

Regulations Governing of Criteria for the Label, Promotion and Advertisement of Foods and Food Products Identified as False, Exaggerated, Misleading or Having Medical Efficacy

Amended on August 4, 2020

Article 1

The Regulations are prescribed in accordance with the provisions of Paragraph 4, Article 28 of the Act Governing Food Safety and Sanitation (hereinafter referred to as “the Act”).

Article 2

The “foods” and “food products” referred in the Regulations are defined as foods, food additives, food cleansers and food utensils, food containers or packaging designated by the central competent authority in the public announcement.

Article 3

The determining standards of the false, exaggerated or misleading labeling, promotion or advertisement referred to in Paragraph 1, Article 28 and medical efficacy referred to in Paragraph 2 in the Act shall be comprehensively judged by the overall presentation of the name, description, image, symbol, visual, audio or other messages conveyed to consumers of the product.

Article 4

The labeling, promotion or advertisement of foods and food products referred to in Paragraph 1, Article 28 of the Act is identified as false, exaggerated or misleading if involving any of the following condition:

- (i) The description does not conform to facts.
- (ii) The description has no evidence or insufficient evidence to support it.
- (iii) The description involves maintaining or altering the physiology, appearance or function of human organs and tissue.
- (iv) The content description refers to any number of official letters or any word or sentence with similar meanings; however, the use of approved official letter

number complied with the laws and regulations are not subject to the limit.

If the word "health" as part of the food product name, it is identified as misleading. However, this regulation shall not apply to food product issued with a health food permit.

The phrases in Appendix 1 and the physiological functional description of the nutrients and specified components as in the Appendix 2 can be used for the labeling, promotion or advertisement of food products. The above descriptions are considered not false, exaggerated, or misleading.

Article 5

The labeling, promotion or advertisement of the foods referred to in Paragraph 2, Article 28 in the Act shall be identified as having medical efficacy if involving any of the following statement:

- (i) The description is related to prevention, improvement, mitigation, diagnosis or treatment of any diseases, syndromes or symptoms.
- (ii) The description is related to alleviation or reduction of any substances in human body caused by diseases.
- (iii) The description is related to the efficacy of raw materials in traditional Chinese medicine.

Article 6

The Regulations shall be implemented upon promulgation.

Articles 4 of these Regulations, amended and promulgated on 4 August 2020, shall take force from 1 July 2022.

Appendix 1

Rules

Phrases of that of similar meaning considered acceptable:

1. Help normal development of teeth and bones.
2. Improve digestion.
3. Maintain digestive health.
4. Improve bacteria colonization.
5. Relieve constipation.
6. Improve constitution.
7. Moderate physiological functions.
8. Nourish and strengthen body.
9. Enhance energy.
10. Increase vitality.
11. Care for beauty.
12. Help sleeping.
13. Supplement nutrition.
14. Maintain health.
15. Preserve youth and beauty.
16. Care for pre- and post-childbirth and illness recovery.
17. Improve metabolism.
18. Quench thirst.
19. Help produce saliva and control thirst.
20. Improve appetite.
21. Stimulate appetite.
22. Cool down internal heat.
23. Reduce internal heat.
24. Help fragrant breath.
25. Faciliate salivation.
26. Soothe throat.
27. Help produce saliva and control thirst.

Appendix 2

| Rules | |
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| Nutrients or specified components | Acceptable physiological functional description or description with similar meanings |
| Vitamin A or β -carotene | <ol style="list-style-type: none"> 1. Help to maintain vision in darkness. 2. Improve health of skin and mucous membrane. 3. Help development of teeth and bones. |
| Vitamin D | <ol style="list-style-type: none"> 1. Increase calcium absorption. 2. Help development of bones and teeth 3. Help releasing the bone calcium for blood calcium concentration balance. 4. Help maintain physiology of nerves and muscles. |
| Vitamin E | <ol style="list-style-type: none"> 1. Reduce oxidation of unsaturated fat acid. 2. Help maintain the integrity of cells membrane. 3. Facilitate antioxidation. 4. improve health of skin and blood cells. 5. Help reduce free radicals |
| Vitamin K | <ol style="list-style-type: none"> 1. Help blood coagulation. 2. Improve bone calcification. 3. Activate coagulated protein in liver and blood. |
| Vitamin C | <ol style="list-style-type: none"> 1. Stimulate formation of collagen to help healing wounds. 2. Help to maintain the tightness of cell arrangement. 3. Help development of body connective tissue, bones and teeth. 4. Improve iron absorption. |

