

# ENVIRONMENT-FRIENDLY AGRICULTURE FOSTERAGE ACT

Act No. 5442, Dec. 13, 1997  
Amended by Act No. 6378, Jan. 26, 2001  
Act No. 6452, Mar. 28, 2001  
Act No. 6486, Dec. 30, 2002  
Act No. 7459, Mar. 31, 2005  
Act No. 7996, Sep. 27, 2006  
Act No. 8466, May 17, 2007  
Act No. 8852, Feb. 29, 2008  
Act No. 9623, Apr. 1, 2009  
Act No. 10455, Mar. 9, 2011

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to increase the role of agriculture in environmental preservation, reduce environmental pollution caused by agriculture, foster farmers who practice environment-friendly agriculture, thereby pursuing sustainable and environment-friendly agriculture.

### Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 10455, Mar. 9, 2011>

1. The term “environment-friendly agriculture” means agriculture producing safe agricultural, stockbreeding, or forest products (hereinafter referred to as “agricultural products”) by using no chemical materials, such as synthetic agricultural chemicals, chemical fertilizers, antibiotics and antimicrobials, or minimizing use of such materials, and maintaining and preserving the agricultural ecosystem and environment by recycling byproducts of agriculture, fisheries, stock breeding or forestry;
2. The term “environment-friendly agricultural products” means agricultural products produced in the course of managing environment-friendly agriculture;
3. The term “environment-friendly agricultural technology” means agricultural methods or theories used for the management of environment-friendly agriculture, or methods of

producing materials.

4. The term “environment-friendly agricultural materials” means agricultural materials that can be used in the production of environment-friendly agricultural products.
5. The term “environment-friendly organic agricultural materials” means environment-friendly agricultural materials that can be used in the production of organic agricultural products.
6. The term “environment-friendly organic agricultural material goods” means goods made of such raw materials as environment-friendly organic agricultural materials.

### **Article 3** (Obligations of State and Local Governments)

- (1) The State shall implement a comprehensive policy aimed at promoting environment-friendly agriculture, including formulation of basic plans and policies on environment-friendly agriculture, and encouragement of voluntary participation from farmers, etc.
- (2) Local governments shall formulate policies on environment-friendly agriculture in consideration of regional characteristics of districts under jurisdiction, and move aggressively to implement such policies.

### **Article 4** (Obligations of Farmers)

Farmers shall endeavor to preserve the environment by reducing pollution caused by farming activities and manage agriculture producing environment-friendly agricultural products, by practicing environment-friendly agricultural methods, such as minimizing use of chemical materials.

### **Article 5** (Roles of Private Organizations)

Private organizations (hereinafter referred to as “private organizations”), which have been formed for the purposes of research in environment-friendly agriculture and production, distribution, or promotion of consuming environment-friendly agricultural products, shall cooperate in implementing policies of the State and local governments on environment-friendly agriculture, and provide education, training, advanced technology, and farming guidance necessary for their members and farmers, etc., thereby contributing to the development of environment-friendly agriculture.

## CHAPTER II FOSTERAGE AND SUPPORT OF ENVIRONMENT-FRIENDLY AGRICULTURE

### Article 6 (Plan to Foster Environment-Friendly Agriculture)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries shall formulate a plan (hereinafter referred to as “fosterage plan”) to foster environment-friendly agriculture for the development of environment-friendly agriculture every five years, in consultation with the heads of the relevant central administrative agencies.
- (2) A fosterage plan shall include the following matters:
  1. Policy goals and basic directions for environmental preservation in the area of agriculture;
  2. Actual conditions on environmental pollution from agriculture and measures to improve such conditions;
  3. Measures to reduce synthetic agricultural chemicals, chemical fertilizers and chemical materials, such as antibiotics and antimicrobials;
  4. Measures to develop various technologies for the development of environment-friendly agriculture;
  5. Measures to foster a model environment-friendly agricultural complex;
  6. Measures to boost the production and distribution of environment-friendly agricultural products and promote consumption of such products;
  7. Measures to increase the function of agriculture to serve public interests;
  8. Measures to strengthen international cooperation for the development of environment-friendly agriculture;
  9. Measures to procure financial resources for implementing a fosterage plan;
  10. Measures to foster civil certifying institutions;
  11. Other matters prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries for the development of environment-friendly agriculture.
- (3) The Minister for Food, Agriculture, Forestry and Fisheries shall inform a Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor, or the Governor of a Special Self-Governing Province (hereinafter referred to as “Mayor/Do Governor”) of a fosterage plan established under paragraphs (1) and (2).

### Article 7 (Action Plans on Environment-Friendly Agriculture)

- (1) Mayor/Do Governor shall formulate and implement action plans of City/Do for the

development of environment-friendly agriculture in accordance with a fosterage plan.

- (2) Mayor/Do Governor shall, when he/she formulates action plans of City/Do under paragraph (1), submit such plans to the Minister for Food, Agriculture, Forestry and Fisheries, and notify the head of Si/Gun/autonomous Gu (hereinafter referred to as “head of Si/Gun”) of such fact.
- (3) The head of Si/Gun shall formulate action plans of Si/Gun for the development of environment-friendly agriculture in accordance with action plans of City/Do and submit such plans to the Mayor/Do Governor, and actively promote such plans.

## **Article 8 Deleted.** <by Act No. 9686, May 21, 2009>

## **Article 9 (Prevention of Environmental Pollution Caused by Agriculture)**

- (1) The State and local governments shall aggressively promote the implementation of policies on compliance with standards for the safe and appropriate use of agricultural chemicals and maximum residue limits, compliance with the standard amount of sprayed fertilizers by crop, compliance with the effluent limits for livestock excretions and a ban on the dumping of agricultural waste, so as to prevent environmental pollution from agricultural activities, including agricultural chemicals, fertilizers, livestock excretions and agricultural waste materials.
- (2) The implementation of policies under paragraph (1) shall be governed by standards pursuant to Article 23 of the Agrochemicals Control Act, Article 58 of the Water Quality and Ecosystem Conservation Act, and Article 13 of the Act on the Management and Use of Livestock Excreta.

## **Article 10 (Preservation of Agricultural Resources and Improvement of Agricultural Environment)**

- (1) The State and local governments shall aggressively promote the implementation of policies to improve farmland, prevent pollution of agricultural water and minimize emissions of green house gases, so as to preserve agricultural resources, including farmland, agricultural water, and air, and improve the agricultural environment, including soil and quality of water.
- (2) The implementation of policies under paragraph (1) shall be governed by standards pursuant to Articles 4-2 and 16 of the Soil Environment Conservation Act and Article 10 of the Framework Act on Environmental Policy.

