Content

Title：	Agricultural Product Inspection, Sampling, and Testing Regulations Ch
Date：	2007.06.26
Legislative：	1.Agricultural Product Inspection, Sampling, and Testing Regulations Promulgated on June 26, 2007
Content：	Article 1 These Regulations are established in accordance with Paragraph 1, Article 15 of the Agricultural Production and Certification Act (hereinafter referred to as the Act). Article 2 The competent authority shall perform the following inspection, sampling and testing to agricultural product operators: 1. Those specified in the regulations established in accordance with Paragraph 2, Article 4 of the Act concerning certification of premium agricultural products and their processed products; 2. Those specified in the regulations established in accordance with Paragraph 2, Article 5 of the Act concerning the certification of organic agricultural products and organic agricultural processed products; 3. Those specified in the regulations established in accordance with Paragraph 2, Article 6 of the Act concerning the import of organic agricultural products and processed agricultural products; 4. Those specified in the regulations established in accordance with Paragraph 2, Article 7 of the Act concerning implementation of the traceability certification of specific domestic agricultural products, and regulations established in accordance with Paragraph 3 of the same Article concerning implementation of the traceability of imported agricultural products; 5. Those specified in the regulations established in accordance with Paragraphs 1 and 2, Article 8 of the Act concerning agricultural product traceability information and data preservation; 6. Those specified in the regulations established in accordance with Paragraph 2, Article 12 of the Act concerning the use of agricultural product mark by agricultural products and their processed products; 7. Chemical pesticides, chemical fertilizers, veterinary drugs and other chemical products specified in Article 13 of the Act; and 8. Other inspection or testing required by the Act; Article 3 The competent authority shall send personnel to conduct inspection prescribed in Paragraph 1, Article 14 of the Act, and may perform sampling when necessary. Personnel conducting the inspection and sampling mentioned in Paragraph 1, Article 14 of the Act shall present proof documents concerning the

performance of their duties or show identification marks.

Article 4
The sampling mentioned in Paragraph 1 of the preceding Article shall be conducted in accordance with the requirements of the central competent authority and shall have a sufficient quantity of sample products for the purpose of inspection and record. The sample products shall be signed and sealed by the central competent authority together with the agricultural product operator, its agent, or its designated person.
For samples that are collected during inspection or sampling of a production, processing, packaging or storage premise, the competent authority shall issue receipts to the operator under inspection. The inspection personnel shall retain copies of the receipts for subsequent reference.
The cost of samples collected in the preceding Paragraph shall be born by the operator.

Article 5
The competent authority shall prepare inspection or sampling records when performing the inspection or sampling of agricultural products and their processed products. The records shall be signed and confirmed by the agricultural product operator, its agents or its designated accompanying personnel.
If the agricultural product operator's personnel accompanying the inspection or sampling team refuse to sign the records mentioned in the preceding Paragraph, the inspection personnel assigned by the competent authority shall note the fact, time and location on the records.

Article 6
Except under special circumstances as approved by the competent authority for an extension, the time limit for inspection or testing of agricultural products or their processed products shall follow the requirements below:
1. The competent authority or organizations mandated or authorized in accordance
   with the provisions of Paragraph 2, Article 15 of the Act shall deliver samples
   to the subordinate inspection bodies of the central competent authority for
   inspection and testing within three days from the date of sampling.
2. The subordinate inspection body of the central competent authority shall complete
   inspection and testing within 20 days upon receipt of the samples mentioned in the
   preceding Subparagraph.

Article 7
After the samples have been inspected and tested, the subordinate inspection body of the central competent authority shall issue an inspection report, copies of which shall be sent to the sampling unit and related competent authorities.
The competent authority shall notify the agricultural product operator in writing of the inspection results within 10 days upon receipt of the agricultural product inspection report .
The competent authority shall dispose of agricultural products and their processed products that are determined to be not complying with requirements of the Act after inspection or testing in accordance with Article 14 of the Act.

Article 8
The personnel engaged in inspection and sampling shall ensure that any business secrets of the inspected party that are accessed or obtained in

the course of their work shall be kept confidential.

Article 9
The personnel engaged in inspection and sampling shall avoid conflict of interest when performing the work if they are business competitors of the parties under inspection.

Article 10
The competent authority shall notify other responsible competent authorities to take action when violations of other laws or regulations are discovered during the inspection or testing of agricultural products and their processed products.

Article 11
These Regulations shall come into force on the date of promulgation.

Data Source：MINISTRY OF AGRICULTURE Laws and Regulations Retrieving System