

# ENFORCEMENT DECREE OF THE FOOD INDUSTRY PROMOTION ACT

Presidential Decree No. 20865, jun. 25, 2008  
Amended by Presidential Decree No. 23064, Aug. 3, 2011  
Presidential Decree No. 23535, Jan. 25, 2012  
Presidential Decree No. 23962, Jul. 19, 2012  
Presidential Decree No. 24485, Mar. 23, 2013  
Presidential Decree No. 24560, May 31, 2013  
Presidential Decree No. 25792, Nov. 28, 2014  
Presidential Decree No. 25840, Dec. 9, 2014  
Presidential Decree No. 26523, Sep. 15, 2015  
Presidential Decree No. 26860, Jan. 6, 2016  
Presidential Decree No. 26967, Feb. 11, 2016  
Presidential Decree No. 27059, Mar. 25, 2016  
Presidential Decree No. 27751, Dec. 30, 2016  
Presidential Decree No. 27916, Feb. 28, 2017  
Presidential Decree No. 28152, jun. 27, 2017  
Presidential Decree No. 28467, Dec. 12, 2017  
Presidential Decree No. 29422, Dec. 24, 2018  
Presidential Decree No. 29908, jun. 25, 2019  
Presidential Decree No. 30978, Aug. 27, 2020  
Presidential Decree No. 31472, Feb. 19, 2021  
Presidential Decree No. 33008, Nov. 29, 2022

## CHAPTER I General Provision

### 1

#### **Article 1 (Purpose)**

The purpose of this Decree is to provide for the matters mandated by the Food Industry Promotion Act and those necessary for enforcement thereof.

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### Article 1-2 (Formulation of Implementation Plans for Promotion of Food Industry)

The Minister of Agriculture, Food and Rural Affairs shall formulate implementation plans by year prescribed in Article 4 (3) of the Food Industry Promotion Act (hereinafter referred to as the "Act") by November 30 each year.

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### Article 2 (Organizational Structure of Food Industry Promotion Council)

(1) The Food Industry Promotion Council (hereinafter referred to as the "Council") prescribed in Article 5 of the Act shall be comprised of not more than 30 members, including one chairperson and one vice chairperson in consideration of gender equality. <Amended on Jun. 25, 2019>

(2) The chairperson and the vice chairperson shall be elected by and from among the members of the Council.

(3) The members of the Council shall be the following persons: <Amended on Jan. 25, 2012; Mar. 23, 2013; Jun. 27, 2017>

1. A person appointed by the Minister of Agriculture, Food and Rural Affairs from among the public officials of the Ministry of Agriculture, Food and Rural Affairs;

2. A person appointed by the Minister of Agriculture, Food and Rural Affairs from among the public officials of the Ministry of Culture, Sports and Tourism, the Ministry of Oceans and Fisheries, the Ministry of Food and Drug Safety, and the Rural Development Administration, each recommended by the heads of such agencies;

3. A person commissioned by the Minister of Agriculture, Food and Rural Affairs from among the executive officers and employees of the following organizations and institutes, each recommended by the heads of such organizations and institutes:

(a) The Korea Agro-Fisheries and Food Trade Corporation incorporated under the Korea Agro-Fisheries and Food Trade Corporation Act;

(b) The National Agricultural Cooperative Federation or NongHyup Agribusiness Group established under the Agricultural Cooperatives Act and the National Federation of Fisheries Cooperatives established under the Fisheries Cooperatives Act;



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### Article 2-2 (Dismissal of Council Members)

The Minister of Agriculture, Food and Rural Affairs may dismiss a member of the Council, if:

1. The member becomes unable to perform his or her duties due to any mental or physical disorder;
2. The member has engaged in any misconduct in relation to his or her duties;
3. The member is deemed unfit as a Council member due to neglecting his or her duties, losing dignity, or any other reason;
4. The member voluntarily indicates his or her unsuitability to perform the duties.

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### Article 3 (Duties of Chairperson)

- (1) The chairperson of the Council shall represent the Council and exercise overall control of its affairs.
- (2) The vice chairperson shall assist the chairperson and act on behalf of the chairperson where the chairperson is unable to perform his or her duties in extenuating circumstances.

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### Article 4 (Meetings)

- (1) The chairperson of the Council shall convene and preside over meetings of the Council.
- (2) A majority of the incumbent members of the Council shall constitute a quorum, and any resolution thereby shall require the concurring vote of at least a majority of those present.

(3) The Council may have relevant experts attend any of its meetings to hear their opinions if deemed necessary for deliberation by the Council.

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#### Article 5 (Secretary)

(1) The Council shall have one secretary to perform its affairs.

(2) The secretary shall be nominated by the Minister of Agriculture, Food and Rural Affairs from among the public officials of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

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#### Article 6 (Composition of Subcommittees)

(1) Each subcommittee of the Food Industry Promotion Council (hereinafter referred to as “subcommittee”) provided for in Article 5 of the Act shall be comprised of not more than ten members, including one chairperson and one vice chairperson.

(2) The chairperson, the vice chairperson and members of each subcommittee shall be appointed by the chairperson of the Council subject to the resolution of the Council from among the members of the Council, taking account of their expertise and experience.

(3) The chairperson of a subcommittee shall represent the subcommittee and exercise overall control of its affairs.

(4) The vice chairperson of a subcommittee shall assist the chairperson of the subcommittee and act on behalf of the chairperson where the chairperson is unable to perform his or her duties in extenuating circumstances.

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**Article 7 (Operation of Subcommittee)**

- (1) The chairperson of a subcommittee shall convene and preside over meetings of the subcommittee.
- (2) A majority of the incumbent members of a subcommittee shall constitute a quorum, and any resolution thereby shall require the concurring vote of at least a majority of those present.
- (3) Matters resolved by a subcommittee shall be reported to the chairperson and deliberated on by the Council.
- (4) Each subcommittee may appoint non-standing expert members within budgetary limits where necessary for specialized study, research, etc.

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**Article 8 (Allowances for Council Members)**

Every member, expert member, related expert, etc. who attends a Council or subcommittee meeting is entitled to allowances and reimbursement of travel expenses within budgetary limits: Provided, That this shall not apply where a public-official member attends a Council or subcommittee meeting in direct connection with his or her duty.

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**Article 9 (Operational Bylaws)**

Except as otherwise expressly provided for in this Decree, the chairperson of the Council shall determine matters necessary for the operation of the Council or subcommittees subject to the resolution of the Council.

## CHAPTER II ESTABLISHMENT OF FOUNDATION FOR PROMOTION OF FOOD INDUSTRY

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#### **Article 10 (Designation of Institutions for Training Experts)**

(1) The Minister of Agriculture, Food and Rural Affairs, or the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") may designate any of the following as an institution for training specialized human resources in the food industry (hereinafter referred to as "human resources training institution") pursuant to Article 7 (2) of the Act: <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

1. An educational institute that has established and operates food-related educational courses or a research institute that conducts research on food;
2. A public institution provided for in Article 4 of the Act on the Management of Public Institutions;
3. A food-related corporation incorporated pursuant to Article 32 of the Civil Act;
4. A food industry trade union established to develop the food industry pursuant to Article 11 of the Act;
5. A food-related private teaching institute registered under the Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons to provide professional training courses about food production, processing, cooking, etc.;
6. Except as provided in subparagraphs 1 through 4, any institute or organization operating any food-related business.

