

PESTICIDE CONTROL ACT

Wholly Amended by Act No. 5023, Dec. 6, 1995

Amended by Act No. 5153, Aug. 8, 1996

Act No. 5453, Dec. 13, 1997

Act No. 5945, Mar. 31, 1999

Act No. 6763, Dec. 11, 2002

Act No. 7459, Mar. 31, 2005

Act No. 8466, May 17, 2007

Act No. 8747, Dec. 21, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9658, May 8, 2009

Act No. 10242, Apr. 12, 2010

Act No. 10934, Jul. 25, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11862, jun. 4, 2013

Act No. 12050, Aug. 13, 2013

Act No. 12426, Mar. 18, 2014

Act No. 12808, Oct. 15, 2014

Act No. 13132, Feb. 3, 2015

Act No. 13403, Jul. 20, 2015

Act No. 14532, Jan. 17, 2017

Act No. 14645, Mar. 21, 2017

Act No. 14980, Oct. 31, 2017

Act No. 16120, Dec. 31, 2018

Act No. 16964, Feb. 11, 2020

Act No. 18256, jun. 15, 2021

Act No. 18526, Nov. 30, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to promote improvement in the quality of pesticides, the establishment of order in the distribution and safe use thereof, and to contribute to agricultural production and the conservation of the living environment by prescribing matters concerning the production, importation, sale, and use of pesticides.

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Apr. 12, 2010; Jul. 25, 2011; Mar. 23, 2013>

1. The term "pesticide" means any of the following:

- (a) Fungicides, insecticides, and herbicides used for controlling germs, insects, mites, nematodes, viruses, weeds, and other animals and plants prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs (hereinafter referred to as "disease and insect pest"), which damage crops (including trees, agricultural products, and forest products; hereinafter the same shall apply);
- (b) Chemicals used for promoting or repressing physiological functions of crops;
- (c) Other chemicals prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

1-2. The term "biopesticide" means any of the following pesticides that meet the standards determined and publicly notified by the Administrator of the Rural Development Administration:

- (a) Pesticides manufactured from living microorganisms, such as mycetes, bacteria, viruses, or protozoans, as active ingredients;
- (b) Pesticides manufactured from naturally occurring organic or inorganic compounds as active ingredients;

2. The term "item" means the pesticide product which is identical in terms of the percentage of respective active ingredients and the method of preparation;

3. The term "technical concentrate" means the substance in which active ingredients of pesticides are concentrated;

3-2. The term "pest control equipment" means any of the following determined by the Administrator of the Rural Development Administration:

- (a) Materials using pesticides as raw materials or materials, which are used to prevent diseases and insect pests from damaging crops and to control the quality of agricultural products;
- (b) Instruments or devices generating substances which have the effect of sterilization, killing insects, weeding, and growth control;

4. The term "manufacturing business" means manufacturing (including processing; hereinafter the same shall apply) and selling pesticides or pest control equipment (hereinafter referred to as "pesticides, etc.") in the Republic of Korea;

5. The term "technical concentrate business" means manufacturing and selling technical concentrates in the Republic of Korea;

6. The term "importation business" means importing and selling pesticides, etc. or technical concentrates;
7. The term "sales business" means selling pesticides, etc. other than manufacturing business and import business;
8. The term "pest control business" means controlling disease and insect pests or promoting or repressing physiological functions of crops by using pesticides.

Article 2-2 (Development and Dissemination of Technical Concentrates and Exemplary Pesticides)

The Minister of Agriculture, Food and Rural Affairs shall formulate and implement measures necessary to develop and distribute technical concentrates, high-quality pesticides, etc. and to promote the safe use of pesticides, etc. <Amended on Mar. 23, 2013; Mar. 21, 2017>

CHAPTER II REGISTRATION OF BUSINESS

Article 3 (Registration of Business)

(1) Any person who intends to engage in manufacturing, technical concentrate, or importation business shall file for registration with the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to any intended modification of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in registration. <Amended on May 8, 2009; Jul. 25, 2011; Mar. 23, 2013>

(2) Any person who intends to engage in sales business shall designate a sales manager for each business establishment and file for registration with the head of a Si (referring to the Special Self-Governing Province Governor in cases of a Special Self-Governing Province; hereinafter the same shall apply)/Gun/autonomous Gu (hereinafter referred to as "head of a Si/Gun/ Gu") which has jurisdiction over the location of each business establishment, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to any intended modification of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in registration. <Amended on May 8, 2009; Jul. 25, 2011; Mar. 23, 2013>

(3) A person who intends to sell pesticides, etc., among those intending to engage in manufacturing or importation business, shall designate a sales manager who satisfies the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and file for registration pursuant to the former part of paragraph (1). <Newly Inserted on Jul. 25, 2011; Mar. 23, 2013>

(4) A person who intends to sell pesticides, etc., among those who have registered their manufacturing or importation business pursuant to the former part of paragraph (1) without designating a sales manager under paragraph (3) shall designate a sales manager under paragraph (3) and file for registration of a change thereof. <Newly Inserted on Jul. 25, 2011>

(5) Any person who intends to file for registration pursuant to paragraph (1) or (2) shall be equipped with human resources, facilities, equipment, etc. which satisfy the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, separate standards may be stipulated to be fulfilled by those intending to engage in the technical concentrate business or importation business who handle technical concentrates governed by the Chemical Substances Control Act as prohibited or toxic substances. <Amended on May 8, 2009; Jul. 25, 2011; Mar. 23, 2013; Nov. 30, 2021>

Article 3-2 (Reporting on Business)

(1) Any person who intends to engage in the pest control business for imported or exported plants or aviation pest control business (hereinafter referred to as the "pest control business for imported or exported plants, etc.") shall report to the Minister of Agriculture, Food and Rural Affairs as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to any intended modification of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in the report. <Amended on Jul. 25, 2011; Mar. 23, 2013; Jun. 15, 2021>

(2) Upon receipt of a report on the pest control business for imported or exported plants, etc. or a report on modification thereof under paragraph (1), the Minister of Agriculture, Food and Rural Affairs shall examine the report, and accept it if it conforms to this Act. <Newly Inserted on Dec. 31, 2018; Jun. 15, 2021>

(3) The scope of the pest control business for imported or exported plants, etc. shall be prescribed by Presidential Decree. <Amended on Dec. 31, 2018; Jun. 15, 2021>

(4) Any person who intends to report the pest control business for imported or exported plants, etc. shall have human resources, facilities, equipment, etc. which meet the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Dec. 31, 2018; Jun. 15, 2021>

Article 4 (Grounds for Disqualification)

None of the following persons shall file for registration pursuant to the former part of Article 3 (1) and the former part of Article 3 (2): <Amended on Jul. 25, 2011; Mar. 18, 2014; Feb. 3, 2015>

1. A person who is under adult guardianship or limited guardianship;
2. A person declared bankrupt and yet to be reinstated;
3. A person in whose cases two years have not passed since his or her imprisonment with labor for a violation of this Act was completely executed (including cases where it is deemed that such sentence was completely executed) or exempted;
4. A person who is under suspension of the execution of his or her imprisonment with labor for a violation of this Act;
5. A person in whose cases two years have not passed from the date registration was revoked (excluding cases where registration was revoked due to reasons falling under subparagraphs 1 and 2 of Article 4) in accordance with Article 7;

6. A corporation, any executive officer of which falls under any of subparagraphs 1 through 5.

Article 5 (Succession to Status of Manufacturers)

(1) Any of the following persons shall succeed to the status of any person who has registered his or her business in accordance with Article 3 (1) or (2) (hereinafter referred to as "manufacturer, etc.") or who has reported the pest control business for imported or exported plants, etc. in accordance with Article 3-2 (1) (hereinafter referred to as "pest controller for imported or exported plants, etc."): Provided, That where any person referred to in subparagraph 2 or 3 who intends to succeed to the status of a manufacturer, etc. falls under any of subparagraphs 1 through 5 of Article 4, he or she shall not succeed to such status: <Amended on Jul. 25, 2011; Jun. 15, 2021>

1. Where a manufacturer, etc. or pest controller for imported or exported plants, etc. dies, his or her successor;
2. Where a manufacturer, etc. or pest controller for imported or exported plants, etc. transfers his or her business, the transferee;
3. Where a corporate manufacturer, etc. or corporate pest controller for imported or exported plants, etc. has merged, a corporation surviving the merger or corporation incorporated as a result of the merger.

(2) Where a successor who has succeeded to the status of a manufacturer, etc. in accordance with paragraph (1) falls under any of subparagraphs 1 through 5 of Article 4, or where a corporation which has succeeded to such status falls under subparagraph 6 of Article 4, the successor shall transfer the status of the manufacturer, etc. to a third person, or the corporation shall appoint a new executive officer to replace a disqualified executive officer, within six months after the date of commencement of the succession or the date of the merger. <Amended on Jul. 25, 2011>

(3) A person who has succeeded to the status of a pest controller for imported or exported plants, etc. under paragraph (1) shall report to the Minister of Agriculture, Food and Rural Affairs; a person who has succeeded to the status of a person who has registered the manufacturing, technical concentrate, or importation business under Article 3 (1) (hereinafter respectively referred to as "manufacturer", "technical concentrate supplier" or "importer") shall report to the Administrator of the Rural Development Administration; and a person who has succeeded to the status of a person who has registered sales business under the former part of Article 3 (2) (hereinafter referred to as "seller") shall report to the head of a Si/Gun/Gu within one month as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Jul. 25, 2011; Mar. 23, 2013; Jun. 15, 2021>

Article 5-2 (Succession to Effect of Administrative Dispositions)

Where a person succeeds to the status of the previous manufacturer, etc. or pest controller for imported or exported plants, etc. pursuant to Article 5 (1), the effect of an administrative disposition imposed on him or her in accordance with Article 7 (1) through (3) shall be succeeded to the successor and shall remain in force against the successor one year from the expiry date of the disposition period; and where a proceeding

for an administrative disposition is pending, the proceeding may be continued against the successor: Provided, That the foregoing shall not apply where the successor proves his or her total ignorance to the administrative disposition or violation at the time of his or her succession to the status. <Amended on Jun. 15, 2021>

Article 6 (Reporting on Closure of Business)

(1) Where intending to close business, pest controllers for imported or exported plants, etc. shall report thereon to the Minister of Agriculture, Food and Rural Affairs; manufacturers, technical concentrate suppliers, and importers to the Administrator of the Rural Development Administration; and sellers to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 15, 2021>

(2) A person who intends to report the closure of business pursuant to paragraph (1) shall discard or return pesticides, etc. or technical concentrates stored in his or her place of business, warehouse, etc. or take other appropriate measures, to prevent such pesticides, etc. or technical concentrates from harming people or the environment.

