

Original language

失眠為慢性頭部外傷後常見之症狀之一，盛行率估計有30% 至70%¹⁻⁴。慢性頭部外傷病患出現失眠，除降低健康相關生活品質之外，更可能延長在復健單位停留時間，進而減少回到工作崗位的生產力^{5,6}。儘管如此，這一群病患睡眠障礙的問題卻仍常被臨床醫護人員所忽略。過去研究指出，將近60%頭部外傷病患之失眠並未加以治療，進而減緩生理與心理健康之恢復³。

急性(<3個月)與慢性期(>3個月)⁷的頭部外傷病患發生失眠的成因與機轉不同。急性頭部外傷可能因腦損傷產生的器質性病變、睡眠神經傳導物質改變(如: hypocretin-1⁵、Dopamine⁸、Serotonin⁹)或急性壓力(如:憂鬱⁸、疼痛¹⁰、焦慮¹¹)導致失眠的發生。然而，隨著時間增長與組織修復，取而代之引起慢性期頭部外傷後失眠的原因，可能傾向與周遭環境造成身體上與心理上的壓力造成過度警覺(hyperarousal)有關¹²。

Target language

Insomnia is one of the common complaints following chronic phase of traumatic brain injury, with prevalence of 30% to 70%¹⁻⁴ and may associate with poor quality of life, delay recovery in rehabilitation center and reduced productivity back to work^{5,6}. Notwithstanding, the problem of sleep disorder was often ignored by clinical personnel. However, previous studies indicated that almost 60% of insomnia caused by traumatic brain injury was not treated, which slowed down the mental and physical restoration process³.

The cause and mechanism of insomnia in acute (< 3 months) and chronic (> 3 months)⁷ phase traumatic brain injury patients are different. Acute phase traumatic brain injury may due to parenchymal affection caused by brain damage, changes of sleeping neurotransmitters (such as: hypocretin-1⁵, Dopamine⁸, Serotonin⁹) or insomnia caused by acute stress (such as: melancholy⁸, pain¹⁰, anxiety¹¹). However, along with the time passing by and tissue reconstruction, the cause of insomnia following chronic phase traumatic brain injury patient may tend to be related with physical and mental stress caused by ambience, which leads to hyperarousal¹².

發展國內 GLOBALGAP 制度認證及驗證體系(中翻英)

