


Content

Title :	Regulations for Import Inspection of Feed and Additives 
Date :	2018.12.24
Legislative :	1.Promulgated on December 24, 2018
Content :	<p>Article 1 □</p> <p>This set of Regulations is formulated according to Section 22-2.3 of the Feed Control Act (hereinafter “the Act”).</p> <p>Article 2 □</p> <p>Terms in this set of Regulations are defined as follows:</p> <p>2.1 Applicant: the importer of feed or feed additives (hereinafter “the product”).</p> <p>2.2 Inspection: tasks conducted by the central competent authority according to Section 22-2.1 of the Act, including pre-import document review, on-site verification, and sampling analysis of products. □</p> <p>2.3 Inspection authority: the central competent authority, or the organizations/groups commissioned by the central competent authority. □</p> <p>2.4 On-site verification: tasks performed by agents from the inspection authority (hereinafter “the inspector”) at the product storage location - including verification of product names, specifications, packaging as well as sensory checks to observe the appearance, smell and features of the product. □</p> <p>2.5 Sampling analysis: inspectors taking samples for the laboratory to perform sensory, chemical, biological or physical examination and tests. □</p> <p>2.6 Batch: one entry of imported product on the import declaration document.</p> <p>Article 3</p> <p>3.1 The applicant shall file an application for inspection - along with a photocopy of import declaration and other prescribed documents - to the inspection authority at the port of arrival within 15 days before or upon arrival of the product.</p> <p>3.2 In case of missing documents or issues to be resolved in the application described in Section 3.1, the inspection authority shall notify the applicant to rectify by a prescribed deadline; the applicant’ s failure to rectify in time may result in the authority’ s inspection on available information only.</p> <p>Article 4</p> <p>4.1 Products imported as different batches shall be listed on separate applications for inspection unless in any/one of the following situations:</p> <p>4.1.1 The applicant may file one consolidated application for inspection for products - though listed as different entries on the import declaration but - with the same CCC (commodity classification code) code, description, ingredients, brand name, manufacturer and country of origin.</p>

4.1.2 Different applicants may file one consolidated application for inspection for products of the same CCC code and specifications imported inside the same bulk cargo-hold on the same voyage of the vessel.

4.2 Once a product is listed in a consolidated application for inspection as described in Section 4.1, that product entry must not be pulled out and entered into a separate application for inspection.

Article 5

Cargo-hold bulk product in a consolidated application described in Section 4.1 may be unloaded at multiple ports; the on-site verification and sampling analysis shall be conducted by the inspection authority at the first port of arrival; inspection authorities at ensuing ports may render the decision based on the first inspection authority' s ruling.

Article 6

6.1 The inspection authority may proceed product inspection with the following measures:

6.1.1 Batch-by-batch inspection: Inspect each batch of product by on-site verification and sampling analysis.

6.1.2 Randomly-selected batch inspection: Randomly select each batch of product by following inspection rate, and inspect the chosen product by on-site verification and sampling analysis.

6.1.2.1 General sampling inspection: The inspection is performed based on a 2-10% inspection rate.

6.1.2.2 Reinforced randomly-selected batch inspection: The inspection is performed based on a 20-50% inspection rate.

6.2 For those products not be selected in randomly-selected batch inspection, the inspection authorize may exam extra by on-site verification and sampling analysis.

6.3 For consolidated applications described in Article 4.2, the inspector shall conduct sampling analysis using the highest sampling rate among all products' applicable rates in compliant with Articles 7 to 9.

Article 7

Batch-by-batch inspection shall be conducted on products imported by the same applicant in either of the following situations:

7.1 The most recent batch of same-CCC code, same-origin product is found non-compliant during an enhanced sampling inspection.

7.2 In case of concerns about the feed' s quality or hygiene, inspection authority determines that it is necessary to carry out the batch-by-batch inspection.

Article 8

8.1 Enhanced sampling inspection shall be conducted on products imported by the same applicant in either of the following situations:

8.1.1 The most recent batch of same-CCC code, same-origin product is found non-compliant during a general sampling inspection.

8.1.2 Products applied for inspection originally belong to batch-by-batch inspection, and the same obligatory inspection applicant has imported five consecutive batches of such products from the same origin and CCC Code, and

whose sampling analysis results conform to regulations. However, if the preceding batch before these five consecutive batches of the same obligatory inspection applicant failed to conform to regulations, then the quantity of these five consecutive batches of such products shall be three times greater than the preceding batch of unqualified products.

8.1.3 In case of concerns about the feed's quality or hygiene, inspection authority determines that it is necessary to carry out the enhanced sampling inspection.

8.2 For products applied to inspection originally belongs to batch-by-batch inspection, the inspection authority may not be restricted by the restrictions stipulated in the Section 8.1.1 for concerning about the feed's quality or hygiene

Article 9

9.1 General sampling inspection shall be conducted on products imported by the same applicant in either of the following situations:

9.1.1 There is no recent non-compliance as described in Articles from 7 to 8.

9.1.2 Products applied for inspection originally belong to enhanced sampling inspection, and the same obligatory inspection applicant has imported five consecutive batches of such products from the same origin and CCC Code, and whose sampling analysis results conform to regulations. However, if the preceding batch before these five consecutive batches of the same obligatory inspection applicant failed to conform to regulations, then the quantity of these five consecutive batches of such products shall be three times greater than the preceding batch of unqualified products.

