

# ENFORCEMENT DECREE OF THE ACT ON ORIGIN LABELING OF AGRICULTURAL AND FISHERY PRODUCTS

Presidential Decree No. 32297, Dec. 31, 2021  
Amended by Presidential Decree No. 32528, Mar. 8, 2022  
Presidential Decree No. 32542, Mar. 15, 2022  
Presidential Decree No. 32609, Apr. 29, 2022  
Presidential Decree No. 33946, Dec. 12, 2023

## **Article 1 (Purpose)**

The purpose of this Decree is to prescribe matters mandated by the Act on Origin Labeling of Agricultural and Fishery Products and other matters necessary for the enforcement thereof. *<Amended on Dec. 31, 2021>*

## **Article 2 (Scope of Mail-Order Sale)**

"Sale prescribed by Presidential Decree" in subparagraph 7 of Article 2 of the Act on Origin Labeling of Agricultural and Fishery Products (hereinafter referred to as the "Act") means a sale (excluding a sale using posters or fliers) conducted by a mail order distributor who has filed a report with the authority pursuant to Article 12 of the Act on the Consumer Protection in Electronic Commerce, or a sale at a cyber mall (referring to a virtual shopping mall established for goods transactions via computers, etc., and information communications equipment) run by a mail order broker under Article 20 (2) of the same Act. *<Amended on Mar. 23, 2013; Jun. 18, 2019; Dec. 31, 2021>*

## **Article 3 (Products Subject to Country of Origin Labeling Requirements)**

(1) "Agricultural and fishery products or processed products thereof prescribed by Presidential Decree" in the provisions, with the exception of its subparagraphs, of Article 5 (1) of the Act means agricultural and fishery products or processed products thereof falling under any of the following: *<Amended on Mar. 23, 2013; Dec. 11, 2018>*

1. Agricultural and fishery products or processed products thereof, which are publicly notified jointly by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries as such Ministers deem the public notification necessary for establishing order in the distribution of such products and for consumers to make a right choice;

2. Imported agricultural and fishery products or processed products thereof, which are publicly announced by the Minister of Trade, Industry and Energy pursuant to Article 33 of the Foreign Trade Act: Provided, That the imported agricultural and fishery products or processed products thereof, the country of origin labeling of which can be omitted pursuant to Article 56 (2) of the Enforcement Decree of the Foreign Trade Act, shall be excluded.

(2) Raw materials contained in a product processed from agricultural and fishery products, which are subject to country of origin labeling requirements under Article 5 (1) 3 of the Act shall be those listed hereunder: Provided, That water, food additives, spirits and saccharides (including products made from saccharides, which are processed with saccharides as the main raw material) shall be excluded from the order of predominance by weight in the processed product and from the list of raw materials subject to country of origin labeling requirements: *<Amended on Oct. 10, 2011; Dec. 27, 2012; Mar. 23, 2013; Jan. 28, 2014; Jun. 1, 2015; Feb. 3, 2016; May 29, 2017; Dec. 11, 2018; Mar. 14, 2019>*

1. Raw materials subject to country of origin labeling requirements according to the proportion of raw materials in the processed product:

(a) Where the proportion of a raw material is 98 percent or more in a processed product, such raw material;

(b) Where the sum of the proportions of two raw materials among the raw materials contained in a processed product is 98 percent or more, raw materials ranked first and second highest in order of proportion;

(c) In the cases except for items (a) and (b), raw materials ranked first to third highest in order of proportion;

(d) Notwithstanding items (a) through (c), the following raw materials in the cases of kimchi varieties and cured foods (limited to the foods cured with salt):

2. Where a compound ingredient is used, which is made from raw materials that are subject to country of origin labeling requirements under subparagraph 1, and are prescribed by the labeling standards under Article 4 of the Act on Labeling and Advertising of Foods, raw materials meeting the standards determined and publicly notified jointly by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries.

(3) Where the name of an agricultural product or fishery product, which is used as a raw material (including the raw material for a processed product; hereafter in this paragraph the same shall apply), is used as the product name or a part thereof when paragraph (2) is applicable, the country of origin of the agricultural product or fishery product used as a raw material shall be subject to country of origin labeling requirements even though such product is not subject to country of origin labeling requirements under the same paragraph: Provided, That where the agricultural product or fishery product used as a raw material falls under any of the following cases, the country of origin labeling of such product may be omitted: *<Amended on Jun. 18, 2019>*

1. Where it is not subject to country of origin labeling requirements publicly notified pursuant to paragraph (1) 1;
2. Where it is used as a raw material for food additives, spirits or saccharides (including products made from saccharides, which are processed with saccharides as the main raw material) in the proviso, with the exception of its subparagraphs, of paragraph (2);
3. Where labeling of raw materials may be omitted pursuant to the labeling standards specified in Article 4 of the Act on Labeling and Advertising of Foods.

