavy metals in seafood products. U.S. exporters should be aware that Taiwan's testing methodology for heavy metals – such as cadmium - differ from U.S. methods. This may result in a higher measured residue level and product rejection. Additional information on food safety standards for seafood products can be found at:

#### [Sanitation Standard for Aquatic Animals Fish and Fishery Products](#)

##### **A. Rice**

Imported rice is subject to batch-by-batch testing for pesticide residues, heavy metals, aflatoxin, and mycotoxins; quality and labeling is also verified. The test should be completed in 3-5 working days. If the test takes longer than five days, imported rice may be released into approved warehouses, with an importer affidavit, to await the test outcome. During this time, however, the product may not be sold in the market.

Taiwan's heavy metal standards for rice are as follows: 0.05 ppm for mercury, 0.4 ppm for cadmium, and 0.2 ppm for lead.

Taiwan's aflatoxin standard for rice is 10 ppb. In September 2012, Taiwan amended its regulation "Standard for the Tolerance of Mycotoxins in Foods." These mycotoxin tolerances can be retrieved here:

#### [Standard for the Tolerance of Mycotoxins in Foods](#)

### **Section VI. Other Regulations and Requirements:**

##### **A. Tariffs and Import Controls**

In 2002, Taiwan lifted import bans on more than forty-two agricultural products upon its WTO accession. These products, including certain meats and variety meats, vegetables and many types of fresh fruit, are completely liberalized, importable under a tariff rate quota (TRQ) or subject to special safeguards. Taiwan's tariff schedule, including import duties, can be found at the Directorate General of Customs tariff database:

#### [Direktorate General of Customs Tariff Database](#)

Article 71 of the Taiwan Customs Act allows authorities to raise or lower commodity tariffs up or down within a range of fifty percent of the established tariff rate for a period not to exceed one year as a way to cope with special domestic and/or international economic situations or to adjust the local supply. For example, to help buffer a sharp increase in consumer food prices, Taiwan authorities implemented a temporary tariff reduction from 20% to 10% on imported apples, nectarines and kiwifruit for the period of October 5 through December 4, 2012. Please refer to FAS report TW12034 for additional information:

[FAS GAIN Report TW12034](#)

Import/export requirements and restrictions, can be found at the Bureau of Foreign Trade (BOFT) data base through:

[Bureau of Foreign Trade \(BOFT\)](#)

Or use the customs' search website at:

[Customs Search](#)

For information regarding import requirements and licensing, contact the following:

Bureau of Foreign Trade  
1 Hu-Kou Street  
Taipei, Taiwan  
Tel: (886-2) 2351-0271  
Fax: (886-2) 2351-3603  
Website: <http://www.trade.gov.tw/>  
Email: [boft@trade.gov.tw/](mailto:boft@trade.gov.tw)

**A. Rice**

Upon accession to the WTO in 2002, Taiwan committed to an import quota of 144,720 MT (brown rice basis) under a “special treatment” regime. Rice imports are now subject to a tariff-rate quota (TRQ) administered on a country-specific basis for the government-purchased portion of the quota. For more information on the administration of the rice TRQ please see FAS GAIN report TW12008:

[GAIN Feed and Grains Annual 2013](#)

**A. Phytosanitary Certificates**

Taiwan authorities generally accept only certificates issued by the exporting country's competent government authority. In some limited cases certificates issued by organizations or agencies accredited or authorized by the competent authority may be accepted. Private industry issued certificates typically are not accepted. U.S. fruit and vegetable exports must be accompanied by

phytosanitary certificates issued by USDA/APHIS; certificates issued by state quarantine offices are no longer accepted.

#### A. **Meat and Poultry**

Imports of meat and poultry products must be accompanied by a Meat and Poultry Export Certificate of Wholesomeness (FSIS Form 9060-5) and a Certificate for Export (FSIS Form 9285-1) issued by USDA/FSIS specifically for Taiwan. Information regarding the shipping port, vessel name, shipping date, container number and container seal number must be included by the exporter/shipper on the Certificate for Export. U.S. beef muscle meat, deboned and bone-in, as well as certain other items derived from animals under 30 months age require an FSIS Form 2630-9 in addition to Form 9285-1 and Form 9060-5. Beginning in May 2011, the FSIS Letterhead Certificate for Poultry Meat and Poultry Meat Products (FSIS Form 2630-9) is also required for U.S. poultry meat and products in addition to Form 9285-1 and Form 9060-5.

