

**Regulations for the Approval and Management of the Exporters of Catches or
Fisheries Products of Distant Water Fisheries**

Article 1

These Regulations are established pursuant to Article 25, paragraph 4 of the Act for Distant Water Fisheries (hereinafter referred to as “the Act”).

Article 2

The industry related to distant water fisheries intending to conduct the export trade of catches or fisheries products of distant water fisheries listed in Appendix 1 shall fill in the application form (format as shown in Appendix 2) and apply to the competent authority with the following documents for approval to be the exporter of catches or fisheries products of distant water fisheries (hereinafter referred to as “the exporter of distant water fisheries products”) :

- (1) A copy of the National Identity Card of the legal representative or the person in charge.
- (2) The basic registered company, business or factory information of the applicant downloaded from the website of the Department of Commerce of the Ministry of Economic Affairs.
- (3) The basic registered importer/exporter information of the applicant downloaded from the website of the Bureau of Foreign Trade of the Ministry of Economic Affairs.
- (4) Business Operation Prospectus (as shown in Appendix 3), which shall include the company's organizational chart, manpower deployment, items for purchases and sales, contractors for purchases and sales, risk management, etc.
- (5) Code of Conduct and standard operating procedures (SOP) for the purchase and sale of catches or fisheries products of distant water fisheries

as listed in Appendix 1.

The applicant as referred to in the preceding paragraph shall be limited to the importer/exporter registered with the Bureau of Foreign Trade of the Ministry of Economic Affairs.

The Code of Conduct as referred to in subparagraph (5) of paragraph 1 shall, in addition to meeting the requirements of the corresponding trading country on imported fisheries products, include the requirements for the exporters of distant water fisheries products stipulated in Article 6.

The SOP as referred to in subparagraph (5) of paragraph 1 shall include procedures for purchase, transport, storage, processing, or sales and shall be sufficient to trace the flow of catches or fisheries products and the legitimacy of their sources.

Article 3

For any application document(s) that does not meet the requirement(s) prescribed in Article 2, the competent authority shall request the supplementation within the required timeframe. Any application which fails to supplement within the required timeframe or with incomplete supplementation shall be denied.

Article 4

The competent authority will issue the approval certificate of the exporter of distant water fisheries products after the application as referred to in Article 2 has passed the examination. The approval certificate will record the following:

- (1) Name and Tax ID Number.
- (2) Operation address.
- (3) Name of the legal representative or the person in charge.

- (4) Approval number and issuing date.
- (5) The issuing authority.

Any exporter of distant water fisheries products whose exportation eligibility has been revoked by the competent authority in accordance with Article 16 may only re-apply for the approval of the exporter of distant water fisheries products after the defect(s) found during the audit has been corrected and the rating above “A” has been given following the review conducted by the competent authority.

Article 5

In case of any of the following circumstances, the application made in accordance with Article 2 shall be denied:

- (1) The applicant does not meet the requirement stipulated in Article 2, paragraph 2.
- (2) The Code of Conduct and SOP do not meet the requirements stipulated in Article 2, paragraphs 3 and 4.
- (3) Three years have not passed since the exportation eligibility has been revoked pursuant to Article 38, paragraph 3 of the Act.
- (4) Five years have not passed since the exportation eligibility has been revoked pursuant to Article 38, paragraph 5 of the Act.

Article 6

Any exporter of distant water fisheries products shall comply with the following provisions when purchasing or selling catches or fisheries products of distant water fisheries as listed in Appendix 1:

- (1) In case that the fish species of the catches or fisheries products is under the management of the international fisheries organization(s), such catches or fisheries products shall come from the fishing vessel(s) authorized by relevant international fisheries organization(s).
- (2) Catches or fisheries products shall not come from any fishing vessel listed on the illegal, unreported, and unregulated (IUU) fishing vessels list promulgated by the competent authority pursuant to Article 13, paragraph 2 of the Act.
- (3) Catches or fisheries products shall not be imported from any country under trade sanction imposed by the international fisheries

organization(s).

- (4) The supplying fishing vessel(s) of the Republic of China shall not violate provisions stipulated in Article 13, paragraph 1 of the Act.
- (5) The supplying fishing vessel(s) of foreign flag(s) shall not violate relevant regulations of the flag State(s) or conservation and management measures.
- (6) The catches or fisheries products purchased, transported, stored, processed, or sold shall come from legitimate sources and be traceable.
- (7) Respective SOP in case of self-detecting or being notified by a client or the competent authority of catches or fisheries products involving in IUU fishing shall be established. The SOPs shall include manners such as receiving notifications, self-notifications, stopping or suspending transactions or compensation.
- (8) A management unit or personnel in charge of supervising and ensuring the execution of the Code of Conduct and the SOP shall be established or assigned.
- (9) The purchase and sales information of each batch of catches or fisheries products, checklist(s), annual internal audit reports, and education/training records shall be archived for at least five years.

