

LIVESTOCK INDUSTRY ACT

Wholly Amended by Act No. 8354, Apr. 11, 2007

Amended by Act No. 8598, Aug. 3, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9666, May 8, 2009

Act No. 9717, May 27, 2009

Act No. 9952, Jan. 25, 2010

Act No. 10310, May 25, 2010

Act No. 11005, Aug. 4, 2011

Act No. 11359, Feb. 22, 2012

Act No. 11690, Mar. 23, 2013

Act No. 12436, Mar. 18, 2014

Act No. 13145, Feb. 3, 2015

Act No. 13383, jun. 22, 2015

Act No. 14304, Dec. 2, 2016

Act No. 14481, Dec. 27, 2016

Act No. 14654, Mar. 21, 2017

Act No. 16126, Dec. 31, 2018

Act No. 16550, Aug. 27, 2019

Act No. 17099, Mar. 24, 2020

Act No. 17091, Mar. 24, 2020

Act No. 17324, May 26, 2020

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to provide for matters related to the improvement and propagation of livestock, improvement of livestock environment, the structural improvement of the livestock farming business, the control of demand and supply, the stabilization of prices, and the improvement of distribution system for livestock and products thereof, etc. in order to contribute to the development of the livestock farming business, the increase of livestock farmers' income and the stable supply of livestock products. *<Amended*

on Dec. 31, 2018>

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Aug. 3, 2007; Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013; Dec. 2, 2016; Mar. 21, 2017; Dec. 31, 2018; Mar. 24, 2020>

1. The term "livestock" means cattle, horses, sheep, goats (including milk goats (goats raised for milk); hereinafter the same shall apply), swine, deer, chickens, ducks, geese, turkeys, quails, ostriches, pheasants, and other animals prescribed by Presidential Decree;

1-2. The term "indigenous livestock" means the Korean cattle, Korean chicken, etc., the features of which are clearly distinctive from those of exotic species by being bred to keep the genetic trait unique to Korea and pure bloodline from old times among the livestock as defined in subparagraph 1 and, the breeds of which are recognized as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

2. The term "breeding stock" means livestock in compliance with the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, which is utilized for improving and propagating livestock;

3. The term "livestock products" means meat, milk, eggs, and honey produced from livestock, the processed goods therefrom, raw hide (referring to skin prior to processing, including raw fur), raw wool, bones, horns, internal organs and other by-products of livestock, royal jelly, pollen, apitoxin, propolis, beeswax, and pupae of drone bees;

4. The term "livestock farming business" means the breeding stock business, incubation business, semen processing business, and livestock breeding business;

5. The term "breeding stock business" means the business that raises any breeding stock to produce livestock or eggs for propagation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and sells such livestock or eggs (including entrustment of breeding to a third party);

6. The term "incubation business" means the business that hatches eggs of chickens ducks or quails in artificial incubation facilities and sells them (including entrustment of breeding to a third party);

7. The term "semen processing business" means the business that collects any semen, ova, or fertilized egg from breeding stocks and processes them for sale;

8. The term "livestock breeding business" means the business that breeds livestock or produces milk, eggs or honey for the purpose of sale;

8-2. The term "livestock breeding structure" means facilities for breeding livestock, such as cattle sheds, pigpens and henhouses, and facilities annexed thereto, which are prescribed by Presidential Decree;

9. The term "livestock trader" means a person registered under Article 34-2 who purchases, or receives on consignment, cattle, swine, chickens, ducks, goats or other livestock prescribed by Presidential Decree to arrange the trade thereof, or sells or transfers them to a third party for business purposes (hereinafter referred to as "trade of livestock");

10. The term "National Stockbreeding Cluster" means a cluster formed by the State to create the synergistic effect through reciprocal linkage by concentrating the enterprises, research institutes, universities, colleges and supporting facilities related to livestock farmers and livestock farming business in a specific region;

10-2. The term "livestock environment" means an environment or conditions created by the livestock industry to affect humans and livestock.

Article 3 (Policies for Development of Livestock Farming Industry)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement comprehensive plans and policies necessary for the development of the livestock farming industry, including the improvement and propagation of livestock, the conservation and breeding of indigenous livestock, improvement of livestock environment, the structural improvement of the livestock farming industry, the control of supply and demand, the stabilization of prices, and the improvement of distribution and use of livestock and products thereof, the stable supply of feed-stuff, the treatment of livestock wastes and conversion thereof into resources, the sanitation of livestock, etc. *<Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013; Dec. 31, 2018>*

(2) The State or local governments may fully or partially subsidize the costs and expenses incurred in relation to the projects required for the implementation of policies prescribed in paragraph (1) within budgetary limits.

Article 4 (Deliberative Committee for Development of Livestock Farming Industry)

(1) There shall be established a Deliberative Committee for Development of the Livestock Farming Industry (hereinafter referred to as the "Committee") under the jurisdiction of the Minister of Agriculture, Food and Rural Affairs to deliberate on matters concerning policies for the development of the livestock farming industry pursuant to Article 3. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(2) The Committee shall be comprised of: *<Amended on Feb. 22, 2012>*

1. Relevant public officials;
2. Representatives of producers and producers' organizations;
3. Experts, etc. from academic circles and livestock-related industries.

(3) For the efficient execution of the affairs of the Committee, subcommittees may be established and operated, when necessary. *<Newly Inserted on Feb. 22, 2012>*

(4) Other matters necessary for the organization, operation, etc. of the Committee and subcommittees shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Feb. 22, 2012; Mar. 23, 2013>*

CHAPTER II IMPROVEMENT OF LIVESTOCK AND ARTIFICIAL INSEMINATION

Article 5 (Setting Goals for Improvement)

(1) The Minister of Agriculture, Food and Rural Affairs shall set and publicly notify the goals for improvement of livestock, as prescribed by Presidential Decree, upon determining a period for each kind of livestock subject to improvement. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) Special Metropolitan City Mayors, Metropolitan City Mayors, Special Self-Governing City Mayors, Do Governors and Special Self-Governing Province Governors (hereinafter referred to as "Mayor/Do Governor") shall prepare and implement a plan for promoting the livestock improvement for the relevant Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Dos and Special Self-Governing Provinces in order to achieve the improvement goals set under paragraph (1). <Amended on Dec. 31, 2018>

(3) The Minister of Agriculture, Food and Rural Affairs shall designate an agency for overall control of livestock improvement and institutions for livestock improvement from among the agencies, institutions, and organizations related to livestock in order to achieve the improvement goals set under paragraph (1) and efficiently promote the affairs related to livestock improvement. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(4) The Minister of Agriculture, Food and Rural Affairs may provide support for good breeding stock and subsidize the cost and expenses in relation to the projects as necessary for the implementation of the plan for promoting the livestock improvement under paragraph (2) and the promotion of the affairs related to livestock improvement by the institutions designated pursuant to paragraph (3). <Amended on Feb. 29, 2008; Mar. 23, 2013>

(5) Matters necessary for the guidelines and procedures for the designation of the agency for overall control of livestock improvement and the institutions for livestock improvement set forth in paragraph (3) and other matters shall be prescribed by Presidential Decree.

Article 5-2 (Establishment and Operation of Livestock Improvement Centers)

Mayors/Do Governors and the heads of Sis/Guns/Gus may establish and operate livestock improvement centers to conduct livestock improvement business.

Article 6 (Registration of Livestock)

(1) The Minister of Agriculture, Food and Rural Affairs may, designate a registration agency from among the agencies, institutions, and organizations related to livestock, and assign it to examine and register necessary matters, such as pedigree, ability, and figure of livestock where necessary for achieving the improvement goals set under Article 5 (1). <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) Matters necessary for the guidelines and procedures for the designation of the registration agency, the livestock subject to registration, and the standards and procedures for examination and registration under paragraph (1) and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and

Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 7 (Official Inspection of Livestock)

(1) The Minister of Agriculture, Food and Rural Affairs may designate an official inspection agency from among the agencies, institutions and organizations related to the livestock farming industry, and assign it to conduct the official inspection of the following livestock where necessary for checking and assessing the level of the improved ability of livestock: <Amended on Feb. 29, 2008; Mar. 23, 2013>

1. Livestock registered under Article 6;
2. Livestock raised for the purpose of producing eggs specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Matters necessary for the guidelines and procedures for the designation of the official inspection agency, the procedure for application for official inspection, and the types and standards of official inspection under paragraph (1) and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 8 (Designation of Protected Livestock)

(1) If necessary for the improvement and protection of livestock, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, the head of a Si/Gun or an autonomous Gu (hereinafter referred to as "head of a Si/Gun/Gu") may designate and publicly notify a certain area as a protection zone and the livestock that shall be protected within a protection zone. <Amended on Feb. 22, 2012>

(2) The Minister of Agriculture, Food and Rural Affairs, Mayors/Do Governors and the heads of Sis/Guns/Gus may either grant protection subsidies or take other necessary measures to improve and protect the livestock raised within a protection zone prescribed in paragraph (1). <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013; Dec. 31, 2018>

Article 9 (Conservation and Management of Animal Genetic Resources)

In order to secure the diversity of animal genetic resources, the Minister of Agriculture, Food and Rural Affairs may prescribe and publicly notify the matters pertaining to the collection, assessment, conservation, management, etc. of animal genetic resources. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 10 (Lease and Exchange of Breeding Stock)

Where the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor deems it necessary for encouraging the improvement, propagation, and raising of livestock, he or she may either gratuitously lend any breeding stock owned by the State or a local government to any third person, or exchange it with those owned by other persons, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or municipal ordinances. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 11 (Artificial Insemination of Livestock)

(1) No one, other than an artificial inseminator for livestock (hereinafter referred to as "inseminator") or a veterinarian, shall collect or treat any semen, ovum, or fertilized egg, or inject it into female livestock: Provided, That no one, other than a veterinarian, shall inject sex hormone or anesthetic into female livestock to collect fertilized eggs from the live female livestock.

(2) Paragraph (1) shall not apply in any of the following cases:

1. Where necessary for an academic experiment;
2. Where necessary for the artificial insemination or implantation of the livestock of one's own raising.

Article 12 (Inseminator's Licenses)

(1) Any of the following persons may be qualified as an inseminator upon obtaining a license from a Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

<Amended on Feb. 29, 2008; Mar. 23, 2013; Mar. 21, 2017>

1. A person qualified as an industrial technician or higher in the field of livestock farming prescribed by Presidential Decree, among the technical qualifications under the National Technical Qualifications Act;
2. A person who has successfully passed an examination for inseminators implemented by a Mayor/Do Governor;
3. A person who has passed a test for inseminators administered by the Administrator of the Rural Development Administration to ensure proper supply of inseminators, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) None of the following persons shall be qualified as an inseminator: *<Amended on Feb. 29, 2008; Jan. 25, 2010; Aug. 4, 2011; Mar. 18, 2014>*

1. An incompetent under the adult guardianship or a quasi-incompetent under the limited guardianship;
2. A mental patient under subparagraph 1 of Article 3 of the Mental Health Act: Provided, That this shall not apply to any person deemed, by a neuropsychiatrist, capable of performing the duties as an inseminator;
3. An addict to narcotics under Article 40 of the Narcotics Control Act: Provided, That this shall not apply to any person deemed, by a neuropsychiatrist, capable of performing the duties as an inseminator.

(3) Matters necessary for examinations for inseminators, including the subjects of an examination for inseminators referred to in paragraph (1) 2, the partial exemption from the examination and the criteria for passing the examination, and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(4) No inseminator shall allow another person to use his or her title or lend his or her license to any other person. *<Newly Inserted on Mar. 24, 2020>*

(5) No person shall use the title of inseminator or borrow the license thereof without obtaining a license as an inseminator and shall arrange for the use of such title or the lending of such license. <Newly Inserted on Mar. 24, 2020>

Article 13 (Education of Inseminators)

(1) The Minister of Agriculture, Food and Rural Affairs and Mayors/Do Governors may implement educational programs to enhance the qualification of inseminators. <Amended on Dec. 31, 2018>

(2) The State or a local government may subsidize the expenses incurred in implementing the educational programs prescribed in paragraph (1).

(3) Matters necessary for education prescribed in paragraph (1), such as persons subject to education and details of education shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Inserted on Dec. 31, 2018>

Article 14 (Revocation of Inseminator's License)

(1) A Mayor/Do Governor may revoke a license of an inseminator or suspend such license for up to six months in any one of the following cases: Provided, That he or she shall revoke a license in a case which falls under subparagraph 1 or 2: <Amended on Mar. 21, 2017; Mar. 24, 2020>

1. Where the inseminator has obtained a license by fraud or other improper means;
2. Where the inseminator falls under any subparagraph of Article 12 (2);
3. Where a certificate issued under Article 18 (2) contains false facts by intent or gross negligence;
4. Where the inseminator has allowed another person to use his or her license or lent his or her license to another person, in violation of Article 12 (4);
5. Where the inseminator has arranged for the use of his or her title or the lending of his or her license, in violation of Article 12 (5);
6. Where the inseminator has conducted his or her business during license suspension.

(2) Detailed criteria for license suspension or any other disposition under paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted on Mar. 21, 2017>

Article 15 Deleted. <Feb. 22, 2012>

Article 16 Deleted. <Feb. 22, 2012>

Article 17 (Reporting on Opening of Insemination Station)

(1) Anyone who intends to open a livestock artificial insemination station (hereinafter referred to as "insemination station") in order to inject or implant semen or fertilized eggs into female livestock for business purposes shall be equipped with facilities and human resources required therefor and submit a

report thereon to the head of the relevant Si/Gun/Gu.

