

SPECIAL ACT ON SAFETY MANAGEMENT OF CHILDREN'S DIETARY LIFESTYLE

Act No. 8943, Mar. 21, 2008
Amended by Act No. 9432, Feb. 6, 2009
Act No. 9694, May 21, 2009
Act No. 9932, Jan. 18, 2010
Act No. 10310, May 25, 2010
Act No. 11690, Mar. 23, 2013
Act No. 11988, Jul. 30, 2013
Act No. 12391, Jan. 28, 2014
Act No. 12671, May 21, 2014
Act No. 14024, Feb. 3, 2016
Act No. 14263, May 29, 2016
Act No. 15485, Mar. 13, 2018
Act No. 16297, Jan. 15, 2019
Act No. 16432, Apr. 30, 2019
Act No. 17247, Apr. 7, 2020
Act No. 17810, Dec. 29, 2020
Act No. 18364, Jul. 27, 2021

CHAPTER I GENERAL PROVISIONS

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Article 1 (Purpose)

The purpose of this Act is to contribute to promoting children's health by prescribing matters necessary for supplying safe and nutritionally balanced foods in order to help children to acquire healthy dietary habits.

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Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on May 25, 2010; Mar. 23, 2013; Jul. 30, 2013; Feb. 3, 2016; Mar. 13, 2018>

1. The term "child" means students of schools prescribed in subparagraph 3 or children prescribed in the Child Welfare Act;
2. The term "children's favorite foods" means foods that children prefer or eat frequently among foods prescribed in the Food Sanitation Act or the Livestock Products Sanitary Control Act, which are prescribed by Presidential Decree;
3. The term "school" means elementary schools, middle schools, high schools, and special schools defined in Article 2 of the Elementary and Secondary Education Act;
4. The term "children's dietary lifestyle safety index" means a numerical value (hereinafter referred to as "dietary lifestyle safety index") obtained by evaluating the progress towards implementing a policy on food safety and nutrition management for children and improving the environment for manufacturing, selling, or supplying children's favorite foods, group meals, etc.;
5. The term "high-calorie, low-nutrient foods" means children's favorite foods likely to cause obesity or nutritional imbalance, which are higher in calories and lower in nutritional value than standard food determined by the Minister of Food and Drug Safety;
6. The term "high-caffeine foods" means foods that are labeled as foods containing high levels of caffeine in accordance with the standards for labeling, as prescribed in Article 4 of the Act on Labeling and Advertising of Foods.

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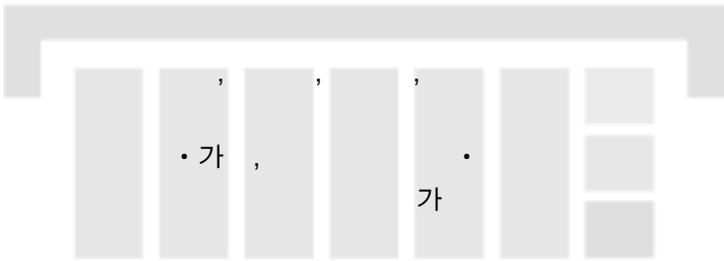
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Article 3 (Responsibilities of the State and Other Entities)

- (1) The State has the responsibility to formulate and implement a policy to improve the safety and nutritional value of foods supplied to children so that they can grow up healthy.
- (2) When the State and local governments formulate and implement a policy to improve the safety and nutritional value of foods supplied to children, they shall do so based on the principles of scientific rationality, consistency, transparency, promptitude, and prevention.
- (3) Those who manufacture, process, prepare, display, or sell children's favorite foods; and those who provide group meals shall endeavor to provide safe and nutritious foods, as prescribed in relevant statutes.

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Article 4 (Relationship to Other Statutes)

Except as provided in this Act, the Food Sanitation Act, the School Meals Act, the Livestock Products Sanitary Control Act, and the Act on Labeling and Advertising of Foods shall apply with respect to sanitary food-handling methods, food safety management, etc. <Amended on May 25, 2010; Mar. 13, 2018>

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**CHAPTER II DESIGNATION AND MANAGEMENT OF
CHILDREN'S FOOD SAFETY PROTECTION
ZONES**

Article 5 (Designation of Children's Food Safety Protection Zones)

(1) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) may designate and manage a zone within 200 meters in a straight line from schools and the boundary lines of the relevant schools as a children's food safety protection zone (hereinafter referred to as "children's food safety protection zone") in order to protect children by creating an environment in which safe and sanitary foods are sold. <Amended on Jul. 27, 2021>

(2) Detailed matters concerning children's food safety protection zones shall be prescribed by Presidential Decree.