(4) Deleted. <Jun. 1, 2015>

(5) "Where a person sells or offers agricultural products or the processed products thereof prescribed by Presidential Decree after cooking" in Article 5 (3) 1 of the Act means the cases in which the following are sold or offered after having been cooked. In such cases, cooking involves preparation in the raw or natural state, and selling or offering involves selling or offering by delivery: <Amended on Oct. 10, 2011; Dec. 27, 2012; Jan. 28, 2014; Feb. 3, 2016; Jun. 18, 2019; Oct. 29, 2019; Dec. 30, 2022>

1. Beef (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
2. Pork (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
3. Chicken meat (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
4. Duck meat (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
5. Lamb (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
- 5-2. Goat (including milk goat; hereinafter the same shall apply) meat (including raw meat, packaged meat, and processed meat products; hereinafter the same shall apply);
6. Rice used for cooked rice, porridge, and Nurungji, (including processed rice products; "rice" including glutinous rice, brown rice, and steamed rice; hereinafter the same shall apply);
7. Nappa cabbage (including winter-grown and spring-grown nappa cabbages) used for nappa cabbage Kimchi and red pepper powder used for nappa cabbage kimchi;
- 7-2. Soybean (including processed soybean products; hereinafter the same shall apply) used for tofu (excluding processed tofu and yuba), Kongbiji (meaning pureed soybean soup), and soybean noodles;
8. Flatfish, rockfish, red sea bream, mudfish, eel, long-arm octopus, walleye pollock (excluding kinds of dried walleye pollock, such as Huangtae and dried pollack; hereinafter the same shall apply), chub mackerel, cutlassfish, squid, blue crab, yellow croaker, tuna, anglerfish, webfoot octop, scallop, sea squirt, abalone, yellow tail, and large yellow croaker (including the relevant processed fishery products; hereinafter the same shall apply);

9. Live fishery products: Those stored and displayed in an aquarium, etc. in order to sell and provide them after cooking.

(6) Processed products, among the products subject to country of origin labeling requirements under paragraph (5), shall indicate the country of origin of main raw materials. In such cases, detailed standards for indicating main raw materials shall be determined and publicly notified jointly by the Minister of Agriculture, Food and Rural Affairs and by the Minister of Oceans and Fisheries. <Added on Jun. 18, 2019>

(7) Where it is necessary for enhancing the credibility of agricultural products, fishery products and processed products thereof, country of origin may be indicated in the case of agricultural products, fishery products and processed products thereof that are not subject to country of origin labeling requirements under paragraphs (1) through (3), (5) and (6). In such cases, standards for labeling and methods thereof under Article 5 (4) of the Act shall be observed. <Added on Jun. 1, 2015; Jun. 18, 2019>

#### **Article 4 (Persons Obligated to Indicate Origin)**

"A person who establishes and operates a place of business or a collective catering facility prescribed by Presidential Decree" in Article 5 (3) of the Act means a person who establishes and operates a place of business where he or she operates a rest restaurant business under subparagraph 8 (a) of Article 21 of the Decree of the Food Sanitation Act, a general restaurant business under subparagraph 8 (b) thereof or a entrusted catering service business under subparagraph 8 (e) thereof, or a collective catering facility under Article 2 of the Decree of the same Act.

#### **Article 5 (Standards for Origin Labeling)**

(1) Standards for origin labeling under Article 5 (4) of the Act shall be as listed in Appendix 1.

(2) In addition to matters provided for in paragraph (1), other matters necessary for the standards for origin labeling shall be determined and publicly notified jointly by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries. <Amended on Mar. 23, 2013>

#### **Article 5-2 (Imposition and Collection of Penalty Surcharge)**

(1) Standards for imposing a penalty surcharge under Article 6-2 (1) of the Act shall be as listed in Appendix 1-2.