(2) Where the head of a Si/Gun/Gu receives a report prescribed in paragraph (1), he or she shall review the details thereof, and if they are in compliance with this Act, he or she shall accept the report. <Inserted on Aug. 27, 2019>

(3) Standards for facilities and human resources for insemination stations referred to in paragraph (1) and other matters necessary for reporting thereon shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013; Aug. 27, 2019>

(4) When a person who has reported the opening of an insemination station under paragraph (1) (hereinafter referred to as "insemination station founder") falls under any of the following cases, he or she shall submit a report thereon to the head of the relevant Si/Gun/Gu within thirty days from the date the relevant ground arises: <Amended on Feb. 29, 2008; Mar. 23, 2013; Aug. 27, 2019>

1. When he or she temporarily suspends his or her business;
2. When he or she closes his or her business permanently;
3. When he or she resumes his or her suspended business;
4. When he or she alters any of the reported matters specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 18 (Semen Certificates)

(1) Each person who engages in semen processing business shall issue a semen certificate, an ovum certificate, or a fertilized egg certificate for the semen, ovum, or fertilized egg he or she has processed, subject to the confirmation of a registration agency under Article 6, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013>

(2) Where an inseminator or a veterinarian performs artificial insemination on livestock or implants a fertilized egg, he or she shall issue a certificate of artificial insemination on livestock or a certificate of implantation of a fertilized egg, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 19 (Restrictions on Use of Semen)

None of the following semen, ova, or fertilized eggs shall be supplied or injected for the purpose of artificial insemination of livestock, or be implanted into female livestock: Provided, That the foregoing shall not apply where any of those is used for an academic experiment or artificial insemination of, or implantation into the livestock of one's own raising: <Amended on Feb. 29, 2008; Mar. 23, 2013>

1. Any semen, ovum, or fertilized egg without a semen certificate, ovum certificate, or fertilized egg certificate issued under Article 18 (1);
2. Any semen, ovum, or fertilized egg that fails to meet the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 20 (Supervision over Insemination Station Founders)

- (1) A Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of the agency for overall control of livestock improvement may require any insemination station founder to take any measures necessary to improve livestock, or direct affiliated public officials or a registration agency under Article 6 to inspect the relevant facilities, books of account, documents and other materials, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013>
- (2) A public official, etc. who performs an inspection under paragraph (1) shall carry a certificate indicating his or her authority and present it to the related parties.

Article 21 (Accreditation of Exemplary Semen Processors)

- (1) The Minister of Agriculture, Food and Rural Affairs may accredit exemplary processors in order to raise the level of hygiene control of the semen processing business, etc. and the breeding stock business, and of improving livestock. <Amended on Feb. 29, 2008; Jan. 25, 2010; Mar. 23, 2013>
- (2) The Minister of Agriculture, Food and Rural Affairs may designate an accreditation agency which shall grant an accreditation to exemplary processors under paragraph (1), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>
- (3) Any person who intends to obtain an accreditation as an exemplary processor under paragraph (1) shall file an application therefor with the accreditation agency under paragraph (2), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>
- (4) Matters necessary for the standards and procedures for the accreditation of exemplary processors under paragraph (1) and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

CHAPTER III DEMAND AND SUPPLY OF LIVESTOCK PRODUCTS

Article 22 (Permission for Livestock Farming Business)

- (1) A person who intends to engage in any of the following livestock farming business shall obtain permission from the head of the Si/Gun/Gu who has jurisdiction over the relevant place of business, as prescribed by Presidential Decree. The same shall also apply where he or she intends to modify any important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as the kinds of livestock, among those permitted: <Amended on Mar. 23, 2013; Dec. 31, 2018>
1. Breeding stock business;
 2. Incubation business;
 3. Semen processing business;

4. Livestock breeding business, the kinds of livestock and the area of breeding facilities of which meet the standards prescribed by Presidential Decree.

(2) A person who intends to obtain permission prescribed in paragraph (1) shall meet the following requirements: <Amended on Dec. 31, 2018>

1. Where it is necessary to obtain permission for or file a report on discharge facilities pursuant to Article 11 of the Act on the Management and Use of Livestock Excreta, the relevant permission or report shall be obtained or filed, and disposal facilities prescribed in Article 12 of the same Act shall be installed;

2. A burial site for slaughter, incineration, burial, etc. resulting from the development of livestock diseases shall be secured, as prescribed by Presidential Decree: Provided, That the same shall not apply to cases where a livestock disposal plan, such as a land lease contract and incineration, is formulated and submitted;

3. Livestock breeding structures, equipment, etc. prescribed by Presidential Decree shall be secured;

4. The scale of breeding livestock shall be in compliance with the optimum scale of breeding livestock for per unit area prescribed by Presidential Decree;

5. In cases of breeding stock business and livestock breeding business concerning chickens or ducks, no livestock breeding structures shall be located in areas prescribed by Presidential Decree where highly pathogenic avian influenza is likely to develop due to a specific vector for a contagious animal disease prescribed in subparagraph 7 of Article 2 of the Act on the Prevention of Contagious Animal Diseases;

6. In cases of breeding stock business and livestock breeding business concerning chickens or ducks, no livestock breeding structures shall be located within a distance of 500 meters from the existing livestock breeding structures of persons who have obtained permission for livestock breeding business concerning chickens or ducks;

7. No livestock breeding structures shall be located in areas prescribed by Presidential Decree, which require restrictions on granting permission for the livestock industry.

(3) A person who intends to engage in livestock breeding business that does not fall under paragraph (1) 4 shall file a registration with the head of the Si/Gun/Gu having jurisdiction over the relevant place of business, as prescribed by Presidential Decree. <Amended on Dec. 31, 2018>

(4) A person who intends to file a registration prescribed in paragraph (3) shall meet the following requirements: <Amended on Mar. 23, 2013; Dec. 31, 2018>

1. Where it is necessary to obtain permission for or file a report on discharge facilities prescribed in Article 11 of the Act on the Management and Use of Livestock Excreta, the relevant permission or report shall be obtained or filed, and disposal facilities prescribed in Article 12 of the same Act shall be installed;

2. A burial site for slaughter, incineration, burial, etc. resulting from the development of livestock diseases shall be secured, as prescribed by Presidential Decree: Provided, That the same shall not apply to cases where a livestock disposal plan, such as a land lease contract and incineration, is formulated

and submitted;

3. Livestock breeding structures, equipment, etc. prescribed by Presidential Decree shall be secured;

4. The scale of breeding livestock shall be in compliance with the optimum scale of breeding livestock for per unit area prescribed by Presidential Decree;

5. In cases of livestock breeding business concerning chickens, ducks or other livestock prescribed by Presidential Decree, no livestock breeding structures shall be located within a distance of 500 meters from the existing livestock breeding structures of persons who have obtained permission for livestock breeding business concerning chickens or ducks;

(5) Notwithstanding paragraph (3), a person who intends to engage in livestock breeding business with the kinds of livestock and sizes of breeding facilities in compliance with the standards prescribed by Presidential Decree may not file a registration. *<Amended on Dec. 31, 2018>*

(6) Where a person who has obtained permission for livestock farming business pursuant to paragraph (1) or has filed a registration of livestock farming business pursuant to paragraph (3) falls under any of the following cases, he or she shall report it to the head of the Si/Gun/Gu within 30 days from the date on which the relevant cause occurs: *<Inserted on Dec. 31, 2018>*

1. Where such person suspends business for at least three months;

2. Where such person closes down business (including suspension of business for at least three years);

3. Where such person resumes business after suspending business for at least three months;

4. Where such person changes important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as the kind of livestock, among the matters registered (applicable only to persons who have filed a registration of livestock breeding business).

(7) The State or local governments may provide persons who intend to obtain permission for livestock farming business or file a registration of livestock breeding business pursuant to paragraphs (1) and (3) with subsidies for part of costs incurred in preparing livestock breeding structures, equipment, etc., as prescribed by Presidential Decree. *<Inserted on Dec. 31, 2018>*

(8) Where any of the following persons improves livestock breeding structures, equipment, etc., and breeding methods, etc., as prescribed by Presidential Decree, the State or the local government may provide him or her with subsidies for part of costs necessary therefor within budgetary limits: *<Inserted on Dec. 31, 2018>*

1. A person who has obtained permission for livestock farming business pursuant to paragraph (1);

2. A person who has filed a registration of livestock breeding business pursuant to paragraph (3).

Article 22-2 (Integration and Utilization of Information on Permissions for Livestock Farming Business)

(1) In an effort to efficiently integrate and utilize information on permissions and registrations granted and filed with the heads of Sis/Guns/Gus pursuant to Article 22 (1) and (3), the Minister of Agriculture, Food and Rural Affairs may request the heads of the relevant central administrative agencies and the heads of

local governments to provide information.

(2) Where the head of a relevant central administrative agency or the head of a local government receives a request in paragraph (1), he or she shall comply therewith, except in extenuating circumstances.

(3) The scope of information prescribed in paragraph (1) and other matters necessary for the integration and utilization of information shall be prescribed by Presidential Decree.

Article 23 (Disqualification for Permission for Livestock Farming Business)

(1) Any of the following persons shall be disqualified from obtaining permission to engage in livestock farming business prescribed in Article 22 (1): *<Amended on Dec. 31, 2018>*

1. A person in whose case two years have not elapsed since permission that he or she had obtained was revoked pursuant to Article 25 (1);
2. A person in whose case two years have not elapsed since his or her imprisonment with labor declared by a court pursuant to subparagraph 1 or 3 of Article 53 was completely executed (including where the execution of the sentence is deemed completed) or exempted;
3. A person who is under suspension of the execution of his or her imprisonment with labor declared by a court pursuant to subparagraph 1 or 3 of Article 53;
4. A corporation, the representative of which falls under any of subparagraphs 1 through 3.

(2) A person in whose case one year has not elapsed since his or her registration was revoked under Article 25 (2) shall be disqualified from filing for registration of livestock breeding business prescribed in Article 22 (3). *<Amended on Dec. 31, 2018>*

Article 24 (Business Succession)

(1) Where a person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) or has filed for registration of his or her livestock breeding business prescribed in Article 22 (3) dies, or transfers his or her business, or where a corporation is merged with another corporation, the successor, the business transferee, or the corporation surviving or established in the course of such merger shall succeed to the status as the business entity. *<Amended on Feb. 22, 2012; Dec. 31, 2018>*

(2) Any person who has succeeded to the status of a business entity in accordance with paragraph (1) shall submit a report thereon to the head of the relevant Si/Gun/Gu within 30 days from the date he or she succeeded to such status, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(3) Article 23 shall apply mutatis mutandis to succession prescribed in paragraph (1).

Article 25 (Revocation of Permission for Livestock Farming Business)

(1) Where a person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) falls under any of the following, the head of the relevant Si/Gun/Gu may either revoke such permission or issue an order to fully or partially suspend such business for a given period of up to one

year, as prescribed by Presidential Decree: Provided, That permission shall be revoked in cases falling under subparagraph 1 or 4: <Amended on Dec. 31, 2018; Aug. 27, 2019>

1. Where he or she obtains permission prescribed in Article 22 (1) by fraud or other improper means;
 2. Where he or she fails to commence his or her business without just cause within one year from the date of permission prescribed in Article 22 (1), or continuously suspends his or her business for at least one year without any report prescribed in Article 22 (6);
 3. Where he or she allows a third party to use his or her name under which permission was obtained;
 4. Where he or she fails to prepare important livestock breeding structures, equipment, etc. prescribed by Presidential Decree, among livestock breeding structures, equipment, etc. prescribed in Article 22 (2) 3.
 5. Where he or she causes the outbreak of a contagious livestock disease or the spread thereof to other regions due to a failure to take measures prescribed in Article 5 (3) of the Act on the Prevention of Contagious Animal Diseases, such as reporting on employment, education, or disinfection of alien workers, or a failure to comply with the measures taken by the head of the relevant national animal disease control agency as at the time of entry to the Republic of Korea prescribed in Article 5 (6) of the same Act;
 6. Where he or she violates an order to slaughter issued under Article 20 (1) of the Act on the Prevention of Contagious Animal Diseases (including cases applicable mutatis mutandis in Article 28 of the same Act);
 7. Where he or she receives any disposition to cancel permission for installation, or alteration, of waste-generating facilities pursuant to Article 18 of the Act on the Management and Use of Livestock Excreta, for a violation of Article 17 (1) of the same Act;
 8. Where he or she receives a disposition prescribed in Article 98 (1) 10 of the Pharmaceutical Affairs Act, for a violation of Article 85 (3) of the same Act;
 9. Where he or she causes the development of a contagious animal disease or causes a contagious animal disease to spread to other areas by violating Article 22 (2) 3 pertaining to livestock breeding structures, equipment, etc. or Article 17 of the Act on the Prevention of Contagious Animal Diseases pertaining to disinfection equipment and implementation of disinfection;
 10. Where livestock products fail to pass an inspection prescribed in Article 12 of the Livestock Products Sanitary Control Act due to a pesticide prescribed in Article 2 of the Pesticide Control Act which is used for the livestock.
- (2) Where a person whose livestock breeding business has been registered under Article 22 (3) falls under any of the following, the head of the relevant Si/Gun/Gu may either revoke such registration or issue an order to fully or partially suspend such business for a given period of up to six months, as prescribed by Presidential Decree: Provided, That the registration shall be revoked in cases falling under subparagraph 1 or 5: <Amended on Dec. 31, 2018>

1. Where he or she has filed for registration on his or her business prescribed in Article 22 (3) by fraud or other improper means;
 2. Where he or she fails to commence his or her business without just cause within two years from the date of registration filed under Article 22 (3), or continuously suspends his or her business for at least one year without any report made under Article 22 (6);
 3. Where he or she allows a third party to use his or her name under which the registration was made;
 4. Where he or she receives the disposition of business suspension on at least three occasions during the latest one year retroactively from the date he or she was subject to the last disposition of business suspension;
 5. Where he or she fails to prepare important livestock breeding structures, equipment, etc. prescribed by Presidential Decree, among livestock breeding structures, equipment, etc. prescribed in Article 22 (4) 3.
- (3) A person who receives a disposition to revoke permission prescribed in paragraph (1) shall dispose of the livestock within six months.
- (4) Where a person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) or has filed for registration on his or her livestock breeding business prescribed in Article 22 (3) fails to prepare livestock breeding structures, equipment, etc. referred to in Article 22 (2) 3 or (4) 3, the head of the relevant Si/Gun/Gu may issue an order to take corrective measures, as prescribed by Presidential Decree. *<Amended on Dec. 31, 2018>*
- (5) Detailed standards for revocation of permission or registration or business suspension prescribed in paragraphs (1) and (2) and a corrective order issued under paragraph (4) shall be prescribed by Presidential Decree.

