

ENFORCEMENT DECREE OF THE PESTICIDE CONTROL ACT

Wholly Amended by Presidential Decree No. 15156, Oct. 7, 1996
Amended by Presidential Decree No. 15598, Dec. 31, 1997
Presidential Decree No. 16349, May 24, 1999
Presidential Decree No. 16445, jun. 30, 1999
Presidential Decree No. 17333, Aug. 10, 2001
Presidential Decree No. 18015, jun. 25, 2003
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 19513, jun. 12, 2006
Presidential Decree No. 20402, Nov. 30, 2007
Presidential Decree No. 20677, Feb. 29, 2008
Presidential Decree No. 21078, Oct. 8, 2008
Presidential Decree No. 21130, Nov. 26, 2008
Presidential Decree No. 22075, Mar. 15, 2010
Presidential Decree No. 22440, Oct. 13, 2010
Presidential Decree No. 22734, Mar. 29, 2011
Presidential Decree No. 22962, jun. 7, 2011
Presidential Decree No. 22977, jun. 24, 2011
Presidential Decree No. 23534, Jan. 25, 2012
Presidential Decree No. 24455, Mar. 23, 2013
Presidential Decree No. 25179, Feb. 13, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26607, Oct. 29, 2015
Presidential Decree No. 27751, Dec. 30, 2016
Presidential Decree No. 27960, Mar. 27, 2017
Presidential Decree No. 28272, Sep. 5, 2017
Presidential Decree No. 29262, Oct. 30, 2018
Presidential Decree No. 29824, jun. 11, 2019
Presidential Decree No. 30509, Mar. 3, 2020
Presidential Decree No. 32503, Feb. 22, 2022
Presidential Decree No. 33009, Nov. 29, 2022

Article 1 (Purpose)

The purpose of this Decree is to provide for matters mandated by the Pesticide Control Act and those necessary for the enforcement thereof. <Amended on Nov. 26, 2008>

Article 2 Deleted. <Nov. 29, 2022>

Article 3 (Scope of Pest Control Business for Imported or Exported Plants and Aviation Pest Control Business)

(1) The scope of pest control business for imported or exported plants (hereinafter referred to as "pest control business for imported or exported plants") under Article 3-2 (1) of the Pesticide Control Act (hereinafter referred to as the "Act") shall be the pest control business conducted in the process of the quarantine for exported or imported plants. <Amended on Jun. 11, 2019; Nov. 29, 2022>

(2) The scope of aviation pest control business under Article 3-2 (1) of the Act (hereinafter referred to as "aviation pest control business") shall be the pest control business conducted using any of the following:
<Newly Inserted on Nov. 29, 2022>

1. Aircraft or light sport aircraft under the Aviation Safety Act;
2. Ultra-light vehicles under the Aviation Safety Act that are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 4 Deleted. <Jan. 25, 2012>

Article 5 (Standards and Methods of Testing)

Standards and methods of the test, etc. of pesticides referred to in Article 8 (2) of the Act (including exported pesticides to which Article 8 (2) of the Act applies mutatis mutandis under the latter part of Article 8-2 (1) of the Act), technical concentrates referred to in Article 16 (2) of the Act, and pest control equipment referred to in Article 17-2 (2) of the Act shall be determined and publicly notified by the Administrator of the Rural Development Administration. <Amended on Oct. 13, 2010; Nov. 29, 2022>

Article 6 (Items Subject to Exemption from Submission of Test Report)

(1) Any of the following items or products may be subject to the exemption from submitting all or some of the test report or documents stating the outcomes of physiochemical analysis, etc. pursuant to the proviso, with the exception of the subparagraphs, of Article 8 (2) of the Act or the proviso, with the exception of the subparagraphs, of Article 17-2 (2) of the Act: Provided, That the item or product which the Administrator of the Rural Development Administration deems it necessary to re-evaluate for a specified

period due to any reason falling under any subparagraph of Article 14 (2) of the Act or any other reason corresponding thereto shall be excluded herefrom: <Amended on May 24, 1999; Jun. 30, 1999; Jun. 25, 2003; Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>

1. Deleted; <Jan. 25, 2012>
2. Items or products for which ten years have passed since they were first registered;
3. Items or products with the consent of using the test report or documents stating the outcomes of physiochemical analysis, etc. of a previous registrant (where at least two persons have registered the same item or product, referring to the test report or documents stating the outcomes of physiochemical analysis, etc. of any one of them);
4. Items or products which are recognized internationally as residue test-free products;
5. Items or products which are used for non-edible crops (excluding crops for feed and tobacco);
6. Pest control equipment meeting the safety standards determined and publicly notified by the Administrator of the Rural Development Administration.

