

# FOOD INDUSTRY PROMOTION ACT

Act No. 8796, Dec. 27, 2007

Amended by Act No. 8974, Mar. 21, 2008

Act No. 8976, Mar. 21, 2008

Act No. 9432, Feb. 6, 2009

Act No. 9663, May 8, 2009

Act No. 9717, May 27, 2009

Act No. 9759, jun. 9, 2009

Act No. 9951, Jan. 25, 2010

Act No. 10220, Mar. 31, 2010

Act No. 10310, May 25, 2010

Act No. 10331, May 31, 2010

Act No. 10453, Mar. 9, 2011

Act No. 10599, Apr. 14, 2011

Act No. 10889, Jul. 21, 2011

Act No. 11079, Nov. 14, 2011

Act No. 11459, jun. 1, 2012

Act No. 11690, Mar. 23, 2013

Act No. 11989, Jul. 30, 2013

Act No. 12248, Jan. 14, 2014

Act No. 13257, Mar. 27, 2015

Act No. 13359, jun. 22, 2015

Act No. 13466, Aug. 11, 2015

Act No. 14302, Dec. 2, 2016

Act No. 15068, Nov. 28, 2017

Act No. 16125, Dec. 31, 2018

Act No. 16283, Jan. 15, 2019

Act No. 16551, Aug. 27, 2019

Act No. 16553, Aug. 27, 2019

Act No. 16568, Aug. 27, 2019

Act No. 16902, Jan. 29, 2020

Act No. 16985, Feb. 11, 2020

Act No. 17037, Feb. 18, 2020  
Act No. 17275, May 19, 2020  
Act No. 17618, Dec. 8, 2020  
Act No. 18532, Nov. 30, 2021  
Act No. 18525, Nov. 30, 2021  
Act No. 18883, jun. 10, 2022  
Act No. 19118, Dec. 27, 2022

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to contribute to improving citizens' quality of life and developing the national economy by promoting the sound development of the food industry through reinforcement of the link between the food industry and agriculture, and providing a variety of quality food in a stable manner by enhancing the competitiveness of the food industry. *<Amended on Mar. 9, 2011; Feb. 18, 2020>*

### Article 2 (Definitions)

The terms used in this Act are defined as follows: *<Amended on May 27, 2009; Jan. 25, 2010; Mar. 9, 2011; Jul. 21, 2011; Jun. 1, 2012; Jun. 22, 2015; Dec. 31, 2018; Feb. 18, 2020; Dec. 8, 2020>*

1. The term "food" means food defined in subparagraph 7 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
2. The term "food industry" means the food industry defined in subparagraph 8 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
- 2-2. The term "agriculture" means agriculture as defined in subparagraph 1 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
- 2-3. The term "agricultural product" means an agricultural product defined in subparagraph 6 (a) of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
- 2-4. The term "functionality" means functionality defined in subparagraph 2 of Article 3 of the Health Functional Foods Act;
3. The term "food business operator" means a person engaged in the food industry;
4. The term "traditional food" means food with unique taste, flavor, and color of traditional Korean cuisine, which is produced, processed, and cooked according to the Korean traditional recipes using Korean agricultural and fishery products as main raw materials or ingredients;
5. The term "Korean food master" means a person designated under Article 14 (1), among those who have been engaged in fields, such as food production, processing, and cooking, for a long time to

succeed to and develop Korean food;

6. The term "national food cluster" means a complex formed by the State by clustering enterprises, research institutes, universities, and business supporting facilities related to the food industry in a specific region to generate a synergy through mutual inter-connectedness;

7. The term "certification of quality food, etc." means the industrial standards certification of food provided for in Article 20 (1), the quality certification of traditional food provided for in Article 22 (1), and the origin certification for processed food, restaurants, etc. provided for in Article 22-2 (1).

### **Article 3 (Responsibilities of the State and Local Governments)**

The State and local governments shall establish and implement police measures necessary to reinforce the link between the food industry and agriculture and to promote the sound development of the food industry, and shall take legislative and fiscal measures necessary to implement such policies. *<Amended on Mar. 9, 2011; Jul. 21, 2011; Feb. 11, 2020; Feb. 18, 2020>*

### **Article 4 (Formulation of Master Plans to Promote Food Industry)**

(1) In order to promote the food industry and to increase competitiveness thereof, the Minister of Agriculture, Food and Rural Affairs shall formulate and implement a master plan concerning promotion, etc. of the food industry (hereinafter referred to as "master plan") every five years through consultation with the heads of relevant central administrative agencies. *<Amended on Jan. 25, 2010; Mar. 23, 2013; Dec. 31, 2018>*

(2) A master plan shall include the following: *<Amended on Jan. 25, 2010; Mar. 9, 2011; Jul. 21, 2011; Dec. 31, 2018; Feb. 18, 2020>*

1. Basic direction-setting for promoting the food industry;
2. Matters for reinforcing the link between the food industry and agriculture;
3. Matters for fostering the food service industry;
- 3-2. Matters for developing, distributing, and globalizing traditional food;
- 3-3. Matters for developing food whose functionality has been verified and fostering related industries;
4. Matters for improving the quality of food, supply and demand for food, and the certification system;
5. Matters for developing, disseminating, etc. of technology related to the food industry;
6. Matters for nurturing specialized human resources in the food industry, statistics and informatization thereof;
7. Matters for promoting consumption of quality food materials;
8. Matters for providing consumer with information about food quality, etc., and consumer protection;
- 8-2. Matters concerning national food clusters;
9. Other matters necessary for promoting the food industry.

(3) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement an annual implementation plan based on a master plan (hereinafter referred to as "implementation plan") through

consultation with the heads of relevant central administrative agencies, and endeavor to secure financial resources necessary therefor. *<Newly Inserted on Dec. 31, 2018>*

(4) Where the Minister of Agriculture, Food and Rural Affairs has formulated a master plan and an implementation plan, he or she shall notify it to the heads of relevant central administrative agencies, the Special Metropolitan City Mayor, Metropolitan City Mayors, the Special Self-Governing City Mayor, Do Governors, and the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), and submit them to the competent standing committee of the National Assembly. *<Newly Inserted on Dec. 31, 2018>*

(5) Where the Minister of Agriculture, Food and Rural Affairs has formulated a master plan and an implementation plan, he or she shall publicly announce them as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Dec. 31, 2018>*

(6) Where it is necessary to formulate a master plan or an implementation plan, the Minister of Agriculture, Food and Rural Affairs may request the heads of relevant central administrative agencies or a Mayor/Do Governor to submit relevant data. In such cases, the heads of relevant central administrative agencies or the Mayor/Do Governor requested to submit data shall comply therewith, unless there is good cause. *<Newly Inserted on Dec. 31, 2018>*

(7) Other matters necessary for formulating a master plan or an implementation plan, etc. shall be prescribed by Presidential Decree. *<Newly Inserted on Dec. 31, 2018>*

## **Article 5 (Establishment of Food Industry Promotion Council)**

(1) A Food Industry Promotion Council (hereinafter referred to as the "Council") shall be established under the jurisdiction of the Minister of Agriculture, Food and Rural Affairs to deliberate on matters concerning promotion, etc. of the food industry. *<Amended on Jan. 25, 2010; Mar. 23, 2013>*

(2) The Council shall deliberate on the following matters: *<Amended on Jan. 25, 2010; Jun. 1, 2012; Mar. 23, 2013; Jun. 22, 2015; Dec. 31, 2018; Feb. 18, 2020; Nov. 30, 2021; Dec. 27, 2022>*

1. Formulation of a master plan;
2. Matters concerning the industrial standards certification of food;
3. Matters concerning the designation of items for traditional food, establishment or amendments of standards therefor;
4. Matters concerning the designation, revocation, cancellation, and labeling of Korean food masters;
5. Matters concerning the quality certification of traditional food;
- 5-2. Matters concerning the origin certification for processed food, restaurants, etc.;
6. Matters concerning the formulation of comprehensive plans for national food clusters under Article 12 (1);
7. Matters concerning the fostering of the food service industry, and promotion of consumption of quality food materials;

8. Other matters requested for deliberation by the Minister of Agriculture, Food and Rural Affairs concerning the promotion of the food industry and consumer protection, etc.
- (3) A subcommittee for the Food Industry Promotion Council may be established (hereinafter referred to as "subcommittee") to operate the Council efficiently.
- (4) Matters necessary for the organization, operation, etc., of the Council and subcommittees shall be prescribed by Presidential Decree. *<Amended on Aug. 11, 2015; Feb. 18, 2020>*

#### **Article 6 (Relationship to Other Statutes)**

Except as otherwise provided in other statutes, the promotion of the food industry and reinforcement of its link to agriculture, etc. shall be governed by this Act. *<Amended on Mar. 9, 2011; Feb. 18, 2020>*

## **CHAPTER II ESTABLISHMENT OF FOUNDATION FOR PROMOTION OF FOOD INDUSTRY**

#### **Article 7 (Nurturing Specialized Human Resources in the Food Industry)**

- (1) The State or local governments shall endeavor to nurture specialized human resources to promote the food industry. *<Amended on Jul. 21, 2011>*
- (2) In order to nurture specialized human resources pursuant to paragraph (1), the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor may designate and manage institutions and organizations equipped with proper human resources, facilities, etc., such as universities and research institutes, as institutions to nurture food industry specialists, as prescribed by Presidential Decree. *<Amended on Jan. 25, 2010; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020>*
- (3) The State and local governments may grant full or partial subsidies to institutions designated to nurture specialized human resources in the food industry pursuant to paragraph (2) to cover expenses incurred in nurturing such specialized human resources within budgetary limits, as prescribed by Presidential Decree.