Article 25-2 (Disposition on Imposition of Penalty Surcharge)

- (1) Where the head of a Si/Gun/Gu is in a position to order the suspension of business pursuant to Article 25 (1) 3 through 10 but the suspension of business is deemed likely to cause difficulties in disposing of livestock and inflict a considerable obstacle to the public interest, he or she may impose a penalty surcharge in an amount not exceeding 100 million won in lieu of the disposition of suspension of business.
- (2) Where a person subject to the imposition of penalty surcharge prescribed in paragraph (1) fails to pay the penalty surcharge by the deadline for payment, the head of the Si/Gun/Gu shall collect it in accordance with the Act on the Collection of Local Administrative Penalty Charges. *<Amended on Mar. 24, 2020>*
- (3) The heads of Sis/Guns/Gus shall use penalty surcharges collected pursuant to paragraph (1) only for the purpose of livestock industry development business.
- (4) Persons subject to the imposition of penalty surcharge prescribed in paragraph (1), amounts of penalty surcharge according to livestock breeding scale, sales amount, etc., and other necessary matters shall be prescribed by Presidential Decree.

Article 26 (Matters to be Observed by Persons Permitted to Engage in Livestock Farming Business)

(1) Each person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) or has filed for registration on his or her livestock breeding business prescribed in Article 22 (3) shall comply with the matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to improve livestock, prevent livestock diseases, and heighten the level of hygiene of livestock products. <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013; Dec. 31, 2018>

(2) No person who has obtained permission for breeding stock business prescribed in Article 22 (1) 1 shall produce breeding eggs from ducks that are not breeding stock. <Inserted on Dec. 31, 2018>

Article 27 Deleted. <Jan. 25, 2010>

Article 28 (Periodic Inspection of Persons Permitted to Engage in Livestock Farming Business)

(1) In order to improve livestock, prevent livestock diseases, heighten the level of hygiene of livestock products, and dispose of livestock excreta appropriately pursuant to the Act on the Management and Use of Livestock Excreta, the head of the relevant Si/Gun/Gu may order affiliated public officials to inspect a person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) periodically, at least once every year, and may order affiliated public officials to inspect a person whose livestock breeding business has been registered under Article 22 (3) when necessary. <Amended on Dec. 31, 2018>

(2) When a periodic inspection has been conducted under paragraph (1), the head of the relevant Si/Gun/Gu may issue an order to take measures necessary for improving facilities and performing affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(3) When a periodic inspection has been conducted under paragraph (1), the head of the relevant Si/Gun/Gu shall submit a report on the results thereof and the current status of permission and registration to the Minister of Agriculture, Food and Rural Affairs and the relevant Mayor/Do Governor within 30 days. <Amended on Mar. 23, 2013>

(4) The Minister of Agriculture, Food and Rural Affairs and a Mayor/Do Governor may inspect a person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) and a person whose livestock breeding business has been registered under Article 22 (3) when necessary, and may request the relevant Si/Gun/Gu to issue necessary dispositions depending upon the results of such inspection. <Amended on Mar. 23, 2013; Dec. 31, 2018>

(5) A relevant public official who conducts an inspection pursuant to paragraph (1) or (4) (including executives and employees of livestock-related corporations and organizations that engage in business entrusted pursuant to Article 51) shall carry a certificate indicating his or her authority and present it to the related parties. <Amended on Dec. 31, 2018>

Article 29 (Declarations of Export and Import of Breeding Stock)

(1) Any person who intends to export or import any breeding stock specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, livestock to be used as breeding stock, or semen, ovum, or fertilized egg of livestock shall file a declaration thereof with the Minister of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(2) Where the Minister of Agriculture, Food and Rural Affairs receives a report prescribed in paragraph (1), he or she shall review the details thereof, and if they are in compliance with this Act, he or she shall accept the report. *<Inserted on Aug. 27, 2019>*

(3) The Minister of Agriculture, Food and Rural Affairs shall prescribe and publicly announce the standards for the breeding stock subject to the declaration of export or import prescribed in paragraph (1), including production capability and specifications. *<Amended on Feb. 29, 2008; Mar. 23, 2013; Aug. 27, 2019>*

Article 30 (Recommendation for Import of Livestock Products)

(1) Any person who intends to import any livestock product, breeding stock, etc. referred to in Article 29 at the concession tariff rate that applies to the market access quantity on the schedule of concessions of the Republic of Korea pursuant to the Marrakesh Agreement Establishing the World Trade Organization, shall obtain a recommendation therefor from the Minister of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(2) The Minister of Agriculture, Food and Rural Affairs may either delegate his or her authority for recommending the import of livestock products, breeding stock, etc. of paragraph (1) to a Mayor/Do Governor, or engage a nonprofit corporation designated by the Minister to execute it on his or her behalf. In this regard, the recommendable quantity, the guidelines for the recommendation, and other necessary matters shall be prescribed by the Minister of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

Article 31 (Control of Imported Livestock Products)

Where deemed particularly necessary for the control of imported livestock products, the prevention of unfair distribution, and the protection of consumers, the Minister of Agriculture, Food and Rural Affairs may issue an order concerning the following matters to any person who has obtained a recommendation under Article 30, who imports livestock products on which the quota tariff is applied pursuant to Article 71 of the Customs Act, or who sells or processes such imported livestock products, or determine and publicly announce the following matters, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

1. The prices, methods, and time for selling the imported livestock products at issue;
2. Restrictions on the purposes of the imported livestock products at issue;

3. Reporting on the quantity used and left in stock out of the imported livestock products at issue.

Article 32 (Program for Stabilizing Production of Calves)

(1) In order to produce and supply calves in a stable manner and to maintain a basis for production of cattle farmers, the Minister of Agriculture, Food and Rural Affairs shall execute a program for stabilizing the production of calves, through which the calves production stabilization fund shall be paid to the farmers who produce calves in the event that the price of calves falls down below the basis price determined through deliberation by the Deliberative Committee for the Development of Livestock Industry under Article 4. In such cases, the scope of cattle eligible for the program for stabilizing the production of calves shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(2) Any farmer who produces calves and wants to obtain the calves production stabilization fund under paragraph (1) shall participate in the program for stabilizing the production of calves as provided by the operating rules established pursuant to paragraph (3).

(3) The Minister of Agriculture, Food and Rural Affairs shall prescribe and publicly announce the operating rules covering the following matters when implementing the program for stabilizing the production of calves pursuant to paragraph (1): *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

1. Qualifications for participation;
2. Time period, methods and procedure for such participation;
3. Terms and conditions, and amounts of, and procedures for the disbursement of the calves production stabilization fund;
4. Raising and management of the fund for the program for stabilizing the production of calves;
5. Other matters necessary for the implementation of the program for stabilizing the production of calves.

(4) In order to raise the fund for the program for stabilizing the production of calves pursuant to paragraph (3) 4, the Minister of Agriculture, Food and Rural Affairs may require farmers who produce calves and participate in the program for stabilizing the production of calves to contribute a certain amount of money prescribed by the Minister within the limit of 5/100 of the maximum disbursement amount of the calves production stabilization fund. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(5) The State or a local government may fully or partially subsidize the fund required for the operation of the program for stabilizing the production of calves to promote the program smoothly.

(6) When the total amount disbursed out of the calves production stabilization fund exceeds either of the following amounts creating a situation in which calves production stabilization fund is not disbursed or is less disbursed, the amount not disbursed or less disbursed may be disbursed during the following year: *<Amended on Mar. 24, 2020>*

1. The budget amount for the program for stabilizing the production of calves for the relevant year;

2. The minimum amount of subsidies permissible for the relevant year under the Marrakesh Agreement Establishing the World Trade Organization.

Article 32-2 (Support and Fostorage of National Stockbreeding Cluster)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate a comprehensive plan for support and fostorage of the National Stockbreeding Cluster (hereafter referred to as "comprehensive plan" in this Article). *<Amended on Mar. 23, 2013>*

(2) A comprehensive plan shall include:

1. Matters concerning the basic direction-setting for support and fostorage of the National Stockbreeding Cluster;
2. Matters concerning the creation and support of livestock breeding complexes for the promotion of the National Stockbreeding Cluster;
3. Matters concerning the creation of the eco-friendly National Stockbreeding Cluster;
4. Matters concerning the installation and operation of disinfection facilities and equipment for the prevention of contagious livestock diseases;
5. Matters concerning building up of the capacity of enterprises, agencies and institutions participating in the National Stockbreeding Cluster;
6. Matters concerning support for the coordination activities among enterprises, agencies and institutions participating in the National Stockbreeding Cluster;
7. Matters concerning the establishment and operation of support institutions for the National Stockbreeding Cluster;
8. Matters concerning strengthening of linkage to domestic industries related to livestock farming;
9. Matters concerning strengthening of linkage to other domestic and foreign regions and industries;
10. Matters concerning inviting domestic and foreign investment in the National Stockbreeding Cluster and promotion of export of livestock products;
11. Matters concerning investment in the National Stockbreeding Cluster and financing therefor;
12. Other matters for fostorage of the National Stockbreeding Cluster.

(3) In establishing a comprehensive plan, the Minister of Agriculture, Food and Rural Affairs shall refer the plan to the Committee for deliberation. *<Amended on Mar. 23, 2013>*

(4) Where the Minister of Agriculture, Food and Rural Affairs intends to formulate or alter a comprehensive plan, he or she shall consider the opinions of the heads of relevant local governments and have consultation with the related central administrative agencies: Provided, That this shall not apply where any minor matter prescribed by Presidential Decree is to be altered. *<Amended on Mar. 23, 2013>*

(5) The Minister of Agriculture, Food and Rural Affairs may provide financial support to a local government which has jurisdiction over the area in which the National Stockbreeding Cluster is to be located. *<Amended on Mar. 23, 2013>*

(6) Where the State or a local government intends to create the National Stockbreeding Cluster, it shall secure a burial site and install an incineration plant and facilities within the National Stockbreeding Cluster, which are necessary for culling, incinerating, burying, etc. of livestock in the event of outbreak of contagious livestock diseases.

(7) When the State or a local government promotes various projects which are to be implemented through financial support of the State or the local government to revitalize the National Stockbreeding Cluster, it may give priority to supporting the enterprises, agencies and institutions participating in the National Stockbreeding Cluster.

(8) Matters necessary for the procedure and method of creating the National Stockbreeding Cluster and the fosterage and support thereof and other matters shall be prescribed by Presidential Decree.

Article 32-3 (Establishment of Support Center for National Stockbreeding Cluster)

(1) The Minister of Agriculture, Food and Rural Affairs shall establish a Support Center for the National Stockbreeding Cluster (hereafter referred to as the "Support Center" in this Article) to foster and manage the National Stockbreeding Cluster and to support the activities of the enterprises, agencies and institutions participating therein. *<Amended on Mar. 23, 2013>*

(2) The Support Center shall be a corporate entity and duly formed upon the completion of the registration for its establishment at the registry for the area in which its main office is located.

(3) The Support Center shall engage in: *<Amended on Mar. 23, 2013>*

1. Developing policies and research on the National Stockbreeding Cluster and clustering of livestock farming business;
2. Creating and managing livestock breeding complexes;
3. Supporting the enterprises, agencies and institutions participating in the National Stockbreeding Cluster;
4. Promoting coordination activities among the enterprises, agencies and institutions participating in the National Stockbreeding Cluster;
5. Research on revitalization of the National Stockbreeding Cluster, overseas cooperation and public relations;
6. Other activities entrusted by the Minister of Agriculture, Food and Rural Affairs.