名 稱 農產品生產及驗證管理法

公布日期 民國 96 年 01 月 29 日

第 一 章 總則

第 1 條

為提升農產品與其加工品之品質及安全，維護國民健康及消費者之權益，特制定本法。

第 2 條

本法所稱主管機關：在中央為行政院農業委員會；在直轄市為直轄市政府

；在縣（市）為縣（市）政府。

本法用詞，定義如下：

一、農產品：指利用自然資源、農用資材及科技，從事農作、森林、水產、畜牧等產製銷所生產之物。

二、有機農產品：指在國內生產、加工及分裝等過程，符合中央主管機關訂定之有機規範，並經依本法規定驗證或進口經審查合格之農產品。

三、農產品經營業者：指以生產、加工、分裝、進口、流通或販賣農產品、農產加工品為業者。

四、農產品標章：指證明農產品及其加工品經依本法規定驗證所使用之標章。

五、認證機構：指中央主管機關或其審查合格之委託機關、法人，具有執行本法所定認證工作資格者。

六、認證：指認證機構就具有執行本法所定驗證工作資格者予以認可。

七、驗證機構：指經認證並領有認證文件之機構、學校、法人或團體。

八、驗證：指證明特定農產品及其加工品之生產、加工及分裝等過程，符合本法規定之程序。

九、產銷履歷：指農產品自生產、加工、分裝、流通至販賣之公開且可追溯之完整紀錄。

十、標示：指農產品及其加工品於陳列販賣時，於農產品本身、裝置容器、內外包裝所為之文字、圖形或記號。

第 3 條

第 二 章 生產管理及產銷履歷

中央主管機關得就國內特定農產品及其加工品之生產、加工、分裝及流通等過程，實施自願性優良農產品驗證制度。

第 4 條

前項特定農產品及其加工品之項目、申請條件與程序、驗證基準、標示方式、有效期間及相關管理之辦法，由中央主管機關定之。

農產品、農產加工品在國內生產、加工、分裝及流通等過程，符合中央主管機關訂定之有機規範，並經驗證者，始得以有機名義販賣。

第 5 條

前項各類有機農產品、農產加工品之申請條件與程序、驗證基準、標示方式、有效期間及相關管理之辦法，由中央主管機關定之。

進口農產品、農產加工品須經中央主管機關公告之國家或國際有機認證機構（組織）認證之驗證機構驗證及中央主管機關之審查，始得以有機名義販賣。

第 6 條

前項進口有機農產品、農產加工品之申請條件、審查程序、標示方式及相關管理之辦法，由中央主管機關會同相關機關定之。

中央主管機關得就國內特定農產品實施自願性產銷履歷驗證制度。必要時，得公告特定農產品之項目、範圍，強制實施產銷履歷驗證制度。

第 7 條

前項特定農產品之項目、範圍、申請條件與程序、產銷作業基準、操作紀錄之項目、資訊公開與保存、驗證基準、標示方式、有效期間及相關管理

之辦法，由中央主管機關定之。

進口經國內公告強制實施產銷履歷之特定農產品，其資訊公開與保存、標示方式及相關管理之辦法，由中央主管機關會同相關機關定之。

標示產銷履歷之農產品，其經營業者應提供農產品產銷履歷之資訊，並依中央主管機關公告之一定期限，保存農產品產銷履歷資料。

代理輸入進口農產品業者，亦同。

第 8 條

第 三 章 認證及驗證

農產品及其加工品之驗證，由認證機構認證之驗證機構辦理。

驗證機構之申請資格與程序、驗證業務與範圍、有效期間、第十一條所定喪失執行驗證業務能力之認定及相關管理之辦法，由中央主管機關定之。

驗證機構辦理驗證，得收取費用；其收費數額，由該驗證機構訂定，報請中央主管機關核定。

驗證機構提供不實資料或以其他不正當方法取得認證者，中央主管機關應撤銷其認證。

前項經撤銷認證之驗證機構，三年內不得再申請認證。

驗證機構喪失執行驗證業務能力，中央主管機關應廢止其認證。

農產品及其加工品使用農產品標章，須經驗證合格。

前項農產品標章之規格、圖式、使用規定及相關管理之辦法，由中央主管機關會商相關機關定之。

第 9 條

第 10 條

第 11 條

第 12 條

第 四 章 安全管理及查驗取締

第 13 條

有機農產品、農產加工品不得使用化學農藥、化學肥料、動物用藥品或其他化學品。但經中央主管機關公告許可者，不在此限。

主管機關為確保農產品及其加工品符合本法規定，得派員進入農產品經營業者之生產、加工、分裝、貯存及販賣場所，執行檢查或抽樣檢驗，任何人不得拒絕、規避或妨礙。

主管機關為前項檢查或抽樣檢驗，得要求前項場所之經營業者提供相關證明及紀錄。

第 14 條

經檢查或檢驗之結果不符本法規定之農產品及其加工品，主管機關除依本法規定處罰外，得禁止其運出第一項所定場所，並得命其限期改善、回收、銷毀或為其他適當之處置。

主管機關應依特定農產品及其加工品之不同性質，分別訂定最短抽檢時間。

依前條規定執行檢查或抽樣檢驗之人員，應向行為人出示有關執行職務之證明文件或顯示足資辨別之標誌；在販賣場所抽取之樣品應給付價款；其檢查及檢驗之辦法，由中央主管機關定之。

第 15 條

前項之檢查，主管機關得委任所屬機關或委託其他機關（構）、法人、團體或個人辦理。

第一項之檢驗，由中央主管機關委任所屬檢驗機構辦理。必要時，得將其

一部分或全部委託其他檢驗機關（構）、學校、團體或研究機構辦理。

第 16 條

農產品及其加工品安全之檢驗方法，由中央主管機關會商中央目的事業主管機關後公告之；未公告者，得依國際間認可之方法為之。

第 17 條

農產品經營業者對於檢驗結果有異議時，得於收到通知後十五日內，繳納檢驗費用，向原抽驗機關申請複驗，並以一次為限。

前項受理複驗機關應於七日內通知執行檢驗者就原檢體複驗之。但檢體已變質者，不予複驗。

第 18 條

主管機關對於檢舉查獲違反本法規定者，除對檢舉人身分資料保守秘密外，並應給予獎勵。

前項檢舉獎勵辦法，由中央主管機關定之。

第 19 條

依第二十一條第二項或第二十三條第二項規定廢止認證之驗證機構，三年內不得再申請認證。

第 五 章 罰 則

第 20 條

未依本法規定取得認證或經撤銷、廢止認證，擅自辦理本法規定之農產品及其加工品驗證業務者，處新臺幣三十萬元以上一百五十萬元以下罰鍰。有下列行為之一者，處新臺幣二十萬元以上一百萬元以下罰鍰，並得按次處罰：