(2) With regard to the item or product which the Administrator of the Rural Development Administration is re-evaluating or deems it necessary to re-evaluate pursuant to the proviso to paragraph (1), he/she shall give notice to the manufacturer (referring to a person who has filed for registration of manufacturing business under the former part of Article 3 (1) of the Act; hereinafter the same shall apply) and the importer (referring to a person who has filed for registration of importation business under the former part of Article 3 (1) of the Act; hereinafter the same shall apply) of the relevant item or product, stating the grounds therefor in advance. <Newly Inserted on Jun. 30, 1999; Nov. 26, 2008; Oct. 13, 2010; Nov. 29, 2022>

Article 7 (Administrative Agency in Charge of Affairs of Agricultural Sciences and Technologies)

The National Institute of Agricultural Sciences affiliated with the Rural Development Administration shall be in charge of the affairs of agricultural sciences and technologies under Article 9 (1) of the Act. <Amended on Oct. 8, 2008; Nov. 26, 2008>

Article 8 (Ex Officio Phytotoxicity Tests, etc. in Connection with Modification of Item Registration)

(1) The Administrator of the Rural Development Administration may, ex officio, conduct a phytotoxicity test or examine the scope, etc. of target diseases and insect pests, if verification is required to modify any registered matter of the relevant item or revoke registration of the relevant item pursuant to Article 14 (2) of the Act, and if verification is required to modify any registered matter for the control of diseases and insect pests or for the promotion or repression of physiological functions of crops pursuant to Article 14 (6) of the Act. <Amended on Jan. 25, 2012; Oct. 30, 2018>

(2) Where necessary for controlling diseases and insect pests of trees, exported or imported plants, or crops cultivated in small areas, the Minister of the Korea Forest Service, the Commissioner of the Animal and Plant Quarantine Agency, or the heads of agencies affiliated with the Rural Development Administration may request the Administrator of the Rural Development Administration to examine the

scope, etc. of target diseases and insect pests prescribed in paragraph (1). <Amended on Jun. 25, 2003; Nov. 30, 2007; Jun. 7, 2011; Mar. 23, 2013>

Article 8-2 (Deliberation on Revocation, etc. of Item Registration)

Where the Administrator of the Rural Development Administration intends to modify any registered matter or revoke registration of the relevant item pursuant to Article 14 (2) of the Act or to impose a disposition to restrict manufacturing, exportation and importation, or supply thereof, he/she shall undergo deliberation by the Pesticide Safety Review Committee referred to in Article 11.

Article 9 (Technical Concentrates Subject to Exemption from Submission of Documents Stating Outcomes of Physiochemical Analysis, etc.)

(1) Any of the following technical concentrates may be wholly or partially exempted from submitting the record of outcomes of the physiochemical analysis and toxicity test pursuant to the proviso to Article 16 (2) of the Act: Provided, That the foregoing shall not apply to the technical concentrate which the Administrator of the Rural Development Administration deems it necessary to re-evaluate for a specified period due to any reason falling under Article 14 (2) of the Act or any other reason corresponding thereto: <Amended on Jun. 30, 1999; Jun. 25, 2003; Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>

1. Technical concentrates for which ten years have passed since they were registered for the first time;
- 1-2. Technical concentrates used as the active ingredients for items or products for which ten years have passed since they were first registered;
2. Technical concentrates with the consent of using documents of a previous registrant (where at least two persons have registered the same technical concentrate, referring to the documents of any one of them);
3. Technical concentrates of biopesticides meeting the safety standards determined and publicly notified by the Administrator of the Rural Development Administration.

(2) The provisions of Article 6 (2) shall apply mutatis mutandis to the re-evaluation pursuant to the proviso, with the exception of the subparagraphs, of paragraph (1). <Newly Inserted on Jan. 25, 2012>

Article 10 Deleted. <Jan. 25, 2012>

Article 11 (Establishment of Pesticide Safety Review Committee)

(1) A Pesticide Safety Deliberation Committee (hereinafter referred to as the "Committee") shall be established under the Rural Development Administration to review matters necessary for the safety control of pesticides or pest control equipment (hereinafter referred to as "pesticides, etc."). <Amended on Oct. 13, 2010; Jan. 25, 2012>

(2) A sub-committee for each field may be established under the Committee to efficiently carry out the affairs of the Committee. <Newly Inserted on Jan. 25, 2012>

Article 12 (Duties of the Committee)

The Committee shall deliberate on the following: *<Amended on Oct. 13, 2010>*

1. Investigation, research, and assessment of the safety of pesticides, etc.;
2. Safe use of, and restrictions on the handling of, pesticides;
3. Standards and methods of the safety test of pesticides, etc.;
4. Other matters submitted to a meeting by the Administrator of the Rural Development Administration in order to ensure the safety control of pesticides, etc.

