

FRAMEWORK ACT ON FOOD SAFETY

Act No. 9121, jun. 13, 2008

Amended by Act No. 10310, May 25, 2010

Act No. 10885, Jul. 21, 2011

Act No. 10999, Aug. 4, 2011

Act No. 11101, Nov. 22, 2011

Act No. 11459, jun. 1, 2012

Act No. 11690, Mar. 23, 2013

Act No. 12670, May 21, 2014

Act No. 13276, Mar. 27, 2015

Act No. 14021, Feb. 3, 2016

Act No. 14354, Dec. 2, 2016

Article 1 (Purpose)

The purpose of this Act is to ensure that people will have a healthy diet by clarifying their rights and obligations and responsibilities of the State and local governments with regard to the food safety, and also by specifying fundamental matters with regard to formulation, coordination, etc. of food safety policies.

Article 2 (Definitions)

The definition of terms used in this Act shall be as follows: *<Amended by Act No. 9932, Jan. 18, 2010; Act No. 10310, May 25, 2010; Act No. 10885, Jul. 21, 2011; Act No. 11101, Nov. 22, 2011; Act No. 11459, Jun. 1, 2012; Act No. 11690, Mar. 23, 2013; Act No. 14021, Feb. 3, 2016; Act No. 14354, Dec. 2, 2016>*

1. The term "food" means all kinds of food and drinks: Provided, That those ingested as medicine shall be excluded herefrom;
2. The term "business entity" means any person who operates the business of producing, collecting, manufacturing, processing, importing, transporting, preserving, cooking, or selling (hereinafter referred to as "production, sale, etc.") any of the following items:
 - (a) Food, food additives, apparatus, containers or packages under the Food Sanitation Act;
 - (b) Agricultural and fishery products under the Agricultural and Fishery Products Quality Control Act;
 - (c) Deleted; *<by Act No. 10885, Jul. 21, 2011>*
 - (d) Livestock products under the Livestock Industry Act;

- (e) Fertilizers under the Fertilizer Control Act;
- (f) Pesticides under the Pesticide Control Act;
- (g) Feed under the Control of Livestock and Fish Feed Act;
- (h) Animal medicine under Article 85 of the Pharmaceutical Affairs Act;
- (i) Materials for production in the agricultural, fishery and livestock industry that could have an impact on the food safety;
- (j) Other matters related to food, prescribed by Presidential Decree;

3. The term "consumer" means any person who intakes or uses anything referred to in subparagraph 2 (hereinafter referred to as "food, etc.") that is provided by a business entity: Provided, That cases of receiving food, etc. in order to use it in one's own operations shall be excluded herefrom;

4. The term "relevant central administrative agencies" means the Ministry of Strategy and Finance, the Ministry of Education, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Trade, Industry and Energy, the Ministry of Health and Welfare, the Ministry of Environment, the Ministry of Oceans and Fisheries, the Ministry of Food and Drug Safety, the Office of Customs Administration, and the Rural Development Administration; and the term "relevant administrative agencies" means administrative agencies with administrative authority over food, etc.;

5. The term "statutes, etc. related to food safety" means provisions related to food, etc., under the Food Sanitation Act, the Health Functional Foods Act, the Special Act on Safety Management of Children's Dietary Lifestyle, the Infectious Disease Control and Prevention Act, the National Health Promotion Act, the Food Industry Promotion Act, the Agricultural and Fishery Products Quality Control Act, the Livestock Products Sanitary Control Act, the Act on the Prevention of Contagious Animal Diseases, the Livestock Industry Act, the Control of Livestock and Fish Feed Act, the Pesticide Control Act, the Pharmaceutical Affairs Act, the Fertilizer Control Act, the Ginseng Industry Act, the Grain Management Act, the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods, Etc., the Act on Special Measures for the Control of Public Health Crimes, the School Meals Act, the School Health Act, the Water Supply and Waterworks Installation Act, the Drinking Water Management Act, the Salt Industry Promotion Act, the Liquor Tax Act, the Foreign Trade Act, the Industrial Standardization Act, the Transboundary Movement, etc. of Living Modified Organisms Act, the Act on Testing and Inspection in the Food and Drug Industry, the Livestock and Livestock Products Traceability Act, the Special Act on Imported Food Safety Control, and other Acts related to the safety of food, etc., and decrees, ordinances, municipal ordinances, or rules that specify matters delegated by the aforementioned Acts or matters concerning implementation thereof;

6. The term "evaluation of hazards" means conducting scientific evaluation as to whether hazards in food, etc. may harm human health and the degree of their harmfulness;

7. The term "investigation of traceability" means conducting investigation by tracking information on the process of production, sale, etc. food.