(4) In order to engage in the activities stipulated in paragraph (3), the Support Center may establish auxiliary organs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(5) The State or a local government may fully or partially subsidize the expenses incurred in the establishment and operation of the Support Center within budgetary limits.

(6) The Minister of Agriculture, Food and Rural Affairs shall guide and supervise the Support Center with respect to the activities stipulated in paragraph (3), and may give instructions or issue orders where deemed necessary. *<Amended on Mar. 23, 2013>*

(7) Except as provided in this Act, the provisions of the Civil Act concerning incorporated foundations shall apply mutatis mutandis to the Support Center.

Article 32-4 (Establishment of Council on Control of Supply of and Demand for Livestock Products and its Functions)

(1) A council on the control of supply of and demand for livestock products (hereinafter referred to as the “Supply and Demand Control Council”) under the jurisdiction of the Minister of Agriculture, Food and Rural Affairs to provide advice on important matters related to the supply and demand control and the price stabilization of livestock and livestock products (excluding raw milk and dairy products prescribed in subparagraphs 2 and 3 of Article 2 of the Dairy Promotion Act; hereafter in this Article the same shall apply).

(2) The Supply and Demand Control Council shall provide advice on the following matters:

1. Matters relating to the investigation, analysis, and determination of the status of supply of and demand for livestock products by item;
2. Matters relating to the operation, improvement, etc. of systems and projects relating to the control of supply of and demand for, and the price stabilization for livestock products;
3. Matters relating to the formulation and implementation of measures for the stabilization of supply and demand by livestock type;
4. Other matters relating to the control of supply of and demand for and the price stabilization for livestock and livestock products, on which the Minister of Agriculture, Food and Rural Affairs requests advice.

(3) The Supply and Demand Control Council shall be comprised of not more than 15 members, including one chairperson, and members shall be appointed or commissioned by the Minister of Agriculture, Food and Rural Affairs from among persons who have extensive knowledge of and experience in the control of supply of and demand for and the price stabilization for livestock and livestock products and relevant public officials.

(4) Except as provided in this Act, detailed matters relating to the organization and operation of the Supply and Demand Control Council, subcommittees by livestock type, and other necessary matters shall be prescribed by Presidential Decree.

Article 33 (Subsidies for Self-Help Funds for Livestock Industry)

(1) When a livestock industry organization established under the Creation and Management of Self-Help Livestock Funds Act creates and operates self-help funds for the livestock industry in order to promote the market extension, etc. of livestock products, the Minister of Agriculture, Food and Rural Affairs may grant part of the Livestock Development Fund under Article 43 as subsidies to such an organization. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) Guidelines for the grant of the subsidies under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 33-2 (Mandatory Education for Persons Permitted to Engage in Livestock Farming Business)

(1) Any of the following persons shall complete the education courses prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs at an education-program implementing agency designated under Article 33-3 (1): *<Amended on Mar. 23, 2013; Dec. 31, 2018>*

1. A person who intends to obtain permission to engage in livestock farming business prescribed in Article 22 (1);
2. A person who intends to file for registration on his or her livestock breeding business prescribed in Article 22 (3);
3. A person who intends to be registered as a livestock trader prescribed in Article 34-2 (1).

(2) Where a person obligated to complete education courses prescribed in paragraph (1) has completed an education course relevant to stockbreeding or veterinary medicine prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, he or she may be exempt from part of the education. *<Amended on Mar. 23, 2013>*

(3) A person who has obtained permission to engage in livestock farming business prescribed in Article 22 (1) shall receive a refresher education at least once every year, and a person whose livestock breeding business has been registered or a person who has been registered as a livestock trader prescribed in Article 22 (3) or 34-2 (1) shall receive a refresher education at least once every two years, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs at an education-program implementing agency pursuant to Article 33-3 (1). *<Amended on Mar. 23, 2013; Dec. 31, 2018>*

(4) With respect to persons who are not suitable for taking refresher education due to a disease, suspension of business, accident, etc. or have the grounds prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among persons subject to the completion of refresher education prescribed in paragraph (3), the deadline may be extended within the scope of three months. *<Inserted on Dec. 31, 2018>*

Article 33-3 (Designation of Education Agencies and Revocation of Designation)

(1) For the purpose of educating the persons falling under Article 33-2 (1), etc., the Minister of Agriculture, Food and Rural Affairs may designate and publicly announce an education management agency and education implementing agencies (hereafter referred to as "education agencies, etc." in this Article). *<Amended on Mar. 23, 2013>*

(2) Each education implementing agency shall educate the persons falling under Article 33-2 (1) upon their application, and report its education plan, performance results, etc. to the education management agency by not later than January 31 each year.

(3) The education management agency shall develop teaching materials and education courses; manage persons subject to education; and consolidate the reports on education plans, performance results, etc.

received under paragraph (2) and report it to the Minister of Agriculture, Food and Rural Affairs by not later than the end of February each year. <Amended on Mar. 23, 2013>

(4) Upon receipt of a consolidated report on education plans, performance results, etc. under paragraph (3), the Minister of Agriculture, Food and Rural Affairs may issue a corrective order to an education agency, etc., where necessary as a result of confirmation of and check on the matters reported. <Amended on Mar. 23, 2013>

(5) Where an education agency, etc. falls under any of the following cases, the Minister of Agriculture, Food and Rural Affairs may revoke the designation of the education agency, etc.: Provided, That if an education agency falls under subparagraph 1, its designation shall be revoked: <Amended on Mar. 23, 2013>

1. Where it has been designated by fraud or other improper means;
2. Where it submits a false report on the performance of education;
3. Where it fails to comply with the corrective order issued under paragraph (4);
4. Where it has no performance record for at least two years from the date it has been designated as an education implementing agency;
5. Where it is deemed impracticable to perform services as an education agency, etc.

(6) Matters necessary for the designation and operation of education agencies, etc., such as the standards and procedure for designation, and the details of education, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

CHAPTER IV LIVESTOCK MARKETS AND GRADING OF LIVESTOCK PRODUCTS

Article 34 (Opening of Livestock Markets)

(1) Any of the following persons who intends to open a livestock market shall have facilities prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and file a registration with the head of a Si/Gun/Gu: <Amended on May 26, 2020>

1. A local livestock producers' cooperative or an association by item in the livestock industry under Article 2 of the Agricultural Cooperatives Act;
2. A non-profit-making juristic person established pursuant to Article 32 of the Civil Act, whose main purpose of business is livestock farming (including a branch of such non-profit-making juristic person).

(2) The head of a Si/Gun/Gu may order a person who has established a livestock market to improve and repair the facilities necessary for the management of the livestock market or to take any necessary measures therefor, or may order an affiliated public official to inspect the relevant facilities, books of account, documents, and other materials, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013; May 26, 2020>

(3) Every public official who conducts an inspection prescribed in paragraph (2) shall carry an identification certificate indicating his or her authority and present it to the related parties.

Article 34-2 (Registration of Livestock Traders)

(1) Any person who intends to be a livestock trader shall file for registration with the head of the Si/Gun/Gu having jurisdiction over the place of his or her business, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs upon completing the education provided in Article 33-2.

<Amended on Mar. 23, 2013>

(2) If a livestock trader falls under any of the following cases, he or she shall submit a report thereon to the head of the relevant Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs within 30 days from the date the relevant ground arises: *<Amended on Mar. 23, 2013>*

1. Where he or she suspends his or her business for at least three months;
2. Where he or she closes his or her business permanently;
3. Where he or she resumes his or her business after suspending it for at least three months;
4. Where he or she alters any important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, among those registered.

Article 34-3 (Disqualification for Registration of Livestock Traders)

None of the following persons shall be qualified for the registration of a livestock trader under Article 34-2 (1): *<Amended on Mar. 18, 2014; Feb. 3, 2015>*

1. A person under adult guardianship or under limited guardianship;
2. A person for whom one year has not elapsed since his or her registration was revoked under Article 34-4 (excluding cases where such registration was revoked under Article 34-3 (1));
3. A person for whom one year has not elapsed since his or her imprisonment with labor declared by a court for a violation of Article 11 (1) or 20 (1) of the Act on the Prevention of Contagious Animal Diseases (including cases applicable mutatis mutandis in Article 28 of the same Act) was completely executed (including where the execution of the sentence is deemed to have been completed) or exempted;
4. A person who is under suspension of the execution of his or her imprisonment with labor declared by a court for a violation of Article 11 (1) or 20 (1) of the Act on the Prevention of Contagious Animal Diseases.

Article 34-4 (Revocation of Registration of Livestock Traders)

Where any livestock trader falls under any of the following cases, the head of the relevant Si/Gun/Gu may revoke his or her registration or issue an order to fully or partially suspend his or her business for a given period of up to six months: Provided, That if a livestock trader falls under subparagraph 1, 2, 6 or 7, its registration shall be revoked:

1. Where he or she has filed for registration of his or her business under Article 34-2 (1) by fraud or other improper means;

2. Where he or she falls under any subparagraph of Article 34-3;
3. Where he or she fails to comply with the matters to be observed by livestock traders under Article 34-5;
4. Where he or she allows a third party to use his or her name under which the registration was made;
5. Where he or she engages in business during a business suspension period;
6. Where he or she receives the dispositions of business suspension on at least three occasions during the latest one year retroactively from the day the last disposition of business suspension was received;
7. Where he or she fails to commence his or her business without just cause within two years from the date of registration, or continuously suspends his or her business for at least two years.

Article 34-5 (Matters to be Observed by Livestock Traders)

Each livestock trader shall comply with the matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the prevention of livestock diseases. <Amended on Mar. 23, 2013>

Article 34-6 (Supervision over Livestock Traders)

@Article 28 shall apply mutatis mutandis to the supervision over the persons registered as livestock traders. In such cases, "livestock breeding business" shall be construed as "livestock trader"

Article 35 (Grading of Livestock Products)

(1) In order to improve the quality of livestock products, make their distribution smooth, and promote livestock improvement, the Minister of Agriculture, Food and Rural Affairs may require the quality of such livestock products to be graded (hereinafter referred to as "grading"), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) The method, standards and applicable conditions of the grading under paragraph (1) and other matters necessary for the grading shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(3) As to the livestock products prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among those subject to the grading under paragraph (1), the Minister of Agriculture, Food and Rural Affairs shall specify and publicly announce a distributable area, the timing for implementation, etc. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(4) Any person who has established an incorporated wholesale market for livestock products (hereinafter referred to as "incorporated wholesale market") within a wholesale market for agricultural and fishery products under Article 22 of the Act on Distribution and Price Stabilization of Agricultural and Fishery Products, which is situated within an area publicly announced as a distributable area under paragraph (3) (hereinafter referred to as "publicly announced area"), or any operator of a cooperative marketing center for livestock products under Article 43 of the same Act (hereinafter referred to as "cooperative marketing center") shall not put any livestock product on the market without being graded.

(5) No operator of any slaughterhouse as defined in subparagraph 11 of Article 2 of the Livestock Products Sanitary Control Act (hereinafter referred to as "slaughterhouse") situated within a publicly announced area shall take any livestock products processed at the slaughterhouse outside of the slaughterhouse without being graded: Provided, That the foregoing shall not apply to any livestock product processed for academic research, one's own consumption, etc. specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; May 25, 2010; Mar. 23, 2013>

Article 36 (Korea Institute for Animal Products Quality Evaluation)

(1) For the effective grading, quality evaluation and distribution of livestock products, the Korea Institute for Animal Products Quality Evaluation (hereinafter referred to as the "KAPE") shall be established. <Amended on Jan. 25, 2010; Dec. 31, 2018>

(2) The KAPE shall be a corporate entity. <Amended on Jan. 25, 2010>

(3) The KAPE shall be duly formed upon the completion of registration for its incorporation with the registry office having jurisdiction over its principal place of business. <Amended on Jan. 25, 2010>

(4) The KAPE shall perform the following duties: <Amended on Jan. 25, 2010; Dec. 31, 2018>

1. Grading of livestock products;
2. Education and public relations pertaining to the grades of livestock products;
3. Development of technology for grading of livestock products;
4. Training of quality appraisers of livestock products prescribed in Article 37 (1);
5. Research, education and public relations on the grading, quality evaluation and distribution of livestock products;
6. Traceability of livestock and livestock products prescribed by the Livestock and Livestock Products Traceability Act;
7. International cooperative business related to subparagraphs 1 through 6, and business entrusted by the State, local governments or other persons to the KAPE or requested by the KAPE to conduct vicariously and business incidental thereto.

(5) The Minister of Agriculture, Food and Rural Affairs may subsidize the costs and expenses incurred in conducting the business in the subparagraphs of paragraph (4). <Amended on Feb. 29, 2008; Mar. 23, 2013; Dec. 31, 2018>

(6) The Minister of Agriculture, Food and Rural Affairs may issue an order to the KAPE as necessary or require it to submit a report in connection with the conduct of business prescribed in the subparagraphs of paragraph (4), or order an affiliated public official to inspect the relevant facilities, books of account, documents, and other materials, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Jan. 25, 2010; Mar. 23, 2013; Dec. 31, 2018>

(7) Every public official who conducts an inspection pursuant to paragraph (6) shall carry an identification certificate indicating his or her authority and present it to the related parties.

