

Operating Guidelines in Response to the Inspection and Sampling Test Results of Organic Agricultural Products and Organic Agricultural Processed Products

Duly enacted under Order Nung-Liang-Tze 096106824 dated September 20, 2007

Amended under Order Nung-Liang-Tze 1011054130 dated July 30, 2012

1. These Operating Guidelines are duly enacted by the Council of Agriculture (hereinafter referred to as COA) in an effort to enhance safety management over organic agricultural products and organic agricultural processed products, set definite norms over the measures in response to the inspection and sampling test results so as to put into effect thoroughly requirements set forth in Article 14, Paragraph 3 of the Agricultural Production and Certification Act (hereinafter referred to as the Act).

2. Where the organic agricultural products and organic agricultural processed products are found in the first time based on the inspection, sampling, and testing results unsatisfactory to the requirements set forth in the Act, penalty shall be imposed upon the agricultural product operator in accordance with this Act as the actual situations may justify at the lowest penalty amount specified by law. If the operator is found to repeat the offense against the Act within one year, a penalty added by one half extra shall be imposed and the penalty shall be progressively accumulated for each additional offense. The maximum of the penalty shall, nevertheless, not exceed the highest amount specified by law. Fine determination criteria of preceding penal provision, see annex.

3. In the event where the organic agricultural products and organic agricultural processed products are found at a place beyond Article 14, Paragraph 1 of the Act based on the inspection, sampling, and testing results unsatisfactory to the requirements set forth in the Act, the competent authority may, in addition to penalty imposed in accordance with the Act, prohibit the operator from moving the products out of the place and order the operator to complete corrective actions within the specified time limit.

4. Where the organic agricultural products and organic agricultural processed products are found at a shelf for sale based on the inspection, sampling, and testing results unsatisfactory to the requirements set forth in the Act, the

competent authority may order the agricultural product operator to remove the agricultural products out of the shelf in full within one day after receipt of the notice and to complete recall of the agricultural products within ten days.

5. The agricultural product operator shall have the unsatisfactory organic agricultural products and organic agricultural processed products recalled from market after receipt of the notice and shall submit a written report to the municipality, county (city) competent authorities of the performance in recall within fifteen days. The contents of the report shall include the following:

(1) The number of the downstream operators who have been notified, date and method of notice.

(2) The number of responding operators, the products and quantities which call for disposal, including names, weights, contents, batch codes of the products.

(3) The number of non-responding operators.

(4) The products and quantities which have been recalled, including names, weights, contents, batch codes of the products.

6. In the event that the organic agricultural products and organic agricultural processed products recalled in accordance with Paragraph 4 prove to have contained remaining chemical insecticides (pesticides), chemical fertilizer, animal pharmaceuticals or other chemicals beyond the remaining safety tolerance promulgated by the competent authority of health, the agricultural product operator shall have them destroyed within forty days after receipt of the notice and shall inform the local municipality, county (city) competent authorities to accompany the destruction five days prior to scheduled destruction.

7. The municipality, county (city) competent authorities shall serve a duplicate copy about all acts having been taken under the Act to the Central Government level competent authorities.

8. The results of the inspection, sampling, and testing conducted upon the organic agricultural products and organic agricultural processed products shall be promulgated in the following manners:

(1) The competent authorities may promulgate to public the name, address of the agricultural product operator, names of the organic agricultural products and organic agricultural processed products and facts of breach if the agricultural product operator breaches requirements set forth in Article

13 of the Act, or fails to follow the labeling requirements under Article 4, Paragraph 2; Article 5, Paragraph 2; Article 6, Paragraph 2; Article 7, Paragraph 2 and Article 7, Paragraph 3 or makes untrue labeling.

(2) In the event that the agricultural product operator breaches the requirements and applies for a recheck, the aforementioned particulars may not be promulgated for the time being. The competent authorities shall duly act in accordance with the preceding paragraph after the recheck results are confirmed.

