

NOTIFICATION

PROCEDURE FOR EXPORT OF ORGANIC PRODUCTS UNDER THE MUTUAL RECOGNITION AGREEMENT (MRA) BETWEEN INDIA AND TAIWAN

1. Scope of Recognition

1.1 The following procedure is in pursuance of the Mutual Recognition Agreement (MRA) between India and Taiwan. The procedure authorizes agricultural products certified as “organic” by either organic system to be exported and imported for sales in the other market w.e.f **8th July 2024**

1.2 The implementing Agencies for the MRA are Agricultural and Processed Food Products Export Development Authority (APEDA), Ministry of Commerce & Industry, India and Agriculture and Food Agency, Ministry of Agriculture (AFA), Taiwan.

1.3 The MRA with Taiwan covers only

- Edible organic agricultural products (including processed products) of plant-based origin that are grown or produced in India and certified to India’s organic regulations.
- Processed foods must be certified as having been processed in ways that can achieve substantial transformation within the domestic territory of India (i.e. India is the place of origin) and comprise of at least 95% ingredients that are either: i) organic products that are produced and certified in India under India’s organic regulations; ii) organic products that are produced and certified in Taiwan under Taiwan’s organic regulations; or iii) organic products that are produced and certified within the domestic territory and according to the organic regulations of a country or a World Trade Organization (WTO) member that has organic equivalence with both Taiwan and India.

1.4 The following categories **are excluded** from the arrangement:

- In conversion agricultural products and processed products made from in – conversion agricultural products
- Aquaculture products, including algae and other aquatic plants or plant-like species
- Apiculture products
- Livestock products.

1.5 Standards:

- 1.5.1 Export from India to Taiwan: The National Programme for Organic Production (NPOP) and the special management measures for Indian organic products destined for Taiwan to ensure compliance with Taiwanese regulations
- 1.5.2 Export from Taiwan to India: The Organic Agriculture Promotion Act and its relevant regulations

2. Export of Organic Products to Taiwan under MRA

2.1 The export of organic products to Taiwan will comply with the following requirements to ensure certification compliances, integrity and safety of organic products through process certification, which includes appropriate sampling & analysis, labelling etc.

- 2.1.1 Adherence to NPOP requirements with respect to the Crop production, Handling and Trading requirements to ensure the integrity of the organic products exported. In addition, the food safety requirements as applicable against the National Regulation shall also be complied with.
- 2.1.2 Every lot of consignment intended to be exported to Taiwan has to comply with the special management measures as outlined in **Appendix 1**
- 2.1.3 The Certification Bodies accredited under NPOP shall ensure that every consignment destined to Taiwan is accompanied by a Transaction Certificate issued on Tracenet in the prescribed format.
- 2.1.4 Ensure that the product is within the scope of arrangement.
- 2.1.5 The Certification Body shall issue the Transaction Certificate only if the batch is compliant to the organic Regulation of Taiwan.
- 2.1.6 The Certification Bodies shall treat the non complaint product/lot as conventional if non compliance is reported/ identified and shall apply disciplinary measures as per Sanction catalogue in such events.
- 2.1.7 Organic agricultural products exported to Taiwan must bear the Indian Organic logo.



- 2.2 The Taiwan Organic mark shall not appear on organic products imported from India under the arrangement. Under Taiwanese regulations, imported organic products are not allowed to bear the Taiwan Organic mark.
- 2.3 For products to be sold in Taiwan, it is mandatory to have Chinese labels. There are no restrictions regarding having English labels alongside the Chinese labels if the manufacturers wish to have so.

3. Export of Organic Products from Taiwan to India under MRA

3.1. Import of organic products from Taiwan will be covered under Chapter III (imports and reciprocity) clause 9 (import of organic food) of India's Food Safety and Standards (Organic Food) Regulations, 2017, notified on 29.12.2017 and enforced from 01.07.2018.

3.2 The organic food imports from Taiwan under the MRA shall not be required to be re-certified on import to India subject to their compliance with the provisions of the Act, the rules and regulation made there under.

3.3 Ensure that the product is within the scope of the arrangement.

3.4 The organic food consignments from Taiwan shall be accompanied by a transaction certificate (TC) issued by an Accredited Certification Body covered under the terms of the equivalence agreement.

3.5 List of Taiwanese certification bodies that are qualified to issue a Transaction Certificate (TC) <https://www.afa.gov.tw/eng/index.php?act=download&ids=29210>

3.6 Template of the Transaction Certificate (TC) https://apeda.gov.in/apedawebsite/Announcements/Taiwan_TC_for_India.pdf

3.7 The Taiwan Organic mark is required and shall be put on products by a certified Taiwanese organic agricultural product operator.



3.8 The labelling declaration shall be in English in addition to Chinese.

4. Effective date of organic equivalency between Taiwan and India

- (1) The arrangement was signed and entered into effect on October 22, 2021.
- (2) Only TCs issued after the promulgation of this procedure on **8th July 2024** are valid for trade in organic agricultural products between Taiwan and India.

The special management measures for ensuring compliance with various Taiwanese regulations in Indian organic products destined for Taiwan

1. Implementation Agencies and Responsibilities

The details of the agencies and the corresponding responsibilities are provided below.

Agency/unit	Responsibility/tasks
Farmer/farmer groups	Farmer/farmer groups produce as per National Programme for Organic Production (NPOP) Irrespective of destination/market.
Operator/exporter	Operator/exporter manages their organic products, follow NPOP and will ensure (through CB and authorized laboratory) that the pesticide residues are within limit, as specified in Taiwanese regulations.
Certification Bodies (CBs)	CBs accredited under NPOP will get sampling and analysis results from the authorized laboratories for each batch/lot destined to Taiwan and will make sure that Taiwanese regulations, including pesticide residue levels, are complied with.
Laboratories	Under CB's requisition, authorized laboratories will sample and analysis the lot/batch for pesticide residues as per Taiwanese regulations.
APEDA	Ensure that CBs generate Transaction Certificates (TC) from TraceNet only after the laboratory report uploaded on TraceNet is found compliant to the Taiwanese regulations.

2. Special measures

The following specific measures would be taken to ensure that Indian organic agricultural products destined for Taiwan are in compliance with the requirements of Taiwan:

Method of monitoring	Responsible Agency/Unit	
	CB's	APEDA
Routine/regular	100% of the lot/batch is checked*	APEDA will do annual surveillance of all CBs. Again, once in 3 years, APEDA will carry out assessment of the process during the time of renewal of accreditation of the CB. The annual surveillance and assessment of renewal will involve witness audit of operators/farms. Through these two steps, APEDA will ensure that CBs are following processes required to ensure compliance with Taiwanese regulations.
Unannounced	10% of the certified operators/farms	Unannounced inspection of each CB and its certified operators/farms will be carried out by two Evaluation Committee members, who are appointed by APEDA. The frequency of unannounced inspection will be determined based on the frequency of non-compliances detected by each CB.