(8) Except as otherwise provided for in this Act, the provisions pertaining to the incorporated foundation in the Civil Act shall apply mutatis mutandis to the KAPE. <Amended on Jan. 25, 2010>

Article 37 (Quality Appraisers of Livestock Products)

(1) The KAPE shall employ quality appraisers of livestock products who shall perform the grading duties (hereinafter referred to as "quality appraiser"). <Amended on Jan. 25, 2010>

(2) Either of the following persons is qualified for a quality appraiser upon successfully passing an examination for quality appraisers implemented by the KAPE (hereinafter referred to as "examination for quality appraisers"), and complete the training course for quality appraisers prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Feb. 29, 2008; Jan. 25, 2010; Mar. 23, 2013; Mar. 24, 2020>

1. A person who has graduated from a department related to the livestock industry in a junior college or any other educational institution offering equivalent courses, or who is recognized as having educational background equivalent thereto;
2. A person who has engaged in the business affairs related to the grading in the KAPE for at least three years.

(3) Matters necessary for examinations for quality appraisers, the appointment and dismissal of quality appraisers, etc. shall be determined by the KAPE with prior approval from the Minister of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Jan. 25, 2010; Mar. 23, 2013>

Article 38 (Duties of Quality Appraisers)

(1) Quality appraisers shall perform the following duties: <Amended on Jan. 25, 2010>

1. Grading, and keeping and preserving the records of the results of grading on file;
2. Using and controlling the grading seals;
3. Inspection and maintenance of the facilities related to the grading;
4. Other matters necessary for performing the grading duties.

(2) Each quality appraiser shall carry an identification certificate indicating his or her authority and present it to the related parties whenever performing the grading duties. <Amended on Jan. 25, 2010>

(3) No one shall refuse, interfere with, or evade the duties performed by a quality appraiser in relation to the grading of livestock products that shall pass the compulsory grading process under Article 35. <Amended on Jan. 25, 2010>

Article 39 (Duties of Slaughterhouse Operators)

Each person who operates a slaughterhouse within a publicly announced area shall comply with the matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for facilities and space required for grading so that the grading process may be done without any trouble. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 40 (Indication of Grade Mark)

(1) Each quality appraiser shall indicate a grade mark on the livestock products as graded, and shall issue a grade certificate to the relevant applicant or the purchaser of the relevant livestock products. <Amended on Jan. 25, 2010>

(2) Whenever putting a graded livestock product on the market, each incorporated wholesale market and each cooperative marketing center operator shall publicly disclose the relevant grade.

(3) Matters necessary for the indication of grade marks, the grade certificates, the public disclosure of the grades, etc. under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 40-2 (Establishment and Operation of Electronic Civil Service Window)

(1) The Minister of Agriculture, Food and Rural Affairs may establish and operate an electronic civil service window to provide services concerning the public reading, requests for issuance, and issuance of grade certificates prescribed in Article 40 (1) and documents related to livestock and livestock products.

(2) In an effort to provide civil petitioners with the services prescribed in paragraph (1), the Minister of Agriculture, Food and Rural Affairs may connect the electronic civil service window prescribed in paragraph (1) with the information systems of other central administrative agencies, etc., in consultation with the heads of the central administrative agencies and the agencies belonging thereto, local governments and public institutions (hereinafter referred to as "central administrative agency, etc."). In such cases, he or she may develop and provide new services by integrating the connected information.

(3) Matters necessary for establishing and operating an electronic civil service window prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 41 (Requests for Dispositions of Business Suspension)

(1) The Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor may request the head of the competent administrative agency having due authority to take a measure with regard to the business, to issue a disposition of business suspension for a specified period (including imposition of penalty surcharge in lieu of the business suspension) or to take any other necessary measure against any of the following entities: <Amended on Feb. 29, 2008; Mar. 23, 2013; Mar. 24, 2020>

1. An incorporated wholesale market or cooperative marketing center operator that puts any ungraded livestock product on the market in violation of Article 35 (4);
2. A slaughterhouse operator who takes any ungraded livestock product outside of the slaughterhouse in violation of Article 35 (5);
3. A slaughterhouse operator who refuses, interferes with, or evades grading duties in violation of Article 38 (3).

(2) Upon receipt of a request made under paragraph (1), the head of a competent administrative agency shall notify the Minister of Agriculture, Food and Rural Affairs or the relevant Mayor/Do Governor of the results of the measures he or she has taken. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 42 (Supervision over Incorporated Wholesale Markets)

(1) The Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor may order any incorporated wholesale market, cooperative marketing center operator or slaughterhouse operator to take necessary measures, including improvement of facilities or direct an affiliated public official to inspect the relevant facilities, books of account, documents, and other materials, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in order to smoothly engage in the grading activities. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) Every public official who performs an inspection pursuant to paragraph (1) shall carry an identification certificate indicating his or her authority and present it to the related parties.

Article 42-2 (Certification of Antibiotic-free Livestock Products)

(1) The Minister of Agriculture, Food and Rural Affairs may certify antibiotic-free livestock products to foster the industry for antibiotic-free livestock products and to protect consumers.

(2) The Minister of Agriculture, Food and Rural Affairs may require a certification institution designated pursuant to Article 42-8 (1) (hereinafter referred to as "certification institution") to certify antibiotic-free livestock products under paragraph (1).

(3) Antibiotic-free livestock products subject to certification and certification criteria, etc. necessary for activities of producing or handling antibiotic-free livestock products (referring to the storage, packing (including subdivision and repackaging), transportation or sale of livestock products; hereinafter the same shall apply) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[Previous Article 42-2 moved to Article 42-13 <Mar. 24, 2020>]

Article 42-3 (Application for Certification of Antibiotic-Free Livestock Products and Examination for Certification)

(1) Where a person who produces or handles antibiotic-free livestock products intends to obtain certification of his or her antibiotic-free livestock products, he or she file an application for certification with a certification institution, together with the documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) None of the following persons shall file an application for certification under paragraph (1):

1. A person for whom one year has not yet elapsed since his or her certification was revoked pursuant to Article 42-7 (1) (excluding subparagraph 4 of the same paragraph): Provided, That such period shall be two years from the date the last certification was revoked for persons whose certification has been revoked on two occasions in the last 10 years, and five years from the date the last certification was

- revoked for persons whose certification has been revoked on at least three occasions in the last 10 years;
2. A person against whom an order was issued to remove or suspend or to take corrective measures with regard to, a certification label prescribed in Article 42-7 (1) or any other order prescribed in Article 42-10 (8) 2 or 3 and the period of such disposition has not elapsed;
 3. A person for whom one year has not elapsed since his or her punishment by a fine declared by a court under subparagraphs 9 through 21 of Article 53 or subparagraph 9 of Article 54 became final.
- (3) A certification institution shall, upon receipt of an application under paragraph (1), examine antibiotic-free livestock products' compliance with the criteria for certification of said products as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and shall inform the applicant of the results of such examination and grant certification if the standards are met. In such cases, the person entering the applicant's place of business shall carry identification indicating his or her authority and present it to the applicant.
- (4) A business entity that has obtained certification for antibiotic-free livestock products pursuant to paragraph (3) (hereinafter referred to as "certified business entity") shall not obtain certification (including renewal under Article 42-4 (2); hereafter in this subparagraph the same shall apply) from the same certification institution more than two consecutive times: Provided, That this shall not apply where a person intends to obtain certification from a certification institution that has amply satisfied the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as a result of an assessment of a certification institution conducted pursuant to Article 32-2 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods which is applied mutatis mutandis in Article 42-12.
- (5) A person who is dissatisfied with the result of the examination for certification under paragraph (3) may file an application for re-examination with the certification institution that has conducted the examination.
- (6) The certification institution requested to conduct re-examination under paragraph (5) shall determine whether to conduct the re-examination, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall notify the relevant applicant of the results thereof.
- (7) Where the certification institution determines to conduct a re-examination under paragraph (5), it shall conduct the re-examination without delay and notify the applicant of the results thereof.
- (8) Where a certified business entity intends to modify certified matters, he or she shall obtain prior approval for modification of certification from a certification institution which has granted the certification, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (9) Except as provided in paragraphs (1) through (8), detailed procedures and methods necessary for the application for certification, the examination and re-examination thereof, the approval for the modification of certification, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[Previous Article 42-3 moved to Article 42-14 <Mar. 24, 2020>]

Article 42-4 (Term of Validity of Certification)

(1) The certification under Article 42-3 shall be valid for one year from the date of certification.

(2) Where a certified business entity intends to maintain the certification of antibiotic-free livestock products certified pursuant to Article 42-3 (3) (hereinafter referred to as "certified products") even after expiration of the term of validity of the certification, he or she shall apply for renewal to a certification institution which has granted the certification and renew the certification at least two months prior to expiration thereof: Provided, That where the designation of a certification institution that has granted certification is revoked or its business is suspended, or where it is unable to perform business affairs relating to renewal of certification due to bankruptcy, closure of business, etc., it may file an application for renewal with another certification institution.

(3) Where a certified business entity who does not intend to have its certification renewed under paragraph (2) fails to complete shipment of certified products that are produced within the term of validity of certification, he or she may apply for an extension of the term of the validity by up to one year only for the certified products whose shipment has not been completed to the certification institution which has granted certification: Provided, That a certification label under Article 42-6 (1) may remain in the certified product shipped before expiration of the term of validity of certification until the product's expiration date is past.

(4) A person who has an objection to the results of an examination of the renewal of certification prescribed in paragraph (2) and the extension of the term of validity of certification prescribed in paragraph (3) may request the certification institution which conducted the examination to conduct a re-examination.

(5) Upon receipt of a request for a re-examination prescribed in paragraph (4), a certification institution shall determine whether to conduct the re-examination, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and notify the relevant certified business entity of the results of the determination.

(6) Where a certification institution determines to conduct a re-examination prescribed in paragraph (4), it shall conduct the re-examination without delay and notify the relevant certified business entity of the results of such re-examination.

(7) Detailed procedures, methods, etc. necessary for the renewal, extension of the term of validity, and re-examination of certification under paragraphs (2) through (6) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-5 (Matters to Be Observed by Certified Business Entities)

(1) A certified business entity shall notify the certification institution which has granted certification of the results of producing, handling, or selling certified products on a regular basis, as prescribed by Ordinance

of the Ministry of Agriculture, Food and Rural Affairs.

(2) A certified business entity shall keep documents related to examination for certification and others, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-6 (Labeling of Antibiotic-Free Livestock Products)

(1) A certified business entity may directly apply to a certified product that he or she produces or handles, or the package, container, sales note, specifications of transaction, and letter of guaranty, etc. of the certified product, any certification label (referring to antibiotic-free label or other labels consist of figures or letters of a similar intent; hereinafter the same shall apply). In such cases, if a product is sold not packaged or apiece, a certification label may be placed on a display marker or sign.

(2) The Minister of Agriculture, Food and Rural Affairs may recommend that certified business entities display information on the method of producing certified products and the materials used, etc. so as to be readily noticeable by consumers.

(3) No person, other than certified business entities under Article 42-2, shall store, transport, or sell a certified product by unpacking, repacking, and affixing a certification label to the product.

(4) Necessary matters relating to labeling methods such as figures or letters necessary for placing a certification label under paragraph (1) and detailed information to be displayed shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-7 (Revocation of Certification)

(1) Where a certified business entity falls under any of the following, the Minister of Agriculture, Food and Rural Affairs or a certification institution may revoke the certification thereof or order a removal or suspension of the use of, or take corrective measures with respect to, certification label: Provided, That in cases falling under subparagraph 1, the certification shall be revoked:

1. Where the certified business entity obtains certification by fraud or other improper means;
2. Where the certification fails to meet the certification criteria under Article 42-2 (3);
3. Where the certified business entity fails to comply with an order under Article 42-10 (8) without good cause;
4. Where the certified business entity acknowledges that it is unable to produce certified products due to a change in, discontinuation of its business, etc.

(2) The Minister of Agriculture, Food and Rural Affairs or a certification institution shall, in cases of revocation of certification under paragraph (1), notify the relevant certified business entity of such fact without delay, and if the certification institution revokes the certification, it shall also inform the Minister of Agriculture, Food and Rural Affairs of such fact.

(3) Except as provided in paragraphs (1) and (2), the procedures and guidelines necessary for the revocation of certification, removal of a certification label, suspension of the use thereof, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-8 (Designation of Certification Institution)

(1) The Minister of Agriculture, Food and Rural Affairs may designate an institution or organization that has human resources, facilities, and certification business regulations, all of which are necessary for the certification of antibiotic-free livestock products, as a certification institution that engages in the business of certifying antibiotic-free livestock products.

(2) An institution or organization seeking to be designated as a certification institution under paragraph (1) shall apply for designation as a certification institution to the Minister of Agriculture, Food and Rural Affairs, upon the recommendation of the head of the relevant Si/Gun/Gu.

(3) The designation under paragraph (1) shall be valid for five years from the date of designation; where a certification institution intends to continue to engage in the business of certifying antibiotic-free livestock products after expiration of the term of validity of the designation, it shall apply for renewal of designation to the Minister of Agriculture, Food and Rural Affairs and obtain renewal of designation from the Minister not later than three months prior to the expiration.

(4) In order to ensure efficient operation of the business affairs relating to designation of certification institutions under paragraph (1) and renewal of designation thereof under paragraph (3), the Minister of Agriculture, Food and Rural Affairs may delegate or entrust the business of evaluation for the designation of certification institutions and the renewal of such designation, to the corporations, institutions, or organizations prescribed by Presidential Decree.

