



Taiwan Overseas Market Access Requirements

5 April 2024

TITLE

Organic Export Requirement: Taiwan Overseas Market Access Requirements

COMMENCEMENT

This Organic Export Requirement is effective from 5 April 2024

REPLACEMENT

This Organic Export Requirement replaces the Organic Export Requirement: Taiwan Overseas Market Access Requirements, issued 18 November 2022.

ISSUING BODY

This Organic Export Requirement is issued by the Ministry for Primary Industries in relation to the Official Organic Assurance Programme.

Dated at Wellington, 5 April 2024

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Introduction

This introduction is not part of the Organic Export Requirement, but is intended to indicate its general effect.

Purpose

This Organic Export Requirement (OER) outlines the specific overseas market access requirements that must be met to export, or supply for export, organic products produced in compliance with the Official Organic Assurance Programme (OOAP) to the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu (TPKM or 'Taiwan').

Background

In 2020, Taiwan and New Zealand signed an Implementing Arrangement on Mutual Recognition of Organic Products Certification under the Agreement between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Cooperation (ANZTEC), enabling reciprocal trade in organic products. This Organic Export Requirement: Taiwan Overseas Market Access Requirements is the key implementing tool giving effect to that arrangement.

The Organic Export Requirement: Overseas Market Access Requirements (OER: OMARs) are an essential part of the New Zealand Ministry for Primary Industries (MPI) system for official assurances for organic products.

Official organic assurances only attest to conformance with the importing markets organic regulatory requirements. Exporters are responsible for ensuring their consignments comply with all other relevant regulatory requirements of the importing market. Exporters are recommended to check the [MPI website for exporting](#) for further information.

MPI issued OERs override any advice your importer may have, but where MPI has no advice on a specific topic, your importer can also be an important source of information on the regulatory requirements of their markets.

Who should read this Organic Export Requirement?

- (1) OER: TW OMAR should be read by:
- operators producing, processing, or handling products under the OOAP for export to Taiwan;
 - exporters exporting organic products under the OOAP to Taiwan;
 - agencies and person recognised by MPI to provide services on behalf of MPI for the OOAP.

Document history

No.	Version Date	Section Changed	Change(s) Description
1	3 June 2010	First publication	
2	01 March 2011		• changed from NZFSA to MAF.
3	23 January 2015		• changed from MAF to MPI; • corrected hyperlinks.
4	07 March 2016	• General • Section 1.1 • Section 1.3	• clarified who OMAR applies to; • clarified products categories; • added requirements for organic wine;

No.	Version Date	Section Changed	Change(s) Description
		<ul style="list-style-type: none"> 1.5 	<ul style="list-style-type: none"> added link to MPI exporting NZ grape wine requirements website.
5	03 November 2017	All sections	<ul style="list-style-type: none"> Updated to MPI template; added requirement for processed products.
6	28 April 2020	All sections	<ul style="list-style-type: none"> amended to implement the Arrangement on Mutual Recognition of Organic Productions Certification.
7	07 July 2022	Introduction Various clauses in sections 1.3, 1.4 and 1.5	<ul style="list-style-type: none"> removed text and clauses related to the transition from old OOAP Standards to new OOAP Requirements as transition is now complete.
		1.1(2)	<ul style="list-style-type: none"> clarified the prerequisite requirement to comply with all relevant legislation for the product type.
		1.2	<ul style="list-style-type: none"> terms and definitions needed to bridge the transition from the old OOAP Standards to the new OOAP Requirements have been removed.
		1.3	<ul style="list-style-type: none"> relocated to appear after product requirements; renumbered 1.5; clarified recognised agency requirements.
		1.4.3	<ul style="list-style-type: none"> (renumbered 1.3.3) Clarified rules and responsibilities; added language on time limits for issuing official organic assurances.
		1.5.2	<ul style="list-style-type: none"> (renumbered 1.4.2) Heading renamed.
		1.5.2(2)a) iii), iv) and v)	<ul style="list-style-type: none"> (renumbered 1.4.2(2) a) iii), iv) and v) Amended the limits on sulphur content in organic wine from 30 mg/kg to 100 mg/kg.
		1.5.2(4)	<ul style="list-style-type: none"> (renumbered 1.4.2(4)) Strengthened the language concerning the use of imported ingredients for clarity.
		1.5.3(1)	<ul style="list-style-type: none"> relocated to the requirements for Organic Management Plan (OMP) verifiers.
8	17 November 2022	1.4.2 (2)a) iii) – v)	<ul style="list-style-type: none"> language updated/clarified to describe the limits on sulphur dioxide in organic wine.
		1.4.2 (4) and (5)	<ul style="list-style-type: none"> guidance updated to clarify the markets from which imported ingredients may imported from.
		1.5.4	<ul style="list-style-type: none"> recommendation added to confirm export eligibility of products containing imported ingredients with the OMP certifier.
9	5 April 2024	Various clauses	<ul style="list-style-type: none"> replace ‘this OER’ with OER: TW OMAR.
		1.1	<ul style="list-style-type: none"> minor amendments to wording.