9. In the event that the results of inspection, sampling, and testing or recheck prove that an agricultural product operator has violated requirements set forth in Article 13 of the Act, and that the certification body issues a supporting certificate proving that the violation results from the untrue labeling of the content of the organic materials which contain remaining chemical insecticides (pesticides), chemical fertilizer, animal pharmaceuticals or other chemicals, or that the violation is not attributable to the agricultural product operator, the agricultural product operator is exempted from penalty in accordance with Article 7, Paragraph 1 of the Administrative Penalty Act.

Fine Determination Criteria for Agricultural Products and Organic Agricultural Processed Products against Agricultural Production and Certification Act

Act	Contents	Violation	Fine Determination Criteria of Violation	Base on
Article 5, paragraph 1	Agricultural products and their processed products shall not be sold under the term of “organic” unless the cultivation, processing, packaging and distribution of such products and processed products are certified in accordance with the organic regulations prescribed by the central competent authority.	The agricultural product operator labels an organic agricultural product and its processed product as “organic” in Chinese or in any other foreign languages without certification in accordance with paragraph 1 of Article 5, or uses other misleading expressions.	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined,</p> <p>(1) New Taiwan Dollard Sixty Thousand (NTD 60,000) for the first time;</p> <p>(2) New Taiwan Dollard Ninety Thousand (NTD 90,000) for the second time;</p> <p>(3) New Taiwan Dollard One Hundred Thirty Five Thousand (NTD 135,000) for the third time;</p> <p>(4) New Taiwan Dollard Two Hundred and Two Thousand Five Hundred (NTD 202,500) for the Fourth time;</p> <p>(5) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) for the Fifth time;</p> <p>(6) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same</p>	Article 23, paragraph 1, subparagraph 2

<p>Article 6, Paragraph 1</p>	<p>Imported agricultural products and their processed products shall be certified by certification bodies that are accredited by the national or international organic accreditation institutes/ organizations recognized by the central competent authority, and shall be reviewed by the central competent authority before they can be sold under the term of “organic”.</p>	<p>The agricultural product operator labels an organic agricultural product and its processed product as “organic” in Chinese or in any other foreign languages without passing the review in accordance with paragraph 1 of Article 6, or uses other misleading expressions.</p>	<p>violation.</p> <p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined,</p> <p>(1) New Taiwan Dollard Sixty Thousand (NTD 60,000) for the first time;</p> <p>(2) New Taiwan Dollard Ninety Thousand (NTD 90,000) for the second time;</p> <p>(3) New Taiwan Dollard One Hundred Thirty Five Thousand (NTD 135,000) for the third time;</p> <p>(4) New Taiwan Dollard Two Hundred and Two Thousand Five Hundred (NTD 202,500) for the Fourth time;</p> <p>(5) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) for the Fifth time;</p> <p>(6) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	<p>Article 23, paragraph 1, subparagraph 2</p>
<p>Article 5, Paragraph 2</p>	<p>The application requirements</p>	<p>Violates the labeling regulations</p>	<p>1. The track down number of times of violation and penalties</p>	<p>Article 24, paragraph 1,</p>

	<p>and procedures, certification criteria, labeling, shelf life and other relevant regulations of administration for organic agricultural products and their processed products as mentioned in Article 5 paragraph 1 shall be prescribed by the central competent authority.</p>	<p>prescribed in paragraph 2 of Article 5.</p>	<p>within a year is set forth as follow. Where the operator shall be fined,</p> <p>(1) New Taiwan Dollard Thirty Thousand (NTD 30,000) for the first time;</p> <p>(2) New Taiwan Dollard Forty Five Thousand (NTD 45,000) for the second time;</p> <p>(3) New Taiwan Dollard Sixty Seven Thousand Five Hundred (NTD 67,500) for the third time;</p> <p>(4) New Taiwan Dollard One Hundred and One Thousand Two Hundred Fifty (NTD 101,250) for the Fourth time;</p> <p>(5) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the Fifth time;</p> <p>(6) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	<p>subparagraph 1</p>
<p>Article 6, Paragraph 2</p>	<p>The application requirements, review procedures, labeling and</p>	<p>Violates the labeling regulations prescribed in paragraph 2 of Article 6.</p>	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined,</p>	<p>Article 24, paragraph 1, subparagraph 1</p>

