

ACT ON THE SUPPORT FOR THE RICE PROCESSING INDUSTRY AND THE PROMOTION OF USE OF RICE

Act No. 11098, Nov. 22, 2011
Amended by Act No. 11459, jun. 1, 2012
Act No. 11690, Mar. 23, 2013
Act No. 12055, Aug. 13, 2013
Act No. 13383, jun. 22, 2015
Act No. 15076, Nov. 28, 2017
Act No. 15773, Sep. 18, 2018

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to stabilize the price of rice, enhance the competitiveness of the rice processing industry, and promote the increase in rice farmers' incomes and the development of the national economy by providing for matters necessary to develop new demand for rice, improve the quality of products made by processing rice, support the rice processing industry, and encourage use of rice.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 12055, Aug. 13, 2013>

1. The term "rice product" means a kind of food or a product processed by using rice (including unhulled rice, brown rice, and by-products produced in the milling process) as a raw material or ingredient;
2. The term "rice processing business" means business of manufacturing a rice product;
3. The term "rice processor" means a person engaged in rice processing business;
4. The term "rice processing industry" means the industry specified by Presidential Decree as a sector manufacturing, packing, storing, transporting, and selling rice products;
5. The term "rice processing business entity" means a person who runs rice processing business.

Article 3 (Duties of State and Local Governments)

The State and local governments shall establish and execute measures necessary to encourage the use of rice, strengthen the link between the rice processing industry and agriculture, and promote robust development of the rice processing industry.

Article 4 (Relationship to other Acts)

Except as otherwise provided for in any other Act, the support of the rice processing industry and the encouragement of use of rice shall be governed by this Act.

CHAPTER II SUPPORT FOR RICE PROCESSING INDUSTRY AND ENCOURAGEMENT OF USE OR RICE

Article 5 (Formulation of Master Plan)

(1) In order to support the rice processing industry and encourage the use of rice, the Minister of Agriculture, Food, and Rural Affairs shall formulate and implement a five-year master plan for the support of the rice processing industry and the encouragement of use of rice (hereinafter referred to as "master plan"). *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A master plan shall include the following matters: *<Amended by Act No. 15076, Nov.28, 2017>*

1. Basic objectives and the direction-setting for the support of the rice processing industry and the encouragement of use of rice;
2. Development and diffusion of technology related to the rice processing industry;
3. Stable supply and demand of rice for processing;
4. Training of professional manpower for the rice processing industry;
5. Strengthening of the links between the rice processing industry and agriculture;
6. Encouragement of consumption of rice and rice products and assistance in distribution thereof;
7. Use of rice by the rice processing industry;
8. Other matters specified by Presidential Decree.

(3) When the Minister of Agriculture, Food, and Rural Affairs intends to formulate or amend a master plan, he/she shall consult with the heads of related central administrative agencies thereon: Provided, That the foregoing shall not apply where a change to a minor matter specified by Presidential Decree is intended. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) The Minister of Agriculture, Food, and Rural Affairs shall finalize a master plan under paragraph (1) through deliberation by the Food Industry Promotion Council established under Article 5 of the Food Industry Promotion Act. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15773, Sep. 18, 2018>*

(5) If it is necessary to formulate a master plan, the Minister of Agriculture, Food, and Rural Affairs may request the head of a related central administrative agency to submit data. In such cases, the head of a related central administrative agency shall submit data in compliance with such request, except in extenuating circumstances. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) The Minister of Agriculture, Food, and Rural Affairs shall formulate and execute an annual implementation plan (hereinafter referred to as "implementation plan") in conformity to the relevant master plan in consultation with the head of a related central administrative agency and shall endeavor to secure financial resources necessary therefor. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 15773, Sep. 18, 2018>

(7) Where the Minister of Agriculture, Food, and Rural Affairs formulates or amends a master plan or an implementation plan, he/she shall notify such plan formulated or amended to the head of a related central administrative agency, the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") and shall submit it to the competent Standing Committee of the National Assembly. <Newly Inserted by Act No. 15773, Sep. 18, 2018>

