NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** Republic of Korea **If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Ministry of Agriculture, Food and Rural Affairs (MAFRA) **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Environment-Friendly Agriculture Division of the Ministry of Agriculture, Food and Rural Affairs (MAFRA)Tel.: +82-44-201-2432, 2433Fax: +82-44-868-0483E-mail: llty@korea.kr |
| **3.** | **Notified under Article 2.9.2 [****X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Environment-friendly agricultural and fishery products, processed organic foods and materials for organic farming. |
| **5.** | **Title, number of pages and language(s) 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. (33 page(s), in Korean)  |
| **6.** | **Description of content:** The main amended contents in this document are as follows:A. Revision of the terms, "environment-friendly agriculture and fisheries" and "organic" (Article 2(draft))  - 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))- 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)) -  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)) - 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))- Revocation of the designation of a certified agency which received "poor" result for the three consecutive times following the evaluation on certification agencies. F.  The introduction of re-inspection for products confirmed to be inappropriate and organic agricultural materials (Articles 31 and 49(Draft)) - Establishment of grounds and standards where re-inspection can be conducted, when products are inspected to be inappropriate 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))- 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.  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))- 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 5 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)) |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:** Ministry of Agriculture, Food and Rural Affairs (MAFRA) Public Notice No. 2017-39 (available in Korean)  |
| **9.** | **Proposed date of adoption:**January 2019**Proposed date of entry into force:**January 2019 |
| **10.** | **Final date for comments:** 60 days from date of notification. Competent authority will receive comments for sixty days after the date of notification in order to seek possible way to reflect the comment into enforcing regulations of the Act sometime in the future. |
| **11.** | **Texts available from: National enquiry point [ ]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** Environment-Friendly Agriculture Division of the Ministry of Agriculture, Food and Rural Affairs (MAFRA)Tel.: +82-44-201-2432, 2433Fax: +82-44-868-0483E-mail: llty@korea.kr<https://members.wto.org/crnattachments/2018/TBT/KOR/18_2617_00_x.pdf> |