- 一、驗證機構執行其認證範圍以外之驗證業務。
- 二、農產品經營業者，未經驗證合格擅自使用農產品標章或經停止、禁止使用農產品標章，仍繼續使用。
- 三、農產品經營業者違反主管機關依第十四條第三項規定所為禁止運出之處分、改善、回收、銷毀或為其他適當處置。

第 21 條

有前項第一款情事，中央主管機關認情節重大者，得廢止其認證。

主管機關對於第一項第三款所定不符本法規定之農產品及其加工品，必要時，得予以沒入。

農產品經營業者有下列行為之一者，處新臺幣十萬元以上五十萬元以下罰鍰，並得按次處罰：

第 22 條

- 一、拒絕、妨礙或規避主管機關依第十四條第一項規定之檢查或抽樣檢驗。

- 二、未依第十四條第二項規定提供相關證明及紀錄。

有下列行為之一者，處新臺幣六萬元以上三十萬元以下罰鍰，並得按次處罰：

第 23 條

- 一、農產品經營業者之農產品或其加工品，未經驗證標示優良農產品驗證、產銷履歷驗證等文字或其他足使他人誤認之表示方法。

- 二、農產品經營業者之有機農產品、農產加工品未依第五條第一項規定驗證，或未依第六條第一項規定審查合格而標示有機等本國或外國文字，或其他足使他人誤認之表示方法。

- 三、驗證機構之驗證紀錄或相關資料文件有登載不實之情事。

有前項第三款情事，中央主管機關認情節重大者，應廢止其認證。

農產品經營業者有下列行為之一者，處新臺幣三萬元以上十五萬元以下罰鍰，並得按次處罰：

一、違反第四條第二項、第五條第二項、第六條第二項、第七條第二項或第七條第三項所定辦法中有關標示規定。

二、未依第八條規定提供農產品有關產銷履歷之資訊，或未依一定期限保存農產品產銷履歷資料。

三、違反依第十二條第二項所定辦法中有關標章規格、圖式、使用規定。

四、違反第十三條規定使用化學農藥、化學肥料、動物用藥品或其他化學品。

五、擅自使用中央主管機關或其所屬機關之名義為標示。

違反前項第三款規定者，主管機關得停止其使用標章三個月以上，一年以下；情節重大者，得禁止其使用標章。

農產品、農產加工品違反第十三條規定，或未依第四條第二項、第五條第二項、第六條第二項、第七條第二項、第七條第三項所定辦法中有關標示規定或為不實標示者，主管機關得公布該農產品經營業者之名稱、地址、農產品、農產加工品之名稱及違規情節。

[第 24 條](#)

[第 25 條](#)

第 六 章 附 則

[第 26 條](#)

本法施行細則，由中央主管機關定之。

農產品經營業者以有機名義販賣之農產品、農產加工品，應自本法施行之日起二年內，依第五條第一項規定驗證或第六條第一項規定驗證及向中央主管機關申請審查；屆期未經驗證或審查或有違反第十三條規定使用化學農藥、化學肥料、動物用藥品或其他化學品者，依第二十一條第一項第二款、第二十三條第一項第二款、第二十四條第一項第一款、第四款或第二十五條規定處罰。

[第 27 條](#)

本法自公布日施行。

[第 28 條](#)

Title	Agricultural Production and Certification Act
Announced Date	2007.01.29
	Chapter I General Principles
Article 1	The purpose of this Act is to improve the quality and safety of agricultural products and their processed products, and to protect the health of citizens and the rights of consumers.
Article 2	As used in this Act, the term "competent authority" means the Council of Agriculture of the Executive Yuan at the central level; the municipal/county/city governments at the local level.
Article 3	As used in this Act, the terms shall be defined as follows:

1. Agricultural product: any product which is produced, processed or marketed by the industries by utilizing natural resources, agricultural materials and technology, including agricultural, forestry, fishery and animal goods.
2. Organic agricultural product: any agricultural product that is cultivated, processed and packaged domestically in accordance with related regulations prescribed by the central competent authority and certified under this Act, or any imported agricultural product that is approved by import review.
3. Agricultural product operator: any person who engages in the business of production, processing, packaging, import, distribution or marketing of agricultural products and their processed products.
4. Agricultural product mark: the label indicating that the agricultural product and its processed product to which the label is affixed have been certified in accordance with this Act.
5. Accreditation body: the central competent authority or approved organization/juristic person that is competent to perform accreditation in accordance with this Act.
6. Accreditation: the assurance granted by the accreditation body to demonstrate the competence of carrying out the certification process pursuant to this Act.
7. Certification body: the organization, school, juristic person or group that is accredited and obtains the accreditation documents.
8. Certification: the issue of a statement demonstrating that agricultural products and their processed products are produced, processed and packaged in accordance with this Act.
9. Traceability: the ability to trace the information of an agricultural product through specified stages of cultivation, processing, packaging, distribution and marketing, which can be demonstrated by keeping complete records that could be made known to the public.
10. Labeling: words, illustrations or marks affixed to agricultural products and their processed products, or to the containers or packages thereof when they are displayed for sale.

