

Operation Directions for the Inspection of Organic Agricultural Products and In-conversion Agricultural Products and the Handling of its Results

These Directions were promulgated on Jun. 13, 2019 per Order Nung-Liang-Tze 1081069430A.

1. These Directions are established by the Council of Agriculture, Executive Yuan (hereinafter referred to as the COA) to facilitate the competent authority in managing organic agricultural products and in-conversion agricultural products in a consistent manner in accordance with the Organic Agriculture Promotion Act (hereinafter referred to as the Act) and enhancing management efficiency and credibility.
2. The terms used in these Directions shall be defined as follows:
 - (1) Inspection: Any examination, sampling for test, or request for data or record from operators by the competent authority in accordance with Article 22 of the Act
 - (2) Testing body: Any affiliated testing body (institution) appointed or any other body (institution), school or organization entrusted by the central competent authority in accordance with paragraph 2 of Article 23 of the Act
 - (3) Organic product: Any organic agricultural product or in-conversion agricultural product defined in Article 3 of the Act
3. Matters that the competent authority shall inspect in accordance with the Act are provided as follows:
 - (1) No use of such prohibited substances as stipulated in paragraph 2 of Article 15 of the Act, and assurance that organic products do not contain prohibited substance as stipulated in paragraph 3 of Article 15 of the Act;
 - (2) Matters concerning sale, labeling, display or advertisement of organic products in paragraphs 1 and 2 of Article 16 of the Act;
 - (3) Matters concerning naming of the non-natural operator in paragraph 3 of Article 16 of the Act;

- (4) Matters concerning sale, labeling, display, or advertisement of imported agricultural products as organic in paragraph 1 of Article 17 of the Act;
 - (5) Matters concerning labeling and display of organic products in Articles 18 and 19 of the Act;
 - (6) Matters concerning the use of organic marks in accordance with Article 20 of the Act;
 - (7) Matters concerning advertisement about agricultural products in Article 21 of the Act;
 - (8) Matters concerning agricultural products prohibited from being transported, withdrawn, recalled from the market or other measures in Article 25 of the Act; and
 - (9) Other matters to be inspected in accordance with the Act.
4. Inspections conducted by the competent authority shall be recorded. The operator or its representative or designee shall cooperate with inspections and sign or stamp on inspection records. However, in case the operator refuses to sign or stamp on the records, the staff assigned by the competent authority shall indicate the refusal and the time and place of inspection on the records.
5. The competent authority shall take samples for test in accordance with Article 22 of the Act in such sampling method and quantity for organic products (specified in the Appendix). The quantity of samples may be properly adjusted as practically needed for each tested item, providing that the samples shall be sufficient for test.
- The samples taken in accordance with the preceding paragraph shall be sealed by the competent authority with the endorsement of the operator or its representative or designee by signing on the seal. If the operator or its representative or designee refuses to sign, the competent authority shall indicate the refusal on the aforementioned records. The competent authority shall take photos of the samples before and after being sealed. The competent authority shall issue a receipt of samples to the inspected party when conducting the inspection of samples and keep a copy of the receipt for its record. However, the competent authority does not have to

issue a receipt of samples to the inspected party if it obtains the samples by paying for them.

The samples taken by the competent authority in accordance with the first paragraph shall be delivered to the testing body for testing within 3 days after the date of sampling.

6. The testing body, after receiving the samples delivered by the competent authority in accordance with the fourth paragraph of the previous article, shall complete the testing and submit a test report to the competent authority conducting the inspection within 20 days, and it shall also inform the Central Competent Authority.

The competent authority, after receiving the test report mentioned in the preceding paragraph, shall inform the domestically certified operator or importer of any non-compliance with the Act within 10 days in writing. Test results showing that the products are required to be destroyed by the regulations of the central health and welfare authority shall be notified to the operator in a written notice.

7. If the organic products, as shown by inspection results, do not meet the requirements provided in the Act and are therefore withdrawn or recalled from the market pursuant to the order of the competent authority, the operator or the owner of the agricultural products shall withdraw all the non-compliant products within one day after receiving the notice of inspection results from the competent authority, finish the recall of them within 10 days, and file the recall report in writing to the competent authority of the local municipality or county (city) government within 15 days. The report shall indicate clearly the names of relevant entities that have been informed and the results of the recall that has been conducted, including the name, weight or volume, batch number and quantity of each recalled product and other relevant information.
8. After receiving the notice of destruction from the competent authority, the operator shall inform the competent authority in its municipal/county/city government to jointly undertake the destruction five days before the scheduled date of destruction, or within five days

before the scheduled date in case of emergency.

