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Post: Taipei ATO

Updated Import and Labeling Requirements for 'Organic' Products

Report Categories:

Organic Products

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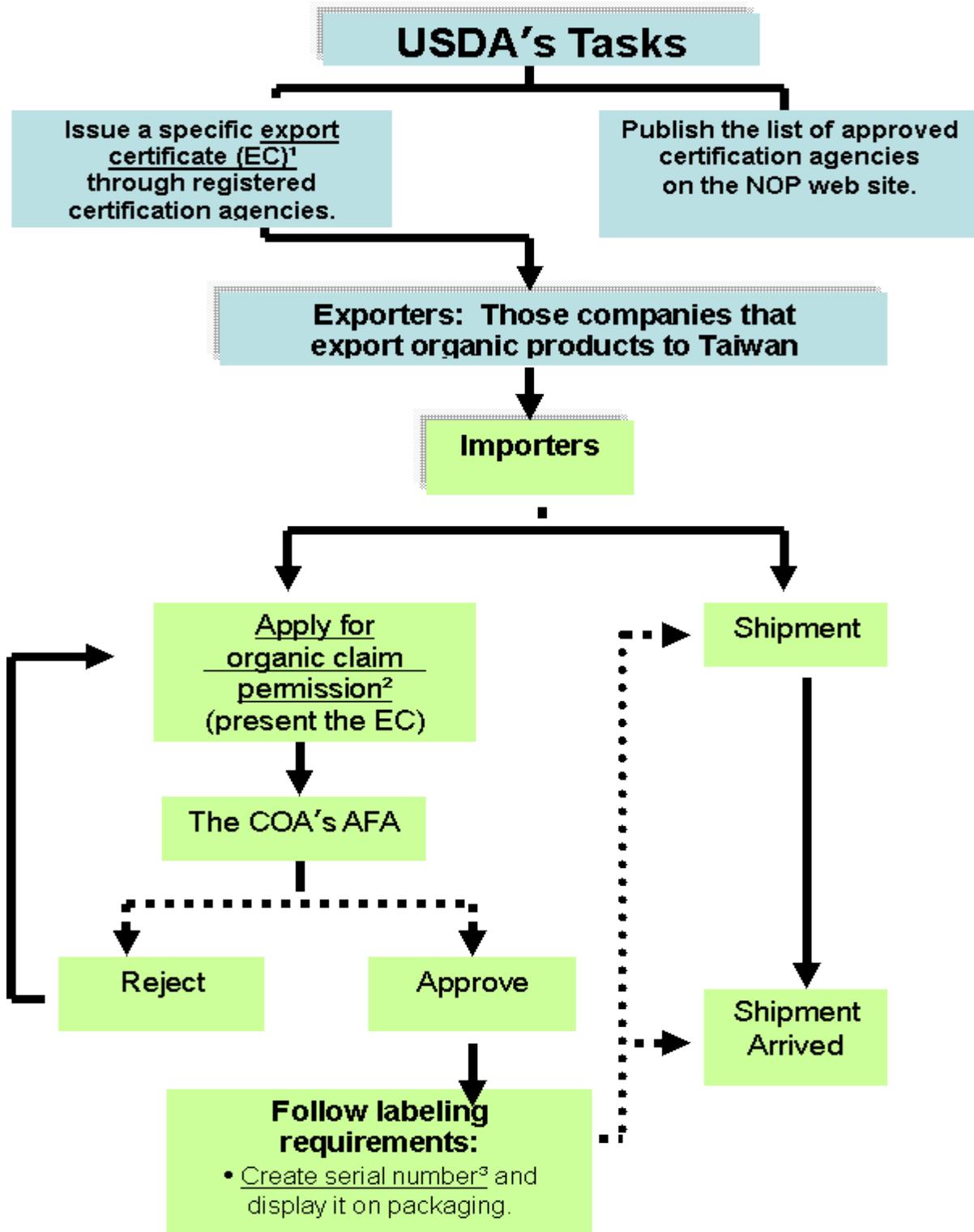
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Report Highlights:

The Agriculture and Food Agency (AFA) of the Council of Agriculture (COA) announced on Wednesday, March 18, 2009, that the US Department of Agriculture's (USDA) National Organic Program (NOP) has officially been recognized by the COA as equivalent to Taiwan's new organic standards. In the future, each batch of organic products imported into Taiwan from the United States must be accompanied by an approved export certificate. In order to meet the new labeling requirements, importers are required to apply for AFA's approval in advance before marketing the products as "organic" in the Taiwan market. This report will explain the application process in detail based on information from AFA's Chinese website.

