

法規名稱：ARRANGEMENT BETWEEN THE TAIPEI ECONOMIC AND CULTURAL OFFICE IN CANADA AND THE CANADIAN TRADE OFFICE IN TAIPEI REGARDING THE IMPORTATION OF BEEF FROM CANADA

簽訂日期：民國 103 年 01 月 29 日

生效日期：民國 103 年 02 月 27 日

The Taipei Economic and Cultural Office in Canada (TECO) and the Canadian Trade Office in Taipei (CTOT), hereinafter referred to as the “ Participants ” ,

Stipulating to the health requirements related to Bovine Spongiform Encephalopathy (BSE) to be applied to beef imported from Canada into the territory represented by TECO,

Recognizing that the animal quarantine and sanitary requirements enacted by the authorities represented by TECO should continue to be implemented;

Have reached the following Arrangement:

1. Carrying Out of this Arrangement

The Participants understand that this Arrangement will be supported by the following agencies:

- (i) for TECO, the Food and Drug Administration (FDA), the Ministry of Health and Welfare (MOHW) in Taiwan;
- (ii) for CTOT, the Canadian Food Inspection Agency (CFIA), Health Canada (HC), and Agriculture and Agri-Food Canada (AAFC), in Canada.

2. Definitions

For the purpose of this Arrangement:

“Beef” means fresh or frozen beef and edible beef products derived from cattle less than 30 months of age, and beef products derived therefrom based on Taiwan’s Import Regulation Code 113, as may be amended from time to time. Specified risk materials (SRMs), internal organs, ground beef and any other unapproved beef and beef products are excluded unless mentioned in Taiwan’s Import Regulation Code 113.

“Cattle” means domesticated bovine animals (*Bos taurus* and *Bos indicus*);

“Code” means the World Organization for Animal Health (OIE), Terrestrial Animal Health Code 2013, and any amendments thereafter;

“Cohorts of BSE cases” means all cattle, which, during their first year of life, were reared with the BSE cases during their first year of life, and which investigation showed consumed the same potentially contaminated feed during that period, or if the results of the investigation are inconclusive, all cattle born in the same herd as, and within 12 months of the birth of, the BSE cases;

“Food-safety hazard” means any biological, chemical, or physical property that may cause food to be unfit for human consumption;

“Lot” means a quantity of the same beef product identified on a single export certificate from one meat establishment;

“Meat establishment” means any place in which animals are slaughtered or meat products are prepared, packaged, labeled or stored that is registered in accordance with the applicable Canadian legislation, including but not limited to the Meat Inspection Act and Regulations, as amended from time

to time;

“Non-compliance” means an inconsistency with this Arrangement such as but not limited to, mis-labeling or mis-packaging, that does not constitute a food-safety hazard;

“Serious non-compliance” means a food-safety hazard in a shipped product or a food-safety hazard found during an audit;

“Specified risk materials (SRMs)” means:

- (i) The distal ileum and the tonsils from cattle of all ages, and
- (ii) The brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum), and dorsal root ganglia from cattle 30 months of age and older.

3. General Requirements

- (i) CTOT will provide notice to TECO regarding the repeal or amendment of any BSE-related measures as notifiable to the World Trade Organization (WTO) or OIE, and any change in the OIE ’ s BSE categorization of Canada.
- (ii) In the event that an additional case of BSE occurs in Canada, CTOT will immediately inform TECO of the case and provide all relevant information for FDA to consider and take proper actions, if necessary. CFIA will also immediately initiate an epidemiological investigation consistent with the recommended guidelines of the Code. CTOT will provide notice to TECO of the results of the

investigation. Importation of beef from Canada will be suspended if the additional case results in the OIE recognizing an adverse change in the classification of the BSE status of Canada.

- (iii) All beef imports will be subject to on-site, border, and market inspection pursuant to Taiwan ' s Procedures Governing the Inspection and Verification of the Imports of Beef and Beef Products and other applicable legislation, regulations, administrative rules, procedures and other measures, as amended from time to time.

4. Requirements for Meat Establishments

The Participants understand that:

- (i) Any meat establishment that is registered in accordance with the applicable Canadian legislation, including but not limited to the Meat Inspection Act and Regulations, will be eligible to produce beef for exportation to Taiwan. CTOT will provide TECO with a list of such meat establishments in advance of the export.
- (ii) CFIA will maintain a regular monitoring and auditing program for meat establishments registered in accordance with the applicable Canadian legislation, including but not limited to the Meat Inspection Act and Regulations, and will verify that they comply with the import requirements of Taiwan. In the event of a serious non-compliance, CFIA will immediately control the serious non-compliant product in the meat establishment. If the process that resulted in the serious non-compliant product is ongoing, CFIA will immediately withhold certification of additional product for export to Taiwan until it determines that appropriate corrective and preventative measures have been taken. Only

when CFIA determines that corrective actions are adequate will CFIA resume certification of product for export to Taiwan. CTOT will inform TECO if an establishment is not eligible to produce product for export to Taiwan and what corrective and preventative actions have been taken.

