

WHEAT INDUSTRY PROMOTION ACT

Act No. 16545, Aug. 27, 2019

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to promote the sustainable growth of the wheat industry and the stable supply of food by prescribing matters necessary to foster the wheat industry, thereby contributing to increasing the income of farms, improving the quality of life of the people, and developing the national economy.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "wheat" means a plant belonging to the genus *Triticum* of the family Gramineae, and the grains thereof;
2. The term "wheat flour" means powder obtained through the process of sorting, tempering, grinding, separating, etc. wheat grains or such powder added with food or food additives;
3. The term "processed wheat products" means foods or products processed from wheat and wheat flour as raw materials or ingredients;
4. The term "wheat industry" means any of the following items:
 - (a) The wheat cultivation industry, wheat distribution industry, or wheat sales industry;
 - (b) The wheat milling industry;
 - (c) The industry of manufacturing processed wheat products, the industry of distributing processed wheat products, or the industry of selling processed wheat products;
 - (d) Other industries prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, among the industries providing goods or services related to wheat, wheat flour, or processed wheat products;
5. The term "worker in the wheat industry" means a person prescribed by Presidential Decree as a person engaged in the wheat industry, including the production, processing, distribution, sale, etc. of wheat;
6. The term "native seeds" means seeds of wheat varieties that have genetic characteristics inherent in the traditional wheat varieties of Korea or characteristics distinguished from foreign wheat varieties.

Article 3 (Responsibilities of the State, Local Governments, and Workers in Wheat Industry)

(1) The State and local governments shall formulate and implement policies necessary to promote the sustainable development and self-sufficiency of the wheat industry.

(2) Workers in the wheat industry shall endeavor to supply safe and high-quality wheat, wheat flour, or processed wheat products and to expand consumption thereof.

Article 4 (Relationship to Other Statutes)

Except as otherwise provided in other statutes, this Act shall apply to fostering and supporting the wheat industry.

CHAPTER II CREATION OF FOUNDATION FOR FOSTERING WHEAT INDUSTRY

Article 5 (Formulation of Basic Plans)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement a basic plan for developing the wheat industry (hereinafter referred to as "basic plan") every five years to foster the wheat industry, as prescribed by Presidential Decree.

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

1. The current status and prospect of the wheat industry;
2. The basic objectives of and direction-setting for fostering the wheat industry;
3. Matters regarding improving the self-sufficiency of wheat, and the production and adjustment of the supply and demand of wheat;
4. Matters regarding developing, disseminating, etc. technology related to the wheat industry;
5. Matters regarding improving the quality of wheat, wheat flour, and processed wheat products;
6. Matters regarding education and training for developing the wheat industry;
7. Matters regarding improving the distribution structure of wheat and promoting the consumption of wheat flour and processed wheat products;
8. Other matters prescribed by Presidential Decree as necessary to foster the wheat industry.

(3) Where the Minister of Agriculture, Food and Rural Affairs intends to formulate or amend a basic plan, the Minister shall consult with the heads of relevant central administrative agencies in advance: Provided, That the foregoing shall not apply when amending insignificant matters prescribed by Presidential Decree.

(4) The Minister of Agriculture, Food and Rural Affairs may request submission of data from the heads of relevant central administrative agencies, if necessary to formulate a basic plan. In such cases, the heads of the relevant central administrative agencies shall comply with such request unless there is a compelling reason not to do so.

(5) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement an annual implementation plan based on a basic plan.

Article 6 (Factual Surveys)

(1) The Minister of Agriculture, Food and Rural Affairs may conduct a factual survey on the production, distribution, consumption, etc. of wheat, wheat flour, and processed wheat products each year to formulate and implement policies necessary to foster the wheat industry and to stabilize the supply and demand and the price in the industry.

(2) Where it is deemed necessary in conducting a factual survey, the Minister of Agriculture, Food, and Rural Affairs may request provision of necessary data and information from the heads of relevant central administrative agencies, the heads of local governments, the heads of public institutions (referring to public institutions referred to in Article 4 of the Act on the Management of Public Institutions; hereinafter the same shall apply), the heads of organizations established pursuant to Article 15 (1), and workers in the wheat industry.