## **Article 11** (Research on Actual Conditions of Agricultural Resources and Agricultural Environment)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments shall periodically conduct research on the following matters, as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries, so as to preserve agricultural resources and improve the agricultural environment:
1. Changes in farmland fertility, heavy metals, agricultural chemicals, soil microbes, etc.;
  2. Qualities of the surface water and underground water used as agricultural water;
  3. Actual conditions on the use of materials involved in agriculture, such as agricultural chemicals and fertilizers;
  4. Actual conditions on the function of agriculture to serve the public interests, such as the cultivation of water resources and soil preservation;
  5. Other matters necessary for the preservation of agricultural resources and the improvement of the agricultural environment.
- (2) The Minister for Food, Agriculture, Forestry and Fisheries may require the head of an organization belonging to the Ministry for Food, Agriculture, Forestry and Fisheries or persons prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries to conduct research on matters referred to in paragraph (1).

## **Article 12** (Entry into and Exit from Land Owned by Third Parties)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments may require the relevant public officials to enter or exit land owned by other persons in the relevant region or regions adjacent thereto, or to collect minimum amounts of samples necessary for research, when it is deemed necessary for conducting an inspection of the actual conditions of the agricultural environment under Article 11.
- (2) The owners, possessors or managers of land shall not refuse, obstruct or evade inspection pursuant to paragraph (1) without any justifiable ground.
- (3) Any person who intends to enter or exit land owned by other persons under paragraph (1) shall carry a certificate indicating his/her authority to enter or exit the land, and show his/her certificate to the relevant persons.

## **Article 13** (Development and Dissemination of Environment-Friendly Agricultural Technology)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments shall formulate policies necessary for the research and development,

dissemination and direction of environment-friendly agricultural technologies, so as to develop environment-friendly agriculture.

- (2) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments may subsidize necessary costs for persons who are in charge of the research and development, dissemination or direction of environment-friendly agricultural technologies and materials.

#### **Article 14** (Education and Training on Environment-Friendly Agriculture)

The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments shall provide education and training to farmers or the relevant public officials for the development of environment-friendly agriculture.

#### **Article 15** (Exchanges and Publicity of Environment-Friendly Agricultural Technology)

- (1) The State, local governments, civil organizations and farmers shall strive to develop environment-friendly agriculture by exchanging environment-friendly agricultural technologies.
- (2) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments shall discover and publicize exemplary cases for the efficient promotion of environment-friendly agriculture.

### **CHAPTER III**

## **DISTRIBUTION MANAGEMENT OF ENVIRONMENT-FRIENDLY AGRICULTURAL PRODUCTS**

#### **Article 16** (Classification of Environment-Friendly Agricultural Products)

- (1) Environment-friendly agricultural products shall be classified into organically grown agricultural products and pesticide-free agricultural products (referring to antibiotic-free stock farm products in cases of stock farm products), depending on methods of production and materials used for agriculture, etc.
- (2) Deleted. <by Act No. 10455, Mar. 9, 2011>

#### **Article 17** (Certification of Environment-Friendly Agricultural Products)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may certify agricultural

products as environment-friendly agricultural products under Article 16 (1), so as to foster environment-friendly agriculture and protect consumers.

- (2) Figures or characters of environment-friendly agricultural products (hereinafter referred to as “labels of environment-friendly agricultural products”) may be marked in packages or containers of environment-friendly agricultural products (hereinafter referred to as “certified products”) certified as environment-friendly agricultural products under paragraph (1), as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries. In such cases, relevant information such as certification numbers, items, and areas of production should be labelled therewith as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries. <Amended by Act No. 10455, Mar. 9, 2011>
- (3) Matters necessary for certification standards for environment-friendly agricultural products under paragraph (1) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

## **Article 17-2 (Designation of Certifying Institutions)**

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may designate persons, with human resources and facilities required for certification of environment-friendly agricultural products, as certifying institutions, and enable certifying institutions to certify environment-friendly agricultural products (hereinafter referred to as “certification of environment-friendly agricultural products”) under Article 17 (1). In such cases, when the Minister for Food, Agriculture, Forestry and Fisheries intends to certify agricultural products, which are produced in nations, other than the Republic of Korea, and imported to the Republic of Korea, as environment-friendly agricultural products, he/she may designate persons with human resources and facilities required for certification of environment-friendly agricultural products in the relevant nations as certifying institutions.
- (2) Any person who intends to be designated as a certifying institution under paragraph (1) shall file an application on such designation to the Minister for Food, Agriculture, Forestry and Fisheries, as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.
- (3) The term of validity for the designation of a certifying institution under paragraph (1) shall be five years from the date on which such designation is granted to the certifying institution.
- (4) Any person who intends to continue to be engaged in certification duties even after the term of validity of designation under paragraph (3) expires, shall be re-designated as a

certifying institution every five years before the term of validity expires.

- (5) Matters necessary for designation standards for certifying institutions under paragraph (1), scopes of certification duties and requirements and procedures for re-designation under paragraph (4) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 17-3** (Application and Examination of Certification)

- (1) Any producer or importer of environment-friendly agricultural products or any person who repackages certified products for distribution shall, when he/she intends to obtain certification for environment-friendly agricultural products, file an application to the Minister for Food, Agriculture, Forestry and Fisheries or persons (hereinafter referred to as “certifying institutions”) designated as certifying institutions under Article 17-2 (1), as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries: Provided, That no person who has been sentenced to a fine or heavier punishment (including declaration of suspension of execution) in violation of any of the provisions of the subparagraphs of Article 17-5 or no person whose certification has been cancelled under Article 18-2 may file an application for certification, unless one year lapses after the date on which the sentence is confirmed or the date on which certification is cancelled, respectively.
- (2) The Minister for Food, Agriculture, Forestry and Fisheries or certifying institutions, upon receiving an application for certification under paragraph (1), shall examine whether such application for certification meets certification standards (hereinafter referred to as “certification standards”) under Article 17 (3).
- (3) Any one who raises an objection to outcomes of certification examinations under paragraph (2) may file an application for reexamination to the Minister for Food, Agriculture, Forestry and Fisheries or certifying institutions which have conducted such certification examinations.
- (4) Necessary matters concerning the scope of repackaging under paragraph (1) and procedures and methods, etc. for examination and reexamination under paragraphs (2) and (3) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 17-4** (Term of Validity of Certification)

- (1) The term of validity of certification of environment-friendly agricultural products shall be two years from the date on which such certification is granted: Provided, That the term of validity of certification of organically grown agricultural products shall be one



year.