Article 7

Any exporter of distant water fisheries products shall declare, in the format as shown in Appendix 4, the information on the purchased, sold, and stored catches or fisheries products as listed in Appendix 1 during the preceding three months within 15 days after the end of each quarter.

In the event that a catch certificate has been applied for the catches or fisheries products as referred to in the preceding paragraph in accordance with the Regulations for Issuing Distant Water Fisheries Catch Certificates, write-off shall be conducted in accordance with such Regulations.

Article 8

For any exporter of distant water fisheries products whose employees are 30 persons and above, a management unit shall be established; for that

less than 30 persons, personnel shall be assigned, so as to be in charge of the execution and management of the Code of Conduct and SOP.

The management unit or the assigned personnel as referred to in the preceding paragraph shall receive, at least for 12 hours in every three years, education/training courses organized by the competent authority on combating IUU fishing.

Article 9

Any exporter of distant water fisheries products shall comply with its own Code of Conduct and SOP in case of purchasing or selling catches or fisheries products as listed in Appendix 1, and shall conduct internal audit at least once a year. The internal audit report(s) of the preceding year shall be submitted to the competent authority for perusal before January 20 of each year.

Article 10

Any exporter of distant water fisheries products shall cooperate with the competent authority in the event of auditing the Code of Conduct and SOP for the purchase or sales of catches or fisheries products, and shall not evade, obstruct or deny.

Items and criteria for the audit as referred to in the preceding paragraph are shown in Appendix 5.

Article 11

The competent authority shall, based on the contents of Business Operation Prospectus enclosed in the approved application and pursuant to the criteria listed in Appendix 6, categorize the exporters of distant water fisheries products into high, medium, and low risk level. Unless otherwise provided in these Regulations, audits shall be conducted pursuant to the following provisions:

- (1) Audits shall be conducted at least once a year for the high risk level.
- (2) Audits shall be conducted at least once in every two years for the medium risk level.
- (3) Audits shall be conducted at least once in every three years for the low risk level.

For any exporter of distant water fisheries products whose annual average export volume of the catches or fisheries listed in Appendix 1 is under 100 tons in the recent three year, the competent may not audit such exporter in accordance with the provision stipulated in the preceding paragraph.

In the event that any exporter of distant water fisheries products is reported to be involved in or support the transaction of IUU fishing activities; or any anomaly appears in relevant catch certificates applied by any exporter of distant water fisheries products, the competent authority may conduct the audit at any time.

Article 12

Before auditing, the competent authority may require any exporter of distant water fisheries products to provide, within the required timeframe, relevant information such as the management for traceability of the catches or fisheries products it purchases or sells.

The competent authority shall, after examining the information as referred to in the preceding paragraph, draw up the audit plan and notify the exporter of distant water fisheries products to cooperate with the audit.

Article 13

In the event of field audit, the competent authority may require the exporter of distant water fisheries products to provide the following documents or information:

- (1) Information on contractor(s) for purchases and sales.
- (2) Purchase and sales contracts and documents proving the transaction and exportation.
- (3) Other documents and information designated by the competent authority.

Auditor(s) shall keep confidential the contents of the documents and information as referred to in the preceding paragraph.

Article 14

Ratings of the audit are categorized as the following:

- (1) A plus: No defect was found.
- (2) A: minor defects are five items and less, or one major defect.
- (3) B: minor defects are six items and above but less than 12, or major defects are two items and above but less than four.
- (4) C: minor defects are 12 items and above, or major defects are four items and above.

In terms of calculating the number of defect as referred to in the preceding paragraph, three minor defects are equivalent to one major defect.

For any exporter of distant water fisheries products that is rated “A plus”, it may be exempted from the audit for five years starting from the date of the completion of the most recent audit.

Article 15

For any exporter of distant water fisheries products that is rated “B”, it shall submit the improvement report within 30 days starting from the next day that the audit report is delivered.

In the event that the exporter of distant water fisheries products is unable to submit the improvement report by the deadline prescribed in the preceding paragraph, it may apply to the competent authority for the extension before the deadline. The application of extension shall be limited to once and the extension shall be limited to only 30 days.

For any exporter of distant water fisheries products failing to submit the improvement report and complete improvements as referred to in the preceding two paragraphs, the competent authority may continue to require such exporter to improve within the required timeframe till the completion of improvements.