Article 3 (Relationship to other Acts)

- (1) Except as otherwise expressly provided in Acts referred to in subparagraph 5 of Article 2, the safety of food, etc. shall be in accordance with this Act.
- (2) Enactment or revision of statutes, etc. related to food safety shall be in accordance with the purport of this Act.

Article 4 (Responsibilities of State and Local Governments)

- (1) The State and local governments have a responsibility to formulate and implement policies on safety of food, etc. so as to ensure that people can lead a dietary lifestyle in a health and safe manner (hereinafter referred to as "food safety policy").
- (2) Where the State and local governments formulate and implement food safety policies, they shall ensure that principles of scientific reasonableness, consistency, transparency, promptness, and prevention are well maintained.
- (3) In establishing criteria for producing, manufacturing, processing, cooking, packing, preserving, and distributing food, etc. and standards for ingredients of food, etc. (hereinafter referred to as "criteria and standards for safety of food, etc."), the State and local governments shall establish science-based standards, taking into account the lives and safety of the people, and shall endeavor to comply with international standards, including the food standards that have been adopted by the Codex Alimentarius Commission in accordance with the Marrakesh Agreement Establishing the World Trade Organization.
<Amended by Act No. 10999, Aug. 4, 2011>
- (4) The State and local governments shall endeavor not to impose heavy burdens on business entities due to repetitive entry, collection, inspection, etc.

Article 5 (Rights of Citizens and Responsibilities of Business Entities)

- (1) Citizens shall have the right to participate in establishing and implementing food safety policies of the State and local governments and to get informed about food safety policies.
- (2) Business entities shall be responsible for production, sale, etc. of food, etc. beneficial to and safe for the public health, and constantly checking and inspecting food, etc. to see whether there are any potential hazards therein.

Article 5-2 (Food Safety Day and Food Safety Week)

- (1) In order to raise public understanding and awareness of food safety, May fourteenth of each year is hereby designated as Food Safety Day, and the week beginning on May seventh and ending on May twenty-first of each year as Food Safety Week.
- (2) The State and local governments may hold ceremonial events to fulfill the aim of Food Safety Day.

Article 6 (Basic Plans, etc. for Food Safety Management)

- (1) The heads of relevant central administrative agencies shall establish and submit safety control plans on food, etc. every three years.
- (2) The Prime Minister shall integrate basic plans for safety control of food, etc. he/she received from each relevant central administrative agency pursuant to paragraph (1), undergo deliberation by the Committee

for Food Safety Policy under Article 7, formulate basic plans for food safety control (hereinafter referred to as "basic plans"), and submit them to the heads of relevant administrative agencies pursuant to Article 7.

(3) Basic plans shall include the following:

1. Changes in and prospect for dietary lifestyle;
2. Goals of and basic direction-setting for food safety policies;
3. Matters concerning improvement of institutions, such as improvement of statutes, etc. related to food safety;
4. Matters concerning methods of support to ensure safety of food, etc. such as support, etc. for business entities;
5. Matters concerning research and technology development on food, etc.;
6. Matters concerning international cooperation for safety of food, etc.;
7. Other matters necessary to ensure safety of food, etc.

(4) The heads of relevant central administrative agencies and local governments shall formulate and implement implementation plans for food safety management (hereinafter referred to as "implementation plans") based on basic plans each year.

(5) The heads of relevant central administrative agencies and local governments shall endeavor to prioritize securing the manpower and resources required to implement basic plans and implementation plans.

(6) Necessary matters concerning the formulation and implementation of basic plans and implementation plans, other than matters under paragraphs (1) through (5) shall be prescribed by Presidential Decree.

Article 7 (Food Safety Policy Committee)

(1) In order to integrate and coordinate food safety policies, a Food Safety Policy Committee shall be established under the control of the Prime Minister (hereinafter referred to as the "Committee").