#### **Article 8 (Promotion of Technological Development Related to Food Industry)**

- (1) To facilitate technological development related to promotion of the food industry, the Minister of Agriculture, Food and Rural Affairs shall promote the following: *<Amended on Jan. 25, 2010; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020>*
1. Research into trends in and demand for food industry technologies;
  2. Research and development of technologies concerning promotion, fostering, etc. of the food industry;
  3. Research and development of technologies for globalization of traditional food;
  - 3-2. Research and development concerning the functionality of food;
  4. Matters for licensing the rights to developed technologies and commercialization thereof;
  5. Matters concerning technical cooperation and exchanges of information;

6. Other matters necessary for research and technological development related to the food industry.

(2) To facilitate technological development related to the food industry under paragraph (1), the Minister of Agriculture, Food and Rural Affairs may subsidize expenses to be incurred by those who conduct research and development or industrialize food industry technologies, etc. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 9 (Statistical Surveys on Food Industry)**

(1) The Minister of Agriculture, Food and Rural Affairs may conduct statistical surveys on production, distribution, consumption, etc. of food in order to promote the food industry, facilitate smooth supply and demand for food, and effectively use food resources. In such cases, the Statistics Act shall apply mutatis mutandis to the compilation of statistics on the food industry. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 11, 2020; Feb. 18, 2020>

(2) The Minister of Agriculture, Food and Rural Affairs may request necessary data and information from the heads of relevant central administrative institutions, the heads of local governments, the heads of public institutions, persons engaged in the food industry, and the heads of trade associations established under Article 11, if deemed necessary to compile statistics. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

(3) Any person in receipt of a request to provide data and information pursuant to paragraph (2) shall cooperate with such request in the absence of special circumstances. <Amended on Feb. 11, 2020>

(4) Matters necessary for conducting statistical surveys pursuant to paragraph (1), and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 9-2 (Designation of Institutions Specialized in Data Analysis for Food Industry)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate an institution, organization, or corporation that handles data and statistics on the food industry as an institution specialized in data analysis for the food industry (hereinafter referred to as “specialized institution”) in order to efficiently manage the food industry. <Amended on Feb. 18, 2020>

(2) A specialized institution may perform the following duties: <Amended on Feb. 18, 2020>

1. Analyzing information about promotion of the food industry and the link between the food industry and agriculture;
2. Analyzing information about systems, etc. related to the current status of the local and international food industries and food consumption;
3. Analyzing information, including literature, on traditional food;
4. Other duties entrusted by the Minister of Agriculture, Food and Rural Affairs.

(3) The Minister of Agriculture, Food and Rural Affairs may support necessary expenses of a specialized institution for performing the duties entrusted under paragraph (2), within budgetary limits. <Amended on

*Feb. 18, 2020>*

(4) If a person designated as a specialized institution falls under any of the following, the Minister of Agriculture, Food and Rural Affairs may cancel such designation: Provided, That the designation shall be canceled in cases falling under subparagraph 1: *<Amended on Feb. 18, 2020>*

1. Where the trading agency has obtained the designation by fraud or other improper means;
2. Where it fails to start performing the affairs provided for in the subparagraphs of paragraph (2), or delays such affairs, without good cause;
3. Where it ceases to meet any of the criteria for designation prescribed under paragraph (5).

(5) The criteria and procedures for designation of specialized institutions, for revocation of such designation, and matters necessary for operating the specialized institutions, shall be prescribed by Presidential Decree.

#### **Article 10 (International Exchanges and Trade Promotion)**

(1) To help Korean food advance into overseas markets and to globally promote Korean traditional food culture, the State and local governments may establish and implement necessary policies, such as exchanges and cooperation with overseas institutions, finding new markets, advertising, inducing foreign investment, etc.

(2) The State and local governments may subsidize expenses incurred to institutions, organizations, business operators, etc. participating in policies prescribed in paragraph (1) within the extent not violating international norms.

#### **Article 11 (Food Industry Trade Association)**

(1) In order to develop the food industry, food business operators may establish a trade association upon obtaining authorization from the Minister of Agriculture, Food and Rural Affairs. *<Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>*

(2) The trade association established under paragraph (1) shall be a corporation and details to be included in its articles of association, operation and supervision the trade association, and other necessary matters shall be prescribed by Presidential Decree.

(3) The trade association established under paragraph (1) may perform: *<Amended on Jan. 25, 2010; Mar. 9, 2011; Mar. 23, 2013; Feb. 18, 2020>*

1. A survey and research project concerning direction-setting for developing the relevant industry;
2. A project for enhancing the competitiveness of the relevant industry and promoting mutual interests between members;
3. A project for reinforcing the link between the food industry and agriculture;
4. Other projects prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, deemed necessary for the promotion and development of the relevant industry.

(4) Except as provided in this Act, the provisions of the Civil Act governing incorporated associations shall apply mutatis mutandis to trade associations established under paragraph (1).

## **Article 12 (Supporting and Fostering National Food Clusters)**

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate a comprehensive plan for supporting and fostering national food clusters (hereinafter referred to as "comprehensive plan").

*<Amended on Mar. 23, 2013>*

(2) A comprehensive plan shall include the following matters: *<Amended on Feb. 18, 2020>*

1. Matters concerning basic direction-setting for fostering national food clusters;
2. Matters concerning the creation of, and support to industrial complexes specialized in food to promote national food clusters;
3. Matters concerning the improvement of capabilities of enterprises and institutions participating in national food clusters;
4. Matters concerning support to activities of interconnection among enterprises and institutions participating in national food clusters;
5. Matters concerning the establishment and operation of institutions supporting national food clusters;
6. Matters for reinforcing the link to domestic agriculture;
7. Matters for reinforcing the link with other regions or other industrial clusters in Korea or overseas;
8. Matters concerning attracting investment inside or outside Korea and facilitating import of national food clusters;
9. Matters concerning investment in, and funding for national food clusters;
10. Other matters for fostering national food clusters.

(3) In order to formulate a comprehensive plan, the Minister of Agriculture, Food and Rural Affairs shall submit the comprehensive plan to the Council for deliberation. *<Amended on Mar. 23, 2013>*

(4) Where the Minister of Agriculture, Food and Rural Affairs intends to formulate or amend a comprehensive plan, he or she shall hear opinions of the head of the competent local government and consult with the head of the related central administrative agency: Provided, That this shall not apply to amendments to minor matters prescribed by Presidential Decree. *<Amended on Mar. 23, 2013>*

(5) The Minister of Agriculture, Food and Rural Affairs may provide financial support to a local government in which an industrial complex specialized in food is located. *<Amended on Mar. 23, 2013>*

(6) When the State or a local government promotes various projects conducted through financial support from the State or the local government, it may give priority to supporting enterprises and institutions participating in national food clusters in order to promote the national food clusters.

(7) Procedures provided for in the Industrial Sites and Development Act and the Industrial Cluster Development and Factory Establishment Act shall apply mutatis mutandis to matters concerning the creation of industrial complexes specialized in food prescribed in paragraph (2) 2.



## **Article 12-2 (Establishment of Korea Institute for Food Industry Cluster)**

- (1) The Korea Institute for Food Industry Cluster (hereinafter referred to as "Institute") shall be established to foster and manage national food clusters and support the activities of participating enterprises and institutions. *<Amended on Feb. 11, 2020>*
- (2) The Institute shall be a body corporate and shall be established when it registers such establishment at the location of its main office. *<Amended on Feb. 11, 2020>*
- (3) The Institute shall conduct the following projects: *<Amended on Mar. 23, 2013; Feb. 11, 2020>*
1. Policy development and research for national food clusters and clustering the food industry;
  2. Projects to create and manage industrial complexes specialized in food;
  3. Projects to support enterprises and institutions participating in national food clusters;
  4. Projects to facilitate activities of interconnection among enterprises and institutions participating in national food clusters;
  5. Research, external cooperation, and public relations projects for vitalizing national food clusters;
  6. Other projects entrusted by the Minister of Agriculture, Food and Rural Affairs.
- (4) In order to engage in the activities stipulated in paragraph (3), the Institute may establish auxiliary organs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Feb. 11, 2020>*
- (5) The Government or a local government may make contributions or provide subsidy to cover all or some of the expenses incurred in establishing and operating the Institute, within budgetary limits. *<Amended on Feb. 11, 2020>*
- (6) The Minister of Agriculture, Food and Rural Affairs shall guide and supervise business affairs of the Institute under the subparagraphs of paragraph (3), and may issue instructions or orders to the Institute for its projects, if deemed necessary. *<Amended on Mar. 23, 2013; Feb. 11, 2020>*
- (7) Except as provided in this Act, the provisions on incorporated foundations in the Civil Act shall apply mutatis mutandis to the Institute. *<Amended on Feb. 11, 2020>*