For the purpose of being deemed as improvements completed, the improvement report submitted by the exporter of distant water fisheries products shall be rated “A” and above by the competent authority.

Article 16

In case of any of the following circumstances, the competent authority shall revoke the exportation eligibility of any exporter of distant water fisheries products:

- (1) The exporter of distant water fisheries products is rated “B” and has not completed improvements within the required deadline for three times.
- (2) The exporter of distant water fisheries products is rated “C”.

Article 17

The competent authority may commission other institution(s) to conduct audits and education/training courses of the exporters of distant water fisheries products.

Article 18

These Regulations shall become effective on January 20, 2017.

Appendix 1: Types of catches or fisheries products that the approval from the competent authority shall be obtained for exportation conducted by the industry related to distant water fisheries

C.C.C. Code	Name of Product (Chinese)	Name of Product (English)
0303.41.00.00-5	冷凍長鰭鮪	Albacore or Longfinned tunas (<i>Thunnus alalunga</i>), frozen
0303.42.00.00-4	冷凍黃鰭鮪	Yellowfin tunas (<i>Thunnus albacares</i>), frozen
0303.43.00.00-3	冷凍正鰹	Skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), frozen
0303.44.00.00-2	冷凍大目鮪	Bigeye tuna (<i>Thunnus obesus</i>), frozen
0303.45.00.00-1	冷凍大西洋及太平洋黑鮪	Atlantic and Pacific bluefin tunas, frozen
0303.46.00.00-0	冷凍南方黑鮪	Southern bluefin tuna (<i>Thunnus maccoyii</i>), frozen
0303.49.00.00-7	其他冷凍鮪魚 (鮪屬)	Other tunas (of genus <i>thunnus</i>), frozen
0303.57.00.00-6	冷凍劍旗魚	Swordfish, frozen
0303.59.10.00-2	冷凍秋刀魚	Pacific Saury, frozen
0303.81.00.90-7	其他冷凍鯊魚	Dogfish and other sharks, frozen
0303.89.89.41-3	冷凍旗魚 (正旗魚科)	Marlins (<i>Istiophoridae</i> family), frozen
0303.92.00.00-3	冷凍鯊魚翅	Shark fins, frozen
0304.84.00.00-2	冷凍劍旗魚魚片	Swordfish fillets, frozen
0304.87.00.10-7	冷凍大西洋及太平洋黑鮪魚片	Atlantic and Pacific bluefin tunas (<i>Thunnus thynnus</i> , <i>Thunnus orientalis</i>), fillets or steaks, frozen
0304.87.00.20-5	冷凍南方黑鮪魚片	Southern bluefin tuna (<i>thunnus maccoyii</i>), fillets or steaks, frozen
0304.87.00.30-3	冷凍大目鮪魚片	Bigeye tuna (<i>thunnus obesus</i>), fillets or steaks, frozen
0304.87.00.90-0	其他冷凍鮪魚、正鰹魚片	Other tuna fillets, skipjack or stripe-bellied bonito fillets, frozen
0304.88.00.19-7	冷凍角鯊及其他鯊魚魚片	Dogfish, other sharks, rays and skates fillets, frozen
0304.89.90.21-3	冷凍旗魚片 (正旗魚科)	Marlins (<i>Istiophoridae</i> family), fillets or steaks, frozen
0304.91.10.00-1	冷凍劍旗魚漿	Frozen Swordfish (<i>Xiphias gladius</i>), minced (<i>surimi</i>)
0304.91.90.00-4	冷凍之其他劍旗魚肉 (不論是否經剝細)	Other swordfish (<i>Xiphias gladius</i>) meat (whether or not minced), frozen
0304.96.10.00-6	冷凍角鯊及其他鯊魚漿	Frozen dogfish and other sharks, minced (<i>surimi</i>)
0304.96.90.00-9	冷凍角鯊及其他鯊魚肉 (不論是否經剝細)	Dogfish and other sharks meat (whether or not minced), frozen