- (2) The term of validity of certification pursuant to paragraph (1) may be extended within a period not exceeding two years (one year, in cases of organically grown agricultural products), as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 17-5 (Prohibition of Unlawful Acts)**

No person shall commit acts falling under any of the following subparagraphs:

1. Receiving certification for environment-friendly agricultural products by fraud or other wrongful means;
2. Labelling agricultural products, other than certified products, as environment-friendly agricultural products or similar products (including labels printed in foreign languages which are likely to be mistaken for labels of environment-friendly agricultural products; hereinafter the same shall apply) or attaching labels which are different from the details of certification of environment-friendly agricultural products, to certified products;
3. Selling products by mixing certified products with agricultural products which have not been granted certification, or keeping, transporting or displaying mixed products for the purpose of sale;
4. Selling agricultural products or keeping, transporting or displaying agricultural products for the purpose of sale, with the knowledge that products labelled as environment-friendly agricultural products or similar products are not certified products, or such products have labels different from the details of certification of environment-friendly agricultural products;
5. Advertising products, other than certified products, as environment-friendly agricultural products under Article 16 (1) or advertising certified products, the advertisements of which are different from the details of certification of environment-friendly agricultural products.

### **Article 17-6 (Revocation of Designation of Certifying Institutions)**

- (1) The Minister for Food, Agriculture, Forestry and Fisheries shall, when certifying institutions fall under any of the following subparagraphs, revoke their designation or order such certifying institutions to suspend in whole or in part the collection of their duties for a specific period not exceeding six months: Provided, That when certifying institutions fall under subparagraph 1, their designation shall be revoked: <Amended by Act No. 10455, Mar. 9, 2011>

1. When certifying institutions have been designated by fraud or other wrongful means;
  2. When certifying institutions have not granted certification to agricultural products for not less than one year without any justifiable ground;
  3. When certifying institutions have failed to meet designation standards under Article 17-2 (5);
  4. When certifying institutions have granted certification of environment-friendly agricultural products to agricultural products that fail to meet certification standards by intention or gross negligence;
  5. When certifying institutions have not observed the procedures or methods of examination and reexamination pursuant to Article 17-3 by intention or gross negligence;
  6. When certifying institutions are unable to be engaged in certification duties due to dissolution, bankruptcy, or other reasons.
- (2) When certifying institutions have granted certification to agricultural products during the period of business suspension, in violation of an order to suspend business under paragraph (1), the Minister for Food, Agriculture, Forestry and Fisheries may revoke their designation.
- (3) No person for whom two years have not elapsed since designation of certifying institutions are revoked under paragraph (1) or (2), may be designated as a certifying institution; Provided, That when the designation is revoked, this shall not apply. <Amended by Act No. 10455, Mar. 9, 2011>
- (4) Detailed standards for administrative dispositions pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries, in consideration of the types and degrees of violations.

## **Article 17-7 (Succession)**

- (1) Any person who falls under any of the following subparagraphs shall succeed to the status of a person who has obtained certification of environment-friendly agricultural products or a certifying institution:
1. In cases where a person, who has obtained certification of environment-friendly agricultural products, dies, a successor who intends to continue to produce, import or distribute such certified products;
  2. In cases where a person who has obtained certification of environment-friendly agricultural products or a certifying institution has made a transfer of such business, such transferee;

3. In cases where a corporation which has obtained certification of environment-friendly agricultural products or a certifying institution effects a merger, a corporation which has survived such merger or a corporation established by merger.
- (2) Any person who has succeeded to the status of a certifying institution, or who has succeeded to the status of a person who has obtained certification of environment-friendly agricultural products under paragraph (1) shall report such fact to the Minister for Food, Agriculture, Forestry and Fisheries, or the Minister for Food, Agriculture, Forestry and Fisheries or the certifying institution that has granted certification (referring to the Minister for Food, Agriculture, Forestry and Fisheries, when designation of a certifying institution has been revoked), respectively. <Amended by Act No. 10455, Mar. 9, 2011>
- (3) Matters necessary for reporting under paragraph (2) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

## **Article 18** (Order to Change Labels)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may order any person who has obtained certification of environment-friendly agricultural products or any distributor of such certified products to take necessary measures, such as changing labels of environment-friendly agricultural products, stopping the use of such labels, banning sales of such products, labelling relevant information pursuant to the latter part of Article 17 (2), or changing labels, when he/she recognizes that certified products fail to meet certification standards, relevant information pursuant to the latter part of Article 17 (2) is not labelled or mislabelled, or unlawful acts have been committed in violation of Article 17-5, after examining certified products or verifying the processes of production or distribution. <Amended by Act No. 10455, Mar. 9, 2011>
- (2) With respect to the examination of certified products or verification of the production or distribution process under paragraph (1), the provisions of Article 10 of the Agricultural Products Quality Control Act shall apply mutatis mutandis.
- (3) Detailed standards for administrative dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

## **Article 18-2** (Revocation of Certification)

- (1) When any person who has obtained certification of environment-friendly agricultural products falls under any of the following subparagraphs, the Minister for Food, Agriculture, Forestry and Fisheries or certifying institutions may revoke such certification:

Provided, That when he/she falls under subparagraph 1, such certification shall be revoked: <Amended by Act No. 10455, Mar. 9, 2011>

1. When a person has obtained certification by fraud or other wrongful means;
  2. When certified products have failed to satisfy certification standards remarkably as a result of examination or verification under Article 18 (1);
  3. When a person has failed to comply with orders, such as changing labels of environment-friendly agricultural products, stopping the use of such labels, banning sales of such products, or labelling, or changing labels of, relevant information under Article 18 (1), without any justifiable ground;
  4. When a person is deemed unable to produce certified products due to change of trade or closure of business.
- (2) When certified products have failed to satisfy certification standards remarkably under paragraph (1) 2, detailed standards shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries. <Newly Inserted by Act No. 10455, Mar. 9, 2011>
- (3) When a certifying institution has revoked certification under paragraph (1), it should notify the fact to the person who has obtained certification and to the Minister for Food, Agriculture, Forestry and Fisheries without delay. <Newly Inserted by Act No. 10455, Mar. 9, 2011>

### **Article 18-3 (Reporting or Inspection)**

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may enable certifying institutions or persons who have obtained certification of environment-friendly agricultural products to report matters on their duties or submit data, or enable the relevant public officials to enter and exit offices, etc. to inspect the relevant documents, facilities or equipment, when he/she deems it necessary for the enforcement of this Act.
- (2) Certifying institutions or persons who have obtained certification of environment-friendly agricultural products shall possess and keep the relevant documents, such as data on certification examinations, the use of farming materials or transactions involving certified products, as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.
- (3) Public officials who enter and exit offices to conduct an inspection under paragraph (1) shall carry certificates indicating their authority to enter or exit offices, and show them to interested parties.