- (iii) FDA, together with the Bureau of Animal and Plant Health Inspection and Quarantine (BAPHIQ), may dispatch an inspection team to conduct on-site audits of a representative sample of the meat establishments that export beef to Taiwan, after prior notice to CTOT and at a mutually acceptable time. When a serious non-compliance has been found as a result of the on-site audit, CFIA, upon being informed of the findings, and concurring them, will follow the process provided by sub-paragraph 4 (ii).
- (iv) CFIA will verify and determine that a meat establishment that has been ruled ineligible to produce product for export to Taiwan attributable to circumstances described in sub-paragraph (iii) above has implemented appropriate corrective and preventative measures before resuming certification of product for export to Taiwan. CTOT will inform TECO of the corrective and preventative action the meat establishment has taken and upon FDA ' s approval, notify FDA of the date CFIA resumes certifying beef from that establishment for export to Taiwan.

5. Requirements for Beef

The Participants understand that:

- (i) Only beef derived from cattle born and raised in Canada or in a country deemed eligible by Taiwan to export beef, or from cattle legally imported into Canada and raised in Canada for at least 100 days prior to slaughter in Canada will be considered eligible to export to Taiwan.

(ii) Only beef derived from cattle that are not suspect or confirmed BSE cases, or confirmed cohorts of BSE cases will be considered eligible for export.

(iii) As per the CFIA Meat Hygiene Manual of Procedures, CFIA will ensure that:

- a. Meat establishments that produce beef will maintain a program for the hygienic removal of SRMs;
- b. For the purpose of SRMs removal, the age of cattle at the time of slaughter is verified by documentation, which identifies the age, or by dentition;
- c. The beef will be derived from cattle that were slaughtered in meat establishments registered in accordance with the applicable Canadian legislation, including but not limited to the Meat Inspection Act and Regulations, approved by CFIA as eligible to export beef to Taiwan, and have passed ante-mortem and post-mortem inspection conducted by CFIA inspection personnel under the supervision of the resident CFIA veterinarian;
- d. The beef will be derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process;
- e. The beef will be processed in a manner as to prevent contamination from SRMs in accordance with CFIA regulations.

6. Export Certificate

The Participants understand that:

Shipments of beef will be accompanied by certificates issued by CFIA, which must include the following information:

- (i) Information specified in sub-paragraphs 5(i) and 5(iii)c, 5(iii)d, and 5(iii)e;
- (ii) Name of the product (including species), number of packages and weight (net weight) listed by each final processing plant;
- (iii) Names, addresses, and establishment numbers of the meat establishments;
- (iv) Slaughtering period and/or processing period;
- (v) Names and addresses of the consignor and the consignee;
- (vi) Date, place of issue, and authority by which the export certificate was issued and the name and signature of the veterinary officer; and
- (vii) Container number and seal number.

7. Import Inspection and Regulatory Action

- (i) If a serious non-compliance in a lot is detected during the port of entry inspection process in Taiwan, the lot will be rejected. If an SRM is found, CFIA will conduct an investigation to determine the cause of the problem. Product produced by the pertinent meat establishment will then be subject to increased rates of inspection by FDA in Taiwan. Only after 5 lots totaling 3 times or greater quantity of the same product from the same meat establishment are inspected without finding a food-safety hazard, will the standard inspection procedures and rates apply.
- (ii) If two incidents of a serious non-compliance involving

separate lots from the same meat establishment are detected in Taiwan during a 6-month period, the export certification of beef to Taiwan from that establishment concerned will be withheld by CFIA. Beef from the meat establishment that was certified prior to the date of the incident will continue to be eligible for import inspection. Export certification of product to Taiwan will not re-commence until CFIA provides, to FDA, in writing, a list identifying the corrective and preventative actions carried out and confirms that they have been successfully implemented. FDA and BAPHIQ may include an on-site audit of the establishment during its next system audit of establishments.

- (iii) For an incident of non-compliance, the inspector at the port of entry may seek clarification through the importer for an approved explanation and/or corrected documentation.

8. Consultations

The Participants understand that consultations between CTOT and TECO concerning the interpretation or application of these import health requirements may be requested. The consultations will be held within 7 working days of the request, or at any later date the Participants may determine.

9. Final dispositions

- (a) Entry into force of this Arrangement will be subject to the completion of the necessary domestic procedures of each Participant. The Participants will notify each other in writing upon the completion of such procedures. The Arrangement will enter into force no later than 30 days after the signing of the Arrangement by the Participants.

- (b) The Participants may amend this Arrangement upon their mutual written consent after consultation and negotiation.
- (c) The Participants may terminate this Arrangement by giving 6 months written notice to the other Participant, during which time they will consult on the termination.

Signed in duplicate Taipei this 29 of Jan, 2014, and Ottawa this 29 of Jan, 2014.

FOR THE TAIPEI
ECONOMIC AND CULTURAL
OFFICE IN CANADA

FOR THE CANADIAN
TRADE OFFICE IN
TAIPEI