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Article 6 (Management of Business Establishments where Children’s Favorite Foods are Prepared and Sold)

(1) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall manage business establishments prescribed by Presidential Decree from among the ones in which children's favorite foods are prepared or displayed and sold within a children's food safety protection zone as business establishments preparing and selling children's favorite foods (hereinafter referred to as "business establishments engaged in the preparation and sale of foods"). <Amended on Jul. 27, 2021>

(2) In order to guide business establishments engaged in the preparation and sale of foods to prepare, display or sell sanitary and safe foods, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall designate a person who is qualified as a consumer food sanitation supervisor under Article 33 (1) of the Food Sanitation Act as a dedicated manager in charge of children's favorite foods (hereinafter referred to as "dedicated manager"). <Amended on Feb. 6, 2009; Jul. 27, 2021>

(3) Some of the expenses incurred in designating and operating dedicated managers in charge may be covered by the national treasury or from the Food Promotion Fund under Article 89 of the Food Sanitation Act. <Amended on Feb. 6, 2009; May 21, 2014>

(4) Detailed matters concerning the methods of managing business establishments engaged in the preparation and sale of foods, designation and extent of duties of dedicated managers in charge, etc. shall

2. Where it closes down its business within one year after it received such subsidies;
3. Where it temporarily shuts down its business within three years after the date of receipt of such subsidies and for a period of at least one year in total.

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CHAPTER III MANAGEMENT OF CHILDREN'S FAVORITE FOODS

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Article 8 (Prohibition of Sale of High-Calorie, Low-Nutrient Foods)

(1) The Minister of Food and Drug Safety may determine and publicly notify nutrition standards for high-calorie, low-nutrient foods. <Amended on Mar. 23, 2013>

(2) The Minister of Food and Drug Safety may restrict or prohibit the sale of high-calorie, low-nutrient foods and high-caffeine foods in any of the following establishments, as prescribed by Presidential Decree: Provided, That he or she shall prohibit the sale of high-caffeine foods, such as coffee, in a place falling under subparagraph 1: <Amended on Mar. 23, 2013; Jul. 30, 2013; Mar. 13, 2018>

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Article 9 (Prohibition of Sale of Foods Detrimental to Children's Emotional Health)

(1) The Minister of Food and Drug Safety may prohibit the sale of foods detrimental to children's emotional health, such as foods that fuel betting or encourage sexual curiosity, or foods having such designs or taglines, or the manufacture, processing, import, preparing, keeping, transportation, or display of such foods for the purpose of sale: <Amended on Mar. 23, 2013>

1. Foods made in the form of money, Korean playing cards, cigarettes, or liquor bottles;
2. Foods that look like private parts of the human body which encourages sexual curiosity;
3. Foods sold by means of game machines, etc.;
4. Foods corresponding to subparagraphs 1 through 3, which are determined by the Minister of Food and Drug Safety.

(2) The forms, designs, taglines, etc. that can be prohibited pursuant to paragraph (1) shall be publicly notified by the Minister of Food and Drug Safety after the deliberation of the Committee on the Safety Management of Children's Dietary Lifestyle under Article 25. <Amended on Mar. 23, 2013>

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Article 10 (Restriction on or Prohibition of Advertising)

(1) No one who manufactures, processes, imports, distributes, or sells high-calorie, low-nutrient foods or high-caffeine foods among children's favorite foods shall place an advertisement on radio, television, and the Internet offering to give away at no charge toys or other things, other than food, that can entice children to make purchases. <Amended on Feb. 3, 2016>

(2) Where a person who manufactures, processes, imports, distributes, or sells children's favorite foods places an advertisement for high-calorie, low-nutrient foods and high-caffeine foods on television prescribed in subparagraph 1 (a) of Article 2 of the Broadcasting Act, the Minister of Food and Drug Safety may partially limit advertising time or prohibit such advertisement. <Amended on Mar. 23, 2013; Jul. 30, 2013>

(3) Where the Minister of Food and Drug Safety intends to partially limit advertising time or prohibit advertisement pursuant to paragraph (2), he or she shall determine and publicly notify high-calorie, low-nutrient foods and high-caffeine foods subject to such restriction or prohibition. <Amended on Mar. 23, 2013; Jul. 30, 2013>

(4) The time slots during which advertising is restricted pursuant to paragraph (2) and other detailed matters necessary to impose such restriction and prohibition shall be prescribed by Presidential Decree.

