

Directions Governing Inspection Procedure of Textile Goods

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Chapter I. General Principles

Article 1 This regulation is stipulated for the purpose of textile goods inspections.

Article 2 Definitions of terms about this regulation include the following:

1. Same Category of Textile Goods: Eight categories including babies' garments and clothing accessories, garments, sweaters, underwear, swimwear, towels (including bath towels), hosiery, bedding (including bedspread sets, pillows and quilt wadding), etc, with a total of eight categories.
2. Same Kind of Goods: the same item of same import declaration.
3. All Inspection Items: free formaldehyde, prohibited azo colorants, cadmium, lead, organic tin, nonylphenol (NP), nonylphenolethoxylates (NPEO), labels and physical safety requirement for clothing with strings and drawstrings.

Chapter II. Regulations for Inspection of Babies' Garments and Clothing Accessories, Underwear, Towels, and Bedding.

Article 3 The inspection methods for these four categories including babies' garments and clothing accessories, underwear, towels, bedding are monitoring inspection, premises sampling of random inspection and management system monitoring inspection.

Article 4 Regulations for monitoring inspection include as follows:

1. For inspection review, the obligatory applicant shall submit the relevant documents in accordance with Regulation Governing Monitoring Inspection. and product label which shall be traditional Chinese. Above labelling data shall be entity-labeled photograph, estimate-manufactured sample or pattern.
2. Same batch of goods for inspection should be the same obligatory applicant, same brand (or factory), same place of production and same Commodity Classification of the Republic of China code.
3. After the Bureau of Standards, Metrology & Inspection, Ministry of Economic Affairs (hereinafter referred to as the BSMI) or its branch (hereinafter referred to as inspection authority) receive the inspection application, same obligatory applicant of same brand (or factory), same place of production and same Commodity Classification of the Republic of China code, each batch of inspection goods will be randomly checked by a probability of 5%. The selected batches will be inspected by sampling. The rest of batches will be released after document examination. After consecutive five batches sampling qualified(not including released after document examination), the probability of randomly checked will change into 2%.
4. Same goods which the quantity is less than five pieces shall be released after document examination.
5. Same goods which the quantity is more than five pieces, the CIF for each single piece is over NTD 10,000 and the following documents are submitted shall be released after document examination.
 - (1) Test report or quality performance statement from brand dealer.
 - (2) Letter of authorization about the quality performance statement issued by Taiwan agent with the brand dealer's authorization and the quality performance statement issued from the agent in Taiwan.
6. The aforementioned test report shall include the commodity name and the inspection result of all inspection items. The quality performance statement shall include the commodity name and the statement which claims that the quality of all inspection items meets the inspection standards. The letter of authorization shall specify that the authorized agent is entitled to issue the

quality performance statement. If the documents were photocopies, the obligatory applicant shall annotate them with the stamp stated “this copy is as same as the original” and the Taiwan agent’s signature.

7. For the goods are released after document examination, in addition to the necessary sampling inspection, each batch of inspection goods will be randomly checked for appearances and labels by a probability of 5%. After consecutive five batches checked labels are qualified, the probability of randomly checked will change into 2%. The rest of batches will be released the label sample in Chinese for inspection goods. The inspection authority could request to review their traditional Chinese labelling on commodity. Above labelling data shall be entity-labeled photograph, estimate-manufactured sample or pattern. If necessary, applicants shall submit good’s label, or official inspectors check their labels on site.
8. For the goods are released after document examination and shall be inspected the appearances and labels randomly, the number of inspection samples shall include two kinds if the goods of same batch applied for inspection are not over ten kinds. If the goods of same batch applied for inspection are over ten kinds, two more kinds shall be inspected for each exceeding ten kinds; it takes six kinds for inspection at most. For the goods selected for inspection, four pieces of the same kinds of goods at least shall be inspected for appearances, labels in Chinese and Commodity Inspection Mark.
9. The number of samples for sampling inspection is one kind if the goods applied for inspection in the same batch are not over ten kinds. If the goods of same batch applied for inspection are over ten kinds, one more kind shall be inspected for each exceeding ten kinds; it takes three kinds for inspection at most. The selected sampling goods shall take two pieces out of the same kinds of goods. When the inspection fails, the applicant would like to apply the re-inspection but there is no more original sample left or the original sample can’t be inspected again, the re-sampling is required.
10. For a goods disqualified in quality or fiber content inspection, the goods of the same brand (or factory), same place of production and same Commodity Classification of the Republic of China code applied for the inspection by the obligatory applicant must be inspected for each batch for the consecutive three

batches. If the labels disqualified in examination, batch by batch checked for labels shall be implemented for three consecutive batches, while sampling inspections shall be conducted when necessary. After a disqualified commodity becomes qualified through subsequent sampling inspection or check, it can return to the random inspection or check for each batch in a probability of 5%. After consecutive five batches sampling or check qualified, the each batch probability of randomly inspected or checked will change into 2%.