Upon WTO accession, Taiwan also removed virtually all requirements for import licenses issued by the Bureau of Foreign Trade (BOFT). However, in early 2010, Taiwan established a new BOFT import licensing regime to control or administratively restrict imports of U.S. bovine variety meats or offal. While several U.S. beef offal products (e.g., tongue, hanging tenders, skirt steak and tendon) are technically eligible under the BOFT Import License regime, box-by-box inspection measures and ambiguous import license regulations continue to act as a de-facto ban, effectively preventing imports of these commercially valuable products.

Interested parties are encouraged to work closely with the Agricultural Section at AIT to confirm current product import eligibility and to consult the Taiwan chapter of the Export Library maintained by USDA's FSIS:

#### [FSIS Export Library for Taiwan](#)

#### A. **Pet Food**

BAPHIQ is the regulatory authority overseeing dog and cat food imports. BAPHIQ's pet food import requirements are detailed in the regulation "Quarantine Requirements for the Importation of Dog and Cat Food" which can be found at the following link [BAPHIQ webpage](#):

#### [Quarantine Requirements for the Importation of Dog and Cat Food](#)

The biggest barrier to entry for U.S. pet food to Taiwan continues to be the lingering ban on ruminant products from countries determined by COA to have Bovine Spongiform Encephalopathy (BSE). U.S. facilities producing pet food with non-ruminant ingredients may be subject to an extensive application process including on-site review and inspection by COA's BAPHIQ division at the facility's expense.

AIT/AGR and APHIS office are in contact with BAPHIQ regarding proposed updates to Taiwan's current dog and cat food import regulations. In June 2012 and again in June 2013, Taiwan notified

draft proposed language to the WTO. While the US is optimistic that the proposed changes could expand access for U.S. dog and cat food, specifically ruminant-origin products, at the time of this report's publication, Taiwan had yet to respond to the U.S. comments or issue new regulations.

At this time, only the following U.S. origin dog and cat food products are permitted for export to Taiwan:

- Dog and cat foods containing NO animal-origin ingredients.
- Dog and cat foods containing NO animal-origin ingredients other than milk, fish, gelatin, dicalcium phosphate, and/or collagen.
- Pet chews containing hides only (including poultry skin); i.e. no other animal-origin ingredients except milk, fish, gelatin, dicalcium phosphate, and/or collagen.

U.S. manufacturers of these pet food products can find information regarding Taiwan's import requirements and certification for these products at the below USDA APHIS link and/or the below FAS GAIN report:

[Taiwan Pet Food Import Requirements](#)

[Accessing Taiwan's Growing Pet Food Market](#)

#### A. Seafood

Imports of fishery products (live, fresh, chilled or frozen) require a certificate of origin issued by either the government of the exporting country or its authorized representative. U.S. exporters must provide Taiwan importers with the following: 1) packing list, 2) commercial invoice, and 3) airway bill or bill of landing. Exporters can find additional information on Taiwan's seafood import regulations, sorted by species, by entering the HS code "030" on the following BOFT webpage:

[BOFT Classification of Commodities and Regulations](#)

Additional information regarding the export to Taiwan of live animals, including aquaculture, can be found at the APHIS International Animal Export Regulations for Taiwan webpage:

[APHIS International Animal Export Regulations, Taiwan](#)

#### A. Organic Products

Taiwan's organic regulations mandate that only products with 95% or greater organic content can be labeled as organic. Taiwan regulations also do not allow product labeled as organic to test positive for any chemical residues. This zero-residue policy, which does not take into account unintentional environmental contamination, has impeded U.S. organic exports to Taiwan. The current regulations

also require importers to coordinate documents with various certifying agents for each shipment to use the organic label. This is despite the fact that the COA has recognized the USDA National Organic Program as equivalent. The redundant paperwork discourages importers from applying for the Taiwan organic label and prompts them to use alternate labels such as "natural". The link below provides details on COA's organic regulations:

[Imported Organic Agricultural Product and Organic Agricultural Processed Product Management Regulations](#)

#### **A. Alcohol - Hygiene Standards**

As of January, 1, 2008, importers are required to comply with the "Hygiene Standards for Alcohol Products." Failure to comply may result in penalties of up to NTD\$90,900 ( $\approx$ USD\$3,040). Importers may submit documentation for sanitary inspections or safety assurances from officials or recognized associations in the exporting country as an alternative to customs clearance product inspection.

