

# ACT ON TEA INDUSTRY DEVELOPMENT AND TEA CULTURE PROMOTION

Act No. 13030, Jan. 20, 2015

## Article 1 (Purpose)

The purpose of this Act is to contribute to the increase of the income of farmers by developing the tea industry as well as to the healthy life of the people by spreading the tea culture.

## Article 2 (Definitions)

The terms used in this Act shall be defined as follows:

1. The term “tea” means a product prescribed by Presidential Decree from among those produced by using leaves of a tea plant, etc.;
2. The term “tea industry” means the industry for growing plants which are used as raw materials for tea or for producing, processing, preparing, packing, storing, distributing or selling tea;
3. The term “person engaging in tea industry” means a person prescribed by Presidential Decree from among those who work in tea industry;
4. The term “tea culture” means a tangible or intangible form of lifestyle which has been changed and developed in relation to tea, including the cultivation of tea plants, the harvest, processing, evaluation, storing, sale and use of tea leaves, tea ceremony, etc.

## Article 3 (Responsibilities of the State and Local Governments)

The State and local governments shall formulate and execute policies necessary for developing tea industry and promoting tea culture.

## Article 4 (Relationship to Other Acts)

This Act shall apply to promoting tea industry and the tea culture, except as otherwise provided in other Acts.

## Article 5 (Development of Master Plan)

(1) The Minister of Agriculture, Food and Rural Affairs shall establish and implement a master plan on developing tea industry, etc. in order to advance tea industry and in order to promote tea culture (hereinafter referred to as “master plan”).

(2) A master plan shall include the following matters:

1. Basic goal of cultivating the tea industry and promoting the use of tea, and direction for the implementation thereof;

2. Matters related to developing and disseminating technologies related to the tea industry;
3. Matters related to the cultivation of tea and the stable supply and demand of raw materials of tea;
4. Matters related to nurturing professional workforce of the tea industry;
5. Matters related to the growth of tea consumption and support for distribution;
6. Matters related to preserving and promoting tea culture;
7. Other matters recognized as necessary to advance tea industry and to promote tea culture, as prescribed by Presidential Decree.

#### **Article 6 (Actual Condition Surveys)**

- (1) The Minister of Agriculture, Food and Rural Affairs may conduct a survey on the actual conditions of the tea industry in order to establish and implement policies necessary to develop the tea industry and to promote the tea culture.
- (2) The scope and method of an actual condition survey prescribed in paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 7 (Implementation of Research and Technology Development)**

- (1) The Minister of Agriculture, Food and Rural Affairs shall carry out the following research and technology development in order to promote the tea industry and to increase the consumption of tea:
  1. Research on cultivating and producing tea;
  2. Development of technology for improving the quality of tea;
  3. Development of tea-based products;
  4. Other research and technology development related to the tea industry.
- (2) The Minister of Agriculture, Food and Rural Affairs may ask specialized research institutions, etc. to conduct research and technology development prescribed in paragraph (1).
- (3) The Minister of Agriculture, Food and Rural Affairs may provide necessary support to a person who conducts research and technology development prescribed in paragraph (1) or who industrializes the results thereof.

#### **Article 8 (Education and Training)**

- (1) In order to develop tea industry and to promote tea culture, the State and local governments may provide consumers or those who engage in the tea industry with education and training for disseminating or teaching tea-related technologies, etc. either directly or by entrustment.
- (2) The Minister of Agriculture, Food and Rural Affairs may, in order to conduct education and training under paragraph (1), designate an institution or organization equipped with appropriate facilities, workforce, etc. as an institution for education and training.
- (3) Where the Minister of Agriculture, Food and Rural Affairs conducts education and training by entrustment under paragraph (1), he/she may provide necessary expenses.
- (4) Where an education and training institution designated under paragraph (2) falls under any of the following, the Minister of Agriculture, Food and Rural Affairs may cancel its designation or suspend all or part of its business operations for a specified period not exceeding six months: Provided, That he/she shall

cancel the relevant designation in the case of subparagraph 1:

1. Where it is designated by fraud or other improper means;
2. Where it comes to fail to meet the standards for designation;
3. Where the programs or contents of its education have significantly low quality;
4. Where it fails to provide education and training continuously for no less than one year without justifiable grounds.