No.	Version Date	Section Changed	Change(s) Description
		1.4.2 (4)	<ul style="list-style-type: none"> clarify that the calculation methodology applies to ingredients measured by weight; add (in guidance) guidance on the methodology used to calculate 95% minimum organic content; correct the URL to Taiwan's list of countries with which Taiwan has concluded an organic equivalence arrangement.
		1.4.2 (5)	<ul style="list-style-type: none"> add (in guidance) guidance on the methodology used to calculate 95% minimum organic content.

Why is this important?

OER: TW OMAR sets out the requirements that must be met for MPI to certify that an organic product meets the requirements New Zealand has negotiated with Taiwan's organic competent authority. It should be noted that although product may comply with these requirements and be given an official assurance (by way of an export certificate); the importing market ultimately retains control over what product it clears for entry.

Other information

Compliance with other regulations

All products within the scope of the OOAP must first meet relevant New Zealand legislation, including but not limited to the following Acts, Codes, including secondary legislation such as regulations, notices, and standards:

- Agricultural Compounds and Veterinary Medicines Act 1997;
- Animal Products Act 1999;
 - including Overseas Market Access Requirements (OMARs) issued under the Animal Products Act;
- Animal Welfare Act 1999;
 - including Codes of Welfare issued under the Animal Welfare Act 1999;
- Australia New Zealand Food Standard Code, as enabled by the Food Act 2014;
- Biosecurity Act 1993;
- Fisheries Act 1996;
- Food Act 2014;
- National Animal Identification and Tracing Act 2012;
- Wine Act 2003;
 - including any Overseas Market Access Requirements (OMARs) issued under the Wine Act 2003; and
- Other legislative requirements not administered by MPI, as relevant, including but not limited to the Hazardous Substances and New Organisms Act 1996 and Resource Management Act 1991.

In addition, plant products within the framework of the OOAP will need to meet the relevant phytosanitary certification requirements as stipulated in the applicable Importing Countries Phytosanitary Requirement (ICPR).

It is beyond the scope of OER: TW OMAR to advise organic operators (including organic exporters) on all the relevant legislative and regulatory requirements for their product type.

MPI resources and contacts for further information include:

- the [OMAR search function](#) to find all relevant Notices for animal products, including dairy products;
- the [ICPR search function](#) to find all relevant Standards for plant products;
- Exporter Regulatory Advice Service (exporterhelp@mpi.govt.nz); and
- Market Access (market.access@mpi.govt.nz).

Exporters should also consult with their importer or agent in Taiwan on Taiwan's import related requirements.

Guidance versus Requirements

The information contained within a border under the heading 'Guidance' throughout OER: TW OMAR (example below) is for guidance only and is not part of the requirements.

Guidance

- This is an example of a guidance box.