C.C.C. Code	Name of Product (Chinese)	Name of Product (English)
0304.99.90.21-1	冷凍之大西洋及太平洋黑鮪魚肉（不論是否經剝細）	Atlantic and Pacific bluefin tunas (Thunnus thynnus, Thunnus orientalis) meat (whether or not minced), frozen
0304.99.90.22-0	冷凍之南方黑鮪魚肉（不論是否經剝細）	Southern bluefin tuna (Thunnus maccoyii) meat (whether or not minced), frozen
0304.99.90.23-9	冷凍大目鮪魚肉（不論是否經剝細）	Bigeye tuna (Thunnus obesus) meat (whether or not minced), frozen
0305.39.90.40-0	乾、鹹或浸鹹秋刀魚之切片，但未燻製	Saury fillets, dried, salted or in brine, but not smoked
0305.49.90.30-0	燻製秋刀魚	Saury, smoked
0305.69.90.40-3	鹹秋刀魚	Saury, salted or in brine
0307.43.21.90-5	其他冷凍魷魚（赤魷屬、鎖管屬、太平洋魷屬），但未燻製	Other squid (Ommastrephes spp., Loligo spp., Nototodarus spp.), frozen, but not
0307.43.29.90-7	其他冷凍魷魚，但未燻製	Other squid, frozen, but not smoked
0307.49.22.10-5	乾魷魚（赤魷屬、鎖管屬、太平洋魷屬、軟翅仔屬），但未燻製	Squid (Ommastrephes spp., Loligo spp., Nototodarus spp., Sepioteuthis spp.), dried, but not smoked
0307.49.22.20-3	鹹或浸鹹魷魚（赤魷屬、鎖管屬、太平洋魷屬、軟翅仔屬），但未燻製	Squid (Ommastrephes spp., Loligo spp., Nototodarus spp., Sepioteuthis spp.), salted or in brine, but not smoked
0307.49.23.00-6	其他乾、鹹或浸鹹魷魚，但未燻製	Other squid, dried, salted or in brine, but not smoked
0307.49.33.00-4	其他燻製魷魚	Other squid, smoked
0307.92.90.00-0	其他冷凍軟體類動物，包括適於人類食用之軟體類動物粉、細粒及團粒，但未燻製	Other molluscs, frozen, including flours, meals and pellets of molluscs, fit for human consumption, but not smoked
0307.99.59.20-8	其他鹹或浸鹹軟體類動物，包括適於人類食用之軟體類動物粉、細粒及團粒，但未燻製	Other molluscs, dried, salted or in brine, including flours, meals and pellets of molluscs, fit for human consumption, but
0307.99.69.00-0	其他燻製軟體類動物，包括適於人類食用之軟體類動物粉、細粒及團粒	Other molluscs, smoked, including flours, meals and pellets of molluscs, fit for human consumption

Appendix 2

Application Form for Exporters of Distant Water Fisheries Products

1. Basic information of the applicant: (Please select one of the followings and fill in the fields below.)

First application (Distant 2) Re-application (Distant 4-2)

Name of Importer/Exporter	(Chinese) (English)		
Tax ID Number of the Company			
Operation Address	(Chinese) (English)		
Name of the Representative or Person in Charge	(Chinese) (English)	ID Number	
Capital Size (NTD)			
Name of Contact Person		Telephone No.	

2. Enclosure: (please tick)

- (1) A copy of the National Identity Card of the representative or the person in charge. (Distant 2-1-1) Yes No
- (2) The basic registered company, business, factory information of the applicant downloaded from the website of the Department of Commerce of the Ministry of Economic Affairs. (Distant 2-1-2) Yes No
- (3) The basic registered importer/exporter information of the applicant downloaded from the website of the Bureau of Foreign Trade of the Ministry of Economic Affairs. (Distant 2-1-3) Yes No
- (4) Business Operation Prospectus, which shall include the company's organizational chart, manpower deployment, items for purchases and sales, contractors for purchases and sales, risk management, etc. (Distant 2-1-4) Yes No
- (5) Code of Conduct and standard operating procedures (SOP) for the purchase and sale catches or fisheries products of distant water fisheries (Distant

Note: "Distant 2-1-1" means Article 2, paragraph 1, subparagraph (1) of the Regulations for the Approval and Management of the Exporters of Catches or Fisheries Products of Distant Water Fisheries.

Appendix 2

Application Form for Exporters of Distant Water Fisheries Products

2-1-5) Yes No

To

Council of Agriculture, Executive Yuan

Applicant:

Representative or Person in charge:

(Signature/company's seal and

owner's seal)

Date of application: MM/DD/YYYY

Business Operation Prospectus

1. Organizational Framework:
 - (1) Organizational Chart
 - (2) Manpower Deployment
2. Items for Purchases and Sales

Name of Goods	Sources of Purchase			Flow of Sales		
	Locally produced (metric ton)	Imported (metric ton)	Imported from (country)	Domestically distributed (metric ton)	Exported (metric ton)	Exported to (country)
T o t a l						
R a t i o						

3. Contractors for purchases and sales:

(1) Contractors for Purchase

No.	Contractor	Country	Name of Goods	Annual average purchased volume in recent three years (metric ton)	Ratio of purchase
	T o t a l				100%