(3) Upon receipt of a report under paragraph (1), the Minister of Agriculture, Food and Rural Affairs, the Administrator of the Rural Development Administration, or the head of the Si/Gun/Gu shall examine the report, and accept it if it conforms to this Act. <Newly Inserted on Dec. 31, 2018; Jun. 15, 2021>

Article 7 (Revocation of Registration)

(1) Where a manufacturer, technical concentrate supplier, or importer falls under any of the following cases, the Administrator of the Rural Development Administration may revoke registration of such business or issue an order to fully or partially suspend operations of such business for a specified period of up to one year: Provided, That if he or she falls under subparagraph 1-2, 13, or 14, his or her registration shall be revoked: <Amended on Apr. 12, 2010; Jul. 25, 2011; Oct. 31, 2017; Feb. 11, 2020; Jun. 15, 2021>

1. Where he or she fails to make modification of registration pursuant to the latter part of Article 3 (1) or Article 3 (4) without good cause;

1-2. Where he or she falls under the grounds of disqualification prescribed in Article 4: Provided, That the foregoing shall not apply to replacing an executive officer who falls under subparagraph 6 of Article 4 within six months with another;

2. Where he or she manufactures, imports, or sells unregistered pesticides, etc. or technical concentrates, in violation of Article 8 (1), 16 (1), 17 (1), or 17-2 (1);

3. Where he or she fails to comply with any disposition to modify any registered matter or to revoke registration or any disposition to restrict manufacturing, exportation and importation, or supply (including orders to recall or discard) pursuant to Article 14 (2) (including cases where it is applied mutatis mutandis pursuant to the latter part of Article 8-2 (1) or Article 17 (3));

4. Where he or she commits any offense in violation of exportation and importation prohibitions or restrictions or other compliance-related matters which are publicly announced by the Administrator of the Rural Development Administration pursuant to Article 15 (1);
- 4-2. Where he or she violates the conditions referred to in the latter part of Article 17 (4);
5. Where he or she fails to provide an indication on pesticides, etc. or technical concentrates pursuant to Article 20 (1) or (2) or provides a false indication;
6. Where he or she manufactures, produces, imports, stores, displays, or sells pesticides, etc. or technical concentrates, in violation of Article 21 (1) or (2);
7. Where he or she makes a false or exaggerated advertisement, in violation of Article 22, or makes an advertisement contrary to the method of advertisement prescribed in the same Article;
8. Where he or she handles pesticides, etc. in violation of the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
9. Where the test prescribed in Article 24 finds that the quality of pesticides, etc. is poor, or where he or she fails to submit an in-house test report or submits a false test report;
10. Where he or she refuses, obstructs or evades an examination or the collection of samples or testing products referred to in Article 24 (1);
11. Where he or she fails to comply with an order to collect or abandon pesticides, etc. or technical concentrates pursuant to Article 24 (5);
12. Where he or she fails to comply with an order to supplement facilities or such pursuant to Article 25, or fails to report matters regarding the control of pesticides, etc. or technical concentrates, or submits a false report;
13. Where he or she files for registration of business or makes modification of registration by fraud or other improper means;
14. Where he or she operates his or her business, in violation of an order to suspend operation of such business;
15. Where he or she fails to commence business despite the lapse of three years from the date of registration.

(2) Where a seller falls under any of the following cases, the head of a Si/Gun/Gu may revoke registration of such business or issue an order to fully or partially suspend operations of such business for a specified period of up to one year: Provided, That if he or she falls under subparagraph 1-2, 4, or 5, his or her registration shall be revoked: <Amended on Jul. 25, 2011; Jun. 15, 2021>

1. Where he or she fails to make modification of registration pursuant to the latter part of Article 3 (2), without good cause;
- 1-2. Where he or she falls under any subparagraph of Article 4: Provided, That the foregoing shall not apply to replacing an executive officer of a corporation who falls under subparagraph 6 of Article 4 within six months with another;

2. Where he or she falls under paragraph (1) 6, 7, or 10 through 12;
3. Where he or she handles pesticides, etc. in violation of the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
4. Where he or she files for registration of business or makes modification of registration by fraud or other improper means;
5. Where he or she operates his or her business, in violation of an order to suspend operation of such business.
6. Where he or she fails to commence business despite the lapse of one year from the date of registration.

(3) Where a pest controller for imported or exported plants, etc. falls under any of the following cases, the Minister of Agriculture, Food and Rural Affairs may issue an order to close the place of business or to fully or partially suspend operations of such business for a specified period of up to two years: Provided, That the Director General of the National Plant Quarantine Service shall issue an order to close the place of business in cases falling under subparagraph 6 or 7: *<Amended on Jul. 25, 2011; Jun. 15, 2021>*

1. Where he or she falls under paragraph (1) 10 through 12;
 - 1-2. Where he or she fails to make modification of registration pursuant to the latter part of Article 3-2 (1), without good cause;
 2. Where he or she uses or handles pesticides, etc. in violation of the guidelines for the safe use or the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
 3. Where a fatal accident has been caused by his or her violation of this Act;
 4. Deleted; *<Jul. 25, 2011>*
 5. Where he or she has no record of pest control for at least one year, or violates regulations on the quarantine and disinfection of imported or exported plants or regulations on the aviation pest control business management determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs;
 6. Where he or she reports his or her business or makes modification of registration by fraud or other improper means;
 7. Where he or she operates his or her business, in violation of an order to suspend operation of such business.
- (4) Detailed criteria for any disposition of revocation or suspension provided in paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

CHAPTER III REGISTRATION OF PESTICIDES

Article 8 (Registration of Items Manufactured in Republic of Korea)

(1) Where a manufacturer intends to manufacture pesticides in the Republic of Korea and sell them in the Republic of Korea, he or she shall file for registration of each item with the Administrator of the Rural Development Administration: Provided, That the foregoing shall not apply where he or she manufactures an item registered by another manufacturer after being entrusted therewith. <Amended on Jun. 15, 2021>

(2) Any person who intends to file for registration pursuant to paragraph (1) shall submit an application for registration stating the following to the Administrator of the Rural Development Administration, along with results of the test on the effect, harmfulness, toxicity, and residues of the relevant pesticide product that has been conducted by a testing and research institute designated pursuant to Article 17-4 (1) (hereinafter referred to as "test report") and with samples of such pesticide product: Provided, That where he or she files for registration of biopesticides or other items prescribed by Presidential Decree, he or she may be wholly or partially exempt from submitting the test report as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Jul. 25, 2011; Mar. 23, 2013>

1. An applicant's name (in cases of a corporation, its trade name and the name of its representative; hereinafter the same shall apply), domicile, and resident registration number;
2. Name of a pesticide;
3. Physical and chemical nature and condition, the types of active ingredients and other ingredients, and their respective contents;
4. Manufacturing process of items;
5. Types and capacities of containers or packaging, and materials used for the manufacture of containers or packaging;
6. Target diseases and insect pests and crops, instructions for the use of pesticides, and doses of a pesticide;
7. Warranty period of the effect of a pesticide;
8. Where a pesticide is harmful to human bodies or livestock, the details thereof and the method of detoxification;
9. Where a pesticide is harmful to aquatic life, the details thereof;
10. Where a pesticide is inflammable, explosible, or detrimental to skin or such, the details thereof;
11. Cautions for safekeeping, handling and use;
12. Location of a manufacturing place;
13. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of manufactured items.

Article 8-2 (Registration of Exported Pesticides)

(1) A person who intends to manufacture pesticides in the Republic of Korea and export them may register the pesticides by item with the Administrator of the Rural Development Administration. In such cases, Article 8 (2), Articles 9 through 14 and Article 14-2 shall apply mutatis mutandis to the registration of items and the cancellation of such registration.

(2) Upon receipt of an application for registration pursuant to paragraph (1), the Administrator of the Rural Development Administration may wholly or partially exempt items to be manufactured domestically and exported in their entirety from the submission of test reports, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 9 (Review of Documents for Application for Item Registration)

(1) Upon receipt of an application referred to in Article 8 (2), the Administrator of the Rural Development Administration shall require the head of an administrative agency in charge of the affairs of agricultural sciences and technologies to review documents and test samples of a pesticide submitted by an applicant.

(2) Criteria for the review of documents and test of samples of a pesticide submitted pursuant to paragraph (1) shall be publicly notified by the Administrator of the Rural Development Administration in consultation with the head of the related central administrative agency.

(3) Where the results of review of documents and test of samples of a pesticide under paragraphs (1) and (2) fall under any of the following, the Administrator of the Rural Development Administration shall either return application documents for registration to an applicant by clearly stating the causes therefor or order the applicant to supplement them: <Amended on Jan. 17, 2017>

1. Where there are false particulars in the matters stated in the application;
2. Where the effect of the relevant pesticide is too low to have the value as a pesticide;
3. Where the use of the relevant pesticide according to the directions in the application causes damage to crops;
4. Where it is feared that people and livestock may be injured even though the relevant pesticide is used or handled according to the directions for use and handling;
5. Where it is feared that aquatic life may be damaged if the relevant pesticide is used in large quantities;
6. Where the relevant pesticide may, if used following the directions in the application, remain in crops, and thus be likely to harm people and livestock consuming crops;
7. Where it is feared that the relevant pesticide may, if used following the directions in the application, remain in soil of farmland or such, and thus damage the ecosystem of soil of farmland or harm people and livestock consuming crops cultivated on the farmland;
8. Where it is feared that the relevant pesticide may, if used in large quantities, cause water pollution in the public waters pursuant to subparagraph 9 of Article 2 of the Water Environment Conservation Act, and thus damage the ecosystem of the aquatic life or harm people and livestock consuming the polluted water;
9. Where the name of the relevant pesticide may cause misunderstanding on the principal ingredients or effect thereof.

(4) Where application documents for registration are supplemented in accordance with paragraph (3), the provisions of paragraphs (1) through (3) shall apply mutatis mutandis to re-examination or such.

Article 10 (Issuance of Certificate of Item Registration)

The Administrator of the Rural Development Administration shall, without delay, issue to the applicant a certificate of item registration in which the following matters are stated, unless the application for registration falls under any of the grounds for return or order of supplementation under the subparagraphs of Article 9 (3) as a result of the review of documents and test of samples of the relevant pesticide product pursuant to Article 9: <Amended on Mar. 23, 2013>

1. Registration number and the date of registration;
2. Name of a manufacturer;
3. Matters prescribed in Article 8 (2) 2, 3, and 6;
4. Location of a manufacturing place;
5. The term of validity of registration;
6. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 11 (Term of Validity of Item Registration and Re-Registration)

(1) The term of validity for item registration under Article 8 (1) shall be 10 years.

(2) Where a manufacturer intends to re-register an item whose term of validity is to be expired under paragraph (1), he or she shall file an application for re-registration of such item with the Administrator of the Rural Development Administration at least six months before the term of validity expires. In such cases, the provisions of Articles 8 (2), 9, and 10 shall apply mutatis mutandis to an application for re-registration, review of an application document, etc. and re-issuance of a certificate of item registration.