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**CHAPTER IV SUPPLY OF INFORMATION ON PROPER
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such as total fat, saturated fat, sugar, sodium, etc. contained in foods prescribed by Ordinance of the Prime Minister from among children's favorite foods, and use labels bearing colors, such as green, yellow, and red and in different shapes, such as a circle (hereinafter referred to as "indication of color and shape") according to the grade of respective foods so that children can easily recognize them. <Amended on Jan. 18, 2010; Mar. 23, 2013>

(2) Where the Minister of Food and Drug Safety recommends using labels bearing colors and in different shapes pursuant to paragraph (1), he or she shall have business entities clearly state, in a circle, etc., the percentage that each nutrient found in the respective children's favorite food accounts for in the recommended daily intakes. <Amended on Mar. 23, 2013>

(3) The Minister of Food and Drug Safety shall determine and publicly notify the method, etc. of labeling with colors and shapes. <Amended on Mar. 23, 2013>

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Article 12-2 (Labeling on High-Caffeine Foods with Color)

(1) The Minister of Food and Drug Safety may recommend the manufacturers, processors, or importers of high-caffeine foods use visible red color on their products so that children can easily recognize them.

(2) The Minister of Food and Drug Safety shall determine and publicly notify the labeling methods, etc. to place labels referred to in paragraph (1).

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Article 13 (Education of Children on Food Safety and Nutrition, and Publicity thereof)

(3) The Minister of Food and Drug Safety may entrust institutions or organizations prescribed by Presidential Decree which are government-funded institutions or organizations relating to foods with the duty of quality certification prescribed in paragraph (1). In such cases, expenses incurred in performing the duty of certification other than the fees referred to in the latter part of Article 15 (1) shall be borne by the State. <Amended on Mar. 23, 2013>

(4) Where deemed necessary for facilitating quality certification under paragraph (1), the Minister of Food and Drug Safety may provide administrative or technical support, etc. related to quality certification to a person who has obtained quality certification (including a person who intends to obtain quality certification). <Newly Inserted on Jul. 27, 2021>

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Article 15 (Application for Quality Certification and Examination thereof)

(1) Where a person who manufactures, processes, imports, or prepares children's favorite foods intends to place the food quality certification mark, he or she shall file an application with the Minister of Food and Drug Safety. In such case, the person shall pay fees prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended on Jan. 18, 2010; Mar. 23, 2013>

(2) Upon receipt of an application for quality certification under paragraph (1), the Minister of Food and Drug Safety shall examine whether the relevant foods comply with the quality certification standards. <Amended on Mar. 23, 2013>

(3) A person who has an objection against the result of the examination of quality certification prescribed in paragraph (2) may file an application for re-examination.

(4) If a person who has obtained food quality certification intends to change matters prescribed by Ordinance of the Prime Minister, such as the product name of a certified food, he or she shall file a report thereon with the Minister of Food and Drug Safety. <Newly Inserted on Feb. 3, 2016>

(5) The Minister of Food and Drug Safety shall notify a reporting person of whether to accept a report within 15 days from the date of receiving the report on changes under paragraph (4). <Newly Inserted on Jan. 15, 2019>

(6) Where the Minister of Food and Drug Safety fails to notify the reporting person of whether to accept a report or the extension of the handling period under the statutes or regulations related to handling civil petitions within the period specified in paragraph (5), such report shall be deemed accepted on the day following the date such period (where the handling period extends or re-extends pursuant to the statutes or regulations related to handling civil petitions, referring to the relevant handling period) ends. <Newly Inserted on Jan. 15, 2019>

(7) Matters necessary for procedures and methods for applying for certification of quality certified food, conducting examination and re-examination, and filing a report on changes thereof, etc. shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended on Jan. 18, 2010; Mar. 23, 2013; Feb. 3, 2016; Jan. 15, 2019>

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Article 16 (Period of Validity of Quality Certification)

(1) The period of validity of certification of quality certified foods shall be three years from the date certification is obtained. <Amended on Feb. 3, 2016; Jul. 27, 2021>

(2) The period of validity of certification under paragraph (1) may be extended by up to three years, as prescribed by Ordinance of the Prime Minister. <Newly Inserted on Jul. 27, 2021>

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Article 17 (Prohibition of Misconduct)

No person shall engage in any of the following acts:

1. Obtaining quality certification by improper means, such as deceit;
2. Placing the food quality certification mark or similar mark on a food which is not a quality certified food;
3. Selling foods, or keeping, transporting, or displaying foods for the purpose of sale while clearly being aware of the acts defined in subparagraph 2.