Chapter II Production Management and Traceability

Article 4

The central competent authority may implement a voluntary premium agricultural product certification system for the production, processing, packaging and distribution of certain domestic agricultural products and their processed products.

The items, application requirements and procedures, certification criteria, labeling, shelf life and relevant regulations of administration for the certain agricultural products and their processed products as mentioned in the preceding paragraph shall be prescribed by the central competent authority.

Agricultural products and their processed products shall not be sold under the term of “organic” unless the cultivation, processing, packaging and distribution of such products and processed products are certified in accordance with the organic regulations prescribed by the central competent authority.

Article 5 The application requirements and procedures, certification criteria, labeling, shelf life and other relevant regulations of administration for organic agricultural products and their processed products as mentioned in the proceeding paragraph shall be prescribed by the central competent authority.

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Imported agricultural products and their processed products shall be certified by certification bodies that are accredited by the national or international organic accreditation institutes/organizations recognized by the central competent authority, and shall be reviewed by the central competent authority before they can be sold under the term of

Article 6 “organic” .

The application requirements, review procedures, labeling and other relevant regulations of administration for imported organic agricultural products and their processed products as mentioned in the preceding paragraph shall be prescribed by the central competent authority in conjunction with the relevant authorities.

The central competent authority may implement a voluntary traceability certification system on certain domestic agricultural products. When it is necessary, the central competent authority may announce the items and scope of specific agricultural products to require the traceability certification system compulsorily.

Article 7 The items, scopes, application requirements and procedures, operation standards, items of operation records, information publication and reservation, certification criteria, labeling, shelf life, and relevant regulations of administration for the certain agricultural products as mentioned in the preceding paragraph shall be prescribed by the central competent authority.

The publication and reservation of information, labeling and relevant regulations of administration regarding the import of specific agricultural products, announced to be subject to compulsory traceability certification system, shall be prescribed by the central competent authority in conjunction with the relevant authorities.

Article 8

The agricultural product operator, who claims traceability on the agricultural products, shall provide the traceability information of specific agricultural products and shall maintain such data for a certain period of time as prescribed by the central competent authority.

The same shall be applicable to importers that import agricultural products.

Chapter III Accreditation and Certification

The certification of agricultural products and their processed products shall be carried out by a certification body accredited by the accreditation body.

Article 9

The qualification and application procedures of certification bodies, certification activities and scope, terms of validity, confirmation of certification bodies no longer capable of carrying out certification as mentioned in Article 11 and related regulation of administration shall be prescribed by the central competent authority.

A certification body may collect fees for certification. The fee rates shall be approved by the central competent authority.

Article 10

The central competent authority shall revoke the accreditation of a certification body in the event that its accreditation is granted by submitting false information or by any inappropriate method.

A certification body whose accreditation is revoked in accordance with the preceding paragraph shall not be allowed to apply for accreditation within three years.

Article 11

The central competent authority shall rescind the accreditation of a certification body in the event when such body loses the capability of carrying out certification.

Agricultural products and their processed products shall be certified before using the agricultural product mark.

Article 12

The specifications, illustrations, rules of usage and relevant regulations of administration of the agricultural product mark as mentioned in the preceding paragraph shall be prescribed by the central competent authority through consultation with the relevant authorities.

Chapter IV Safety Management, Inspection and Interdiction

- Article 13 Chemical pesticides, chemical fertilizers, animals' drugs or any other chemicals, except for those which have been announced by the central competent authority to be permitted, shall not be used in organic agricultural products and their processed products.
- The competent authority, to the extent of ensuring that agricultural products and their processed products comply with the requirements prescribed in this Act, may send personnel into the premises where products are produced, processed, packaged, stored, distributed or marketed to conduct inspection or sampling for examination. None shall refuse, evade or resist such inspection or sampling.
- The competent authority may require that the operator of the premises as mentioned in the preceding paragraph provide related evidences and records during conducting the inspection or sampling for examination in accordance with the preceding paragraph.
- Article 14 In addition to imposing penalties on the agricultural product operator pursuant to this Act, the competent authority may prohibit the agricultural product operator from transporting his agricultural products and their processed products out of the premises set forth in the first paragraph in the event that such agricultural products and their processed products fail to pass the inspection or the examination in accordance with this Act. The competent authority may also order the agricultural product operator to take corrective actions within a limited period, conduct recalls, destroy products or adopt other appropriate measures.
- According to the different characteristics of certain agricultural products and their processed products, the frequency of inspection and sampling for examination shall be prescribed by the competent authority.
- Article 15 The person who conducts the inspection or sampling for examination, as mentioned in the preceding Article, shall present the documents or badge of identification relating to the performance of his duties to the agricultural product operator. Premises of retail shall be reimbursed for samples taken. The regulations of inspection and examination shall be prescribed by the central competent authority.