(2) Where imposing a penalty surcharge pursuant to Article 6-2 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor, and the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") and the head of a Si/Gun/Gu (Gu refers to an autonomous Gu; hereinafter the same shall apply) shall give a person subject to the penalty surcharge a written notice for the payment of the penalty surcharge specifying the type of the relevant violation, the amount of the penalty surcharge, etc. <Amended on Nov. 15, 2016; Dec. 11, 2018; Dec. 31, 2021>

(3) A person notified under paragraph (2) shall pay a penalty surcharge to a collecting agency designated by the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, a Mayor/Do Governor, or the head of a Si/Gun/Gu within 30 days from the date of notification of payment. <Amended on Jun. 30, 2016; Dec. 11, 2018; Dec. 31, 2021; Dec. 12, 2023>

(4) Deleted. <Dec. 12, 2023>

(5) Where a person liable to pay a penalty surcharge intends to have the deadline for payment of a penalty surcharge extended or to pay a penalty surcharge in installments pursuant to the proviso, with the exception of the subparagraphs, of Article 29 of the Framework Act on Administration, he or she shall file with the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, a Mayor/Do Governor, or the head of a Si/Gun/Gu an application for extension of the deadline for payment of a penalty surcharge or an application for payment of a penalty surcharge in installments, accompanied by the documents evidencing the grounds prescribed in the subparagraphs of that Article, by no later than five days before the deadline for payment. <Amended on Dec. 12, 2023>

(6) Where the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, a Mayor/Do Governor, or the head of a Si/Gun/Gu extends the deadline for payment of a penalty surcharge under Article 6-2 (1) of the Act pursuant to the proviso of Article 29 of the Framework Act on Administration, the extended deadline for payment shall not exceed one year from the date following the date of the original deadline for payment. <Amended on Dec. 12, 2023>

(7) Where the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, a Mayor/Do Governor, or the head of a Si/Gun/Gu allows the payment of a penalty surcharge under Article 6-2 (1) of the Act in installments pursuant to the proviso, with the exception of its subparagraphs, of Article 29 of the Framework Act on Administration, the interval between installment payments shall not exceed four months and the number of installments shall not exceed three. <Amended on Dec. 12, 2023>

(8) Deleted. <Dec. 12, 2023>

(9) A collection agency in receipt of a penalty surcharge pursuant to paragraph (3) shall, without delay, notify the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, the Mayor/Do Governor, or the head of a Si/Gun/Gu of such fact. <Amended on Jun. 30, 2016; Dec. 11, 2018; Dec. 31, 2021>

(10) Matters necessary for the imposition and collection of penalty surcharges, other than those provided for in paragraphs (1) through (9) shall be prescribed by Joint Ministerial Decree of Agriculture, Food and Rural Affairs and the Ministry of Oceans and Fisheries. <Amended on Jun. 30, 2016>

## **Article 6 (Inspection of Country of Origin Labeling)**

(1) Where deemed necessary to determine the country of origin of samples collected pursuant to Article 7 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries may designate and publicly notify an inspection institution.

(2) The Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries may determine and publicly notify the methods of inspecting country of origin and the detailed standards.

(3) Where the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, or the Mayor/Do Governor evaluates the implementation results, etc. based on their internal plans for the collection and inspection of agricultural products, fishery products or processed products thereof subject to country of origin labeling requirements under Article 7 (6) of the Act (hereinafter referred to as "internal plan"), an evaluation with the focus on the following matters shall be made:

1. Degree of attainment of objectives of internal plans;
2. Efficiency in the process of implementation;
3. Adequacy of utilizing human and financial resources.

#### **Article 6-2 (Construction and Operation of Integrated Country of Origin Management System)**

(1) In order to efficiently inspect country of origin under Article 7 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries may construct and operate an integrated data management system to inspect country of origin labeling (hereinafter referred to as "integrated country of origin management system").

(2) In order to efficiently operate the distribution history management, etc. of imported agricultural products and processed products thereof, the Minister of Agriculture, Food and Rural Affairs may build and operate a system (hereinafter referred to as "distribution history management system for imported agricultural products, etc.") for integrated management of data on the reporting, follow-up management, etc. of distribution history of the imported agricultural products, etc. subject to distribution history management under Article 10-2 (1) of the Act (hereinafter referred to as "imported agricultural products, etc. subject to distribution history management"). *<Added on Dec. 31, 2021>*

(3) In order to operate the integrated country of origin management system and the distribution history management system for imported agricultural products, etc., the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries may request the heads of relevant central administrative agencies, the Mayor/Do Governor or the heads of Sis/Guns/Gus to provide information. In such cases, the heads of relevant central administrative agencies in receipt of a request shall comply with such request, unless there exists good reason. *<Amended on Dec. 31, 2021>*

#### **Article 7 (Disposition against and Publication of Breach of Origin Labeling Rules)**

(1) Dispositions imposed under Article 9 (1) of the Act shall be made according to the following classifications:

1. In violation of Article 5 (1) of the Act: An order to perform origin labeling, or the prohibition of transactions;
  2. In violation of Article 5 (3) of the Act: An order to perform origin labeling;
  3. In violation of Article 6 of the Act: An order to rectify, including orders to perform, change, or delete origin labeling, or the prohibition of transactions.
- (2) The standards and methods for publication on the websites under Article 9 (2) of the Act shall be as follows: <Added on Jan. 25, 2012; Mar. 23, 2013; Nov. 15, 2016; May 29, 2017; Dec. 11, 2018>
1. Period of publication: 12 months from the date the disposition is definitely determined;
  2. Method for Publication:
    - (a) Where published on the websites of the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Oceans and Fisheries, the Korea Customs Service, the National Agricultural Products Quality Management Service, the National Fishery Products Quality Management Service, the Special Metropolitan City, a Metropolitan City, the Special Self-Governing City, a Do, the Special Self-Governing Province (hereinafter referred to as "City/ Do"), Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply), and the Korea Consumer Agency: Publication to enable users to see the content thereof on the front page of the website of any above-mentioned entity concerned;
    - (b) Where published on the websites of major internet information providers: Publication to enable users to see the content thereof when they type in a search word containing "the country of origin" in the search box of the website of any above-mentioned entity concerned.
- (3) "Matters prescribed by Presidential Decree" in Article 9 (3) 5 of the Act means the following: <Amended on Jan. 25, 2012; Mar. 23, 2013; Nov. 15, 2016; Dec. 31, 2021>
1. Title describing the details of "Publication of violation of the Act on Origin Labeling of Agricultural and Fishery Products";
  2. Types of business;
  3. Address of place of business (including the name and address of a superstore when the relevant person enters the superstore under subparagraph 3 of Article 2 of the Distribution Industry Development Act and makes sales activities therein);
  4. The name of the relevant processed agricultural and fishery product;
  5. Details of violation;
  6. Person having disposition authority and date of disposition;
  7. The name of the channel of the relevant program-providing business operator under Article 9 (5) of the Broadcasting Act or the address of the website of the relevant mail order broker of the Act on the Consumer Protection in Electronic Commerce where the person who receives disposition under Article 9 (1) of the Act enters or make sales.
- (4) "National quarantine and inspection agency prescribed by Presidential Decree" in Article 9 (4) 4 of the Act means the National Fishery Products Quality Management Service. <Added on Nov. 15, 2016>

(5) "Major internet information providers" in Article 9 (4) 7 of the Act means the internet information providers which offer portal services (referring to services providing search systems for internet addresses, information, etc., and electronic mail and on-line communities), and the average number of whose daily users is not less than 10 million during the three months preceding the end of the year to which the date of publication (of breach of origin labeling rules) belongs. <Added on Jan. 25, 2012; Jun. 1, 2015; Nov. 15, 2016>

#### **Article 7-2 (Education of Country of Origin Labeling System of Agricultural and Fishery Products)**

(1) Education about the country of origin labeling system of agricultural and fishery products referred to in Article 9-2 (1) of the Act (hereinafter referred to as "education about the country of origin") shall include the following:

1. Statutes and regulations, and systems regarding country of origin labeling;
2. Methods of labeling the country of origin and matters relating to punishing violators.

(2) Duration of the education on the country of origin shall be at least two hours.

(3) The education about the country of origin shall be provided to the persons specified in the subparagraphs of Article 9 (2) of the Act who also fall under the following: <Amended on Jun. 18, 2019; Dec. 31, 2021>

1. Persons for whom a disposition is imposed under Article 9 (1) of the Act at least twice within a two-year period for failing to indicate the country of origin of agricultural or fishery products, processed products thereof, etc., in violation of Article 5;
2. Persons for whom a disposition is imposed under Article 9 (1) of the Act, in violation of Article 6 (1) or (2) of the Act.

(4) Where persons who are to receive education on the country of origin pursuant to paragraph (3) (hereinafter referred to as "persons to receive education on the country of origin") fall under the grounds specified in Joint Ministerial Decree of Agriculture, Food and Rural Affairs and the Ministry of Oceans and Fisheries, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service, the Mayor/Do Governor, or the head of a Si/Gun/Gu may allow employees in charge of management of origin labeling who work for the persons to receive education on the country of origin to receive the education on the country of origin instead of the persons to receive education on the country of origin. <Amended on Dec. 11, 2018; Dec. 31, 2021>

(5) The following institutions may provide the education on the country of origin:

1. The Korea Agency of Education, Promotion and Information Service in Food, Agriculture, Forestry and Fisheries established under Article 11-2 of the Framework Act on Agriculture, Rural Community and Food Industry;
2. Any educational institution or organization jointly selected and publicly notified by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries.

