

CHALLENGES FOR FOREIGN ORGANIC FOOD IN TAIWAN

**Michael WERNER
Nathan KAISER**

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Organic food as a health and lifestyle choice has been gaining in attention worldwide, and the diversity of organic products ranges widely from crops to livestock or fishery products through to a range of vegetable, fruit and cereal options. In Taiwan, there is also a general awareness regarding, organic foods, vegetables in particular. However, the questions raised here are: 1) how do we define "organic" food? and 2) who should be responsible for the ultimate control of certifying and labeling them?

In the past, the lack of a fully regulated certification system was an important issue because consumers remained skeptical about the myriad organic products. This skepticism was strengthened through incidents where sellers might falsely advertise and sell ordinary products for a premium price as "organic" ones. In other words, the success of "organic" products used to cause others to emulate the authentic organic sector with similar certification or accreditation systems in order to increase the value of the ordinary products on the market. The situation quickly became somewhat confusing on the legal aspects. Cases were usually brought on the basis that products reaching the customers should have complied with the standards set by the Department of Health's "Law Governing Food Sanitation," but that statute had no specific provisions for "organic" foods. Additionally, because the Fair Trade Commission and Ministry of Economic Affairs were able to have different opinions on handling such practices, this led to a bizarre situation in which no specific government agency was ultimately responsible for the proper labeling and the safety of organic foods sold in Taiwan.

Current situation

The Taiwanese authorities have improved the legal framework and the practical control of food labeling in recent years. At first, the responsible authority, the Council of Agriculture, used four different organizations to certify organic crops. Later, the Taiwan Accreditation Foundation was established in 2006, becoming the first and the only certifying body for agricultural product traceability. Moreover, to make it easier for consumers to identify organic products and to unify the certification programs, the Council of Agriculture launched the issuance of national CAS organic production certification for national organic products aside from the labels issued by the certification bodies. Last but not the least, since January 2007, the Agricultural Production and Certification Act has been in force and will be binding by February 2009. For the first time, there is a piece of legislation in Taiwan defines the term "organic food" for both local and foreign producers.

Situation for foreign organic food producers

The new laws in respect of organic food actually have no direct impact on imported organic foods. The foreign producers will continue to have to comply with the standards and regulations in accordance with the origin of the products before displaying them as “organic food” in Taiwan. The foreign producers are not able to apply for the Taiwanese organic food labels since they are only available for local organic products. As mentioned above, the act will be in effect after January 2009 and the term “organic” will therefore be applied as long as the certification is done by a “national or international organic accreditation institutes/organizations recognized by the central competent authority and shall be reviewed by the central competent authority”. In other words, the foreign producers have to get a certification of an institution recognized by the Council of Agriculture and a review of the council or their products can not be marked as “organic”. According to the Council of Agriculture, the wording “healthy food” may be used instead.

Recommendations to foreign organic food producers

The foreign organic food producers face manifold challenges in the Taiwanese market. Taiwanese customers are more convinced about the characteristics of organic food. Therefore foreign brands will have to make their products heard in an orchestra of labels, such as natural, free-range, eco-, humane, low-GI, omega-3 etc., and face the changing national regulations about the organic food’s definition and the labeling. Both domestic and foreign producers should closely follow the legal development and meanwhile put the same effort in promoting as well as protecting their brand. Such steps can include participation in events organized by the German Trade Office and, on the legal side, the filing and thus protection of their trademarks (logo, brand name) in Taiwan.