General Information:

Application Flowchart



1. USDA's Export Arrangement

Companies that export U.S. organic food products to Taiwan are required to provide an export certificate from their products' organic certification agency, which has to be registered with the USDA's National Organic Program in order to issue the TM-11 export certificate for shipments to Taiwan. This information related to the export arrangement between USDA and the Taiwan Council of Agriculture's Agriculture Food Agency (AFA) can be found on the following website at:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5076104&acct=nopgeninfo>.

A blank TM-11 export certificate example is attached on the following page. Taiwan's AFA requires the following information to be included on the export certificate:

1. The name and address of the factory/farm
 - Explanation: this refers to the final certified farm/co-packer, not the trading company.
2. Name of the importer
 - Explanation: it refers to the direct "buyer."
3. The product name and its batch number
 - Explanation: the "batch" refers to the "lot number" of the final certified farm/processor where the products are from.
4. % of organic raw materials
 - Explanation: according to the AFA's current regulations, only products with equal to or greater than 95% of organic ingredient can apply to claim organic. On the USDA export arrangement web page, this requirement is stated and only registered certification agencies are allowed to legally issue the TM-11 form for Taiwan. Therefore, it is not necessary to report the percentage of organic content on the form.
5. Weight or volume of the product
6. Name and address of the certification body
7. The date of issuance
 - Explanation: The issuance date must be no more than three months prior to the date of receipt of the application form by AFA.
8. Other items required by the central competent authority (see special remarks found on NOP website – these must be included on TM-11 form to meet special requirements for Taiwan market.)

Export Certificate Sample

(The number in the cells corresponds to the required information of the previous page.)

REPRODUCE LOCALLY. Include form number and edition date on all reproductions. FORM APPROVED – OMB NO. 0581-0191

 U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE NATIONAL ORGANIC PROGRAM		A knowingly false entry or false alteration of any entry on this certificate may result in a fine of not more than \$11,000 or imprisonment for not more than five years or both (18 USC 1001) and may result in revocation of accreditation under the National Organic Program (7 U.S.C. 6519).			
EXPORT CERTIFICATE					
COUNTRY OF DESTINATION				DATE 7.	
EXPORTED BY (Name and address including ZIP Code) 2.			PRODUCT EXPORTED FROM		
CONSIGNEE TO (Name and address including ZIP Code)			CERTIFYING AGENT ISSUING CERTIFICATE 6.		
TOTAL MARKED NET WEIGHT		TOTAL CONTAINERS			
PRODUCT AS LABELED	3. LOT NUMBER <i>1/</i>	5. MARKED WEIGHT OF LOT <i>1/</i>	NUMBER OF PACKAGES IN LOT <i>y/</i>	SHIPPING MARKS	1. PRODUCER
<i>1/ As stated by exporter</i>					
REMARKS 					
CERTIFY that the agricultural products specified hereon have been certified by a USDA accredited organic certifying agent and have been found to meet all applicable requirements of the National Organic Program.					
SIGNATURE OF ACCREDITED CERTIFYING AGENT				DATE	
NOT VALID UNLESS SIGNED BY A DESIGNATED REPRESENTATIVE OF A USDA ACCREDITED ORGANIC CERTIFYING AGENT					
<i>No financial liability shall attach to the United States Department of Agriculture or to any officer or representative of the Department with respect to this certificate.</i>					

*In the “remarks” section, the certifying agent is required to declare a compliance statement exactly as follows:

- For Processed Products and Crops:

“Organic agricultural products and organic processed products, accompanied by this certificate, were produced or processed using zero prohibited substances.”

- For Livestock and meat products:

“Organic livestock products, accompanied by this certificate, were managed and produced without the use of systemic pain killers or analgesics, including the use of Lidocaine or Procaine.”