(2) A human resources training institution may provide educational training ,etc. in the following fields to train specialized human resources in the food industry (hereinafter referred to as "specialized human resources"): <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

1. Skills for food production, processing and cooking;
2. Management of quality, nutrition and sanitation of food;
- 2-2. Management and startup of a food-related business;
3. Orientation training for foreigners who work or intend to work in the food industry;
4. Other matters deemed necessary by the Minister of Agriculture, Food and Rural Affairs or the Mayor/Do Governor for promoting the food industry.

(3) Matters necessary for the procedures for designation, management, etc. of human resource training institutions shall be determined by the Minister of Agriculture, Food and Rural Affairs or the Mayor/Do Governor. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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**Article 11 (Subsidization for Expenses)**

The Minister of Agriculture, Food and Rural Affairs or the head of a local government may fully or partially subsidize human resource training institutions to cover the following expenses pursuant to Article 7 (3) of the Act: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. Expenses incurred in developing education programs, including development and provisions of educational materials;
2. Expenses incurred in operating education programs, including tuition fees and allowances;

3. Expenses incurred in purchasing practical-training tools and equipment and educational facility-related expenses;
4. Expenses incurred in conducting the study and research required for the training and education of food personnel;
5. Expenses incurred in domestic and overseas training to reinforce expertise required to train and educate food personnel;
6. Other expenses deemed necessary by the Minister of Agriculture, Food and Rural Affairs or the head of a local government for training food personnel.

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#### **Article 11-2 (Designation of Institutions Specialized in Data Analysis for Food Industry)**

(1) An institution, organization, or corporation handling data and statistics on the food industry that intends to obtain designation as an institution specialized in data analysis for the food industry pursuant to Article 9-2 (1) of the Act (hereinafter referred to as “specialized institution”) must comply with all of the following requirements:

1. It must retain at least two personnel with experience of analyzing data about the food industry;
2. It must have facilities and equipment necessary for analyzing data about the food industry;
3. Its articles of incorporation or other equivalent business management regulations must provide for data analysis for the food industry as its major business.

(2) An institution, organization, or corporation that wishes to be designated as a specialized institution shall file an application for designation in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs along with the following documents to the Minister of Agriculture, Food and Rural Affairs: <Amended on Feb. 19, 2021>

1. Status of its personnel, facilities and equipment;
2. A plan to implement, manage, and administer its business;
3. Its performance of research on data analysis for the food industry;

4. Its articles of incorporation or other equivalent business management regulations.

(3) The Minister of Agriculture, Food and Rural Affairs shall issue a statement of designation in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs upon designating a specialized institution pursuant to Article 9-2 (1) of the Act. <Amended on Feb. 19, 2021>

(4) An institution, organization, or corporation that is designated as a specialized institution pursuant to Article 9-2 (1) of the Act shall submit its annual report to the Minister of Agriculture, Food and Rural Affairs within two months after the end of each business year. <Amended on Feb. 19, 2021>

(5) Standards for the revocation of designation of specialized institutions pursuant to Article 9-2 (4) of the Act shall be as specified in attached Table 1.

(6) Where the Minister of Agriculture, Food and Rural Affairs designates a specialized institution pursuant to Article 9-2 (1) of the Act or revokes the designation of a specialized institution pursuant to Article 9-2 (4) of the Act, he or she shall publicly announce such fact. <Amended on Feb. 19, 2021>

(7) Except as provided in paragraphs (1) through (6), matters necessary for the designation, operation, etc. of specialized institutions and other necessary matters shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended on Feb. 19, 2021>

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**Article 12 (Matters to be Stated in Articles of Association of Food Industry Trade Associations)**

(1) Articles of association of any trade association established under Article 11 of the Act shall state the following matters:

1. Objectives;
2. Name;
3. Location of the principal office;
4. Matters concerning assets;
5. Matters concerning appointment and dismissal of directors;
6. Matters concerning membership eligibility criteria;
7. Matters concerning general meetings and the board of directors;
8. Matters concerning grounds for dissolution, if stipulated.

(2) Deleted. <Dec. 9, 2014>

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(4) Every trade association established under Article 11 of the Act shall submit the following documents to the Minister of Agriculture, Food and Rural Affairs within two months after the end of each business year: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. A business plan and a budget plan for the following year;
2. A business performance report and a statement of accounts of the relevant business year;
3. A list of assets as at the end of the relevant business year.

(5) Except as provided in this Decree, matters for the operation and supervision of trade associations established under Article 11 of the Act shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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## CHAPTER III PROMOTION OF FOOD INDUSTRY

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#### **Article 13 (Scope of Exchange and Cooperation Projects)**

(1) The scope of exchange and cooperation projects under Article 13 of the Act shall be as follows:

<Amended on Jul. 19, 2012; Mar. 23, 2013; Feb. 19, 2021>

1. A project for production and supply under a contract between agricultural producers or the association thereof and food business operators;
2. A project for establishing a supply system of agricultural raw materials and food ingredients between agricultural producers or the association thereof and food business operators;
3. An educational and publicity project to build close connections between the food industry and the agricultural industry, such as hosting expositions, seminars, and exhibitions;
4. Other projects deemed necessary by the Minister of Agriculture, Food and Rural Affairs to reinforce close connections between the food industry and the agricultural industry.

(2) Expenses incurred in relation to exchange and cooperation projects that can be subsidized under Article 13 (2) of the Act shall be as follows:

1. Expenses incurred in relation to the facilities necessary for the exchange and cooperation projects and the preservation and transportation of food materials;
2. Expenses incurred in relation to hosting and participating in expositions, seminars, exhibitions, etc. to promote the exchange and cooperation projects;
3. Expenses incurred in relation to the study and research necessary for promoting the exchange and cooperation projects;
4. Expenses incurred in relation to the educational and publicity projects to promote the exchange and cooperation projects;
5. Expenses incurred in relation to the establishment of information networks to promote the exchange and cooperation projects.

(3) A person who intends to obtain a subsidy for expenses under paragraph (2) shall file an application with the Minister of Agriculture, Food and Rural Affairs, along with the following documents: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. A business plan;
2. A report on the budget required for his or her project.

(4) Upon receipt of an application for a subsidy under paragraph (3), the Minister of Agriculture, Food and Rural Affairs shall determine whether to grant a subsidy according to the following criteria, and shall notify the relevant applicant of the determination results: <Amended on Jul. 19, 2012; Mar. 23, 2013; Feb. 19, 2021>

1. Necessity and feasibility of the relevant exchange and cooperation project;
2. Effects on reinforcing the competitiveness of agricultural products;
3. Effects on the development of the food industry.