The competent authority may mandate its subordinate agencies or authorize other government bodies, organizations/institutes, juristic persons, groups or persons to carry out the inspection set forth in the preceding paragraph.

The central competent authority may mandate its subordinate examination agencies to carry out the examination set forth in the first paragraph. When it is necessary, it may authorize other examination authorities, organizations/institutes, schools, groups or research institutes to perform all or part of the examination.

Article 16

The central competent authority shall announce the examination methods of the agricultural products and their processed products after consulting with related central industry competent authorities. The examination may be performed in accordance with the methods recognized by the international society if the aforementioned methods are not announced.

The agricultural product operator who has any objection to the examination result may make another application once and pay the fees for re-examination to the original examination authority within fifteen days after receiving the notice.

Article 17

The examination authority as mentioned in the preceding paragraph shall notify the institution conducting examination within seven days to re-examine the original object. The re-examination shall not be performed in case that the quality of such object has altered.

The person's identity shall be kept in confidential and be rewarded by the competent authority in case that such person reports any violation of this Act and such violation has been confirmed subsequently.

Article 18

The regulation concerning the reporting and rewarding as mentioned in the preceding paragraph shall be prescribed by the central competent authority.

Article 19

A certification body of which the accreditation is rescinded in accordance with paragraph 2 of Article 21 or paragraph 2 of Article 23 shall not apply for accreditation within three years.

Chapter V Penal Provisions

Article 20

A certification body which carries out the certification activities of agricultural products and their processed products set forth in this Act without being granted an accreditation pursuant to this Act, or the accreditation has been revoked or rescinded, shall be fined in an amount of no less than New Taiwan Dollars Three Hundred Thousand (NTD 300,000), but no more than New Taiwan Dollars One Million Five Hundred Thousand (NTD 1,500,000).

Under any of the following circumstances, a fine in an amount of no less than New Taiwan Dollars Two Hundred Thousand (NTD 200,000), but no more than New Taiwan Dollars One Million (NTD 1,000,000) shall be imposed per violation :

1. The certification body carries out the certification activities beyond the scope of the accreditation;
2. The agricultural product operator uses an agricultural product mark without certification, or the agricultural product operator keeps using an agricultural product mark even if he has been ordered to suspend or prohibited from using the agricultural product mark; or

Article 21

3. The agricultural product operator violates the transportation inhibition order or fails to take corrective actions within a limited period, conduct recalls, destroy products or adopt other appropriate measures stipulated by the competent authority in accordance with paragraph 3 of Article 14.

The central competent authority shall rescind the accreditation if the situation of subparagraph 1 of the preceding paragraph is serious.

The competent authority may confiscate the agricultural product and its processed product set forth in subparagraph 3 of the first paragraph that do not comply with this Act, when it is necessary.

Any agricultural product operator who engages in any of the following actions shall be fined in an amount of no less than New Taiwan Dollars One Hundred Thousand (NTD 100,000), but no more than New Taiwan Dollars Five Hundred Thousand (NTD 500,000) shall be imposed per violation, if he

Article 22

1. Refuses, evades or resists the inspection or sampling for examination made by the competent authority in accordance with paragraph 1 of Article 14; or
2. Fails to provide the related evidence or records in accordance with paragraph 2 of Article 14.

Under any of the following circumstances, a fine in an amount of no less than New Taiwan Dollars Sixty Thousand (NTD 60,000), but no more than New Taiwan Dollars Three Hundred Thousand (NTD 300,000) shall be imposed per violation:

1. The agricultural product operator labels an agricultural product and its processed product as “certified premium agricultural product” or “certified traceability ” without certification, or uses other misleading expressions;

Article 23

2. The agricultural product operator labels an organic agricultural product and its processed product as “organic” in Chinese or in any other foreign languages without certification in accordance with paragraph 1 of Article 5 or without passing the review in accordance with paragraph 1 of Article 6, or uses other misleading expressions; or

3. The certification body makes any false record on certification or other relevant documents.

The central competent authority shall rescind the accreditation if the situation of subparagraph 3 of the preceding paragraph is serious.

