

Content

Title :	Commodity Labeling Act Ch
Date :	2022.05.18
Legislative :	1.Promulgated on January 22, 1982 2.Amended on January 30, 1992 3.Amended on April 26,2000 4.Amended on June 25, 2003 5.Amended on January 26, 2011 6.Amended on May 18, 2022
Content :	<p>Article 1 This Act is enacted so as to promote correct commodity labeling, to safeguard the reputation of business operators, to protect the rights and interests of consumers, and to establish good commercial practices.</p> <p>Article 2 Unless otherwise provided by law, the commodities shall be labelled in accordance with this Act.</p> <p>Article 3 The term “competent authority” as referred to in this Act shall mean the Ministry of Economic Affairs at the central government level, the municipal government at the municipal level and the country or city government at the county or city level.</p> <p>Article 4 The central competent authority may issue public notice to exempt specific commodities from labeling in accordance with this Act in consideration of the rights and interests of consumers, trading habits and characteristics of commodities.</p> <p>Article 5 Where a commodity is introduced to the market for sale, the manufacturer, contractor, importer or distributor shall label the commodity.</p> <p>Article 6 The label of the commodities shall include the following: 1. Name of the commodity. 2. In one of the following cases, the name, address and service telephone number of the domestic firm shall be labeled: (1)Commodities manufactured domestically: the manufacturer, contractor or distributor. (2)Imported commodities: the importer or distributor. 3. Place of origin. 4. Major components/ingredients or materials. 5.Net weight, volume, quantity, or measure, etc. to be labeled in statutory measurements. However, if other laws provide otherwise, or if there is no other law that provides for this but there is a customary measurement unit in use internationally, the law or custom shall apply. 6. “Year, month” or “year, week” of manufacturing in Chinese calendar or Gregorian calendar. If it is time-sensitive, the expiration date or period of validity shall be labeled. 7. Other items as announced by the central competent authority. In addition to labeling in accordance with Subparagraph 2 of the preceding Paragraph, imported commodities shall also be labeled with the foreign name of the foreign manufacturer or foreign contractor. In case of any change of the relevant information of the domestic firm under Subparagraph 2 of Paragraph 1 after labeling, the label of the commodity that are already introduced to the market for sale may remain unchanged and the change shall be made public in a way that consumers can be informed of at any time. When the manufacturing year and week is labeled in accordance with Subparagraph 6 of Paragraph</p>

1, a written explanation shall be supplemented thereto.

Article 7

Where a commodity is under any of the following circumstances, the scope of application, the method of use and storage of such commodity, and other matters that should be noted shall be labeled:

1. Dangerous in nature.
2. Related to health and safety.
3. Special properties or require special handling.

Article 8

A commodity of which the place of origin is determined to be in this country may be labeled with a Made in Taiwan mark.

Regulations governing the method of recognition, pattern, promotion, application, award, authorization, revocation, and management of the aforementioned place of origin shall be prescribe by the central competent authority.

Article 9

The labeling items in this Act shall not include the following content:

1. False or misleading;
2. Violating the mandatory and/or prohibitive provisions of the law;
3. Against public order or good morals.

Article 10

Commodity labeling shall be conspicuousness and consistent with the content thereof.

Commodity labeling shall be on the body of the commodity, internal or external packages, or the instruction.

Where the commodity is too small, sold in bulk, or otherwise not suitable to be labeled on the product body, internal or external packaging, or on the instruction, labeling of this kind of commodities shall be labeled by other means that are conspicuous to the extent sufficient to be identified by consumers.

The central competent authority may, depending on the development of technology, industry or economy, issue public notice that allows specific types of commodities to adopt electronic labeling and such commodities shall not be subject to the previous two Paragraphs.

Article 11

In labeling commodities, the text used shall be written primarily in Chinese and may be supplemented by English or other foreign language(s). However, labeling under subparagraphs 3 to 7, paragraph 1 of Article 6 may be labeled with internationally accepted words or symbols. The central competent authority may, without prejudice to the correct labeling of commodities and the protection of consumers' rights, issue public notice to specify certain items which may be labeled only in English or other foreign language(s).

Article 12

The central competent authority may issue public notice, under the condition not to prejudice the proper labeling of the commodity and the interests of the consumers, to specify the items and methods that certain commodities shall be followed in labeling.

Article 13

Sellers should not sell or display with the intent to sell commodities which are not labeled in accordance with the provisions set out in this Act.