(5) Except as provided in paragraphs (1) through (4), further details necessary for the exchange and cooperation projects shall be determined by the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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#### **Article 14 (Fields to Designate Korean Food Masters)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate Korean food masters for each of the following fields pursuant to Article 14 of the Act:

1. Field of traditional food: Traditional food masters;
2. Field of any food other than traditional food: General food masters.

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#### **Article 15 (Qualifications of Korean Food Masters)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate a person qualified as follows as a Korean food master pursuant to Article 14 (1) of the Act: <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

1. A person who has engaged in producing, processing and cooking the relevant food for at least twenty consecutive years;
2. A person who safeguards and can practice the skills of producing, processing and cooking traditional food in its original form;

3. A person who underwent training on the craftsmanship held by a Korean food master, as an apprentice, for at least five years (or two years if a Korean food master died) and has operated the relevant business for at least ten years.

(2) The Minister of Agriculture, Food and Rural Affairs shall evaluate the following matters before designating a Korean food master pursuant to Article 14 (1) of the Act: <Amended on Mar. 23, 2013; Dec. 12, 2017; Jun. 25, 2019; Feb. 19, 2021>

1. Traditionality of production, processing, and cooking of the relevant food;
2. Superiority of production, processing and cooking of the relevant food;
3. Authenticity of the person who holds the relevant craftsmanship;
4. Experience and activities of the person who holds the relevant craftsmanship;
5. Integrity of the person who holds the relevant craftsmanship;
6. Necessity for succeeding to and developing the relevant craftsmanship, and values of safeguarding the relevant craftsmanship;
7. Marketability of the relevant food.

(3) The criteria for designation and methods of evaluation of a Korean food master under paragraphs (1) and (2), and other related matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

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**Article 16 (Procedures for Designating Korean Food Masters)**

(1) A person who intends to be designated as a Korean food master pursuant to Article 14 (1) of the Act shall file an application for designation with the Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

(2) Where a person files an application for designation as a Korean food master under paragraph (1), the Mayor/Do Governor shall conduct a fact-finding survey by means of on-site investigation or literature review to examine the details of application, and shall recommend the designation to the Minister of Agriculture, Food and Rural Affairs as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, if the application is deemed as in compliance with the criteria for designation. <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

(3) Upon receipt of a recommendation by the Mayor/Do Governor for designation of a Korean food master under paragraph (2), the Minister of Agriculture, Food and Rural Affairs shall examine the compliance with the criteria and designate a person deemed to comply with the criteria for designation as a Korean food master, following deliberation by the Council. <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

(4) Upon designation of a Korean food master under paragraph (3), the Minister of Agriculture, Food and Rural Affairs shall publicly announce it as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall apply where the designation of a Korean food master is revoked under Article 14 (6) of the Act, or canceled under Article 18. <Amended on Jul. 19, 2012; Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

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**Article 17 (Issuance of Certificates of Designation of Korean Food Masters)**

(1) Upon designation of a Korean food master pursuant to Article 16, the Minister of Agriculture, Food and Rural Affairs shall issue a certificate of designation of Korean food master, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

(2) A person whose designation as a Korean food master is revoked pursuant to Article 14 (6) of the Act shall return the certificate of designation of Korean food master provided under paragraph (1) to the Minister of Agriculture, Food and Rural Affairs without delay. <Amended on Jul. 23, 2013; Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>

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**Article 18 (Rescission of Designation as Korean Food Masters)**

Designation as a Korean food master shall be deemed rescinded upon the death of the food master. <Amended on Jun. 25, 2019>

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**Article 21 (Reporting on Activities of Korean Food Masters)**

(1) A person designated as a Korean food master pursuant to Article 14 (1) of the Act shall report his or her activities of production, processing, cooking, and sale of food and teaching of craftsmanship to the Minister of Agriculture, Food and Rural Affairs, once a year pursuant to Article 14 (4) of the Act.

*<Amended on Jul. 19, 2012; Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021; Nov. 29, 2022>*

(2) Matters necessary for reporting on the status of activities under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Feb. 19, 2021>*

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## **Article 22 (Financial Support for Korean Food Masters)**

(1) The Minister of Agriculture, Food and Rural Affairs may provide support for any of the following activities to a person designated as a Korean food master within budgetary limits pursuant to Article 14 (5) of the Act: *<Amended on Jul. 19, 2012; Mar. 23, 2013; Jun. 25, 2019; Feb. 19, 2021>*

1. Funds for facilities necessary for the production, processing and cooking, etc. of food and funds for purchasing food materials;
2. Sales promotion and publicity activities, such as developing a food-package design, and hosting and participating in food exhibitions and expositions;
3. Research and educational activities for restoring and teaching craftsmanship, and establishment and extension of facilities for restoring and teaching craftsmanship;
4. Publishing books necessary for teaching craftsmanship, and hosting seminars and presentations, etc. home and abroad;
5. Paying incentives for Korean food masters;
6. Other activities deemed necessary by the Minister of Agriculture, Food and Rural Affairs.

(2) The Minister of Agriculture, Food and Rural Affairs may subsidize a person who is selected as an apprentice to a Korean food master pursuant to Article 14 (9) of the Act (hereinafter referred to as “apprentice to a Korean food master”) within the budget pursuant to Article 14 (5) of the Act. *<Amended on Sep. 15, 2015; Jun. 25, 2019; Feb. 19, 2021>*

(3) A Korean food master who intends to receive support for the activities specified in paragraph (1) 1 through 4 and 6 shall file an application in the form determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs with the Minister of Agriculture, Food and Rural Affairs, along with his or her business plan. *<Newly Inserted on Sep. 15, 2015; Jun. 25, 2019; Feb. 19, 2021>*

(4) A Korean food master who intends to receive support pursuant to paragraph (1) 5 shall file an application in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the Minister of Agriculture, Food and Rural Affairs, along with performance data on the activities as a Korean food master for the last one year. <Newly Inserted on Sep. 15, 2015; Jun. 25, 2019; Feb. 19, 2021>

(5) When an apprentice to a Korean food master intends to receive a subsidy under paragraph (2), he or she shall file an application for a subsidy in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the Minister of Agriculture Food and Rural Affairs, along with the following documents: <Newly Inserted on Sep. 15, 2015; Jun. 25, 2019; Feb. 19, 2021>

1. A detailed statement about learning of skills (including the documents, photos, videos, etc. which contain details about the learning of skills);
2. Other documents stating research and educational activities and publicity activities and participation in exhibitions and contests in relation to learning of a food master's skills and the prizes he or she has won (if applicable).