## **Article 19** (Support for Production and Distribution of Environment-Friendly Agricultural Products)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments may provide necessary support, such as funds for establishing facilities, to producers of environment-friendly agricultural products, producers' organizations, distributors or certifying institutions within budget.
- (2) Support for the production and distribution of environment-friendly agricultural products may be provided, depending on the degree of contribution to environment-friendly agriculture.

## **Article 19-2** (Recommendation for Labelling Certified Products)

The Minister for Food, Agriculture, Forestry and Fisheries may recommend persons who produce, import or distribute certified products to label such products, to ensure that consumers can gain a clear understanding of information on the methods of production and materials used for such certified products.

## **Article 20** (Preferential Purchase)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries or the heads of local governments may request the heads of public institutions or the heads of agriculture-related organizations, etc. to preferentially purchase environment-friendly agricultural products, so as to promote the purchase of environment-friendly agricultural products.
- (2) The State or local governments may provide necessary support, such as funding within budget, to public institutions or agriculture-related organizations which make preferential purchases under paragraph (1), so as to promote the consumption of environment-friendly agricultural products.

## **CHAPTER III-2**

## **DISTRIBUTION MANAGEMENT OF ENVIRONMENT-FRIENDLY AGRICULTURAL MATERIALS**

## **Article 20-2** (Type of Environment-Friendly Agricultural Materials)

Types and terms of use of environment-friendly agricultural materials shall be determined by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 20-3** (Council for Environment-Friendly Agricultural Materials)

- (1) Council for Environment-Friendly Agricultural Materials (hereinafter referred to as the “Council”) shall be established under the Administrator of Rural Development Administration to deliberate on matters concerning setting standards of, and the terms of use of, environment-friendly agricultural materials.
- (2) The Council shall be comprised of not more than twenty members, including one chairperson and one vice chairperson, and the chairperson shall be the Deputy Administrator of Rural Development Administration.
- (3) The term of the council members shall be three years.
- (4) The Council shall deliberate on matters prescribed in any of the following subparagraphs:
  1. Matters concerning establishing and amending standards for the use of environment-friendly agricultural materials;
  2. Matters concerning adding and removing items from the list of environment-friendly agricultural materials;
  3. Matters concerning quality control of environment-friendly agricultural materials;
  4. Other matters the chairperson refers to the Council.
- (5) Other matters necessary for the composition and operation of the Council shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 20-4** (Public Notification and Quality Certification of Environment-Friendly Organic Agricultural Material Goods)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may notify publicly names, main ingredients, content and usage of environment-friendly organic agricultural material goods, after verifying whether or not the goods can be used in the production of organic agricultural products.
- (2) The Minister for Food, Agriculture, Forestry and Fisheries may perform quality control on environment-friendly organic agricultural material goods of high efficacy in order to facilitate development and quality improvement of environment-friendly organic agricultural material goods.
- (3) Figures or characters of environment-friendly organic agricultural materials (hereinafter referred to as “labels of environment-friendly organic agricultural materials”) may be marked in packages or containers of goods put on public notification or certified (hereinafter referred to as “public notification, etc. of agricultural materials”) goods (hereinafter referred to as “goods put on public notification, etc.”) under paragraph (1) or (2), as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and

Fisheries. In such cases, relevant information such as numbers, names, and usage, etc. should be labelled therewith.

- (4) Matters necessary for standards, etc. for agricultural materials put on public notification, etc. shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 20-5** (Designation of Institutions for Public Notification and Quality Certification)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may designate persons, with human resources and facilities required for public notification and quality certification under Article 20-4 (1) and (2), as institutions for public notification and quality certification, and enable those institutions to put agricultural materials on public notification, etc.
- (2) A person who intends to be designated as an institution for public notification and quality certification under paragraph (1) should file an application on such designation to the Minister for Food, Agriculture, Forestry and Fisheries, as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.
- (3) The term of validity for the designation of an institution for public notification and quality certification under paragraph (1) shall be five years from the date on which the institution for public notification and quality certification is designated.
- (4) Any person who intends to continue to be engaged in public notification and quality certification duties even after the term of validity of designation under paragraph (3) expires, shall be re-designated as an institution for public notification and quality certification every five years before the term of validity expires.
- (5) Matters necessary for designation standards for institutions for public notification and quality certification under paragraph (1), requirements and procedures for redesignation under paragraph (4) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 20-6** (Application and Examination of Public Notification, etc. of Agricultural Materials)

- (1) Any producer or importer of environment-friendly organic agricultural material goods for sale shall, when he/she intends to receive public notification, etc. of agricultural materials, file an application to the Minister for Food, Agriculture, Forestry and Fisheries or persons (hereinafter referred to as “institutions for public notification, etc.”)

designated as an institution for public notification and quality certification under Article 20-5 (1), as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries: Provided, That no person who falls under any of the following subparagraphs may file an application for public notification, etc. of agricultural materials:

1. A person of incompetency, or a person of quasi-incompetency;
  2. A person who, after being adjudged bankrupt, fails to be reinstated;
  3. A person, who has been sentenced to a fine or more severe punishments by reason of violating any of the subparagraphs of Article 20-8, and in whose case one year has not elapsed since the time when the sentence became final;
  4. A person in whose case one year has not passed since the time when public notification, etc. of agricultural materials was revoked under Article 20-12;
  5. A juristic person any of whose executive officers falls under any of subparagraphs 1 through 4.
- (2) When the Minister for Food, Agriculture, Forestry and Fisheries or an institution for public notification, etc. of agricultural materials receives an application for public notification, etc. of agricultural materials under paragraph (1), the Minister or the institution shall examine whether or not the application meets the standards for public notification, etc. of agricultural materials under Article 20-4 (4) (hereinafter referred to as “standards for public notification. etc. for agricultural materials”).
- (3) When a person has an objection to the examination result of public notification, etc. of agricultural materials under paragraph (2), he/she may file an application for reexamination to the Minister for Food, Agriculture, Forestry and Fisheries or an institution for public notification, etc. of agricultural materials that has made the examination.
- (4) Institutions issuing test results under paragraph (1), and matters necessary for procedures for, and methods of, examination and reexamination under paragraphs (2) and (3), shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 20-7** (Term of Validity of Public Notification)

- (1) The term of validity of public notification, etc. of agricultural materials shall be three years from the date on which such public notification, etc. is made.
- (2) The term of validity of public notification, etc. of agricultural materials under paragraph (1) may be extended within a period not exceeding three years, as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.