(3) Where a manufacturer files an application for re-registration of the item pursuant to paragraph (2), he or she may be wholly or partially exempt from submitting the test report, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 12 (Succession to Status of Item Registrant)

The provisions of Articles 5 and 5-2 shall apply mutatis mutandis to succession to the status of a manufacturer who has registered his or her item in accordance with Article 8 (1) (hereinafter referred to as the "manufacturer who has registered his or her item") and to succession to the effect of administrative dispositions. In such cases, "Article 7 (1) through (3)" in Article 5-2 shall be construed as "Articles 7 (1) and 14". <Amended on Jul. 25, 2011>

Article 13 (Modification of Item Registration by Application)

(1) If a manufacturer who has registered his or her item intends to modify an important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs registered, he or she shall submit to the Administrator of the Rural Development Administration a written application stating such matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for which the certificate of

registration and the test report regarding such modifications are provided, along with samples of such product. *<Amended on Jul. 25, 2011; Mar. 23, 2013>*

(2) When a manufacturer who has registered his or her item has made some modifications thereto as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs registered, he or she shall clearly identify the reasons for the modifications and details thereof and report them to the Administrator of the Rural Development Administration within 30 days from the date of such modifications. In such cases, when modifying any matter stated in the certificate of item registration, he or she shall apply for re-issuance of the certificate of item registration. *<Amended on Jul. 25, 2011; Mar. 23, 2013>*

(3) The provisions of Articles 9 and 10 shall apply mutatis mutandis to the review, return, etc. of application documents, etc. for item registration related to modifications to item registration under paragraph (1) and re-issuance of a certificate of item registration.

Article 14 (Ex Officio Revocation of Item Registration)

(1) Where a manufacturer who has registered his or her item has registered his or her item by fraud or other improper means, the Administrator of the Rural Development Administration shall revoke registration of such item, and where registration of manufacturing business is revoked pursuant to Article 7 (1), the Administrator of the Rural Development Administration shall revoke registration of every item registered. In such cases, the Administrator of the Rural Development Administration may order the manufacturer, importer, or seller to recall and discard the relevant pesticide product (including pesticide products already sold). *<Amended on Jul. 25, 2011; Mar. 21, 2017>*

(2) Where a pesticide for which item registration has been filed is used in compliance with instructions given in the application for registration, and where it is deemed to fall under either of the following, the Administrator of the Rural Development Administration may modify a registered matter, revoke item registration or impose a disposition for restricting the manufacturing, exportation or importation, or supply thereof (hereinafter referred to as "restrictive disposition") after undergoing deliberative procedures prescribed by Presidential Decree. In such cases, the Administrator of the Rural Development Administration may order the manufacturer, importer, or seller to recall and discard the relevant pesticide product (including pesticide products already sold): *<Amended on Apr. 12, 2010; Feb. 11, 2020>*

1. Where any of Article 9 (3) 2 through 8 is applicable;

2. Where an international organization, a foreign government, the European Union, etc. prove that the relevant item or active ingredients are likely to cause serious danger and harm.

(3) Where any manufacturer, importer, or seller fails to comply with a corrective order issued under the latter part of paragraph (1) or the latter part of paragraph (2), the Administrator of the Rural Development Administration shall directly recall and discard the relevant pesticide product. In such cases the cost incurred shall be borne by the relevant manufacturer, importer, or seller. *<Newly Inserted on Mar. 21, 2017>*

(4) Each public official who recalls and discards a pesticide product pursuant to paragraph (3) shall carry a certificate indicating his or her legitimate authority and present it to interested persons. *<Newly Inserted on*

Mar. 21, 2017>

(5) The manufacturer, importer, or seller of a pesticide product in receipt of an order to recall and discard it from the Administrator of the Rural Development Administration pursuant to paragraph (1) or (2) shall compensate for recalled pesticide product if requested by the purchasers of the relevant pesticide product, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Mar. 21, 2017>*

(6) Where it is deemed urgent to control disease and insect pests or to promote or repress physiological functions of crops, the Administrator of the Rural Development Administration may modify target diseases, insect pests or crops, instructions for use and doses registered under subparagraph 3 of Article 10. *<Amended on Jul. 25, 2011; Mar. 21, 2017>*

(7) Where the Administrator of the Rural Development Administration has modified matters in item registration pursuant to paragraph (2) or (6), he or she shall re-issue a certificate of item registration pursuant to Article 10 to a manufacturer who filed such item registration. *<Amended on Mar. 21, 2017>*

(8) Where the Administrator of the Rural Development Administration has revoked item registration or imposed a restrictive imposition in accordance with paragraph (1) or (2), he or she shall publicly notify the relevant item and the details of the revocation of registration or restrictions. *<Amended on Mar. 21, 2017>*

Article 14-2 (Revocation of Item Registration due to Reasons other than Ex Officio Revocation)

(1) With respect to pesticide products, etc. or technical concentrates that fall under any of the following subparagraphs, the Administrator of the Rural Development Administration may order the relevant manufacturer, importer, or seller to recall and discard them as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Amended on Feb. 11, 2020; Jun. 15, 2021>*

1. Where the registration of the pesticide products, etc. or technical concentrates registered pursuant to Article 8 (1), the former part of Article 8-2 (1), Article 17 (1), or Article 17-2 (1) is revoked at the request of the manufacturer or importer;
2. Where the validity of registration of the pesticide products, etc. has expired, because the manufacturer or importer failed to file an application for re-registration pursuant to Article 11 (2) (including cases where it is applied mutatis mutandis pursuant to the latter part of Article 8-2 (1) or Article 17 (3)) or Article 17-3 (2).

(2) Article 14 (3) through (5) shall apply mutatis mutandis to the direct recalling and discarding procedures to be taken by the Administrator of the Rural Development Administration due to failure of a manufacturer, importer, or seller to comply with a corrective order issued pursuant to paragraph (1), bearing of such costs, indication of authority of public officials who conduct recalling and discarding, and provisions on compensation for purchasers of pesticide products.

Article 15 (Public Notice of Ban on Importation of Hazardous Pesticides and Technical Concentrates)

(1) The Administrator of the Rural Development Administration shall give public notice of the following:
<Amended on Mar. 23, 2013>

1. Details of bans or restrictions on pesticides and technical concentrates imposed by any state party to the Convention in accordance with Articles 5 and 6 of the Rotterdam Convention on the Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade (hereinafter referred to as the "Rotterdam Convention");
2. Standards for approval of exportation and importation and other matters to be complied with by importers or exporters of pesticides or technical concentrates in accordance with Articles 10 through 13 of the Rotterdam Convention;
3. Pesticides and technical concentrates listed in Annex III of the Rotterdam Convention;
4. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to be publicly notified by the Government pursuant to the Rotterdam Convention.

(2) If the Administrator of the Rural Development Administration intends to give public notice pursuant to paragraph (1), he or she shall consult with the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

Article 16 (Registration of Technical Concentrates)

(1) Any technical concentrate supplier who intends to manufacture and sell technical concentrates shall file for registration of each type of technical concentrates with the Administrator of the Rural Development Administration.

(2) A person who intends to file for registration of technical concentrates in accordance with paragraph (1) shall submit an application stating the following to the Administrator of the Rural Development Administration, along with the result of physiochemical analysis and a report on toxicity test of technical concentrates, which is prepared by a testing and research institute designated pursuant to Article 17-4 (1), as well as samples of technical concentrates: Provided, That in the case of filing for registration of technical concentrates prescribed by Presidential Decree, he or she shall be wholly or partially exempt from submitting such documents, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Jul. 25, 2011; Mar. 23, 2013>

1. Name, domicile, resident registration number of an applicant;
2. Name, the physiochemical properties and condition of technical concentrates and kinds and respective contents of principal ingredients and other ingredients;
3. Synthesizing and manufacturing process of technical concentrates;
4. Where technical concentrates are inflammable or explosible, the details thereof;
5. The location of a factory;
6. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of technical concentrates.

(3) Upon receipt of an application referred to in paragraph (2), the Administrator of the Rural Development Administration shall, without delay, issue a certificate of registration stating the following to an applicant if the application is deemed to meet the standards determined and publicly notified by the Administrator of the Rural Development Administration for registration of technical concentrates:

<Amended on Mar. 23, 2013>

1. Registration number and the date of registration;
2. Name of a technical concentrate supplier;
3. The details referred to in paragraph (2) 2;
4. The location of a factory;
5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) The provisions of Articles 12, 13 and 14 (1) shall apply mutatis mutandis to matters related to registration of technical concentrates pursuant to paragraph (1), such as succession to the status of a registrant of technical concentrates, succession to the effect of administrative disposition, modification of registration of technical concentrates by application or such, and ex officio revocation of registration. In such cases, "item" shall be construed as "technical concentrates" and "manufacturer" as "technical concentrate supplier". *<Amended on Jul. 25, 2011>*

Article 17 (Registration of Imported Pesticides)

(1) When an importer intends to import and sell pesticides or technical concentrates, he or she shall file for registration of each type of items of pesticides or technical concentrates with the Administrator of the Rural Development Administration. *<Amended on Jul. 25, 2011>*

(2) Deleted. *<Jul. 25, 2011>*

(3) In the case of filing for registration of pesticides or technical concentrates pursuant to paragraph (1), the corresponding provisions classified as follows shall apply mutatis mutandis. In such cases, "manufacturing business" or "technical concentrates business" shall be construed as "importation business", "manufacturer" or "technical concentrate supplier" as "importer", "pesticides" as "imported pesticides", and "technical concentrates" as "imported technical concentrates", respectively: *<Amended on Jul. 25, 2011>*

1. The provisions of Articles 8 (2), 9 through 14, and 16 shall apply mutatis mutandis to the following:
 - (a) Application for item registration of an imported pesticide;
 - (b) Review, etc. of application documents for item registration;
 - (c) Issuance of a certificate of item registration;
 - (d) The term of validity of item registration and re-registration;
 - (e) Succession to the status of a product registrant, etc., and succession to the effect of administrative disposition;
 - (f) Modification of item registration by application;

(g) Ex officio revocation, etc. of item registration;

2. The provisions of Article 16 shall apply mutatis mutandis to the following:

(a) Registration of imported technical concentrates;

(b) Succession to the status of a registrant of imported technical concentrates and succession to the effect of administrative disposition;

(c) Modification of registration of imported technical concentrates by application;

(d) Ex officio revocation of registration of imported technical concentrates.

(4) Notwithstanding the provisions of paragraph (1), in any of the following circumstances, an importer may import and sell pesticides or technical concentrates unregistered pursuant to paragraph (1) after obtaining permission therefor from the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the importer shall meet the conditions prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as sales quantity, sales period, and purchasers: <Newly Inserted on Jul. 25, 2011; Mar. 23, 2013>

1. Where an unregistered pesticide or technical concentrate is imported for testing or academic research purposes;

2. Where an unregistered pesticide is urgently needed to control disease and insect pests or to promote or repress physiological functions of agricultural products for exportation in the absence of any alternative pesticide among those registered pursuant to Article 8 (1) or 17 (1);

3. Where an unregistered pesticide is urgently needed to control disease and insect pests pursuant to Article 31 (1) of the Plant Protection Act in the absence of any alternative pesticide among those registered pursuant to Article 8 (1) or 17 (1).