Guidance may include:

- interpretative material or further explanation;
- help for where the reader can find more information (e.g. hyperlinks); or
- examples or indications of preferred ways of doing things.

Operators do not have to show that they have followed guidance, and recognised agencies do not need to check that guidance has been followed by the operator.

Requirements of OER: TW OMAR are presented as numbered clauses and Schedules. Requirements are mandatory. They present:

- requirements that must be met;
- prohibitions that must be met; or
- allowances/approvals that may be approved, provided set conditions are met.

Useful reference information

The current versions of the following documents should be read along with OER: TW OMAR (as published on the [MPI website](#)):

- Organic Export Requirement: Recognised Agencies and Persons ([OER: RAP](#)); and
- Organic Export Requirement: Organic Production Rules ([OER: OPR](#)).

Part 1: Requirements

1.1 Application

- (1) This Organic Export Requirement (OER) applies to:
 - a) operators participating in the Official Organic Assurance Programme (OOAP) that produce, process, handle, supply for export, or export eligible products to Taiwan with an official organic assurance (organic export certificate); and
 - b) agencies and persons recognised by MPI to provide services on behalf of MPI for the OOAP.
- (2) The following categories of product may be exported to Taiwan under OER: TW OMAR:
 - a) unprocessed horticultural products for human consumption;
 - b) animal products for human consumption from bovine, porcine, ovine, caprine, and avian species;
 - c) mushrooms;
 - d) vegetative propagating material and seed for cultivation;
 - e) processed products for human consumption from ingredients in subclauses (2)a), b) and c); and
 - f) organic wine.
- (3) Organic products in the following categories are not eligible for export to Taiwan under OER: TW OMAR:
 - a) unprocessed or processed animal products for human consumption from cervine, equine, ratite, bivalve molluscan shellfish species and *Apis mellifera* (apiculture products);
 - b) unprocessed wool;
 - c) live animals;
 - d) unprocessed or processed algae products;
 - e) unprocessed or processed products from wild harvest;
 - f) processed agricultural products for animal consumption;
 - g) yeast;
 - h) wine labelled as "made from organic grapes" from 2015 vintage or earlier.

Guidance

- Organic operators, including organic exporters, are responsible for ensuring their consignments comply with all other relevant regulatory requirements for Taiwan, for example:
 - Animal Product operators can use the [OMAR search function](#) on the MPI website; or
 - Plant product operators can use the [ICPR search function](#) on the MPI website
- It is beyond the scope of OER: TW OMAR to advise organic operators (including organic exporters) on all the relevant legislative and regulatory requirements for their product type.
- Cosmetic and textile products cannot be exported under OER: TW OMAR.

1.2 Definitions

- (1) In OER: TW OMAR:

organic competent authority means the entity with the responsibility for regulation of organic food and other primary industry product in that market. Taiwan's organic competent authority is the Agriculture and Food Agency (AFA) or the Council of Agriculture (CoA). New Zealand's organic competent authority is the Ministry for Primary Industries (MPI).
- (2) All terms used, but not defined, in OER: TW OMAR have the same meaning as definitions in the current versions (as published on the MPI website) of the following documents:
 - a) Organic Export Requirement: Organic Production Rules (OER: OPR); and

- b) Organic Export Requirement: Recognised Agencies and Persons (OER: RAP).

Guidance

- Organic Export Requirements are provided on the MPI website at:
<http://www.mpi.govt.nz/exporting/food/organics/requirements/>

1.3 Operator Administrative Requirements

1.3.1 All operators

- (1) Operators (including organic exporters) who produce, handle, supply for export, or export products to Taiwan under OER: TW OMAR must:
- a) be verified as meeting the requirements of OER: TW OMAR by a recognised agency that meets the requirements in clause 1.5;
 - b) meet the requirements of [Organic Export Requirement: Organic Production Rules \(OER: OPR\)](#) Part 2 Administrative Requirements; and
 - c) ensure that products comply with clause 1.4 of OER: TW OMAR.
- (2) Operators processing products that contain imported ingredients must have evidence and records to demonstrate compliance with clauses 1.4.2(4)c) and d).