(5) Where designation details are changed, a certification institution shall report such change to the Minister of Agriculture, Food and Rural Affairs: Provided, That approval from the Minister of Agriculture, Food and Rural Affairs shall be obtained to modify any important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(6) Except as provided in paragraphs (1) through (5), matters necessary for the criteria for designation of certification institutions, the scope of certification business, procedures for the designation and renewal of designation of certification institutions, report on modification by certification institutions, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-9 (Prohibition of Unjust Acts Related to Certification)

(1) No person shall engage in any of the following conduct:

1. Undergoing examination, re-examination for certification, or obtaining approval for modification of certification under Article 42-3; obtaining renewal of certification or extension of the term of validity of certification, or undergoing re-examination under Article 42-4; or obtaining designation or renewal of designation of certification institutions under Article 42-8 (1) and (3) by fraud or other improper means;
2. Conducting or helping to undergo an examination, re-examination for certification, and to obtain approval for modification of certification under Article 42-3; or granting or helping to obtain renewal of certification or extension of validity of certification, or conducting or helping to undergo re-examination

under Article 42-4 by fraud or improper means;

3. Obtaining qualification of a certification auditor under Article 26-2 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods that is applied mutatis mutandis in Article 42-12 by fraud or other improper means;

4. Affixing a certification label or similar ones (including any label likely to mislead people to believe that the relevant product is a certified product, and any other label using a foreign language or loanwords to the same effect) to non-certified products or shelves displaying those products on sale;

5. Displaying information differently from that is certified on a label;

6. Issuing documents necessary for application for certification under Article 42-3 (1) or renewal of certification under Article 42-4 (2) in a false manner;

7. Selling certified products and non-certified ones, etc. together or storing, transporting, or displaying them together for the purpose of sale;

8. Selling any product as a certified product with the knowledge that it results from the conduct under subparagraph 4 or 5, or storing, transporting, or displaying such product for sale;

9. Selling any product as a certified product with the knowledge that its certification was revoked under Article 42-7 (1), or storing, transporting, or displaying such product for the purpose of sale;

10. Advertising any non-certified product as a certified one or advertising in a manner that would mislead people to believe that a non-certified product is a certified one (including advertisements using the phrase antibiotic-free or other words similar thereto), or advertising certified products differently from the information certified.

(2) Detailed standards for labeling similar to the certification label under paragraph (1) 4 shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-10 (Ex Post Facto Management of Certified Products and Certified Business Entities)

(1) The Minister of Agriculture, Food and Rural Affairs shall require a relevant public official or a certification institution to conduct the following inspections (limited to inspections under subparagraph 2 of a certified business entity which has granted certification) each year, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the Mayor may inspect samples provided free of charge by a person subject to investigation or request him or her to submit materials, etc:

1. Inspection into certified products on sale or being distributed;

2. Inspection to ascertain whether the process of producing or handling certified products in the place of business of any certified business entity complies with the certification criteria under Article 42-2 (3).

(2) Where the Minister of Agriculture, Food and Rural Affairs intends to conduct an inspection pursuant to paragraph (1), he or she shall notify the relevant certified business entity of the date and time, the purpose of, matters subject to, the inspection in advance: Provided, That this shall not apply in exigent circumstances or where he or she is deemed unable to achieve the purpose of the inspection if he or she gives prior notification.

(3) Where the Minister of Agriculture, Food and Rural Affairs conducts an inspection or requests submission of materials pursuant to paragraph (1), the certified business entity shall not refuse, interfere with, or evade such inspection or request without good cause.

(4) Any person entering the place of business of a certified business entity or of a certified products distributor for the investigation under paragraph (1) shall carry identification verifying his or her authority and show it to relevant persons.

(5) Where the Minister of Agriculture, Food and Rural Affairs or a certification institution conducts an inspection under paragraph (1), he or she shall notify a certified business entity or a certified products distributor of the results of the inspection. In such cases, any certified business entity or certified products distributor who has an objection to the results of an inspection of the samples provided under the latter part of paragraph (1) among the results of the inspection may request a re-inspection of the samples.

(6) The Minister of Agriculture, Food and Rural Affairs or a certification institution upon receipt of a request for re-inspection under paragraph (5) shall determine whether to conduct a re-inspection, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall notify the relevant certified business entity or the certified products distributor of such decision.

(7) Where the Minister of Agriculture, Food and Rural Affairs or a certification institution determines to conduct a re-inspection under paragraph (6), he or she or it shall conduct the re-inspection without delay and notify the relevant certified business entity or the certified products distributor of the results of said re-inspection.

(8) Where the Minister of Agriculture, Food and Rural Affairs or a certification institution determines as a result of the inspection under paragraph (1) that a violation of the certification criteria under Article 42-2 (3) or the methods of labeling antibiotic-free livestock products under Article 42-6 has occurred, he or she or it may order the certified business entity or the certified products distributor to take the following measures:

1. Revocation of certification, removal and suspension of the use, of certification labels, or corrective measures under Article 42-7 (1);
2. Prohibition or suspension of sales or recovery and scrapping of certified products;
3. Modification of matters to be displayed on labels.

(9) The Minister of Agriculture, Food and Rural Affairs may request a certification institution which granted certification to certified products for which an order has been issued to take measures under paragraph (8) to take necessary measures. In such cases, the certification institution shall comply with such request unless there is a compelling reason not to do so.

(10) Where a certified business entity or a certified products distributor fails to comply with an order to recover or scrap certified products, etc. prescribed in paragraph (8) 2, the Minister of Agriculture, Food and Rural Affairs may have the relevant public officials seize the relevant certified products, etc. In such cases, the relevant public officials shall carry identification indicating their authority and present it to relevant persons.

(11) The Minister of Agriculture, Food and Rural Affairs shall publish the details of orders to take measures prescribed in the subparagraphs of paragraph (8).

(12) Matters necessary for the notification of the results of inspections under paragraph (5), procedures and methods of re-inspecting samples under paragraph (7), detailed criteria for orders to take measures under the subparagraphs of paragraph (8), seizure under paragraph (10), and publication under paragraph (11) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42-11 (Succession of Certified Business Entities)

(1) Any of the following persons shall succeed to the status of a certified business entity or certification institution:

1. Where a certified business entity has passed away: The successor who intends to continue to produce or handle the relevant product;
2. Where a certified business entity or certification institution has transferred his or her or its business: The transferee;
3. Where a certified business entity or certification institution has merged with another certified business entity or certification institution: The corporation that survives the merger, or is newly incorporated in the course of the merger.

(2) A person who has succeeded to the status of a certified business entity pursuant to paragraph (1) shall report such fact to a certification institution that has conducted an examination for certification (where the designation of the certification institution is revoked or its business is suspended and where it is unable to conduct certification business due to bankruptcy, closure of its business, etc., referring to other certification institution), and a person who has succeeded to the status of the certification institution shall report such fact to the Minister of Agriculture, Food and Rural Affairs.

(3) The Minister of Agriculture, Food and Rural Affairs or a certification institution shall notify a reporting person whether the report is accepted within one month from the date of receipt of such report prescribed in paragraph (2).

(4) Where the Minister of Agriculture, Food and Rural Affairs or a certification institution fails to notify a reporting person whether the report is accepted within the period prescribed in paragraph (3) or of the extension of the period of handling prescribed by statutes or regulations pertaining to handling civil petitions, the report shall be deemed accepted on the date following the date the period (where the period of handling is extended or re-extended in accordance with statutes or regulations pertaining to handling civil petitions, referring to the relevant period of handling) expires.

(5) Where the status is succeeded under paragraph (1), the effects of administrative dispositions taken under Article 29 (1) of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods applicable mutatis mutandis under Articles 42-7 (1), the subparagraphs of 42-10 (8), and Article 42-12 shall be succeeded to a person who succeeds to the status, and when procedures for administrative disposition are underway, such procedures may continue

involving a person who has succeeded to the status.

(3) Matters necessary for filing a report under paragraph (2) and other matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs.

Article 42-12 (Provisions Applicable Mutatis Mutandis)

Except as provided in this Act, Articles 26-2 through 26-4, 27 through 29, 32, 32-2, and 57 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods shall apply mutatis mutandis to certification institutions.

Article 42-13 (Formulation of Livestock Environment Improvement Plans)

(1) In order to improve the livestock environment, the Minister of Agriculture, Food and Rural Affairs shall formulate and implement a master plan for improving the livestock environment every five years.

(2) A Mayor/Do Governor shall formulate and implement a City/Do plan for improving the livestock environment every five years based on the master plan prescribed in paragraph (1), and report it to the Minister of Agriculture, Food and Rural Affairs.

(3) The head of a Si/Gun/Gu shall formulate and implement a Si/Gun/Gu plan for improving the livestock environment every year based on the master plan for improving the livestock environment and the City/Do plan for improving the livestock environment each year, and report it to the Mayor/Do Governor.

(4) The following matters shall be included in the plans prescribed in paragraphs (1) through (3):

1. Current status of installation and operation of livestock breeding structures and matters to be improved;
2. Current status of the livestock environment in terms of malodor, disposal of excreta, etc. and matters to be improved;
3. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the improvement of the livestock environment.

[Moved from Article 42-2 <Mar. 24, 2020>]

Article 42-14 (Designation of Institutions Dedicated to Improving Livestock Environment)

(1) In order to effectively conduct the business to improve the livestock environment, the Minister of Agriculture, Food and Rural Affairs may designate an institution related to livestock environment, such as the Institution of Livestock Environment Management prescribed in Article 38-2 (1) of the Act on the Management and Use of Livestock Excreta as an institution dedicated to improving the livestock environment.

(2) The institution dedicated to improving the livestock environment shall conduct the following business:

1. Guidance for and inspection of the livestock environment;
2. Investigation of the livestock environment;

3. Provision of education and consulting for workers for the improvement of the livestock environment;
4. Development and dissemination of livestock environment improvement techniques;
5. Training professional human resources for the improvement of the livestock environment;
6. Other businesses determined by the Minister of Agriculture, Food and Rural Affairs for the improvement of the livestock environment.

[Moved from Article 42-3 <Mar. 24, 2020>]

CHAPTER V LIVESTOCK DEVELOPMENT FUND

Article 43 (Establishment of Livestock Development Fund)

(1) The Government shall establish the Livestock Development Fund (hereinafter referred to as the "Fund") to secure financial resources necessary for the development of the livestock industry, control the demand and supply of livestock products smoothly, and stabilize the prices thereof.

(2) The Government may grant subsidies or contribution to the Fund within budgetary limits.

Article 44 (Financial Resources of Fund)

(1) The Fund shall be raised with the financial resources falling under the following subparagraphs:

1. Subsidies or contributions from the Government prescribed in Article 43 (2);
2. Payments from the Korea Racing Association prescribed in paragraph (2);
3. Profits from the imported livestock products prescribed in Article 45;
4. Loans obtained under Article 46;
5. Funds for the development of substitute grassland prescribed in Article 23 (6) of the Grassland Act;
6. Earnings from the management of the Fund;
7. Income realized from the settlement of accounts prescribed in Article 15 (1) 1 of the Traditional Bullfighting Match Act.

(2) The chairperson of the Korea Racing Authority shall pay the Fund an amount of money provided for in Article 42 (4) of the Korea Racing Authority Act out of the special reserve of the Authority.

(3) Where the Nonghyup Agribusiness Group prescribed in Article 161-2 of the Agricultural Cooperatives Act transfers the fixed assets of the livestock section it has acquired from the Federation of the National Agricultural Cooperative Federation to other persons according to the transfer of control over agribusiness prescribed in Article 6 of Addenda of the partially amended Agricultural Cooperatives Act (Act No. 10522) without continuing to hold it, it shall pay the value of the relevant transfer to the Fund: Provided, That the same shall not apply to cases where it transfers the relevant fixed assets of the livestock section or exchanges it with the other fixed assets of the livestock section by obtaining approval from the Minister of Agriculture, Food and Rural Affairs. <Inserted on Dec. 31, 2018>

Article 45 (Collection of Import Profits)

(1) The Minister of Agriculture, Food and Rural Affairs may assess the profits of an importer of such items prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, among the persons who import the livestock products with a recommendation made under Article 30 (1), and collect the import profits from the importer within the limit of the difference between the domestic prices and the import prices, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) The import profits of paragraph (1) shall be paid to the Fund, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(3) If the import profits of paragraph (1) have not been paid by the specified due date, they may be collected in the same manner as delinquent national taxes are collected.

Article 46 (Loans)

Where necessary for the management of the Fund, the Minister of Agriculture, Food and Rural Affairs may obtain a loan from any financial institutions, other funds or any other account on the Fund's own account. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 47 (Purposes of Fund)

(1) The Fund shall be used for the following purposes: <Amended on Feb. 29, 2008; May 8, 2009; Mar. 23, 2013; Dec. 31, 2018>

1. Improvement of the structure and productivity of the livestock farming industry;
2. Control of the demand and supply of livestock and products thereof and stabilization of the prices;
3. Improvement of the distribution system of livestock and livestock products;
- 3-2. Promotion of a dairy farming promotion plan formulated pursuant to Article 3 (1) of the Dairy Promotion Act;
4. Control of demand and supply of feed-stuff, and development of resources for feed-stuff;
5. Sanitation and quarantine of livestock;
6. Conversion into resources, treatment, and utilization of livestock waste;
7. Subsidization for the costs and expenses incurred in engaging in the business activities of the Fund prescribed by Presidential Decree;
8. Subsidization for the self-help funds of the livestock industry prescribed in the Creation and Management of Self-Help Livestock Funds Act;
9. Business concerning the development of the horse industry, such as the production, breeding, training, distribution and use of horses;
10. Other projects prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as necessary for the development of the livestock industry.