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Article 18 (Cancellation of Quality Certification and Order to Change Marks)

(1) Where a person who has obtained food quality certification falls under any of the following cases, the Minister of Food and Drug Safety may cancel such certification or prohibit the use of such relevant mark for a fixed period of not more than six months: Provided, That in cases falling under subparagraph 1 or 3, such certification shall be cancelled: <Amended on May 25, 2010; Mar. 23, 2013; Jul. 30, 2013; Feb. 3, 2016; Mar. 13, 2018>

1. Where the person has obtained quality certification by improper means, such as deceit;
2. Where quality certified foods fail to satisfy food quality certification standards;
3. Where foods are manufactured or produced improperly and have caused harm to humans;
4. Deleted; <Feb. 3, 2016>
5. Where quality certified foods became subject to administrative dispositions, such as business suspension, suspension of manufacture of certain food categories, and suspension of manufacture of certain food items, in violation of the Food Sanitation Act, the School Meals Act, the Livestock Products Sanitary Control Act, or the Act on Labeling and Advertising of Foods, and such dispositions remain in effect;

6. Where the person fails to report on changes required under Article 15 (4).

(2) The Minister of Food and Drug Safety shall collect and examine children’s favorite foods bearing the food quality certification mark and where, as a result of such collection and examination, such children's favorite foods fail to meet the quality certification standards, the Minister of Food and Drug Safety may cancel such quality certification or order the manufacturers, processors, importers, distributors, or sellers of such foods to take necessary measures, such as changes in food quality certification marks, suspension of use thereof for a period of not more than six months, and prohibition of sale. <Amended on Mar. 23, 2013; Jul. 30, 2013; Feb. 3, 2016>

(3) Detailed standards for cancellation of certification, change in marks, suspension of use, etc. referred to in paragraphs (1) and (2) shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended on Jan. 18, 2010; Mar. 23, 2013>

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CHAPTER V CENTER FOR CHILDREN'S FOODSERVICE MANAGEMENT

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Article 21 (Establishment and Operation of Center for Children's Foodservice Management)

(1) In order to support the sanitation and nutritional management in the following meal places (hereinafter referred to as "meal places") that provide group meal service to children, the head of a Si/Gun/Gu shall establish and operate a Center for Children's Foodservice Management: Provided, That the Mayor/Do Governor may act on behalf of or work together with the head of a Si/Gun/Gu to establish and operate the Center for Children's Foodservice Management in order to provide support more efficiently: <Amended on Jun. 7, 2011; Jan. 28, 2014; Dec. 29, 2020>

1. Meal places in day care centers in which infants and young children are cared for after being entrusted by guardians, as prescribed by the Infant Care Act;
2. Meal places in kindergartens established and operated for the education of young children, as prescribed by the Early Childhood Education Act;
3. Meal places in schools subject to group meals, as prescribed by the School Meals Act;
4. Other meal places prescribed by Presidential Decree, among the meal places in which group meals are provided to children.

(2) The Minister of Food and Drug Safety may establish and operate the National Institute of Food and Nutrition Service to conduct any of the following business affairs regarding the integrated operation and management of the Center for Children's Foodservice Management under paragraph (1) (hereinafter referred to as "Center for Children's Foodservice Management") and the improvement of sanitation and nutritional management of group meals for children: <Newly Inserted on Jan. 28, 2014; Apr. 30, 2019>

1. Developing and disseminating menu planning and recipes for group meals for children;
2. Researching and developing educational materials, etc. regarding the sanitation and nutritional management of group meals for children;
3. Providing education and training for the staff of the Center for Children's Foodservice Management;
4. Establishing and operating the information management system for the Center for Children's Foodservice Management;
5. Providing and promoting information about the sanitation and nutritional management of group meals for children;

6. Other business affairs concerning the sanitation and nutritional management of group meals for children, which are determined by the Minister of Food and Drug Safety.

