

Voluntary Report – Voluntary - Public Distribution

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Report Number: TW2020-0037

Report Name: Taiwan Reinforces Health Claim Regulations

Country: Taiwan

Post: Taipei

Report Category: Agriculture in the News

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Report Highlights:

The Taiwan Food and Drug Administration (TFDA) recently strengthened the enforcement of food labeling requirements for health claims. If food labels containing a health claim are not registered and approved, TFDA may impose a fine between US\$1,300 and US\$180,000 for misleading consumers. U.S. exporters of products making health claims need to be vigilant with packaging and advertising material to ensure compliance.

Content:

On August 4, TFDA promulgated revisions to existing regulations to enhance enforcement of the labeling requirement for health claims on food labels, promotional material, and advertisements: [Regulations Governing of Criteria for the Label, Promotion and Advertisement of Foods and Food Products Identified as False, Exaggerated, Misleading or Having Medical Efficacy](#). In order to support consumer confidence in foods labeled as “health foods, TFDA clarified that if food containing any language or text referring to health (or healthy) and it has not been registered as such, the business may face a fine between 40,000 to 5,000,000 New Taiwan dollar (NTD) (equivalent to US\$ 1,300 to \$170,000). Enhanced enforcement and higher fines can be applied to any food distributed at the retail level in Taiwan and will be in effective on July 1, 2022. Due to the heavy use of these terms in the marketplace, TFDA maintains tight oversight over food labeling, especially misleading efficacy claims. During the transition period before implementation, OAA Taipei encourages U.S. industry to work with local importers to double check labels and advertising material in order prevent unnecessary fines.

In general, four regulations oversee health food claims in Taiwan: [Health Food Control Act, Enforcement Rules of Health Food Control Act, Regulations for Application of Health Food Permit, and Regulations Governing the Outsourcing of Health Food Product Registration](#).

Products with health food claims must prove that the product has the capacity to contribute to health and/or decreases disease risk. However, no health foods may claim to prevent illness. Currently, there are thirteen claims that can be applied for domestic health food registration, including:

- Improving digestion
- Adjusting blood lipid
- Protecting liver function
- Bone mass protection
- Immunoregulation
- Adjusting allergy reaction
- Not easily forming body fat
- Adjusting blood sugar
- Adjusting blood pressure
- Anti-fatigue
- Attenuation aging
- Improving Iron bioavailability
- Teeth protection

A registration is valid for five years.

Reference in translation

[TFDA notification No. 109122203 \(Chinese\)](#)

Subject:

[Regulations Governing Criteria for the Label, Promotion and Advertisement of Foods and Food Products Identified as False, Exaggerated, Misleading or Having Medical Efficacy](#)

Remarks:

Revised Article 4

Additional paragraph:

If the label of the food products contains the word “health”, it might be identified as misleading. Health food must have approval to be exempt.

Revised Article 6

Additional paragraph:

The Article 4 amended on August 4, 2020 shall take effect from July 1, 2022

Attachments:

No Attachments.