



駐印度台北經濟文化中心
Taipei Economic and Cultural Center in India

The Taipei Economic and Cultural Center in India, through its Implementing Agency the Agriculture and Food Agency, the Council of Agriculture, the Executive Yuan (AFA), and the India-Taipei Association, through its Implementing Agency the Agricultural and Processed Food Products Export Development Authority (APEDA), have mutually reviewed the respective organic certification programmes under Paragraph 2 of Article 3 of the Memorandum of Understanding between the Taipei Economic and Cultural Center in India and the India-Taipei Association on Agricultural Cooperation signed in Taipei on September 12th, 2016.

Based on the review, both Parties consider agricultural products intended to be sold as “organic products” that are produced and handled in conformity with the other’s organic certification standards and programmes and meet the provisions of the Appendix as equivalent.

Accordingly, starting from October 22nd, 2021, the agricultural products produced and handled organically in conformity with the National Programme for Organic Production that are accompanied by an Organic Certification Demonstration Document may be sold, labelled and represented in the territory represented by the Taipei Economic and Cultural Center in India as organically produced, including by display of the “India Organic” logo.

The Taipei Economic and Cultural Center in India is also pleased to acknowledge the India-Taipei Association's recognition of the organic certification programme of the territory represented by the Taipei Economic and Cultural Center in India.

The Taipei Economic and Cultural Center in India is committed to working with the India-Taipei Association to carry out the terms of arrangements as per this note and in Appendixes through the respective implementing agencies.

2021/10/22

Baushuan Ger
Representative
Taipei Economic and Cultural Center in India

Terms of Arrangements

Objective

This Arrangement aims to ensure certification compliances, integrity and safety of organic products through process certification, which includes appropriate sampling & analysis, labelling etc., so as to satisfy requirements of both Agricultural and Food Agency (AFA) from Taiwan Party and Agricultural and Processed Food Products Export Development Authority (APEDA) from India Party. The Implementation Agencies of this Arrangement, AFA for Taiwan Party and APEDA for India Party, undertake to do the followings:

- (i) Adopt all necessary measures to comply with the laws, achieve certification compliances, and ensure the integrity and safety of organic products that may be applicable to both Parties together and individually. AFA will ensure compliance with its Organic Agriculture Promotion Act, and APEDA will ensure compliance with its National Programme for Organic Production (NPOP);
- (ii) Ensure that the organic products (the scope of organic products as defined in Appendix 1; special management measures as outlined in Appendix 2) exported to each other's territory are accompanied by an Organic Certification Demonstration Document (required items thereon listed in Appendix 3) required under the regulatory requirements of both the Parties, as agreed upon by AFA and APEDA. The Documents shall be drawn up in English language;
- (iii) Regularly exchange information, by the means of communication agreed upon, on their laws and regulations pertaining to certification process, compliances, integrity and safety of organic products and shall promptly notify each other of any changes in the requirements or conditions of imported organic products;
- (iv) Share the list of standards as applicable on the subject products in their jurisdiction, the list of contaminants with their threshold level of tolerances/limit of detection and methods of sampling & analysis to be followed by the food testing laboratories. In the absence of such information, Codex Standards will be followed wherever available by food testing laboratories.
- (v) Accept sampling & analysis reports and certificate issued by the laboratories and certification Agencies mutually conveyed by AFA and APEDA to avoid duplication of analysis and certification;
- (vi) Keep each other regularly informed, by such means of communication as agreed upon, in the case of an amendment to the laws and regulations pertaining to certification compliances, integrity and safety of organic products within their territory and provide available information regarding the type of the prohibited substances and the products

affected by them, the diagnostic and control methods taken to eradicate the said prohibited substances;

- (vii) Exchange information continuously regarding the progress on eradication of such prohibited substances until their root cause has been eradicated; when a non-compliance occurs, the exporting Party shall, at the request of the importing Party, suspend the issuance of Organic Certification Demonstration Document for relevant products until both Parties deem the relevant risk as resolved.
- (viii) Allow Implementing Agencies to review and inspect each other's whole/partial certification process, compliances, integrity and safety of organic products including sampling & analytical procedures adopted by the laboratories testing organic products in accordance with applicable legal measures;
- (ix) Allow Implementing Agencies to review and inspect each other's whole/partial certification process, compliances, integrity, safety of organic products including labelling and any other necessary area as agreed mutually.