(2) The Committee shall deliberate on and coordinate the following matters:

1. Matters concerning basic plans;
2. Matters concerning major policies concerning safety of food, etc.;
3. Matters concerning enactment and/or revision of statutes, etc. related to food safety and of criteria and standards for safety of food, etc. which may have a profound impact on public health;
4. Matters concerning evaluation of hazards in food, etc. which may have a profound impact on public health;
5. Matters concerning comprehensive responses to major food safety accidents and other safety-related accidents;
6. Other important matters concerning safety of food, etc. proposed by the Chairperson.

Article 8 (Organization, etc. of Committee)

(1) The Committee shall be comprised of not more than twenty members, including one Chairperson.

(2) The Chairperson shall be the Prime Minister and the members shall be the following persons:
<Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

1. The Minister of Strategy and Finance, the Minister of Education, the Minister of Justice, the Minister of Agriculture, Food and Rural Affairs, the Minister of Health and Welfare, the Minister of Environment, the Minister of Oceans and Fisheries, the Minister of Food and Drug Safety, and the Minister of the Office for Government Policy Coordination;

2. Any person from among those with abundant knowledge and experience in safety of food, etc., commissioned by the Prime Minister.

(3) The Chairperson may, where deemed necessary, require the heads of relevant administrative agencies, relevant public officials and experts to attend and speak at meetings.

Article 9 (Duties of Chairperson)

(1) The Chairperson shall convene and preside over Committee meetings.

(2) Where the Chairperson is unable to perform any of his/her duties due to any unavoidable reason, a member designated by the Chairperson, in advance, shall act on behalf of the Chairperson.

Article 10 (Term of Office and Obligation of Members)

(1) The term of office of members shall be two years, and consecutive appointment may be permitted: Provided, That members who are public officials shall hold office only while they hold such official position.

(2) Members shall perform duties fairly according to one's conscience, and shall not speak in the interest of specific groups.

Article 11 (Committee Meetings)

(1) The Chairperson shall convene meetings of the Committee where the Chairperson deems it necessary, or where he/she receives a request from one third or more of incumbent members.

(2) A majority of the Committee members shall constitute a quorum, and any decision thereof shall require the concurring vote of at least a majority of those present.

Article 12 (Specialized Committee)

(1) The Committee may establish a Specialized Committee in order to conduct a specialized review with regard to requests by the Chairperson.

(2) Members, function, and operation of the Specialized Committee shall be prescribed by Presidential Decree.

Article 13 (Operation of Committee)

(1) In order to perform affairs of the Committee, an administrative body may be established under the Committee.

(2) Where necessary to perform duties of the Committee, the Chairperson may request the heads of administrative institutions, research institutes, organizations, etc. to dispatch public officials or employees belonging thereto.

(3) Matters necessary for the organization and operation of the Committee, other than those prescribed by this Act, shall be prescribed by Presidential Decree.

Article 14 (Request for Data and Investigation and Analysis)

In order to ensure safety of food, etc., the Committee and the Specialized Committee may request the heads of relevant administrative agencies to provide data, or request the testing, analysis, and/or research institutes under Article 23 to conduct investigations, analysis, and inspections necessary to evaluate hazards.

Article 15 (Emergency Response)

(1) Where food, etc. pose or are likely to pose any major public health hazard, the Government shall establish and operate a system to urgently respond to prevent or minimize any harm to the public in advance.

(2) Where it is revealed that food, etc. in the process of production, sale, etc. contain hazardous substances, or concerns about any potential hazard are raised for other reasons, and, subsequently, any critical public health hazard occurs or is likely to occur to an unspecified number of people, the heads of relevant central administrative agencies shall prepare emergency response plans including the following matters, undergo deliberation by the Committee thereon, and take necessary measures according to applicable emergency response plans: Provided, That where it is determined that deliberation by the Committee will make it unable to achieve the purposes of emergency response, the heads of relevant central administrative agencies may take necessary measures and proceed to undergo deliberation by the Committee: <Amended by Act No. 14354, Dec. 2, 2016>

1. Type of relevant food, etc.;
2. Type and degree of hazard the relevant food, etc. pose to the human body;
3. Where production, sale, etc. under Article 16 should be prohibited, matters related thereto;
4. Where an investigation of traceability is required pursuant to Article 18, matters related thereto;
5. Matters concerning educating consumers about emergency responses, coping skills, etc. and informing them thereabout via advertising;
- 5-2. Where cooperation from the heads of other administrative agencies is required, matters related thereto;
6. Other matters in order to prevent hazard in food, etc. or spread thereof.