(2) The Fund may grant subsidies, if necessary, for any of the purposes set forth in the subparagraphs of paragraph (1).

(3) Matters necessary for the methods of filing applications for subsidies and procedures for grant thereof prescribed in paragraph (2) and other matters shall be prescribed by Presidential Decree.

Article 48 (Operation and Management of Fund)

(1) The Fund shall be operated and managed by the Minister of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs may entrust the affairs relating to the operation and management of the Fund to the National Agricultural Cooperative Federation under the Agricultural Cooperatives Act (including Agricultural Cooperative Economic Holding Company; hereinafter referred to as the "National Agricultural Cooperative Federation"), as prescribed by Presidential Decree. <Amended on Feb. 29, 2008; Mar. 23, 2013; Dec. 27, 2016>

(3) The Minister of Agriculture, Food and Rural Affairs may establish and operate an account for offsetting bad debts of the Fund, if deemed necessary for smoothly implementing the business falling under the subparagraphs of Article 47 (1) by making it easier to render financial aid to livestock breeders, etc. who have insufficient capability to offer a security. <Amended on Feb. 29, 2008; Mar. 23, 2013; Mar. 24, 2020>

(4) Matters necessary for the operation and management of the Fund shall be prescribed by Presidential Decree.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 49 (Service Fees)

(1) Any of the following persons shall pay service fees prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013; Mar. 24, 2020>

1. A person who intends to obtain a license under Article 12 (1);
2. A person who intends to obtain certification or approval for modification of certification pursuant to Article 42-3, or to have certification renewed or its term of validity extended pursuant to Article 42-4 (2) and (3);
3. A person who intends to be designated as a certification institution, or renew the designation pursuant to Article 42-8.

(2) The KAPE may collect the grading service fees prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs from the persons who intend to have their livestock products graded under Article 35 (1). In such cases, the service fees so collected shall be used only for payment of the expenses incurred in the grading services. <Amended on Feb. 29, 2008; Jan. 25, 2010; Mar. 23, 2013>

(3) The grading service fees of paragraph (2) shall be collected by any person who operates a place of work as defined in subparagraph 11 of Article 2 of the Livestock Products Sanitary Control Act or any person prescribed by Presidential Decree among the persons who have reported their livestock product sale business under Article 24 of the same Act and shall be paid to the KAPE, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the KAPE shall reimburse the expenses incurred in the collection of service fees to the persons who operate a place of work as defined in subparagraph 11 of Article 2 of the Livestock Products Sanitary Control Act or the persons prescribed by Presidential Decree among those who have reported their livestock product sale business under Article 24 of the same Act, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Feb. 29, 2008; Jan. 25, 2010; Feb. 22, 2012; Mar. 23, 2013>

Article 50 (Hearings)

Where a Mayor/Do Governor or the head of a Si/Gun/Gu intends to take any of the following dispositions, he or she shall hold a hearing: <Amended on Feb. 22, 2012>

1. Revocation of an inseminator's license under Article 14;
2. Revocation of permission to engage in livestock farming business under Article 25 (1);
3. Revocation of the registration of livestock breeding business under Article 25 (2);
4. Revocation of the registration of a livestock trader under Article 34-4.

Article 51 (Delegation or Entrustment of Authority)

(1) Part of the authority of the Minister of Agriculture, Food and Rural Affairs under this Act may be delegated to the relevant Mayor/Do Governor or the head of the competent agency, as prescribed by Presidential Decree. <Amended on Feb. 29, 2008; Mar. 23, 2013; Mar. 24, 2020>

(2) Part of the authority of a Mayor/Do Governor under this Act may be delegated to the head of the relevant Si/Gun/Gu, as prescribed by Presidential Decree.

(3) A Mayor/Do Governor may entrust education for inseminators prescribed in Article 13 (1) to a corporation or organization related to the livestock industry, as prescribed by Presidential Decree.

(4) The Minister of Agriculture, Food and Rural Affairs and the heads of Sis/Guns/Gus may, as prescribed by Presidential Decree, entrust part of the affairs concerning a periodic inspection, etc. prescribed in Article 28 to a corporation or organization prescribed by Presidential Decree among the corporations or organizations related to the livestock industry. <Newly Inserted on Feb. 22, 2012; Dec. 31, 2018>

(5) The Minister of Agriculture, Food and Rural Affairs may entrust the affairs concerning the declaration of export or import of breeding stock, etc. prescribed in Article 29 (1) to a corporation or organization related to the livestock industry, as prescribed by Presidential Decree. <Amended on Feb. 29, 2008; Feb. 22, 2012; Mar. 23, 2013>

(6) The Minister of Agriculture, Food and Rural Affairs may entrust the affairs concerning the programs for stabilizing the production of calves prescribed in Article 32 (1) to a producers' organization prescribed

by Presidential Decree among the producers' organizations prescribed in subparagraph 4 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry. <Amended on Feb. 29, 2008; May 27, 2009; Feb. 22, 2012; Mar. 23, 2013; Jun. 22, 2015>

(7) The Minister of Agriculture, Food and Rural Affairs may entrust the business concerning the establishment and operation of an electronic civil service window prescribed in Article 40-2 to a livestock-related corporation or organization, as prescribed by Presidential Decree. <Inserted on Aug. 27, 2019>

Article 52 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)

Any of the following persons shall be deemed to a public official for purposes of applying Articles 129 through 132 of the Criminal Act. <Amended on Jan. 25, 2010; Mar. 24, 2020>

1. A quality appraiser who performs the grading duties under Article 37 (1);
2. The executive officers and employees of a certification institution engaged in certification business under Article 42-8 (1);
3. The executive officers and employees of a corporation, institution, or organization engaged in the affairs entrusted under Article 42-8 (4).

CHAPTER VII PENALTY PROVISIONS

Article 53 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended on Feb. 29, 2008; Feb. 22, 2012; Dec. 31, 2018; Mar. 24, 2020>

1. A person who engages in livestock farming business without obtaining permission granted under Article 22 (1);
2. Deleted; <Jan. 25, 2010>
3. A person who obtains permission to engage in livestock farming business prescribed in Article 22 (1) by fraud or other improper means;
4. A person who continues to breed livestock till after the lapse of six months after receiving the disposition on revocation of permission granted under Article 25 (1), notwithstanding paragraph (3);
5. A person who violates an order issued pursuant to Article 31;
6. A person who engages in the business of trading livestock without filing a registration prescribed in Article 34-2 (1);
7. A person who puts any ungraded livestock product on a wholesale market for agricultural and fishery products or a cooperative marketing center, in violation of Article 35 (4);
8. A person who takes any ungraded livestock product from a slaughterhouse, in violation of Article 35 (5);

9. A person who engages in certification business without being designated as a certification institution under Article 42-8 (1);
10. A person who engages in certification business although the term of validity of designation as a certification institution under Article 42-8 (3) has expired;
11. A person who undergoes an examination or re-examination for certification, or obtains approval for modification of certification under Article 42-3; who obtains renewal of certification, extension of the term of validity of certification, and undergoes re-examination under Article 42-4; or who obtains designation and renewal of designation as a certification institution under Article 42-8 (1) or (3) by fraud or improper means, in violation of Article 42-9 (1) 1;
12. A person who conducts or helps to undergo an examination, examination for certification or obtains approval for modification of certification under Article 42-3; who grants or helps to obtain renewal of certification, extension of the term of validity of certification, or conducts a re-examination or helps to obtain certification under Article 42-4 by fraud or improper means, in violation of Article 42-9 (1) 2;
13. A person who obtains qualification of a certification auditor by fraud or other improper means, in violation of Article 42-9 (1) 3;
14. A person who affixes a certification label or similar ones (including any label likely to mislead people to believe that the relevant product is a certified product, and any other label using a foreign language or loanwords to the same effect) to non-certified products or shelves displaying those products on sale, in violation of Article 42-9 (1) 4;
15. A person who displays information differently from that is certified on a label, in violation of Article 42-9 (1) 5;
16. A person who issues documents necessary for application for certification or renewal of certification in a false manner, in violation of Article 42-9 (1) 6;
17. A person who sells certified products and non-certified ones, etc. together or who stores, transports, or displays them together for the purpose of sale, in violation of Article 42-9 (1) 7;
18. A person who sells a product not certified as a certified product with the knowledge that a certification label or similar ones is affixed to the product or who stores, transports, or displays such product for the purpose of sale, in violation of Article 42-9 (1) 8;
19. A person who sells any product as a certified product, knowing that its certification was revoked, or who stores, transports, or displays such product for the purpose of sale, in violation of Article 42-9 (1) 9;
20. A person who advertises any non-certified product as a certified one or advertises in a manner that would mislead people to believe a non-certified product is a certified one (including advertisements using the phrase antibiotic-free or other expressions similar thereto), or advertises certified products differently from the information certified, in violation of Article 42-9 (1) 10;
21. A person who engages in the certification business despite revocation of its designation as a certification institution pursuant to Article 29 (1) of the Act on the Promotion of Environment-Friendly

Agriculture and Fisheries and the Management of and Support for Organic Foods which is applied mutatis mutandis in Article 42-12.

Article 54 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for up to one year or by a fine of up to 10 million won: <Amended on Jan. 25, 2010; Feb. 22, 2012; Feb. 3, 2015; Dec. 31, 2018; Mar. 24, 2020; May 26, 2020; May 26, 2020>

1. A person who violates Article 11 (1);

1-2. A person who allows another person to use his or her title or lend his or her license to any other person, in violation of Article 12 (4);

1-3. A person who uses the title of inseminator or borrow the license thereof without obtaining a license as an inseminator or a person who arranges for the use of such title or the lending of such license, in violation of Article 12 (5);

2. A person who supplies or injects any semen, ovum, or fertilized egg for the purpose of artificial insemination for livestock, or who implants any of them into female livestock, in violation of Article 19;

2-2. A person who produces breeding eggs from ducks that are not breeding stock, in violation of Article 26 (2);

3. A person who opens a livestock market without filing a registration with the head of a Si/Gun/Gu, in violation of Article 34 (1);

4. Deleted; <Dec. 31, 2018>

4-2. A person who becomes registered as a livestock trader prescribed in Article 34-2 (1) by fraud or other improper means;

5. A person who sells any livestock product that shall be graded before trading within a distributable area publicly announced pursuant to Article 35 (3) without having such product graded, or who processes, displays, keeps, or transports such product for business purposes;

6. A person who refuses, interferes with, or evades the grading conducted by a quality appraiser, in violation of Article 38 (3);

7. A person who fails to comply with the measures prescribed in Article 39;

8. A person who violates an order issued pursuant to Article 42 (1), or refuses, interferes with, or evades an inspection thereunder;

9. A person who fails to comply with an order to remove or suspend the use of certification labels from certified products, or take corrective measures; to prohibit or suspend the sales of certified products; to recover and scrap certified products; or to modify matters to be displayed on labels, etc. under Article 42-10 (8).

Article 55 (Joint Penalty Provisions)

If a representative of a corporation, or an agent, employee or other servant of a corporation or an individual commits a violation under Article 53 or 54 in connection with business of the corporation or individual, not only shall such violator be punished, but also the corporation or individual shall be punished by a fine under the respective provisions: Provided, That this shall not apply where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant business in order to prevent such violation.

Article 56 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding 10 million won:

1. A person who fails to obtain permission for modification, in violation of the latter part of Article 22 (1);
2. A person who fails to file a report under Article 22 (6);
3. A person who fails to file a report under Article 24 (2);
4. A person who violates an order issued under Article 25 (1) or (2);
5. A person who fails to comply with corrective order under Articles 25 (4);
6. A person who fails to comply with matters to be observed under Article 26 (1);
7. A person who refuses, interferes with, or evades a periodic inspection conducted, or violates an order issued, under Article 28 (1) and (2) (including cases applicable mutatis mutandis in Article 34-6).