Article 13 (Organization of the Committee)

(1) The Committee shall be comprised of not more than 20 members, including one Chairperson and one Vice-Chairperson. *<Amended on Jun. 30, 1999; Oct. 13, 2010>*

(2) The Vice-Administrator of the Rural Development Administration shall serve as a Chairperson, the director general of the research policy bureau of the Rural Development Administration shall serve as a Vice-Chairperson, and Committee members shall be as follows. In such cases, the Committee members stipulated in subparagraphs 2 and 3 shall be appointed by the Administrator of the Rural Development Administration: *<Amended on Jun. 30, 1999; Jun. 25, 2003; Jun. 12, 2006; Feb. 29, 2008; Mar. 15, 2010; Oct. 13, 2010; Mar. 23, 2013>*

1. One person each in the position designated by the Minister of Agriculture, Food and Rural Affairs, the Minister of Environment, the Minister of Food and Drug Safety, and the Administrator of the Rural Development Administration, from among Grade III public officials or public officials in general service who shall be a member of the Senior Executive Service under the control of the aforesaid respective Ministries and Administration;
 2. Not more than ten persons, from among those who have abundant skills, knowledge, and experience in pesticides, etc. and environmental protection;
 3. Not more than four persons, from among manufacturers and users of pesticides, etc., and executive officers of consumers' organizations.
- (3) The term of office for the Committee members stipulated in paragraph (2) 2 and 3 shall be three years.

Article 14 (Duties, etc. of Chairperson)

(1) The Chairperson of the Committee shall represent the Committee and shall be responsible for all of the Committee affairs.

(2) The Vice-Chairperson of the Committee shall assist the Chairperson and act on his/her behalf when the Chairperson is unable to perform his/her duties due to extenuating circumstances.

Article 15 (Meetings)

- (1) The Chairperson of the Committee shall convene and preside over meetings of the Committee.
- (2) Meetings of the Committee shall be held with the attendance of a majority of the registered Committee members, and make resolutions by the majority vote of those present.

Article 16 (Executive Secretary)

To handle the administrative affairs of the Committee, the Committee shall assign one executive secretary who shall be appointed by the Chairperson from among the public officials under the control of the Rural Development Administration.

Article 17 (Allowances)

Allowances may be reimbursed to the Committee members who attend a meeting within budgetary limits: Provided, That the foregoing shall not apply where Committee members who are public officials attend a meeting in direct connection with their duties.

Article 18 (Detailed Guidelines for Operation)

Except as otherwise provided in this Decree, matters necessary for the operation of the Committee and for the establishment and operation of the sub-committees shall be determined by the chairperson of the Committee following the resolution passed by the Committee. *<Amended on Jan. 25, 2012>*

Article 19 (Guidelines for Safe Use of Pesticides, etc.)

(1) Guidelines for the safe use of pesticides, etc. provided in Article 23 (1) of the Act shall be as follows: *<Amended on Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>*

1. Pesticides, etc. shall be used exclusively for target crops;
2. Pesticides, etc. shall be used exclusively for target diseases and insect pests;
3. Pesticides, etc. shall be used in compliance with the directions for use and the dose determined for each target crop, disease, and insect pest;
4. Pesticides, etc., for which the timing and frequency of application is determined for each of target crops, shall be used according to the determined timing and frequency;
5. No pesticides, etc. whose licensed user is determined, shall be used by any person, other than a licensed user;
6. No pesticides, etc. whose area of use is restricted, shall be used within a restricted area.

(2) The Administrator of the Rural Development Administration may determine the detailed guidelines for safe use under paragraph (1), such as target crops, diseases and insect pests, the timing and frequency of application, licensed users, or restricted areas for each item or product of pesticides, etc. and give public notice thereof. *<Amended on Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>*

(3) Notwithstanding paragraphs (1) and (2), with respect to pesticides for which target crops, diseases and insect pests, the directions for use and dose, etc. have not been determined, the Administrator of the Rural

Development Administration may determine and publicly notify separate guidelines for safe use, in consideration of their effects on the human body and the environment. <Newly Inserted on Oct. 30, 2018>

Article 20 (Standards for Restrictions on Handling of Pesticides, etc.)