(6) Except as provided in paragraphs (1) through (5), matters regarding methods and procedures for education or any other matter necessary for education shall be prescribed by the guidelines for education

implementation referred to in Article 9-2 (3) of the Act.

### **Article 7-3 (Follow-up Management of Imported Agricultural and Fishery Products, etc. Subject to Distribution History Management)**

Where collecting and investigating imported agricultural products, etc. subject to distribution history management or inspecting business-related books or documents pursuant to Article 10-3 of the Act, the Minister of Agriculture, Food and Rural Affairs shall formulate a follow-up management plan every year, taking into consideration the type and size of business, transaction type, etc., and shall collect, investigate, or inspect accordingly.

### **Article 8 (Rewards)**

(1) A reward under Article 12 (1) of the Act may be given up to 10 million won to a reporter or accuser.

*<Amended on May 29, 2017; Dec. 11, 2018>*

(2) No reward shall be granted to any person who makes a report or accusation, the content of which is the same as that of any previous report or accusation under Article 12 (1) of the Act. *<Amended on May 29, 2017>*

(3) Except as provided in paragraphs (1) and (2), other necessary matters concerning the beneficiary of the rewards and the standards, methods, and procedures for the rewards shall be determined and publicly announced jointly by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013; May 29, 2017>*

### **Article 9 (Delegation of Authority)**

(1) In accordance with Article 13 of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate following authority regarding agricultural products and processed products thereof to the Director General of the National Agricultural Products Quality Management Service, and the Minister of Oceans and Fisheries shall delegate the following authority (excluding the authority under subparagraphs 2-4 and 7) regarding fishery products and processed products thereof to the Director General of the National Fishery Products Quality Management Service: *<Amended on Jun. 7, 2011; Mar. 23, 2013; Jun. 1, 2015; May 29, 2017; Dec. 11, 2018; Jun. 18, 2019; Dec. 31, 2021; Apr. 27, 2022; Feb. 24, 2023>*

1. Imposition and collection of penalty surcharges under Article 6-2 of the Act;

1-2. Collection and inspection of agricultural or fishery products, or processed products thereof which are subject to country of origin labeling requirements, formulation and implementation of internal plans, evaluation of implementation results, etc. based on internal plans under Article 7 of the Act, and construction and operation of an integrated country of origin management system under Article 6-2 of this Decree;

2. Dispositions and publications thereof under Article 9 of the Act;

- 2-2. Education following violation of country of origin labeling under Article 9-2 of the Act;
- 2-3. Deleted;
- 2-4. Follow-up management of imported agricultural products, etc. subject to distribution history management under Article 10-3 of the Act;
3. Supervision and management of honorary surveillants and reimbursement of expenses under Article 11 of the Act;
4. Granting of rewards under Article 12 of the Act;
- 4-2. Deleted;
5. Imposition and collection of administrative fines under Article 18 of the Act;
6. Preparation of methods of inspection of country of origin and of detailed standards under Article 6 (2), and public notification thereof.
7. Establishment and operation of the distribution history management system for imported agricultural products, etc. under Article 6-2 (2).

(2) The Director General of the National Agricultural Products Quality Management Service and the Director General of the National Fishery Products Quality Management Service may, with approval of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries respectively, re-delegate part of his or her authority delegated pursuant to paragraph (1) to the heads of the affiliated organizations. In such cases, the Director General of the National Agricultural Products Quality Management Service and the Director General of the National Fishery Products Quality Management Service shall publicly notify the details of such re-delegation. <Amended on Jun. 7, 2011; Mar. 23, 2013; Apr. 27, 2022>

(3) Deleted. <Dec. 31, 2021>

(4) The Commissioner of the Korea Customs Service shall delegate the following authority regarding imported agricultural products, fishery products and processed products thereof to the head of a customs office, pursuant to Article 13 of the Act: <Added on May 29, 2017; Dec. 11, 2018; Dec. 31, 2021>

1. Imposition and collection of penalty surcharges under Article 6-2 of the Act;
2. Collection and investigation of agricultural and fishery products or processed products thereof subject to labeling of the country of origin under Article 7 of the Act;
3. Dispositions and publication under Article 9 of the Act;
4. Education following violation of country of origin labeling under Article 9-2 of the Act;
5. Payment of rewards under Article 12 of the Act;
6. Imposition and collection of administrative fines under Article 18 (1) 1, 2, and 4 and (2) 1 of the Act.