(6) Where a Korean food master who has received subsidies pursuant to paragraph (1) dies, the Minister of Agriculture, Food and Rural Affairs may continue to provide subsidies for the activities specified in paragraph (1) 1 through 4 and 6, if there is a Korean food master's apprentice (limited to an apprentice who meets the requirements for qualification as Korean food masters under Article 15 (1)) for one year. <Amended on Jul. 19, 2012; Mar. 23, 2013; Sep. 15, 2015; Jun. 25, 2019; Feb. 19, 2021>

(7) Upon receipt of an application filed under paragraphs (3) through (5), the Minister of Agriculture, Food and Rural Affairs shall determine whether to provide support or a subsidy, taking into account the validity, appropriateness, anticipated effects, etc. of the subsidy, and shall notify the applicant of the results of determination. <Amended on Mar. 23, 2013; Sep. 15, 2015; Feb. 19, 2021>

(8) Except as provided in paragraphs (1) through (7), matters necessary for providing a subsidy shall be determined by the Minister of Agriculture, Food and Rural Affairs. <Amended on Jul. 19, 2012; Mar. 23, 2013; Sep. 15, 2015; Feb. 19, 2021>

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**Article 22-2 (Recovery and Suspension of Subsidies)**

(1) "Found to have obtained the subsidy by any improper means, such as ... grounds prescribed by Presidential Decree" means the following causes: <Amended on Jun. 25, 2019>

- 1. Where the relevant person has received subsidy by fraud or other improper means;
- 2. Where the relevant person has received other subsidy pursuant to any other statute, simultaneously with the subsidy under this Act.

(2) Where the Minister of Agriculture, Food and Rural Affairs intends to recover the subsidies pursuant to Article 14 (7) of the Act, he or she shall give a written notice to a person subject to the recovery of subsidies, stating the grounds for recovery, an amount to be recovered, and the obligation to pay the amount to be recovered within 30 days from the date of receiving the notice of recovery. <Amended on Jun. 25, 2019; Feb. 19, 2021>

(3) "Grounds prescribed by Presidential Decree" in Article 14 (10) of the Act means the causes by which designation as Korean food masters is revoked pursuant to Article 14 (6) of the Act. <Newly Inserted on Jun. 25, 2019>

(4) Where the Minister of Agriculture, Food and Rural Affairs intends to suspend the provision of subsidies pursuant to Article 14 (10) of the Act, he or she shall priorly inform a person subject to the suspension of subsidies of the grounds for and the time of suspension. <Newly Inserted on Jun. 25, 2019; Feb. 19, 2021>

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### Article 23 (Recommendation and Selection of Apprentices to Korean Food Masters)

(1) Where a Korean food master intends to recommend an apprentice to the Korean food master pursuant to Article 14 (9) of the Act, he or she shall submit a letter of recommendation to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Jun. 25, 2019; Feb. 19, 2021>

(2) The Minister of Agriculture, Food and Rural Affairs shall select an apprentice to a Korean food master, from among the persons recommended pursuant to paragraph (1), taking into account their careers in the fields of craftsmanship and technologies for the production, processing and cooking of food in food production companies or educational or research institutes home and abroad, and their age, level of craftsmanship, and growth potential. <Amended on Jun. 25, 2019; Feb. 19, 2021>

(3) The Minister of Agriculture, Food and Rural Affairs shall issue a certificate of selection in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to an apprentice to a Korean food master selected under paragraph (2). <Amended on Jun. 25, 2019; Feb. 19, 2021>

(4) An apprentice to a Korean food master selected under paragraph (2) shall learn, keep records of and safeguard the Korean food master's craftsmanship of producing, processing and cooking food in order to convey the authentic craftsmanship in the relevant field to the next generations. In this case, the Korean food master shall verify his or her apprentice's activities in relation to learning, keeping records and safeguarding. <Amended on Jun. 25, 2019>

(5) Except as provided in paragraphs (1) through (4), further details related to the selection of apprentices to the Korean food masters shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs . <Amended on Jun. 25, 2019; Feb. 19, 2021>

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**Article 24 (Assistance for Globalization of Traditional Food)**

(1) Those eligible for assistance to globalize traditional food pursuant to Article 17 (3) of the Act are as follows: <Amended on Mar. 23, 2013; Jun. 25, 2019>

1. A person who engages in publicity, education or research activities, etc. to globalize the traditional food and dietary culture;
2. A person who has entered or plans to enter into an overseas market to globalize the traditional food and food culture;
3. A Korean food master designated pursuant to Article 14 of the Act;
4. Other persons deemed necessary to globalize the traditional food and dietary culture by the Minister of Agriculture, Food and Rural Affairs.

(2) The State and a local government may fully or partially finance any person provided for in paragraph (1) if the person engages in any of the following business activities: <Amended on Mar. 23, 2013>

1. Education, study and research activities to globalize the traditional food or dietary culture;
2. Publicity activities to publicize the superiority of the traditional food and dietary culture;

3. Business activities opening a restaurant, grocery store, experience center, etc. overseas to globalize the traditional food and dietary culture;
4. Business activities supporting the rating, certification and consulting of the restaurants in foreign countries;
5. Business activities hosting and participating in food expositions, sales exhibits and events locally and overseas;
6. Business activities establishing information networks to globalize the traditional food and dietary culture;
7. Other business activities determined necessary to globalize the traditional food and dietary culture by the Minister of Agriculture, Food and Rural Affairs.

(3) The Minister of Agriculture, Food and Rural Affairs shall consult with the head of relevant central administrative agencies about the matters provided for in paragraphs (1) 4 and (2) 7, where deemed necessary. <Amended on Mar. 23, 2013>

(4) Except as otherwise provided in paragraphs (1) through (3), matters necessary to support the globalization of traditional food shall be determined by the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

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**Article 24-2 (Designation of Institutes Supporting Export of Food)**

(1) A research institute that intends to be designated as a food export-supporting institute under Article 17-3 (1) of the Act shall comply with all of the following criteria: <Amended on Nov. 29, 2022>

1. It must retain personnel with experience in conducting overseas food certification business;
2. It must have facilities and equipment necessary for providing technology support for overseas food certifications;
3. Its articles of incorporation or other equivalent business management regulations must provide for food certification business as its major business.

(2) Where the Minister of Agriculture, Food and Rural Affairs intends to designate a research institute related to overseas food certification as a food export-supporting institute pursuant to Article 17-3 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall publicly announce the period for filing an application for designation and other matters necessary for filing such application in advance on the website of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Nov. 29, 2022>

(3) A research institute that intends to be designated as a food export-supporting institute under Article 17-3 (1) of the Act shall comply with all of the criteria prescribed in paragraph (1) and file an application for designation with the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Nov. 29, 2022>

(4) The Minister of Agriculture, Food and Rural Affairs may designate, as a food export-supporting institute, a research institute deemed eligible among those that have filed an application for designation pursuant to paragraph (3).