(1) Standards for restrictions on the handling of pesticides, etc. under Article 23 (1) of the Act shall be as follows: <Amended on Jun. 30, 1999; Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>

1. Pesticides, etc. shall not be transported together with foodstuff, animal feed, medicines or inflammables and shall not be transported under the overloaded condition;

1-2. When a manufacturer or importer of pesticides, etc. sells pesticides, etc. that he/she has manufactured (including cases where he/she entrusts another manufacturer with the business of manufacturing his/her registered item or product) or imported, he/she shall use the safety container and packaging in order to prevent an accident resulting from misuse from occurring: Provided, That the foregoing shall not apply where a manufacturer sells them to another manufacturer or where an importer sells them to another importer;

2. No pesticides, etc. whose licensed supplier is determined shall be supplied to any person other than a licensed supplier;

3. Deleted; <Oct. 13, 2010>

4. Deleted; <Oct. 13, 2010>

5. Highly toxic pesticides shall be stored and retained in the facilities equipped with safety devices;

6. Pesticides, etc. the handling of which is restricted according to their degree of toxicity shall be handled according to such handling restrictions.

(2) The Administrator of the Rural Development Administration may determine and publicly notify the detailed standards for restrictions on the handling of pesticides, etc. under paragraph (1), such as goods subject to prohibition of mixed loading, the use of safety containers and packaging, licensed suppliers, storage, retaining, transporting, or degree of toxicity for each item or product of pesticides, etc. <Amended on Jun. 30, 1999; Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012>

(3) Standards for restrictions on the handling of pesticides, etc. provided in paragraph (1) and detailed standards for restrictions on the handling of pesticides, etc. provided in paragraph (2) shall apply mutatis mutandis to technical concentrates: Provided, That detailed standards for restrictions on the handling of technical concentrates may be separately determined and publicly notified through consultation with the Minister of Environment. <Newly Inserted on Jun. 30, 1999; Nov. 26, 2008; Jan. 25, 2012; Oct. 29, 2015>

(4) Classifications of pesticides, etc. by degree of toxicity and residue, in relation to the standards for restrictions on the handling of pesticides, etc. under paragraphs (1) and (2), and classifications of technical concentrates by degree of toxicity, in relation to the standards for restrictions on the handling of technical concentrates under paragraph (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Oct. 29, 2015>

(5) Deleted. <Oct. 29, 2015>

Article 21 (Education on Guidelines for Safe Use of Pesticides, etc.)

(1) The Minister of Agriculture, Food and Rural Affairs shall provide education on the guidelines for the safe use of pesticides, etc. and standards for restrictions on the handling of pesticides, etc. to a person who has reported pest control business for imported or exported plants, etc. under the former part of Article 3-2 (1) of the Act (hereinafter referred to as "pest controller for imported or exported plants, etc.") each year pursuant to Article 23 (2) of the Act. <Amended on Jun. 7, 2011; Jan. 25, 2012; Mar. 23, 2013; Nov. 29, 2022>

(2) The Administrator of the Rural Development Administration, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply) shall provide education on the guidelines for the safe use of pesticides, etc. to users of pesticides, etc., other than pest controllers for imported or exported plants, etc., each year pursuant to Article 23 (2) of the Act. <Amended on Jan. 25, 2012; Nov. 29, 2022>

(3) Pursuant to Article 23 (3) of the Act, each manufacturer, importer, or seller (referring to a person who has file for registration of sales business under the former part of Article 3 (2) of the Act; hereinafter the same shall apply) shall have the relevant sales manager receive education, every year. <Newly Inserted on Jan. 25, 2012; Oct. 29, 2015; Nov. 29, 2022>

(4) Detailed matters concerning the provision of education referred to in paragraphs (1) through (3) shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs` and the Administrator of the Rural Development Administration. <Amended on Jun. 7, 2011; Jan. 25, 2012; Mar. 23, 2013; Nov. 29, 2022>

Article 21-2 (Scope of Relevant Administrative Agencies)

(1) The scope of the relevant administrative agencies to which the Administrator of the Rural Development Administration may make a request for the provision of information on the safe control, etc. of pesticides pursuant to Article 23-3 (7) of the Act (hereinafter referred to as "relevant administrative agencies") shall be specified in the following subparagraphs; in such cases, the relevant administrative agencies shall include a person delegated or entrusted with the authority or business affairs regarding information management under paragraph (2): <Amended on Nov. 29, 2022>

1. The Ministry of the Interior and Safety, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Environment, and the Ministry of Food and Drug Safety;
2. Local governments.