## **CHAPTER III PROMOTION OF FOOD INDUSTRY**

### **Article 13 (Promotion of Exchange and Cooperation Projects, such as Contract Transactions)**

- (1) In order to increase the economic added value of agricultural products through reinforced links between the food industry and agriculture, and to increase the competitiveness of the food industry by providing raw materials smoothly, the Minister of Agriculture, Food and Rural Affairs may encourage the exchange and cooperation projects, such as entering into an exchange and cooperation agreement for production, supply, etc. of food materials under a contract between farmers, or the organizations thereof and food business operators. *<Amended on Jan. 25, 2010; Mar. 9, 2011; Mar. 23, 2013; Feb. 18, 2020>*

(2) The Minister of Agriculture, Food and Rural Affairs may subsidize expenses to be incurred in performing exchange and cooperation projects prescribed in paragraph (1). <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

(3) The subject matter, criteria, and procedures for exchange and cooperation projects under paragraph (1), those eligible for subsidies, criteria and procedures for subsidies under paragraph (2), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 13-2 (Contract Growing of Food Materials for School Meal Service)**

(1) The Minister of Agriculture, Food and Rural Affairs may encourage contract growing of food materials, direct transactions, and other exchange and cooperation projects between the school meal service supporting centers, etc. established under Article 5 (4) of the School Meals Act and producers of agricultural products or food, in order to reinforce links between school meal service and agriculture, and to supply quality food materials for school meal service. <Amended on Feb. 18, 2020>

(2) The Minister of Agriculture, Food and Rural Affairs may reimburse expenses incurred in investigating the stability of food materials in regard to exchange and cooperation projects performed under paragraph (1) and accord preferential treatment to exemplary business operators selected based on their records of using quality food materials, as prescribed by Presidential Decree. <Amended on Feb. 18, 2020>

(3) Business operators eligible for support under paragraph (2), criteria for providing support, and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 13-3 (Development of Varieties Suitable for Purposes of Food Processing)**

(1) In order to enhance the economic value added of agricultural products and to strengthen the competitiveness of the food industry, the Minister of Agriculture, Food and Rural Affairs may promote projects for developing and distributing varieties suitable for purposes of food processing, providing training on cultivation techniques, etc. <Amended on Feb. 18, 2020>

(2) Matters necessary for details of projects prescribed in paragraph (1) and the implementation thereof shall be prescribed by Ordinance of the Ministry of Agriculture. <Amended on Feb. 18, 2020>

#### **Article 14 (Designation of, and Support for, Korean Food Masters)**

(1) To succeed to and develop excellent Korean food, the Minister of Agriculture, Food and Rural Affairs may designate an excellent food specialist as a Korean food master for an item or a craftsmanship in a specific field, such as food production, processing, or cooking, following deliberation thereon by the Council, as prescribed by Presidential Decree. <Amended on Jan. 25, 2010; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020; Nov. 30, 2021>

(2) Persons designated as Korean food masters pursuant to paragraph (1) shall endeavor to contribute to the inheritance and development of Korean food and the promotion of the food industry and to be a good example to others, and shall maintain their dignity as Korean food masters. In such cases, the details of

maintaining the dignity shall be prescribed by Presidential Decree. <Newly Inserted on Dec. 27, 2022>

(3) Where intending to label food as manufactured, processed, cooked, etc. with an item or craftsmanship designated under paragraph (1), the Korean food master may place a label on the surface of the relevant product, packaging, or container or on the invoice, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, matters necessary for the scope of foods manufactured, processed, cooked, etc. with the designated item or craftsmanship, the labeling methods, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Jul. 21, 2011; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020; Nov. 30, 2021>

(4) Each Korean food master shall report his or her activities, etc. to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Presidential Decree. <Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020>

(5) The Minister of Agriculture, Food and Rural Affairs may grant a subsidy for any Korean food master who engages in or intends to engage in the business of producing, processing, or cooking food or the business of transferring his or her food craftsmanship, and for any person who learns food craftsmanship from a Korean food master and is selected under paragraph (9) (hereinafter referred to as “apprentice to a Korean food master”), as prescribed by Presidential Decree: Provided, That this shall not apply where he or she is granted a subsidy under any other statute or regulation. <Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Mar. 27, 2015; Dec. 31, 2018; Feb. 11, 2020; Feb. 18, 2020>

(6) The Minister of Agriculture, Food and Rural Affairs may revoke the designation of a Korean food master following deliberation thereon by the Council, if such master falls under any of the following cases: Provided, That he or she shall revoke such designation in cases falling under subparagraph 1: <Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Aug. 11, 2015; Dec. 31, 2018; Feb. 18, 2020; Nov. 30, 2021; Jun. 10, 2022; Dec. 27, 2022>

1. If the Korean food master is designated as a Korean food master by fraud or other improper means;
2. If the Korean food master transfers or lends the document certifying that he or she is a designated Korean food master, to a third party;
- 2-2. If administrative fines under Article 38 (2) 1 have been imposed on the Korean food master three times or more for not complying with an order under Article 14-2 (3);
3. If the Korean food master fails to file a report on his or her activities, etc. as a Korean food master under paragraph (4) without good cause, or files a false report on his or her activities, etc.;
4. If the Korean food master is sentenced to a fine or heavier punishment for a violation of the Act on Origin Labeling of Agricultural and Fishery Products and such punishment becomes final;
5. If the Korean food master is sentenced to a fine or heavier punishment for violating the Food Sanitation Act and the sentence becomes final and conclusive.
6. If the Korean food master is sentenced to a fine or heavier punishment for a violation of the Act on Labeling and Advertising of Foods and such punishment becomes final and conclusive;

7. If the Korean food master fails to fulfill his or her duty of maintaining dignity prescribed in paragraph (2).

(7) The Minister of Agriculture, Food and Rural Affairs may cancel the designation of a Korean food master following deliberation thereon by the Council, if such master falls under any of the following cases: Provided, That he or she shall cancel such designation in cases falling under subparagraph 1: *<Newly Inserted on Dec. 27, 2022>*

1. Where the Korean food master is deceased;

2. Where the Korean food master emigrates to a foreign country or acquires citizenship of a foreign country;

3. Where the Korean food master himself or herself requests the cancellation of the designation.

(8) If a person granted a subsidy prescribed in paragraph (5) is found to have obtained the subsidy by any improper means, such as by submitting a false document, or otherwise falls under the grounds prescribed by Presidential Decree, the subsidy granted shall be recaptured. *<Newly Inserted on Mar. 27, 2015; Dec. 31, 2018; Feb. 11, 2020; Dec. 27, 2022>*

(9) The Minister of Agriculture, Food and Rural Affairs may collect the subsidy to be recaptured under paragraph (8) in the same manner as delinquent national taxes. *<Newly Inserted on Dec. 31, 2018; Feb. 18, 2020; Dec. 27, 2022>*

(10) A Korean food master may recommend persons who have learned his or her food craftsmanship as his or her apprentices to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Presidential Decree; the Minister of Agriculture, Food and Rural Affairs may select an appropriate person among those recommended as an apprentice to the Korean food master. *<Newly Inserted on Mar. 27, 2015; Dec. 31, 2018; Feb. 11, 2020; Feb. 18, 2020; Dec. 27, 2022>*

(11) If a Korean food master or his or her apprentice granted a subsidy under paragraph (5) is deemed unable to continue his or her business by changing his or her occupation, discontinuing training of food skills, or on other grounds prescribed by Presidential Decree, the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall suspend such subsidy. *<Newly Inserted on Mar. 27, 2015; Dec. 31, 2018; Dec. 27, 2022>*

(12) Criteria and procedures for selecting apprentices to Korean food masters, provision and suspension of subsidies, recapture of subsidies, and other necessary matters, shall be prescribed by Presidential Decree. *<Newly Inserted on Mar. 27, 2015; Dec. 31, 2018; Dec. 27, 2022>*

#### **Article 14-2 (Follow-Up Management of Foods by Korean Food Master)**

(1) If deemed necessary to maintain quality of the foods produced, processed, cooked, etc. with the item or craftsmanship designated under Article 14 (1) by a Korean food master (hereinafter referred to as “foods by a Korean food master”) and to protect consumers, the Minister of Agriculture, Food and Rural Affairs may authorize relevant public officers to engage in the following activities: *<Amended on Dec. 31, 2018; Feb. 18, 2020; Nov. 30, 2021>*

1. Investigating whether the labeling of the foods by a Korean food master genuinely represents its contents;
  2. Perusing the relevant ledgers or documents of the Korean food master;
  3. Conducting testing upon collecting samples of the foods by a Korean food master or requesting testing to a specialized testing and research institute, etc.;
  4. Investigation on whether food marked with the Korean food master's label is a food manufactured, processed, cooked, etc. with the item or craftsmanship designated under Article 14 (1).
- (2) Article 26 (4) through (6) shall apply *mutatis mutandis* to procedures for investigation, perusal, collection, etc. prescribed in paragraph (1). In such cases, "investigation, perusal, collection, or inspection" shall be construed as "investigation, perusal, or collection", and "owner, occupant, or manager of such food or a certification agency for quality food, etc." and "owner, occupant, or manager of the food certified as quality food, etc. or a certification agency for quality food, etc." shall be construed as "Korean food master". *<Amended on Dec. 31, 2018>*
- (3) The Minister of Agriculture, Food and Rural Affairs may order a person who violates subparagraph 1-2, 1-3 or 1-6 of Article 25 to take the following measures: *<Newly Inserted on Nov. 30, 2021>*
1. Suspending or removing the Korean food master label;
  2. Suspending advertising;
  3. Retrieving foods related to subparagraph 1 or 2.
- (4) Matters necessary for detailed standards, procedures, etc. for administrative disposition under paragraph (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Nov. 30, 2021>*

#### **Article 14-3 (Cooperation of Related Agencies)**

- (1) The Minister of Agriculture, Food and Rural Affairs may request the Commissioner General of the Korean National Police Agency to inquire about criminal records under Article 6 of the Act on the Lapse of Criminal Sentences, if necessary to perform the duties under Article 14 (1), (6), and (7). In such cases, the Commissioner General of the Korean National Police Agency shall comply with such request, unless there is good cause.
- (2) In order to perform the duties under Article 14 (1), (6), and (7), the Minister of Agriculture, Food and Rural Affairs may request the heads of relevant institutions or organizations to provide necessary data. In such cases, the head of a relevant institution or organization shall comply with such request, unless there is good cause.