9. Competent authorities in municipal/county/city governments shall also inform the Central Competent Authority of the inspections specified in these Directions.
10. Results of the inspections conducted by the competent authority in accordance with these Directions shall be announced periodically. However, when an operator applies for a retest of organic products in accordance with paragraph 1 of Article 24 of the Act, the result shall be announced after the retest is completed.

Appendix

Requirements for Sampling Methods and Quantities of Organic Product Samples Taken

I. Crop Products

Item	Sampling Methods and Quantities of Samples Taken		
Cereals, Rice Products, Fruits, Vegetables, and Crops for Specific Purposes	1. Cereals, Pluses and Rice		
	(1) Sampling of pre-market products: 1,000 g, with homogeneous mixture, shall be sampled at random.		
	(2) Sampling of post-market products:		
	a. In a bag: Products fully packaged shall be sampled at random. The volume of the samples shall be more than 1,000 g.		
	b. In bulk: Samples of more than 1,000 g shall be taken at random.		
	2. Fruits, Vegetables and Crops for Specific Purposes		
	(1) Sampling of pre-market products		
	A proper quantity of samples shall be taken at random, with homogeneous mixture. Requirements are set forth as follows:		
	a. The quantity of samples taken shall comply with the minimum quantity of samples or the minimum weight of samples. In case no minimum quantity of samples is provided, the quantity of samples shall satisfy the minimum weight of samples:		
	Size of Sample	Minimum Quantity of Samples	Minimum Weight of Samples
	More than 1 kg	2 to 4 pieces	2 kg
	More than 300 g and less than 1,000 g	4 to 6 pieces	1 kg
	More than 30 g and less than 300 g	10 to 15 pieces	1 kg
	Less than 30 g	4 to 6 bunches 50 to 100 pieces	1 kg

	Edible flowers and herbs without regular shape		600 g
	Products with high unit price		100 g
	b. Tea leaves (dried), processed foods after being dried once (dried mushrooms, dried daylilies, dried eatable flowers, dried herbs) shall be sampled at random to get a sample of 300 g, with homogeneous mixture. (2) Sampling of post-market products A proper quantity of samples shall be taken at random, with homogeneous mixture. Requirements are set forth as follows: a. For those in a unit package with the net weight of less than 200 g, six units shall be taken. Tea leaves (dried) shall be sampled to get 300 g. b. For those in a unit package with the net weight of more than 200 g and less than 500 g, four units shall be taken as samples. c. For those in a unit package with the net weight of more than 500 g, two units shall be taken as samples. d. For those in bulk, a sample of more than 1,000 g shall be taken at random. e. For products with high unit price, a sample of 100 g shall be taken.		
Processed Foods	1. Solid or Powdered Agricultural Processed Foods: One sample is obtained from those of the same type in the same batch. (1) For those in a unit package with the net weight of less than 200 g, three cans (bottles, bags, boxes, packs, etc.) shall be taken as samples. (2) For those in a unit package with the net weight of		

	more than 200 g and less than 500 g, two cans (bottles, bags, boxes, packs, etc.) shall be taken as samples. (3) For those in a unit package with the net weight of more than 500 g, one can (bottle, bag, box, pack, etc.) shall be taken as the sample. (4) For those in bulk, a sample of more than 500 g shall be taken. 2. Liquid Agricultural Processed Foods: One sample is obtained from those of the same type in the same batch. (1) Soy bean sauce, vinegar and other sauces: For those with the unit package volume of more than 300 ml, two bottles (cans, bags or packs, etc.) shall be taken as samples. For those with the unit package volume of less than 300 ml, three bottles (cans, bags or packs, etc.) shall be taken as samples. (2) Liquor: Bottled products shall be first taken as samples. In case of no bottled products in the factory (plant), unpacked products in a bucket shall be taken. a. Bottled: For those in the bottle volume of more than 300 ml, three bottles shall be taken as samples. For those in the bottle volume of less than 300 ml, four bottles shall be taken. b. Unpacked: Liquor is poured to a sample bottle. Three bottles shall be taken and there shall be at least 300 ml for each bottle. (3) Other liquid agricultural processed foods: The sampling rules for solid agricultural processed foods shall apply, <i>mutatis mutandis</i>, when the unit of measurement “g” is amended to “ml”.
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II. Livestock Products

Item	Sampling Methods and Quantities of Samples Taken
Livestock or	1. Sampling Methods