	<p>other relevant regulations of administration for imported organic agricultural products and their processed products shall be prescribed by the central competent authority in conjunction with the relevant authorities.</p>		<p>(1) New Taiwan Dollard Thirty Thousand (NTD 30,000) for the first time; (2) New Taiwan Dollard Forty Five Thousand (NTD 45,000) for the second time; (3) New Taiwan Dollard Sixty Seven Thousand Five Hundred (NTD 67,500) for the third time; (4) New Taiwan Dollard One Hundred and One Thousand Two Hundred Fifty (NTD 101,250) for the Fourth time; (5) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the Fifth time; (6) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	
<p>Article 12, paragraph 1</p>	<p>Agricultural products and their processed products shall be certified before using the agricultural product mark.</p>	<p>The agricultural product operator uses an agricultural product mark without certification, or the agricultural product operator keeps</p>	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined, (1) New Taiwan Dollard Two Hundred Thousand (NTD 200,000) for the first time;</p>	<p>Article 21, paragraph 1, subparagraph 2</p>

		using an agricultural product mark even if he has been ordered to suspend or prohibited from using the agricultural product mark.	<p>(2) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) for the second time;</p> <p>(3) New Taiwan Dollard Four Hundred Fifty Thousand (NTD 450,000) for the third time;</p> <p>(4) New Taiwan Dollard Six Hundred Seventy Five Thousand (NTD 675,000) for the Fourth time;</p> <p>(5) New Taiwan Dollard One Million (NTD 1,000,000) for the Fifth time;</p> <p>(6) New Taiwan Dollard One Million (NTD 1,000,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	
Article 12, paragraph 2	The specifications, illustrations, rules of usage and relevant regulations of administration of the agricultural product mark as mentioned in Article 12, paragraph 1	Violates the mark specification or regulations of illustration and usage prescribed in paragraph 2 of Article 12.	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined,</p> <p>(1) New Taiwan Dollard Thirty Thousand (NTD 30,000) for the first time;</p> <p>(2) New Taiwan Dollard Forty Five Thousand (NTD 45,000) for the second time;</p> <p>(3) New Taiwan Dollard Sixty Seven Thousand Five Hundred</p>	Article 24, paragraph 1, subparagraph 3, and paragraph 2

	shall be prescribed by the central competent authority through consultation with the relevant authorities.		<p>(NTD 67,500) for the third time;</p> <p>(4) New Taiwan Dollard One Hundred and One Thousand Two Hundred Fifty (NTD 101,250) for the Fourth time;</p> <p>(5) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the Fifth time;</p> <p>(6) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p> <p>6. The competent authority may suspend the use of the mark for a period of no less than three months but no more than one year; the competent authority may prohibit the use of the mark if such situation is serious.</p>	
Article 13	Chemical pesticides, chemical fertilizers, animals' drugs or any other chemicals, except for those	Violates Article 13 by using chemical pesticides, chemical fertilizers, animals' drugs or any other chemicals.	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined,</p> <p>(1) New Taiwan Dollard Thirty Thousand (NTD 30,000) for the first time;</p>	Article 24, paragraph 1, subparagraph 4