(2) Contractors for Sales

No.	Contractor	Country	Name of Goods	Annual average sold volume in recent three years (metric ton)	Ratio of sales
	T o t a l				100%

4. Risk Management

Item	Description	Please tick
Compliance	Any serious infringement listed in Article 13, paragraph 1 of the Act in	

Business Operation Prospectus

record	the past one year, or more than three violations other than serious infringement in the past three years.	
	Any serious infringement listed in Article 13, paragraph 1 of the Act or violation other than serious infringement in the past three years, or more than three violations other than serious infringement in the past five years.	
	No serious infringement/violation in the past but with defect(s) found in prior inspections or audits.	
	No serious infringement/violation in the past and no defect found in prior inspections or audits.	
Sources of fisheries products	Coming from any country under trade sanction imposed by the international fisheries organization(s); any IUU fishing vessel promulgated pursuant to Article 13, paragraph 2 of the Act; or any fishing vessel(s) registered in the IUU fishing non-cooperating (red card) country identified and announced by the European Union (EU).	
	Coming from any fishing vessel registered in the IUU fishing non-cooperating country pre-identified by the EU (yellow card).	
	Coming from any fishing vessel permitted to conduct distant water fisheries or approved to fish within the exclusive economic zone of the flag State.	
Traded fish species	Bluefin tuna, southern bluefin tuna, bigeye tuna, albacore tuna, yellowfin tuna, swordfish, skipjack, and sharks	
	Saury and squid	
	Other marine captured fish species	
Volume exported	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume of 100,000 metric tons and above.	
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume of 50,000 metric tons and above and less than 100,000 metric tons.	
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume less than 50,000 metric tons.	
Trade pattern	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations directly from abroad to other countries.	
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations from the Republic of China to other countries.	
	Exporting the catches or products caught within the exclusive economic zone of the flag State.	
Prices of traded fish species	The average price of traded fish species in the past one year is NTD 400 per kilogram and above.	
	The average price of traded fish species in the past one year is NTD 100 and above and less than NTD 400 per kilogram.	
	The average price of traded fish species in the past one year is less than NTD 100 per kilogram.	
Management of processing or storage	Catches or fisheries products are processed by or stored in the plant which has not passed the verification of Hazard Analysis and Critical Control Point (HACCP).	
	Catches or fisheries products are processed by or stored in the plant which has passed the inspections on food safety control system under	

Business Operation Prospectus

	the guidance of the health authority of the Republic of China.	
	Catches or fisheries products are processed by or stored in the plant which is authorized by and registered in the corresponding trading country, such as the EU, Russia or Vietnam.	
Code of Conduct and SOP for purchase and sales	No Code of Conduct nor SOP; or the Code of Conduct and SOP have been established but rating “C” was rated in the recent audit.	
	The Code of Conduct and SOP have been established and rating “B” was rated in the recent audit.	
	The Code of Conduct and SOP have been established and rating “A” was rated in the recent audit.	

Appendix 4

Declaration Format for the Purchased, Sold, and Stocked Catches or Fisheries Products of Distant Water Fisheries

Name of company:

Date of declaration: MM/DD/YYYY

Approval No.:

Filled in by:

Declared period: From MM/DD/YYYY to MM/DD/YYYY

1. Purchase Information								2. Sales Information									3. Stock Information		
Purchase Contract No.	Purchasing from	Purchasing Date	Name of Goods	CCC Code of Goods (first 6 digits)	Catch Certificate No. (if available)	Flag state of fishing vessel	Purchased Volume (kg)	Sales Contract No.	Selling to	Selling Date	Name of Goods	CCC Code of Goods (first 6 digits)	Catch Certificate No. (if available)	Catch Certificate No. for re-exportation (if available)	Importing to (country)	Volume of Raw Materials Used (kg)	Volume Sold (kg)	Remaining Raw Materials (kg)	
Total							-											-	

Instructions:

- The declared period is based on the selling date. For example, if the declared period is from 1 January 2016 to 31 March 2016, sales information on the catches or fisheries products within this period shall be provided, and the purchasing date of the raw materials would probably be before 1 January 2016.
- For the purchase contract No. and the sales contract No., please fill in the Order No. In case of oral or email contract, please fill in in the way that can identify the contract.
- For the contractor of purchase, please fill in the name of the previous contractor. In case of purchasing directly from fishing vessel(s) of the Republic of China, please fill in the Chinese name(s) of such fishing vessel(s).
- For the purchasing date and selling date, please fill in the Arabic numerals in accordance with the sequence of year, month and day with no space in between. For example, please fill in “20160202” for 5 February 2016.
- For the name of goods, please fill in in Chinese. Manners to preserve the goods and the processing status shall also be included, such as frozen squid fillets.
- Please use the text format when filling in the column of CCC Code, and fill in the first 6 digits, for example, 030342.
- For flag State of fishing vessel and importing country, please fill in the Chinese name of the country.
- For the contractor of sales, please full in the name of the next contractor. In case that the buyer is an importer of the importing country, please fill in the English name of such importer. In case that the buyer is a domestic trading company, please fill in the Chinese name of such company.
- The volume of raw materials used shall be less than or equal to the purchased volume. If the raw materials of export products are from different batches, the information on different batches of raw materials shall be provided under the purchase information.