Any agricultural product operator who engages in any of the following actions shall be fined in an amount of no less than New Taiwan Dollars Thirty Thousand (NTD 30,000), but no more than New Taiwan Dollars One Hundred and Fifty Thousand (NTD 150,000) shall be imposed per violation, if he

1. Violates the labeling regulations prescribed in paragraph 2 of Article 4, paragraph 2 of Article 5, paragraph 2 of Article 6, paragraphs 2 or 3 of Article 7;

Article 24

2. Fails to provide the traceability information of the agricultural product, or fails to reserve such information for a certain period of time in accordance with Article 8;

3. Violates the mark specification or regulations of illustration and usage prescribed in paragraph 2 of Article 12;

4. Violates Article 13 by using chemical pesticides, chemical fertilizers, animals’ drugs or any other chemicals; or

5. Labels the name of central competent authority or its subordinate authorities without authorization.

	<p>The competent authority may suspend the use of the mark for a period of no less than three months but no more than one year in the event that any agricultural product operator engages in the action mentioned in subparagraph 3 of the preceding paragraph, and the competent authority may prohibit the use of the mark if such situation is serious.</p> <p>In the event that any agricultural product or its processed product does not comply with Article 13, or does not comply with the relevant labeling regulations prescribed in paragraph 2 of Article 4, paragraph 2 of Article 5, paragraph 2 of Article 6, paragraphs 2 and 3 of Article 7, or such agricultural product or its processed product is falsely labeled, the competent authority may publish the agricultural product operator's name, address, as well as the name and the violation situation of such agricultural product or its processed product.</p>
Article 25	
Chapter VI Supplementary Provisions	
Article 26	<p>The enforcement rules of this Act shall be prescribed by the central competent authority.</p> <p>Any agricultural product operator who sells his agricultural product or its processed product under the term of "organic" shall, within two years of the enforcement of this Act, have his product certified in accordance with paragraph 1 of Article 5, or have his product certified and apply for the review by the central competent authority in accordance with paragraph 1 of Article 6. If the agricultural product operator fails to do so within the time limitation, or violates Article 13 by using chemical pesticides, chemical fertilizers, animals' drugs or any other chemicals, the agricultural product operator shall be fined in accordance with subparagraph 2 of paragraph 1 of Article 21, subparagraph 2 of paragraph 1 of Article 23, subparagraphs 1 and 4 of paragraph 1 of Article 24 or Article 25.</p>
Article 27	
Article 28	<p><u>This Act shall come into force on the date of promulgation.</u></p>

全國驗證中心(TAF)年度稽核報告

壹、 中文摘要

一、產銷履歷驗證農產品之抽查及檢驗計畫：

- 1、於98年9月及10月召開二次工作小組會議，邀請認證評審員討論14家通過產銷履歷驗證機構對經其驗證合格市售農產品之抽查程序書及年度抽查

計畫，規範驗證機構之抽查檢驗作業原則。

- 2、對2,015家驗證通過之農產品經營業者所生產130種產銷履歷農、漁、畜產品進行抽樣檢驗，完成341件(預定300件)產銷履歷農產品之抽驗及檢驗作業，包括農糧產品188件、畜禽產品77件、水產品76件，抽樣佔通過驗證之比例為16.7%。
- 3、農糧產品抽樣達成率110%，包含蔬菜、水果、米、茶、菇類等計52品項；畜禽產品抽樣達成率110%，包含豬肉、白肉雞、土雞、鴨肉、鵝肉、雞蛋及鴨蛋等7品項；水產品抽樣達成率127%，包含蝦、長腳大蝦、石斑、牡蠣、台灣鯛、虱目魚、文蛤、蜆、鰻魚、鱸魚、黃臘鰻、烏魚、香魚、海鱺等14品項。

Abstract:

一、 Sampling and inspection plan of traceable certificated agriculture products

- 1、 Accreditation assessors were invited to attend two working group meetings in September and October 2009. In the meeting, we discussed random sampling procedures and annual inspection plan of 14 accredited certification bodies on the market available certified agriculture products and set up a rule on how to sample those certified agriculture products.
- 2、 We conducted sampling and inspection on 130 kinds of traceable agriculture, aquatic and animal products produced by 2,015 certified agriculture product operators. There were 341 traceable certificated agriculture products been sampled and inspected in a proportion of 16.7% total products, and accomplished the anticipated 300 samples. Samples include: 188 agriculture products, 77 animal products, 76 aquaculture products.
- 3、 The rate of accomplishment on sampling agriculture products is 110%. Samples include: vegetable, fruit, rice, tea, mushroom...etc in a total of 52 items. The rate of accomplishment on sampling animal products is 110%. Samples include: pork, broiler, native chicken, duck, goose, and chicken egg, duck egg...etc in a total of 7 items. The rate of accomplishment on sampling aquaculture products is 127%. Samples include: shrimp, prawn (*M. rosenbergii*), grouper(*Epinephelus*), oyster, Taiwan Tilapia, milkfish, clam