(3) The Committee shall deliberate on emergency response plans submitted by the heads of relevant central administrative agencies without delay, notify the heads of other relevant administrative agencies related therewith of such matter, and promulgate such matter to the general public.

(4) After taking necessary measures pursuant to paragraph (2), the heads of relevant central administrative agencies shall immediately report the results thereof to the Committee.

(5) The heads of relevant administrative agencies, business entities, and consumers shall cooperate in implementing emergency response plans.

Article 16 (Prohibition of Production, Sale, etc.)

- (1) Where the head of a relevant administrative agency determines that food, etc. require emergency responses under Article 15 (2), he/she shall prohibit production, sale, etc. of relevant food, etc. until it is confirmed whether the hazard therein exists. *<Amended by Act No. 10999, Aug. 4, 2011>*
- (2) No business entity shall be engaged in the production, sale, etc. of food, etc., the production, sale, etc. of which are prohibited pursuant to paragraph (1).
- (3) The head of a relevant administrative agency who intends to prohibit production, sale, etc. pursuant to paragraph (1) shall, in advance, listen to the opinions of interested persons prescribed by Presidential Decree.
- (4) Where the head of a relevant administrative agency deems that no public health hazard has occurred, or such fear has disappeared, he/she shall immediately revoke such prohibition, in part or in entirety.
- (5) Where business entities have any objection to prohibition measures under paragraph (1), he/she may request the head of a relevant administrative agency to revoke such prohibition, in part or in entirety.

Article 17 (Orders of Inspection)

- (1) The head of a relevant administrative agency may order business entities engaged in the production, sale, etc. of any of the following food, etc. to undergo inspection by inspecting institutions designated and publicly announced by the head of the relevant central administrative agency:
 1. Food, etc. deemed to require emergency responses under Article 15 (2);
 2. Food, etc. which have raised or raise concerns about potential hazards domestically or overseas;
 3. Other food, etc. which have posed or are likely to pose a substantial hazard to public health, as prescribed by Presidential Decree.
- (2) Business entities who receive orders to undergo inspection under paragraph (1) shall undergo inspection within an inspection period prescribed by Presidential Decree, and inspecting institutions shall notify results thereof to the business entities and the heads of relevant administrative agencies.

Article 18 (Investigation of Traceability, etc.)

- (1) The head of a relevant central administrative agency shall formulate and implement policies to trace the history of production, sale, etc. of food, etc.
- (2) The head of a relevant administrative agency shall keep track of food, etc. which pose or are likely to pose any significant hazard to public health. In such cases, he/she shall conduct an investigation of traceability with heads of relevant administrative agencies, if any, by means of a joint investigation, etc.
- (3) The head of a relevant administrative agency concerned shall pro-actively cooperate with the investigation of traceability conducted under the latter part of paragraph (2).
- (4) Each business entity shall keep a record of and maintain necessary matters to identify procedures, such as production, sale, etc. of food, etc. and, shall control such matters so that he/she will be able to provide cooperation where the head of any relevant administrative agency requests the perusal of the record or submission thereof.

(5) The scope, etc. of business entities who are mandated to keep a record of and maintain procedures for producing, purchasing and selling food, etc. pursuant to paragraph (4) shall be prescribed by Presidential Decree.

(6) The head of a relevant administrative agency having formulated and implementing policies for traceability of food, etc. shall request the head of any other relevant administrative agency to provide records on traceability. In such cases, the head of an agency in receipt of such request shall comply therewith, except in extenuating circumstances. *<Newly Inserted by Act No. 14021, Feb. 3, 2016>*

Article 19 (Recall of Food, etc.)

(1) Where food, etc., after the process of production, sale, etc., fail to meet the criteria, standards, etc. for safety of food, etc. determined by statutes, etc. related to food safety, and therefore pose or are likely to pose any hazard to public health, business entities shall immediately recall such food, etc.