Audit Items and Criteria
Version date: January XX, 2017

Item 1. Code of Conduct for purchasing and selling catches or fisheries products
(Distant 2-3)

Criteria
(I) Requirements for exporters of distant water fisheries products: (Distant 6)
1. In case that the fish species of the catches or fisheries products is under the management of the international fisheries organization(s) (as shown in the annex), such catches or fisheries products shall come from the fishing vessel(s) authorized by relevant international fisheries organization(s). (Distant 6-0-1) ¹ * ²
2. Catches or fisheries products shall not come from any fishing vessel listed on the IUU fishing vessels list promulgated by the competent authority pursuant to Article 13, paragraph 2 of the Act. (Distant 6-0-2)*
3. Catches or fisheries products shall not be imported from any country under trade sanction imposed by the international fisheries organization(s). (Distant 6-0-3) *
4. The supplying fishing vessel(s) of the Republic of China shall not violate the provisions in Article 13, paragraph 1 of the Act. (Distant 6-0-4)*
5. The supplying fishing vessel(s) of foreign flag(s) shall not violate relevant regulations of the flag State(s) or conservation and management measures. (Distant 6-0-5) *
6. The catches or fisheries products purchased, transported, stored, processed, or sold shall come from legitimate sources and be traceable. (Distant 6-0-6) *
7. Respective SOP in case of self-detecting or being notified by a client or the competent authority of catches or fisheries products involving in IUU fishing shall be established. The SOPs shall include manners such as receiving notifications, self notifications, stopping or suspending transactions or compensation. (Distant 6-0-7)
8. A management unit or personnel in charge of supervising and ensuring the execution of the Code of Conduct and the SOP shall be established or assigned. (Distant 6-0-8)
(1) For the exporter of distant water fisheries products whose employees are 30

¹ "Distant 6-0-1" means Article 6, subparagraph (1) of the Regulations for the Approval and Management of the Exporters of Catches or Fisheries Products of Distant Water Fisheries. "Distant 2-3" means Article 2, paragraph 3.

² Those with the "*" sign mean major defects; those without the "*" sign means minor defects.

persons and above, a management unit shall be established; for that less than 30 persons, personnel shall be designated. (Distant 8-1)
(2) The management unit or the assigned personnel shall receive, at least for 12 hours in every three years, education/training courses organized by the competent authority on regulations combating IUU fishing. (Distant 8-2)
(3) Any exporter of distant water fisheries products shall comply with its own Code of Conduct and SOP in case of purchasing or selling catches or fisheries products as listed in Appendix 1, and shall conduct internal audit at least once a year. The internal audit report(s) of the preceding year shall be submitted to the competent authority for perusal before January 20 of each year. (Distant 9)
9. The purchase and sales information of each batch of catches or fisheries products, checklist(s), annual internal audit reports, and education/training records shall be archived for at least five years. (Distant 6-0-9)
(II) Purchased or sold catches or fisheries products meet the requirements of the corresponding trading country on imported fisheries products. (Distant 2-3)

Item 2. SOP for purchasing and selling catches or fisheries products (Distant 2-4)

Criteria
(I) The catches or fisheries products purchased shall come from legitimate sources and be traceable: (Distant 6-0-6)
1. In case that the fish species of the catches or fisheries products is under the management of the international fisheries organization(s) (as shown in the annex), such catches or fisheries products shall come from the fishing vessel(s) authorized by relevant international fisheries organization(s). (Distant 6-0-1)*
2. Catches or fisheries products shall not come from any fishing vessel listed on the IUU fishing vessels list promulgated by the competent authority pursuant to Article 13, paragraph 2 of the Act. (Distant 6-0-2)*
3. Catches or fisheries products shall not be imported from any country under trade sanction imposed by the international fisheries organization(s). (Distant 6-0-3) *
4. The supplying fishing vessel(s) of the Republic of China shall not violate the provisions in Article 13, paragraph 1 of the Act. (Distant 6-0-4)*
5. The supplying fishing vessel(s) of foreign flag(s) shall not violate relevant regulations of the flag State(s) or conservation and management measures.