Article 5 For the goods manufactured domestically, the obligatory applicant can follow this provision to acquire the random inspection agreement. Regulations for premises sampling of random inspection include as following:

1. Application procedure:

(1) Applicant:

(A) Domestic production factories.

(B) For commodities that are entrusted to be manufactured and sold under the name of the entrusting person who has a domicile or business place in the Republic of China (Taiwan), the entrusting person.

(2) The applicant shall fill out the application form and submit the following documents to apply for random inspection of premises sampling from the inspection authority.

(A) Monitoring inspection registration certificate.

(B) All items of “the number of productions in the previous calendar year within the inspection ranges of the individual factory shall be inspected. For factories without production in the previous calendar year, “production forecast this year” shall be submitted.

(C) Other designated documents by the BSMI.

2. Processing and Checking Procedure :

(1) After the application is accepted, the inspection authority will carry out a written review according to application documents. When necessary, on-the-spot inspection in the factory shall be conducted, if on-the-spot inspection in the factory shall be conducted, depending on the categories of

commodity, the inspection authority will appoint the qualified staffs by the division of unit business and the character of professional technique to implement an on-the-spot inspection in the factory. For the factories acquire the use certificate of MIT Smile Label, the textile goods can be exempted from on-the-spot inspection.

- (2) Inspectors shall fill out a “Factory On-the-spot Inspection Record” when implementing an on-the-spot inspection.
 - (3) When the factory location is not within the jurisdiction of the acceptance authority, the acceptance authority can authorize the local inspection authority of the factory to implement an on-the-spot inspection.
 - (4) The relevant documents of on-the-spot inspection in the factory shall be kept by the inspection authority for three years.
 - (5) For the goods applied for the random inspection after the documents for review have been prepared completely and the production facts are confirmed, the inspection authority shall issue the “Random Inspection Agreement”.
3. For the goods for premises sampling of random inspection, the obligatory applicant shall submit the registration form of the domestic goods entering the domestic market to the inspection authority by the end of January of each calendar year. The applicant shall fill out the items such as the production number and revenue in the previous calendar year and pay the inspection fees according to the production revenue stated on the form.
 4. The principles of spot-check frequency: According to “the number of productions in the previous calendar year” or “production forecast this year” of the domestic goods ally provided by the obligatory applicant, the inspection authority calculates all the number of production batches and plans the annual spot-check frequency by a probability of 5%. The sampling inspection will be implemented according to the sampling time and location provided by the obligatory applicant for once a month at most and once a year at least. For the textile goods which the obligatory applicant acquires the use certificate of MIT Smile Label, the principle of inspection frequency is once a year. The calculation of the number of production and batches of all types of textile goods includes as following.

- (1) Babies' garments and clothing accessories: 500 dozen as a batch.
 - (2) Towels and underwear: 1,500 dozen as a batch.
 - (3) Bath towels: 3,000 pieces as a batch.
 - (4) Bedspread sets: 3,000 sets as a batch.
 - (5) Pillows and quilts wadding: 5,000 pieces as a batch.
5. Upon sampling as mentioned in the preceding paragraph, if the intended sampling commodity cannot be acquired twice, the inspection authority shall notify the obligatory applicant to provide a sample within a given time limit. The sample quantity shall take two pieces out of any commodity in the same type of textile goods. If the production factory which acquires the MIT Smile Label has the requirement of license replacement, the sampling items from same category of textile goods can be increased by the dealer's request.(Inspection items subject to Paragraph 3, Article 2). For the goods meets the inspection standard, the "Result Form for Random Inspection by Sampling" or the "Certificate of Premises Sampling of Random Inspection" will be issued.
6. Handling for the goods which fail in the inspection:
- (1) In accordance with Article 63-1 of the Commodity Inspection Act, the obligatory applicant will be notified to recall and rectify the disqualified goods in the same batch.
 - (2) In addition to the previous handling procedure mentioned above, for a goods disqualified in quality or fiber content inspection, the inspection frequency will be increased for once a week in principle to inspect the textile goods of the same type in the sampling time and location provided by the obligatory applicant, if the labels are disqualified, the labels of textile of the same type shall be checked in principle. The original inspection frequency cannot be resumed until the inspection or check is qualified for three consecutive times. For the goods based on the contract manufacturing, in principle, the same mandatory's goods shall be inspected or checked.
7. For the goods for random inspection by premises sampling, if there is anything updated about the increase or decrease of production factory, the obligatory