1.3.2 Product identification and labelling

- (1) All products exported under OER: TW OMAR must be labelled with the information required by OER: OPR clause 2.8(3).

Guidance

- OER: OPR clause 2.8(3) requires that, in all cases, organic label claims must clearly identify:
 - the recognised agency of the operator who has carried out the most recent preparation step of the product; and
 - the name or identification number of that operator.
- Products may be labelled with the logo or mark of the recognised agency subject to any conditions or restrictions laid down by the recognised agency.

- (2) For products not intended for retail sale, the information required in subclause (1) may be printed on:
- a) non-retail packaging; or
 - b) a separate product identification document that accompanies the products.
- (3) Organic grape wine from the 2016 vintage onward must be labelled as “organic wine”.
- (4) Organic grape wine from the 2015 vintage may be exported to Taiwan provided that:
- a) the recognised agency is satisfied that it was produced in accordance with MAF Standard OP3, Appendix Two, Chapter 8A; and
 - b) it is labelled as “organic wine”.

1.3.3 Official organic assurances

- (1) Organic exporters must ensure that only products that comply with OER: TW OMAR are exported to Taiwan with an official organic assurance (organic export certificate).
- (2) Persons designated by registered organic exporters in accordance with OER: OPR clause 2.1(4)c) to apply for official organic assurances must:
- a) complete an Official Organic Assurance (Organic Export Certificate) application form; and

- b) email this to MPI.
- (3) Organic exporters must allow sufficient time for the application to be processed, to enable the official organic assurance (organic export certificate) to be available for signing at the same time as any other MPI export assurance or certificate.

Guidance

- The Official Organic Assurance (Organic Export Certificate) application form, including instructions for completing and submitting the application, can be found on the MPI website:
[Forms and templates for exporting organics](#)
- Where there are no other MPI export assurances or certificates required, MPI recommends that organic exporters obtain an official organic assurance (organic export certificate) before the product leaves New Zealand. MPI may continue to issue official organic assurances (organic export certificates) provided the consignment has not arrived in market, or (as relevant) the container seal that was applied in New Zealand remains intact.
- Where an official assurance is required for animal products produced and processed/handled in compliance with OER: TW OMAR, a copy of the issued official organic assurance (organic export certificate) may need to be uploaded to AP E-cert as a supporting document.

1.4 Product Requirements

1.4.1 Unprocessed products

- (1) Products listed in clause 1.1(2)a) to d) must have been grown or produced in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the administrative requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for each product type are:
 - unprocessed plant products: clauses 3.1 and 3.2;
 - unprocessed wild harvest products: clause 3.1 and 3.3;
 - live animals: clauses 3.1, 3.2, and 3.4;
 - vegetative propagating material and seed for cultivation: 3.1 and 3.2.

- (2) The following inputs are restricted:
- a) all cleaners and sanitising products:
 - i) residues in finished products must be below the limit of quantification;
 - b) antibiotics for livestock health management:
 - i) milk and milk products must not be derived from any animal treated with antibiotics;
 - ii) dairy animals that are treated with antibiotics must be reconverted, and under continuous organic management for 1 full year before milk can be supplied for use in products to be exported under OER: TW OMAR;
 - c) fertilisers and soil conditioners:
 - i) only naturally sourced forms of aluminium calcium phosphate are allowed;
 - d) substances for crop protection:
 - i) ryania, plant preparations must not have undergone any concentration process;
 - ii) sabadilla, plant preparations must not have undergone any concentration process;
 - iii) spinosad, residues must be below the limit of quantification;
 - iv) other substances for crop protection, residues must be below the limit of quantification;