Article 14

The competent authority in a municipality government or a county (city) government may, from time to time, conduct spot checks on the commodity that are introduced to the market for sale. The seller shall not evade, impede or refuse and shall provide relevant information.

In order to ensure that the commodities are labeled in accordance with the provisions of this Act, the competent authority in a municipality government or a county (city) government may dispatch its personnel to the manufacturer, contractor, importer, distributor and other premises where the commodities are manufactured, stored or distributed. The manufacturers, contractor, importer, distributor or the person in charge of the former premises shall not evade, impede or refuse and shall provide relevant information.

The representatives of the competent authority in a municipality government or a county (city) government shall present justification documents in performing their duties according to the preceding two paragraphs.

Article 15

Where a commodity is sold on an Internet platform, the competent authority in a municipality government or a county (city) government may, as required, order the Internet platform operator to provide relevant information of the poster, supplier or seller, and the Internet platform operator shall not evade, impede or refuse.

Article 16

Where a commodity is under any of the circumstances set forth in Article 9, the competent authority in a municipality government or a county (city) government shall notify the manufacturer, contractor, importer or distributor to rectify such defect in a given time limit; and if such rectification is not made by the deadline, a fine in an amount not less than NT\$30,000 but no more than NT\$300,000 will be imposed and the penalty may be imposed on a per-event basis.

Where the preceding situation constitutes a serious violation or if the commodity is immediately harmful to the human body or health, the competent authority in a municipality government or a county (city) government may impose the fine forthwith immediately and order a rectification in a given time limit. If deemed necessary, an order for business suspension for a period of no more than 6 months or a close down of business operation may be imposed.

Article 17

Where a commodity that is introduced to the market for sale is found to be under any of the following circumstances, the competent authority in a municipality government or a county (city) government shall notify the manufacturer, contractor, importer or distributor to rectify such defect within a given time limit; and if such rectification is not made by the deadline, a fine in an amount not less than NT\$20,000 but not more than NT\$200,000 shall be imposed by the competent authority in a municipality government or a county (city) government and the penalty may be imposed on a per-event basis :

1. Failure to label in accordance with Paragraphs 1, 2 or 4 of Article 6 or Article 7, or failure to disclose the change in accordance with Paragraph 3, Article 6.
2. Failure to label in the manner set forth in Article 10 or Article 11.
3. Failure to label with the specific items and in the manner as required by a public notice given by the central competent authority in accordance with Article 12.

Where the preceding situation constitutes a serious violation or if the commodity is immediately harmful to the human body or health, the competent authority in a municipality government or a county (city) government may impose the fine forthwith immediately and order a rectification in a given time limit.

Article 18

Where a seller violates the provisions set out in Article 13 by selling or displaying with the intent to sell any commodity not labeled in accordance with the provisions of this Act, the competent authority in a municipality government or a county (city) government may notify the seller to stop selling or displaying such commodity in a given time limit. If the seller fails to stop the sale or display, a fine in an amount not less than NT\$20,000 but not more than NT\$200,000 shall be imposed by the competent authority in a municipality government or a county (city) government and the penalty may be imposed on a per-event basis.

Where the preceding situation constitutes a serious violation or the commodity is immediately harmful to human body or health, the competent authority in a municipality government or a county (city) government may impose the fine forthwith and order the seller to immediately cease to sell or display the commodity.

Article 19

Where a seller, manufacturer, contractor, importer, distributor or representative of any other premises where commodities are manufactured, stored or distributed violates the provisions set out in Paragraph 1 or Paragraph 2, Article 14 by evading, impeding or refusing the spot check or refusing to provide relevant information, a fine in an amount not less than NT\$20,000 but not more than NT\$200,000 shall be imposed by the competent authority in a municipality government or a county (city) government and the penalty may be imposed on a per-event basis.

Article 20

Where an Internet platform operator violates Article 15 by evading, impeding or refusing to provide

relevant information of the poster, supplier or seller, a fine in an amount not less than NT\$20,000 but not more than NT\$200,000 shall be imposed by the competent authority in a municipality government or a county (city) government and the penalty may be imposed on a per-event basis.

Article 21

With regard to the penalties set forth in Articles 16 to 18, the competent authority in a municipality government or a county (city) government may, if deemed necessary, may disclose the name/company name and address of the manufacturer, distributor or seller, commodity, violations and basis for concluding such violation on the website established by the central competent authority.

Article 22

This Act shall come into force one year after its promulgation.

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