



24 July 2018

(18-4645)

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Committee on Technical Barriers to Trade

Original: English

**NOTIFICATION**

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>REPUBLIC OF KOREA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Ministry of Agriculture, Food and Rural Affairs (MAFRA) <b>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:</b> Environmentally-Friendly Agriculture Division of the Ministry of Agriculture, Food and Rural Affairs (MAFRA) Tel.: +82-44-201-2432, 2433 Fax: +82-44-868-0483 E-mail: <a href="mailto:lity@korea.kr">lity@korea.kr</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Environmentally-friendly agricultural and fishery products, processed organic foods and materials for organic farming
<b>5. Title, number of pages and language(s) of the notified document:</b> Proposed Amendments to the Act on the Promotion of Environmentally-friendly Agriculture and Fisheries, and Management of and Support for Organic Foods (98 page(s), in Korean)
<b>6. Description of content:</b> A. Certified business operators shall take training on environmentally-friendly agriculture in a mandatory manner (Articles 10 and 16 (1), Asterisks 3 and 11 of the Draft) 1) Those wishing to apply for or renew their certifications should take training related to the environmentally-friendly agriculture every two years in a mandatory manner B. Labelling requirement for organic food, etc. and pesticide-free agricultural produce, etc. shall be improved. (Article 18 (2) and Asterisks 5, 6 and 12 of the Draft) 1) To exclude "the name of the certified agency" from the labelling requirement for organic food, etc. and pesticide-free agricultural produce, etc. in order to minimize any inconvenience that certified business may face due to the change of the agency C. Having in place additional ways to apply for designation of the notifying agency (Article 60 (1) of the Draft) 1) Inconvenience that stakeholders may face due to the cancellation of designation of notifying agencies shall be minimized, by newly introducing proviso enabling flexible application for designation, in case of emergency where the designation of the agencies is cancelled, etc. D. More information shall be provided from the Environmentally-Friendly Certification Management Information System (Article 70 (1) of the Draft)

1) To extend the scope of information on certified business operators and/or certified business operators which received administrative dispositions, to be provided by the Environmentally-Friendly Certification Management Information System, in order to fulfil customers' right to know

E. Certification requirements including on sanitation and safety management shall be completed (Asterisks 3 and 11 of the Draft)

1) To complete quality management regulations of the products, by devising regulations on sanitation measures for operators at the harvest and/or post-harvest; on safety management of tools and equipment; and on the prevention of environmental pollution around nearby farms, so that certified environmentally-friendly agricultural and livestock products that people can trust can be distributed

2) To complete the regulation on prohibiting the use of materials with pesticide components in organic and pesticide-free livestock products

F. Period of keeping the records on the documents on manufacturing, processing, and people who handle the products (Asterisk 4 of the Draft)

1) To extend the period of keeping the records on the documents on manufacturing and/or processing, and the ones related to the management of people who handle the products from the current three months to one year, to comply with the certificate validity period

G. Disciplinary measures for certified business operators that made violations shall be stricter (Asterisk 8 of the Draft)

1) Individuals shall be classified into a certified operator and a certified product, in order to prevent the confusion in implementing disciplinary measures

2) The criteria for punishment should be in place, in order to cancel the certification of a certified business operator if pesticide(including materials with pesticide components) is used in livestock farms or pesticide is detected in livestock products

3) Regulations shall be in place to order corrective measures at the first time of violation where organosynthetic agricultural chemicals or drugs for animal use are detected in livestock products, organic processed food, etc. due to Force Majeure, under the Standards for Handling Agricultural Produce

H. Requirements for Certification Authority shall be improved (Asterisk 9-2 of the Draft)

1) If a certification authority is approved only because it has past experience of reviewing certifications, the regulation of such certification shall be eliminated. A person with veterinary license shall be added to the list of qualified certification authority, in order to enhance expertise of livestock certification

I. Administrative dispositions of certified agencies shall be stricter (Asterisk 10 of the Draft)

1) If a certified agency rated as "moderate" and above succeeds the position of another certified agency, the number of violations the predecessor already made shall not be succeeded.

2) Punishment criteria for detailed items of designation shall be in place so that disciplinary measures can be applied according to the severity of a violation, when standard or criteria have been violated

J. To expand inspection on harmful components in notified organic agricultural materials (Asterisks 13 and 14 of the Draft)

1) To lay the foundation for the production of environmentally-friendly certified products that people can trust, by adding organosynthetic agricultural chemicals to the inspection list of harmful components in notified organic agricultural materials

**7. Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety

<b>8.</b>	<b>Relevant documents:</b> Ministry of Agriculture, Food and Rural Affairs (MAFRA) Public Notice No. 2018-237 (available in Korean)
<b>9.</b>	<b>Proposed date of adoption:</b> October 2018 or later <b>Proposed date of entry into force:</b> October 2018 or later
<b>10.</b>	<b>Final date for comments:</b> 60 days from notification
<b>11.</b>	<b>Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b>  Environment-Friendly Agriculture Division of the Ministry of Agriculture, Food and Rural Affairs (MAFRA) Tel.: +82-44-201-2432, 2433 Fax: +82-44-868-0483 E-mail: <a href="mailto:lfity@korea.kr">lfity@korea.kr</a>  <a href="https://members.wto.org/crnattachments/2018/TBT/KOR/18_3928_00_x.pdf">https://members.wto.org/crnattachments/2018/TBT/KOR/18_3928_00_x.pdf</a>