Poultry Meat	(1) Both pre-market products (in stocks) or post-market products can be sampled. (2) Only one sample is required from the same product of the same batch number. 2. Quantities of Samples Taken (1) Chilled meat: Randomly select two packs as samples. Each pack shall be more than 300 g. If one pack is less than 300 g, it requires to meet the 300 g sample size. (2) Frozen meat: Randomly select three packs as samples. Each pack shall be more than 300 g. If one pack is less than 300 g, it requires to meet the 300 g sample size. (3) Fresh slaughter meat without cooling: Randomly sample 600 g.
Processed Meat Products	1. Sampling Methods (1) Both pre-market products (in stocks) or post-market products can be sampled. (2) Only one sample is required from the same product of the same batch number. 2. Quantities of Samples Taken (1) If each pack (cans, bottles, bags, boxes, packs, etc.) less than 200 g, randomly select three packages. (2) If each pack (cans, bottles, bags, boxes, packs, etc.) more than 200 g and less than 500 g, randomly select two packages. (3) If each pack (cans, bottles, bags, boxes, packs, etc.) more than 500 g, randomly select one packages. (4) For unpacked products, 500 g of randomly selected sample is required.
Eggs	1. Sampling Methods (1) Both pre-market products (in stocks) or post-market products can be sampled. (2) Only one sample is required from the same product

	of the same batch number. 2. Quantities of Samples Taken (1) Shell egg: Randomly select 10 eggs as samples. (2) Liquid egg: More than 500 g of randomly selected sample is required.
Dairy Products	1. Sampling Methods (1) Both pre-market products (in stocks) or post-market products can be sampled. (2) Only one sample is required from the same product of the same batch number. 2. Quantities of Samples Taken: (1) If each pack (cans, bottles, bags, boxes, packs, etc.) less than 200 g, randomly select three packages. (2) If each pack (cans, bottles, bags, boxes, packs, etc.) more than 200 g and less than 500 g, randomly select two packages. (3) If each pack (cans, bottles, bags, boxes, packs, etc.) more than 500 g, randomly select one packages. (4) For unpacked products, 500 g of randomly selected sample is required.

III. Aquatic Products

1. Sampling Methods and Quantity

- (1) For pre-market products or post-market products, a sample shall be obtained from those of the same type in the same batch.
- (2) The quantity of samples for each type of products is listed below by the size of each sample. Such quantity shall comply with the minimum quantity of samples or the minimum weight of samples. In case no minimum quantity of samples is provided, the minimum weight of samples shall be satisfied.

Type	Item	Size of Sample	Minimum Quantity of Samples	Minimum Weight of Samples
Aquatic Animals	Fish	More than 1 kg	1	1 kg
		More than 500 g and less than 1,000 g	1	600 g

		More than 100 g and less than 500 g	3	600 g
		Less than 100 g		600 g
	Shellfish	More than 60 pieces / kg	60	1 kg
		Less than 60 pieces / kg (Note)		1 kg
		Oyster		1 kg
	Crustaceans (Shrimps)	Less than 50 pieces / kg	30	600 g
		More than 66 and less than 50 pieces / kg	40	600 g
		More than 66 pieces / kg		600 g
	Crustaceans (Crabs)	More than 250 g	4	1 kg
		More than 110 g and less than 250 g	10	1 kg
		Less than 110 g		1 kg
Aquatic Plants	Algae	More than 1 kg		600 g

Note: Less than 60 pieces / kg mean that there are 70, 80, 90pieces in a kg.

(3) Aquatic food products

- a. Solid aquatic processed foods: For those in a unit package with the net weight of less than 200 g, four packs (cans, bottles, bags, boxes, etc.) shall be sampled. For those in a unit package with the net weight of more than 200 g and less than 500 g, three packs (cans, bottles, bags, boxes, etc.) shall be sampled. For those in a unit package with the net weight of more than 500 g, two packs (cans, bottles, bags, boxes, etc.) shall be sampled. For those in bulk, 1,000 g shall be sampled.
- b. Liquid aquatic processed foods: For those in a unit package with the volume of more than 300 ml, two bottles (cans, bags, packs, etc.) shall be sampled. For those in a unit package with the volume of less than 300 ml, three bottles (cans, bags, packs, etc.) shall be sampled.

(4) The quantity of samples to be taken from post-market products is as follows:

- a. Packed: Products with package fully intact shall be sampled at random. The volume of the samples shall be at least 600 g.
- b. In bulk: A sample shall be taken at random and shall be at least 600 g.

2. Packing of Samples and Delivery Methods

- (1) Packing: Product samples shall be contained in a container that cannot be replaced easily. Name of sample, time and place of sampling and sampling person shall be expressly labeled, and the container shall be sealed.
- (2) Delivery: The temperature required for storage of the products shall be the temperature required for transportation.