(2) Where business entities recall food, etc. pursuant to paragraph (1), they shall disclose to the consumer reasons for such recall, recall plans, current status, etc. of recall.

Article 20 (Hazard Evaluation)

(1) Where the head of a relevant central administrative agency intends to establish or revise criteria and standards for safety of food, etc. or determine whether food, etc. pose any hazard to public health, he/she shall perform such hazard evaluation in advance: Provided, That where an emergency response under Article 15 (2) is required, he/she may perform a hazard evaluation thereafter.

(2) Notwithstanding paragraph (1), in cases falling under any of the following subparagraphs, the head of a relevant central administrative agency may choose not to conduct a hazard evaluation through deliberation by the Committee:

1. Where it is clear that a hazard evaluation is not necessary in consideration of criteria and standards for safety of food, etc. or detailed hazard thereof;
2. Where it is certain that food, etc. pose hazards to public health.

(3) A hazard evaluation shall be performed based on scientific grounds which are currently available in an objective, fair and transparent manner.

Article 21 (Safety Management of New Food Products)

Where the head of a relevant central administrative agency allows the production, sale, etc., as food, of agricultural, fishery and livestock products which are produced by using gene recompounding technology, or other products which have not been used as food, he/she shall establish and implement safety management measures to protect the public against health hazards.

Article 22 (Food Safety Management Certification Standards)

The head of a relevant central administrative agency shall introduce and implement such intensive control system in order to prevent hazards in food, etc. in the course of producing, selling etc. such food, etc., and may provide technology, financing, etc. to business entities who opt for such system.

Article 23 (Operation, etc. of Testing, Analysis, and Research Institutes)

The head of a relevant administrative agency shall endeavor to enhance the expertise and efficiency of affiliated institutes, government-funded institutes, or other institutes designated by statutes, etc. related to food safety which conduct testing, analysis, or research on safety of food, etc. (hereinafter referred to as "testing, analysis, and research institutes").

Article 24 (Disclosure of Information, etc.)

(1) The Government shall establish and operate a comprehensive safety information management system for food, etc. in order to manage and disclose information on safety of food, etc.

(2) Where the head of a relevant central administrative agency establishes food safety policies, he/she shall provide information on relevant policies to stakeholders, such as business entities, consumers, etc.

(3) Where it is revealed that business entities have violated statutes, etc. related to food safety, the head of the relevant administrative agency may disclose information on the relevant food, etc. and business entities, notwithstanding Article 9 (1) 6 of the Official Information Disclosure Act.

(4) Where consumers whose number is above a certain threshold prescribed by Presidential Decree, make a request for disclosure of information on safety of food, etc. held by the relevant administrative agency by meeting requirements prescribed by Presidential Decree, such as presenting reasons for the request for disclosure of information, the scope of information to be disclosed and a certificate of consumer identity, and where such information is related to the health of an unspecified number of people, the head of the relevant administrative agency shall disclose such information, notwithstanding Article 9 (1) 5 of the Official Information Disclosure Act.

(5) The testing, analysis, and research institutes shall cooperate with one another in conducting testing, analysis, research and development as well as in collecting information, and sharing related information.

Article 24-2 (Building and Operation of Integrated Food Safety Information Network)

(1) The Minister of Food and Drug Safety shall build and operate an Integrated Food Safety Information Network for linking and aggregating different data on food safety held by relevant administrative agencies to be made accessible and available to the general public.

(2) The Minister of Food and Drug Safety may request that the heads of relevant administrative agencies provide data on food safety for operating the Integrated Food Safety Information Network built under paragraph (1). In this case, the relevant administrative agencies and the extent of data on food safety shall be prescribed by Presidential Decree.

(3) The heads of relevant administrative agencies in receipt of a request for providing data under paragraph (2) shall comply therewith, unless there is good cause not accepting such request.

(4) Matters necessary for building and operating the Integrated Food Safety Information Network under paragraph (1) shall be prescribed by Presidential Decree.

Article 24-2 (Building and Operation of Integrated Food Safety Information Network)

(1) The Minister of Food and Drug Safety shall build and operate an Integrated Food Safety Information Network for linking and aggregating different data on food safety held by relevant administrative agencies to be made accessible and available to the general public.