(5) Upon designating a food export-supporting institute under Article 17-3 (1) of the Act or revoking the designation of a food export-supporting institute under paragraph (4) of that Article, the Minister of Agriculture, Food and Rural Affairs shall publicly announce such designation or revocation on the website of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Nov. 29, 2022>

(6) A research institute designated as a food export-supporting institute under Article 17-3 (1) of the Act (hereinafter referred to as "food export-supporting institute") shall report the outcomes of performing business in the previous year and a business plan for the relevant year to the Minister of Agriculture, Food and Rural Affairs by January 31 of each year, with respect to the business activities specified in the subparagraphs of Article 17-3 (2) of the Act. <Amended on Nov. 29, 2022>

(7) The criteria for revoking the designation of a food export-supporting institute under Article 17-3 (4) of the Act shall be as prescribed in attached Table 1-2. <Newly Inserted on Nov. 29, 2022>

(8) Except as provided in paragraphs (1) through (7), matters necessary for the designation, operation, etc. of the food export-supporting institutes shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Nov. 29, 2022>

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#### Article 25 (Publication of Food Ingredient Tables and Provision of Information)

(1) The Minister of Agriculture, Food and Rural Affairs shall prepare and publish the nutritional information of foods including agricultural products (excluding seafood defined in subparagraph 3 of Article 2 of the Seafood Industry Promotion and Support Act; hereinafter referred to as "seafood") as food ingredient tables and the food nutrition database, based on the analysis of food nutrients and survey and research findings on the food and nutritional characteristics, periodically as prescribed by Ordinance of the Ministry of Agriculture. <Amended on Jul. 19, 2012; Mar. 23, 2013; Feb. 19, 2021>

(2) The Minister of Agriculture, Food and Rural Affairs may provide food ingredient tables and the food nutrition database prepared under paragraph (1) in various formats for general public use or may conduct an educational program or campaign thereon. <Amended on Mar. 23, 2013; Feb. 19, 2021>

(3) The Minister of Agriculture, Food and Rural Affairs may provide support necessary for providing information efficiently and conducting similar activities, such as analysis of nutritional ingredients, study and research on the characteristics of nutritional values of foods including agricultural products (excluding seafood), and publication of food ingredient tables, pursuant to Article 19 (2) of the Act. <Amended on Jul. 19, 2012; Mar. 23, 2013; Feb. 19, 2021>

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### Article 25-2 (Formulation of Policies to Foster Agricultural and Fisheries Product Processing Industry)

“Matters prescribed by Presidential Decree” in subparagraph 6 of Article 19-2 of the Act means the following: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. Matters necessary for linked development between agricultural products and the related processing industry;
2. Other business activities deemed necessary by the Minister of Agriculture, Food and Rural Affairs.

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**Article 25-3 (Support for Production of Processed Agricultural Products)**

(1) “Matters prescribed by Presidential Decree” in Article 19-3 (1) of the Act means the following:  
<Amended on Mar. 23, 2013>

1. Establishment, improvement, and repair of the facilities for producing and processing the processed agricultural products provided for in Article 19-3 (1) of the Act (hereinafter referred to as “processed agricultural product”);
2. Research, development, and education required for improving the sanitation and quality of processed agricultural products;
3. Development of containers and package designs for processed agricultural products;
4. Publicity activities, such as hosting and participating in sales exhibits or events, activities, fairs, or expositions;
5. Development of brands and sales channels for processed agricultural products;
6. Establishment of electronic commerce networks for processed agricultural products;
7. Other business activities deemed necessary by the Minister of Agriculture, Food and Rural Affairs.

(2) Where necessary to support production, etc. of processed agricultural products, the Minister of Agriculture, Food and Rural Affairs may support a trade union, an association, etc. comprised of persons eligible for such support, or may supply Government-procured agricultural products provided for in Articles 9 and 13 of the Act on Distribution and Price Stabilization of Agricultural and Fishery Products preferentially to such trade union or association. <Amended on Mar. 23, 2013>

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**Article 25-5 Deleted.** <Feb. 19, 2021>

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**Article 25-6 Deleted.** <Feb. 19, 2021>

25 6 <2021. 2. 19.>

## CHAPTER IV QUALITY CONTROL OF FOOD

### 4

**Article 26 (Items of Food Subject to Industrial Standards Certification)**

(1) Items subject to industrial standards certification referred to in Article 20 of the Act are processed agricultural and livestock products. <Amended on Feb. 19, 2021>

(2) Industrial standards certification for the processed agricultural and livestock products under paragraph (1) shall be conducted by a certification agency for quality food, etc. designated pursuant to Article 24 (1) of the Act (hereinafter referred to as “certification agency for quality food, etc.”), and the matters concerning the standards for industrial standards certification and methods of indicating such certification shall be as prescribed in the Industrial Standardization Act. <Amended on Jul. 19, 2012; Jan. 6, 2016; Feb. 19, 2021>

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**Article 27 (Certification of Quality of Traditional Food)**

(1) Items of traditional foods subject to quality certification provided for in Article 22 of the Act (hereinafter referred to as “items subject to quality certification”) shall be designated by the Minister of Agriculture, Food and Rural Affairs, taking into account the following matters: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. Traditionality and popularity;
2. Market competitiveness when merchandised;
3. Necessity for safeguarding, succession and development of traditional food.

(2) The Minister of Agriculture, Food and Rural Affairs shall give public notice upon designating the items subject to quality certification pursuant to paragraph (1). <Amended on Mar. 23, 2013; Feb. 19, 2021>

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#### **Article 28 (Establishment of Standards for Products Subject to Quality Certification)**

(1) To promote the commercialization of traditional food and implement the quality certification system efficiently, the Minister of Agriculture, Food and Rural Affairs may establish, amend or abolish the standards for items subject to quality certification under his or her jurisdiction, after deliberation by the Council. <Amended on Mar. 23, 2013; Feb. 19, 2021>

(2) The Minister of Agriculture, Food and Rural Affairs shall give public notice upon establishing, amending or abolishing the standards pursuant to paragraph (1).

(3) To efficiently establish the standards and promote similar matters efficiently, the Minister of Agriculture, Food and Rural Affairs may request an institution prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to perform the affairs related to the establishment of the standards, etc. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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#### **Article 29 (Procedures for Certification of Quality of Traditional Food)**

(1) When a food business operator producing any products of item for which the standards are established under Article 28 (1) intends to obtain a quality certification of traditional food pursuant to Article 22 (1) of the Act, it shall file an application for quality certification by item in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the head of a certification agency for quality food, etc. <Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

(2) Upon receipt of an application for quality certification filed under paragraph (1), the head of a certification agency for quality food, etc. shall examine the written application in accordance with the method and standard of examination of quality certification prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and grant a quality certification if the application is judged as in compliance with the examination criteria. <Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

(3) The head of a certification agency for quality food, etc. shall issue a quality certificate as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs upon completing quality certification pursuant to paragraph (2). <Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

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**Article 30 (Methods of Indicating Certification of Quality of Traditional Food)**

When a person who has obtained a quality certification of traditional food intends to indicate such certification, the person shall attach or print the quality certification mark and the label prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs on the surface of the products, package, and containers of the certified item or on the invoice. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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### Article 31 (Procedures for Obtaining Origin Certification)

(1) To obtain origin certification pursuant to Article 22-2 (1) of the Act, the business entities producing processed foods shall file an application for certification by item, and the operators of restaurants, etc. (referring to food service business prescribed in Article 36 (1) 3 of the Food Sanitation Act and meal service facilities defined in subparagraph 12 of Article 2 of that Act; hereinafter the same shall apply) shall file an application for certification by the type of business, in the form prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the head of a certification agency for quality food, etc., as classified in the following subparagraphs: <Amended on Jun. 25, 2019; Feb. 19, 2021>

1. Where the raw materials of processed foods or the food materials used in restaurants, etc. are agricultural products, or the ratio of agricultural products is bigger than the ratio of seafood: The head of a certification agency for quality food, etc.;

2. Where the ratio of seafood is larger than the ratio of agricultural products in the raw materials of processed food or the food materials used in restaurants, etc.: The head of a certification agency for quality seafood, etc. which is designated by the Minister of Oceans and Fisheries pursuant to Article 31 (1) of the Seafood Industry Promotion and Support Act (hereinafter referred to as "head of a certification agency for quality seafood, etc.");

3. Where agricultural products and fishery products are used in the same proportion as the raw materials of processed foods or the food materials used in restaurants, etc.: The head of a certification agency for quality food, etc. or the head of a certification agency for quality seafood, etc., upon request of a business entity or a business operator.