(2) The scope of information on the safe control, etc. of pesticides that the Administrator of the Rural Development Administration may request from the head of a relevant administrative agency pursuant to Article 23-3 (7) of the Act shall be as follows: <Amended on Nov. 29, 2022>

1. Registration of pesticide sales business;

- 1-2. Reporting of pest control business for imported or exported plants, etc. under Article 3-2 (1) of the Act (hereinafter referred to as "pest control business for imported or exported plants, etc.");
2. Administrative dispositions imposed on sellers or pest controllers for imported or exported plants, etc. by the relevant administrative agencies;
3. Safety and risks of the ingredients of a pesticide and its technical concentrates;
4. Safety of agricultural products;
5. Other information regarding the safe control of pesticides, which is deemed necessary for the establishment and operation of a pesticide safety information system under Article 23-3 (1) of the Act by the Administrator of the Rural Development Administration.

Article 21-3 (Composition and Operation of Pesticide Damage Dispute Mediation Committee)

- (1) The chairperson of the pesticide damage dispute mediation committee under Article 23-4 (1) of the Act (hereinafter referred to as the "mediation committee") shall represent the mediation committee and exercise general supervision over the affairs of the mediation committee.
- (2) If the chairperson of the mediation committee is unable to perform his/her duties due to any unavoidable cause, a member designated in advance by the chairperson shall act on behalf of the chairperson.
- (3) The mediation committee shall be composed of seven members, including the chairperson and such other members as the chairperson designates at each meeting. In such cases, the number of non-public official members shall be at least 1/3 of the number of members including the chairperson.
- (4) A majority of the members of the mediation committee under paragraph (3) shall constitute a quorum, and any resolution thereof shall require the concurring vote of a majority of those present.
- (5) The mediation committee shall have one executive secretary to perform its business affairs.
- (6) The executive secretary shall be nominated by the Minister of Agriculture, Food and Rural Affairs from among the public officials of the Ministry of Agriculture, Food and Rural Affairs.
- (7) Those who can be appointed or commissioned as members of the mediation committee by the Minister of Agriculture, Food and Rural Affairs under Article 23-5 (3) of the Act shall be any of the following persons:
 1. Public officials of Grade III or IV from the Ministry of Agriculture, Food and Rural Affairs, the Rural Development Administration, the Korea Forest Service, the Animal and Plant Quarantine Agency, and the National Agricultural Products Quality Management Service;
 2. Persons who have worked as a judge, prosecutor, or attorney-at-law for at least three years;
 3. Persons who are or were an associate professor or in a higher position in pesticide-related fields such as agricultural chemistry and agricultural biology at a school defined in Article 2 of the Higher Education Act;
 4. Persons with at least 10 years of experience in researching pesticide-related fields at government-funded science and technology research institutes under the Act on the Establishment, Operation and

Fostering of Government-Funded Science and Technology Research Institutes;

5. Persons who have achieved a doctorate in pesticide-related fields such as agricultural chemistry or agricultural biology and have worked for at least three years in relevant fields.

(8) Except as provided in paragraphs (1) through (7), details necessary for the composition and operation of the mediation committee shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs.

[Previous Article 21-3 moved to Article 21-4 <Nov. 29, 2022>]

Article 21-4 (Amount of Monetary Award for Reporting)

(1) The amount of a monetary award that is payable in accordance with Article 27-2 (1) of the Act shall be not more than two million won.

(2) Standards, methods, procedures, etc. for the payment of a monetary award that is payable pursuant to paragraph (1) shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended on Nov. 29, 2022>

[Moved from Article 21-3 <Nov. 29, 2022>]

Article 22 (Delegation and Entrustment of Authority)

(1) Pursuant to Article 31 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate the following authorities to the Administrator of the Rural Development Administration: <Newly Inserted on Nov. 29, 2022>

1. Taking measures necessary to prevent environmental contamination, etc. under Article 23 (7) of the Act;
2. Payment of a monetary award under Article 27-2 (1) of the Act (limited to payment of a monetary award to a person who reports a manufacturer, technical concentrate supplier, or importer that has violated Article 21 (1) of the Act);
3. Public notice of standards, etc. for payment of a monetary award under Article 21-4 (2) (limited to matters related to payment of a monetary award under subparagraph 2).