applicant shall apply to the inspection authority which the applicant has applied the random inspection previously for alteration.

8. For the goods by premises sampling of random inspection, if there is any one of the following situations happened to the obligatory applicant, the inspection authority may notify it to adopt the batch-by-batch monitoring inspection, and premises sampling of random inspection can only be restored after such situations have disappeared:
 - (1) The domestic market registration form which fails to submit by the end of January; or the record of domestic market registration form is untrue.
 - (2) The inspection fee which fails to pay by 15th of March.
 - (3) Reject the inspection authority to implement the sampling inspection.
 - (4) Fails to provide samples for inspection in due time as required by the inspection authority.
 - (5) Voluntarily applies to cease the premises sampling of random inspection .
 - (6) Cessation of business, with unknown whereabouts, or without productions for two consecutive years.
9. In case of any one of the situations in Item1 to Item4 of the preceding paragraph exists, if said situation still exists one month after changing the inspection method, the premises sampling of random inspection can only be restored four months after said situation has been completely disappeared.

Article 6 The basic inspection equipments of management system monitoring inspection are Ultraviolet-visible Spectrophotometer (UV-Vis), Gas Chromatography Mass Spectrophotometer (GC-MS), Atomic Absorption Spectrometer (AA) or Inductively Coupled Plasma Atomic Emission Spectrometer (ICP), Gas Chromatograph/Pulsed Flame Photometric Detector (GC/PFPD) or Gas Chromatograph/Flame Photometric Detector (GC/FPD).

Article 7 Inspection items and units:

1. The inspection items for batch-by-batch monitoring inspection and the selected batch from randomly-selected batches include as following:

- (1) Label inspection. For the label with the manifest errors in the fiber components, the sampling inspection is required.
 - (2) According to the product features of sampling, the inspection shall be implemented by randomly selecting any one of these five inspection items: “free formaldehyde”, “prohibited azo colorants”, “cadmium, lead”, “organic tin” and “nonylphenol(NP), nonylphenoxyethoxylates(NPEO)”. The principle of selection is on a rotational basis.
 - (3) For the goods with strings and drawstrings, the inspection of “Physical Safety Requirement” is required.
2. The items for sampling inspection of random inspection for premises sampling are as same as the aforementioned. Additionally, the BSMI may perform inspections of commodities on more than 2 inspection items stipulated at the item 2 of the forementioned clause under the request of obligatory applicant.
 3. The self-inspection of production factory which acquires the management system monitoring inspection shall be all inspection items.
 4. Inspection unit: the sixth division of the BSMI and the branches of the BSMI.

Article 8 Inspection time-limit: six working days after sampling. It takes ten working days after sampling for implementing all inspection items.

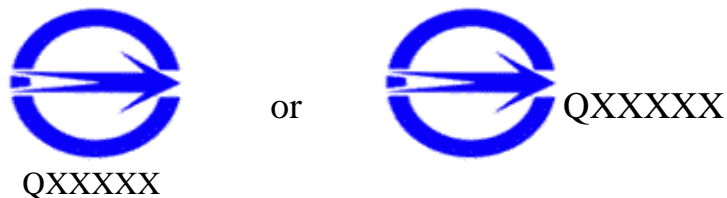
Article 9 Commodity Inspection Mark:

1. The obligatory applicant for inspection shall demonstrate the commodity inspection mark on the body of goods, by the package of smallest unit or by hanging it out.
2. The obligatory applicant for random inspection of premises sampling shall print the commodity inspection mark by themselves. The other obligatory applicant can use the commodity inspection mark printed by BSMI or by themselves.
3. The identification number for the commodity inspection mark printed by the production factory acquires the management system monitoring inspection is “Q” and designated code. The identification number for the rest of the self-printed commodity inspection mark is “M” and designated code. The

designated code is the registration number of monitoring inspection.