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| | <ol style="list-style-type: none"> 5. Facilitate antioxidation. 6. Help maintain normal function of Gums and skin. |
| Vitamin B1 | <ol style="list-style-type: none"> 1. Help maintain proper energy metabolism. 2. Help maintain normal function of skin, heart and the nervous system. 3. Help maintain proper appetite. |
| Vitamin B2 | <ol style="list-style-type: none"> 1. Help maintain proper energy metabolism. 2. Help maintain skin health. |
| Niacin | <ol style="list-style-type: none"> 1. Help maintain proper energy metabolism. 2. Improve the health of skin, the nervous system, mucosa membrane and digestive system. |
| Vitamin B6 | <ol style="list-style-type: none"> 1. Help maintain the proper metabolism of amino acids. 2. Help formation the porphyrin of the red blood cells. 3. Help the conversion of tryptophan into niacin. 4. Keep red blood cell in proper regular state. 5. Improve nervous system. |
| Folic acid | <ol style="list-style-type: none"> 1. Help formation of red blood cells. 2. Help formation of nucleic acids and nucleoprotein. 3. Facilitate fetus growth. |
| Vitamin B12 | <ol style="list-style-type: none"> 1. Help formation of red blood cells. 2. Improve health of the nervous system. |
| Biotin | <ol style="list-style-type: none"> 1. Maintain proper metabolism of energy and amino acids. 2. Help synthesis of fat and glycogen. 3. Help the synthesis of purine. |

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| | <ol style="list-style-type: none"> 4. Improve the health of skin and mucous membrane. |
| Pantothenic acid | <ol style="list-style-type: none"> 1. Help maintain proper energy metabolism. 2. Improve the health of skin and mucous membrane. 3. Help synthesis of body fat and cholesterol and the metabolism of amino acids. |
| Calcium | <ol style="list-style-type: none"> 1. Maintain growth and development of bones and teeth. 2. Help the blood coagulation function. 3. Improve the normal contraction function of muscles, heart, and the sensitivity of nerves. 4. Activate prothrombin to be converted into thrombin to help blood coagulation. 5. Regulate cell permeability. |
| Iron | <ol style="list-style-type: none"> 1. Help formation of red blood cells. 2. An important component of the haem and myoglobin. 3. Help the transfer and utilization of oxygen. |
| Iodine | <ol style="list-style-type: none"> 1. An important component to synthesize thyroid hormone. 2. Maintain proper growth and development of neuromuscular. 3. Regulate cell oxidation. 4. Maintain the secretion of thyroid hormone. 5. Help to maintain the normal metabolism. |
| Magnesium | <ol style="list-style-type: none"> 1. Maintain the growth and development of bones and teeth. 2. Maintain metabolism of carbohydrates. 3. Maintain normal function of the heart, muscle and the nervous system. |

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| | 4. Help normal metabolism. |
| Zinc | <ol style="list-style-type: none"> 1. An important component of for insulin and a variety of enzymes. 2. Maintain the metabolism of energy, carbohydrates, protein and nucleic acids. 3. Improve the skin health. 4. Maintain normal sense of taste and appetite. 5. Help growth and the reproductive function. 6. Help synthesis of skin tissue and proteins. |
| Chromium | Maintain normal metabolism of carbohydrates. |
| Protein | <ol style="list-style-type: none"> 1. An important substance of human cells, tissues and organs. 2. Help growth and development. 3. Help tissue repairment. 4. An important substance for muscle synthesis. 5. Help the muscle growth. |
| Dietary fiber | <ol style="list-style-type: none"> 1. Improve intestinal motility. 2. Increase feeling of fullness. 3. Soften stool and ease constipation. 4. The amount of dietary fiber helps increase excretion. |
| <p>Notes</p> <ol style="list-style-type: none"> 1. The nutrient content shall comply with Regulations on Nutrition Labeling for Prepackaged Food Products and Regulations on Nutrition Labeling for Prepackaged Vitamin and Mineral Tablets and Capsules in order to include descriptions of physiological functions in labeling, promotion and advertisement of the products. 2. The minimum daily intake of chromium should be at least 6µg in a product for it to claim the physiological functional description in the labeling, promotion and advertisement. 3. When using physiological functional description of nutrients and specified | |

components in the labeling, promotion and advertisement of the products, the nutrients and specified components for each physiological functional description shall be specified respectively.