Article 17-2 (Registration of Pest Control Equipment)

(1) When a manufacturer or importer intends to manufacture in the Republic of Korea or import pest control equipment for sale, he or she shall file for registration of each type of equipment with the Administrator of the Rural Development Administration: Provided, That the same shall not apply where a manufacturer engages in manufacturing pest control equipment using another manufacturer's registered equipment after being entrusted therewith.

(2) A person who intends to file for registration pursuant to paragraph (1) shall submit to the Administrator of the Rural Development Administration an application stating the following, along with documents stating the physiochemical analysis, etc. of pest control equipment, which are prepared by a testing and research institute designated pursuant to Article 17-4 (1), as well as a test product of pest control equipment: Provided, That in the case of filing for registration of pest control equipment prescribed by Presidential Decree, he or she may be wholly or partially exempt from submitting such documents, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Jul. 25, 2011; Mar. 23, 2013>

1. Name (in cases of a corporation, referring to its name and the name of its representative), domicile, and resident registration number of an applicant;
 2. Name of pest control equipment;
 3. Physiochemical properties and conditions, and the types and respective contents of active ingredients and other ingredients;
 4. Manufacturing processes of pest control equipment;
 5. Types and capacities of containers or packaging, and materials used for the manufacture of containers or packaging;
 6. Target diseases and insect pests and crops, term of guarantee of the effect and instructions for use;
 7. Where pest control equipment is inflammable or explosible, the details thereof;
 8. Cautions for safekeeping, handling and use;
 9. The location of a factory;
 10. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of equipment.
- (3) Upon receipt of an application referred to in paragraph (2), the Administrator of the Rural Development Administration shall, without delay, issue a certificate of registration stating the following to an applicant if the application is deemed to meet the standards determined and publicly announced by him or her for registration of pest control equipment: *<Amended on Mar. 23, 2013>*

1. Registration number and the date of registration;
2. Manufacturer's name;
3. Matters referred to in paragraph (2) 2, 3, 6 and 9;
4. The term of validity of registration;
5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) The provisions of Articles 9, 12, 13, and 14 shall apply mutatis mutandis to matters concerning registration of pest control equipment, such as the review of an application document, etc. for registration, succession to the status of a registrant, and succession to the effect of administrative disposition, modification of registration by application, and ex officio revocation of registration. In such cases, "pesticide" shall be construed as "pest control equipment", "product" as "equipment", "sample" as "test product", and "test report" as "documents stating the outcomes of physiochemical analysis, etc.", respectively. *<Amended on Jul. 25, 2011>*

Article 17-3 (Term of Validity of Product Registration and Re-Registration)

- (1) The term of validity of product registration under Article 17-2 (1) shall be 10 years.
- (2) Where a manufacturer or importer intends to re-register the product whose term of validity is to be expired under paragraph (1), he or she shall apply for re-registration of such equipment with the Administrator of the Rural Development Administration by no later than six months before the term of validity expires. In such cases, the provisions of Article 17-2 (2) though (4) shall apply mutatis mutandis

to application for re-registration, review of application documents and re-issuance of a certificate of registration.

(3) Where a manufacturer or importer applies for re-registration of products pursuant to paragraph (2), he or she may be wholly or partially exempted from submitting documents stating the outcomes of physiochemical analysis, etc. pursuant to Article 17-2 (2), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 17-4 (Designation of Testing and Research Institutes)

(1) The Administrator of the Rural Development Administration may, ex officio or upon request, designate an entity which is equipped with human resources, facilities, etc. required for testing the efficacy, harmfulness, toxicity, and residue, and for physiochemical analysis, etc. of pesticides, etc. or technical concentrates as a testing and research institute for each area of test.

(2) An entity that intends to be designated as a testing and research institute pursuant to paragraph (1) shall file an application therefor with the Administrator of the Rural Development Administration. The same shall also apply to any intended modification of an important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among the designated matters. <Amended on Mar. 23, 2013>

(3) The term of validity for designation as a testing and research institute under paragraph (1) shall be four years from the date of being designated as a testing and research institute.

(4) A person who intends to continue to perform the relevant work after the expiration of the term of validity for designation under paragraph (3) shall apply for re-designation by no later than three months before the term of validity expires.

(5) The executive officers and employees of the testing and research institute designated under paragraph (1) shall not divulge any secrets they have learned in the course of their duties to others or use them for other purposes. <Newly Inserted on Jun. 15, 2021>

(6) Detailed standards, procedures, methods, etc. necessary for the designation, modified designation, and re-designation as a testing and research institute pursuant to paragraphs (1), (2), and (4) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 15, 2021>

Article 17-5 (Cancellation of Designation of Testing and Research Institute, etc.)

(1) Where a testing and research institute designated pursuant to Article 17-4 (1) falls under any of the following, the Administrator of the Rural Development Administration may cancel the designation or issue an order to fully or partially suspend its business operation for a specified period not to exceed one year: Provided, That the Administrator shall cancel the designation in cases falling under subparagraph 1 or 5: <Amended on Jun. 15, 2021>

1. Where it is designated by fraud or other improper means;
 2. Where it, by intention or gross negligence, issues any of the following documents falsely:
 - (a) Test report;
 - (b) Documents in which the outcomes of the physiochemical analysis and toxicity test of technical concentrates are stated;
 - (c) Documents in which the outcomes of the physiochemical analysis, etc. of pest control equipment are stated;
 3. Where it fails to meet the designation standards referred to in Article 17-4 (6);
 4. Where it has no record of business performance for at least three consecutive years;
 5. Where it engages in the relevant work in violation of an order to suspend such work.
- (2) No testing and research institute whose designation was canceled pursuant to paragraph (1) may be re-designated within two years after such designation was canceled.
- (3) Detailed standards for the administrative disposition under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, after taking into account the type of violation, the degree of violation, etc. <Amended on Mar. 23, 2013>

CHAPTER IV DISTRIBUTION MANAGEMENT OF PESTICIDES

Article 18 (Adjustment of Pesticide Supply and Demand)

If deemed necessary for the stabilization of pesticide supply and demand, the Minister of Agriculture, Food and Rural Affairs may request manufacturers, technical concentrate suppliers, importers, or sellers to adjust demand for and supply of pesticides and maintain order in their distribution. <Amended on Mar. 23, 2013; Jul. 20, 2015>

Article 19 Deleted. <Jul. 25, 2011>

Article 20 (Indications on Pesticides and Technical Concentrates)

(1) If a manufacturer or importer intends to sell pesticides, etc. he or she has manufactured or imported, he or she shall indicate, on the containers or packaging, the names of pesticides, etc., the content of each active ingredient, the names of target diseases and insect pests, the warranty period for pesticides, etc., and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(2) If a technical concentrate supplier or importer intends to sell technical concentrates he or she has produced or imported, he or she shall indicate, on the containers or packaging, the names of technical concentrates, harmfulness, handling instructions, and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(3) Any person who sells pesticides, etc. directly to consumers, including sellers, shall indicate the prices of pesticides, etc. as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Oct. 31, 2017>

Article 21 (Prohibition against Manufacture, Importation, Storage, Display, or Sale)

(1) No manufacturer, technical concentrate supplier, importer, or seller shall store, display, or sell any of the following pesticides, etc. or technical concentrates: <Amended on Oct. 31, 2017; Jun. 15, 2021>

1. Pesticides registered under Article 8-2 (1): Provided, That storage and display for export is possible;
2. Pesticides, etc. or technical concentrates without an indication referred to in Article 20 (1) or (2), or with a label that provides forged, altered or false information;
3. Pesticides, etc. or technical concentrates with an indication referred to in Article 20 (1) or (2) on the containers or packaging that is damaged and thus illegible;
4. Pesticides, etc. whose warranty period referred to in Article 20 (1) has expired;
5. Pesticides repackaged or subdivided: Provided, That pesticides repackaged or subdivided by an importer after importation may be stored, displayed or sold;
6. Pesticides, etc. without any in-house test certificate prescribed in Article 24 (2).

(2) No person shall manufacture, produce, import, store, display, or sell any of the following pesticides, etc. or technical concentrates: <Amended on Mar. 21, 2017; Jun. 15, 2021>

1. Pesticides, etc. or technical concentrates not registered pursuant to Articles 8 (1), 16 (1), 17 (1), or 17-2 (1);
2. Pesticides, etc. or technical concentrates whose registration is revoked ex officio pursuant to Article 14 (1) or (2) (including cases where it is applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), or Article 16 (4), 17 (3), or 17-2 (4));
3. Pesticides, etc. or technical concentrates subject to recall or discarding pursuant to Article 14-2 (1);
4. Pesticides, etc. or technical concentrates not permitted pursuant to Article 17 (4).

(3) No person shall sell pesticides, etc. or technical concentrates by mail order referred to in subparagraph 2 of Article 2 of the Act on the Consumer Protection in Electronic Commerce or by telemarketing referred to in subparagraph 3 of Article 2 of the Act on Door-to-Door Sales: Provided, That the foregoing shall not apply to pesticides causing minor adverse effects in human beings and the environment, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(4) No person shall sell pesticides, etc. or technical concentrates to youth provided in subparagraph 1 of Article 2 of the Youth Protection Act.

Article 22 (Prohibition of False Advertisement)

(1) No manufacturer, importer, or seller shall make any false advertisement or exaggerated advertisement about pesticides, etc. he or she has manufactured, imported, or sold. <Amended on Apr. 12, 2010>

(2) Advertising methods and the scope of exaggerated advertisements about pesticides, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Apr. 12, 2010; Mar. 23, 2013>

Article 23 (Guidelines for Safe Use of Pesticides)

(1) Each pest controller (including those who run the relevant business without reporting under the former part of Article 3-2 (1); hereinafter the same shall apply) or user of pesticides, etc. shall use pesticides, etc. according to the guidelines for the safe use of pesticides, etc. and each manufacturer, importer, seller or pest controller shall handle pesticides, etc. in accordance with the standards for restrictions on the handling of pesticides, etc. <Amended on Jun. 15, 2021>

(2) The Minister of Agriculture, Food and Rural Affairs shall provide education on the guidelines for safe use and the standards for restrictions on the handling referred to in paragraph (1) to pest controllers for imported or exported plants, etc., whereas the Administrator of the Rural Development Administration and the heads of Sis/Guns/Gus to other users of pesticides, etc. <Amended on Jun. 15, 2021>

(3) Each manufacturer, importer or seller who has designated a sales manager under Article 3 (3) shall direct the sales manager to receive education provided by the Administrator of the Rural Development Administration with respect to the guidelines for safe use and the standards for handling restrictions referred to in paragraph (1).

(4) No manufacturer, importer or seller shall recommend the use of pesticides, etc. in violation of the guidelines for safe use under paragraph (1) or sell pesticides, etc. through such recommendation.

