

No. 8, Guanghua Rd., Nantou City, Nantou County 540, Taiwan (R.O.C.)

Lyzette Lamondin
Executive Director
International Programs Directorate
Canadian Food Inspection Agency (CFIA)
Ontario, Canada

SUBJECT: **Recognition of Equivalency with Canada**

Dear Ms. Lyzette Lamondin,

The Agriculture and Food Agency (AFA) has reviewed the Canadian organic certification program as set out in the *Canadian Food Inspection Agency Act* and the *Safe Food For Canadians Act*.

Therefore, pursuant to the *Organic Agriculture Promotion Act* and its accompanying regulations, the AFA has decided that agricultural products of plant origin, and processed foods of plant origin, livestock and livestock products as well as aquaculture products, which are grown or produced in Canada or whose final processing or packaging occurs within Canada and are;

- certified by a Canadian Food Inspection Agency (CFIA) accredited Certification Body in conformity with the *Canadian Food Inspection Agency Act*;
- produced and processed under the Canadian organic system, which provides safeguards and guidelines governing the production and processing of such products;
- accompanied by a Certificate for Transactions which is issued by an accredited Certification Body attesting compliance with the term of the Canada Taiwan Organic equivalency recognition letter ;

may be sold, labelled and represented in Taiwan as organic, including by display of the Canadian organic logo for the time period specified in this letter.

This interim recognition will be effective as of May 30th 2020 under the conditions set forth in Appendix 1 and Appendix 2 of this letter and will remain valid for one year or until such time as the CFIA is able to conduct the on-site assessment and finalize the equivalency determination.

AFA and the CFIA understand that reciprocally, Canada will recognise the Taiwan's certified organic products exported and sold in Canada as organic, provided they are accompanied by an organic certificate issued by one of the AFA supervised certification bodies.

The AFA is committed to working with CFIA to carry out the terms of this letter.

Sincerely,



Jong-I Hu
Director General
Agriculture and Food Agency
Council of Agriculture, Executive Yuan

Appendix 1
Conditions for granting equivalency

The equivalency decision of the AFA is subject to the following

1. Following the CFIA on-site assessment in Taiwan, the AFA and CFIA will review the functioning of this letter and revise it accordingly by proposing any changes, as needed.
2. Canadian certified organic products will be sold, labelled, and represented as organic in Taiwan if they are certified organic under the Safe Food for Canadians Regulations by a CFIA accredited certification body in Canada.
3. The CFIA will notify the AFA in a timely manner of any;
 - (a) changes with respect to Canadian competent authority and approved certifying bodies;
 - (b) proposed legislation or rulemaking in Canada that would modify the *Canadian Food Inspection Agency Act* and the *Safe Food For Canadians Act*
 - (c) instances of significant non-compliance with Canadian organic certification program. For purposes of this equivalency determination, “significant” means any non-conformity that materially affects the integrity of the organic product subject to this recognition.
4. Following advance notice from the AFA, CFIA will permit the AFA to conduct evaluations (document reviews or on-site visits) to verify how the CFIA approved certification bodies carry out the requirements of Canadian organic certification program. CFIA will cooperate and assist the AFA, to the extent permitted under domestic law, in carrying out such evaluations.
5. The CFIA will submit an annual report to the AFA that will cover the organic activities for the previous year by April 30 of the current year including the following:
 - a. Types and quantities of organic certified organic products exported to the country under the recognition letter (as available through trade codes or electronic certificates);
 - b. Any amendments to the production standards and the regulatory system including the accreditation and certification procedures that have been adopted. Description and explanation of why the organic system remains equivalent;
 - c. A current list and complete contact information of all accreditation bodies and CBs recognized under this recognition (or a link to online resources);
 - d. Overview of the monitoring and supervisory activities carried out by the competent authority including analysis of reports and any other information transmitted by the accreditation bodies and certification bodies;
 - e. Overview of the enforcement actions taken by the competent authority—information on complaints management, follow-up on positive residue testing and cancellation of organic certification;



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AGRICULTURE AND FOOD AGENCY
COUNCIL OF AGRICULTURE, EXECUTIVE YUAN

- f. Any other relevant information such as follow-up on complaints under the recognition, results from working group discussions
6. Taiwan and Canada will participate in discussions or other means they deem appropriate to resolve any issue raised regarding the application of or the activities covered under the recognition letter e.g. establishing Technical Working Group to address and resolve implementation and other issues with the equivalency recognition.
7. If the AFA decides to change its criteria for determining equivalency, it will notify Canada in writing in advance.

Appendix 2 Import provisions

The following import provision applies:

1. Canadian organic products covered under APPENDIX 1 and imported into Taiwan will be accompanied by a Certificate for Transactions of Organic Products issued by a CFIA accredited certification body recognized under an existing organic equivalency recognition between Taiwan and Canada that attests to compliance with the terms of this letter.
2. Canadian organic products not regulated by the AFA (e.g. honey) cannot be imported and sold as organic in Taiwan.

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Ottawa, Ontario
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MAY 27 2020

Mr. Jong-I Hu
Director General
Agriculture and Food Agency (AFA)
Council of Agriculture
Taipei, Taiwan

SUBJECT: **Recognition of Equivalency with Taiwan**

Dear Mr. Jong-I Hu,

The Canadian Food Inspection Agency (CFIA) has completed the document review of the Taiwan organic certification program as set out in the *Organic Agriculture Promotion Act* and its accompanying regulations. The CFIA couldn't complete the onsite assessment due to COVID 19 pandemic.