(5) Necessary matters concerning the standards and methods for designating an education and training institution, the revocation of designation, the suspension of business, etc. shall be prescribed by Presidential Decree.

#### **Article 9 (Cultivation of Professional Workforce)**

(1) The Minister of Agriculture, Food and Rural Affairs may nurture professional workforce necessary for developing tea industry and for promoting tea culture.

(2) In order to nurture the professional workforce under paragraph (1), the Minister of Agriculture, Food and Rural Affairs may designate an institution or organization equipped with appropriate facilities and personnel, such as universities, colleges, research institutions, etc., as an institution for nurturing professional workforce, and entrust such institution with the cultivation of professional workforce.

(3) Where The Minister of Agriculture, Food and Rural Affairs entrusts the cultivation of professional workforce under paragraph (2), he/she may provide necessary expenses.

(4) Where an institution for nurturing professional workforce designated under paragraph (2) falls under any of the following, the Minister of Agriculture, Food and Rural Affairs may cancel its designation or suspend all or part of its business operations for a specified period not exceeding six months: Provided, That he/she shall cancel the relevant designation in the case of subparagraph 1:

1. Where it is designated by fraud or other improper means;
2. Where it comes to fail to meet the standards for designation;
3. Where the programs or contents of its education for nurturing professional workforce have significantly low quality;
4. Where it fails to conduct its operations related to the nurturing professional workforce continuously for no less than one year without justifiable reason.

(5) Necessary matters concerning the standards and methods for designating an institution for nurturing professional workforce, the revocation of designation, the suspension of business, etc. shall be prescribed by Presidential Decree.

#### **Article 10 (Indication of Quality, etc. of Tea, Quality Certification, etc.)**

(1) In order to improve the quality of tea, to protect consumers, etc., the Minister of Agriculture, Food and Rural Affairs may have tea producers classify and indicate the quality of tea, etc. according to the timing of harvest of tea leaves, the quality of tea leaves, etc.

(2) In order to improve the quality of tea, to encourage the production thereof, and to protect consumers, with respect to the quality of tea, the Minister of Agriculture, Food and Rural Affairs may grant quality

certification under Article 22 of the Food Industry Promotion Act and certification for organic foods, etc. under Article 19 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods, Etc.

(3) The standards for indicating the quality of tea, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 11 (Support for Management Stability)**

(1) In order to promote management stability of tea-growing farmers, the State and local governments may provide support for the improvement of production infrastructure on tea farmland, disaster prevention facilities, etc.

(2) Necessary matters concerning the scope of support, the details of support, etc. under paragraph (1) shall be prescribed by Presidential Decree.

#### **Article 12 (Enhancement of Quality)**

(1) In order to improve the quality of tea and to protect consumers, the State and local governments may carry out the following:

1. Policies for facilitating the production of high quality tea;
2. Research and survey of processing processes, etc. that meet the standards of foreign countries for the export of tea with the aim of strengthening export competitiveness of tea;
3. Support to research institutions, agencies, private organizations, etc. related to the quality improvement of tea;
4. Securing of a right for technologies developed in relation to quality improvement and commercialization thereof;
5. Other matters necessary for improving the quality of tea.

(2) The State and local governments may provide necessary support to efficiently implement matters described in paragraph (1).

#### **Article 13 (Growth of Sales)**

The State and local governments may formulate and execute policies for increasing the sale of tea, food products using tea, etc., including market development, promotion, etc.

#### **Article 14 (Expansion of Use of Tea and Consumption Promotion)**

In order to expand the use of tea and to promote the consumption of food products using tea, the State and local governments may publicize the excellence of tea and food products using tea and disseminate a new method for processing, utilization, etc.

#### **Article 15 (Promotion of Globalization)**

In order to nurture the tea industry, to enhance the export competitiveness of tea, and to facilitate the entry into overseas markets, the State and local governments may provide necessary support to an individual or organization engaged in the promotion of tea and tea culture or the development of overseas markets, as prescribed by Presidential Decree.