(5) No pest controller or user of pesticides, etc. shall use any of the following pesticides, etc.: <Amended on Jun. 15, 2021>

1. Pesticides, etc. not registered under Articles 8 (1), 17 (1) or 17-2 (1);
2. Pesticides for which permission has not been obtained under the former part of Article 17 (4);
3. Pesticides registered under Article 8-2 (1).

(6) To prevent accidents caused by the leakage of pesticides, etc. or technical concentrates, manufacturers, etc. and pest controllers shall provide personal protective gear, equipment necessary for first aid, etc. to vehicles that transport pesticides, etc. or technical concentrates (limited to transportation between manufacturers, etc. and pest controllers). In such cases, specific standards for the personal protective gear, equipment for first aid, etc. to be provided based on the toxicity, etc. of pesticides, etc. or the technical concentrates shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Nov. 30, 2021>

(7) The Minister of Agriculture, Food and Rural Affairs shall take measures necessary to prevent environmental contamination resulting from the improper and excessive use of pesticides, etc. <Amended on Jun. 15, 2021; Nov. 30, 2021>

(8) Matters necessary for the guidelines for safe use and the standards for restrictions on the handling referred to in paragraph (1) and for the implementation of education referred to in paragraphs (2) and (3)

shall be prescribed by Presidential Decree. <Amended on Nov. 30, 2021>

Article 23-2 (Recording and Retaining Records of Information about Sales and Purchases)

(1) Where a manufacturer, importer, or seller sells pesticides, etc. or where a pest controller for imported or exported plants, etc. uses pesticides, etc., he or she shall record and retain the following information in an electronic form: Provided, That the foregoing shall not apply to small package pesticides, etc. with a container or package size of 50 ml (g) or less, sold to those who use them for their own agricultural activities, etc.: <Amended on Dec. 31, 2018; Jun. 15, 2021>

1. The names, addresses and contact information of the purchasers of pesticides, etc. (for a pest controller for imported or exported plants, etc., referring to the users; hereinafter the same shall apply);
2. Information on sale (for a pest controller for imported or exported plants, etc., referring to information on use) of pesticides, etc., such as item names and quantities;
3. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) A manufacturer, importer, seller, or pest controller for imported or exported plants, etc. shall provide the Administrator of the Rural Development Administration with information prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the safe management of pesticides, among those provided for in the subparagraphs of paragraph (1). <Amended on Dec. 31, 2018; Jun. 15, 2021>

(3) A manufacturer, importer, seller, or pest controller for imported or exported plants, etc. may require the purchasers of pesticides, etc. to offer personal information defined in subparagraph 1 of Article 2 of the Personal Information Protection Act, so as to record and retain records of information under paragraph (1). <Newly Inserted on Dec. 31, 2018; Jun. 15, 2021>

(4) Matters necessary for recording and retaining records of information about sales and purchases under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Dec. 31, 2018>

Article 23-3 (Establishment and Operation of Pesticide Safety Information System)

(1) The Administrator of the Rural Development Administration shall establish and operate a pesticide safety information system to perform the following affairs: <Amended on Jun. 15, 2021>

1. Collection and management of information related to the registration or report of the business of manufacturing, importing or selling pesticides or and the business of pest control for imported or exported plants, etc.;
2. Collection, analysis and management of information on registration of pesticides;
3. Management of information on the sale or purchase of registered pesticides;
4. Provision of information on standards for safe use or handling of pesticides, etc.;
5. Publication of pesticides, etc. under Articles 14 and 14-2, pesticides, etc. that are in violation of Articles 21 and 22, and pesticides, etc. under Article 24 (5) and (6);

6. Other affairs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (2) The Administrator of the Rural Development Administration shall use the personal information provided pursuant to paragraph (1) only for the purpose of operating the pesticide safety information system, and protect and manage such personal information in accordance with the Personal Information Protection Act.
- (3) The State may reimburse all or some of the expenses required for establishing and operating the pesticide safety information system under paragraph (1).
- (4) The Administrator of the Rural Development Administration shall not disclose the information collected pursuant to paragraph (1): Provided, That the same shall not apply in cases of Article 23-3 (1) 5.
- (5) The Administrator of the Rural Development Administration shall not use, utilize or provide the information collected pursuant to paragraph (1) for purposes other than the following: *<Amended on Jun. 15, 2021>*
1. Safety control of pesticides, etc.;
 2. Confirmation of sales and purchase history of pesticides related to the public direct payment under the Act on Operation of Direct Payment Program for Promoting Public Functions of Agriculture and Rural Communities.
- (6) The Administrator of the Rural Development Administration may allow the heads of agencies performing duties under this Act to use the pesticide safety information system. In such cases, the purpose of using information through the pesticide safety information system shall be in compliance with the subparagraphs of paragraph (5). *<Newly Inserted on Jun. 15, 2021>*
- (7) The Administrator of the Rural Development Administration may request the heads of relevant administrative agencies to provide information on pesticide safety control, specifying a period, to operate the pesticide safety information system and to ensure the safety control of pesticides. In such cases, the scope of relevant administrative agencies and information on pesticide safety control shall be prescribed by Presidential Decree. *<Amended on Jun. 15, 2021>*
- (8) The head of a relevant administrative agency requested to provide data under paragraph (7) shall comply within the specified period, in the absence of justifiable grounds for non-compliance. *<Amended on Jun. 15, 2021>*
- (9) Matters necessary for the establishment, operation, etc. of the pesticide safety information system under paragraphs (1) through (5) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Jun. 15, 2021>*

Article 23-4 (Establishment of Pesticide Damage Dispute Mediation Committee)

- (1) In order to mediate disputes related to damage caused by pesticides, the Ministry of Agriculture, Food and Rural Affairs shall establish the pesticide damage dispute mediation committee (hereinafter referred to as the “mediation committee”).

(2) The mediation committee shall mediate disputes related to the following cases (hereinafter referred to as “pesticide damage”):

1. Where one's own crops are contaminated by pesticides, etc. sprayed by other people, companies, institutions, etc.;
2. Where there is damage to one's own crops despite using pesticides, etc. in accordance with the guidelines for safe use under Article 23 (1);
3. Where one's own crops are damaged due to an act by a pest controller in violation of Article 23 (1) or where pesticides, etc. under Article 23 (5) are used;
4. Other cases where the mediation committee deems necessary for dispute mediation.

(3) The Government may provide support in terms of the manpower and expenses necessary for the operation of the mediation committee.

(4) The Minister of Agriculture, Food and Rural Affairs may delegate authority for organizing the mediation committee and operating damage investigations, etc. to the Director General of the National Agricultural Products Quality Management Service, as prescribed by Presidential Decree.

(5) Except as provided in this Act, matters necessary for the organization of the mediation committee and the operation of damage investigations, etc. shall be prescribed by Presidential Decree.

Article 23-5 (Composition of Mediation Committee)

(1) The mediation committee shall be composed of no more than 30 members, including one chairperson.

(2) A member of the Senior Executive Service designated by the Minister of Agriculture, Food and Rural Affairs shall serve as the chairperson of the mediation committee.

(3) The members of the mediation committee shall be appointed or commissioned by the Minister of Agriculture, Food and Rural Affairs from among those who meet the requirements prescribed by Presidential Decree, taking into account gender equality.

(4) The members of the mediation committee shall serve a term of three years and may be reappointed only twice.

(5) None of the following persons are eligible as a member of the mediation committee:

1. A person who was sentenced to imprisonment without labor or a heavier punishment and for whom two years have not elapsed since the execution of the sentence was completed (including cases where the execution is deemed to have been completed) or since he or she was exempt from the execution;
2. A person under suspension of the execution of imprisonment without labor or heavier punishment as declared by the court;
3. A person whose qualifications for the requirements, etc. prescribed by Presidential Decree under paragraph (3) have been suspended in accordance with a court judgment or statutes.

(6) A member of the mediation committee may be decommissioned in any of the following cases:

1. Where it is difficult for the member to perform duties due to a mental or physical disability;

2. Where there is any misconduct related to his or her duties;
3. Where it is deemed inappropriate for the member to remain in office due to neglect of duty, injury to dignity, or other reasons;
4. Where the member expresses that it is difficult to perform his or her duties.

Article 23-6 (Exclusion of, Recusal by, and Challenge against Members)

(1) In any of the following cases, a member of the mediation committee shall be excluded from the relevant dispute case (hereinafter referred to as "case"):

1. Where the member or his or her spouse or former spouse becomes a party to the case or is a joint right holder or obligor with a party to the case;
2. Where the member is, or was, a relative of a party to the case;
3. Where the member has made a statement or appraisal regarding the case;
4. Where the member is, or was, involved in the case as a representative of a party;
5. Where the member was involved in the disposition or omission that caused the case.

(2) If there is a cause for exclusion of a member of the mediation committee, the mediation committee shall make a decision for exclusion either *ex officio* or at the request of a party.

(3) Where paragraph (1) or (4) is applicable, a member may recuse himself or herself from performing duties with respect to the case.

(4) A party may apply for a challenge to the mediation committee if there are circumstances in which it is difficult to expect a member to perform his or her duties impartially, and the mediation committee shall make a decision for challenge if it deems that the challenge request is justified.

(5) Upon receipt of a challenge request under paragraph (4), the mediation committee shall suspend the mediation procedure until a decision is made on the request.

Article 23-7 (Dispute Mediation Procedures and Effect)

(1) A person who has suffered pesticide damage under Article 23-4 (2) may apply for dispute mediation to the mediation committee.

(2) Upon receipt of an application for dispute mediation under paragraph (1), the mediation committee shall perform its duty to resolve disputes, such as fact-finding investigations, hearing opinions, and conducting mediation, for the applicant, respondent, stakeholders, related agencies, etc.

(3) Where necessary in the process of dispute mediation, such as fact-finding investigations under paragraph (2), the mediation committee may request the head of the relevant administrative agency to submit data or opinions, provide technical knowledge, estimate and analyze the degree of damage to crops, etc., and the head of the agency in receipt of such a request shall comply in the absence of justifiable grounds for non-compliance.

(4) Where it is deemed necessary in the process of dispute mediation, such as fact-finding investigations under paragraph (2), the mediation committee may perform any of the following acts at the request of the

parties or ex officio:

1. Request for attendance and statement of parties or witnesses;
2. Request for appraiser's attendance and appraisal;
3. Request for viewing, copying, or submission of documents or objects related to the case;
4. Access and investigation of places related to the case.

(5) At the time of access or investigation under paragraph (4) 4, a member of the mediation committee shall carry a certificate indicating his or her authority and present it to relevant persons.

(6) All dispute mediation procedures of the mediation committee shall, in principle, be kept confidential, except as otherwise stipulated, and members of the mediation committee shall not divulge secrets learned in the course of their duties to others or use them for other purposes.