(2) The Minister of Food and Drug Safety may request that the heads of relevant administrative agencies provide data on food safety for operating the Integrated Food Safety Information Network built under paragraph (1). In such cases, the relevant administrative agencies and the extent of data on food safety shall be prescribed by Presidential Decree.

(3) The heads of relevant administrative agencies in receipt of a request for providing data under paragraph (2) shall comply therewith, except in extenuating circumstances.

(4) The Minister of Food and Drug Safety may outsource the building and operation of the Integrated Food Safety Information Network under paragraph (1) to an agency or organization prescribed by Presidential Decree. In such cases, the Minister of Food and Drug Safety may subsidize necessary expenses incurred in carrying out the outsourced business within the budget. *<Newly Inserted by Act No. 14354, Dec. 2, 2016> <<Enforcement Date: Jun. 3, 2017>>*

(5) Matters necessary for building and operating the Integrated Food Safety Information Network under paragraph (1) shall be prescribed by Presidential Decree.

Article 25 (Collection of Opinions of Consumers and Business Entities)

(1) The head of a relevant central administrative agency shall establish or revise the criteria and standards for safety of food, etc. by collecting opinions of consumers and business entities, and, when establishing and revising such criteria and standards, he/she shall disclose in detail the reasons and scientific grounds therefor.

(2) The head of a relevant administrative agency shall endeavor to prepare the criteria for labeling of food, etc. in order to guarantee the consumer's rights to choose.

Article 26 (Mutual Cooperation among Relevant Administrative Agencies)

(1) When the heads of relevant administrative agencies establish and implement food safety policies, they shall closely cooperate with one another, and where they intend to establish or revise the criteria and standards for safety of food, etc., they shall, in advance, consult with the heads of relevant administrative agencies.

(2) The heads of relevant administrative agencies shall share information on the safety of domestic and overseas food, etc., prescribed by Presidential Decree, such as information on safety of food, etc. obtained through exchange and cooperation with foreign governments, international organizations, etc.

(3) Where the head of an institution which investigates cases of violation of statutes, etc. related to food safety intends to promulgate details of the relevant case, he/she shall, in advance, consult with the heads of relevant administrative agencies.

(4) Where the head of an administrative agency (including any public institution defined in the Act on the Management of Public Institutions) involved in the investigation of safety of food, etc. intends to publish the findings of such investigation, he/she shall notify the head of the relevant central administrative agency of the details thereof at least seven days prior to the publication. *<Newly Inserted by Act No. 14021, Feb. 3, 2016>*

(5) The heads of relevant administrative agencies shall closely cooperate with one another to build a system designed to effectively manage and reevaluate the criteria and standards for safety of food, etc.
<Newly Inserted by Act No. 12670, May 21, 2014>

Article 27 (Support for Consumers, Business Entities, etc.)

- (1) The heads of relevant administrative agencies shall formulate policies to support and foster sound, autonomous, and responsible activities of consumers with regard to safety of food, etc.
- (2) The heads of relevant administrative agencies may provide business entities with support, such as expenses incurred in investing in facilities to ensure safety of food, etc. prescribed by Presidential Decree, such as joint inspection facilities, etc. and production technology, etc.
- (3) The heads of relevant administrative agencies may provide research institutes or organizations, etc. related to food, etc. with financial support necessary to conduct research concerning food, etc. in order to secure safety management technology for food, etc. at an internationally recognized level and to improve the dietary lifestyle of the public.

Article 28 (Participation of Consumers, etc.)