#### **Article 15 (Consulting Support for Food Industry)**

- (1) The Minister of Agriculture, Food and Rural Affairs may provide food business operators with consulting on the following matters, such as management, technology, finance, and accounting: *<Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>*

1. Providing appropriate consulting services based on the size and type of each food business operator;
  2. Establishing an assessment system for building credibility on outcomes of consulting;
  3. Linking outcomes of consulting with a means of support, such as financing and subsidies;
  4. Other business necessary to reinforce the foundations for consulting.
- (2) The Minister of Agriculture, Food and Rural Affairs may support expenses necessary for food business operators or consulting providers to deliver services prescribed in paragraph (1). *<Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>*

**Article 16 Deleted.** *<Jul. 21, 2011>*

### **Article 17 (Globalization of Traditional Food and Dietary Culture)**

- (1) The State and local governments shall endeavor to modernize traditional food and dietary culture by conducting research and discovering traditional food and dietary culture in each region and improve the nation's image through globalization of Korean food and dietary culture.
- (2) If deemed necessary to globalize traditional food under paragraph (1), the State and a local government may subsidize expenses incurred in advertising Korean traditional food and dietary culture, improving competitiveness, etc. of Korean restaurants overseas and food companies with a presence in overseas markets.
- (3) Matters necessary concerning those eligible for subsidies, criteria for assistance, operation, etc. under paragraph (2) shall be prescribed by Presidential Decree.

**Article 17-2 Deleted.** *<Aug. 27, 2019>*

### **Article 17-3 (Institutes Supporting Export of Food)**

- (1) The Minister of Agriculture, Food and Rural Affairs may designate a research institute related to overseas food certification as an institute supporting the export of food to provide comprehensive support, etc. in relation to overseas certification necessary for the entry of Korean food into overseas markets. *<Amended on Jun. 10, 2022>*
- (2) An institute designated as an institution supporting the export of food pursuant to paragraph (1) (hereinafter referred to as "food export-supporting institution") shall deliver the following services: *<Amended on Feb. 18, 2020; Jun. 10, 2022>*

1. Collecting, analyzing, managing, and circulating the information about major overseas food certifications that are necessary for Korean food to enter into overseas markets;
2. Providing technology support, guidance, and consulting that are necessary for obtaining major overseas food certifications;
3. Establishing, circulating and managing the standards related to major overseas food certifications;

4. Training specialized human resources related to major overseas food certifications;
  5. Other business activities entrusted by the Minister of Agriculture, Food and Rural Affairs to promote the food industry through overseas certification and standardization of food.
- (3) The Minister of Agriculture, Food and Rural Affairs may subsidize the working expenses of food export-supporting institutions, within budgetary limits. *<Amended on Jun. 10, 2022>*
- (4) The Minister of Agriculture, Food and Rural Affairs may revoke the designation of a food export-supporting institution in any of the following cases: Provided, That in cases falling under subparagraph 1, the designation must be revoked: *<Newly Inserted on Jun. 10, 2022>*
1. Where it has been designated by fraud or other improper means;
  2. Where it no longer meets the standards for designation under paragraph (5).
- (5) Except as provided in paragraphs (1) through (4), matters concerning the standards, procedures, operation, etc. of designation and revocation of designation of food export-supporting institutions shall be prescribed by Presidential Decree. *<Amended on Jun. 10, 2022>*

#### **Article 18 (Succession to, and Development of, Traditional Dietary Culture)**

- (1) In order to enhance consumers' rights and interests, and succeed to and develop traditional dietary culture, the State and local governments may provide information necessary therefor, and set guidelines for promoting traditional dietary culture, distribute them and provide guidance thereabout.
- (2) In order to encourage wider consumption of local agricultural and fishery products, and to succeed to and develop traditional dietary culture, the Minister of Agriculture, Food and Rural Affairs may develop and distribute various menus and recipes using local agricultural products and traditional food. *<Amended on Jan. 25, 2010; Mar. 9, 2011; Mar. 23, 2013; Feb. 18, 2020>*
- (3) The Minister of Agriculture, Food and Rural Affairs may provide education necessary for cooking, processing, etc. traditional food in order to teach the general public about the excellence of traditional food using local agricultural and fishery products and disseminate such excellence to the general public. In such cases, he or she shall endeavor to ensure that relevant local residents who produce the local agricultural products are provided with such education. *<Newly Inserted on Nov. 14, 2011; Mar. 23, 2013; Feb. 18, 2020>*

#### **Article 18-2 (Support for Accumulation of Self-Help Funds for Traditional Foods)**

- (1) Where the trade association established pursuant to Article 11 (1) creates and operates a self-help fund for purposes such as promoting the consumption of traditional food, expanding sales channels, advertising representative brand names, conducting surveys and research, and facilitating export, the Minister of Agriculture, Food and Rural Affairs may subsidize the trade association within the budget.
- (2) Methods of creating the self-help fund and criteria for paying subsidies under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

## **Article 19 (Conducting Research of Food Ingredients)**

(1) In order to provide food information, etc. under Article 18 (1) and (2), the Government may publish a food ingredient table by analyzing nutritional values of food, including agricultural products, and conduct investigation and research on nutritional facts of food. *<Amended on Mar. 9, 2011; Feb. 18, 2020>*

(2) Matters necessary for analyses of nutritional values of food, etc. including agricultural products and investigation and research on nutritional facts of food under paragraph (1) shall be prescribed by Presidential Decree. *<Amended on Mar. 9, 2011; Feb. 18, 2020>*

## **Article 19-2 (Formulation of Policies to Foster Agricultural Product Processing Industry)**

The Minister of Agriculture, Food and Rural Affairs shall formulate policies concerning the following to foster and develop the agricultural and fishery product processing industry: *<Amended on Mar. 23, 2013; Feb. 18, 2020>*

1. Matters for laying the foundations for the agricultural product processing industry;
2. Matters for improving the productivity of the agricultural product processing industry;
3. Matters for increasing the competitiveness of the agricultural product processing industry;
4. Matters for developing and disseminating the agricultural product processing technology;
5. Matters for investing or providing loans for fostering the agricultural product processing industry;
6. Other important matters prescribed by Presidential Decree to foster the agricultural product processing industry.

## **Article 19-3 (Support for Production of Processed Agricultural Products)**

(1) The Minister of Agriculture, Food and Rural Affairs may provide funds necessary for producing and developing processed agricultural products, establishing and operating specialized stores, promoting exports, or other matters prescribed by Presidential Decree, to a person who runs or intends to run, by profession, a business producing food or works of folk-craft processed by simply processing agricultural products through cleansing, peeling, cutting, etc. or by using agricultural products as raw materials or ingredients (hereinafter referred to as "processed agricultural product"). *<Amended on Mar. 23, 2013>*

(2) Where a person eligible for financial support under paragraph (1) intends to establish a factory to produce processed agricultural products, he or she shall submit a business plan to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/autonomous Gu (hereinafter referred to as "head of a Si/Gun/Gu") having jurisdiction over the area in which the factory is to be established, and obtain approval thereof, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Dec. 31, 2018>*

(3) Where a person eligible for financial support under paragraph (1) has obtained approval of his or her business plan under paragraph (2), he or she shall be deemed to have obtained the following permission, authorization, designation, approval, cancellation, etc., or reported thereon: *<Amended on Dec. 31, 2018; Jan. 29, 2020>*