## **Article 20-8** (Prohibition, etc. of Unlawful Acts against Public Notification of Agricultural Materials, etc.)

No person shall commit acts falling under any of the following subparagraphs:

1. Receiving public notification, etc. of agricultural materials by fraud or other wrongful means;
2. Labelling goods other than agricultural material goods on public notification, etc. as environment-friendly organic agricultural materials or similar materials, or attaching labels which are different from the details of public notification, etc. of agricultural materials, to agricultural material goods on public notification, etc.;
3. Issuing test results, etc. under Article 20-6 (1) in a false manner;
4. Selling agricultural goods, or keeping, transporting or displaying agricultural goods for the purpose of sale, with the knowledge that goods labelled with environment-friendly organic agricultural materials or similar goods are not agricultural material goods on public notification, etc.;
5. Selling agricultural goods, or keeping, transporting or displaying agricultural goods for the purpose of sale, with the knowledge that such goods have labels different from the details of public notification, etc. of agricultural materials;
6. Advertising goods, other than agricultural material goods on public notification, etc., as agricultural material goods on public notification, etc., or advertising agricultural material goods on public notification, etc., the advertisements of which are different from the details of public notification, etc. of agricultural materials;
7. Mixing agricultural materials on public notification, etc. with substances that are not permissible in accordance with standards for public notification, etc. of agricultural materials.

## **Article 20-9** (Revocation of Designation of Institutions for Public Notification, etc. of Agricultural Materials)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries shall, when institutions for public notification, etc. of agricultural materials fall under any of the following subparagraphs, revoke their designation or order such institutions to suspend in whole or in part the collection of their duties for a specific period not exceeding six months: Provided, That when institutions for public notification, etc. fall under subparagraph 1, their designation shall be revoked:
  1. When institutions for public notification, etc. of agricultural materials have been designated by fraud or other wrongful means;

2. When institutions for public notification, etc. of agricultural materials have not put agricultural materials on public notification, etc. for not less than one year without any justifiable ground;
  3. When institutions for public notification, etc. of agricultural materials have failed to meet designation standards under Article 20-5 (5);
  4. When institutions for public notification, etc. of agricultural materials have put on public notification, etc. goods that fail to satisfy standards for public notification, etc. of agricultural materials by intention or gross negligence;
  5. When institutions for public notification, etc. have failed to observe procedures and methods of examination and reexamination pursuant to Article 20-6, which is attributable to intention or gross negligence of institutions of public notification, etc.;
  6. When institutions for public notification, etc. are unable to be engaged in duties of public notification, etc. of agricultural materials due to dissolution, bankruptcy, or other reasons.
- (2) When institutions of public notification, etc. have put agricultural materials on public notification, etc. during the period of business suspension, in violation of an order to suspend business under paragraph (1), the Minister for Food, Agriculture, Forestry and Fisheries may revoke their designation.
- (3) No person for whom two years have not elapsed since designation of institutions for public notification, etc. are revoked under paragraph (1) or (2), may be designated as an institution for public notification, etc. Provided, That when designation has been revoked under paragraph (1) 6, this shall not apply.
- (4) Detailed standards for administrative dispositions pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries, in consideration of the types and degrees of violations.

## **Article 20-10** (Succession of Institutions for Public Notification, etc. of Agricultural Materials)

- (1) Any person who falls under any of the following subparagraphs shall succeed to the status of a person who has received public notification, etc. of agricultural materials or an institution for public notification, etc. of agricultural materials:
1. In cases where a person, who has received public notification, etc. of agricultural materials, dies, a successor who intends to continue to produce or import to sell such agricultural material goods on public notification, etc.;
  2. In cases where a person who has received public notification, etc. of agricultural

- materials or an institution for public notification, etc. of agricultural materials has made a transfer of such business, such transferee;
3. In cases where a corporation which has received public notification, etc. of agricultural materials or an institution for public notification, etc. of agricultural materials effects a merger, a corporation which has survived such merger of a corporation established by merger.
- (2) Any person who has succeeded to the status of an institution for public notification, etc. of agricultural materials, or who has succeeded to the status of a person who has received public notification, etc. of agricultural materials under paragraph (1) shall report such fact to the Minister for Food, Agriculture, Forestry and Fisheries, or the Minister for Food, Agriculture, Forestry and Fisheries or the institution for public notification, etc. of agricultural materials that has made public notification (referring to the Minister for Food, Agriculture, Forestry and Fisheries, when designation of an institution for public notification, etc. has been revoked), respectively.
- (3) Matters necessary for reporting under paragraph (2) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.
- (4) When the status has been succeeded under paragraph (1), an administrative disposition taken against an existing institution for public notification, etc. of agricultural materials, or a person who has received public notification, etc. of agricultural materials shall be succeeded to the person who has succeeded to status within the disposition period under Article 20-9 (1) and (2), and under Article 20-12 (1) and (2); when an administrative disposition procedure is under way, the procedure may continue in relation to a person who has succeeded to the status.

## **Article 20-11** (Orders, etc. to Change Labels of Public Notification of Agricultural Materials)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may order any person who has received public notification, etc. of agricultural materials or any distributor of such agricultural material goods on public notification, etc. to take necessary measures, such as banning sales of such goods, changing labels of, or stopping the use of environment-friendly organic agricultural material goods, or labelling or changing of labels of relevant information pursuant to the latter part of Article 20-4 (3), when he/she recognizes that agricultural material goods on public notification, etc. fail to meet standards for public notification, etc. of agricultural materials or unlawful acts have been committed in violation of Article 20-8, or relevant information pursuant to the latter part of Article 20-4 (3) has not been labelled or mislabelled, after examining agricultural material goods on public notification, etc. or verifying the processes of

production or distribution.