(Distant 6-0-5) *
6. For any fishing vessel of 100 gross tonnage (GT) and above, it shall obtain the IMO ship identification number or Lloyd's Register (LR) number in accordance with the conservation and management measures. (Distant 6-0-4 and Distant 6-0-5)*
7. The supplying fishing vessel of the catches or fisheries products exported to the EU shall fly the flag of the country approved pursuant to Article 20 of Council Regulation (EC) No. 1005/2008, , and shall not be of the IUU fishing non-cooperating country identified and announced by the EU. (Distant 2-3)
8. Catches or fisheries products exported to countries such as the EU, Vietnam, Russia, Mainland China or Brazil shall come from the plants or freezer vessels approved by and registered in those countries. (Distant 2-3)
9. The purchase information of each batch of catches or fisheries products and checklist(s) shall be archived for at least five years. (Distant 6-0-9)
(II) The catches or fisheries products transported shall come from legitimate sources and be traceable: (Distant 6-0-6)
1. Any fishing vessel of the Republic of China or carrier vessel of foreign flag that transships the catches or fisheries products shall not be the IUU fishing vessel as promulgated by the competent authority pursuant to Article 13, paragraph 2 of the Act. (Distant 6-0-2)*
2. The transporting documents/bills of each batch of purchased or sold catches or fisheries products and checklist(s) shall be archived for at least five years. (Distant 6-0-9)
(III) The catches or fisheries products stored shall come from legitimate sources and be traceable: (Distant 6-0-6)
1. Catches or fisheries products exported to countries such as the EU, Vietnam, Russia, Mainland China or Brazil shall be stored in the warehouses approved by and registered in those countries. (Distant 2-3)
2. The warehouse shall establish a mechanism to store and manage the catches or fisheries products, including recording in detail the raw material in and out of the warehouse, the finished products and quantities, dates of in and out of the warehouse, areas of stocking, supplying fishing vessels, fishing areas, fishing dates, etc. (Distant 6-0-6)
3. The storage record of each batch of catches or fisheries products and the checklist(s) shall be archived for at least five years. (Distant 6-0-9)
(IV) The catches or fisheries products processed shall come from legitimate sources and be traceable: (Distant 6-0-6)

<p>1. Catches or fisheries products exported to countries such as the EU, Vietnam, Russia, Mainland China or Brazil shall be processed by the processing plants approved by and registered in those countries. (Distant 2-3)</p>
<p>2. In case that fisheries products exported to the EU are made from imported raw materials, the EUHC and EUCC issued by the competent authority of the flag State shall be obtained for the supplying fishing vessel of the imported raw materials. The flag State shall be the country approved pursuant to Article 20 of Council Regulation (EC) No. 1005/2008, and shall not be a IUU fishing non-cooperating country identified and announced by the EU. (Distant 2-3)</p>
<p>3. The processing plant shall establish a mechanism to store and manage the catches or fisheries products, including recording in detail the raw material in and out of the warehouse, the finished products and quantities, dates of in and out of the warehouse, areas of stocking, supplying fishing vessels, fishing areas, fishing dates, used volume of the raw fish, the weights of finished products, etc. (Distant 6-0-6)</p>
<p>4. Processing plants shall record in detail the declaration of catch origin and sales flow chart as required by the relevant authorities concerned, so as to tell apart the sources of catches and shipping quantities of finished products. (Distant 6-0-6)</p>
<p>5. The processing record of each batch of catches or fisheries products and checklist(s) shall be archived for at least five years. (Distant 6-1-8)</p>
<p>(V) The catches or fisheries products sold shall come from legitimate sources and be traceable: (Distant 6-0-6)</p>
<p>1. Exporters of distant water fisheries products shall declare the information on the purchased, sold, and stocked catches or fisheries products as listed in Appendix 1 in accordance with these Regulations. (Distant 7-1) *</p>
<p>2. In the event that a catch certificate has been applied for the catches or fisheries products in accordance with the Regulations for Issuing Distant Water Fisheries Catch Certificates, write-off shall be conducted in accordance with such Regulations.. (Distant 7-2) *</p>
<p>3. The sales record of each batch of catches or fisheries products shall be archived for at least five years. (Distant 6-0-9)</p>