1. Permission to occupy or use public waters under Article 8 of the Public Waters Management and Reclamation Act;
  2. Permission to alter the form and quality of land under Article 56 of the National Land Planning and Utilization Act, designation of an implementer of an urban/Gun planning facility project under Article 86 of that Act, and authorization of an implementation plan under Article 88 of that Act;
  3. Permission to divert farmland under Article 34 (1) of the Farmland Act;
  4. Permission for construction of a private road under Article 4 of the Private Road Act;
  5. A permit to lumber, etc. within an erosion control area designated under Article 14 of the Erosion Control Work Act and cancellation of designation of an erosion control area under Article 20 of that Act;
  6. Approval of establishment, etc. of factories under Article 13 of the Industrial Cluster Development and Factory Establishment Act;
  7. Permission to divert mountainous districts, or reporting thereon under Articles 14 and 15 of the Mountainous Districts Management Act, permission for, or reporting on the temporary use of mountainous districts under Article 15-2 of that Act, and a permit to fell standing timber, etc. or reporting thereon under Article 36 of the Creation and Management of Forest Resources Act;
  8. Authorization for the installment of private-use waterworks and private-use industrial waterworks under Articles 52 and 54 of the Water Supply and Waterworks Installation Act.
  9. Permission for activities within areas subject to regional development projects prescribed in Article 17 of the Regional Development Assistance Act;
  10. Permission to divert grassland, or reporting thereon under Article 23 of the Grassland Act.
  11. Permission to perform construction works, granted to a person, other than the public sewerage management authority under Article 16 of the Sewerage Act, and reporting on the installation of drainage systems under Article 27 of that Act;
  12. Permission for river works, maintenance, and repair, granted to a person, other than the river management agency under Article 30 of the River Act, and a permit to occupy and use a river under Article 33 of that Act;
  13. Permission for the execution of harbor development project under Article 9 (2) of the Harbor Act.
- (4) When a person who performs a project under paragraph (3) has obtained a building permit pursuant to the Building Act to perform such project, he or she shall be deemed to have obtained the following permission or designation or reported thereon: *<Amended on Jan. 14, 2014>*
1. Constructing a temporary structure under Article 20 of the Building Act;
  2. Permission to implement road works, granted to a person, other than the road management agency under Article 36 of the Road Act, designation of clearance zones under Article 40 of that Act, and a permit to occupy and use roads under Article 61 of that Act.
- (5) In granting approval under paragraph (2), where matters referred to in any subparagraph of paragraphs (3) and (4) falls under the jurisdiction of another administrative agency, the head of a Si/Gun/Gu shall

have a prior consultation with the head of the related administrative agency or obtain approval thereof.

**Article 19-4 Deleted.** <Feb. 18, 2020>

**Article 19-5 Deleted.** <Feb. 18, 2020>

**Article 19-6 Deleted.** <Feb. 18, 2020>

## CHAPTER IV QUALITY CONTROL OF FOOD

### **Article 20 (Industrial Standards Certification of Food)**

(1) In order to facilitate the standardization of the food industry, improve the quality of food, and promote consumers' rights and interests, the Minister of Agriculture, Food and Rural Affairs may operate an industrial standards certification system for food. <Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Feb. 18, 2020>

(2) Items of, and criteria for, industrial standards certification under paragraph (1), the method of labeling, and other necessary matters, shall be prescribed by Presidential Decree.

### **Article 21 (Facilitating International Standardization of Traditional Food)**

In order to improve the quality of traditional food and facilitate international trade thereof, the Minister of Agriculture, Food and Rural Affairs shall endeavor to facilitate international standardization of traditional food and promote international cooperation, such as establishing food standards and providing information for international organizations, including Food and Agriculture Organization and the Codex Alimentarius Commission. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

### **Article 22 (Certification of Quality of Traditional Food)**

(1) The Minister of Agriculture, Food and Rural Affairs shall implement a quality certification system for traditional food to improve the quality of traditional food, encourage the production thereof, and to protect consumers. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

(2) A person who has obtained quality certification of traditional food pursuant to paragraph (1) shall undergo a periodic inspection as to compliance with quality certification standards for traditional food and other matters, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Jul. 21, 2011; Mar. 23, 2013; Feb. 18, 2020>

(3) Products subject to quality certification, methods of labeling, procedures for filing applications, and other matters necessary for implementing the quality certification system under paragraph (1) shall be prescribed by Presidential Decree. <Amended on Jul. 21, 2011>

(4) Details, and methods of, and procedures for conducting periodic inspections under paragraph (2), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Jul. 21, 2011; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 22-2 (Origin Certification for Processed Food and Restaurants)**

(1) The Minister of Agriculture, Food and Rural Affairs may operate a origin certification system for processed food, restaurants, etc. (referring to the food service business provided for in Article 36 (1) 3 of the Food Sanitation Act and the meal service facilities defined in subparagraph 12 of Article 2 of the said Act; the same shall apply hereinafter) to promote development correlating agriculture and fisheries and the food industry; and to reinforce credibility in the origins of the food processed or cooked using agricultural and fishery products as its raw materials. <Amended on Feb. 18, 2020>

(2) A person who has obtained origin certification under paragraph (1) shall undergo a periodic inspection as to his or her compliance with standards for origin certification and other related matters, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 18, 2020>

(3) Standards for origin certification, labeling methods, procedures for filing applications, and other matters necessary for implementing the origin certification system under paragraph (1) shall be prescribed by Presidential Decree.

(4) Details, and methods of, and procedures for conducting periodic inspections under paragraph (2), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 18, 2020>

#### **Article 22-3 (Restriction on Application for Certification of Quality Food)**

None of the following persons shall apply for the certification of quality food, etc.:

1. A person for whom one year has yet to pass since certification was revoked for falling under subparagraph 1, 1-2, 2 and 3 of Article 29;
2. Persons for whom one year has not yet elapsed since a sentence to a fine or heavier punishment passed pursuant to Article 36 became final and conclusive.

#### **Article 23 Deleted.** <Jun. 1, 2012>

#### **Article 24 (Designation of Certification Agencies for Quality Food)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate an entity equipped with human resources, facilities, etc. necessary for granting quality food certification, etc. as a certification agency for quality food, etc. in each field and require the entity to certify quality food, etc. and conduct the periodic inspections under Articles 22 (2) and 22-2 (2) (hereinafter referred to as "periodic inspection"): Provided, That where the said Minister intends to require such entity to certify quality food, etc. and conduct periodic inspections for food imported to Korea, he or she may also designate an entity equipped with

human resources, facilities, etc. necessary for granting quality food certification, etc. in the exporting country as a certification agency for quality food, etc. <Amended on Jun. 1, 2012; Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(2) An entity that intends to obtain designation as a certification agency for quality food, etc. pursuant to paragraph (1) shall apply for designation to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That no application shall be filed where two years have not passed since the designation of a certification agency for quality food, etc. was revoked pursuant to Article 24-2 (1). <Amended on Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(3) The period of validity of the designation as a certification agency for quality food, etc. under paragraph (1) shall be five years from the date of designation, and an entity that intends to continue to provide certification services after the period of validity expires shall renew the designation before the expiration of such period of validity. <Amended on Jun. 22, 2015>

(4) The Minister of Agriculture, Food and Rural Affairs may provide a subsidy for certification agencies for quality food, etc. designated pursuant to paragraph (1) or re-designated pursuant to paragraph (3) to cover expenses incurred in engaging in the business of certifying quality food, etc. or in conducting periodic inspections, within budgetary limits. <Amended on Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(5) Standards and procedures necessary for the designation and re-designation of certification agencies for quality food, etc. under paragraphs (1) and (3), and other details, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

#### **Article 24-2 (Revocation of Designation of Certification Agencies for Quality Food)**

(1) Where an entity designated as a certification agency for quality food, etc. pursuant to Article 24 (1) (hereinafter referred to as "certification agency for quality food, etc.") falls under any of the following cases, the Minister of Agriculture, Food and Rural Affairs may revoke such designation or issue an order to fully or partially suspend its business for a prescribed period not exceeding six months: Provided, That the Minister must revoke such designation in cases falling under subparagraph 1 or 7: <Amended on Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

1. Where the trading agency has obtained the designation by fraud or other improper means;
2. Where it ceases to satisfy the standards of designation under Article 24 (5);
3. Where any food certified as quality food, etc. or that has undergone a period inspection is found not in compliance with certification standards by an investigation, testing, etc. conducted under Article 26 (1) due to the intentional or gross negligence of the certification agency for quality food, etc.;
4. Where the entity fails to file a report or submit materials required under Article 26 (2), or evades or refuses the entry and inspection of related public officials without good cause;
5. Where the entity fails to keep and maintain related documents required under Article 26 (3);

6. Where the entity fails to engage in the business of certifying quality food, etc. or fails to conduct periodic inspections for a continuous period of at least one year without good cause;
  7. Where the entity engages in the business of certifying quality food, etc. or conducts periodic inspections in the period during which its business is suspended, in violation of a suspension order.
- (2) Detailed standards for dispositions such as revocation of designation under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in consideration of the types or degrees of violations. <Amended on Mar. 23, 2013; Feb. 18, 2020>

## **Article 25 (Prohibition of Misconduct)**

No person shall engage in any of the following acts: <Amended on Jul. 21, 2011; Jun. 1, 2012; Mar. 27, 2015; Jun. 22, 2015; Dec. 31, 2018; Feb. 11, 2020; Nov. 30, 2021>

1. Obtaining designation as a Korean food master by fraud or other improper means; or transferring or lending a document certifying that he or she is a Korean food master, to any third person;
- 1-2. Placing the Korean food master label referred to in Article 14 (3) or a similar label on food produced, processed, cooked, etc. by a person who is not a Korean food master;
- 1-3. Falsely advertising food produced, processed, cooked, etc. by a person who is not a Korean food master as if it were produced, processed, cooked, etc. by a Korean food master;
- 1-4. Act of a person who is not a Korean food master of using the name of a Korean food master: Provided, That cases prescribed in subparagraphs 1-2 and 1-3 shall be excluded herefrom;
- 1-5. Act of a person being subsidized under Article 14 (5) of obtaining subsidy by any improper means, such as by submitting a false document;
- 1-6. Act of placing the Korean food master label under Article 14 (3) on a food that the Korean food master has manufactured, processed, cooked, etc. with an item or craftsmanship not designated under Article 14 (1);
2. Obtaining the certification of quality food, etc. by fraud or other improper means;
3. Placing the label of the certification of quality food, etc. or a similar label (including any label in a foreign language that could mislead people to believe that relevant food is quality food; hereinafter the same shall apply) on any food, restaurant, etc. not certified as quality food, etc.;
4. Labeling any food, restaurant, etc. not certified as quality food, etc. differently from the details of such certification;
5. Selling food by combining food certified as quality food, etc. with non-certified food; or storing, transporting, or displaying the combined food for sale;
6. Selling food; or storing, transporting, or displaying food for sale, knowing that such food is labeled differently from the details of the certification of quality food, etc.;
7. Selling food with the label of the certification of quality food, etc. or a similar label; or storing, transporting, or displaying such food for sale, knowing that such food is not certified as quality food, etc.;

8. Falsely advertising food, restaurant, etc. not certified as quality food, etc. as if it were certified as quality food, etc.;
9. Advertising food, restaurant, etc. certified as quality food, etc. differently from the details of such certification.