- (2) Matters necessary for detailed standards for administrative dispositions the examination of agricultural material goods on public notification, etc. or verification of the production or distribution process under paragraph (1) shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

## **Article 20-12 (Revocation of Public Notification, etc. of Agricultural Materials)**

- (1) When any person who has received public notification, etc. of agricultural materials falls under any of the following subparagraphs, the Minister for Food, Agriculture, Forestry and Fisheries or institutions for public notification, etc. of agricultural materials may revoke such public notification: Provided, That when he/she falls under subparagraph 1, such public notification shall be revoked:
1. When a person has received public notification, etc. of agricultural materials by fraud or other wrongful means;
  2. When publicly notified agricultural materials have failed to satisfy standards for public notification, etc. of agricultural materials remarkably as a result of examination or verification under Article 20-11 (1);
  3. When a person has failed to comply with orders, such as banning sales of agricultural material goods put on public notification, etc., changing labels of, or stopping the use of environment-friendly organic agricultural material goods, or labelling or changing of labels of relevant information, without any justifiable ground;
  4. When a person is deemed unable to produce agricultural material goods on public notification, etc. due to change of trade or closure of business, etc.
- (2) When agricultural materials on public notification, etc. have failed to satisfy standards for public notification, etc. of agricultural materials remarkably under paragraph (1) 2, detailed standards shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.
- (3) The Minister for Food, Agriculture, Forestry and Fisheries or an institution for public notification, etc. shall, when he/she has, in accordance with paragraph (1), revoked public notification prescribed in Article 20-4 (1), notify publicly of the revocation of public notification, without delay.
- (4) Institutions for public notification, etc. of agricultural materials shall, when they have revoked public notification, etc. of agricultural materials under paragraph (1), inform the person who has received public notification, etc. of agricultural materials and the Minister for Food, Agriculture, Forestry and Fisheries of the fact, without delay.

### **Article 20-13** (Reporting or Inspection of Institutions for Public Notification, etc. of Agricultural Materials)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries may enable institutions for public notification, etc. of agricultural materials or persons who have received public notification, etc. of agricultural materials to report matters on their duties of submit data, or enable the relevant public officials to enter and exit offices, etc. to inspect the relevant documents, facilities or equipment, when he/she deems it necessary for the enforcement of this Act.
- (2) Institutions for public notification, etc. of agricultural materials or persons who have received public notification, etc. of agricultural materials shall possess and keep the relevant documents, such as data on examinations of public notification, etc. of agricultural materials, and on transactions involving agricultural material goods put on public notification, etc.
- (3) Public officials who enter and exit offices to conduct an inspection under paragraph (1) shall carry certificates indicating their authority to enter or exit offices, and show them to interested parties.

### **Article 20-14** (Exclusion from Application of the Agrochemicals Control Act, etc.)

- (1) Agricultural materials put on public notification, etc. may not be registered or reported as agrochemicals pursuant to the Agrochemicals Control Act or fertilizers pursuant to the Fertilizer Control Act, notwithstanding Article 8 or 17 of the Agrochemicals Control Act, and Article 11 or 12 of the Fertilizer Control Act.
- (2) Persons who intend to produce or import to sell agricultural material goods put on public notification, etc. may not be registered under Article 3 of the Agrochemicals Control Act.

## **CHAPTER IV INTERNATIONAL COOPERATION**

### **Article 21** (International Cooperation)

The Government shall promote the exchange and sharing of information and technology concerning environment-friendly agriculture through international cooperation with international organizations related to environment or the relevant nations, cooperate in exchanges of human resources, joint surveys, research and development, etc. and actively take part in global efforts for the development of environment-friendly agriculture, such as controlling agricultural activities and trade in materials that cause substantial damage to the environment.

## **Article 22** (Establishment of Standards and Objectives of Domestic Environment-Friendly Agriculture)

The Government shall establish the effective standards and objectives of domestic environment-friendly agriculture, by considering the international conditions, domestic resources, environmental and economic conditions, etc.

### **Article 22-2** (Fees)

- (1) Any person who falls under any of the following subparagraphs shall pay fees:
1. Any person who intends to obtain certification of environment-friendly agricultural products;
  2. Any person who intends to be designated as a certifying institution under Article 17-2 (1);
  3. Any person who intends to be re-designated as a certifying institution under Article 17-2 (4);
  4. Any person who intends to extend the term of validity of certification under Article 17-4 (2);
  5. Any person who intends to be designated as an institution for public notification and quality certification under Article 20-5 (1);
  6. Any person who intends to be redesignated as an institution for public notification and quality certification under Article 20-6 (4);
  7. Any person who intends to receive public notification of agricultural materials under Article 20-6 (1);
  8. Any person who intends to extend the term of validity of public notification of agricultural material.
- (2) Necessary matters concerning the amount of fees under paragraph (1), the methods and periods of payment, etc. shall be prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

### **Article 23** (Delegation or Entrustment of Authority)

The Minister for Food, Agriculture, Forestry and Fisheries may delegate a part of his/her authority under this Act to the Administrator of Rural Development Administration, Chief of Korea Forest Service, Mayor/Do Governor or the head of an institution belonging to the Ministry for Food, Agriculture, Forestry and Fisheries, or entrust such authority to civil organizations or schools under Article 2 of the Higher Education Act, as prescribed by Presidential Decree. <Amended by Act No. 10455, Mar. 9, 2011>

## Article 24 (Hearings)

- (1) The Minister for Food, Agriculture, Forestry and Fisheries shall hold a hearing, when he/she falls under any of the following subparagraphs: <Amended by Act No. 10455, Mar. 9, 2011>
  1. When he/she intends to revoke the designation of certifying institutions under Article 17-6;
  2. When he/she intends to revoke certification under Article 18-2;
  3. When he/she intends to revoke the designation of institutions for public notification, etc. of agricultural materials under Article 20-9;
  4. When he/she intends to revoke public notification, etc. of agricultural materials under Article 20-12.
- (2) When certifying institutions or institutions for public notification, etc. of agricultural materials, etc. intend to revoke certification or public notification, etc. of agricultural materials under 18-2 or Article 20-12, such institutions shall provide the opportunity to submit a written opinion to a person who has obtained such certification of environment-friendly agricultural products, or such public notification, etc. of agricultural materials. <Amended by Act No. 10455, Mar. 9, 2011>
- (3) With respect to submission of opinions under paragraph (2), the provisions of Articles 22 (4) through (6) and 27 of the Administrative Procedures Act shall apply mutatis mutandis. In such cases, an administrative agency or competent administrative agency shall be deemed a certifying institution or institution for public notification, etc. of agricultural materials. <Amended by Act No. 10455, Mar. 9, 2011>

## Article 24-2 (Legal Fiction as Public Official in Application of Penal Provisions)

Any person who falls under any of the following subparagraphs shall be deemed public officials, when penal provisions under Articles 129 through 132 of the Criminal Act are applied:

1. Executives and employees of certifying institutions who are engaged in certification duties under the former body of Article 17-2 (1);
2. Executives and employees of institutions for public notification and quality certification who are engaged in duties of public notification, etc. of agricultural materials under Article 20-5 (1);
3. Executives and employees of civil organizations who perform the entrusted duties under Article 23 or of schools under Article 2 of the Higher Education Act.