(7) The mediation committee may have a person who applies for dispute mediation under paragraph (1) pay a prescribed fee, and if additional expenses are incurred in the dispute mediation process, it may have the parties bear the expenses.

(8) Mediation under paragraph (2) has the same effect as a judicial compromise.

(9) Except as provided for in paragraphs (1) through (8), matters necessary for dispute mediation application and mediation procedures, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 24 (Testing of Pesticides Being Distributed and Pest Control Equipment)

(1) The Minister of Agriculture, Food and Rural Affairs, the Administrator of the Rural Development Administration, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), or the head of a Si/Gun/Gu may direct relevant public officials to test pesticides or technical concentrates thereof, or pest control equipment or materials thereof that manufacturers, technical concentrate suppliers, importers, sellers (including those conducting the relevant business without registration referred to in the former part of Article 3 (1) or the former part of Article 3 (2)), or pest controllers have manufactured, imported, stored, displayed, sold, or used, or inspect relevant information recorded, facilities and equipment, or collect samples or testing products necessary for testing pesticides or technical concentrates thereof or pest control equipment and materials thereof. <Amended on Apr. 12, 2010; Jul. 25, 2011; Jun. 15, 2021>

(2) Each manufacturer or importer shall conduct an in-house test of his or her manufactured or imported pesticides, etc. prior to shipment, and shall ship out pesticides which have passed such test, along with in-house test certificates prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, an in-house test report on a pesticide, etc. shall be submitted to the Administrator of the Rural Development Administration without delay after the shipment of such pesticide, etc. <Amended on Apr. 12, 2010; Mar. 23, 2013>

(3) Where a manufacturer or importer requests the Administrator of the Rural Development Administration to test pesticides, etc. prior to shipment, the Administrator shall test such pesticides, etc.

<Amended on Apr. 12, 2010>

(4) Where deemed necessary for the quality control of pesticides, etc. shipped, the Minister of Agriculture, Food and Rural Affairs or the Administrator of the Rural Development Administration may direct a relevant official to test such pesticides, etc. *<Amended on Apr. 12, 2010; Jun. 15, 2021>*

(5) When a relevant public official deems it necessary to take safety measures to prevent any danger and injury resulting from pesticides, etc. or technical concentrates which have violated this Act or orders issued pursuant to this Act, he or she may order the relevant violator to collect or dispose of such pesticides, etc. or technical concentrates after sealing them, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Jul. 25, 2011; Mar. 23, 2013>*

(6) Where the relevant violator of paragraph (5) fails to comply with a corrective order issued pursuant to the same paragraph, the Minister of Agriculture, Food and Rural Affairs or the Administrator of the Rural Development Administration shall directly recall or discard the relevant pesticide products, etc. or technical concentrates after sealing them. In such cases, the cost incurred shall be borne by the relevant violator referred to in paragraph (5). *<Newly Inserted on Mar. 21, 2017; Jun. 15, 2021>*

(7) Standards for testing referred to in paragraphs (1) through (4) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Mar. 21, 2017>*

(8) Where conducting a test under paragraph (1) or (4), the date, time, purpose, subject, etc. of the test shall be notified to the relevant persons in advance: Provided, That this shall not apply in urgent cases or in cases where it is deemed that the purpose thereof cannot be achieved if notified in advance. *<Newly Inserted on Jun. 15, 2021>*

(9) A public official who tests pesticides, etc. or technical concentrates in accordance with paragraph (1) or (4) or who collects or discards them after sealing them in accordance with paragraph (6) shall carry a certificate indicating his or her authority and present it to relevant persons. *<Amended on Mar. 21, 2017; Jun. 15, 2021>*

Article 25 (Reporting on Management of Pesticides or Technical Concentrates)

(1) The Minister of Agriculture, Food and Rural Affairs, the Administrator of the Rural Development Administration, or the head of a Si/Gun/Gu may order a manufacturer, etc. or pest controller for imported and exported plants, etc. to report matters regarding the management of pesticides, etc. or technical concentrates. *<Amended on Apr. 12, 2010; Jul. 25, 2011; Jun. 15, 2021>*

(2) The Minister of Agriculture, Food and Rural Affairs may order a pest controller for imported or exported plants, etc.; the Administrator of the Rural Development Administration may order a manufacturer, a technical concentrate supplier or an importer; and the head of a Si/Gun/Gu may order a seller to supplement human resources, facilities, equipment, etc. that no longer meet the standards. *<Newly Inserted on Jun. 15, 2021>*

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 26 (Raising Objections)

(1) Any person on whom any of the following dispositions has been imposed may file a written objection with the Administrator of the Rural Development Administration within 30 days from the date of such disposition: *<Amended on Jul. 25, 2011; Jun. 15, 2021>*

1. A disposition to reject application documents submitted by a person who has applied for registration, re-registration, or modification of registration pursuant to Article 8 (1), the former part of Article 8-2 (1), Article 11 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1) or Article 17 (3)), Article 13 (1) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3) or Article 17-2 (4)), Article 16 (1), Article 17 (1), Article 17-2 (1), or Article 17-3 (2);

2. A disposition to revoke registration ex officio, make modification in registered matters, or place a restriction pursuant to Article 14 (1) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), or Article 16 (4), Article 17 (3), or Article 17-2 (4)) or Article 14 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 17 (3), or Article 17-2 (4)).

(2) Upon receipt of an objection under paragraph (1), the Administrator of the Rural Development Administration shall without delay notify the applicant of the date and place to provide him or her or his or her representative with an opportunity to state his or her opinion: Provided, That the foregoing shall not apply where the applicant or his or her representative fails to comply therewith without good cause or where it is impracticable to provide him or her with an opportunity to state his or her opinion due to his or her unknown whereabouts or such.

(3) The Administrator of the Rural Development Administration shall review an objection and notify the applicant of the outcomes thereof within 60 days from the date of his or her receipt of the objection raised pursuant to paragraph (1).

(4) When notifying the applicant of the outcomes of the review pursuant to paragraph (3), the Administrator of the Rural Development Administration shall give him or her additional notice to the effect that the applicant may file an administrative appeal within 90 days from the date of his or her receipt of the notice on the review outcomes.

Article 27 (Protection of Submitted Materials)

(1) Where a person who has filed for registration requests the protection of materials submitted pursuant to Article 8 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 11 (2) or Article 17 (3)), Article 13 (1) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3), or Article 17-2 (4)), Article 16 (2) (including cases applied mutatis mutandis pursuant to Article 17 (3)) or Article 17-2 (2) (including cases applied mutatis

mutandis pursuant to Article 17-3 (2)), the Administrator of the Rural Development Administration shall not disclose the contents thereof to the public: Provided, That the foregoing shall not apply where the disclosure of materials is deemed necessary for public interests. <Amended on Jul. 25, 2011; Feb. 11, 2020; Jun. 15, 2021>

(2) No person who becomes aware of any information in the course of inspecting or examining materials, the protection of which has been requested under paragraph (1), shall disclose such information.

Article 27-2 (Monetary Rewards for Reporting)

(1) The Minister of Agriculture, Food and Rural Affairs may offer a monetary reward, within budgetary limits, to a person who has reported those who violated Article 21 (1) or (2). <Amended on Jun. 15, 2021>

(2) Matters necessary for the standards, methods and procedures for the provision of monetary rewards, and the amount thereof, etc. under paragraph (1) shall be prescribed by Presidential Decree.

Article 28 (Fees)

(1) Any of the following persons shall pay fees as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Jul. 25, 2011; Mar. 23, 2013; Jun. 15, 2021>

1. A person who applies for registration, or modification of registration, of the manufacturing business, technical concentrate business, importation business, or sales business pursuant to Article 3 (1), (2), or (4);
2. A person who reports or makes modification of the report on the pest control business for imported or exported plants, etc. pursuant to Article 3-2 (1);
3. A person who reports succession to status pursuant to Article 5 (3) (including cases to which it is applied mutatis mutandis pursuant to Article 12, 16 (4), 17 (3), or 17-2 (4));
4. A person who applies for registration, re-registration, or modification of registration pursuant to Article 8 (1), the former part of Article 8-2 (1), Article 11 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1) or Article 17 (3)), Article 13 (1) (Including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3), or Article 17-2 (4)), Article 16 (1), Article 17 (1), Article 17-2 (1), or Article 17-3 (2);
5. A person who applies for permission pursuant to Article 17 (4);
6. A person who applies for designation, or modification of designation, as a testing and research institute pursuant to Article 17-4 (2);
7. A person who applies for education pursuant to Article 23 (3).

(2) Any manufacturer or importer who has requested a test on pesticides, etc. in accordance with Article 24 (3) shall pay test fees to the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Apr. 12, 2010; Mar. 23, 2013>

(3) Where a testing and research institute referred to in Article 8 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1)), Article 16 (2) (including cases applied mutatis mutandis pursuant to Article 17 (3)), or Article 17-2 (2) tests the harmfulness, effect, toxicity, or residues at the request of a manufacturer, importer, or technical concentrate supplier, it may collect fees. <Amended on Apr. 12, 2010; Jun. 15, 2021>

(4) The Minister of Agriculture, Food and Rural Affairs may determine the standards for fees referred to in paragraph (3). <Amended on Mar. 23, 2013>

Article 29 (Hearings)

The Minister of Agriculture, Food and Rural Affairs, the Administrator of the Rural Development Administration, or the head of a Si/Gun/Gu shall hold a hearing if he or she intends to impose any of the following dispositions: <Amended on Apr. 12, 2010; Jul. 25, 2011; Jun. 15, 2021>

1. Revoking registration of business or closing the relevant place of business under Article 7 (1) through (3);
2. Revoking item registration pursuant to Article 14 (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3) or Article 17-2 (4));
3. Canceling designation of a testing and research institute pursuant to Article 17-5 (1).

Article 30 (Exclusion from Application)

(1) Where a manufacturer or technical concentrate supplier manufactures and exports pesticides, etc. or technical concentrates, this Act shall not apply to such pesticides, etc. (excluding pesticides registered under Article 8-2 (1)) or technical concentrates: Provided, That Articles 14 and 15 shall apply to the following: <Amended on Apr. 12, 2010; Mar. 21, 2017; Jun. 15, 2021>

1. Pesticides or technical concentrates publicly notified by the Administrator of the Rural Development Administration that they are subject to export restrictions in accordance with Article 14 (8);
2. Pesticides or technical concentrates publicly notified by the Administrator of the Rural Development Administration that they are subject to export approval in accordance with Article 15 (1).