## **Article 26 (Follow-Up Monitoring of Certification of Quality Food and Certification Agencies for Quality Food)**

(1) If deemed necessary to maintain the quality of food certified as quality food, etc. and to protect consumers, the Minister of Agriculture, Food and Rural Affairs may require a related public official and the responsible person of a certification agency for quality food, etc. to engage in the following activities:  
<Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

1. Investigating whether such food complies with the standards for certifying quality food, etc.;
2. Inspecting relevant books or documents of persons who has obtained certification;
3. Conducting testing upon collecting samples of certified food, or requesting testing to a specialized testing and research institute, etc.

(2) If necessary for properly managing the affairs of certification of quality food, etc., the Minister of Agriculture, Food and Rural Affairs may require a certification agency for quality food, etc. to file a report or submit materials about the certification of quality food, etc., periodic inspections, or any affair prescribed in paragraph (1) 1 through 3, and may require a related public official to enter the places of business, etc. to inspect relevant documents, facilities, equipment, etc. <Newly Inserted on Jul. 21, 2011; Mar. 23, 2013; Jun. 22, 2015; Dec. 31, 2018; Feb. 11, 2020; Feb. 18, 2020>

(3) Every person who has obtained the certification of quality food, etc. and every certification agency for quality food, etc. shall keep and maintain relevant documents, such as certification review records, and documents about the management of processing facilities, use of food additives, and trade of food certified as quality food, etc., as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.  
<Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(4) To conduct an investigation, perusal, collection, or inspection under paragraph (1) or (2) (hereafter in this Article referred to as "investigation, etc."), the date, time, purpose, details, etc. of such investigation, etc. shall be notified to the owner, occupant, or manager of such food or the certification agency for quality food, etc. by no later than three days before such investigation, etc.: Provided, That notification may be omitted where urgency is required or giving prior notice can defeat the purpose of an investigation, etc. <Newly Inserted on Jul. 21, 2011; Jun. 22, 2015>

(5) Persons who conduct an investigation, etc. shall carry a certificate indicating their authority and produce it to interested persons. <Newly Inserted on Jul. 21, 2011; Feb. 11, 2020>

(6) Where an investigation, etc. is conducted, the owner, occupant, or manager of food certified as quality food, etc. or the certification agency for quality food, etc. shall refuse, obstruct, or evade such investigation, etc. without good cause. <Amended on Jul. 21, 2011; Jun. 22, 2015>

(7) Details necessary for the certification of quality food, etc. and the follow-up management of a certification agency for quality food, etc. under paragraphs (1) through (6) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Feb. 11, 2020; Feb. 18, 2020>

#### **Article 27 (Fees)**

(1) Any of the following persons shall pay fees: <Amended on Jul. 21, 2011; Jun. 22, 2015>

1. A person who intends to obtain quality certification of traditional food pursuant to Article 22 (1);

1-2. A person who intends to undergo a periodic inspection as to whether he or she complies with quality certification standards for traditional food pursuant to Article 22 (2);

1-3. A person who intends to obtain the origin certification pursuant to Article 22-2 (1);

1-4. A person who intends to undergo a periodic inspection as to whether he or she complies with standards for origin certification pursuant to Article 22-2 (2);

2. Deleted; <Jun. 1, 2012>

3. Deleted; <Jul. 21, 2011>

4. Deleted; <Jun. 1, 2012>

5. An entity that intends to obtain designation as a certification agency for quality food, etc. pursuant to Article 24 (1);

6. An entity that intends to renew designation as a certification agency for quality food, etc. pursuant to Article 24 (3).

(2) Matters necessary for the amount, method of payment, deadline for payment, etc. of fees under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 28 (Orders to Change Marks)**

(1) If the Minister of Agriculture, Food and Rural Affairs deems that the food certified as quality food, etc. violates the certification standards or the labeling methods based on the findings of the investigation or testing conducted under Article 26, or that it is impracticable to produce such food or to engage in the food industry, he or she may issue an order to change or suspend the use of the labeling, or suspend the sale of such food. <Amended on Jan. 25, 2010; Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(2) Detailed criteria for administrative measures referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 29 (Revocation of Certification of Quality Food)**

Where a person who has obtained the certification of quality food, etc. falls under any of the following cases, the Minister of Agriculture, Food and Rural Affairs or the certification agency for quality food, etc.

may revoke such certification: Provided, That he or she must revoke the certification if the person falls under subparagraph 1: <Amended on Jan. 25, 2010; Jul. 21, 2011; Jun. 1, 2012; Mar. 23, 2013; Jun. 22, 2015; Dec. 31, 2018; Feb. 11, 2020; Feb. 18, 2020>

1. Where the person was certified by fraud or other improper means;
- 1-2. Where the person fails to undergo a periodic inspection without good cause;
2. Where the person is found to have substantially not in compliance with the certification standards by the periodic inspection or investigation conducted under Article 26;
3. Where the person fails to comply with an order to change or suspend the use of labeling or to suspend sale issued under Article 28 without good cause;
4. Where it is deemed impracticable for the person to produce or sell the food certified as quality food, etc. due to the conversion of a type of business or closure of business.

### **Article 30 (Succession)**

(1) When a person who has obtained the quality food certification, etc. transfers his or her business or is deceased, or when a certification agency for quality food, etc. is merged with another corporation, the transferee, heir (limited to an heir who intends to continue to produce, import, or distribute food certified as quality food, etc. in the case of quality food certification, etc.) or a corporation surviving or newly established in the course of the merge may succeed to the status of the person who has obtained the quality food certification, etc., or the certification agency for quality food, etc. <Amended on Jul. 21, 2011; Jun. 22, 2015>

(2) Any person who succeeds to the status of a person who has obtained quality food certification, etc. under paragraph (1) shall report such fact to the Minister of Agriculture, Food and Rural Affairs or the relevant certification agency for quality food, etc. (referring to the Minister of Agriculture, Food and Rural Affairs where designation of the certification agency for quality food, etc. is revoked or its business is suspended), and any entity that succeeds to the status of a certification agency for quality food, etc. shall report such fact to the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 22, 2015; Feb. 18, 2020>

(3) Matters necessary for reporting under paragraph (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

## **CHAPTER V SUPPLEMENTARY PROVISIONS**

### **Article 31 (Tax Reduction or Exemption)**

In order to effectively implement policies for promoting the food industry under this Act, the State and local governments may reduce or exempt taxes imposed on food business operators, as prescribed in the Act on Restriction on Special Cases concerning Taxation and the Act on Restriction on Special Cases concerning Local Taxation. <Amended on Mar. 31, 2010>



### **Article 32 (Preferential Purchase of Food with Certification Labels)**

Where the State, a local government, or public institution referred to in Article 4 of the Act on the Management of Public Institutions intends to purchase food, it may preferentially purchase any of the following: *<Amended on May 25, 2010; Mar. 9, 2011; Jul. 21, 2011; Jun. 1, 2012; Jul. 30, 2013; Jun. 22, 2015; Aug. 27, 2019; Mar. 24, 2020>*

1. Products with quality certification of traditional food under Article 22 (1);
  - 1-2. Food certified its origin under Article 22-2 (1);
2. Products certified as organic food, etc. under Article 19 (1) of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods and products certified as non-pesticide agricultural and fishery products, etc. under Article 34 (1) of that Act;
3. Products produced at a HACCP-accredited place of work, etc. under Article 9 of the Livestock Products Sanitary Control Act;
  - 3-2. Products produced at a facility that observes the HACCP registered under Article 74 (1) of the Agricultural and Fishery Products Quality Control Act;
4. Other products certified under the national certification system prescribed by Presidential Decree.