### Article 25 (Penal Provisions)

Any person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than three years or by a fine not exceeding 30 million won: <Amended by Act No. 10455, Mar. 9, 2011>

1. Any person who obtains certification of environment-friendly agricultural products by fraud or other wrongful means, in violation of subparagraph 1 of Article 17-5;
2. Any person who attaches labels of environment-friendly agricultural products or similar products, or attaches labels which are different from details of certification of environment-friendly agricultural products, in violation of subparagraph 2 of Article 17-5;
3. Any person who sells products by mixing certified products with agricultural products which are not granted certification, or who keeps, transports or displays mixed products for the purpose of selling such products, in violation of subparagraph 3 of Article 17-5;
4. Any person who sells agricultural products, or keeps, transports or displays agricultural products for the purpose of selling them, with the knowledge that such products labelled as environment-friendly agricultural products or similar products are not certified products, or such products have labels different from details of certification of environment-friendly agricultural products, in violation of subparagraph 4 of Article 17-5;
5. Any person who advertises products, other than certified products, as environment-friendly agricultural products under Article 16 (1) or advertises certified products, the advertisements of which are different from details of certification of environment-friendly agricultural products, in violation of subparagraph 5 of Article 17-5;
6. Any person who has received public notification, etc. of agricultural materials by fraud or other wrongful means, in violation of subparagraph 1 of Article 20-8;
7. Any person who attaches labels of environment-friendly agricultural material goods or similar goods, or attaches labels which are different from details of public notification, etc. of agricultural materials, in violation of subparagraph 2 of Article 20-8;
8. Any person who has issued an examination result, etc. by fraud, in violation of subparagraph 3 of Article 20-8;
9. Any person who sells agricultural material goods, or keeps, transports or displays agricultural material goods for the purpose of selling them, with the knowledge that such goods labelled as environment-friendly organic agricultural materials or similar materials are not agricultural material goods put on public notification, etc., in violation of subparagraph 4 of Article 20-8;



10. Any person who sells agricultural material goods, or keeps, transports or displays agricultural material goods for the purpose of selling them, with the knowledge that such goods have labels different from details of public notification, etc. of agricultural materials, in violation of subparagraph 5 of Article 20-8;
11. Any person who advertises agricultural material goods, other than goods put on public notification, etc., as agricultural material goods put on public notification, etc. or advertises agricultural material goods put on public notification, etc., the advertisements of which are different from details of public notification, etc. of agricultural material goods, in violation of subparagraph 6 of Article 20-8;
12. Any person who mixes agricultural material goods on public notification, etc. with substances that are not permissible in accordance with standards for public notification, etc. of agricultural materials, in violation of subparagraph 7 of Article 20-8.

## **Article 25-2 (Penal Provisions)**

Any person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than one year or by a fine not exceeding 10 million won:  
<Amended by Act No. 10455, Mar. 9, 2011>

1. Any person who is designated as a certifying institution by fraud or other wrongful means pursuant to Article 17-6 (1) 1, from among persons designated as certifying institutions under the former body of Article 17-2 (1);
2. Any person who grants certification to environment-friendly agricultural products, without being designated as a certifying institution under the former body of Article 17-2 (1);
3. Any person who grants certification to environment-friendly agricultural products during the period of business suspension under Article 17-6 (1), from among persons designated as certifying institutions under the former body of Article 17-2 (1);
4. Any person who fails to comply with orders, such as changing labels of environment-friendly agricultural products, the suspension of the use of such labels, banning sales of products, or labelling or changing of labels of relevant information under Article 18 (1);
5. Any person who is designated as an institution for public notification and quality certification by fraud or other wrongful means pursuant to Article 20-9 (1) 1, from among persons designated as institutions for public notification and quality certification under Article 20-5 (1);
6. Any person who has put agricultural materials on public notification, etc., without being designated as an institution for public notification and quality certification under Article 20-5 (1);

7. Any person who has put agricultural materials on public notification, etc. during the period of business suspension under Article 20-9 (1), from among persons designated as institutions for public notification and quality certification under Article 20-5 (1);
8. Any person who fails to comply with orders, such as banning sales of agricultural material goods put on public notification, etc., changing labels of environment-friendly organic agricultural materials, the suspension of the use of such labels, or labelling or changing labels of relevant information under Article 20-11 (1).

## **Article 26** (Joint Penal Provisions)

If the representative of a corporation, or any agent, employee or other employed person of the corporation or any other private individual commits an offense pursuant to Article 25 or 25-2 in connection with the duties of the corporation or the individual, not only shall such offender be punished accordingly, but the said corporation or the private individual shall also be punished by the fine prescribed in the relevant Article: Provided, That the foregoing sentence shall not apply where the corporation or individual has not neglected to exercise due diligence and supervision over the relevant duties in order to prevent such violations from occurring.

## **Article 27** (Fines for Negligence)

- (1) When any person falls under any of the following subparagraphs, he/she shall be punished by a fine for negligence not exceeding 3 million won: <Amended by Act No. 10455, Mar. 9, 2011>
  1. Any person who refuses, obstructs or evades inspection, in violation of Article 12 (2);
  2. Any person who succeeds to the status of a certifying institution or the status of a person who obtains certification of environment-friendly agricultural products, but fails to report such fact, in violation of Article 17-7 (2);
  3. Any person who refuses, obstructs or evades inspection, in violation of Article 10 of the Agricultural Products Quality Control Act applied mutatis mutandis in Article 18 (2);
  4. Any person who fails to report or submit data, falsely reports or submits false data, or refuses, obstructs or evades inspection of facilities or equipment under Article 18-3 (1);
  5. Any person who fails to possess and keep the relevant documents, in violation of Article 18-3 (2);
  6. Any person who succeeds to the status of an institution of public notification, etc. or the status of a person who has received public notification, etc. of agricultural materials, but fails to report such fact, in violation of Article 20-10 (2);
  7. Any person who refuses, obstructs or evades inspection or verification under Article 20-

- 11 (1);
8. Any person who fails to report or submit data, falsely reports or submits false data, or refuses, obstructs or evades inspection of facilities of equipment under Article 20-13 (1);
9. Any person who fails to possess and keep the relevant documents, in violation of Article 20-13 (1).
- (2) Fines for negligence under paragraph (1) shall be imposed and collected by the Minister for Food, Agriculture, Forestry and Fisheries, Mayor/Do Governor or the head of Si/Gun, as prescribed by Presidential Decree.

