

Voluntary Report – Voluntary - Public Distribution

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Report Name: Draft Amendment on Milk and Liquid Milk Product Labeling

Country: Taiwan

Post: Taipei

Report Category: Dairy and Products, WTO Notifications

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Report Highlights:

Taiwan issued a new WTO notification (G/TBT/N/TPKM/541) on June 7, 2024, amending the labeling regulations for liquid milk, which will mainly impact the nomenclature of liquid milk from the United States. Currently, liquid milk from the United States can be labeled as "fresh milk" if it complies with CNS regulation. However, according to the draft amendment, starting July 2025, if the product is heated at appropriate temperatures and times, and filled in near-aseptic conditions in a highly sanitized environment, with a shelf life exceeding 30 days, it shall be labeled as "Extended Shelf-Life (fresh) milk," "ESL (fresh) milk," or similar terms. After the amendment announcement, local groups strongly objected, arguing that besides adding ESL, the term "fresh" should not be used. The due date for WTO notification comments is August 6, 2024. According to Taiwan custom database, the United States exported \$43 million USD liquid milk (under the HS code subject to WTO liquid milk TRQ) to Taiwan in 2023.

Background:

Taiwan and New Zealand's ANZTEC agreement will come into full effect in 2025, allowing New Zealand's liquid milk to enter Taiwan completely duty-free. Since 2023, local dairy farmers have been advocating that liquid milk labeling be modified to differentiate between fresh milk and ESL (Extended Shelf-Life) milk. Currently, refrigerated liquid milk from the United States can be labeled as "fresh milk" if it complies with the National Standards of the Republic of China (CNS 3056 N5093¹). However, the new proposal to go into effect in July 2025 would require U.S. milk exports to Taiwan to be labeled as Extended Shelf Life or ESL, which the U.S. exporters fear would reduce consumer demand.

Taiwan Food and Drug Administration (TFDA) has issued the "[Draft Amendment on Regulations Governing the Product Names and Labeling of Prepackaged Fresh Milk, Sterilized Milk, Flavoured Milk, Milk Drink, and Milk Powder](#) (pdf)"² [WTO notification ([G/TBT/N/TPKM/541](#))] on June 7, 2024.

This amendment primarily consolidates the [existing labeling regulations](#) (MOHW authorized TFDA announcement No. 1031300193, effective date: February 19, 2014) for fresh milk, flavored milk, sterilized milk, and milk drinks, as well as incorporating labeling requirements for the storage period and conditions of dairy products ([Health Agency No.609484](#), in Chinese, Effective date: August, 4 1986). It also includes labeling for infant formula or larger infant formula products, facilitating compliance for businesses.

Additionally, the announced amendment and comment period sparked opposition from many local dairy groups. Several legislators held a press conference to advocate that "refrigerated liquid milk with a shelf-life longer than 30 days, must be labelled as ESL and should not be marketed as 'fresh' milk."

Key Amendment Points:

- Update definition of fresh milk, fortified milk, sterilized milk, fortified sterilized milk, sterilized flavored milk, milk drink, sterilized milk drink, milk powder, fortified milk powder and modified milk powder. (§2)
- Fresh milk and fortified milk: The name of the product shall be "Fresh milk or "Milk If the product has been heated at appropriate temperature and time combinations and is filled under

¹ Scope of CNS 3056 (fresh milk): This standard applies to the milk produced with raw milk (as specified in CNS 3055) as the raw material, and it shall be fully kept in cold storage after it is pasteurized and packages for human consumption. [國家標準\(CNS\)網路服務系統 \(cnsonline.com.tw\)](#)

² Amendment Comparison Chart [link](#) (in Chinese)

near aseptic conditions in a highly sanitized environment, **with a longer shelf life of more than 30 days** the name shall be **“Extended shelf life (fresh) milk” “ESL (fresh) milk” or equivalent words.** (*Expected effective date: July 2025*) (§3-1)

- If the milk fat has been adjusted, the product name or other easily visible section of the package shall provide a description of the modification, labeling **“fat adjusted”** or equivalent words. If the adjusted lactose content meets the requirements in appendix, it may be labeled with **"low lactose", "lactose free"** or equivalent words. For fortified milk, fortified sterilized milk, and fortified milk powder, shall be labeled the word **“Fortified”** on the product name or other easily visible section of the package. (§4)
- Fresh milk, fortified milk, sterilized milk, fortified sterilized milk, flavored milk, sterilized flavored milk, milk drinks, and sterilized milk drinks **shall clearly declare the expiration date and storage conditions of the product in Chinese** on an easily visible section of the package. (§6)
- Apart from the labeling regarding ESL milk, which is expected to be implemented next July, the other amendments are anticipated to take effect in July 2026.
- The due date for WTO notification comments is August 6, 2024.

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Attachments:

No Attachments.