(2) Pursuant to Article 31 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate the following authorities to the Commissioner of the Animal and Plant Quarantine Agency: <Newly Inserted on Nov. 29, 2022>

1. Receipt of reports on pest control business for imported or exported plants and reports on modification under Article 3-2 of the Act;
2. Receipt of reports of persons who have succeeded to the status of a pest controller for imported or exported plants under Article 5 (3) of the Act (referring to those who have reported on the pest control business for imported or exported plants under the former part of Article 3-2 (1) of the Act; hereinafter the same shall apply);

3. Receipt of reports on closure of pest control business for imported or exported plants under Article 6 of the Act;
 4. Issuing orders to close the place of business of pest controllers for imported or exported plants or to fully or partially suspend business operation to pest controllers for imported or exported plants under Article 7 (3) of the Act, and giving public notice of regulations on the quarantine and disinfection of imported or exported plants under subparagraph 5 of that paragraph;
 5. Providing education to pest controllers for imported or exported plants under Article 23 (2) of the Act;
 6. Inspection of pesticides, relevant information recorded, etc. that are stored and used by pest controllers for imported or exported plants, and collection of samples, etc. required for such inspection under Article 24 (1) of the Act;
 7. Issuing orders to seal, collect, and dispose of pesticides, etc. under Article 24 (5) of the Act (limited to cases where the violator is a pest controller for imported or exported plants);
 8. Sealing, collecting, and disposing of pesticides, etc. under Article 24 (6) of the Act (limited to cases where the violator is a pest controller for imported or exported plants);
 9. Requesting pest controllers for imported or exported plants to file a report, and issuing an order of supplementation under Article 25 of the Act;
 10. Collection of fees from persons who report or make modification of the report on the pest control business for imported or exported plants under Article 28 (1) 2 of the Act and persons who report succession to status of the pest controller for imported or exported plants under subparagraph 3 of that paragraph;
 11. Holding a hearing on the closure of the place of business of a pest controller for imported or exported plants under subparagraph 1 of Article 29 of the Act;
 12. Imposition and collection of administrative fines from the following persons:
 - (a) Persons falling under Article 40 (1) 1 of the Act who engage in pest control business for imported or exported plants;
 - (b) Persons falling under Article 40 (1) 2 and 4 and Article 40 (2) 1 through 3, 5-2, 6, and 7 of the Act who are pest controllers for imported or exported plants;
 13. Giving public notice of details necessary for the provision of education under Article 21 (4) (limited to matters regarding education for pest controllers for imported or exported plants).
- (3) Pursuant to Article 31 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate the following authorities to the Director General of the National Agricultural Products Quality Management Service: <Newly Inserted on Nov. 29, 2022>
1. Receipt of reports on aviation pest control business and reports on modification thereof under Article 3-2 of the Act;
 2. Receipt of reports of persons who have succeeded to the status of an aviation pest control business operator under Article 5 (3) of the Act (referring to those who have reported on the aviation pest control

business under the former part of Article 3-2 (1) of the Act; hereinafter the same shall apply);

3. Receipt of reports on closure of aviation pest control business under Article 6 of the Act;
4. Issuing orders to close the place of business of aviation pest control business operators or to fully or partially suspend business operation, and giving public notice of regulations on the aviation pest control business management under subparagraph 5 of that paragraph;
5. Providing education to aviation pest control business operators under Article 23 (2) of the Act;
6. Inspection of pesticides, pest control equipment, relevant information recorded, etc. that are stored, displayed, sold, or used by sellers or aviation pest control business operators and collection of samples, etc. required for such inspection under Article 24 (1) of the Act;
7. Inspection of pesticides, etc. of a seller under Article 24 (4) of the Act;
8. Issuing orders to seal, collect, and dispose of pesticides, etc. under Article 24 (5) of the Act (limited to cases where the relevant violator is a seller or an aviation pest control business operator);
9. Sealing, collecting, and disposing of pesticides, etc. under Article 24 (6) of the Act (limited to cases where the relevant violator is a seller or an aviation pest control business operator);
10. Requesting sellers and aviation pest control business operators to file a report under Article 25 (1) of the Act;
11. Issuing an order of supplementation to pest control business operators under Article 25 (2) of the Act;
12. Payment of monetary awards under Article 27-2 (1) of the Act (limited to payment of monetary awards to persons who report sellers violating Article 21 (1) of the Act and those violating Article 21 (2) of the Act);
13. Collection of fees from persons who file a report of aviation pest control business or a report on modification thereof under Article 28 (1) 2 of the Act and persons who report succession to the status of a aviation pest control business operator under subparagraph 3 of that paragraph;
14. Holding a hearing on the closure of the place of business of an aviation pest control business operator under subparagraph 1 of Article 29 of the Act;
15. Imposition and collection of administrative fines from the following persons:
 - (a) Persons falling under Article 40 (1) 1 of the Act who engage in aviation pest control business;
 - (b) Persons falling under Article 40 (1) 2 and 4 and Article 40 (2) 1 through 3, 5-2, 6, and 7 of the Act who are aviation pest control business operators;
 - (c) Persons falling under Article 40 (2) 8;
13. Giving public notice of details necessary for the provision of education under Article 21 (4) (limited to matters regarding education for aviation pest control business operators);
17. Giving public notice of matters necessary for the composition and operation of the mediation committee under Article 21-3 (8);
18. Giving public notice of standards, etc. for payment of monetary awards under Article 21-4 (2) (limited to matters regarding payment of monetary awards under subparagraph 12).