	<p>which have been announced by the central competent authority to be permitted, shall not be used in organic agricultural products and their processed products.</p>		<p>(2) New Taiwan Dollard Forty Five Thousand (NTD 45,000) for the second time; (3) New Taiwan Dollard Sixty Seven Thousand Five Hundred (NTD 67,500) for the third time; (4) New Taiwan Dollard One Hundred and One Thousand Two Hundred Fifty (NTD 101,250) for the Fourth time; (5) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the Fifth time; (6) New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) per each subsequent violation, if more than six times.</p> <p>2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period.</p> <p>4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period.</p> <p>5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	
Article 14, paragraph 1	<p>The competent authority, to the extent of ensuring that agricultural products and their processed products comply with the requirements prescribed in</p>	<p>Refuses, evades or resists the inspection or sampling for examination made by the competent authority in accordance with paragraph 1 of Article 14.</p>	<p>The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined, 1. New Taiwan Dollard One Hundred Thousand (NTD 100,000) for the first time; 2. New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the second time;</p>	Article 22, subparagraph 1

	<p>this Act, may send personnel into the premises where products are produced, processed, packaged, stored, distributed or marketed to conduct inspection or sampling for examination. None shall refuse, evade or resist such inspection or sampling.</p>		<p>3. New Taiwan Dollard Two Hundred Twenty Five Thousand (NTD 225,000) for the third time; 4. New Taiwan Dollard Three Hundred Thirty Seven Thousand Five Hundred (NTD 337,500) for the Fourth time; 5. New Taiwan Dollard Five Hundred Thousand (NTD 500,000) for the Fifth time; 6. New Taiwan Dollard Five Hundred Thousand (NTD 500,000) per each subsequent violation, if more than six times.</p>	
<p>Article 14, paragraph 2</p>	<p>The competent authority may require that the operator of the premises as mentioned in the preceding paragraph provide related evidences and records during conducting the inspection or sampling for examination in accordance with the preceding paragraph.</p>	<p>Fails to provide the related evidence or records in accordance with paragraph 2 of Article 14.</p>	<p>The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined, 1. New Taiwan Dollard One Hundred Thousand (NTD 100,000) for the first time; 2. New Taiwan Dollard One Hundred Fifty Thousand (NTD 150,000) for the second time; 3. New Taiwan Dollard Two Hundred Twenty Five Thousand (NTD 225,000) for the third time; 4. New Taiwan Dollard Three Hundred Thirty Seven Thousand Five Hundred (NTD 337,500) for the Fourth time; 5. New Taiwan Dollard Five Hundred Thousand (NTD 500,000) for the Fifth time; 6. New Taiwan Dollard Five Hundred Thousand (NTD 500,000) per each subsequent violation, if more than six times.</p>	<p>Article22, subparagraph 2</p>
<p>Article 14, paragraph 3</p>	<p>In addition to imposing penalties on the agricultural product operator pursuant to this Act, the competent authority may prohibit the agricultural product operator from transporting his agricultural products and their processed</p>	<p>The agricultural product operator violates the transportation inhibition order or fails to take corrective actions within a limited period, conduct recalls, destroy products or adopt other appropriate measures stipulated by the competent authority in accordance with paragraph 3 of</p>	<p>1. The track down number of times of violation and penalties within a year is set forth as follow. Where the operator shall be fined, (1) New Taiwan Dollard Two Hundred Thousand (NTD 200,000) for the first time; (2) New Taiwan Dollard Three Hundred Thousand (NTD 300,000) for the second time; (3) New Taiwan Dollard Four Hundred Fifty Thousand (NTD 450,000) for the third time; (4) New Taiwan Dollard Six Hundred Seventy Five Thousand (NTD 675,000) for</p>	<p>Article21, paragraph1, subparagraph 3</p>

	<p>products out of the premises set forth in the first paragraph in the event that such agricultural products and their processed products fail to pass the inspection or the examination in accordance with this Act. The competent authority may also order the agricultural product operator to take corrective actions within a limited period, conduct recalls, destroy products or adopt other appropriate measures.</p>	<p>Article 14.</p>	<p>the Fourth time; (5) New Taiwan Dollard One Million (NTD 1,000,000) for the Fifth time; (6) New Taiwan Dollard One Million (NTD 1,000,000) per each subsequent violation, if more than six times. 2. Different products which do not comply with the act are regarded as different deeds, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period. 3. Different lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act are regarded as different deed, which shall be imposed a fine separately, and may carry out a mandate to recall within a limited period. 4. The same lot (like effective date, manufacture date, date of production, lot number) of the same product from the same operator which does not comply with the act is regarded as the same deed, and may carry out a mandate to recall within a limited period. 5. The aforementioned product which is discovered not to comply with the act in subsequent inspection before the end of limited period for recalling is regarded as the same deed with the same violation.</p>	
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Remarks :