(3) Each Center for Children's Foodservice Management and the National Institute of Food and Nutrition Service prescribed in paragraph (2) (hereinafter referred to as the "National Institute of Food and Nutrition Service") shall be a juristic person or may entrust their operation to an institute or organization relating to foods specified by Presidential Decree, and each Center for Children's Foodservice Management may be operated after being integrated with school meal service support centers prescribed in Article 5 (4) of the School Meals Act. <Amended on Mar. 30, 2011; Jan. 28, 2014>

(4) The number of dieticians and persons responsible for the sanitation of the Center for Children's Foodservice Management under paragraph (1), the scope of their duties, and other matters necessary for the establishment and operation thereof shall be prescribed by Presidential Decree. <Amended on Jan. 28, 2014>

(5) Pursuant to paragraph (1), the State or local governments may cover some of the expenses necessary for the establishment, operation, etc. of the Center for Children's Foodservice Management, as prescribed by Presidential Decree, or from the Food Promotion Fund prescribed in Article 89 of the Food Sanitation Act; and the National Institute of Food and Nutrition Service may be fully subsidized by the State. <Amended on Feb. 6, 2009; Jan. 28, 2014>

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Article 21-2 (Registration of Meal Places)

(1) Any person who operates a meal place prescribed by Ordinance of the Prime Minister shall register such facility with the Center for Children’s Foodservice Management and receive support regarding sanitation and nutritional management: Provided, That where a dietitian is employed at the meal place, registration may be omitted.

(2) Matters necessary for registration under paragraph (1) shall be prescribed by Ordinance of the Prime Minister.

[Previous Article 21-2 moved to Article 21-3 <Dec. 29, 2020>]

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Article 21-3 (Supervision and Guidance to Center for Children’s Foodservice Management)

(1) The Minister of Food and Drug Safety may, for the purpose of supervising each Center for Children’s Foodservice Management and the National Institute of Food and Nutrition Service, order such institutes to make a report on their relevant affairs or to submit documents, or have the public officials in the Ministry enter the relevant place of business and inspect its ledgers, documents, etc.

(2) The Minister of Food and Drug Safety may, in order to verify if the Center for Children’s Foodservice Management efficiently assists meal places with sanitation and nutritional management, provide guidance to and conduct inspections and assessment, etc. of the Center for Children’s Foodservice Management and

the meal places registered therewith, at least once a year.

(3) Except as provided in paragraphs (1) and (2), matters necessary for supervision, guidance, etc., to the Center for Children’s Foodservice Management and meal places registered therewith shall be prescribed by Ordinance of the Prime Minister.

[Moved from Article 21-2 <Dec. 29, 2020>]

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Article 22 (Special Cases concerning Employment of Dietitians)

(1) Notwithstanding Article 52 of the Food Sanitation Act, group meal places which ordinarily provide meals to not more than 100 persons at a time, among the group meal places registered with and managed by each Center for Children’s Foodservice Management, may choose not to have a dietitian: Provided, That group meal places in schools shall have a dietitian. <Amended on Feb. 6, 2009; Jan. 28, 2014>

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CHAPTER VI BUILDING SAFETY MANAGEMENT SYSTEM FOR DIETARY LIFESTYLE

Article 23 (Calculation of Dietary Lifestyle Safety Index)

(1) In order to objectively ascertain and evaluate the safety and nutritional levels of children's dietary lifestyle, the Minister of Food and Drug Safety shall regularly calculate the dietary lifestyle safety index, as prescribed by Presidential Decree, and publicly announce the results thereof. <Amended on Mar. 23, 2013>

(2) The Minister of Food and Drug Safety may entrust organizations or institutions prescribed by Presidential Decree with the duties of examining the dietary lifestyle safety index prescribed in paragraph (1). In such cases, expenses incurred in conducting such examination shall be borne by the State. <Amended on Mar. 23, 2013>

(3) Necessary matters concerning items used for calculating the dietary lifestyle safety index prescribed in paragraph (1), and methods, etc. thereof shall be determined and publicly notified by the Minister of Food and Drug Safety. <Amended on Mar. 23, 2013>

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Article 24 (Evaluation of Level of Safety of Dietary Lifestyle and Nutritional Levels of Diets in Si/Gun/Gu)

(1) The Minister of Food and Drug Safety may use the dietary lifestyle safety index prescribed in Article 23 (1) to examine and evaluate the level of safety of dietary lifestyle and the nutritional level of the diets in a Special Self-Governing City, a Special Self-Governing Province, or a Si/Gun/Gu (referring to an autonomous Gu), and publish the results thereof. <Amended on Mar. 23, 2013; Jul. 27, 2021>

(2) Matters necessary for the procedures for examination of the safety levels and evaluation of dietary lifestyle, and methods, etc. of evaluation under paragraph (1) shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended on Jan. 18, 2010; Mar. 23, 2013>