#### **Article 16 (Succession to, and Development of, Tea Culture)**

The State and local governments may, in order to succeed to and develop the tea culture, formulate and execute policies necessary for the spread of, and guidance on, the tea culture, etc.

#### **Article 17 (Support for Education of Tea Culture)**

(1) In order to educate the tea culture, the State and local governments may provide necessary support in relation to the research and development of the contents of education related to the tea culture conducted by schools under Article 2 of the Elementary and Secondary Education Act and Article 2 of the Higher Education Act, diverse educational activities related to the tea culture, and facilities and equipment therefor.

(2) The State and local governments may provide support for the opening of an educational course related to the tea culture in liberal arts programs, cultural programs, etc. operated by the State, local governments, public institutions, etc.

#### **Article 18 (Support for Establishment and Operation of Promotion and Exhibition Center, etc.)**

The State or local governments may provide necessary support to a person who establishes and operates an exhibition center or a cultural experience center for the purpose of developing the tea industry and promoting the tea culture, as prescribed by Presidential Decree.

#### **Article 19 (Order of Management of Indication of Quality, etc., Change of Indication, etc.)**

(1) Where deemed necessary to maintain the quality level of tea having quality indication, etc. and to protect consumers, the Minister of Agriculture, Food and Rural Affairs may require any related public official to examine or inspect matters related to the indication of the quality of tea, etc. under Article (10) or collect samples of tea to ask a specialized testing and research institution to conduct a test; where the outcome of an examination or test shows that the standards for indicating quality, etc. have been violated, he/she may issue an order to change the indication, etc.

(2) Where an examination, inspection or collection is conducted pursuant to paragraph (1), no owner, occupant, or manager of tea shall refuse, interfere with, or evade it without justifiable grounds.

(3) Detailed matters concerning an order to change indication of the quality of tea, etc. under paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 20 (Submission of Materials, etc.)**

(1) Where The Minister of Agriculture, Food and Rural Affairs intends to establish or revise a master plan referred to in Article 5 or where it is necessary for an actual condition survey referred to in Article 6, he/she may ask the heads of central administrative agencies concerned, the heads of local governments, and the heads of institutions or organizations concerned for the submission of necessary materials or cooperation. In such cases, upon receipt of request for the submission of necessary materials or cooperation, the heads of central administrative agencies concerned, etc. shall comply with it unless there is a compelling reason not to do so.

(2) In order to provide support under this Act, the State and local governments may ask a person engaged in the tea industry to submit necessary materials.

### **Article 21 (Hearings)**

In cases falling under any of the following, the Minister of Agriculture, Food and Rural Affairs shall hold a hearing:

1. Revocation of the designation of an education and training institution under Article 8 (4);
2. Revocation of the designation of an institution for nurturing professional workforce under Article 9 (4).

### **Article 22 (Delegation and Entrustment of Authority)**

(1) The Minister of Agriculture, Food and Rural Affairs may delegate any part of his/her authority under this Act to the Administrator of Rural Development Administration, the head of an institution under his/her management, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, the Governor of a Special Self-Governing Province, as prescribed by Presidential Decree.

(2) The Minister of Agriculture, Food and Rural Affairs may entrust part of his/her duties under this Act to the Korea Food Research Institute under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc. or the Korea Agro-Fisheries and Food Trade Corporation under the Korea Agro-Fisheries and Food Trade Corporation Act, as prescribed by Presidential Decree.

### **Article 23 (Administrative Fines)**

(1) Any person who fails to comply with a disposition for the change of indication, etc. under Article 19 (1) shall be subject to an administrative fine not exceeding 10 million won.

(2) Any person who refuses, interferes with, or evades an examination, inspection or collection without justifiable grounds in violation of Article 19 (2) shall be subject to an administrative fine of not more than five million won.

(3) The Minister of Agriculture, Food and Rural Affairs shall impose and collect an administrative fine under paragraphs (1) and (2), as prescribed by Presidential Decree.

### **ADDENDUM**

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