1. Once an organic agricultural product is suspected to violate Agricultural Production and Certification Act, the municipality or county (city), where the agricultural product operator locates the establishment, government shall launch an investigation in accordance with Administrative Procedure Act and its relevant regulations to affirm the liability of “agricultural product operator of final certified product” or “agricultural product operator of uncertified product”, and to prosecute according to the law. Should there reveal with reasonable proof that any violation discovered to conspire against the obligation of Administrative Act deliberately made by the operators, municipality and county (city) government shall impose penalties separately in accordance with Article 14 Administrative Penalty Act.
2. The amount for the penalty shall base on this Fine Determination Criteria and Article 18 of Administrative Penalty Act through careful examining the impact and the level of censure resulted from violating the obligation, the profit resulted from the violation of this Act and the wealth of the one be punished is concerned. The disciplinary agency shall clearly state the whys and wherefores and consider the discretion in light of penalty circumstance to set forth the amount of penalty within the scope of law.
3. An order nun-liang-tze No. 0991053748 released by Council of Agriculture Executive Yuan on November 15th, 2010 explains that the penalty object, who is a certified agricultural product operator in accordance with the Act engaging in domestic organic agricultural products production, processing, packaging and circulation, sets forth in Subparagraph 4, Paragraph 1, Article 24 of Agricultural Production and Certification Act (hereinafter referred to as the Act). It is the ultimate responsibility of the final certified agricultural product operator to assure the integrity of organic agricultural product.
4. The penalty objects violating the Act are as follow:
 - (1) The one who violates Paragraph 1, Article 5 of the Act, a penalty for agricultural product operator or

retailer whose products are uncertified;

(2) The one who violates Paragraph 1, Article 6 of the Act, a penalty for importer or retailer whose products are not accepted as qualified;

(3) The one who violates Paragraph 2, Article 5 of the Act, a penalty for final certified agricultural product operator or retailer;

(4) The one who violates Paragraph 2, Article 6 of the Act, a penalty for importer or retailer whose products are accepted as qualified;

(5) The one who violates Paragraph 1, Article 12 of the Act, a penalty for agricultural product operator using agricultural product logo on their uncertified products without authorization, or the agricultural product operator whose products have been suspended or forbidden from using the agricultural product marks keeps on using the mark.

(6) The one who violates Paragraph 2, Article 12 of the Act, a penalty for agricultural product operator whose certified agricultural product mark contravenes the prescribed specification, style and usage set forth in Regulation Governing Management over Agricultural Product Marks.

(7) The one who violates Article 13 of the Act, a penalty for agricultural product operator of final certified product.

(8) The one who violates Paragraph 1, Article 14 of the Act, a penalty for agricultural product operator who refuses, evades and impedes the personnel of competent authority conducting inspection or sampling examination.

(9) The one who violates Paragraph 2, Article 14 of the Act, a penalty for agricultural product operator who fails to provide relevant certificates and records according to the law.

(10) The one who violates Paragraph 3, Article 14 of the Act, a penalty for agricultural product operator who violates the transportation inhibition order or fails to conduct improvements, recalls, destroy products or adopt other appropriate measures stipulated by the competent authority.

5. The entrusted production, packaging, processing and circulation agricultural product operators shall be certified.

6. Once the responsibility of violation is uncertain or unable to determine, the final certified agricultural product operator shall take the ultimate responsibility in accordance with Article 6, the enforcement rules of this Act, which stipulates to investigate relevant certificates and records as well as transaction records of operators.