9.2 For products applied to inspection originally belongs to enhanced sampling inspection, the inspection authority may not be restricted by the restrictions stipulated in the Section 9.1.2 for concerning about the feed's quality or hygiene

Article 10

10.1 Depending on the packing and transport mode, products shall be made available (hereinafter "open for inspection") for on-site verification and sampling for analysis according to Articles from 6 to 9 in one of the following ways:

10.1.1 Bulk product in cargo holds: one after another cargo hold will be open for inspection.

10.1.2 Product in shipping containers: one container will be open for inspection for each 10 containers up to 50; one more container will be open for inspection for each group of 50 containers (or less) beyond the first 50 containers.

10.1.3 Product in boxes/bags: two boxes/bags will be open for inspection for each 50 such units; five boxes/bags will be open for inspection for a lot of over 51 and under 500 such units; 15 boxes/bags will be open for inspection for a lot of over 501 such units.

10.2 In case of concerns about the feed's quality or hygiene, inspection authorities may require more containers or boxes/bags than specified in Section 10.1-- or even all of them -- be open for inspection.

Article 11

11.1 The applicant shall follow the authority's instruction to make the product open for inspection: by moving the designated container to a specific position on the ground level, providing necessary machinery or performing tasks to facilitate the inspection.

11.2 Samples for inspection are to be randomly selected by the inspector; the applicant must not specify. The number of samples taken from each batch is limited to the quantity sufficient for laboratory tests. The inspector shall issue a sampling receipt to the applicant; there shall be no cost to the authority for samples obtained.

Article 12

12.1 In any of the following situations, the applicant may file an application for approval along with an affidavit stating his consent to move the product to a place of temporary custody pending sampling by the inspection authority:

12.1.1 The inspection task requires more than five days.

12.1.2 It is difficult to perform sampling in the container yard or cargo hold.

12.1.3 Taking samples may compromise the product quality.

12.2 The applicant shall be responsible for the security and custody of the product described in Section 12.1 which must not be sold, used or dealt with without prior consent of the inspection authority.

12.3 The application for approval in Section 12.1 will be denied in any of the following situations:

12.3.1 The scenarios in Section 12.1 do not apply.

12.3.2 The product is designated for batch-by-batch inspection.

12.3.3 The applicant has failed to comply with Section 12.2 in the past six months.

Article 13

13.1 Inspection authorities are to send a compliance notice electronically to the applicant for the imported product found compliant after inspection.

13.2 The applicant may collect the remaining samples by presenting the sampling receipt within 15 days after issuance of the compliance notice in Section 13.1. The inspection authority may, at its own discretion, dispose of samples unclaimed beyond deadline or those with a short shelf life.

Article 14

14.1 The inspection will render a non-compliance result in any of the following situations:

14.1.1 Lab analysis shows levels of tested items exceeding maximum allowable limits (see attached Table)

14.1.2 Missing/incorrect information in the application document cannot be resolved.

14.1.3 Other scenarios failing to comply with the Act or this set of regulations.

14.2 If one product in temporary custody is found to be not compliant, all other products that cannot be easily separated in this storage space are deemed non-compliant.

Article 15

15.1 Inspection authorities shall send a notice of non-compliance to the applicant after the imported product is found non-compliant during inspection, and may demand part or all of the feed/additives be returned, destroyed or confiscated before a deadline.

15.2 The applicant may - within seven days after receipt of the notice in Section 15.1 - apply to the original inspection authority for re-inspection (limited to only once) on the remaining samples already in the authority's possession.

15.3 The remaining samples shall be destroyed after the deadline for re-inspection request, unless otherwise stipulated in the law.

15.4 The central competent authority may delegate the returned, destroyed or confiscated tasks described in Section 15.1 to its subordinate agencies or other organizations.

Article 16

16.1 All Cargo-hold bulk products of the same batch will be deemed non-compliant if during inspection by each hold under Section 10.1.1 a product is found in any of the situations in Section 14.1.

16.2 The non-compliant products in Section 16.1 that can be divided into compliant and non-compliant holds, the applicant may apply to the customs authority for approval to divide the original import declaration into two batches based on the result of sequential container inspection; and then apply to the inspection authority for divided-batch inspection to render a new ruling.

Article 17

17.1 The applicant shall be notified if during on-site verification a product in the container appears to be rotten or decomposed; products in all containers of the same batch will be deemed non-compliant. However, the applicant may apply for a batched inspection under Section 17.2 for a second round of on-site verification and sampling analysis to render a new ruling.

17.2 The inspection authority - after approving the application in Section 17.1 - shall conduct on-site verification on all containers one after another (hereinafter "sequential container inspection") and sampling analysis in the presence of the applicant and customs authority. The applicant may apply to the customs authority for approval to divide the original import declaration into two batches based on the result of sequential container inspection; and then apply to the inspection authority for divided-batch inspection. However in a divided-batch inspection, no sample will be taken from containers in which the product has been found non-compliant during the sequential container inspection.

17.3 The ruling on divided-batch inspection under Section 17.2 is final; it cannot be appealed through re-inspection.

Article 18

Inspectors shall carry and present their identification papers when conducting field inspections under this set of regulations.

Article 19

This set of regulations come into enforcement from January 1 2019.

Attachments : Table.pdf

Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System