(5) Deleted. <Dec. 11, 2018>

#### **Article 9-2 (Management of Personally Identifiable Information)**

The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the Commissioner of the Korea Customs Service (including persons to whom the authority of the Minister of

Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the Commissioner of the Korea Customs Service is delegated or re-delegated pursuant to Article 9), the Mayor/Do Governor, or the head of a Si/Gun/Gu (including persons to whom the relevant authority has been delegated or re-delegated) may, where it is inevitable for conducting the following affairs, manage any data containing resident registration numbers, passport numbers, or alien registration numbers under subparagraph 1, 2 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act: <Amended on Mar. 23, 2013; Jun. 1, 2015; May 29, 2017; Dec. 11, 2018; Jun. 18, 2019; Dec. 31, 2021; Apr. 27, 2022; Dec. 12, 2023>

1. Affairs concerning the imposition and collection of penalty surcharges under Article 6 (2) of the Act;
- 1-2. Affairs concerning the investigation of origin labeling, etc., under Article 7 of the Act;
- 1-3. Affairs concerning dispositions and publication regarding violation of country of origin labeling, etc. under Article 9 of the Act;
- 1-4. Affairs concerning education following violation of country of origin labeling under Article 9-2 of the Act;
- 1-5. Affairs concerning follow-up management of imported agricultural products, etc. subject to distribution history management under Article 10-3 of the Act;
2. Affairs concerning reports by honorary surveillants and the reimbursement of expenses under Article 11 of the Act;
3. Affairs concerning the granting of rewards under Article 12 of the Act;
4. Affairs concerning the construction and operation of an integrated country of origin management system under Article 6-2 (1);
5. Affairs concerning the establishment and operation of the distribution history management system for imported agricultural products, etc. under Article 6-2 (2).

#### **Article 9-3 (Procedures for Business Cooperation with Administrative Agencies)**

Where, pursuant to Article 13-2 (2) of the Act, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or the Commissioner of the Korea Customs Service requests the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu to provide cooperation in the use, etc. of information in their electronic data-processing systems, he or she shall specify the following matters in detail: <Amended on Mar. 23, 2013; Dec. 11, 2018>

1. Reasons for cooperation;
2. Period of cooperation;
3. Methods of cooperation;
4. Other necessary matters.

#### **Article 9-4 (Re-Examination of Regulation)**

The Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries shall review the adequacy of the products subject to the country of origin labeling under Article 3 every three years

from January 1, 2022 (meaning before January 1 of every third year) and shall take measures such as making improvements.

#### **Article 10 (Criteria for Imposition of Administrative Fines)**

The criteria for imposition of administrative fines referred to in Article 18 (1) and (2) of the Act shall be as listed in Appendix 2. <Amended on May 29, 2017>

ADDENDA <Presidential Decree No. 22332, Aug. 11, 2010>

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

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

#### **Article 2 (Special Case concerning Origin Labeling)**

Until December 31, 2011, the country of origin marking of liquor beverages under the Liquor Tax Act shall be governed by the subparagraph 1 (a) and (b) of the column 'origin labeling standards for States or regions where a main raw material was produced' of Appendix 7 of Presidential Decree No. 22198, the Partial Amendment to the Decree of the Liquor Tax.

#### **Article 3 (Transitional Measures concerning Citation of Other Statutes and Regulations)**

(1) Until November 25, 2010, the Livestock Products Sanitary Control Act referred to in Article 3 (2) 2 shall be deemed the Processing of Livestock Products Act.

(2) Until November 25, 2010, "subparagraph 8 of Article 2 of the Livestock Products Sanitary Control Act" referred to in Article 3 (5) 2 through 4 shall be deemed "subparagraph 7 of Article 2 of the Processing of Livestock Products Act.

#### **Articles 4 Omitted.**

#### **Article 5 (Relationship with Other Statutes and Regulations)**

References to the former Decree of the Agricultural Products Quality Control Act, the former Quality Control of Fishery Products Act or the former Decree of the Food Sanitation Act, or any provision thereof in any other Act or subordinate statute as at the time when this Decree enters into force shall be deemed to refer to this Decree or the corresponding provision thereof, if any, in lieu of the former Decree of the Agricultural Products Quality Control Act, the former Quality Control of Fishery Products Act or the former Decree of the Food Sanitation Act, or the provision thereof.

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

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

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

#### **Article 2 Omitted.**

#### **Article 3 Omitted.**

ADDENDA <Presidential Decree No. 23214, Oct. 10, 2011>

**Article 1 (Enforcement Date)**

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

**Article 2 (Transitional Measure concerning Administrative Fines)**

Where applying standards for imposition of administrative fines to any violations committed before this Decree enters into force, the previous provisions of Appendix 2 shall apply notwithstanding the amended provisions thereof.