(2) This Act shall not apply where a user himself/herself manufactures biopesticides publicly notified by the Administrator of the Rural Development Administration which cause minor adverse effects in human beings and the environment and require no extraordinary knowledge or attention in manufacturing and he or she uses them on crops grown by himself or herself. <Newly Inserted on Jul. 25, 2011>

(3) The Chemical Substances Control Act shall not apply to the pesticides and technical concentrates under this Act. <Amended on Jul. 25, 2011; Jun. 4, 2013>

Article 31 (Delegation and Entrustment of Authority)

(1) The Minister of Agriculture, Food and Rural Affairs may delegate part of his or her authority under this Act to the Administrator of the Rural Development Administration or the head of an agency affiliated

with the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jun. 15, 2021>

(2) The head of an agency affiliated with the Ministry of Agriculture, Food and Rural Affairs delegated under paragraph (1) may, with the approval of the Minister of Agriculture, Food and Rural Affairs, re-delegate part of the delegated authority to the head of an affiliated agency or the Mayor/ Do Governor, as prescribed by Presidential Decree or may entrust it to the head of the Korea Agriculture Technology Promotion Agency established under Article 33 of the Agricultural Community Development Promotion Act. <Newly Inserted on Jun. 15, 2021; Nov. 30, 2021>

(3) The Administrator of the Rural Development Administration may delegate part of his or her authority under this Act to the head of an administrative agency in charge of the affairs regarding agricultural science and technology, or a relevant Mayor/Do Governor, as prescribed by Presidential Decree. <Amended on Jun. 15, 2021>

(4) The Administrator of the Rural Development Administration may entrust some of his or her duties under this Act to the Korea Agriculture Technology Promotion Agency established pursuant to Article 33 of the Agricultural Community Development Promotion Act or to the head of a pesticide-related organization, as prescribed by Presidential Decree. <Amended on Jul. 25, 2011; Aug. 13, 2013; Jun. 15, 2021; Nov. 30, 2021>

(5) The heads, executives, and employees of the Korea Agriculture Technology Promotion Agency or pesticide-related organizations engaging in tasks entrusted under paragraph (2) or (4) shall not divulge secrets they have learned in the course of their duties to others or use them for other purposes. <Newly Inserted on Jun. 15, 2021; Nov. 30, 2021>

Article 31-2 (Legal Fiction as Public Official in Application of Penalty Provisions)

Any of the following persons shall be deemed a public official for the purposes of applying penalty provisions under Articles 127 and 129 through 132 of the Criminal Act: <Amended on Nov. 30, 2021>

1. Executive officers and employees of a testing and research institute designated under Article 17-4 (1);
2. A non-public official member of the mediation committee under Article 23-5 (3);
3. The heads, executive officers, and employees of the Korea Agriculture Technology Promotion Agency or of pesticide-related organizations engaging in tasks entrusted under Article 31 (2) or (4).

CHAPTER VI? PENALTY PROVISIONS

Article 31-3 (Penalty Provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended on Apr. 12, 2010; Jul. 25, 2011; Oct. 15, 2014>

1. A person who inflicts a bodily injury by manufacturing, importing, or selling pesticides, etc. without registration, in violation of the former part of Article 3 (1) or the former part of Article 3 (2);

2. A person who inflicts a bodily injury by engaging in any conduct referred to in Article 7 (1) 2, 5 through 8 and 11, Article 7 (2) 2 and 3, or Article 7 (3) 2 and 3.
- (2) Any person who causes serious physical injury or death by engaging in any conduct referred to in paragraph (1) shall be punished by imprisonment with labor for not more than 10 years or by a fine not exceeding 100 million won. <Amended on Oct. 15, 2014>
[Moved from Article 31-2 <Jul. 25, 2011>]

Article 32 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended on Apr. 12, 2010; Jul. 25, 2011; Oct. 15, 2014; Mar. 21, 2017; Oct. 31, 2017; Dec. 31, 2018; Jun. 15, 2021>

1. A person engaging in manufacturing, importing or selling pesticides, etc. or technical concentrates without registration of manufacturing business or such, in violation of the former part of Article 3 (1) or the former part of Article 3 (2);
2. A person engaging in his or her business despite the receipt of an order to suspend such business issued pursuant to Article 7 (1) through (3);
3. Deleted; <Jul. 25, 2011>
4. A person who files for registration pursuant to the former part of Article 3 (1), the former part of Article 3 (2), Article 8 (1), the former part of Article 8-2 (1), Article 16 (1), Article 17 (1) or Article 17-2 (1) or submits a report pursuant to the former part of Article 3-2 (1) by fraud or other improper means;
5. A person who manufactures, imports, exports, or supplies items or fails to comply with an order to withdraw or abandon items, in violation of a disposition referred to in Article 14 (1) or (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3) or Article 17-2 (4));
- 5-2. A person who fails to bear the costs referred to in the latter part of Article 14 (3) (including cases where it is applied mutatis mutandis pursuant to Article 14-2 (2)) or the latter part of Article 24 (6);
- 5-3. A person who fails to comply with an order to recall and discard pesticide products, etc. or technical concentrates pursuant to Article 14-2 (1);
6. A person who imports or exports pesticides or technical concentrates, in violation of prohibition, restrictions, observance pursuant to Article 15 (1) 1 or 2;
- 6-2. A person who has been designated as a testing and research institute pursuant to Article 17-4 (1) by fraud or other improper means;
7. A person who fails to provide an indication on pesticides, etc. or technical concentrates prescribed in Article 20 (1) or (2) or provides a false indication;
8. A person who manufactures, produces, imports, stores, displays, or sells pesticides, etc. or technical concentrates, in violation of Article 21 (1) or (2);

9. A manufacturer, importer, seller, or pest controller for imported or exported plants, etc. who requires purchasers of pesticides, etc. to offer personal information by fraud or other improper means, in violation of Article 23-2 (3);
10. A person who violates an order to collect or dispose of pesticides, etc. or technical concentrates, etc. in accordance with Article 24 (5);
11. A person who discloses any submitted materials to the public, in violation of Article 27 (2).

Article 33 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: <Amended on Apr. 12, 2010; Jul. 25, 2011; Oct. 15, 2014>

1. A person who modifies already registered matters, without registering a modification of manufacturing business, etc., in violation of the latter part of Article 3 (1) or the latter part of Article 3 (2);
- 1-2. A person who falsely issues the documents referred to in Article 17-5 (1) 2, by intention or gross negligence;
- 1-3. A person who sells pesticides, etc. or technical concentrates by mail order or telemarketing, in violation of Article 21 (3);
- 1-4. A person who sells pesticides, etc. or technical concentrates to youth, in violation of Article 21 (4);
- 1-5. A person who makes a false or exaggerated advertisement, in violation of Article 22;
2. A person who refuses, obstructs, or evades an examination or the collection of testing samples or testing products in accordance with Article 24 (1);
3. A manufacturer or importer who ships pesticides, etc., in violation of Article 24 (2) or a person in charge of testing who prepares an in-house test report by fraud.

Article 34 (Penalty Provisions)

Where a manufacturer, importer, or seller handles pesticides, etc. in violation of Article 23 (1), he or she shall be punished by a fine not exceeding three million won.

Article 35 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding two million won: <Amended on Apr. 12, 2010; Jul. 25, 2011; Jun. 15, 2021>

1. A person who fails to submit a report referred to in Article 13 (2) (including cases applied mutatis mutandis pursuant to the latter part of Article 8-2 (1), Article 16 (4), Article 17 (3), or Article 17-2 (4)) or who submits a false report;
2. A pest controller who uses or handles pesticides, etc. in violation of the guidelines for the safe use of pesticides, etc. or standards for restrictions on the handling of pesticides, etc. under Article 23 (1);

3. A person who refuses, evades, or obstructs the access, investigation, viewing, or copying by members of the mediation committee under Article 23-7 (4) 3 and 4 without good cause;
4. A person who fails to report or makes a false report on matters related to the management of pesticides, etc. or technical concentrates under Article 25 (1);
5. A person who violates an order to supplement facilities, etc. under Article 25 (2).

Article 36 Deleted. <Mar. 31, 1999>

Article 37 Deleted. <Dec. 11, 2002>

Article 38 (Joint Penalty Provisions)

Where the representative of a corporation or an agent or employee of, or any other person employed by a corporation or an individual commits any offense referred to in Articles 31-3 and 32 through 35 in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but also the corporation or individual shall be punished by a fine referred to in the respective provisions: Provided, That the same shall not apply where such corporation or individual has not been negligent in giving due attention to and supervision concerning the relevant duties in order to prevent such offense. <Amended on Jul. 25, 2011>

Article 39 (Confiscation)

All of the pesticides, etc. owned or possessed by a person who has been punished pursuant to Article 32 or pesticides, etc. acquired by a third person with the knowledge of such fact shall be confiscated: Provided, That when it is impracticable to confiscate such pesticides, etc., the assessed value thereof shall be collected. <Amended on Apr. 12, 2010>

Article 40 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding five million won: <Amended on Jul. 25, 2011; Jun. 15, 2021>

1. A person who engages in the pest control business for imported or exported plants, etc. without reporting thereon in violation of the former part of Article 3-2 (1);
2. A person who modifies the already reported matters without making a modification report for the pest control business for imported or exported plants, etc., in violation of the latter part of Article 3-2 (1);
3. A person who recommends the use of pesticides, etc. contrary to the guidelines for the safe use thereof or who recommends that people purchase them in violation of Article 23 (4);
4. A person who uses pesticides, etc. in violation of Article 23 (5).

(2) Any of the following persons shall be punished by an administrative fine not exceeding one million won: <Amended on Jul. 25, 2011; Oct. 31, 2017; Dec. 31, 2018; Jun. 15, 2021; Nov. 30, 2021>

1. A person who fails to report succession to status, in violation of Article 5 (3) (including cases where it is applied mutatis mutandis pursuant to Article 12, 16 (4), 17 (3), or 17-2 (4));
 2. A person who fails to report the closure of business in violation of Article 6 (1);
 3. A person who fails to take appropriate measures, such as discarding and returning pesticides, etc. or technical concentrates, in violation of Article 6 (2);
 - 3-2. A person who fails to indicate the prices of pesticides, etc. or provides a false indication, in violation of Article 20 (3);
 4. A person, other than a pest controller, who uses pesticides, etc. in violation of the guidelines for the safe use prescribed in Article 23 (1);
 5. A manufacturer, importer, or seller who fails to have his or her sales manager receive education, in violation of Article 23 (3);
 - 5-2. A manufacturer, etc. or a pest controller who fails to provide personal protective gear, equipment necessary for first aid, etc., in violation of Article 23 (6);
 6. A manufacturer, importer, seller, or pest controller for imported or exported plants, etc. who fails to record and retain records of information on pesticide purchasers, in violation of Article 23-2 (1);
 7. A manufacturer, importer, seller, or pest controller for imported or exported plants, etc. who fails to provide information, or provides information by fraud or other improper means, in violation of Article 23-2 (2);
 8. A person who fails to submit a document or an object, or who submits a false document or object, in violation of Article 23-7 (4) 3.
- (3) Administrative fines referred to in paragraphs (1) and (2) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs, the Administrator of the Rural Development Administration, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended on Jul. 25, 2011; Jun. 15, 2021>

ADDENDA <Act No. 5023, Dec. 6, 1995>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: Provided, That the proviso to Article 3 (2) of this Addenda shall enter into force one year from the date this Act enters into force.