(4) The Director General of the National Agricultural Products Quality Management Service may re-delegate part of his/her authority delegated under paragraph (3) to the head of an agency under his/her jurisdiction after obtaining approval from the Minister of Agriculture, Food and Rural Affairs under Article 31 (2) of the Act or entrust it to the president of the Korea Agriculture Technology Promotion Agency established under Article 33 of the Agricultural Community Development Promotion Act. In such cases, the Director General of the National Agricultural Products Quality Management Service shall publicly notify the details of the re-delegation or entrustment. *<Newly Inserted on Nov. 29, 2022>*

(5) Pursuant to Article 31 (4) of the Act, the Administrator of the Rural Development Administration shall entrust the business affairs related to the preparation of standard advertising terminology recommendations for advertisements of pesticides, etc. under Article 22 of the Act to the head of an organization consisting of manufacturers, technical concentrate suppliers (referring to persons who have filed for registration of technical concentrate business under the former part of Article 3 (1) of the Act), or importers, as designated by the Administrator of the Rural Development Administration. *<Amended on Nov. 26, 2008; Oct. 13, 2010; Jan. 25, 2012; Nov. 29, 2022>*

(6) Pursuant to Article 31 (4) of the Act, the Administrator of the Rural Development Administration shall entrust the following business affairs to the president of the Korea Agriculture Technology Promotion Agency established under Article 33 of the Agricultural Community Development Promotion Act: *<Newly Inserted on Jan. 25, 2012; Feb. 13, 2014; Feb. 22, 2022; Nov. 29, 2022>*

1. Analysis of active ingredients, etc. as part of the testing of pesticides, etc. and technical concentrates of the manufacturers, technical concentrate suppliers, or importers under Article 24 (1) of the Act;
- 1-2. Testing of pesticides, etc. under Article 24 (3) of the Act;
2. Analysis of active ingredients, etc. as part of the testing of pesticides, etc. of the manufacturers or importers under Article 24 (4) of the Act;
3. Collection of test fees under Article 28 (2) of the Act.

Article 22-2 (Management of Sensitive Information and Personally Identifiable Information)

(1) If inevitable to perform the business affairs related to registration of business under Article 3 of the Act, the Administrator of the Rural Development Administration, the Special Self-Governing Province Governor, the head of a Si/Gun/Gu (including persons to whom the relevant authority is delegated or entrusted, where such authority is delegated or entrusted) may manage the data which contain information falling under criminal history records under subparagraph 2 of Article 18 of the Enforcement Decree of the Personal Information Protection Act, or resident registration numbers or alien registration numbers under subparagraph 1 or 4 of Article 19 of that Decree. *<Amended on Jun. 11, 2019>*

(2) If inevitable to perform the business affairs related to the establishment, operation, etc. of a pesticide safety information system under Article 23-3 of the Act, the Administrator of the Rural Development Administration (including a person entrusted with the duties of the Administrator of the Rural Development Administration pursuant to Article 31 (4) of the Act) may manage data containing resident

registration numbers or alien registration numbers under subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act. <Newly Inserted on Jun. 11, 2019; Nov. 29, 2022>

[Previous Article 22-2 moved to Article 22-3 <Mar. 27, 2017>]

Article 22-3 Deleted. <Mar. 3, 2020>

Article 23 (Criteria for Imposing Administrative Fines)

The criteria for imposing administrative fines referred to in Article 40 (1) and (2) of the Act shall be as stipulated in attached Table 3.

ADDENDA <Presidential Decree No. 15156, Oct. 7, 1996>

(1) (Enforcement Date) This Decree shall enter into force on December 7, 1996.

(2) (Transitional Measures concerning Tests) Tests conducted or being conducted to announce items pursuant to the previous provisions, at the time this Decree enters into force, shall be deemed tests conducted according to the standards and methods of tests under Article 5.

(3) (Transitional Measures concerning Items Subject to Exemption from Submitting Test Report) Each applicant for registration of items announced (limited to the applicant for registration by December 6, 1998) pursuant to the previous provisions, at the time this Decree enters into force shall be exempted from submitting the test report of the relevant items under application (limited to the test report where the agrochemical control fund is used for testing to announce items under the previous provisions) notwithstanding the provisions of Article 6.