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

**Article 1 (Enforcement Date)**

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

**Article 2 Omitted.**

ADDENDUM <Presidential Decree No. 23533, Jan. 25, 2012>

This Decree shall enter into force on January 26, 2012.

ADDENDA <Presidential Decree No. 24258, Dec. 27, 2012>

**Article 1 (Enforcement Date)**

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

**Article 2 (Applicable Example concerning Origin Labeling of Items of Kimchi Using Red Pepper Powder among Kinds of Kimchi)**

The amended provisions of Article 3 (2) 1 (c) shall apply beginning from the first kinds of kimchi which are manufactured and processed after this Decree enters into force.

**Article 3 (Transitional Measures)**

(1) Notwithstanding the amended provisions of Article 3 (5) 7, the origin of red pepper powder may not be indicated where Baechu-kimchi is in storage at a place of a food service business or a collective catering facility as at the time this Ordinance takes effect or where it is impossible to identify the country of origin of the red pepper powder which is raw material, due to the use of the products processed from Baechu-kimchi which is in distribution without indicating the origin of the red pepper powder pursuant to Article 2 of this Addenda.

(2) Packaging materials for kinds of kimchi already manufactured at the time this Decree enters into force and which use the red pepper powder indicating the origin may be used for one year from the date

this Decree enters into force. In such cases, the origin of the red pepper powder shall be indicated pursuant to the amended provisions of Article 3 (2) 1 (d).

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

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That among Article 6 (15) of this Addenda, Article 9 of Presidential Decree No. 24258, the Partial Amendment to the Enforcement Decree of the Act on Origin Labeling of Agricultural and Fishery Products shall enter into force on June 28, 2013.

**Articles 2 through 7 Omitted.**

ADDENDA <Presidential Decree No. 25133, Jan. 28, 2014>

**Article 1 (Enforcement Date)**

(1) This Decree shall enter into force on January 31, 2014.

(2) through (5) Omitted.

**Article 2 Omitted.**

**Article 3 Omitted.**

ADDENDUM <Presidential Decree No. 25919, Dec. 30, 2014>

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

ADDENDA <Presidential Decree No. 26294, Jun. 1, 2015>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on June 4, 2015.

**Article 2 (Transitional Measure concerning Counting of Number with Respect to Imposition of Penalty Surcharge)**

Violations of Article 6 (1) or (2) before this Decree enters into force shall not be included in the number of violations under the amended provisions of subparagraph 1 (a) of Appendix 1-2.

ADDENDA <Presidential Decree No. 26941, Feb. 3, 2016>

**Article 1 (Enforcement Date)**

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

**Article 2 (Transitional Measures concerning Country of Origin Labeling)**

(1) Notwithstanding the amended provisions of Article 3 (2) 1, the raw materials of agricultural and fishery processed products under Article 5 (1) 2 of the Act may be indicated with country of origin pursuant to the previous provisions till December 31, 2016 based on manufacturing date.

(2) Notwithstanding the amended provisions of Article 3 (5), any person who establishes and operates a place of business or group meal services which provides food service business under Article 5 (3) of the Act may indicate country of origin till December 31, 2016 pursuant to the previous provisions.

ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

**Articles 2 through 15 Omitted.**

ADDENDA <Presidential Decree No. 27585, Nov. 15, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on November 30, 2016.

**Article 2 (Transitional Measures concerning Publication)**

Notwithstanding the amended Article 7 (3) 7, any person whose disposition under Article 9 (1) of the Act is settled before this Decree enters into force, shall be subject to the previous provisions.

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.**

ADDENDA <Presidential Decree No. 28059, May 29, 2017>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on June 3, 2017: Provided, That the amended provisions of Article 7-2, Article 9 (1) 2-2, Article 9 (3) 2-2, subparagraph 1-4 of Article 9-2, Article 10, and subparagraph 2 (h) of Appendix 2 shall enter into force on December 3, 2017.

**Article 2 (Applicability concerning Persons to Be Educated on Country of Origin)**

(1) The number of dispositions imposed pursuant to Article 9 (1) of the Act due to violation of Article 5 of the Act, as referred to in the amended Article 7-2 (3) 1, shall be counted from the first violation of Article 5 of the Act after the amended Article 7-2 enters into force pursuant to the proviso of Article 1 of the Addenda.