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Article 25 (Committee on Safety Management of Children's Dietary Lifestyle)

(1) In order to provide advice to the Minister of Food and Drug Safety and to deliberate on matters necessary for managing safety of children's dietary lifestyle, such as the safety and nutritional management of children's favorite foods, group meals, etc., a Committee on the Safety Management of Children's Dietary Lifestyle (hereinafter referred to as the "Committee") shall be established under the Ministry of Food and Drug Safety. <Amended on Mar. 23, 2013>

(2) The duties of the Committee shall be as follows: <Amended on Mar. 23, 2013>

1. Matters concerning the formulation of a comprehensive plan for children's dietary lifestyle;
2. Matters concerning the improvement of systems for the safety and nutritional management of children's favorite foods and group meals;
3. Matters concerning the safety and management of nutrition standards for children's favorite foods and group meals;
4. Matters concerning investigation into the actual status of safety and nutrition of children's favorite foods and group meals and research projects, etc. thereon;
5. Matters concerning education and publicity for the safety management of children's dietary lifestyle;
6. Other matters concerning the safety and nutritional management of children's favorite foods, which the Minister of Food and Drug Safety or the chairperson refers for deliberation.

(3) The Committee shall be comprised of not more than 30 members, including one chairperson and two vice-chairpersons. In such cases, members other than public officials shall be a majority of the total members. <Newly Inserted on Jan. 15, 2019>

(4) The chairperson of the Committee shall be elected from among its members, and vice-chairpersons shall be appointed by the chairperson from among the members. <Newly Inserted on Jan. 15, 2019>

(5) The members of the Committee shall be commissioned or appointed by the Minister of Food and Drug Safety, from among the following persons: <Newly Inserted on Jan. 15, 2019>

1. Persons who have much knowledge and experience in food safety and nutrition;
2. Persons recommended by non-profit, non-governmental organizations defined in Article 2 of the Assistance for Non-Profit, Non-Governmental Organizations Act or a consumer organization registered pursuant to Article 29 of the Framework Act on Consumers;
3. Persons engaging in business regarding foods, food additives, apparatus, containers, or packages under Article 3 (3) of the Food Sanitation Act;
4. Persons recommended by the Korea Food Industry Association under Article 64 of the Food Sanitation Act;
5. Public officials conducting the business affairs regarding food sanitation.

(6) Each member shall hold office for a term of two years: Provided, That the term of office of members who are public officials shall be the period during which they hold the relevant office. <Newly Inserted on Jan. 15, 2019>

(7) When necessary for performing duties, the Committee may have relevant public officials or specialists with specialized knowledge and experience attend a meeting to make a statement, or may request the relevant institutions, organizations, etc. to present necessary data or opinions or to provide other forms of cooperation.

(8) Other matters necessary for the composition, organization, operation, etc. of the Committee shall be prescribed by Presidential Decree. <Amended on Jan. 15, 2019>

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Article 26 (Establishment of Comprehensive Plans for Safety Management of Children's Dietary Life)

(1) The Minister of Food and Drug Safety shall establish a comprehensive plan for the safety management of children's dietary lifestyle concerning the safety, nutritional management, etc. of children's favorite foods, group meals, etc. every three years in consultation with the heads of relevant central administrative agencies and deliberation of the Committee. <Amended on Mar. 23, 2013; Feb. 3, 2016>

(2) The comprehensive plan for the safety management of children's dietary lifestyle prescribed in paragraph (1) (hereinafter referred to as "comprehensive plan") shall contain the following matters:

1. Goals and direction-setting for safety policy on children's favorite foods;
2. Changes in children's favorite foods, etc. and the prospects thereof;
3. Matters concerning the improvement of a system concerning children's favorite foods, etc.;
4. Matters concerning research and technological development related to children's favorite foods, etc.;
5. Matters concerning international cooperation for the safety of children's favorite foods, etc.;
6. Matters concerning support for persons who sell children's favorite foods, etc. after the manufacture, processing, import, or preparing thereof, and method of support in order to ensure safety;
7. Other matters necessary to ensure safety of children's favorite foods, etc.

(3) The Minister of Food and Drug Safety, the heads of relevant central agencies, the heads of local governments shall establish and implement an implementation plan for the safety management of children's dietary lifestyle (hereinafter referred to as "implementation plan") every year. <Amended on Feb. 3, 2016>

(4) Other matters necessary for establishing and implementing comprehensive plans and implementation plans shall be prescribed by Presidential Decree.