(2) Upon receipt of an application filed under paragraph (1) 1 and 3, the head of a certification agency for quality food, etc. shall examine the written application in accordance with the examination method of certification prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall grant an origin certification if the application complies with the criteria for origin certification specified in Article 32 (1). <Amended on Jun. 25, 2019; Feb. 19, 2021>

(3) The head of a certification agency for quality food, etc. shall issue a certificate as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs upon granting an origin certification pursuant to paragraph (2). <Amended on Jun. 25, 2019; Feb. 19, 2021>

(4) Where an application for the origin certification is filed with the head of a certification agency for quality food, etc. pursuant to paragraph (1) 2 and 3, Article 33 of the Enforcement Decree of the Seafood Industry Promotion and Support Act shall apply to the methods, procedures, etc. for the examination of origin certification. <Newly Inserted on Feb. 19, 2021>

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**Article 32 (Standards for Origin Certification)**

The criteria for origin certification referred to in Article 22-2 (3) of the Act shall be classified as follows:  
<Amended on Feb. 19, 2021>

- 1. To comply with all of the following requirements in cases of the origin certification of a processed food:
  - (a) At least 95 percent of a product’s raw material shall be of the same origin based on the mixing ratio of its raw material;
  - (b) No mixture of a raw material having different origins shall be used for a product;
  - (c) Records on all raw materials used for a product shall be kept to ensure tracking of origin-related information;
- 2. To comply with all of the following requirements in cases of the origin certification of a restaurant, etc.:
  - (a) At least 95 percent of food materials used by the restaurant, etc. shall be of the same origin;
  - (b) No mixture of a food material having different origins shall be used for the restaurant, etc.;
  - (c) Records on all food materials used for the restaurant, etc., shall be kept to ensure tracking of origin-related information;

3. Further details about the criteria provided for in subparagraphs 1 and 2 and other details necessary for the origin certification shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

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#### Article 32-2 (Methods of Indicating Origin Certification)

(1) Where a processed food business operator who has obtained the origin certification intends to indicate the certification, he or she shall place the certification mark and the label prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs on the surface and similar of the product, package, and container of the certified item. <Amended on Feb. 19, 2021>

(2) Where an operator of a restaurant, etc. that has obtained the origin certification intends to indicate the certification, he or she shall place the certification mark and the label prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs on the signboard or on the menu of the certified restaurant and others, or display a hanging board at a conspicuous place inside or outside of the restaurant. <Amended on Feb. 19, 2021>

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**Article 33 (Matters to be Reported by Certification Agencies for Quality Food)**

(1) The head of a certification agency for quality food, etc. shall file a report on the following matters with the Minister of Agriculture, Food and Rural Affairs not later than 20 days after the end of each quarter:

<Amended on Jul. 19, 2012; Mar. 23, 2013; May 31, 2013; Jan. 6, 2016; Feb. 19, 2021>

- 1. Status of the industrial standards certification of food referred to in Article 20 of the Act;
- 2. Status of the certification of quality of traditional food referred to in Article 22 of the Act;
- 3. Status of the origin certification referred to in Article 22-2 of the Act;
- 4. Status of reports on succession filed under Article 30 of the Act.

(2) The head of a certification agency for quality food, etc. shall notify the matters specified in paragraph

(1) 1 through 4 to the Director General of the National Agricultural Products Quality Management Service. <Amended on Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

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**Article 34 Deleted.** <Jul. 19, 2012>

34 <2012. 7. 19.>

**Article 35 (Notification of Withdrawal of Quality Food Certification)**

(1) Where a person who has obtained certification of quality food, etc. falls under any of the grounds for revocation referred to in subparagraphs of Article 29 of the Act, the head of a certification agency for quality food, etc. shall immediately report the fact to the Minister of Agriculture, Food and Rural Affairs.

<Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

(2) When the Minister of Agriculture, Food and Rural Affairs revokes the certification of quality food pursuant to Article 29 of the Act, he or she shall give a notice to the head of a certification agency for quality food, etc. <Amended on Mar. 23, 2013; Jan. 6, 2016; Feb. 19, 2021>

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## CHAPTER V SUPPLEMENTARY PROVISIONS

### 5

#### Article 36 (State-Certified Products)

“Other products certified under the national certification system prescribed by Presidential Decree” in subparagraph 4 of Article 32 of the Act means the following products: <Amended on Jul. 19, 2012; Nov. 28, 2014; Mar. 25, 2016; Dec. 24, 2018; Feb. 19, 2021>

1. Industrial Standards-certified products provided for in Article 20 of the Act;
2. Deleted; <Jul. 19, 2012>
3. Products produced at any plant which observes HACCP provided for in Article 48 (3) of the Food Sanitation Act;
4. Agricultural products (excluding livestock products) certified as compliant with the Good Agricultural Practices provided for in Article 6 of the Agricultural and Fishery Products Quality Control Act;
5. Deleted; <Feb. 19, 2021>
6. Deleted; <May 31, 2013>
7. Agricultural products (excluding livestock products) registered for the traceability management system pursuant to Article 24 of the Agricultural and Fishery Products Quality Control Act;
- 7-2. Deleted; <Feb. 19, 2021>
8. Agricultural products or processed agricultural products that have been registered for geographical indications pursuant to Article 32 of the Agricultural and Fishery Products Quality Control Act;
9. Livestock products produced in livestock farms certified as animal welfare livestock farms pursuant to Article 29 of the Animal Protection Act.

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### Article 37 (Use of Quality Food Materials)

“Other products certified under the national certification system prescribed by Presidential Decree” in Article 33 (1) 9 of the Act means the following products: <Amended on Jul. 19, 2012; Mar. 25, 2016>

1. Industrial Standards-certified products provided for in Article 20 of the Act;
2. Agricultural products (excluding livestock products) registered for the traceability management system pursuant to Article 24 of the Agricultural and Fishery Products Quality Control Act;
- 2-2. Deleted; <Feb. 19, 2021>
3. Food or health functional foods registered for the traceability management system pursuant to Article 49 of the Food Sanitation Act or Article 22-2 of the Health Functional Foods Act.