### **Article 33 (Encouragement of Use of Quality Food Materials)**

(1) To ensure the stable supply of quality food, the Minister of Agriculture, Food and Rural Affairs may formulate and implement policies that encourage food business operators to use the following quality and safe food materials: *<Amended on Feb. 6, 2009; Jun. 9, 2009; Jan. 25, 2010; May 25, 2010; Mar. 9, 2011; Jul. 21, 2011; Jun. 1, 2012; Mar. 23, 2013; Jul. 30, 2013; Jun. 22, 2015; Nov. 28, 2017; Aug. 27, 2019; Feb. 18, 2020; Mar. 24, 2020>*

1. Products with quality certification of traditional food under Article 22 (1);
  - 1-2. Food certified its origin under Article 22-2 (1);
2. Deleted; *<Jun. 1, 2012>*
3. Deleted; *<Jun. 9, 2009>*
4. Agricultural products certified as compliance with the Good Agricultural Practices under Article 6 of the Agricultural and Fishery Products Quality Control Act;
  - 4-2. Deleted; *<Feb. 18, 2020>*
  - 4-3. Deleted; *<Jun. 1, 2012>*
5. Products with registration of a geographical indication under Article 32 of the Agricultural and Fishery Products Quality Control Act;
  - 5-2. Products produced at a facility that observes the HACCP registered under Article 74 (1) of the Agricultural and Fishery Products Quality Control Act;

5-3. Deleted; <Jul. 21, 2011>

5-4. Deleted; <Jul. 21, 2011>

5-5. Deleted; <Jul. 21, 2011>

6. Products produced at a HACCP-accredited place of work, etc. under Article 9 of the Livestock Products Sanitary Control Act;

7. Products certified as organic food, etc. under Article 19 (1) of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods and products certified as pesticide-free agricultural products, processed food made with pesticide-free raw materials, antibiotic-free fishery products, etc. under Article 34 (1) of that Act;

8. Products produced at a plant which observes the HACCP under Article 48 (3) of the Food Sanitation Act;

9. Other products certified under the national certification system prescribed by Presidential Decree.

(2) Those eligible for support under the policies to encourage the use of quality food materials pursuant to paragraph (1), the criteria, procedures, and methods for providing support, and other necessary matters, shall be prescribed by Presidential Decree.

(3) The Minister of Agriculture, Food and Rural Affairs may fully or partially subsidize expenses incurred in implementing the policies to encourage the use of quality food materials under paragraph (1). <Amended on Jan. 25, 2010; Mar. 23, 2013; Feb. 18, 2020>

#### **Article 33-2 (Hearings)**

(1) The Minister of Agriculture, Food and Rural Affairs shall hold a hearing before making a disposition falling under any of the following subparagraphs: <Amended on Jul. 21, 2011; Mar. 23, 2013; Mar. 27, 2015; Jun. 22, 2015; Dec. 31, 2018; Feb. 18, 2020; Jun. 10, 2022>

1. Revoking the designation of a specialized institution under Article 9-2 (4);

1-2. Revoking the designation of a Korean food master under Article 14 (6);

2. Deleted; <Aug. 27, 2019>

3. Deleted; <Feb. 18, 2020>

4. Revoking the designation of a food export-supporting institution under Article 17-3 (4);

5. Revoking the designation of a certification agency for quality food, etc. under Article 24-2 (1);

6. Revoking the certification of quality food, etc. under Article 29.

(2) Deleted. <Feb. 18, 2020>

(3) If a certification agency for quality food, etc. intends to revoke the certification of quality food, etc. pursuant to Article 29, it shall provide a person who has obtained such certification of quality food, etc. with an opportunity to submit his or her opinion. <Newly Inserted on Jul. 21, 2011; Jun. 22, 2015>

(4) Articles 22 (4) through (6) and 27 of the Administrative Procedures Act shall apply mutatis mutandis to the submission of opinions under paragraph (3). In such cases, "administrative agency" and "competent administrative agency" shall be construed as "certification agency for quality food, etc." <Newly Inserted on

*Jul. 21, 2011; Jun. 22, 2015>*

#### **Article 34 (Delegation or Entrustment of Authority)**

The authority of the Minister of Agriculture, Food and Rural Affairs vested under this Act may be partly delegated to the Administrator of Rural Development Administration, the Minister of Korea Forest Service, Mayors/Do Governors, or heads of affiliated institutions, or entrusted public institutions, producers' organizations, or other corporations or organizations related to agriculture, forestry or food, as prescribed by Presidential Decree. *<Amended on Jan. 25, 2010; Mar. 9, 2011; Jul. 21, 2011; Mar. 23, 2013; Feb. 18, 2020>*

#### **Article 35 (Legal Fiction as Public Officials for Purposes of Penalty Provisions)**

With respect to their official duties, the members of the Council who are not public officials and the executives and employees of certification agencies for quality food, etc. shall be deemed public officials, in applying Articles 129 through 132 of the Criminal Act. *<Amended on Jul. 21, 2011; Jun. 22, 2015; Dec. 31, 2018>*

## **CHAPTER VI? PENALTY PROVISIONS**

#### **Article 36 (Penalty Provisions)**

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: *<Amended on Jul. 21, 2011; Jun. 22, 2015; Dec. 31, 2018>*

1. Any person who places the Korean food master label or a similar label on food produced, processed, cooked, etc. by a person who is not a Korean food master, in violation of subparagraph 1-2 of Article 25;
- 1-2. Any person who falsely advertises food produced, processed, cooked, etc. by a person who is not a Korean food master as if it were produced, processed, cooked, etc. by a Korean food master, in violation of subparagraph 1-3 of Article 25;
- 1-3. Any person who obtains the certification of quality food, etc. by fraud or other improper means, in violation of subparagraph 2 of Article 25;
2. Any person who places the label of the certification of quality food, etc. or a similar label on food not certified as quality food, etc., in violation of subparagraph 3 of Article 25;
- 2-2. Any person who places the label of the certification of quality food, etc. or a similar label on a restaurant, etc. not granted the certification of quality food, etc., in violation of subparagraph 3 of Article 25;
3. Any person who labels the certification of quality food, etc. on food certified as quality food, etc. differently from the details of such certification, in violation of subparagraph 4 of Article 25;

- 3-2. Any person who labels the certification of quality food, etc. on a restaurant, etc. granted the certification of quality food, etc. differently from the details of such certification, in violation of subparagraph 4 of Article 25;
4. Any person who sells food by combining food certified as quality food, etc. with non-certified food; or stores, transports, or displays the combined food for sale, in violation of subparagraph 5 of Article 25;
5. Any person who sells food; or stores, transports, or displays food for sale, knowing that such food is labeled differently from the details of the certification of quality food, etc., in violation of subparagraph 6 of Article 25;
6. Any person who sells food with the label of the certification of quality food, etc. or a similar label; or stores, transports, or displays such food for sale, knowing that the food is not certified as quality food, etc., in violation of subparagraph 7 of Article 25;
7. Any person who falsely advertises food, restaurant, etc. not certified as quality food, etc. as if it were certified as quality food, etc., in violation of subparagraph 8 of Article 25;
8. Any person who advertises food, restaurant, etc. certified as quality food, etc. differently from the details of such certification, in violation of subparagraph 9 of Article 25.

(2) Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: *<Amended on Jul. 21, 2011; Jun. 22, 2015>*

1. Any entity that obtains designation as a certification agency for quality food, etc. or renews such designation pursuant to Article 24 (1) or (3) by fraud or other improper means;
2. Any person who certifies quality food, etc. or conducts a periodic inspection without being designated as a certification agency for quality food, etc. or renewing such designation pursuant to Article 24 (1) or (3);
3. Any person who certifies quality food, etc. or conducts a periodic inspection after his or her designation has been revoked or received an order to suspend business pursuant to Article 24-2 (1);
4. Deleted; *<Dec. 31, 2018>*
5. Deleted; *<Dec. 31, 2018>*
- 5-2. Deleted; *<Dec. 31, 2018>*
6. Deleted; *<Dec. 31, 2018>*
- 6-2. Deleted; *<Dec. 31, 2018>*
7. Any person who fails to comply with an order to change or suspend the use of the label or to suspend sale issued under Article 28 (1).

### **Article 37 (Joint Penalty Provisions)**

Where a representative of a corporation or an agent of, or employee of or others employed by of a corporation or individual commits an offence under Article 36, in connection with business of the corporation or the individual, not only shall such offender be punished accordingly, but the corporation or

the individual also shall be punished by a fine under each relevant Article: Provided, That this shall not apply where such corporation or individual has not been negligent in giving due attention to and supervision over the relevant duties to prevent such violation.

### **Article 38 (Administrative Fines)**

(1) Any of the following persons shall be subject to an administrative fine not exceeding five million won: *<Amended on Jul. 21, 2011; Mar. 27, 2015; Jun. 22, 2015; Aug. 11, 2015; Dec. 31, 2018>*

1. Deleted; *<Feb. 18, 2020>*

1-2. A person who obtains designation as a Korean food master by fraud or other improper means; or transfers or lends a document certifying that he or she is a Korean food master, to a third person, in violation of subparagraph 1 of Article 25;

1-3. A person who obtains a subsidy by any improper means, such as by submitting a false document, in violation of subparagraph 1-5 of Article 25;

2. A person who fails to keep and maintain relevant documents, in violation of Article 26 (3);

3. A person who refuses, obstructs, or evades an investigation, etc., in violation of Article 26 (6) (including cases to which such provisions shall apply mutatis mutandis under Article 14-2 (2));

4. A person who fails to report his or her succession to the status of a person who has obtained the certification of quality food, etc. or of a certification agency for quality food, etc., in violation Article 30 (2).