- e) livestock feed, preservatives:
 - i) acetic acid produced via fermentation of plant products;
 - ii) citric acid produced via fermentation of plant products;
 - iii) lactic acid produced via fermentation of plant or milk products.
- (3) The following inputs are prohibited:
 - a) antibiotics for livestock health management:
 - i) meat products must not be derived from any animal treated with antibiotics;
 - b) substances for crop protection:
 - i) gelatine;
 - c) livestock feed, preservatives:
 - i) formic acid;
 - ii) propionic acid;
 - iii) sorbic acid;
 - iv) sodium formate;
 - d) livestock feed, binders and anti-caking agents:
 - i) sodium aluminosilicate (Zeolite).

1.4.2 Product processing and handling

- (1) Processed products listed in clause 1.1(2)e) to f) must be processed and handled in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the administrative requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for each product type are:
 - Processed products, excluding alcoholic beverages: clauses 3.1 and 3.9; and
 - Alcoholic beverages: clauses 3.1 and 3.10.

- (2) The following food additives and processing aids are restricted:
 - a) food additives:
 - i) lecithin, liquid forms must not have been processed using organic solvents (e.g. hexane);
 - ii) lecithin, powdered forms where organic solvent residues are confirmed by the operator to be below the limit of quantification, if organic solvents were used in processing;
 - iii) potassium bisulphite, analysed total sulphur dioxide content in organic grape wine must not exceed 100 milligrams per litre;
 - iv) potassium metabisulphite, analysed total sulphur dioxide content in organic wine must not exceed 100 milligrams per litre;
 - v) sulphur dioxide, analysed total sulphur dioxide content in organic wine must not exceed 100 milligrams per litre;
 - vi) tragacanth gum, must be organic;
 - vii) vegetable oils, must be organic;
 - viii) sugar, must be organic;
 - b) processing aids:
 - i) cellulose, for use in the production of food, grape wine, other alcoholic beverages, must be organic;
 - ii) egg white albumen, for use in the production of food, grape wine, other alcoholic beverages, must be organic;

- iii) plant proteins from wheat, peas or potato, and used in the production of grape wine, must be organic;
 - iv) rice meal for use in the production of food, must be organic;
 - v) skim milk for use in the production of grape wine, must be organic.
- (3) The following food additives and processing aids are prohibited:
- a) ammonium hydroxide;
 - b) argon;
 - c) caramel;
 - d) potassium caseinate;
 - e) potassium nitrate;
 - f) potassium tartrates;
 - g) sodium nitrite.
- (4) Processed products must contain a minimum of 95% of ingredients by weight that have been:
- a) produced according to the technical requirements in clause 1.4.1; or
 - b) processed according to the technical requirements in subclause (1); or
 - c) produced in Taiwan according to the Taiwan requirements for organic products and certified by a certification body recognised by Taiwan's organic competent authority; or
 - d) produced within a third market, in accordance with the organic product certification system of that market, provided all the following criteria are met:
 - i) the third market has agreed an organic equivalence arrangement with both New Zealand and Taiwan; and
 - ii) the ingredient was securely packaged within that market; and
 - iii) the ingredient was certified within that market; and
 - iv) the ingredient has been protected at all times from contamination or substitution between leaving the certified operator in mutual third market until delivery to an operator certified to OER: TW OMAR.

Guidance

- A list of the markets that have an organic equivalence arrangement with Taiwan can be found here: [Agriculture and Food Agency, Ministry of Agriculture > Organic Agriculture > Organic Equivalence > Trading Partners \(afa.gov.tw\)](https://afa.gov.tw/organic-equivalence).
- The markets whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP referred to in subclauses (4)d) are:
 - Australia;
 - China;
 - European Union;
 - Japan (plants and processed plant products only);
 - Switzerland;
 - Taiwan; and
 - United Kingdom.
- Note: to be eligible for inclusion in the calculation of the 95% minimum of ingredients, the third market must appear on both the Taiwan and New Zealand lists.
- The method used to calculate the percentage requirements and restrictions in subclause (4) is based on all ingredients (excluding added water and salt). This is different to the requirement in OER: OPR clause 3.9.1(1)(a) which uses 'ingredients of agricultural origin' (excluding added water and salt) in the calculation for 95%.