(3) The heads of relevant central administrative agencies, etc. in receipt of a request for provision of data and information under paragraph (2) shall provide relevant data and information, unless there is good cause.

(4) Matters regarding the subjects, methods, timing, and contents of a factual survey under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 7 (Promotion of Research and Technology Development)

(1) The Minister of Agriculture, Food and Rural Affairs may promote the following research and technology development to facilitate the development of the wheat industry and the use of processed wheat products:

1. Research and technology development regarding wheat varieties;
2. Research and development regarding wheat cultivation technology, facilities and equipment, post-harvest management, etc.;
3. Development of processed products using wheat;
4. Research and technology development to improve the quality of wheat, wheat flour and processed wheat products;
5. Research on improving the dietary life related to wheat and education therefor;
6. Other research and technology development activities related to the wheat industry.

(2) The Minister of Agriculture, Food and Rural Affairs may request that specialized research institutes or organizations established under Article 15 to conduct research and technology development under paragraph (1).

(3) The Minister of Agriculture, Food and Rural Affairs may provide necessary support to promote the research and technology development under paragraph (1) or to disseminate and commercialize the

outcomes thereof.

Article 8 (Education and Training)

(1) The Minister of Agriculture, Food and Rural Affairs or the head of a local government may conduct education and training for workers in the wheat industry, consumers, and relevant public officials to foster the wheat industry.

(2) The Minister of Agriculture, Food and Rural Affairs may designate an institution or organization having appropriate facilities and personnel for education and training under paragraph (1) as an education and training institute.

(3) Where the Minister of Agriculture, Food and Rural Affairs entrusts the education and training under paragraph (1) to a designated education and training institute, the Minister may provide necessary support within the budget.

(4) Where an education and training institute designated under paragraph (2) falls under any of the following subparagraphs, the Minister of Agriculture, Food and Rural Affairs may revoke designation or order whole or partial suspension of business by setting a period of up to six months: Provided, That in cases falling under subparagraph 1, designation shall be revoked:

1. Where the education and training institute obtained designation by fraud or any other improper means;
2. Where the education and training institute fails to satisfy the criteria for designation;
3. Where education and training programs or the contents of the education and training institute are extremely inadequate;
4. Where the education and training institute fails to conduct education and training for at least one year without good cause.

(5) Matters concerning the designation and operation of an education and training institute under paragraph (2) and the standards for administrative dispositions under paragraph (4) shall be prescribed by Presidential Decree.

Article 9 (International Cooperation)

The State and local governments shall continue international cooperation with the relevant international organizations and other nations to promote the sustainable development of the wheat industry and actively participate in international efforts by pursuing collaboration for the research, technology development and information exchange related to the wheat industry, including varieties and cultivation technologies, etc.

CHAPTER III FACILITATING PROMOTION OF WHEAT INDUSTRY

Article 10 (Support for Fostering Wheat Industry)

In order to foster the wheat industry, the State and local governments may provide necessary support for the following matters within the budget:

1. Development of wheat varieties and dissemination of seeds;
2. Creation of a production base, including improvement of drainage channels and distribution of agricultural machines;
3. Creation of a distribution base by supporting facilities for wheat drying, storage, processing, etc.;
4. Creation of a consumption base, including the establishment and grant of self-help funds pursuant to the Act on Establishing and Administrating Agricultural and Fishery Self-Help Funds;
5. Restoration, inheritance, and development of native seeds;
6. Expansion of the scale of management and promotion of organization;
7. Public campaigns for increasing the use of wheat, wheat flour or processed wheat products, promoting wheat consumption, etc.;
8. Other matters prescribed by Presidential Decree to foster the wheat industry.

Article 11 (Encouragement of Contract Cultivation)

(1) The Minister of Agriculture, Food and Rural Affairs may encourage contract cultivation among workers in the wheat industry to ensure the stable production of wheat, to adjust its supply and demand, etc.

(2) In order to encourage contract cultivation referred to in paragraph (1), the Minister of Agriculture, Food and Rural Affairs may preferentially provide support pursuant to Article 10 to the parties to contract cultivation.