Settlement of Disputes

Any dispute between AFA and APEDA relating to implementation of this Arrangement shall be settled amicably through consultation.

Entry into Force, Renewal and Termination

This Arrangement shall be valid for three years. Thereafter, it shall be automatically renewed for similar period(s), unless one of the Parties notifies the other at least six months prior to its expiry date in writing of its desire to terminate the same. Either Party may terminate it at any time by a written notice to the other at least six months prior to the proposed date for such termination.



Appendix 1

1. This Arrangement covers only organic agricultural products (including processed products) of plant-based origin while excluding:

- I. Aquaculture products, including algae and other aquatic plants or plant-like species;
- II. Apiculture products;
- III. Livestock products.

2. Organic Ingredients in Processed Products

The end products of organic processed products exported from one Party to the other shall be certified as having been processed in ways that can achieve substantial transformation within the exporting Party's domestic territory and comprise of at least 95% ingredients that have been processed and certified in accordance with either:

- I. Indian organic regulations by an certification body accredited by APEDA;
- II. Taiwan organic regulations by an certification body accredited by an accreditation body approved by the AFA;
- III. the organic system of a country or member of the World Trade Organisation (WTO) that is in organic equivalence with both Taiwan and India, given that the certification activities on the concerned materials are performed within the territory of that country or WTO member.



Appendix 2

The special management measures for ensuring compliance with various Taiwanese regulations
in Indian organic products destined for Taiwan

1. Implementation Agencies and Responsibilities

The details of the agencies and the corresponding responsibilities are provided below:

Agency/unit	Responsibility/tasks
Famer/farmer groups	Farmer/farmer groups produce as per National Programme for Organic Production (NPOP) irrespective of destination/market.
Operator/exporters	Operator/exporter manages their organic products follow NPOP and will ensure (through CB and authorized laboratory) that the pesticide residues are within limit, as specified in Taiwanese regulations.
Certification Bodies (CBs)	CBs accredited under NPOP will get sampling and analysis results from the authorized laboratories for each batch/lot destined to Taiwan and will make sure that Taiwanese regulations, including pesticide residue levels, are complied with.
Laboratories	Under CB's requisition, authorized laboratories will sample and analysis the lot/batch for pesticide residues as per Taiwanese regulations.
APEDA	Ensure that CBs generate Transaction Certificates (TC) from TraceNet only after the laboratory report uploaded on TraceNet is found compliant to the Taiwanese regulations.



2. Special measures

The following specific measures would be taken to ensure that Indian organic agricultural products destined for Taiwan are in compliance with the requirements of Taiwan:

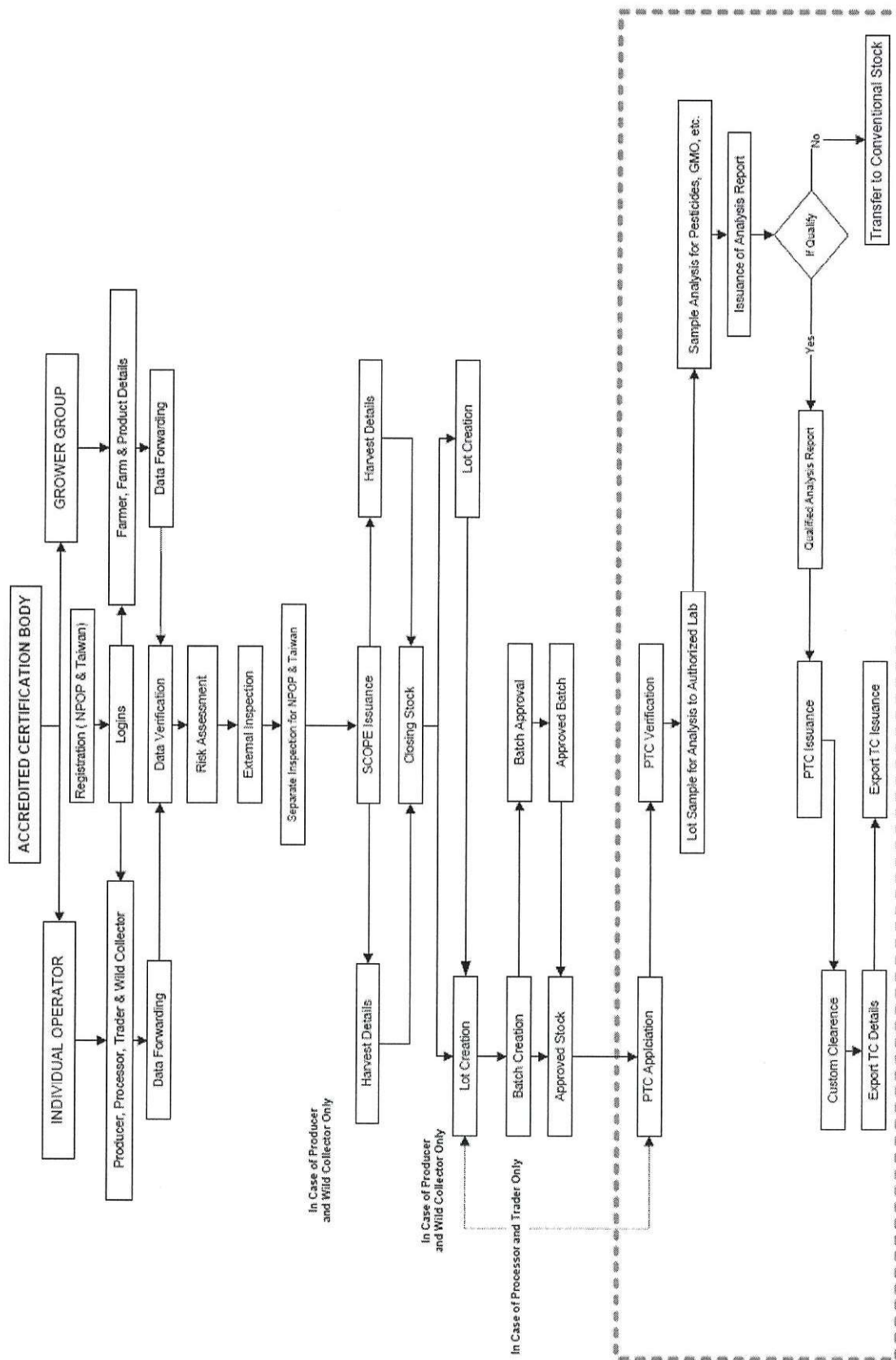
Method of monitoring	Responsible Agency/Unit	
	CBs	APEDA
Routine/regular	100% of the lot/batch is checked*	APEDA will do annual surveillance of all CBs. Again, once in 3 years, APEDA will carry out assessment of the processed during the time of renewal of accreditation of the CB. The annual surveillance and assessment of renewal will involve witness audit of operators/farms. Through these two steps, APEDA will ensure that CBs are following processes required to ensure compliance with Taiwanese regulations.
Unannounced	10% of the certified operators/farms	Unannounced inspection of each CB and its certified operators/farms will be carried out by two Evaluation Committee members, who are appointed by APEDA. The frequency of unannounced inspection will be determined based on the frequency of non-compliances detected by each CB.

*Detail flow chart of routine /regular monitoring of TraceNet system administered by APEDA as following chart:



PROCESS FLOW CHART OF TRACENET – ORGANIC PRODUCTS

Annexure A



3. Every consignment of organic agricultural products destined to Taiwan would be allowed to be exported only after the issuance of TC by the TraceNet online monitoring system, which is administered by APEDA. TC will not be generated unless each lot/batch is certified as compliant to Taiwanese regulations by respective CB. In case of non-complying produce, as shown in TraceNet flow chart, they will be marked as conventional products, With regard to farmers/farmer groups, exporters, CBs and authorized laboratories failing compliance tests, penal provisions and penalties will be imposed, including suspension/termination of concerned stakeholders by APEDA.
4. Upon the rejection of an organic agricultural product intended for export, APEDA will follow the steps specified in Procedure for Investigation of Export Rejections (NPOP / APEDA / QP /15), as amended on April 16, 2019.



Appendix 3

Items Required to be Stated on Organic Certification Demonstration Documents

- For certified organic products exported from Taiwan to India:

1. Name and address of the operator;
2. Product name and batch number;
3. Origin of product;
4. Weight or volume;
5. Name of the importer or buyer;
6. Name and address of the certification body;
7. Issuance date of Transaction certificate;
8. Percentage of organic content.

- For organic products exported from India to Taiwan:

1. Name and address of the operator;
2. Product name and batch number;
3. Origin of product;
4. Weight or volume;
5. Name of the importer or buyer;
6. Name and address of the certification body;
7. Issuance date;
8. Percentage of organic content.

