Content

Title：	Enforcement Rules of the Commodity Inspection Act Ch
Date：	2007.12.31
Legislative：	1. Promulgated on March 15, 1968 by Ministry of Economic Affairs per its directive, Ref. No.: ChingTai-(57)-Shang-Tze-08875. 2. Article 82 was amended on December 30, 1971 by Ministry of Economic Affairs per its directive, Ref. No.; Ching(60)-Nung-Tze-55646. 3. Article 26 was amended on February 25, 1975 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(64)-Shang-Tze-04222. 4. Article 9, 10, 20, 21, 34, 35, 38, 39, 52, 62, 71, 74, 83, and 85 amended on August 4, 1977 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(66)-Fa-Tze-22587. 5. Article 42 was amended on November 30, 1979 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(68)-Fa-Tze-41546. 6. Article 31, 40, 43, 46, 47, and 52 were amended on August 19, 1980 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(69)-Fa-Tze-28071. 7. Article 78 was amended on April 9, 1981 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(70)-Fa- Tze-13019. 8. Article 78 was amended on November 25, 1985 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(74)-Shang-Chien-51351. 9. Article 4, 17, 21, 22, 30, 33, 36, 40, 42, 43, 46, 52, 56 through 62, 65, 70, 73, 76, 78, 79, 81, 83 through 86, 88 through 94, and 111 were amended; and Article 2, 5, 6, 8, 25, 26, 53, 54, 63, 67, and 110 were deleted on November 23, 1994 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(83)- Shang-Chien-039262. 10. Article 27 and 52 were amended on July 30, 1997 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-(86)-Shang-Chien-86021466. 11. An overall amendment was made on May 15, 2002 by Ministry of Economic Affairs per its directive Ref. No.: Ching-Piao-09104611780 whereby the entire text of the Enforcement Rules of the Commodity Inspection Act are reduced to 23 Articles. 12. Article 2, 3, 7, 9, 14, 20, and 21 were amended; and Article 5 and 6 were deleted on December 31, 2007 by Ministry of Economic Affairs per its directive, Ref. No.: Ching-Piao-09604606300.
Content：	Article 1 These Rules are prescribed in accordance with the provision of Article 65 of the Commodity Inspection Act (hereinafter referred to as the “Act”). Article 2 Prior to the designation of relevant data per a public notice to be given by the Bureau of Standards, Metrology and Inspection of the Ministry of Economic Affairs (hereinafter referred to as the "BSMI") in accordance with Article 3 of the Act, the BSMI may conduct preliminary review of the cases pertaining to putting public notice in connection with the establishment, amendment and/or rescission of the scope of commodities subject to inspection, or other significant commodity inspection related matters. For conducting the preliminary review set forth in the preceding Paragraph, the BSMI may invite representatives from relevant government authorities, industrial or business associations to take part

in
such preliminary review meetings.

Article 3
In determining the applicable inspection schemes for various commodities under the provision of Paragraph
Two, Article 5 of the Act, the BSMI shall designate, by putting a public notice, one or more of the four (4)
different inspection schemes, namely batch-by-batch inspection, monitoring inspection, registration of product
certification, and declaration of conformity.
In designating applicable commodity inspection scheme(s) under the preceding Paragraph, various factors such
as the characteristics of commodity and the industry involved, internationally acceptable inspection practices,
domestic business operation and consumer goods market environments, relevant laws governing product liabilities
or execution of market surveillance shall be taken into consideration; and appropriate arrangement(s) may be
made to coordinate with practical operations.

Article 4
The expression "placing such commodities on the market" as set forth in Paragraph Two, Article 6 of the Act
shall mean to display, sell, install or use the commodities concerned.