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Article 26-2 (Fact-Finding Survey)

- (1) The Minister of Food and Drug Safety shall conduct a fact-finding survey every three years in order to secure basic data for the establishment and implementation of a comprehensive plan and implementation plan under Article 26, and shall publicly announce the results of such survey.
- (2) The Minister of Food and Drug Safety may request the heads of public institutions established under the Act on the Management of Public Institutions, business entities engaged in the food industry, and other relevant institutions and organizations to submit data or opinions necessary to conduct a fact-finding survey pursuant to paragraph (1). In such cases, persons requested to so shall comply with such request, except in extenuating circumstances.
- (3) The Ministry of Food and Drug Safety may conduct a fact-finding survey under paragraph (1) by consolidating the calculation of the dietary lifestyle safety index under Article 23 (1).
- (4) Matters necessary for fact-finding survey under paragraph (1) such as methods therefor shall be prescribed by Presidential Decree.

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CHAPTER VII CORRECTIVE ORDERS

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Article 27 (Corrective Orders)

The Minister of Food and Drug Safety, a Mayor/Do Governor, or the head of a Si/Gun/Gu shall issue a corrective order to the following persons within a specified period: *<Amended on Jul. 27, 2021>*

1. A person who prepares or displays or sells children's favorite foods in a children's food safety protection zone, by engaging in any of the restricted or prohibited acts under Article 8 (2) or 9, or in violation of Article 11 (1);
2. A person who operates a meal place without registering such meal place with the Center for Children's Foodservice Management, in violation of Article 21-2 (1).

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Article 28 (Hearings)

Where the head of a Si/Gun/Gu intends to cancel the food quality certification of relevant foods, as prescribed in Article 18 (1), he or she shall hold a hearing. *<Amended on Feb. 3, 2016>*

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CHAPTER VIII ADMINISTRATIVE FINES

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Article 29 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding 10 million won: *<Amended on Dec. 29, 2020; Jul. 27, 2021>*

1. A person who displays a logo, etc. of exemplary business establishment or places such logo in advertisements without being designated as an exemplary business establishment pursuant to Article 7 (1);
 2. A person who sells children's favorite foods, in violation of the prohibitions prescribed in Article 9 (1), or manufactures, processes, imports, prepares, stores, transports, or displays children's favorite foods for the purpose of selling them;
 3. A person who places an advertisement, in violation of Article 10 (1);
 4. A person who violates a limit on advertising time for children's favorite foods or prohibition of advertisement thereof, as prescribed in Article 10 (2);
 5. A person who places a food quality certification mark without being granted an extension of the period of validity of certification of quality certified foods, in violation of Article 16 (2);
 6. A person who performs any act specified in the subparagraphs of Article 17;
 7. A person who continues to place a food quality certification mark on children's favorite foods, even after the certification was cancelled pursuant to Article 18 (1), or who fails to comply with an order to prohibit the use of the food quality certification mark;
 8. A person who fails to comply with a corrective order under subparagraph 2 of Article 27.
- (2) A person who fails to provide nutrition content of foods prepared and sold in compliance with the standards, methods, etc. for nutrition labeling, in violation of Article 11 (1) shall be subject to an administrative fine not exceeding six million won.
- (3) Where foods prepared and sold contain an ingredient or raw material likely to cause an allergic response, in violation of Article 11-2 (1), a person who fails to attach a label on which the name of the food source appears in compliance with labeling standards, methods, etc. shall be subject to an administrative fine not exceeding three million won.
- (4) A person who fails to comply with a restriction or prohibition on the sale of high-calorie, low-nutrient foods and high-caffeine foods under Article 8 (2) shall be subject to an administrative fine not exceeding 300,000 won.
- (5) Administrative fines under paragraphs (1) through (4) shall be imposed and collected by the Minister of Food and Drug Safety, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

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ADDENDUM <Act No. 8943, Mar. 21, 2008>

This Act shall enter into force one year after the date of its promulgation: Provided, That Articles 10 (2) and 11 (1) and Article 12 shall enter into force on January 1, 2010 and January 1, 2011, respectively. <Amended by Act No. 9694, May 21, 2009>



<8943, 2008. 3. 21.>

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ADDENDA <Act No. 9432, Feb. 6, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 6 (12) of Addenda (limited to the amended provisions of Article 11 (1)) shall enter into force on January 1, 2010.

Articles 2 through 7 Omitted.