2. Application for “organic claim”

(Original web site: http://www.afa.gov.tw/saftyAgriculture_index.asp?CatID=243)

Once the importer receives the export certificate, s/he is able to apply for AFA’s authorization to claim “organic” for their products.

To whom should the importers submit applications?

- The Agriculture Food Agency (AFA) of the Council of Agriculture (COA) is in charge of accepting and reviewing the applications. The contact information is detailed as follows.

-

Northern Taiwan:

- Covers applications from:
 - Taipei City, Taipei County, Keelung City, Taoyuan County, HsinChu City, Hsin Chu County, Miaoli County, Kinmen County, Lian Chiang County
- Telephone: 886-3-3322150 (ext 140~143)
- Address: No. 111, Tatung Rd., Taoyuan City, Taoyuan County

Central Taiwan:

- Covers applications from:
 - Taichung City, Taichung County, Nantou County, Chang Hua County, Yunlin County
- Telephone: 886-48-321911 (ext. 260~264)
- Address: No. 11, Hoping St., Yuanling Town, Chang Hua County

Southern Taiwan:

- Covers applications from:
 - Chia Yi City, Chia Yi County, Tainan County, Tainan City, Kaohsiung City, Kaohsiung County, Pintong County, Penghu County
- Telephone: 886-6-2372161 (ext. 42~43)
- Address: No. 320, Sec. 1, Tungmen Rd, Tainan City

Eastern Taiwan:

- Covers applications from:

- Yilan County, Hualien County, Taichung County
- Telephone: 886-3-8523191
- Address: No. 512, Chung Hwa Rd, Hualien City, Hualien County

Application Form for Importers

(ATO Translation - the original language is in Chinese and can be found at the following website:

http://www.afa.gov.tw/saftyAgriculture_index.asp?CatID=240)

Importer's info	Chinese Name					Company Id	
	English Name						
	Add					Tel.	
	Web site					Fax.	
	Person in Charge		Contact Person				
	Name	Tel.	Name	Tel.	Email Add		
Product info	Manufacturer	Name					
		Add					
	Certification Agency	Name					
		Add					
	Product item	name	lot number	weight	organic ingredient % (only accept app. above 95%)		
Apply for the required "17-digit serial number" for each product item (the importer is required to create the number along with the application): XXX-X-X-XXXXXXXX-XXXXX The instructions are detailed in the following slide.							
Application Date				Importers' Signature			
Date of the Receipt, Number (filled in by the AFA's reviewer)							

3. “Serial Number” Creation on the Application

- According to Item 6 of Article 8, the products are required to carry a “serial” number approved by the AFA on a batch basis for every organic product shipment to Taiwan.
- Who creates the number?
 - Upon approval of the application, AFA will authorize the importers to print the “serial” number created by the importer and submitted on the application form on the Chinese labels of the organic products they bring into Taiwan.
- How to create the number?
 - The number must include 17 digits as follows
 - (XXX-X-X-XXXXXXXX-XXXXX)
 - digits #1-3 represents the Taiwan calendar year,
 - PLEASE NOTE: Taiwan’s official calendar year is 11 years behind the international calendar year. For example, the current international calendar year of 2009 is 98 in Taiwan’s official calendar year. Therefore for code #1-3, the importer should state 098.
 - digit #4 represents the branch office that the application was sent to
 - digits #5-12 represents the importer company’s ID number,
 - digits #13-17 represents the non-duplicated sequential number the importer applies for starting from 00001.
- Article 8

The central competent authority shall issue an organic labeling approval document to the applicant after the imported organic agricultural products and processed products pass the review.

The organic labeling approval document mentioned above shall state the following items:

 - 1.The name and address of the importer;
 - 2.The name of the factory (farm) in foreign countries;
 - 3.The name and batch number of the products;
 - 4.The weight or volume of the products;
 - 5.The name of the organic certification body; and
 - 6.The number of the AFA organic labeling approval document.**

Application Fees

(Website: http://www.afa.gov.tw/laws_index.asp?CatID=336)

- The fees depend on the number of items per application according to the following list (US\$1 = NT\$33):
 - Less than 5 items: NT\$500
 - Between 6 and 10 items: NT\$1,000
 - Between 11 and 20 items: NT\$1,500
 - More than 21 items: NT\$2,000