(8) Where the Minister of Agriculture, Food, and Rural Affairs formulates or amends a mater plan or an implementation plan, he/she shall publish such plan formulated or amended, as prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs. <Newly Inserted by Act No. 15773, Sep. 18, 2018>

Article 6 (Assistance in Improving Business Management)

(1) The Minister of Agriculture, Food, and Rural Affairs may execute measures for assisting rice processing business entities in improving business management, such as procurement of raw materials, improvement of facilities, expansion of markets, and provision of consulting services therefor. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for the eligibility for the support and the details of such support under paragraph (1) and other relevant matters shall be prescribed by Presidential Decree.

Article 7 (Strengthening of Link with Agriculture)

When farmers or a producers' organization defined in Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry (hereinafter referred to as "producers' organization, etc.") and rice processing business entities jointly promote a project for strengthening the links with agriculture, such as joint purchasing and contract cultivation of rice required for manufacturing rice products, the Minister of Agriculture, Food, and Rural Affairs may provide necessary assistance. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13383, Jun. 22, 2015>

Article 8 (Stable Supply of Rice for Processing, etc.)

(1) The Minister of Agriculture, Food, and Rural Affairs shall formulate and execute a supply and demand plan for the stable supply of rice used as a raw material for rice products (hereafter referred to "rice for processing" in this Article) and the encouragement of rice consumption. <Amended by Act No. 11690, Mar. 23, 2013>

(2) If the Minister of Agriculture, Food, and Rural Affairs deems it necessary for the stable supply of rice for processing, he/she may designate an area as a zone for cultivating rice for processing (hereafter referred to as "cultivation zone" in this Article). *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) A producers' organization, etc. that intend to be designated as cultivation zones under paragraph (2) shall file an application for designation, as prescribed by Presidential Decree.

(4) If a cultivation zone fails to satisfy the requirements for the designation under paragraph (6), the Minister of Agriculture, Food, and Rural Affairs may cancel the designation, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) The Minister of Agriculture, Food, and Rural Affairs may provide cultivation zones with necessary assistance within budgetary limits, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) The requirements for designation, such as the size of a cultivation zone and facilities required for post-harvest management, and matters necessary for the method and procedure for filing an application for designation shall be prescribed by Presidential Decree.

Article 9 (Assistance in Manufacturing Rice Products, etc.)

(1) The Minister of Agriculture, Food, and Rural Affairs may subsidize rice processors, within budgetary limits, as necessary to increase the production of rice products and improve the quality of such products. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When the Minister of Agriculture, Food, and Rural Affairs supplies grain managed by the Government under subparagraph 2 of Article 2 of the Grain Management Act to rice processors for processing, he/she shall consider the suitability of processing when supplying them. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) The standard for support and objects and details thereof under paragraph (1), the suitability for processing and the standard for supply under paragraph (2), and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 10 (Implementation of Projects for Research, Development, and Pilot Production)

(1) The Minister of Agriculture, Food, and Rural Affairs shall implement projects for research, development and pilot production specified in the following subparagraphs (hereafter referred to as "research and development projects" in this Article) in order to support the rice processing industry and encourage the use of rice: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Development of varieties of rice to process for specific purposes;
2. Improvement of the quality of rice products and the development of technology and machines for manufacturing;

3. Development of basic technology for packing and storage of rice products;

4. Development of new materials from rice.

(2) The Minister of Agriculture, Food, and Rural Affairs may request a specialized research institute to perform a research and development project under paragraph (1) and may implement measures necessary to promote the industrialization of such research and development projects. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Agriculture, Food, and Rural Affairs may provide necessary assistance to persons who perform a research and development project and persons who intend to industrialize a research and development project, as prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

Articles 11 through 15 Deleted. *<by Act No. 12055, Aug. 13, 2013>*

Article 16 (Statistical Survey)