The standards for wine include: 1) methyl alcohol content shall not exceed 2,000 mg per liter; 2) lead content shall not exceed 0.3 mg per liter; 3) sorbic acid residue shall not exceed 0.2 g per liter; 4) benzoic acid residue shall not exceed 0.4 g per liter (if alcohol content is 15% or less); 5) lutein residue shall not exceed 10 mg per liter; and 6) sulfur dioxide residue shall not exceed 0.4 g per liter. In addition, beverages shall not have toxic or other substances harmful to human health or that have not yet been proven to be safe to human health. The link to Taiwan's "Hygiene Standards for Alcohol Products" follows:

[Hygiene Standards for Alcohol Products](#)

#### **A. Chinese Medicines/Herbs**

The Committee on Chinese Medicine and Pharmacy under DOH, which was recently reorganized as the Department of Chinese Medicine and Pharmacy under the new MOHW, is responsible for the management of Chinese medicine/herbs which are subject to different - and arguably less stringent - safety requirements than those for ordinary food. Imports of herbs or raw Chinese medicine require a business license for Chinese raw medicine dealer or pharmaceutical manufacturing license issued by the MOHW. Some Chinese raw medicine or herbs may be imported without a dealer license and be sold in ordinary markets as food but the products must then comply with all relevant food safety requirements. In these instances, U.S. exporters must pay special attention to the different import requirements for both food and Chinese medicine.

## **Section VII. Copyright and/or Trademark Laws:**

Trademarks and brand names are protected under domestic laws. The Intellectual Property Office

(IPO), Ministry of Economic Affairs (MOEA) is the statutory body responsible for enforcement of Taiwan's copyright and trademark laws. Printed copies of Taiwan's copyright and trademark laws can be purchased from the IPO. Information is also available in English at the following:

### [Intellectual Property Office](#)

The Trademark Act, which was last amended on September 12, 2010, can be found at:

### [Trademark Act](#)

Taiwan's laws and regulations regarding trademark can be found here:

### [Trademark Laws and Regulations](#)

The Examination Guidelines for the Protection of Well-known Trademarks under Article 23, Paragraph 1, Subparagraph 12 of the Trademark Act, which were enforced on November 9, 2007, provide further protection to well-known trademarks. However, U.S. companies are strongly encouraged to register their brands/trademarks in Taiwan to protect their intellectual properties.

Taiwan's laws and regulations regarding copyright can be found at:

### [Copyright Laws and Regulations](#)

Taiwan's laws and regulations regarding patents can be found at:

### [Patent Laws and Regulations](#)

The former "Plant Seed Act" was amended and renamed as "Plant Variety and Plant Seed Act" on April 21, 2004 and implemented on June 30, 2005 to protect rights in plant varieties. The Act, slightly amended on August 25, 2010, can be found at:

### [Plant Variety and Plant Seed Act](#)

## **Appendix I. Government Regulatory Agency Contacts:**

### ***Food Safety***

Dr. Ming-Kung Yeh  
Director General  
Food and Drug Administration  
Department of Health  
161-2, Kunyang St., Nangang  
Taipei, Taiwan  
Tel: (886-2) 2787-7000

Fax: (886-2) 2653-1206

Dr. Shu-Jean Tsai  
Director  
Division of Food Safety  
Food and Drug Administration  
Department of Health  
161-2, Kunyang St., Nangang  
Taipei, Taiwan  
Tel: (886-2) 2787-7300  
Fax: (886-2) 2653-1062

#### ***Animal and Plant Quarantine***

Dr. Su-San Chang  
Director General  
Bureau of Animal & Plant Health Inspection & Quarantine  
Council of Agriculture  
9F, 51 Chung-Ching South Road, Section 2  
Taipei, Taiwan  
Tel: (886-2) 2343-1456  
Fax: (886-2) 2343-1455