Therefore, pursuant to the *Canadian Food Inspection Agency Act* and the *Safe Food For Canadians Act*, the CFIA has decided that agricultural products of plant origin, and processed foods of plant origin, livestock and livestock products as well as aquaculture products, which are grown or produced in Taiwan or whose final processing or packaging occurs within Taiwan and are;

- certified by a Taiwanese supervised Certification Body in conformity with the *Organic Agriculture Promotion Act*
- produced and processed under the Taiwanese organic system, which provides safeguards and guidelines governing the production and processing of such products;
- accompanied by an organic certificate which is issued by an supervised Certification Body attesting compliance with the term of the Canada Taiwan Organic equivalency recognition letter;

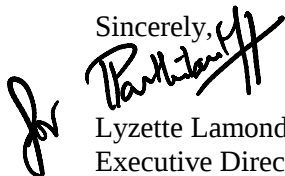
may be sold, labelled and represented in Canada as organic, including by display of the Canadian organic logo as well as the Taiwanese organic seal for the time period specified in this letter.

This interim recognition will be effective as of May 30th 2020 under the conditions set forth in Appendix 1 and Appendix 2 of this letter and will remain valid for one year or until such time as the CFIA is able to conduct the on-site assessment and finalize the equivalency determination.

CFIA and the Taiwan's Agriculture and Food Agency (AFA) understand that reciprocally AFA will continue to recognise the Canadian certified organic products exported and sold in Taiwan as organic, provided they are accompanied by an organic certificate issued by one of the CFIA accredited certification bodies.

CFIA, which administers Part 13 of the Safe Food for Canadians Regulations, is committed to working with AFA to carry out the terms of this letter.

Sincerely,



Lyzette Lamondin
Executive Director
International Programs Directorate
Canadian Food Inspection Agency

Appendix 1 Conditions for granting equivalency

The equivalency decision of the CFIA is subject to the following

1. Following the CFIA on-site assessment in Taiwan, the CFIA and the AFA will review the functioning of this letter and revise it accordingly by proposing any changes, as needed.
2. Taiwanese certified organic products will be sold, labelled, and represented as organic in Canada if they are certified organic to the Taiwan's Organic regulations by supervised certification body in Taiwan.
3. Organic products derived from animals will be produced according to the Canadian organic requirements for livestock origin as set out in CAN/CGSB-32.310 for export to Canada.
4. Aquatic animals treated with antibiotics will not be sold or marketed as organic in Canada.
5. Organic invertebrates will be produced according to the Canadian organic requirements as set out in CAN/CGSB-32.312 for export to Canada.
6. Organic products packaged intentionally using nanotechnology, as defined in CAN/CGSB-32.310 will not be sold or marketed as organic in Canada.
7. The use of the Canada Organic logo on Taiwanese organic products exported to Canada will be verified by the Taiwanese's supervised Certification body certifying the product.
8. The AFA will notify the CFIA in a timely manner of any;
 - (i) changes with respect to Taiwan's competent authority and supervised certifying bodies;
 - (ii) proposed legislation or rulemaking in Taiwan that would modify the *Organic Agriculture Promotion Act* and its accompanying regulations.
 - (iii) instances of significant non-compliance with Taiwan's organic certification program. For purposes of this equivalency determination, "significant" means any non-conformity that materially affects the integrity of the organic product subject to this recognition.
9. Following advance notice from the CFIA, AFA will permit the CFIA to conduct evaluations (document reviews or on-site visits) to verify how the AFA supervised certification bodies carry out the requirements of Taiwan's organic certification program. AFA will cooperate and assist the CFIA, to the extent permitted under applicable law, in carrying out such evaluations.
10. The AFA will submit an annual report to the CFIA that will cover the organic activities for the previous year by April 30 of the current year including the following:
 - (i) types and quantities of organic certified organic products exported to the country under the recognition letter (as available through trade codes or electronic certificates);
 - (ii) any amendments to the production standards and the regulatory system including the accreditation and certification procedures that have been adopted. Description and explanation of why the organic system remains equivalent;
 - (iii) a current list and complete contact information of all accreditation bodies and CBs recognized under this recognition (or a link to online resources);

- (iv) overview of the monitoring and supervisory activities carried out by the competent authority including analysis of reports and any other information transmitted by the accreditation bodies and certification bodies;
 - (v) overview of the enforcement actions taken by the competent authority - information on complaints management, follow-up on positive residue testing and cancellation of organic certification;
 - (vi) any other relevant information such as follow-up on complaints under the recognition, results from working group discussions
11. Canada and Taiwan will participate in discussions or other means they deem appropriate to resolve any issue raised regarding the application of or the activities covered under the recognition letter e.g. establishing Technical Working Group to address and resolve implementation and other issues with the equivalency recognition.
12. If the CFIA decides to change its criteria for determining equivalency, it will notify AFA in writing in advance.

Appendix 2 Import provisions

The following import provision applies:

1. Taiwanese organic products covered under APPENDIX 1 and imported into Canada:
 - (i) will be accompanied by an organic certificate issued by an AFA supervised certification body recognized under an existing organic equivalency recognition between Canada and Taiwan that attests to compliance with the terms of this letter.
 - (ii) Taiwan supervised certification bodies will notify the CFIA in advance of any organic product shipment and CFIA may verify the validity of the organic certificate prior to authorizing the importation of the organic product.
2. Taiwanese organic products not regulated by AFA (e.g. honey) can be imported and sold in Canada as organic if they are certified to the Canadian Organic Standard by a CFIA accredited Certification body. These imported organic products will be accompanied by a valid organic certificate issued by a CFIA accredited Certification body.