(1) The Minister of Agriculture, Food, and Rural Affairs may conduct statistical surveys on production, distribution, and consumption of rice products in order to efficiently formulate a policy necessary to promote the development of the rice processing industry and the use of rice and maintain balance between supply and demand of rice. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) If the Minister of Agriculture, Food, and Rural Affairs deems it necessary for a statistical survey, he/she may request the head of a related central administrative agency, the head of a local government, the head of a public institution, or a person engaged in a related industry (hereafter referred to as the "head of a central administrative agency or other relevant person" in this Article) to provide him/her with necessary data and information. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Upon receipt of a request to provide data and information pursuant to paragraph (2), the head of a central administrative agency or other relevant person shall cooperate as requested, except in extenuating circumstances.

(4) Matters necessary for the subject of the statistical surveys under paragraph (1) and the method, time, and scope of such surveys shall be prescribed by Presidential Decree.

Article 17 (Invigoration of Clustering of Rice Processing Industry)

(1) In order to enhance the synergistic effect of the clustering and cross links between the rice processing industry, agriculture, and other related industries, the Minister of Agriculture, Food, and Rural Affairs shall endeavor to develop industrial complexes for processing rice and promote the clustering of the rice processing industry. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The procedures prescribed in the Industrial Sites and Development Act and the Industrial Cluster Development and Factory Establishment Act shall apply *mutatis mutandis* to matters regarding the development, etc. of industrial complexes for processing rice, which are necessary to invigorate the

clustering of the rice processing industry under paragraph (1).

Article 18 (Education, Training, etc.)

(1) The State or a local government may provide educational and training programs, directly or through an entrusted entity, to consumers or related workers in order to encourage the use of rice and promote the rice processing industry.

(2) The State or a local government may designate an institution or organization that retains facilities and human resources adequate for the education and training programs under paragraph (1) as an educational and training institution.

(3) When an educational or training program provided in paragraph (1) is entrusted to an institution, such institution may be subsidized as necessary within budgetary limits.

(4) Matters necessary for the designation and operation of educational and training institutions under paragraph (2) shall be prescribed by Presidential Decree.

Article 19 (Training of Professional Manpower)

(1) The Minister of Agriculture, Food, and Rural Affairs shall endeavor to train professional manpower to invigorate the rice processing industry. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) In order to train professional manpower under paragraph (1), the Minister of Agriculture, Food, and Rural Affairs may designate an institution that retains adequate facilities and human resources, such as a university and research institute, as an institution for training professional manpower. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Agriculture, Food, and Rural Affairs may subsidize an institution designated under paragraph (2), within budgetary limits, for training professional manpower for expenses incurred in training, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Matters necessary for the criteria and method for the designation of institutions for training professional manpower under paragraph (2) shall be prescribed by Presidential Decree.

Article 20 (Assistance in Establishing and Operating Exhibition Hall, etc.)

The State or a local government may subsidize a person who establishes and operates an exhibition hall for rice products or rice culture in order to encourage the use of rice and promote the rice processing industry as necessary within budgetary limits, as prescribed by Presidential Decree.

Article 21 (Assistance for Distribution Centers, etc.)

The State or a local government may subsidize a person who establishes and operates a distribution center or specialized store in order to standardize the packing and specifications of rice products for delivery, advertise rice products, and promote sales of rice products as necessary within budgetary limits, as prescribed by Presidential Decree.

Article 22 (Holding of Contests)

(1) In order to improve the quality of rice products, enhance the competitiveness of rice products, and select and promote representative brands of rice products, the Minister of Agriculture, Food, and Rural Affairs may hold contests of rice products. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for holding and operating contests under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013>

Article 23 (Promotion of Globalization, etc.)

(1) In order to support the rice processing industry, enhance the competitiveness in exporting rice products, and promote the expansion of overseas markets, the State or a local government may provide assistance as necessary to a person or organization that advertises representative brands of rice products selected pursuant to Article 22 or develops overseas markets, as prescribed by Presidential Decree.