4. The obligatory applicant who prints the commodity inspection mark by themselves shall demonstrate the alphabet “M” or “Q” and registration number of monitoring inspection close to the right or underside of the commodity safety mark and present them both in the positions of upside and underside side by side. The obligatory applicant shall obey the following regulations to record or fill out the information and may label the batch number to implement the market management system and commodity traceability.
 - (1) The obligatory applicant for random inspection of premises sampling shall record and keep the product information about manufacturing date, quantity, production date, etc. by themselves and accept the inspection authority for document inspection.
 - (2) The domestic production factory acquires the management system monitoring inspection shall fill out the commodity inspection mark, QXXXXXX, in the column of the proved commodity inspection mark signed and issued by themselves. (XXXXXX represents the registration number of monitoring inspection.)
 - (3) The obligatory applicant except the two items mentioned above shall report fully and accurately the self-printed commodity inspection mark MXXXXXX or QXXXXXX in the column of commodity inspection mark on the inspection application.

5. The pictures of self-printed commodity inspection mark includes as following:
 - (1) The production factory acquires the management system monitoring inspection:



- (2) Others:



Article 10 For the goods fail to the sampling purchased from the market or sampling inspection, in addition to the relevant regulations regarding goods market supervision process principle, it shall be handled by the following regulations:

1. For the goods of random inspection by premises sampling, it shall be processed in accordance with the Paragraph 6, Article 5.
2. For the goods of management system monitoring inspection, it shall be processed in accordance with the Paragraph 7, Article 10 of the Regulations Governing Monitoring Inspection of Products from Premises with Registered Management System.
3. For the goods except the aforesaid two paragraphs, it shall be processed in accordance with Paragraph 10, Article 4. The inspection authority shall input the regulatory conditions into the chemical's enhanced regulatory condition operation of the BSMI automatic system for goods inspection.
4. For the goods except the aforesaid three paragraphs referred to the regulations about the recall or rectification within the specified time, the range of recall or rectification with the labeled batch number is the goods in the same batch number, type, place of origin and obligatory applicant for inspection; the range of recall or rectification without the labeled batch number is the goods in the same type, place of origin and obligatory applicant for inspection. The same type refers to the same size, pattern, color and material.

Chapter III. Inspection Regulations for Garments, Sweaters, Swimwear and Hosiery

Article 11 The inspection for these four categories including garments, sweaters, swimwear and hosiery are the random inspection by the sampling purchased from the

market.

Article 12 The random inspection of sampling purchased from the market is implemented by the inspection plan set up by the BSMI every year. The relevant regulations include as following:

1. Inspection unit: the sixth division of the BSMI and the branches.
2. Sample Source: It is mainly based on the sampling purchased from the market. For the goods with the disqualified inspection result will be sampled from the production factory, Customs district, location of display sales or warehouse.
3. Inspection items: same as Item2 and Item3, Paragraph1, Article7.
4. Commodity inspection mark: it is unnecessary to be marked.
5. The handling of inspection result:
 - (1) The BSMI will timely announce the inspection result.
 - (2) For the goods fail to the quality item, the handlings include as following:
 - (A) In accordance with the Article 63-1, Commodity Inspection Act, the obligatory applicant will be notified to recall or rectify the goods within the specified time. The relevant regulations will follow the Paragraph 4, Article 10.
 - (B) For the imported goods, the selective inspection for the specific commodity will be implemented in the Customs district. The inspection by sampling purchased from the market cannot be resumed until the inspection is qualified for three consecutive times or the same type of textile goods is not imported within three months. Due to the special reasons that cannot implement the selective inspection in the Customs district for the goods applied for inspection by the obligatory applicant, it shall change to the sampling inspection in the obligatory applicant's location of display sales or warehouse. In principle, the inspection shall be implemented once a month.
 - (C) For the domestic goods, it shall be implemented the sampling inspection in the production factory. In principle, the inspection shall be implemented once a month. The inspection by sampling purchased from the market

cannot be resumed until the inspection is qualified for three consecutive times or the same type of textile goods is not produced within three months.