### **Appendix II. Other Import Specialist Contacts:**

*Responsible for general reporting and market access/trade policy issues related to food and agricultural products*

W. Garth Thorburn II, Chief  
Emily Scott, Deputy Chief  
Agricultural Affairs Office  
Agricultural Section  
American Institute in Taiwan (AIT)  
7, Lane 134, Xin-Yi Road, Section 3  
Taipei, Taiwan  
Tel: (886-2) 2162-2000 x 2316  
Fax: (886-2) 2162-2238  
E-mail: [AgTaipei@usda.gov](mailto:AgTaipei@usda.gov)

*Responsible for market promotion and trade services related to food and agricultural products*

Mark Ford  
Director

Agricultural Trade Office  
Agricultural Section  
American Institute in Taiwan  
Room 704, 7F, 136 Jen-Ai Road, Sec. 3  
Taipei, Taiwan  
Tel: (886-2) 2705-6536 x 247  
Fax: (886-2) 2305-7073  
E-mail: [ATOTaipei@usda.gov](mailto:ATOTaipei@usda.gov)

*Responsible for sanitary and phytosanitary issues related to live animal and plants*

Davin C. Potts  
Agricultural Science Officer  
Animal and Plant Health Inspection Service Taiwan Office  
Agricultural Section  
American Institute in Taiwan  
7, Lane 134, Hsin-Yi Road, Section 3  
Taipei, Taiwan  
Tel: (886-2) 2162-2221  
Fax: (886-2) 2162-2215  
E-mail: [davin.c.potts@aphis.usda.gov](mailto:davin.c.potts@aphis.usda.gov)

### **Appendix III. Approved Labeling Format Examples**

(I)

<b>Nutrition Labeling</b>	
Serving size	gm (ml)
This package contains	xx servings
Per serving	
Energy	Kcal
Protein	gm
Fat	gm
Saturated fat	gm
Trans fat	gm
Carbohydrate	gm
Sodium	mg
Content of other nutrient claimed	
Content of other nutrients	

(II)

<b>Nutrition Labeling</b>		
Per 100 gm (100 ml)		
Energy	Kcal	
Protein	gm	
Fat	gm	
Saturated fat	gm	
Trans fat	gm	
Carbohydrate	gm	
Sodium	mg	
Content of other nutrient claimed		
Content of other nutrients		

(III)

<b>Nutrition Labeling</b>		
Serving size	gm (ml)	
This package contains	servings	
Per serving	Per 100 gm (100ml)	
Energy	Kcal	Kcal
Protein	gm	gm
Fat		
Saturated fat	gm	gm
Trans fat	gm	gm
Carbohydrate	gm	gm
Sodium	mg	mg
Content of other nutrient claimed		
Content of other nutrients		

(IV)

<b>Nutrition Labeling</b>		
Serving size	gm (ml)	
This package contains	servings	
Per serving	Percentage of Daily Value of Nutrient Intake*	
	Provided by per serving	
Energy	Kcal	*%
Protein	gm	*%
Fat	gm	*%
Saturated fat	gm	*%
Trans fat	gm	
Carbohydrate	gm	*%
Sodium	mg	*%
Content of other nutrient claimed		
Content of other nutrients		

\*Daily Value of Nutrient Intake: 2000 Kcal of energy, 60 gram of protein, 55 gram of fat, 18 gram of

saturated fat, 320 gram of carbohydrate, and 2400 mg of sodium.

(V)

Nutrition Labeling		
Per 100 Gm(ml)	Percentage of Daily Value of Nutrient Intake" provided by per 100 gm(ml)	
Energy	Kcal	*%
Protein	gm	*%
Fat	gm	*%
Saturated fat	gm	*%
Trans fat	gm	
Carbohydrate	gm	*%
Sodium	mg	*%
Content of other nutrient claimed		
Content of other nutrients		

\*Daily Value of Nutrient Intake: 2000 Kcal of energy, 60 gram of protein, 55 gram of fat, 18 gram of saturated fat, 320 gram of carbohydrate, and 2400 mg of sodium.