

Content

Title : Criteria for Determining the Penalties for Violating Organic Agriculture Promotion Act [Ch](#)

Date : 2019.06.13

Legislative : 1. This Criteria was promulgated on Jun. 13, 2019 per Order Nung-Liang-Tze 1081069433A.

Content :

1. This Criteria is established by the Council of Agriculture, Executive Yuan (hereinafter referred to as the COA) to address all incidents concerning violations of the Organic Agriculture Promotion Act (hereinafter referred to as the Act) and establish clear and consistent guidelines to enhance law enforcement efficiency and credibility.
2. The competent authority shall refer to the Table of the Criteria for Determining the Penalties for Violating Organic Agriculture Promotion Act (attached as the Appendix) to impose penalties on those who violate the Act.  
The number of violations provided in the Table indicated in the previous paragraph shall be calculated backward to a year from the date of latest violation.
3. When the domestic production, processing, distribution or importing of agricultural products is found in violation of the Act, the operator who assumes the final responsibility for such products shall be punished.
4. When imported agricultural products are found in violation of the Act, the importer shall be held liable to take the legal punishment.
5. The number of violations shall be decided as follows:
  - (1) If different types of agricultural products from an operator are found in violation of the same provisions of the Act, such violations shall be deemed as different acts of violation.
  - (2) If different batches of the same type of agricultural products of an operator are found in violation of the same provision of the Act (e.g. date of expiration, date of manufacturing, date of production, and batch number), such violations shall be deemed as different acts of violation.
  - (3) If the agricultural products on which a fine has been imposed for violation of the Act or which have been ordered to be corrected, withdrawn or recalled from the market within a given period are found in violation of the same provisions of the Act after the payment of the fine or the expiration of the period, such violations shall be deemed as different acts of violation, which will be counted toward the number of violations.
6. All penalties, except those on accreditation bodies or certification bodies, shall be imposed by the municipal/county/city governments where the household address of the violator or the address of the violating incorporation or group is registered.

Attachments : appendix\_1108.pdf

---

Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System