- (1) The heads of relevant administrative agencies shall endeavor to engage consumers in various committees concerning safety of food, etc.
- (2) Where consumers whose number is above a certain threshold prescribed by Presidential Decree make a request for the testing, analysis, and extraction of sample of food, etc. (hereinafter referred to as "testing, analysis, etc.") by meeting requirements prescribed by Presidential Decree, such as presenting reasons for such request, the scope of the request, a certificate of consumer identity, etc., the head of a relevant administrative agency shall cooperate with such request, except in any of the following cases:
 1. Where the testing, analysis, and research institute is incapable of conducting testing, analysis, etc. at the level requested by the consumer;
 2. Where the number of requests for testing, analysis, etc. is high enough to cause serious disruptions to the work of the relevant testing, analysis, and research institute;
 3. Where the same consumer makes repeated requests for testing, analysis, etc. for the same purpose;
 4. Where the cases go against the public interest, such as a request for testing, analysis, etc. for the purposes of benefitting specific business entities.
- (3) Where the heads of relevant administrative agencies respond to requests, such as testing, analysis, etc. of food, etc. pursuant to paragraph (2), they shall conduct testing, analysis, etc. within 120 days, and notify the results thereof to consumers, etc. under the same paragraph, as prescribed by Presidential Decree. In such cases, fees for testing, analysis, etc. shall be borne by consumers, etc. who make a request for testing, analysis, etc., as prescribed by Presidential Decree. <Amended by Act No. 14354, Dec. 2, 2016>

Article 28 (Participation of Consumers, etc.)

- (1) The heads of relevant administrative agencies shall endeavor to engage consumers in various committees concerning safety of food, etc.

(2) Where consumers whose number is above a certain threshold prescribed by Presidential Decree, a consumer organization registered under Article 29 of the Framework Act on Consumers, or a testing, analysis, and research institute (hereafter in this Article referred to as "consumers, etc.") makes a request for the testing, analysis, and extraction of sample of food, etc. (hereinafter referred to as "testing, analysis, etc.") as prescribed by Presidential Decree, the head of a relevant administrative agency shall cooperate with such request, except in any of the following cases: *<Amended by Act No. 14354, Dec. 2, 2016>*

1. Where the testing, analysis, and research institute is incapable of conducting testing, analysis, etc. at the level requested by the consumers, etc.;
2. Where the number of requests for testing, analysis, etc. is high enough to cause serious disruptions to the work of the relevant testing, analysis, and research institute;
3. Where the same consumers, etc. makes repeated requests for testing, analysis, etc. for the same purpose;
4. Where the cases go against the public interest, such as a request for testing, analysis, etc. for the purposes of benefitting specific business entities.

(3) Where the heads of relevant administrative agencies respond to requests, such as testing, analysis, etc. of food, etc. pursuant to paragraph (2), they shall conduct testing, analysis, etc. within 120 days, and notify the results thereof to consumers, etc. under the same paragraph, as prescribed by Presidential Decree. In such cases, fees for testing, analysis, etc. shall be borne by consumers, etc. who make a request for testing, analysis, etc., as prescribed by Presidential Decree. *<Amended by Act No. 14354, Dec. 2, 2016>*

Article 29 (Protection of Informants)

No business entity shall take any unfavorable measure against informants, etc. who report food, etc. which are harmful to the human body or any act in violation of statutes, etc. related to food safety committed by business entities, to the heads of relevant administrative agencies, or submit documents related thereto.

Article 30 (Provision of Monetary Rewards)

The heads of relevant administrative agencies may provide monetary rewards to persons who report violations of this Act and statutes, etc. related to food safety based on the criteria prescribed by Presidential Decree: Provided, That where otherwise expressly provided in statutes related to food safety otherwise, the relevant provisions shall apply.

ADDENDUM

This Act shall enter into force six months after the date of its promulgation: Provided, That the provisions of subparagraph 5 of Article 2 of the Special Act on Safety Control of Children's Dietary Life shall enter into force on March 22, 2009.

ADDENDA *<Act No. 9932, Jan. 18, 2010>*

Article 1 (Enforcement Date)

This Act shall enter into force two months after the date of its promulgation. (Proviso Omitted.)
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. 10885, Jul. 21, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.
Articles 2 through 20 Omitted.

ADDENDUM <Act No. 10999, Aug. 4, 2011>

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

ADDENDA <Act No. 11101, Nov. 22, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.
Articles 2 through 8 Omitted.

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.**

ADDENDUM <Act No. 12670, May 21, 2014>

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

ADDENDUM <Act No. 13276, Mar. 27, 2015>

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

ADDENDUM <Act No. 14021, Feb. 3, 2016>

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

ADDENDUM <Act No. 14354, Dec. 2, 2016>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 24-2 (4) and 28 (2) shall enter into force six months after the date of its promulgation.