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### Article 38 (Encouragement of Use of Quality Food Materials)

(1) Those eligible for support to encourage the use of quality food materials pursuant to Article 33 (2) of the Act shall be any of the following entities and persons: <Amended on Jul. 19, 2012; Mar. 23, 2013; Feb. 19, 2021>

1. A business entity that operates a meal service facility, as defined in subparagraph 12 of Article 2 of the Food Sanitation Act, either directly or under an outsourcing contract;
2. A person who produces processed agricultural products under Article 19-3 of the Act;
- 2-2. Deleted; <Feb. 19, 2021>
3. A food business operator recognized by the Minister of Agriculture, Food and Rural Affairs as using quality food materials as raw materials.

(2) The Minister of Agriculture, Food and Rural Affairs may fully or partially subsidize a person specified in paragraph (1) within the budget to cover the expenses incurred in conducting any of the following business activities: <Amended on Mar. 23, 2013; Feb. 19, 2021>

1. Purchasing quality food materials;
2. Supplying quality food materials for school meal programs, etc.;
3. Establishing a system for supplying quality food materials;
4. Other business activities deemed necessary by the Minister of Agriculture, Food and Rural Affairs to encourage the use of quality food materials.

(3) Except as provided in paragraphs (1) and (2), matters necessary for encouraging the use of quality food materials, such as procedures for providing support, shall be determined by the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Feb. 19, 2021>

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**Article 39 (Delegation and Entrustment of Authority)**

(1) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate each of the following authority to the Administrator of the Rural Development Administration: *<Amended on Dec. 12, 2017; Jun. 25, 2019; Feb. 19, 2021; Nov. 29, 2022>*

1. To develop and disseminate a variety suitable for food processing, education of cultivation techniques, etc. pursuant to Article 13-3 of the Act;
2. To conduct follow-up management of foods by a Korean food master pursuant to Article 14-2 of the Act;
3. To analyze the nutritional contents of food and to examine and study the characteristics, etc. of nutritional quality of food pursuant to Article 19 (1) of the Act;
- 3-2. Imposition and collection of administrative fines under Article 38 (2) of the Act;
4. To review the suitability of recommendations for designating Korean food masters pursuant to Article 16 (3);
5. To prepare and publish food ingredient tables and comprehensive charts on nutritional information of foods pursuant to Article 25 (1);
6. To provide food ingredients tables or education and public relations pursuant to Article 25 (2).

(2) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate the duties related to the folk art articles manufactured by simply processing forestry products or processing forestry products as raw materials, to the Minister of Korea Forest Service, with respect to the financial support to the producers, etc. of processed agricultural products provided for in Article 19-3 of the Act. *<Amended on Jul. 19, 2012; Mar. 23, 2013>*

(3) Deleted. *<Feb. 19, 2021>*

(4) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate each of the following authority to the Director General of the National Agricultural Products Quality Management Service: *<Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Dec. 12, 2017; Jun. 25, 2019; Feb. 19, 2021>*

1. To designate certification agencies for quality food, etc. and to renew designation pursuant to Article 24 of the Act;
2. To revoke designation of certification agencies for quality food, etc. or to suspend their service pursuant to Article 24-2 of the Act;
3. To conduct follow-up monitoring of the foods or restaurants, etc. granted the quality food certification, etc. and certification agencies for quality food, etc. pursuant to Article 26 of the Act;
4. To issue orders to change the labeling of products granted the quality food certification, etc. pursuant to Article 28 of the Act, and other administrative dispositions;
5. To revoke certification of quality food, etc. pursuant to Article 29 of the Act;
6. To accept the reports on succession to the status of certification agencies for quality food, etc. pursuant to Article 30 (2) of the Act;

- 7. To establish and implement the policies to encourage the use of quality food materials pursuant to Article 33 of the Act;
- 8. To conduct hearings pursuant to Article 33-2 (1) 4 and 5 of the Act;
- 9. To impose and collect administrative fines pursuant to Article 38 (1) 2 through 4 of the Act;
- 10. To establish, amend and abolish standards for the items subject to quality certification pursuant to Article 28 and to give public notice thereof.

(5) Deleted. <Feb. 19, 2021>

(6) Deleted. <Jun. 25, 2019>

(7) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall entrust the business affairs of receiving reports on succession to the status of persons who have obtained the quality food certification pursuant to Article 30 (2) of the Act to the head of a certification agency for quality food, etc.. <Amended on Jul. 19, 2012; Mar. 23, 2013; Jan. 6, 2016; Dec. 12, 2017; Feb. 19, 2021>

(8) Deleted. <Feb. 19, 2021>

(9) Deleted. <Feb. 19, 2021>

(10) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall entrust the following business affairs to the Korea Agro-Fisheries and Food Trade Corporation incorporated under the Korea Agro-Fisheries and Food Trade Corporation Act: <Newly Inserted on Jul. 19, 2012; Mar. 23, 2013; Dec. 12, 2017; Feb. 19, 2021>

- 1. To train specialized human resources in the food industry provided for in Article 7 of the Act;
- 2. To conduct statistical survey and analysis on the food industry provided for in Article 9 of the Act;
- 3. To support consulting services for the food industry provided for in Article 15 of the Act.

(11) Pursuant to Article 34 of the Act, the Minister of Agriculture, Food and Rural Affairs shall entrust the business affairs related to the globalization of traditional food and dietary culture referred to in Article 17 of the Act to the Korean Food Promotion Institute established under Article 16 of the Korean Food Promotion Act. <Newly Inserted on Jul. 19, 2012; Mar. 23, 2013; Dec. 12, 2017; Aug. 27, 2020>

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**Article 39-2 (Processing of Personally Identifiable Information)**

If it is inevitable to handle the business affairs concerning the provision or recovery of subsidies to or from Korean food masters and apprentices to Korean food masters prescribed in Article 14 (5) and (7) of the Act, the Minister of Agriculture, Food and Rural Affairs (including persons delegated or entrusted with the authority or business affairs of the Minister of Agriculture, Food and Rural Affairs pursuant to Article 39) may process data including resident registration numbers referred to in subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act. <Amended on Feb. 19, 2021>  
 [Previous Article 39-2 moved to Article 39-3 <Jun. 25, 2019>]

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**Article 39-3 (Re-Examination of Regulation)**

(1) The Minister of Agriculture, Food and Rural Affairs shall examine the appropriateness of the matters, etc. to be stated in the articles of association provided for in Article 12 every three years, counting from January 1, 2017 (referring to the period that ends on the day before January 1 of every third year) and shall take measures, such as making improvements. <Amended on Dec. 30, 2016; Feb. 19, 2021>  
 (2) The Minister of Agriculture, Food and Rural Affairs shall examine the appropriateness of the products certified under the national certification system referred to in Article 36 every three years, counting from January 1, 2016 (referring to the period that ends on the day before January 1 of every third year) and shall take measures, such as making improvements. <Amended on Feb. 19, 2021>  
 [Moved from Article 39-2 <Jun. 25, 2019>]

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**CHAPTER VI PENALTY PROVISIONS**

**Article 40 (Criteria for Imposition of Administrative Fines)**

Criteria for imposing administrative fines provided for in Article 38 (1) through (3) of the Act shall be as specified in attached Table 2. *<Amended on Jul. 19, 2012; Sep. 15, 2015; Jun. 25, 2019>*

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38 1 3 2 . *< 2012. 7. 19., 2015. 9. 15., 2019. 6. 25.>*

ADDENDUM *<Act No. 20865, Jun. 25, 2008>*

**Article 1 (Enforcement Date)**

This Decree shall enter into force on June 28, 2008.