- (5) Ingredients used in processed product may contain up to a maximum of 5% of ingredients which have been produced and certified:
- a) as described in clause 1.4.1 or in subclause (1), but not certified to OER: TW OMAR; or

- b) where subclause (4)d)i) does not apply, according to the organic rules of production and inspection of an overseas market, that have been recognised by MPI as equivalent to the OOAP.

Guidance

- The markets whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP referred to in subclause (5)b) are:
 - Australia;
 - China;
 - European Union;
 - Japan (plants and processed plant products only);
 - Switzerland;
 - Taiwan;
 - United Kingdom; and
 - United States of America.
- The method used to calculate the percentage requirements and restrictions in subclause (5) is based on all ingredients (excluding added water and salt). This is different to the requirement in OER: OPR clause 3.9.1(1)(a) which uses 'ingredients of agricultural origin' (excluding added water and salt) in the calculation for 95%.

1.4.3 Maximum residue limits

- (1) Residue limits in clauses 1.4.1(2) and 1.4.2(2), where specified, must not be exceeded.

Guidance

- Operators should be aware of Taiwan's regulatory expectations for pesticide residues in organic products, specifically:
 - residues of inputs that are permitted for use under OER: TW OMAR must not exceed the maximum residue limits set by the Taiwan authorities; where no maximum residue limit has been set by the Taiwan authorities, residues must be below the limit of quantification;
 - residues of inputs that are not permitted under OER: TW OMAR must be below the limit of quantification;
 - a dehydration coefficient is not applied for dried products; decision making about the residue result is made to the product in the concentrated form, as it is marketed.
- The following database has the maximum limits for different markets, for different horticultural crops:
<https://www.mpi.govt.nz/news-and-resources/resources/registers-and-lists/maximum-residue-levels-database/>

1.5 Recognised Agency Requirements

- (1) Only agencies and persons recognised by MPI to provide services under OER: RAP and OER: TW OMAR can verify operator compliance with OER: TW OMAR.

Guidance

- A list of the agencies recognised by MPI, and their recognised persons, can be found on the MPI website: [Organic exports: recognised agencies and persons.](#)

1.5.1 OMP evaluators

- (1) In addition to the requirements in OER: RAP clause 3.1.1, when evaluating OMPs for compliance with OER: TW OMAR, OMP evaluators must evaluate:
 - a) inputs for compliance with the requirements in clause 1.4;
 - b) product recipes for processed products for compliance with the requirements in clause 1.4.2; and
 - c) labels for products intended to be exported under OER: TW OMAR for compliance with the requirements in clause 1.3.2.
- (2) OMP evaluators must validate the authenticity and accuracy of organic certificates for any imported organic ingredients used in products processed in New Zealand under clauses 1.4.2(4)c) and d) and clause 1.4.2(5)b), as part of the product recipe evaluation process.

1.5.2 OMP verifiers

- (1) In addition to the requirements in OER: RAP clause 3.1.2, when verifying operator compliance with the requirements of OER: TW OMAR, OMP verifiers must verify that:
 - a) where maximum residue limits are specified in clause 1.4.1(2) and 1.4.2(2), these limits are not exceeded.

1.5.3 OMP certifiers

Guidance

- There are no additional requirements to those already specified in OER: RAP clause 3.1.3.

1.5.4 Export certificate verifiers

Guidance

- Where the exporter has indicated in the application form referred to in clause 1.3.3(2)a) that a product in the consignment was made with imported ingredients, MPI encourages export certificate verifiers to check with the OMP certifier that the imported ingredients remain compliant with OER: TW OMAR.
- There are no additional requirements to those already specified in OER: RAP clause 3.1.4.