(2) Any of the following persons shall be subject to an administrative fine not exceeding three million won: *<Newly Inserted on Dec. 31, 2018; Nov. 30, 2021>*

1. A person who fails to comply with an order under Article 14-2 (3);

2. A person who uses the name of a Korean food master in violation of subparagraph 1-4 of Article 25;

3. A person who places the Korean food master label in violation of subparagraph 1-6 of Article 25.

(3) Any person who fails to report any modification, in violation of Article 19-5 (2), shall be subject to an administrative fine not exceeding one million won. *<Newly Inserted on Jul. 21, 2011; Dec. 31, 2018>*

(4) Administrative fines referred to in paragraphs (1) through (3) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. *<Amended on Jan. 25, 2010; Jul. 21, 2011; Mar. 23, 2013; Dec. 31, 2018; Feb. 18, 2020>*

ADDENDA *<Act No. 8796, Dec. 27, 2007>*

### **Article 1 (Enforcement Date)**

This Act shall enter into force on six months after the date of its promulgation.

### **Article 2 (Repeal of other Acts)**

The Fosterage of Agricultural Products Processing Industry Act is hereby repealed.

### **Article 3 (Transitional Measures)**

(1) The designation of items of traditional food, designation of traditional food masters and quality certification of regional food specialties, etc. under the former Fosterage of Agricultural Products Processing Industry Act as at the time this Act enters into force shall be deemed designated or certified under this Act.

(2) Funds provided for any person who locally produces or intends to locally produce processed goods, and any person who runs food service business pursuant to the former Fosterage of Agricultural Products Processing Industry Act as at the time this Act enters into force shall be deemed provided under this Act.

**Article 4 Omitted.**

ADDENDA <Act No. 8974, Mar. 21, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 14 Omitted.**

ADDENDA <Act No. 8976, Mar. 21, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 10 Omitted.**

ADDENDA <Act No. 9432, Feb. 6, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 9663, May 8, 2009>

This Act shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 9717, May 27, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 9759, Jun. 9, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 9951, Jan. 25, 2010>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12-2 shall enter into force on January 1, 2011.

ADDENDA <Act No. 10220, Mar. 31, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force on January 1, 2011.

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 10310, May 25, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 14 Omitted.**

ADDENDA <Act No. 10331, May 31, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 13 Omitted.**

ADDENDUM <Act No. 10453, Mar. 9, 2011>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 10599, Apr. 14, 2011>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 9 Omitted.**

ADDENDA <Act No. 10889, Jul. 21, 2011>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Articles 17-2 and 33-2 (1) 2 shall enter into force six months after the date of its promulgation.

**Article 2 (General Transitional Measures)**

Any disposition, procedure or other acts under the Quality Control of Fishery Products Act (hereinafter referred to as "former Quality Control of Fishery Products Act") before it is repealed pursuant to Article 2 of the Addenda to the Agricultural Products Quality Control Act (Act No. 10885) before this Act enters into force shall be deemed taken pursuant to this Act, if the corresponding provisions exist in this Act.

**Article 3 (Transitional Measures concerning Traditional Fisheries Food Masters)**

A person designated as a traditional fisheries food master pursuant to Article 18 of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed a person designated as a food master pursuant to the amended provisions of Article 14.

**Article 4 (Transitional Measures concerning Financial Support, etc.)**

(1) A person provided with funds pursuant to Article 16 of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed a person who provided with funds pursuant to the amended provisions of Article 19-4 (1).

(2) A person who submitted a business plan or obtained approval pursuant to Article 17 (1) of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed a person who submitted a business plan or obtained approval pursuant to the amended provisions of Article 19-4 (2).

(3) A person who received a lease or was permitted to build or improve permanent structures pursuant to Article 17 (4) of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed a person who received a lease or was permitted to build or improve permanent structures pursuant to the amended provisions of Article 19-4 (5).

**Article 5 (Transitional Measures concerning Fisheries Product Processing Industry)**

A person who registered or reported pursuant to Article 19 of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed a person who reported pursuant to the amended provisions of Article 19-5.



#### **Article 6 (Transitional Measures concerning Traditional Fisheries Products)**

Traditional fisheries products that obtained quality certification pursuant to Article 6 of the former Quality Control of Fishery Products Act as at the time this Act enters into force shall be deemed traditional food that obtained quality certification pursuant to the amended provisions of Article 22.

#### **Article 7 (Transitional Measures concerning Agencies for Quality Food Certification)**

An agency for quality food certification designated pursuant to the former provisions as at the time this Act enters into force shall be deemed an agency for quality food certification designated pursuant to the amended provisions of Article 24, and the period of validity for its initial designation shall be five years from the enforcement date of this Act, notwithstanding the amended provisions of Article 24 (3).

#### **Article 8 (Transitional Measures concerning Administrative Sanctioning Measures, Penal Provisions, etc.)**

In applying administrative sanctioning measures or penal provisions or fines for negligence to acts done before this Act enters into force, the former provisions or the former Quality Control of Fishery Products Act shall govern.

#### **Article 9 (Relationship with other Acts and Subordinate Statutes)**

Any citation of the former Quality Control of Fishery Products Act or its provisions in other Acts or subordinate statutes as at the time this Act enters into force shall be deemed a citation of this Act or the relevant provisions of this Act in lieu of the former Quality Control of Fishery Products Act or its provisions, where corresponding provisions exist in this Act.

ADDENDUM <Act No. 11079, Nov. 14, 2011>

This Act shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 11459, Jun. 1, 2012>

#### **Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 11690, Mar. 23, 2013>

#### **Article 1 (Enforcement Date)**

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 11989, Jul. 30, 2013>

**Article 1 (Enforcement Date)**

(1) This Act shall enter into force six months after the date of its promulgation.

(2) through (4) Omitted.

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 12248, Jan. 14, 2014>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Articles 2 through 25 Omitted.**

ADDENDUM <Act No. 13257, Mar. 27, 2015>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 9-2, 13-2, and 33-2 (1) 1 shall enter into force three months after the date of its promulgation.

ADDENDUM <Act No. 13359, Jun. 22, 2015>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 13383, Jun. 22, 2015>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 4 Omitted.**

ADDENDUM <Act No. 13466, Aug. 11, 2015>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 14302, Dec. 2, 2016>

This Act shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 15068, Nov. 28, 2017>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Articles 2 and 3 Omitted.**

ADDENDA <Act No. 16125, Dec. 31, 2018>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 7 (2) and 19-3 (2) shall enter into force on the date of its promulgation.

**Article 2 (Applicability to Recovery and Collection of Subsidies)**

The amended provisions of Article 14 (7) and (8) shall apply when the cause prescribed in Article 14 (7) arises after this Act enters into force.

**Article 3 (Applicability to Grounds for Revoking Certification)**

The amended provisions of subparagraph 4 of Article 29 shall also apply to administrative dispositions made against violations committed before this Act enters into force.

**Article 4 (Transitional Measures concerning Food Masters)**

Any food master designated pursuant to the former provisions of Article 14 (1) and any apprentice to a food master selected pursuant to the former provisions of paragraph (7) of the same Article, as at the time this Act enters into force, shall be respectively deemed a Korean food master and an apprentice to a Korean food master prescribed in this Act.

**Article 5 Omitted.**

ADDENDUM <Act No. 16283, Jan. 15, 2019>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 16551, Aug. 27, 2019>

**Article 1 (Enforcement Date)**

This Act shall enter into one year after the date of its promulgation.

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 16553, Aug. 27, 2019>

**Article 1 (Enforcement Date)**

This Act shall enter into one year after the date of its promulgation.

**Articles 2 through 3 Omitted.**

ADDENDA <Act No. 16568, Aug. 27, 2019>

**Article 1 (Enforcement Date)**

This Act shall enter into one year after the date of its promulgation.

**Articles 2 through 16 Omitted.**

ADDENDA <Act No. 16902, Jan. 29, 2020>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Articles 2 through 20 Omitted.**

ADDENDA <Act No. 16985, Feb. 11, 2020>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 26 (2) and (7) shall enter into force six months after the date of its promulgation.

**Article 2 (Transitional Measures on Name Change)**

The corporation established pursuant to the former Article 12-2 as at the time this Act enters into force shall be deemed the Community Media Foundation established pursuant to the amended Article 12-2.

**Article 3 Omitted.**

ADDENDA <Act No. 17037, Feb 18, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into one year after the date of its promulgation.

**Articles 2 through 9 Omitted.**

ADDENDA <Act No. 17275, May 19, 2020>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Article 2 (Applicability to Certification of Quality Food)**

The amended provisions of Article 22-3 shall begin to apply to the cases where the certification of quality food, etc. is revoked pursuant to Article 29 or where a fine or heavier punishment sentenced to him or her pursuant to Article 36 becomes final and conclusive after this Act enters into force.

ADDENDA <Act No. 17618, Dec. 8, 2020>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation.

**Article 2 Omitted.**

ADDENDA <Act No. 18525, Nov. 30, 2021>

**Article 1 (Enforcement Date)**

This Act shall enter into force on January 1, 2022.

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 18532, Nov. 30, 2021>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Article 2 (Applicability to Grounds for Revocation of Designation)**

The amended provisions of Article 14 (6) 2-2 shall apply from the case where a cause for an administrative fine occurs after this Act enters into force.

ADDENDUM <Act No. 18883, Jun. 10, 2022>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 14 (6) 5 shall enter into force three months after the date of its promulgation.

ADDENDUM <Act No. 19118, Dec. 27, 2022>

This Act shall enter into force six months after the date of its promulgation.

Last updated : 2023-07-25