## **ADDENDA**

- (1) (Enforcement Date) This Act shall enter into force one year after the date of its promulgation.
- (2) Omitted.

## **ADDENDA**

<Act No. 6378, Jan. 26, 2001>

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

This Act shall enter into force on July 1, 2001.

### **Article 2** (Transitional Measures concerning Use of Labels of Environment-Friendly Agricultural Products)

Any person who uses labels of environment-friendly agricultural products reported under the former provisions of Article 17 at the time this Act enters into force, may use such labels under the former provisions until two years lapse after this Act enters into force.

### **Article 3** (Transitional Measures concerning Quality Certification of Environment-Friendly Agricultural Products)

Any environment-friendly agricultural product certified under Article 5 (1) of the Agricultural and Marine Products Quality Control Act at the time this Act enters into force shall be deemed to have obtained such certification under the amended provisions of Article 17 (1).

### **Article 4** (Transitional Measures concerning Labels of Environment-Friendly Agricultural Products)

Any label of environment-friendly agricultural products or any label of quality certification

of environment-friendly agricultural products under the former provisions of Article 17 or provisions of Article 5 of the Agricultural and Marine Products Quality Control Act at the time this Act enters into force shall be deemed as a label of environment-friendly agricultural products under the amended provisions of Article 17.

### **Article 5** (Transitional Measures concerning Change in Title of Agricultural Products Quality Control Act)

The Agricultural Products Quality Control Act referred to in the provisions of Article 18 (2), 27 (1) 2, and Article 7 of the Addenda at the time this Act enters into force shall be deemed the Agricultural and Marine Products Quality Control Act, respectively, before the date on which No. 6399 Quality Control of Fishery Products Act enters into force.

### **Article 6** (Transitional Measures concerning Penal Provisions)

Applications of penal provisions to acts committed before this Act enters into force shall be governed by the former provisions.

### **Article 7** Omitted.

## **ADDENDA** <Act No. 6452, Mar. 28, 2001>

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

This Act shall enter into force on January 1, 2002.

### **Articles 2 through 6** Omitted.

## **ADDENDA** <Act No. 6846, Dec. 30, 2002>

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

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

### **Articles 2 through 5** Omitted.

## **ADDENDA** <Act No. 7459, Mar. 31, 2005>

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

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

## **Articles 2 through 6** Omitted.

### **ADDENDA** <Act No. 7996, Sep. 27, 2006>

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

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

#### **Article 2** (Applicability concerning Limitations on Application for Certification)

The amended provisions of the proviso to Article 17-3 (1) shall apply, beginning with the first person who conducts acts falling under any of the subparagraphs of Article 17 (5), or who falls under any of the subparagraphs of Article 18-2 after this Act enters into force.

#### **Article 3** (Applicability concerning Term of Validity of Certification)

With respect to agricultural products, for which the term of validity of certification under the former provisions has not expired at the time this Act enters into force, the amended provisions of Article 17-4 (1) shall apply.

#### **Article 4** (Applicability concerning Reports of Succession to Status)

The amended provisions of Article 17-7 (2) shall apply, beginning with the first person who succeeds to the status of a person who has obtained certification of environment-friendly agricultural products or the status of a certifying institution after this Act enters into force.

#### **Article 5** (Transitional Measures concerning Certification of Environment-Friendly Agricultural Products)

Any product certified as organically grown agricultural products in transition under the former provisions at the time this Act enters into force shall be deemed to have obtained certification of organically grown agricultural products under the amended provisions of Article 16 (1).

#### **Article 6** (Transitional Measures concerning Term of Validity of Designation of Certifying Institutions)

The term of validity of certifying institutions designated under the former provisions at the

time this Act enters into force shall be deemed to be five years after the date on which this Act enters into force, notwithstanding the amended provisions of Article 17-2 (3).

**Article 7** Omitted.

**ADDENDA** <Act No. 8466, May 17, 2007>

**Article 1** (Enforcement Date)

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

**Articles 2 through 5** Omitted.

**ADDENDA** <Act No. 8852, Feb. 29, 2008>

**Article 1** (Enforcement Date)

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

**Articles 2 through 7** Omitted.

**ADDENDA** <Act No. 9623, Apr. 1, 2009>

**Article 1** (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 16 (1) shall enter into force on January 1, 2010.

**Article 2** (Transitional Measures concerning Term of Validity of Low-Pesticide Agricultural Products)

- (1) With respect to low-pesticide agricultural products certified under the former provisions, at the time of the enforcement of the amended provisions of Article 16 (1) under the proviso to Article 1 of the Addenda, the term of validity of certification may be extended under the former provisions of Article 17-4: Provided, That the term of validity shall not be valid beyond December 31, 2015, even if the term of validity of certification continues to be extended.
- (2) Labels, succession, reports and penal provisions concerning certification of low-pesticide agricultural products, for which valid term of certification has been extended under paragraph (1), shall be governed by the former provisions.

### **Article 3** (Transitional Measures Following Abolishment of Low-Pesticide Agricultural Products)

- (1) With respect to low-pesticide agricultural products which have been shipped before the enforcement date (referring to the date of expiration, in cases where the term of validity has expired or has been extended under Article 2 (1) of the Addenda; hereafter the same shall apply in this Article) of the amended provisions of Article 16 (1) under the proviso to Article 1 of the Addenda, the former provisions shall apply.
- (2) The application of the penal provisions and the fine for negligence to any acts committed before the enforcement date of the amended provisions of Article 16 (1) under the proviso to Article 1 of the Addenda shall be governed by the former provisions.

### **ADDENDA** <Act No. 10455, Mar. 9, 2011>

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

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

#### **Article 2** (Transitional Measures concerning Environment-Friendly Agricultural Material Goods Put on Public Notification)

- (1) With respect to environment-friendly organic agricultural material goods which have been put on public notification, or the term of validity of which has been extended under the former provisions, at the time this Act enters into force, such goods are deemed to be environment-friendly organic agricultural material goods which are put on public notification, or the term of validity of which are extended under this Act. In such cases, the term of validity of public notification shall be the remaining term under the former provisions.
- (2) In cases where an application for public notification of environment-friendly organic material goods or for the extension of the term of validity of public notification is filed under the former provisions, at the time this Act enters into force, its standards and procedures shall be governed by the former provisions.
- (3) With respect to goods which have been put on public notification, or the term of validity of which has been extended under paragraph (2), such goods are deemed to be put on public notification under this Act. In such cases, the term of validity of public notification shall be governed by the former provisions.