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Taiwan

Food and Agricultural Import Regulations and Standards

Clarification of Expiry Date Labeling 2001

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Report Highlights:

Taiwan inspection authorities' enforcement of a change in labeling requirements for packaged foods & food additives from "either Manufacturing Date or Expiry Date" to "Expiry Date" continues to cause problems at entry for some imported foods.

This report, a followup to TW0047 (dated 10/30/00) and the Country FAIRS report is intended to update U.S. food exporters on the enforcement of this new requirement, beginning on November 1, 2000.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Taipei [TW1], TW

Taiwan inspection authorities' enforcement of a change in labeling requirements for packaged foods & food additives from "either Manufacturing Date or Expiry Date" to "Expiry Date" continues to cause problems at entry for some imported foods. This report, a followup to TW0047 (dated 10/30/00) and the Country FAIRS report is intended to update U.S. food exporters on the enforcement of this new requirement which began in November 2000.

The Bureau of Standards, Metrology, and Inspection (BSMI) is commissioned by the Department of Health (DOH) to do food inspection, including food additives, food hygiene and product labeling, at the port of entry. Food imports must have product labeling in Chinese language ready upon arrival. However, importers of food products which are to be repackaged, change packaged or further processed, including those for the HRI trade, can apply to BSMI, prior to the arrival of shipment, for a waiver of the Chinese labeling requirement. The waiver is valid for two years. The current practices that BSMI applies to food imports with regard to the waiver are as follows:

- Food products in package over 3 kg are considered as bulk imports. The importers can either apply for the waiver or file an affidavit, upon arrival of the shipment, to guarantee that the products are intended for repackaging, change packaging or further processing and not for direct sale to consumers.
- Food products in packages weighing between 1 to 3 kg can apply for the waiver of Chinese language labeling. The waiver is in standardized form that indicates the food is not for direct sale to consumers.
- Food products in package below 1 kg are not eligible to apply for the waiver and imports must have the Chinese labeling ready at the port of entry. However, post successfully convinced the Taiwan authorities in making an exception to vacuum-packed raw meat in packages below 1 kg. The vacuum-packed meat, normally in packages of 400 to 600 grams, which is weighed, priced and labeled with correct Chinese labeling before being put on the shelf in retail, can clear Customs with the "Affidavit of No Direct Sale to Consumers". The Agricultural Affairs Section of the American Institute in Taiwan may provide advice to U.S. suppliers who encounter Customs clearance problems in this regard.

Products labeled with both "Manufacturing Date" and "Shelf Life", which can be used to calculate the actual expiry date are accepted at this moment, but this expedient may be phased out in the future. Since the implementation of the new requirement in November 2000, most consumer-ready products have complied with it smoothly. However, the new requirement has caused confusion to the trade and the flow of trade is sometimes impeded. Problems that importers encountered in recent months are categorized as follows:

1. Product dating in original language: The BSMI inspectors do not examine the original labeling as long as the Chinese labeling is readily affixed to the product upon arrival. However, for products imported under a waiver (of Chinese language labeling), some inspectors may require the expiry date be printed on the original language label. This problem can be resolved by the importer's submission of a statement indicating the shelf life of the products so that the expiry date can be calculated from the manufacturing date already available in the original language labeling.
2. Food products imported in bulk: BSMI allows importers to either apply for a waiver of Chinese labeling or an affidavit of "No direct sale to consumers", depending on the size of the minimum package.
3. Consumer-ready foods: The Chinese labeling for these products must comply with the expiry date

requirement if the waiver or affidavit has not been filed. Products labeled with both "Manufacturing Date" and "Shelf Life", which can be used to calculate the actual expiry date, are accepted. Products labeled with only the "Manufacturing Date" without a "Shelf Life" labeling will be stopped at the point of entry.

4. Fresh fruit & vegetables: These products are exempt from Chinese language labeling.

5. Uncooked sea food: Imported sea food products in bulk can apply for the waiver or file the affidavit. Ready-to-eat products in consumer pack (below 1 kg) must comply with the expiry date requirement.

6. Wine: Some products have shelf life labeling, but some do not. Wine is currently not subject to BSMI mandatory inspection. No labeling problems have been reported.