(2) Any of the following persons shall be subject to an administrative fine not exceeding five million won:

1. A person who fails to submit a report prescribed in Article 17 (1) or (4);
2. A person who engages in livestock breeding business without filing for registration on such business prescribed in Article 22 (3);
3. A person whose livestock breeding business has been registered under Article 22 (3) by fraud or other improper means;
4. A person who fails to receive education under Article 33-2 (3);
5. A person who violates an order issued pursuant to Article 34 (2), or refuses, interferes with, or evades an inspection thereunder.
6. A person who fails to submit a report prescribed in Article 34-2 (2);
7. A person who continues to engage in his or her business, in violation of an order to revoke registration or suspend business prescribed in Article 34-4;
8. A person who fails to comply with any matters to be observed by livestock traders prescribed in Article 34-5;
9. A person who modifies any certified matters without obtaining approval, in violation of Article 42-3 (8);
10. A person who fails to notify the head of a certification institution of the results of production, handling, or sales of certified products on a regular basis, in violation of Article 42-5 (1);

11. A person who fails to keep documents related to examination for certification, in violation of Article 42-5 (2);
 12. A person who violates the labeling method under Article 42-6 (1);
 13. A non-certified business entity who unpacks, repacks, and affixes a certification label to the product, in violation of Article 42-6 (3);
 14. A person who fails to report changes, in violation of the main clause of Article 42-8 (5), or who changes important matters without obtaining approval in violation of the proviso of the same paragraph;
 15. A person who refuses, obstructs, or evades an inspection under Article 32 (1) of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods which is applied mutatis mutandis in Article 42-10 (1) or 42-12 without good cause;
 16. A person who fails to report his or her succession to the status of a certification institution or certified business entity, in violation of Article 42 (11);
 17. A person who fails to report the results of certification, the results of ex post facto management, etc., or files a false report thereon, in violation of Article 27 (1) 4 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods which is applied mutatis mutandis in Article 42-12;
 18. A person who suspends or closes all or part of certification business without filing a report, in violation of Article 28 of the Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods which is applied mutatis mutandis in Article 42-12.
- (3) An administrative fine under paragraphs (1) and (2) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs, a relevant Mayor/Do Governor, or the heads of a relevant Si/Gun/Gu (hereinafter referred to as "imposing authority"), as prescribed by Presidential Decree.

ADDENDA <Act No. 8354, Apr. 11, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the provisions of Articles 33 and 47 (1) 8 as amended shall enter into force on June 29, 2007, while the provisions of Article 8 (1) of the Addenda shall enter into force on September 28, 2007.

Article 2 (Transitional Measure concerning Enforcement Date)

Until before the provisions of Articles 33, 44 (1) 5, and 47 (1) 8 as amended enter into force pursuant to the proviso of Article 1 of the Addenda, the former provisions of Articles 26-3, 36 (1) 5 and 39 (1) 7-2 corresponding to the respective provisions shall remain applicable.

Article 3 (Transitional Measures concerning Qualification for Graders)

(1) Any person who was qualified for grader in accordance with the former provisions enforceable as of April 27, 2001, which corresponds to the enforcement date of the Livestock Industry Act (Act No. 6381), shall be deemed as a person who has been qualified in accordance with the provisions of Article

37 hereof as amended.

(2) Any person who passed successfully the grader examination or has been taking the training course for grader after passing successfully the examination in accordance with the former provisions enforceable as of April 27, 2001, which corresponds to the enforcement date of the Livestock Industry Act (Act No. 6381), shall be deemed as a person who passed successfully the grader examination or has been taking the training course for grader after passing successfully the examination in accordance with the provisions of Article 37 as amended.

Article 4 (Transitional Measures Following Change in Managing Authority of Fund)

(1) Any action taken by the National Agricultural Cooperative Federation for the operation and management of the Fund pursuant to the former provisions enforceable as of April 27, 2001, which corresponds to the enforcement date of the Livestock Industry Act (Act No. 6381), shall be deemed an action taken by the Minister of Agriculture and Forestry.

(2) The title of the National Livestock Cooperative Federation indicated on the registers or other public books pertaining to the property of the Fund as of April 27, 2001, which corresponds to the enforcement date of the Livestock Industry Act (Act No. 6381), shall be deemed as the title of the State, notwithstanding Article 7 of the Addenda of the Agricultural Cooperatives Act (Act No. 6018).

Article 5 (Transitional Measures concerning Designation of Preserved Livestock)

The designation of any preserved livestock pursuant to the former provisions of Article 8 enforceable as of January 3, 2007, which corresponds to the enforcement date of the Livestock Industry Act (Act No. 8182), shall be deemed to be the designation of the preserved livestock pursuant to the provisions of Article 8 as amended.

Article 6 (General Transitional Measures concerning Dispositions, etc.)

The actions taken by or against an administrative agency pursuant to the former provisions at the time this Act enters into force shall be deemed as the actions taken by or against the administrative agency pursuant to the corresponding provisions of this Act.

Article 7 (Transitional Measures concerning Penalty Provisions or Administrative Fines)

The acts committed before the enforcement date of this Act shall be governed by the former provisions in application of the penalty provisions or the provisions concerning the administrative fine.

Article 8 Omitted.

Article 9 (Relationship to Other Statutes)

A citation of the former Livestock Industry Act or any provision thereof by any other statute enforceable at the time when this Act enters into force, if any, shall be deemed to be a citation of this Act or a corresponding provision hereof in lieu of the former provision, if there is such a corresponding provision herein.

ADDENDUM <Act No. 8598, Aug. 3, 2007>

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

ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 9666, May 8, 2009>

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

ADDENDA <Act No. 9717, May 27, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 9952, Jan. 25, 2010>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Change of Name)

(1) The Livestock Products Grading Service and a grader of livestock products pursuant to the previous provisions as at the time this Act enters into force shall be deemed the Animal Products Grading Service and a quality appraiser of livestock products under this Act.

(2) Any act done in the name of the Livestock Products Grading Service or a grader of livestock products as at the time this Act enters into force and in the relation with other Acts shall be deemed any act done in the name of the Animal Products Grading Service or a quality appraiser of livestock products.

(3) The name of the Livestock Products Grading Service indicated in the register and other public records as at the time this Act enters into force shall be deemed the name of the Animal Products Grading Service.

Article 3 Omitted.

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.

ADDENDA <Act No. 11005, Aug. 4, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11359, Feb. 22, 2012>

Article 1 (Enforcement Date)

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

Article 2 (Preparatory Measures for Enforcement of this Act)

Before this Act enters into force, the State or any local government may take preparatory measures for the support and fosterage of the National Stockbreeding Cluster under the amended provisions of Article 32-2 and for the establishment of the Support Center for National Stockbreeding Cluster under the amended provisions of Article 32-3.

Article 3 (Applicability to Matters concerning Location among Requirements for Permission to Engage in Livestock Farming Business)

Matters concerning location in the amended provisions of Article 22 (1) shall be applicable from the first person who obtains permission to engage in livestock farming business after this Act enters into force.

Article 4 (Special Cases concerning Education for Persons, etc. whose Livestock Farming Business Has Been Registered)

Notwithstanding the amended provisions of Article 33-2, a person who falls under Article 5 (1) of the Addenda shall undergo education within one year, and a person who falls under Article 5 (2) of the Addenda shall undergo education within two years, respectively from the date this Act enters into force, under the amended provisions of Article 33-2.

Article 5 (Transitional Measures concerning Registration, etc. of Livestock Farming Business)

(1) Any person whose livestock farming business has been registered under the former provisions as at the time this Act enters into force and engages in livestock farming business falling under any subparagraph of Article 22 (1) shall be deemed to have obtained permission to engage in such livestock farming business under the amended provisions of Article 22 (1). In such cases, a person who fails to meet the requirements prescribed by Presidential Decree for the appropriate number of livestock per

unit area, facilities and equipment among those for permission to engage in livestock farming business under the amended provisions of Article 22 (1) shall satisfy such requirements within one year from the date this Act enters into force.

(2) Any person whose livestock breeding business has been registered under the former provisions as at the time this Act enters into force and does not fall under the amended provisions of Article 22 (1) 4 shall be deemed to file for registration of his/her livestock breeding business under the amended provisions of Article 22 (2).

Article 6 (Transitional Measures concerning Revocation, etc. of Registration of Livestock Farming Business)

Where the registration of livestock farming business has been revoked or the business has been suspended under the former provisions as at the time this Act enters into force, permission for or registration of the livestock farming business or livestock breeding business shall be deemed revoked or such business shall be deemed suspended under the amended provisions of Article 25.

Article 7 (Transitional Measures concerning Penalty Provisions and Administrative Fines)

For the purpose of the application of penalty provisions or provisions concerning administrative fines to any violation committed before this Act enters into force, such violation shall be governed by the former provisions.

Article 8 (Relationship to Other Statutes)

Where any other statute cites the former Livestock Industry Act, or any provisions thereof as at the time this Act enters into force, the relevant provisions of this Act shall be deemed to be cited in lieu of the former provisions, if provisions corresponding thereto exist herein.

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 6 Omitted.

ADDENDA <Act No. 12436, Mar. 18, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetent Persons, etc.)

An incompetent under the adult guardianship or a quasi-incompetent under the limited guardianship referred to in the amended provisions of Article 12 (2) 1 and subparagraph 1 of Article 34-3 shall be deemed to include persons for whom the declaration of incompetency or quasi-incompetency remains

effective under Article 2 of the Addenda to the Civil Act (Act No. 10429).

ADDENDUM <Act No. 13145, Feb. 3, 2015>

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

ADDENDA <Act No. 13383, Jun. 22, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 14304, Dec. 2, 2016>

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

ADDENDA <Act No. 14481, Dec. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Act No. 14654, Mar. 21, 2017>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Dispositions)

The former provisions shall apply to any administrative disposition against any violation committed before this Act enters into force.

ADDENDA <Act No. 16126, Dec. 31, 2018>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Permission for Livestock Farming Business, Requirements for Registration of Livestock Breeding Business, etc.)

The amended provisions of Article 22 shall apply, starting with the first case where permission for livestock farming business is obtained or livestock breeding business is registered after this Act enters into force.

Article 3 (Transitional Measures concerning Permission for Quail Incubation Business)

Notwithstanding the amended provisions of subparagraph 6 of Article 2, a person who engages in quail incubation business without obtaining permission for incubation business pursuant to the former provisions as at the time this Act enters into force may conduct the business without obtaining permission for six months from the date on which this Act enters into force.

Article 4 (Transitional Measures concerning Registration of Livestock Market Establishment)

Notwithstanding the amended provisions of Article 34 (1), a livestock cooperative that establishes and manages a livestock market without filing a registration on livestock market pursuant to the former provisions as at the time this Act enters into force may establish and manage the livestock market without filing a registration for six months from the date on which this Act enters into force.

Article 5 (Transitional Measures concerning Penal Provisions and Fines for Negligence)

The application of the penal provisions and provisions pertaining to fines for negligence against acts conducted before this Act enters into force shall be governed by the former provisions.

ADDENDA <Act No. 16550, Aug. 27, 2019>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 17 and 29 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Cancellation of Permission, etc. Resulting from Using Pesticide)

The amended provisions of Article 25 (1) 10 of the partially amended Livestock Industry Act (Act No. 16126) shall apply, starting with the first case of failing in passing an inspection prescribed by the Livestock Products Sanitary Control Act due to any pesticide prescribed in Article 2 of the Pesticide Control Act for livestock after this Act enters into force.

Article 3 (Applicability to Imposition of Penalty Surcharges)

The amended provisions of Article 25-2 of the partially amended Livestock Industry Act (Act No. 16126) shall apply, starting with any offense committed after this Act enters into force.

ADDENDA <Act No. 17091, Mar. 24, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

Article 1 (Enforcement Date)

This Act shall enter into force on August 28, 2020: Provided, That the amended provisions of subparagraphs 1 and 3 of Article 2, Articles 32 (6), 37 (2) 1, 41 (1), and 48 (3) shall enter into force on the date of its promulgation; and the amended provisions of Articles 12 (4) and (5), 14 (1) 4 through 6, and subparagraphs 1-2 and 1-3 of Article 54 shall enter into force three months after the date of its promulgation; and the amended provisions of Article 32-4 shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Administrative Fines)

The amended provisions of Article 56 (excluding the provisions corresponding to Article 5 of the Addenda) shall begin to apply to cases where an administrative fine is imposed after this Act enters into force.

Article 3 (Transitional Measures concerning Dispositions)

Any disposition, procedure, or act taken by or towards an administrative agency (including acts regarding antibiotic-free livestock products), pursuant to the previous Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods before this Act enters into force shall be deemed a disposition, procedure, or act by or towards an administrative agency equivalent thereto under this Act.

Article 4 (Transitional Measures concerning Certification of Antibiotic-Free Livestock Products and Designation of Certification Institutions)

(1) Antibiotic-free livestock products certified under Article 34 of the previous Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods and certification institutions designated under Article 26 of the same Act as at the time this Act enters into force shall be deemed certified or designated under the amended provisions of Article 42-2 or 42-8 until the term of validity expires.

(2) Any application for certification of antibiotic-free livestock products filed under Article 34 of the previous Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods and any application for designation of a certification institution filed under Article 26 of the same Act as at the time this Act enters into force shall be deemed an application for certification or designation filed under Article 42-3 (1) or the amended provisions of Article 42-8 (2).

Article 5 (Transitional Measures concerning Administrative Dispositions and Penalty Provisions)

(1) The previous provisions shall apply to the imposition of administrative dispositions, penalty provisions, or administrative fines for violations committed in relation to a license as inseminator before this Act enters into force.

(2) The previous Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods shall apply to the imposition of administrative dispositions, penalty provisions, or administrative fines for violations committed related to the certification of antibiotic-free livestock products before this Act enters into force.

Article 6 Omitted.

Article 7 (Relationship to Other Statutes or Regulations)

Where any other statutes or regulations cite the previous Act on the Promotion of Environment-Friendly Agriculture and Fisheries and the Management of and Support for Organic Foods or provisions thereof (limited to those related to antibiotic-free livestock products) as at the time this Act enters into force, they shall be deemed to have cited this Act or the relevant provisions of this Act in lieu of the previous provisions, if any provisions corresponding thereto exist in this Act.

ADDENDA <Act No. 17324, May 26, 2020>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Last updated : 2022-12-02