(2) In order to improve the quality of rice products and promote international trade thereof, the Minister of Agriculture, Food, and Rural Affairs shall promote the standardization of rice products to meet international standards. <Amended by Act No. 11690, Mar. 23, 2013>

Article 24 (Encouragement of Use of Rice of Excellent Quality)

(1) In order to increase the supply of high quality rice products in a stable manner, the Minister of Agriculture, Food, and Rural Affairs may formulate and execute measures for encouraging rice processors to use high quality rice with safety recognized as specified in the following subparagraphs: <Amended by Act No. 11459, Jun. 1, 2012; Act No. 11690, Mar. 23, 2013>

1. Products with the certification of excellent management of agricultural products under Article 6 (2) of the Agricultural and Marine Products Quality Control Act;
2. Products with the registration of a geographical indication under Article 32 of the Agricultural and Marine Products Quality Control Act;
3. Products with the certification of organic food, etc. under Article 19 (1) the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods, Etc. and products with the certification of pesticide-free agricultural and fishery products, etc. under Article 34 (1) of the same Act;
4. Products with the certification under any other national certification system specified by Presidential Decree.

(2) Persons eligible for assistance through measures for promoting the use of rice of excellent quality under paragraph (1), the criteria, procedure, and method for such assistance, and other necessary matters shall be prescribed by Presidential Decree.

CHAPTER III SUPPLEMENTARY PROVISIONS

Article 25 (Supervision)

(1) If the Minister of Agriculture, Food, and Rural Affairs deems it necessary to improve the quality of rice products and establish order in distribution, he/she may order a rice processing business entity to submit a report or data about necessary matters or may authorize relevant public officials to enter a place of business at issue to inspect account books, relevant documents, facilities, and rice products, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When it is intended to conduct an inspection pursuant to paragraph (1), the person subject to the inspection shall be notified of the inspection plan, including the date and time of inspection, the reasons for such inspection, and the scope of such inspection by not later than seven days before the scheduled date of such inspection: Provided, That the foregoing shall not apply where it is required to conduct an inspection urgently or it is deemed impossible to achieve the objectives of an inspection due to destruction of evidence or other cause if a notice is given in advance.

(3) A public official who conducts an inspection pursuant to paragraph (1) shall carry a certificate indicating his/her authority and shall present it to people involved.

Article 26 (Submission of Data)

If the Minister of Agriculture, Food, and Rural Affairs deems it necessary for subsidization and follow-up management under this Act, he/she may demand a rice processor to submit relevant data. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 27 Deleted. *<by Act No. 12055, Aug. 13, 2013>*

Article 28 (Delegation or Entrustment of Authority)

(1) The Minister of Agriculture, Food, and Rural Affairs may delegate part of his/her authority under this Act to the Administrator of the Rural Development Administration, the head of an affiliated agency, or a Mayor/Do Governor, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15773, Sep. 18, 2018>*

(2) The Minister of Agriculture, Food, and Rural Affairs may entrust part of his/her affairs under this Act to a producers' organization or any relevant legal entity or organization, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

CHAPTER IV (Articles 29 through 31) Deleted.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Enforcement Date of the Agricultural and Marine Products Quality Control Act)

"Article 6 (2) of the Agricultural and Marine Products Quality Control Act" in the amended provisions of Article 24 (1) 1 shall be construed as "Article 5 (2) of the Agricultural Products Quality Control Act" until July 21, 2012, and "Article 32 of the Agricultural and Marine Products Quality Control Act" in amended provisions of Article 24 (1) 2 as "Article 8 of the Agricultural Products Quality Control Act" until July 21, 2012.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

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

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 12055, Aug. 13, 2013>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Disposition)

Administrative dispositions against violations committed before this Act enters into force shall be governed by the previous provisions.

Article 3 (Transitional Measures concerning Penalty Provisions)

In applying penalty provisions and administrative fines to acts committed before this Act enters into force, the previous provisions shall apply.

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

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 15076, Nov. 28, 2017>

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

ADDENDUM <Act No. 15773, Sep. 18, 2018>

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

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