



29 May 2018

(18-3181)

Page: 1/3

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>REPUBLIC OF KOREA</u> If applicable, name of local government involved:
2. Agency responsible: Ministry of Agriculture, Food and Rural Affairs (MAFRA)
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Environment-friendly agricultural and fishery products, processed organic foods and materials for organic farming
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Proposed Amendments to the act on Promotion of Environment-friendly Agriculture and Fisheries, and Management of and Support for Organic Foods. Language(s): Korean. Number of pages: 32 https://members.wto.org/crnattachments/2018/SPS/KOR/18_2638_00_x.pdf
6. Description of content: The proposed amendments mainly focus on the following: A. Revision of the terms, "environment-friendly agriculture and fisheries" and "organic" (Article 2 (Draft)) <ul style="list-style-type: none">- Revise the definitions of the terms, "environment-friendly agriculture and fisheries" and "organic", focusing on agricultural environmental conservation, including the promotion of biodiversity and maintenance of healthy ecosystems, the objectives of environment-friendly agriculture and fisheries. B. Addition of qualifications for the application for certification of organic food, etc. (Article 20 (Draft)) <ul style="list-style-type: none">- A person whose products exceed the maximum residue limits of pesticides, by intention or gross negligence, and a person subject to a disposition of revocation three times shall be prohibited from applying for certification. C. Addition of the suspension of qualification as certification auditors (Article 26-2 (Draft)) <ul style="list-style-type: none">- If an auditor fails to comply with procedures and methods of certification or re-audit by intention or gross negligence.- If an auditor delegates his/her certification service to the executive officer of a certification body, etc. D. Addition of grounds for disqualification of executive officers of certification bodies and specification of fine criteria (Article 26-3 (Draft)) <ul style="list-style-type: none">- Executive officers of certification bodies who conducted certification duty, etc. on behalf of certification auditor or anyone who is responsible for certification duty- The grounds for disqualification are revised to specify a fine of 1 million won or more to exclude a small fine. E. Addition of the requirement for cancelling the designation of certification agencies (Article 29 (Draft)) <ul style="list-style-type: none">- Revocation of the designation of a certified agency which received "poor" result for the three consecutive times following the evaluation on certification agencies.

<p>F. The introduction of re-inspection for products confirmed to be inappropriate and organic agricultural materials (Articles 31 and 49 (Draft))</p> <ul style="list-style-type: none"> - Establishment of grounds and standards where re-inspection can be conducted, when products are inspected to be inappropriate <p>G. Ground for allowing only environment-friendly certified agricultural and fishery products and processed products to use a label using words, such as "environment friendly" (Article 54-2 (Draft))</p> <ul style="list-style-type: none"> - Only environment-friendly certified agricultural and fishery products and processed products are allowed to use words including "environment friendly" to build trust while preventing confusion and harm to the public in the use of environment-friendly agricultural products. <p>H. Penalty surcharge on person who repeatedly revokes certification; fine or penalty on person who publishes certification information without the consent of concerned party; and fine for negligence on person who failed to keep analysis information will be imposed (Articles 60, 62.2, and 62 (Draft))</p> <ul style="list-style-type: none"> - Fine or penalty will be imposed if personal information related to certification, etc. is leaked by a certification auditor, without the consent of the concerned party (Article 60 (Draft)) - Fine not exceeding five times of selling price will be imposed, if certification is revoked more than twice within three years (Article 60.2 (Draft)) - Fine for negligence will be imposed on failure to keep test analysis information and on false report of certification result (Article 62 (Draft))
<p>7. Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.</p>
<p>8. Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available: Ministry of Agriculture, Food and Rural Affairs (MAFRA) Public Notice No. 2017-39 (available in Korean)</p>
<p>10. Proposed date of adoption (dd/mm/yy): January 2019 or later</p> <p>Proposed date of publication (dd/mm/yy): January 2019 or later</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): January 2019</p> <p><input type="checkbox"/> Trade facilitating measure</p>

12. Final date for comments: Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 28 July 2018

Agency or authority designated to handle comments: National Notification Authority, National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

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13. Text(s) available from: National Notification Authority, National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

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