<9432, 2009. 2. 6.>

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ADDENDUM <Act No. 9694, May 21, 2009>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12 shall enter into force on January 1, 2011.

<9694, 2009. 5. 21.>

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ADDENDA <Act No. 9932, Jan. 18, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

<9932, 2010. 1. 18.>

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ADDENDA <Act No. 10310, May 25, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

<10310, 2010. 5. 25.>

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ADDENDUM <Act No. 10513, Mar. 30, 2011>

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

<10513, 2011. 3. 30.>

ADDENDA <Act No. 10789, Jun. 7, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<10789, 2011. 6. 7.>

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

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

<11690, 2013. 3. 23.>

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ADDENDA <Act No. 11988, Jul. 30, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 18 (1) and (2) shall enter into force on the date of its promulgation.

Article 2 (Applicability concerning Suspension of Use)

The amended provisions of Article 18 (1) and (2) shall also apply to any administrative disposition made for any violation committed before the same amended provisions enter into force.

<11988, 2013. 7. 30.>

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ADDENDA <Act No. 12391, Jan. 28, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Relation to Other Statutes)

Where other statutes cite the former provisions of the Special Act on Safety Management of Children's Dietary Lifestyle as at the time this Act enters into force, the corresponding provisions of this Act shall be deemed to have been cited in lieu of the former provisions if this Act includes the provisions corresponding thereto.

<12391, 2014. 1. 28.>

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ADDENDUM <Act No. 12671, May 21, 2014>

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

<12671, 2014. 5. 21.>

ADDENDA <Act No. 14024, Feb. 3, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 2, 7, 15, 18 and 26-2 shall enter into force six months after the date of their promulgation; and the amended provisions of Article 29 (1) 6 shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Subsidization of Expenses Incurred by Exemplary Business Establishments and Return of Subsidies)

(1) The amended provisions of the main sentence of Article 7 (3) shall also apply to business entities designated as an exemplary business place before this Act enters into force.

(2) The amended provisions of the proviso to Article 7 (3) and subparagraphs 2 and 3 of the said Article shall apply to subsidies granted on or after this Act enters into force.

Article 3 (Transitional Measures concerning Administrative Fines)

The previous provisions shall govern the application of the provisions on administrative fines for acts committed before this Act enters into force.

<14024, 2016. 2. 3.>

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ADDENDUM <Act No. 14263, May 29, 2016>

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

<14263, 2016. 5. 29.>

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ADDENDA <Act No. 15483, Mar. 13, 2018>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

<15483, 2018. 3. 13.>

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ADDENDUM <Act No. 15485, Mar. 13, 2018>

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

<15485, 2018. 3. 13.>

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ADDENDA <Act No. 16297, Jan. 15, 2019>

Article 1 (Enforcement Date)

This Act shall enter into force one month after the date of its promulgation: Provided, That the amended provisions of Article 25 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Report on Changes in Quality Certified Food)

The amended provisions of Article 15 (5) and (6) shall apply, beginning with a report on changes in a quality certified food filed after this Act enters into force.

Article 3 (Transitional Measures concerning Composition of Committee Members)

(1) Where the amended provisions of the latter part of Article 25 (3) are not satisfied as at the time a member is appointed or commissioned after the amended provisions of Article 25 enter into force, members other than public officials shall be commissioned until the requirements in the relevant amended provisions are met.

(2) The previous provisions shall apply to the composition of Committee members until the amended provisions of the latter part of Article 25 (3) are satisfied pursuant to paragraph (1).

<16297, 2019. 1. 15.>



ADDENDUM <Act No. 16432, Apr. 30, 2019>

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

<16432, 2019. 4. 30.>

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ADDENDUM <Act No. 17247, Apr. 7, 2020>

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

<17247, 2020. 4. 7.>

ADDENDA <Act No. 17810, Dec. 29, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Registration of Meal Place)

A person who operates a meal place in an area where no Center for Children’s Foodservice Management is established as at the time this Act is promulgated, shall register such facility therewith in accordance with the amended provisions of Article 21-2 within one year from the date the center is established in the relevant area.

<17810, 2020. 12. 29.>

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ADDENDUM <Act No. 18364, Jul. 27, 2021>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 13 (3), 16 (2), and 29 (1) 5 shall enter into force six months after the date of its promulgation, and the amended provisions of Article 27 of the partially amended Special Act on Safety Management of Children's Dietary Lifestyle (Act No. 17810) shall enter into force on December 30, 2021.

<18364, 2021. 7. 27.>

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Last updated : 2023-07-26