Article 2 (Transitional Measures concerning Pest Control Business for Imported or Exported Plants)

A person who has obtained permission to engage in pest control business for imported or exported plants pursuant to the previous provisions at the time this Act enters into force shall be deemed to make a registration pursuant to this Act on the enforcement date of the proviso to Article 3 (2) of this Addenda: Provided, That he/she shall be equipped with human resources, facilities, apparatus, or others which satisfy the requirements under this Act within six months from the date this Act enters into force.

Article 3 (Transitional Measures concerning Administrative Disposition, etc.)

Registration, revocation of registration, or others performed by or in relation to the Minister of Agriculture and Forestry with regard to various applications or others pursuant to the previous provisions at the time this Act enters into force shall be construed as those by or in relation to the Administrator of the Rural Development Administration under the relevant provisions of this Act which correspond thereto. *<Amended by Act No. 5153, Aug. 8, 1996>*

Article 4 (Transitional Measures concerning Registration of Items, etc.)

(1) Items of pesticides and technical concentrates (excluding those of imported pesticides and technical concentrates) registered pursuant to the previous provisions at the time this Act enters into force, shall be deemed to be registered pursuant to Articles 8 and 16, and items of imported pesticides and technical concentrates among the registered pesticides shall be deemed to be registered pursuant to Article 17.

(2) As for the items which shall be deemed to be registered pursuant to paragraph (1) and for which ten years have elapsed from the date such items are publicly notified pursuant to the previous provisions, the initial term of validity of item registration shall be five years, notwithstanding the provisions of Article 11.

Article 5 (Transitional Measures concerning Application of Penalty Provisions)

The previous provisions shall govern the application of penalty provisions to the activities performed before this Act enters into force.

Article 6 (Transitional Measures concerning Abrogation of Fund for Pesticide Management)

(1) The Fund for Pesticide Management established pursuant to the previous provisions at the time this Act enters into force shall be used by the manager of the Fund under the previous provisions to bear the expenses incurred in conducting the test, education, and campaigns for the safe use, handling and management of pesticides, and expenses incurred in the administration of the Fund.

(2) The manager of the Fund in charge of using it in accordance with paragraph (1) shall prepare a plan for estimated expenses within 30 days before each fiscal year begins and submits the balance sheet statement of the Fund to the Minister of Agriculture and Forestry within 60 days from the date of the expiry of each fiscal year. *<Amended by Act No. 5153, Aug. 8, 1996>*

Article 7 (Relationship with other Acts and Subordinate Statutes)

Where the previous provisions of the Pesticide Control Act are cited in other Acts and subordinate statutes at the time this Act enters into force, the relevant provisions of this Act shall be deemed cited in place of previous provisions if provisions corresponding thereto exist in this Act.

ADDENDA *<Act No. 5153, Aug. 8, 1996>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of enforcement of the Presidential Decree concerning the organization of the Ministry of Maritime Affairs and Fisheries and the Maritime Police Authority in accordance with the amended provisions of Article 41 within 30 days from the date this Act is

promulgated.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Act No. 5945, Mar. 31, 1999>

(1) (Enforcement Date) This Act shall enter into force on July 1, 1999: Provided, That the amended provisions of Article 30 (1) shall enter into force on January 1, 2000.

(2) (Transitional Measures on Pest Control Business for Exported and Imported Plants) A person who has registered pest control business for exported and imported plants pursuant to the previous Article 3 (2) at the time this Act enters into force shall be deemed to make a report pursuant to the amended provisions of Article 3-2.

ADDENDA <Act No. 6763, Dec. 11, 2002>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provision of Article 15 shall enter into force on the date when the Rotterdam Convention takes effect in the Republic of Korea.

(2) (Transitional Measures with respect to Pesticide Sales Business) Registration or revocation of registration and other actions taken by the Mayor/Do Governor, or an action taken in relation to the Mayor/Do Governor, pursuant to the previous provisions in force at the time this Act enters into force shall be deemed an action taken by, or in relation to, the head of a Si/Gun/Gu in accordance with the provisions corresponding thereto of this Act.

(3) (Transitional Measures with respect to Application of Penalty Provisions) The application of penalty provisions for the offenses committed before this Act enters into force shall be governed by the previous provisions.

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. 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.

ADDENDUM <Act No. 8747, Dec. 21, 2007>

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

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 9658, May 8, 2009>

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

ADDENDA <Act No. 10242, Apr. 12, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 14 (2) 2 and 38 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Order for Recall and Discard of Pesticides)

The amended provisions of the latter part of Article 14 (2) shall apply, starting from the initial modification of registered matters of pesticide items or initial cancellation of registration or initial disposition to restrict manufacturing, export/import or supply after this Act enters into force.

Article 3 (Applicability to Recording and Retaining of Information on Purchasers)

The amended provisions of Article 23-2 shall apply, starting from the initial sale of pesticides after this Act enters into force.

Article 4 (Transitional Measures for Cancellation of Registration of Manufacturing Business, etc.)

Cancellation of registration and suspension of manufacturing business, technical concentrates business, importation business or sales business, which result from acts conducted before this Act enters into

force shall be governed by former provisions.

Article 5 (Transitional Measures concerning Pest Control Equipment)

(1) When a person manufacturing, importing or selling pest control equipment at the time when this Act enters into force intends to continue to manufacture, import or sell pest control equipment, he/she shall make registration of manufacturing business, importation business or sales business referred to in Article 3 and registration of each product referred to in Article 17-2 (limited to manufacturers and importers) within two years from the date on which this Act enters into force.

(2) When a person who is a pesticide manufacturer or importer at the time when this Act enters into force intends to sell pest control equipment by manufacturing or importing them, he/she shall make registration of each item referred to in Article 17-2 within two years from the date on which this Act enters into force.

(3) Notwithstanding the amended provisions of this Act, former provisions shall govern matters concerning pest control equipment before registration of each item referred to in paragraphs (1) and (2) is made.

ADDENDA <Act No. 10934, Jul. 25, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicability concerning Reporting on Succession to Status)

The amended provisions of Article 5 (3) shall apply to a person who has succeeded the status of a manufacturer, etc. or pest controller for imported or exported plants on or after the date this Act enters into force.

Article 3 (Applicability concerning Succession to Effect of Administrative Disposition)

The amended provisions of Article 5-2 shall apply to succession to the status on or after the date this Act enters into force.

Article 4 (Transitional Measures concerning Modification of Registration, etc.)

(1) A person who has modified any matter prescribed by the amended provisions of the latter part of Article 3 (1) or of the latter part of Article 3 (2), among those registered pursuant to the previous Article 3 (1) and (2) before this Act enters into force, shall make modification of the registration with the jurisdictional administrative agency within six months after this Act enters into force.

(2) A person who has modified any matter prescribed by the amended provisions of the latter part of Article 3-2 (1), among those reported pursuant to the previous Article 3-2 (1) before this Act enters into force, shall prepare the standards therefor and report such modification to the Director General of the National Plant Quarantine Service within six months after this Act enters into force.

Article 5 (Transitional Measures concerning Designation of Sales Manager)

(1) A manager appointed pursuant to the previous provisions at the time this Act enters into force shall be deemed a sales manager appointed pursuant to the amended provisions of Article 3 (3).

(2) Notwithstanding the amended provisions of Article 3 (4), a manufacturer or importer who sells pesticides, etc. to a pest controller or users of pesticides, etc. pursuant to the previous provisions at the time this Act enters into force may sell pesticides, etc. to pest controllers or users of pesticides, etc. within six months after this Act enters into force.

Article 6 (Transitional Measures concerning Term of Validity of Designation of Testing and Research Institute)

A testing and research institute under the previous provisions at the time this Act enters into force shall be deemed a testing and research institute designated in accordance with the amended provisions of Article 17-4, and the term of validity of the designation shall be four years after the date this Act enters into force.

Article 7 (Transitional Measures concerning Administrative Disposition)

An administrative disposition imposed for any offense committed before this Act enters into force shall be governed by the previous provisions.

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. 11862, Jun. 4, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 12050, Aug. 13, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 12426, Mar. 18, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Persons Declared Incompetent, etc.)

A person under adult guardianship or a person under limited guardianship referred to in the amended provisions of subparagraph 1 of Article 4 shall be deemed to include persons who have been declared and are currently incompetent or quasi-incompetent under Article 2 of the Addenda to the Civil Act (Act No. 10429).

ADDENDUM <Act No. 12808, Oct. 15, 2014>

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

ADDENDUM <Act No. 13132, Feb. 3, 2015>

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

ADDENDUM <Act No. 13403, Jul. 20, 2015>

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

ADDENDA <Act No. 14532, Jan. 17, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended parts of the Acts which were promulgated before this Act enters into force but the enforcement dates of which have not arrived yet among the Acts amended by Article 6 of the Addenda shall respectively enter into force on the enforcement dates of such Acts.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 14645, Mar. 21, 2017>

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

ADDENDUM <Act No. 14980, Oct. 31, 2017>

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

ADDENDA <Act No. 16120, Dec. 31, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 23-2 (2) and 23-3, subparagraph 9 of Article 32, and Article 40 (2) 7 shall enter into force on January 1, 2020.

Article 2 (Preparations for Enforcement of This Act)

The Administrator of the Rural Development Administration may make arrangements necessary for establishing and operating a pesticide safety information system under the amended provisions of Article 23-3, before this Act enters into force.

Article 3 (Transitional Measures concerning Method of Recording and Retaining Records of Information about Sales and Purchases)

The method of dealers' recording and retaining records of information about sales and purchases shall be governed by the previous provisions until December 31, 2019, notwithstanding the amended provisions of Article 23-2.

ADDENDUM <Act No. 16964, Feb. 11, 2020>

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

ADDENDA <Act No. 18256, Jun. 15, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2023.

Article 2 (Transitional Measures concerning Administrative Dispositions, etc.)

Notwithstanding the previous provisions, any act done by or done to the Administrator of the Rural Development Administration regarding the amended provisions of Article 24 before this Act enters into force shall be deemed an act done by or done to the Minister of Agriculture, Food and Rural Affairs under this Act.

Article 3 Omitted.

Article 4 (Relationships with Other Statutes or Regulations)

Where the provisions of the previous Pesticide Control Act are cited in other statutes or regulations at the time this Act enters into force and where there are corresponding provisions in this Act, it shall be deemed that this Act or the relevant provisions of this Act are cited in lieu of the previous provisions.

ADDENDA <Act No. 18526, Nov. 30, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Article 23 (6) through (8) of the partially amended Pesticide Control Act (Act No. 18256) shall enter into force on January 1, 2023.

Article 2 (Transitional Measures concerning Registration of Technical Concentrate Business or Importation Business)

The technical concentrate business or importation business registered under the previous provisions, as at the time this Act enters into force, shall be deemed to have been registered under the amended provisions of Article 3: Provided, That the relevant requirements under this Act shall be satisfied within one year from the date this Act enters into force.

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