(2) The amended provisions of Article 7-2 (3) 2 shall begin to apply from the first violation of Article 6 of the Act after the amended Article 7-2 enters into force pursuant to the proviso of Article 1 of the Addenda.

**Article 3 (Applicability concerning Penalty Surcharges Imposed on Inbound Agricultural and Fishery Products including Imported Agricultural and Fishery Products Awaiting Customs Clearance)**

The amended provisions of subparagraph 1 (d) and 2 (a) of Appendix 1 shall begin to apply from the first violation after this Decree enters into force.

**Article 4 (Applicability concerning Administrative Fines Imposed on Inbound Agricultural and Fishery Products including Imported Agricultural and Fishery Products Awaiting Customs Clearance)**

The amended provisions of subparagraph 3 (c) and 4 (c) of Appendix 2 shall begin to apply from the first violation after this Decree enters into force.

**Article 5 (Transitional Measures concerning Penalty Surcharges Imposed on Agricultural and Fishery Products and Processed Products Thereof except for Inbound Agricultural and Fishery Products including Imported Agricultural and Fishery Products Awaiting Customs Clearance)**

The previous provisions of subparagraph 2 of Appendix 1 shall apply where penalty surcharges are imposed on violations with respect to agricultural and fishery products and processed products thereof except for inbound agricultural and fishery products including imported agricultural and fishery products awaiting customs clearance, committed before this Decree enters into force.

**Article 6 (Transitional Measures concerning Imposition of Administrative Fines)**

The previous provisions shall apply where administrative fines are imposed on violations under subparagraph 2 (b) (i) and (ii) and subparagraph 4 (d) (i) and (ii) of Appendix 2, committed before this Decree enters into force.

ADDENDUM <Presidential Decree No. 29363, Dec. 11, 2018>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 3 (2) 1 (d) shall enter into force on January 1, 2020.

ADDENDA <Presidential Decree No. 29622, Mar. 14, 2019>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 14, 2019.

**Article 2 Omitted.**

ADDENDA <Presidential Decree No. 29872, Jun. 18, 2019>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 14, 2019.

**Article 2 (Transitional Measures concerning Country of Origin Labeling)**

A person who establishes and operates a food service business or a place of mass feeding under Article 5 (3) may indicate the place of origin pursuant to the previous provisions until June 30, 2020, notwithstanding the amended provisions of Article 3 (5).

**Article 3 (Transitional Measures concerning Education on Country of Origin Labeling System)**

(1) Where a person has not received education on the system of indicating the country of origin of agricultural or fishery products from among the cases in which he or she has been imposed with any disposition under Article 9 (1) of the Act two times or more for violation of Article 5 of the Act before this Decree enters into force, the previous provisions shall apply to him or her, notwithstanding the amended provisions of Article 7-2 (3) 1.

(2) Where a person has been imposed with any disposition under Article 9 (1) of the Act for violation of Article 5 of the Act before this Decree enters into force, such disposition shall be counted in the number of times under the amended provisions of Article 7-2 (3) 1.

**Article 4 (Transitional Measures concerning Imposition of Penalty Surcharges)**

Where penalty surcharges for violations committed two or more times during a two year period has not been imposed as at the time this Decree enters into force, the previous provisions shall apply, notwithstanding the amended provisions of subparagraph 1 (a) and (b) of Appendix 1-2.

ADDENDUM <Presidential Decree No. 30181, Oct. 29, 2019>

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

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

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

ADDENDUM <Presidential Decree No. 31380, Jan. 5, 2021>

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

ADDENDA <Presidential Decree No. 32297, Dec. 31, 2021>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on January 1, 2022.

**Article 2 Omitted.**

ADDENDUM <Presidential Decree No. 32528, Mar. 8, 2022>

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

ADDENDA <Presidential Decree No. 32542, Mar. 15, 2022>

**Article 1 (Enforcement Date)**

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

**Article 2 (Applicability to Standards for Imposition of Administrative Fines)**

Administrative fines imposed for violations prior to the enforcement of this Decree shall not be included in the calculation of the number of violations pursuant to the amended provisions of subparagraph 3 (a) 1) of Appendix 2.

ADDENDUM <Presidential Decree No. 32609, Apr. 27, 2022>

This Decree shall enter into force on April 29, 2022.

ADDENDUM <Presidential Decree No. 33189, Dec. 30, 2022>

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

ADDENDUM <Presidential Decree No. 33261, Feb. 24, 2023>

This Decree shall enter into force on February 28, 2023.

ADDENDUM <Presidential Decree No. 33946, Dec. 12, 2023>

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

Last updated : - -