**Article 2 (Repeal of other Acts and Subordinate Statutes)**

The Enforcement Decree of the Fosterage of Agricultural Products Processing Industry Act is hereby repealed.

**Article 3 (Transitional Measures Concerning Designation of Master and Application for Quality Certification of Traditional Food, etc.)**

An application for designation of a traditional food master filed under Article 14 of the former Enforcement Decree of the Fosterage of Agricultural Products Processing Industry Act and an application for quality certification of specialty products filed under Article 22 of the aforementioned Enforcement Decree, and an application for quality certification of traditional food filed under Article 27 of the aforementioned Enforcement Decree as at the time this Decree enters into force shall be governed by the former provisions, notwithstanding the provisions of this Decree.

**Article 4 (Transitional Measures Concerning Items Subject to Quality Certification)**

Items of traditional food subject to quality certification that have been designated and publicly announced by the Minister of Agriculture, Food and Rural Affairs pursuant to Article 28 of the former Enforcement Decree of the Fosterage of Agricultural Products Processing Industry Act as at the time this Decree enters into force shall be deemed designated and publicly announced pursuant to Article 27.

**Article 5 (Transitional Measures Concerning Establishment of Standards for Products Subject to Quality Certification)**

The standards for the products subject to quality certification publicly announced pursuant to Article 29 of the former Enforcement Decree of the Fosterage of Agricultural Products Processing Industry Act as at the time this Decree enters into force shall be deemed publicly announced pursuant to Article 28.

**Article 6 (Relationship with other Acts and Subordinate Statutes)**

Any citation of the former Enforcement Decree of the Fostering of Agricultural Products Processing Industry Act or of any provisions thereof in other Acts or subordinate statutes as at the time this Decree enters into force shall be deemed a citation of this Decree or corresponding provisions hereof in lieu of the former Enforcement Decree of the Fostering of Agricultural Products Processing Industry Act or any provisions thereof, if such corresponding provisions exist herein.

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ADDENDA <Presidential Decree No. 23064, Aug. 3, 2011>

**Article 1 (Enforcement Date)**

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

**Article 2 (Transitional Measures Concerning Certification Agencies for Quality Food)**

An agency for certifying quality food designated under the former provisions as at the time this Decree enters into force shall hire the personnel provided for in the amended provisions of Article 31 (1) 2, and shall establish the business regulations provided for in the amended provisions of subparagraph 4 of Article 31 (1) within one year from the date this Decree enters into force.

<23064, 2011. 8. 3.>

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ADDENDA <Presidential Decree No. 23535, Jan. 25, 2012>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

<23535, 2012. 1. 25.>

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ADDENDA <Presidential Decree No. 23962, Jul. 19, 2012>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 22, 2012.

**Article 2 (Transitional Measures concerning Registration of Fishery Products Processing Business)**

Where a fishery product processing business has been registered or an application for registration has been filed with the Busan Metropolitan City Mayor as at the time this Decree enters into force pursuant to the former provisions, the fishery product processing business shall be deemed reported to or a report thereon shall be deemed filed with the Busan Metropolitan City Mayor pursuant to the amended provisions of Article 39 (8).

**Article 3 Omitted.**

**Article 4 (Relationship with other Acts and Subordinate Statutes)**

Any citation of the former Enforcement Decree of the Quality Control of Fishery Products Act or of any provisions thereof in other Acts or subordinate statutes as at the time this Decree enters into force shall be deemed a citation of this Decree or corresponding provisions hereof in lieu of the former

Enforcement Decree of the Fishery Products Control Act or any provisions thereof, if such corresponding provisions exist herein.

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ADDENDUM <Presidential Decree No. 24485, Mar. 23, 2013>

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

<24485, 2013. 3. 23.>

ADDENDA <Presidential Decree No. 24560, May 31, 2013>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on June 2, 2013.

**Articles 2 through 4 Omitted.**

<24560, 2013. 5. 31.>

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ADDENDA <Presidential Decree No. 25792, Nov. 28, 2014>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on November 29, 2014.

**Article 2 Omitted.**

<25792, 2014. 11. 28.>

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 16 Omitted.**

<25840, 2014. 12. 9.>

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ADDENDUM <Presidential Decree No. 26523, Sep. 15, 2015>

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

<26523, 2015. 9. 15.>

ADDENDUM <Presidential Decree No. 26860, Jan. 6, 2016>

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

<26860, 2016. 1. 6.>

ADDENDUM <Presidential Decree No. 26967, Feb. 11, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on February 12, 2016.

<26967, 2016. 2. 11.>

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ADDENDA <Presidential Decree No. 27059, Mar. 25, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 28, 2016.

**Articles 2 and 3 Omitted.**

<27059, 2016. 3. 25.>

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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.**

<27751, 2016. 12. 30.>

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ADDENDUM <Presidential Decree No. 27916, Feb. 28, 2017>

This Decree shall enter into force on March 3, 2017.

<27916, 2017. 2. 28.>

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ADDENDA <Presidential Decree No. 28152, Jun. 27, 2017>

**Article 1 (Enforcement Date)**

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

**Article 2 Omitted.**

<28152, 2017. 6. 27.>

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ADDENDUM <Presidential Decree No. 28467, Dec. 12, 2017>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 15 (2) shall enter into force on January 1, 2018.

<28467, 2017. 12. 12.>

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ADDENDUM <Presidential Decree No. 29422, Dec. 24, 2018>

This Decree shall enter into force on January 1, 2019.

<29422, 2018. 12. 24.>

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ADDENDUM <Presidential Decree No. 29908, Jun. 25, 2019>

This Decree shall enter into force on July 1, 2019.

<29908, 2019. 6. 25.>

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ADDENDA <Presidential Decree No. 30978, Aug. 27, 2020>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on August. 28, 2020.

**Article 2 Omitted.**

<30978, 2020. 8. 27.>

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ADDENDA <Presidential Decree No. 31472, Feb. 19, 2021>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on February 19, 2021.

**Articles 2 through 5 Omitted.**

<31472, 2021. 2. 19.>

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ADDENDUM <Presidential Decree No. 33008, Nov. 29, 2022>

This Decree shall enter into force on December 1, 2022: Provided, That the amended provisions of Article 24-2 and attached Table 1-2 shall enter into force on December 11, 2022.

<33008, 2022. 11. 29.>

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Last updated : 2023-07-26