(3) Necessary matters for promoting contract cultivation and preferentially providing funds under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 12 (Designation of Wheat Production and Distribution Complex)

(1) In order to foster and support the wheat industry, the Minister of Agriculture, Food and Rural Affairs may designate an area deemed necessary to expand production, establish infrastructure, etc. as a wheat production and distribution complex.

(2) A Mayor/Do Governor or the head of a Si/Gun/Gu with the intention to be designated as a wheat production and distribution complex referred to in paragraph (1) shall apply for designation to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Presidential Decree.

(3) The State or local governments may provide necessary administrative and financial assistance to a wheat production and distribution complex designated under paragraph (1).

(4) The application procedures and designation requirements for a wheat production and distribution complex shall be prescribed by Presidential Decree.

(5) Where the wheat production and distribution complex comes to fail to meet the designation requirements under paragraph (4), the Minister of Agriculture, Food and Rural Affairs may revoke its designation, as prescribed by Presidential Decree.

Article 13 (Support of Distribution and Processing Facilities)

In order to expand the production of wheat and processed wheat products and to improve the quality thereof, the State or local governments may provide necessary support to a person who establishes and operates distribution and processing facilities within the budget, as prescribed by Presidential Decree.

Article 14 (Quality Control of Wheat)

(1) In order to control the quality of wheat, the Minister of Agriculture, Food and Rural Affairs may establish the quality standards of wheat.

(2) The quality standards of wheat and the methods and procedures for quality control referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 15 (Establishment of Organization)

(1) A worker in the wheat industry may establish an organization with approval of the Minister of Agriculture, Food and Rural Affairs, as prescribed by Presidential Decree, in order to promote the sustainable development of the wheat industry and common interests of workers in the wheat industry.

(2) An organization established under paragraph (1) (hereinafter referred to as "organization") shall be a corporation, and matters necessary for its articles of incorporation, and the guidance, supervision and support therefor shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) Except as provided in this Act, the provisions regarding incorporated associations in the Civil Act shall apply mutatis mutandis to organizations.

Article 16 (Stocking Operations)

(1) The Minister of Agriculture, Food and Rural Affairs may stock wheat pursuant to Article 13 of the Act on Distribution and Price Stabilization of Agricultural and Fishery Products, when it is deemed necessary for the stable supply of wheat, the adjustment of supply and demand, and price stabilization of wheat.

(2) The Minister of Agriculture, Food and Rural Affairs may purchase wheat by applying the quality standards referred to in Article 14 (1) when stocking wheat pursuant to paragraph (1).

Article 17 (Preferential Purchase)

(1) In order to promote the wheat industry, the Minister of Agriculture, Food and Rural Affairs or the heads of local governments may request that the heads of institutions operating group meal facilities of the State, local governments or public institutions, or the heads of institutions operating other group meal facilities prescribed by Presidential Decree preferentially purchase domestic wheat, wheat flour, or

processed wheat products.

(2) The criteria for determining domestic wheat, wheat flour, or processed wheat products referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The heads of local governments may prescribe matters necessary for preferential purchase referred to in paragraph (1) by municipal ordinance.

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 18 (Submission of Data)

The Minister of Agriculture, Food and Rural Affairs may request submission of data necessary to foster the wheat industry, formulate policies, etc. from workers in the wheat industry.

Article 19 (Hearings)

The Minister of Agriculture, Food and Rural Affairs shall hold a hearing where the Minister intends to revoke the designation of an education and training institute pursuant to Article 8 (4).

Article 20 (Delegation and Entrustment of Authority)

(1) The Minister of Agriculture, Food and Rural Affairs may partially delegate the authority under this Act to the Administrator of the Rural Development Administration, the heads of affiliated institutions, 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, as prescribed by Presidential Decree.

(2) The Minister of Agriculture, Food, and Rural Affairs may partially entrust the duties pursuant to this Act to the Korea Food Research Institute established under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, the Korea Agro-Fisheries and Food Trade Corporation established under the Korea Agro-Fisheries and Food Trade Corporation Act, or any other public institution, producers' organization, or organization established under Article 15 (1).

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Establishment of Organizations)

Where any incorporated association established under Article 32 of the Civil Act corresponds to an organization referred to in Article 15 as at the time this Act enters into force, such incorporated association shall be deemed to have been established under this Act.

Last updated : 2020-06-09