Article 5
（deleted）

Article 6
（deleted）

Article 7
Where the inspection method of a particular commodity has been specified in the commodity inspection standards
published by the BSMI per a public notice, such inspection standards shall prevail provided, however, that if
there are two or more inspection methods applicable to that particular commodity, the inspection personnel
involved shall try to uniform the inspection method they have adopted.
In case the inspection method of a particular commodity has not been specified in the above-referenced commodity
inspection standards, the BSMI may, based on the properties of the commodity, designate another feasible and
generally acceptable method for performing the commodity inspection required.
Inspection of exporting commodity may be performed in accordance with the inspection method as mutually agreed
upon by the buyer and the seller to the sales agreement involved.

Article 8
The term "special cause" as used in Paragraph Four, Article 10 of the Act shall mean any of the following
circumstances:
1.Commodities which are intended to be exported after further processing or assembly or to be exported in their
original form;
2.Commodities which are provided for use at extraordinary places and are made in different specifications in
order to suit the special requirements while being used at such specific places;
3.Commodities whose structure, dimensions and features are different from the inspection standards or have not
been incorporated in the inspection standards due to technical improvement, or creation of new technology, or
for satisfying industrial requirements;
4.Commodities whose specifications conform to the internationally acceptable or well-known standards
specifications and are adaptable to domestic technical environment; and the use of which will not cause or result
in any harmful impact; or
5.Commodities which have special conditions of application or functions.
Where the specifications of a commodity have been approved by the BSMI by reason of any of the special causes
set forth in the preceding Paragraph, such specifications shall not have any unfavorable impact upon the safety,
health and environmental protection inspection requirements applicable to this commodity.

Article 9
Traditional Chinese language shall be the predominant language to be used in labeling a commodity under Article 11
of the Act and may be supplemented by additional labeling written in foreign language(s). For export commodities,
the common language of the territory whereto the commodities are exported or the internationally acceptable
language may be used in labeling the commodities.

Article 10
The term "package" as used in Article 11 of the Act shall mean the original package of a commodity made by the
manufacturer or processing contractor of such commodity.

Article 11
Where any domestically produced or manufactured commodity subject to batch-by-batch inspection can hardly be grouped
by production lot number, the aggregate quantity/volume of such commodity to be produced during a specific period
of time shall be considered as the same commodity produced in one production lot.

Article 12
After accepting an application for inspection, the BSMI shall proceed to take samples as required under Article 22
of the Act in accordance with the following rules:
1.Where no sampling date is designated in the application form, sampling by an inspector to be assigned by the BSMI
shall be performed in principle on the date of acceptance of the inspection application, or on the following day, if
the time does not allow.
2.Where a specific date of sampling is designated in the application form, an inspector shall be assigned to perform
the sampling on such designated sampling date.
3.Where an inspection applicant is unable to provide the commodity subject to inspection in the package and quantity
as required on the designated sampling date, one and only one application for extension of the sampling date may be
filed prior to the dispatch of an inspector by the BSMI provided that the duration of such extension shall in no case
be more than seven (7) days.
The sampling date to be designated in the application form under Subparagraph 2 of the preceding Paragraph shall not
be later than the seventh day from the day following the date of the application.
If an inspector, in taking samples, finds that the commodity is inconsistent with what is described in the inspection
application in terms of its contents, quantity or labeling; and such inconsistence can not be corrected forthwith
by the inspection applicant, the inspector shall cease the sampling process.
The inconsistency found under the preceding Paragraph shall be corrected by the obligatory inspection applicant within
fourteen (14) days; and if such inconsistency remains uncorrected beyond the deadline date, the BSMI shall reject the
inspection application. However, if the inconsistency is a fraud in nature, the BSMI shall reject the inspection
application immediately upon the finding thereof.

Article 13
The obligatory inspection applicant shall cause the commodities subject to inspection to be piled up in good order
and shall, upon a request of the inspector, move the samples taken to an appropriate place for check or sampling.
In case the obligatory inspection applicant violates the requirements set out in the preceding Paragraph, the inspector
shall cease the sampling process.