ADDENDUM <Presidential Decree No. 15598, Dec. 31, 1997>

This Decree shall enter into force on January 1, 1998.

ADDENDA <Presidential Decree No. 16349, May 24, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 16445, Jun. 30, 1999>

(1) (Enforcement Date) This Decree shall enter into force on July 1, 1999.

(2) Omitted.

ADDENDUM <Presidential Decree No. 17333, Aug. 10, 2001>

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

ADDENDUM <Presidential Decree No. 18015, Jun. 25, 2003>

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

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

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

ADDENDA <Presidential Decree No. 19513, Jun. 12, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2006.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 20402, Nov. 30, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 20677, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 21078, Oct. 8, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21130, Nov. 26, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 20 (1) 1-2 and paragraph (2) of the same Article (limited to the use of safe containers and packaging) shall enter into force on June 1, 2009.

Article 2 (Applicability to Safe Containers and Packaging)

The amended provisions of Article 20 (1) 1-2 and paragraph (2) of the same Article (only applicable to the use of safe containers and packing) shall apply to an agrochemical which a manufacturer ships or an importer sells on or after June 1, 2009.

ADDENDA <Presidential Decree No. 22075, Mar. 15, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 19, 2010. (Proviso Omitted.)

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 22440, Oct. 13, 2010>

This Decree shall enter into force on October 13, 2010.

ADDENDA <Presidential Decree No. 22734, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

(1) The application of criteria for imposition of administrative fines for offenses committed before this Decree enters into force shall be governed by former provisions, notwithstanding the amended provisions of attached Table 3.

(2) Any disposition of imposition of an administrative fine imposed for an offense committed before this Decree enters into force shall not counted toward the number of offenses according to the amended provisions of attached Table 3.

ADDENDA <Presidential Decree No. 22962, Jun. 7, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 15, 2011.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22977, Jun. 24, 2011>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23534, Jan. 25, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012: Provided, That the amended provisions of attached Table 2 shall enter into force on January 1, 2013.

Article 2 (Applicability to Submission of Test Report, etc.)

The amended provisions of Article 6 (1) shall apply to an item or product for which an application for registration is filed on or after the date this Decree enters into force.

Article 3 (Applicability to Submission of Documents Stating Findings of Physiochemical Analysis, etc.)

The amended provisions of Article 9 shall apply to technical concentrates for which an application for registration is filed on or after the date this Decree enters into force.

Article 4 (Transitional Measures concerning Classification of Toxicity)

With respect to technical concentrates, the toxicity of which was classified in accordance with the previous attached Table 2 at the time this Decree enters into force, the Administrator of the Rural Development Administration shall re-classify toxicity pursuant to the amended provisions of attached Table 2 by not later than December 31, 2014.

Article 5 (Transitional Measures concerning Administrative Fines)

The previous provisions shall govern the application of the criteria for the imposition of administrative fines for any offense committed before this Decree enters into force.

ADDENDA <Presidential Decree No. 24455, Mar. 23, 2013>

Article 1 (Enforcement Date)

This Decree enters into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25179, Feb. 13, 2014>

Article 1 (Enforcement Date)

This Decree enters into force on February 14, 2014.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree enters into force on January 1, 2015.

Articles 2 through 16 Omitted.

ADDENDUM <Presidential Decree No. 26607, Oct. 29, 2015>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 21 (3) shall enter into force on January 1, 2016.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDUM <Presidential Decree No. 27960, Mar. 27, 2017>

This Decree shall enter into force on March 30, 2017. (Proviso Omitted.)

ADDENDUM <Presidential Decree No. 28272, Sep. 5, 2017>

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

ADDENDA <Presidential Decree No. 29262, Oct. 30, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 2 (f) of attached Table 3 shall enter into force on November 1, 2018.

Article 2 (Effective Period)

The amended provisions of Article 19 (3) shall be effective until December 31, 2021.

ADDENDUM <Presidential Decree No. 29824, Jun. 11, 2019>

This Decree shall enter into force on January 1, 2020: Provided, That the amended provisions of Articles 3 and 21-2 and subparagraph 2 (j) of attached Table 3 shall enter into force on July 1, 2019.

ADDENDUM <Presidential Decree No. 30509, Mar. 3, 2020>

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

ADDENDA <Presidential Decree No. 32503, Feb. 22, 2022>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 33009, Nov. 29, 2022>

This Decree shall enter into force on January 1, 2023: Provided, That the amended provisions of subparagraph 2 (k) of attached Table 3 shall enter into force on December 1, 2022.

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