(Meretrix lusoria), clam (Corbiculidae), eel, perch, Trachinotus blochii(Pampano), mullet, ayu, cobia(Canadus) ...etc in a total of 14 items.

律師事務所專利授權書翻譯(中翻英)

產品區域總代理商協議合約書

甲乙雙方本互惠互利的原則，經誠信協商，就授權銷售及合作經銷甲方產品等事宜，達成如下協議：

第一條：合作範圍

1-1 甲方授權乙方在指定區域內，作為甲方的區域總代理商，銷售立川工業有限公司產品如下：

授權經銷產品：全系列(LCI)-內迫式金屬膨脹錨栓（以下簡稱本產品）

授權銷售區域：（以下簡稱指定區域）

1-2 甲乙雙方經協議正式簽約同時，甲方就產品的相關專利智慧財產權範圍，應正式授權(附件1)於合約指定區域內，行展示、印刷、行銷廣告及產品銷售等商業行為，未授權之範圍乙方不得行使。

1-3 1-1 所列指定區域為乙方專享，甲方不得開發簽署其他代理經銷通路商。

1-4 乙方於所列指定區域內，有權自行直接開發、簽署授權其他經銷通路商，銷售所代理產品。

1-5 未經甲方書面同意，乙方就產品的資料及相關專利智慧財產權範圍，不得轉授權予他人。但乙方為銷售本產品自行開發之經銷通路商，經甲方書面同意者，不在此限。

第二條：合約期限、銷售指標

2-1 本合約書經雙方正式簽字後生效，自 年 月 日起至 年 月 日止。

2-2 乙方同意簽署合約時，應同時交付甲方區域總代理商權利金美金壹拾伍萬元整，做為產品總代理協議合約書履約保證金；本合約到期乙方無違約

情事，甲方應於到期日起 7 日內，無附加條件無息退還權利金。

2-3 依甲方授權銷售要求，乙方經銷甲方產品，年度總銷量為 5,000 萬 Pcs(個)。

第三條：合作原則及規範

3-1 乙方做為甲方的區域總代理商，應在雙方協議指定區域內，積極銷售甲方的產品，開發潛在客戶及擴大市場產品佔有率；同類且相似產品(相似度 90%以上)，不得與第三方，簽訂第二份(含以上)代理或經銷商合約，同類性質產品在銷售代理範圍內，應以甲方的產品為主力銷售優先。如有違反甲方得立即終止雙方之總代理合約，並得沒收全部權利金，乙方絕無異議。

3-2 乙方在行銷售業務時，不可越區銷售、不應低於合約協議價(附件 2)競爭、不得蓄意詆毀甲方及其他總代理或經銷商的信譽，如有相關不當行為，最終導致客戶終止採購、取消合約或轉用其他公司產品時，甲方有權逕行立即終止本協議，並得沒收全部權利金，作為違約責任賠償金。

3-3 區域總代理商權利金目的用途，定義為違約責任保證金，不內含銷售指標達成率，雙方合約終止後，乙方如無任何違約之情事，甲方應於七日內無附加條件無息退還乙方；倘乙方於合約期間內，有任何違約之情事，甲方得沒收權利金，因乙方違約所造成之其他損害，甲方並得另依合約約定，請求乙方賠償甲方損失。

第四條：甲方的權利和義務

4-1 甲方應以公平合理的統一價格，向乙方供應質量合格的產品，提供產品市場信息及銷售資料，並主導籌劃產品的宣傳廣告、技術演示和市場推廣等行銷方式和策略。

4-2 甲方應對乙方實行，產品的商務及工程技術培訓和支持，並協調其他代理經銷商；甲方在合約區域內，不對最終客戶直接銷售。

- 4-3 甲方有權要求乙方，提供產品流向、庫存量、銷售訂單及客戶明細，作為審查及備案；同時甲方應提供乙方，詳實市場銷售資訊及生產庫存量進度。
- 4-4 甲方應對乙方所提供的商務資料嚴格保密，未經乙方書面簽字同意，不可洩露給任何合約以外之第三者。
- 4-5 甲乙雙方依約定之銷售指標合作(附件 2)，基於互信基礎，甲方有權每季度針對乙方業績考核；乙方如果年銷售總量，未達到合約的銷售指標 75%，甲方得於合約到期前一個月內以書面通知乙方，合約到期時，如乙方仍未達合約銷售指標 75%，甲方有權不接受協商續新約。