Annex: Fish species managed by international fisheries organizations

International fisheries organization	Fish species managed
Western and Central Pacific Fisheries Commission (WCPFC)	Highly migratory species (excluding saury)
Inter-American Tropical Tuna Commission (IATTC)	Tuna and tuna-like species
International Commission for the Conservation of Atlantic Tunas (ICCAT)	Tuna and tuna-like species
Indian Ocean Tuna Commission (IOTC)	Yellowfin tuna, skipjack, bigeye tuna, albacore tuna, southern bluefin tuna, Longtail tuna, Kawakawa, Frigate tuna, Bullet tuna, Narrow barred Spanish Mackerel, Indo-Pacific king mackerel, Blue Marlin, Black Marlin, Striped Marlin, Indo-Pacific Sailfish, Swordfish
Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	Southern bluefin tuna
South Pacific Regional Fisheries Management Organization (SPRFMO)	Non-highly migratory species (non-tuna) not covered by other international fisheries organizations
Northern Pacific Fisheries Commission (NPFC)	The bottom fisheries in the north Pacific Ocean and fish species not covered by other international fisheries organizations

Appendix 6

Risk Criteria

Item	Criteria	Point
Compliance record	Any serious infringement listed in Article 13, paragraph 1 of the Act in the past one year, or more than three violations other than serious infringement in the past three years.	3
	Any serious infringement listed in Article 13, paragraph 1 of the Act or violation other than serious infringement in the past three years, or more than three violations other than serious infringement in the past five years.	2
	No serious infringement/violation in the past yet with defect(s) found in prior inspections or audits.	1
	No serious infringement/violation in the past and no defect found in prior inspections or audits	0
Sources of fisheries products	Coming from any country under trade sanction imposed by the international fisheries organization(s); any IUU fishing vessel promulgated pursuant to Article 13, paragraph 2 of the Act; or any fishing vessel(s) registered in the IUU fishing non-cooperating (red card) country identified and announced by the European Union (EU).	3
	Coming from any fishing vessel registered in the IUU fishing non-cooperating country pre-identified by the EU (yellow card).	2
	Coming from the fishing vessel(s) permitted to conduct distant water fisheries or approved to fish within the exclusive economic zone of the flag State.	1
Traded fish species	Bluefin tuna, southern bluefin tuna, bigeye tuna, albacore tuna, yellowfin tuna, swordfish, skipjack, and sharks	3
	Saury and squid	2
	Other marine captured fish species	1
Volume exported	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume of 100,000 metric tons and above.	3
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume of 50,000 metric tons and above and less than 100,000 metric tons.	2
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations with the annual average export volume less than 50,000 metric tons.	1
Trade pattern	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations directly from abroad to other countries.	3
	Exporting the catches or fisheries products as listed in Appendix 1 of these Regulations from the Republic of China to other countries.	2
	Exporting the catches or fisheries products caught within the exclusive economic zone of the flag State.	1
Prices of traded fish	The average price of traded fish species in the past one year is NTD 400 per kilogram and above.	3
	The average price of traded fish species in the past one year is NTD	2

species	100 and above and less than NTD 400 per kilogram.	
	The average price of traded fish species in the past one year is less than NTD 100 per kilogram.	1
Management of processing or storage	Catches or fisheries products are processed by or stored in the plant which has not passed the verification of Hazard Analysis and Critical Control Point (HACCP).	3
	Catches or fisheries products are processed by or stored in the plant which has passed the inspections on food safety control system under the guidance of the health authority of the Republic of China.	2
	Catches or fisheries products are processed by or stored in the plant which is authorized by and registered in the corresponding trading country, such as the EU, Russia, or Vietnam.	1
Code of Conduct and SOP for purchase and sales	No Code of Conduct nor SOP; or the Code of Conduct and SOP have been established yet rating “C” was rated in the recent audit.	3
	The Code of Conduct and SOP have been established and rating “B” was rated in the recent audit.	2
	The Code of Conduct and SOP have been established and rating “A” was rated in the recent audit.	1
Catch Certificate Verification	The number of catch certificates for distant water catches or products applied by the exporter of distant water fisheries products that EU or other countries requested for verification in the preceding year accounts for 50% and above of the total requests in the same year received by the Fisheries Agency.	3
	The number of catch certificates for distant water catches or products applied by the exporter of distant water fisheries products that the EU or other countries requested for verification in the preceding year accounts for less than 50% of the total requests in the same year received by the Fisheries Agency.	2
	No request for verification of the catch certificates applied by the exporter of distant water fisheries products from the EU or other countries in the preceding year	1

Note: The ranking of point(s) for risk items is decided on the criteria with the highest points that the transactions conducted by exporters of distant water fisheries products are related to. The point zero will be given if no risk item is involved.

Categories of Risk Level

Risk level	High	Medium	Low
Range of points	25 points and above	15 points and above and under 25 points	Under 15 points