Article 14
The samples as required in Article 22 of the Act shall be taken by the inspector at random, and shall not be designated

by the obligatory inspection applicant.
Sampling methods shall be defined by the BSMI based on the inspection standards, the nature of the commodity subject
to inspection, or the inspection requirements respectively.
The inspector shall affix and sign or seal, on the packages of a batch of commodity from which samples have been taken,
a sealing sticker indicating thereon the reference number of the inspection application, the date of sampling, and the
the quantity of samples taken.
In case sampling process for imported commodities can hardly be performed at the port of entry, a place of sampling
may be designated by the BSMI.

Article 15
After completing the sampling process, the inspector shall issue (to the applicant) a sampling receipt, in the form
as printed and serially numbered by the BSMI, which has been duly signed by the sampling inspector. In case the
sampling and inspection are performed and the sampled commodities are returned to the applicant on the spot, issue
of such sampling receipt may be omitted.
After duly sealed, the samples taken shall be carried back by the sampling inspector. However, if the samples taken
are bulky, heavy, or in extraordinary condition, the obligatory inspection applicant may be requested to take the
responsibility of making transportation arrangement therefore.

Article 16
The term "time limit for withdrawing the samples" as set forth in Paragraph Three, Article 22 of the Act shall
mean a period of three months commencing from the date an inspection certificate is issued
provided, however, that
if the storage period of the sampled commodity inspected will expire prior to the deadline date hereinabove set
forth, the said storage period shall prevail.
Samples of a commodity failed the inspection shall be disposed of in accordance with the provisions set out in
the "Regulations Governing Disposition of the Disqualified Commodities".
Sample commodities shall be released for withdrawing against the sampling receipt issued hereunder.

Article 17
After the commodities provided for inspection are sampled and sealed up under Article 23 of the Act and before
obtaining an inspection certificate, such sealed commodities shall not be removed without a prior approval of
the BSMI. Removal of the sealed commodities with a prior approval may be effected under the supervision of an
authorized representative appointed by the BSMI.

Article 18
With regard to commodities subject to random inspection as designated by public notice, the BSMI shall, at any
time or from time to time, take samples from production premises concerned or purchase samples from market as
required for performing such random inspection.

Article 19
The technical documents as required in Article 43 of the Act shall include technical descriptions and test
reports of the commodity concerned.
For a commodity which is assembled from modular parts and components and has been exempted, according to the
provision set out in Paragraph Two, Article 44 of the Act, from undergoing any further test after completion
of the assembly process, the technical documents associated therewith shall include the identification data
of such modular parts and components as well as the photocopy of the documents certifying their conformity
with inspection requirements set out in the Act.

Article 20
The declaration of conformity to be issued under the provision of Paragraph Two, Article 43 of the Act shall
include the following particulars:
1.The name or title and the address of the obligatory inspection applicant;
2.Commodity identification data, including the name and the type/model number of the commodity;
3.The applicable inspection standards and a statement in writing declaring the conformity of the commodity
to such inspection standards;
4.The signature/seal of the obligatory inspection applicant, and the title, name and signature/seal of the
authorized representative or manager, if the obligatory inspection applicant is a juristic person or an organization;
5.The date of execution and issuance of the declaration of conformity; and
6.Other particulars as required or designated by the BSMI.
The content of registering commodities subject to declaration of conformity in accordance with the provisions
of Paragraph Three, Article 43 of the Act, shall include the particulars mentioned in the preceding Paragraph
together with a copy of the declaration of conformity.

Article 21
Where a portion of the contents of a technical document involves information for consumers, such portion of
contents shall be written in traditional Chinese language; whereas, other portions written in foreign language

shall be accompanied by appropriate traditional Chinese translations, except for the test reports written in
English.

Article 22
Inspector performing official duties outside the office shall wear identity badges and shall, in the case of
harbor/airport inspection personnel, wear uniforms.

Article 23
These Enforcement Rules shall come into force from the date of promulgation hereof.

Data Source：Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System