Regional Sole Agent Agreement

Whereas both parties base on principle of mutual benefit, after genuine consultation, both parties reach the following agreement on matters of selling authorization and distributing licensed products of the First Party:

Article 1 : Scope of Cooperation

1-1 The Second Party is authorized to sell licensed products of Li Chuan Co., Ltd. as a regional sole agent of the First Party in the designated region. The licensed products are listed as follow:

Licensed products: All series (LCI)-force-type expansion anchorage (thereinafter named the licensed product).

Licensed Region (thereinafter named designated region):

1-2 Both parties agree on signing the Agreement, at the same time, the First Party shall officially authorize (Annex 1) the related scope of intellectual property right, which may

display, print, advertise and sale the products in the designated region. The Second Party shall not take up any other unauthorized business activities.

1-3 The designated region shall be monopolized by the Second Party, First Party shall not sign up with other agents.

1-4 The Second Party is entitled to develop directly, sign up with other channels to sell the licensed products in the designated region.

1-5 Without the approval of the First Party in written form, the Second Party shall not sublicense products' information and related scope of intellectual property right to the third party. After approved by the First Party, the channels developed by the Second Party are excluded.

Article 2: Agreement Period and Sales Target

2-1 This Agreement shall come into effect from (day) (month) (year) to (day) (month) (year) after signing officially.

2-2 The Second Party agrees to pay US \$150,000 dollars royalty at the same time as sole agent's performance bond to the First Party on the date the Agreement signed. If the Second Party is found not in default until the due date of this Agreement, the First Party shall return the royalty without interest paying and additional condition within seven days after the due date.

2-3 According to the request of the First Party, the annual selling of the Second Party shall be fifty million pieces.

Article 3: Principle and Norm of Cooperation

3-1 As a regional sole agent of the First Party, the Second

Party shall actively sell the licensed products, explore potential customers and expand market in designated region. The Second Party shall not sign a contract as an agent or a distributor of the third party to sell similar products (at over 90% similarity). To sell the same kind of products in the scope of cooperation, the licensed products of the First Party shall have the priority. If the Second Party is found to be in default, the First Party shall terminate the Agreement at once and forfeit the total amount of royalty without objection.

3-2 The Second Party shall not sell in the other region, sell at a price lower than stipulated, and defame goodwill of the First Party, the other general agents or agents deliberately. If related misfeasances were found and lead to customers terminate purchasing, cancel contract and switch to another company's products, the First Party shall terminate the Agreement solely and forfeit the total amount of royalty as indemnity for breaching of contract.

3-3 The royalty of regional sole gent is defined as guarantee fund for breaching of contract, achievement rate of sales target is not included. If second party is found not in default after termination of the Agreement, the First Party shall return the royalty without interest paying and additional condition within seven days after the due date. If the Second Party is found to be in default during the term of the Agreement, the First Party may forfeit the total amount of royalty. The First Party shall request indemnity according to the signed contract due to the damage caused by the Second Party.

Article 4: Rights and Duties of the First Party

4-1 The First Party shall provide qualified products with fair

and reasonable uniform price, marketing mode and strategies, such as: providing market information and selling data, conducting advertisement, demonstrating technique and promoting market to the Second Party.

4-2 The First Party shall deliver product commerce, technical training and support on the Second Party, as well as coordinate other agents and organize marketing network for regional general agents. The First Party shall not sell directly to end customers within the designated region.

4-3 The First Party is entitled to request Second Party provide the information on where the products were sold, the size of inventory, sales order sheets and customers' detail for investigation and record; at the same time, the First Party shall provide detailed and accurate marketing information and the progress of product inventory to the Second Party.

4-4 The First Party shall keep the information of commerce provided by the Second Party as confidentiality. Without approving and signing by Second Party in written form, they shall not disclose to any third party beyond the Agreement.

4-5 Base on mutual trust, both parties cooperate on the stipulated sales target (annex 2). The First Party is entitled to conduct a performance assessment quarterly. If the total annual sales of the Second Party do not meet the stipulated 75% sales target, the First Party might inform the Second Party in writing one month before the due date of the Agreement. The First Party will be entitled to reject the proposal to continue a new contract if the Second Party does not achieve the expected sales target by the due date of the Agreement.

