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Should there be any differences between the original Korean texts and the English translation, the original Korean texts shall prevail.

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ENFORCEMENT RULE OF THE FOOD SANITATION ACT

[Partially Amended, July 31, 2001, Ordinance of the Ministry of Health and Welfare,
No. 199, Ministry of Health and Welfare]

Article 1 (Purpose)

The purpose of the Enforcement rule is to define the matters delegated by the Food Sanitation Act and its Enforcement Decree as well as the matters necessary for their enforcement.

Article 2 (Sanitary Handling Criteria for Food, etc.)

The sanitary handling criteria for food, food additives, apparatus or container + package (hereinafter referred to as "food, etc.") according to Article 3, paragraph 3 of the Food Sanitation Act (hereinafter referred to as "the Act") shall be pursuant to Appendix 1. <amended December 20, 1996>

[Article 2 has been newly established on August 31, 1995]

[the previous Article 2 has moved to Article 2-2 <August 31, 1995>

Article 2-2 (Food, etc. Permitted for Sale, etc.)

Among food, etc. that is or is feared to be containing or stained with toxic or harmful materials, the food that Commissioner of the Korean Food and Drug Administration recognizes to be unharmed to human health and may not prohibit sale, etc. under the provisory clause of Article 4, subparagraph 2 of the Act shall pertain to one of the followings: <amended October 19, 1998>

1. if food conforms to the standard of food, etc. manufacturing, processing, etc. and the specification for ingredients (hereinafter referred to as "the standard and specification of food, etc.") under the provisions of Article 7, paragraphs 1 and 2 of the Act and Article 9, paragraphs 1 and 2 of the Act;

2. or if, when the abovementioned standard and specification are not available, Commissioner of the Korean Food and Drug Administration recognizes that food is not hazardous or is very unlikely to do harm to human health through deliberation at Food Sanitation Deliberation Council according to Article 42 of the Act. [wholly amended December 20, 1996]

Article 3 (Diseased Meat Prohibited from Sale, etc.)

“The diseases as prescribed by the Ordinance of the Ministry of Health and Welfare” in Article 5 of the Act refer to the followings: <amended November 30, 1989, October 19, 1998, December 29, 1999>

1. the livestock infectious diseases whose hosts are prohibited from slaughter according to Appendix 3, subparagraph 1(c), the Enforcement Decree of the Processing of Livestock Products Act.
2. listeriosis, salmonella infections, pasteurella infections, and trichinellosis

Article 4 (Recognition, etc. of Temporary Standard and Specification of Food, etc.)

- ① The food, etc. whose manufacturer + processor or importer shall submit the standard of manufacturing + processing and the specification for ingredients that may be temporarily recognized according to Article 7, paragraph 2 or Article 9, paragraph 2 of the Act (hereinafter referred to as “temporary standard and specification of food, etc.”) shall be the food additives and food, but not chemical synthetic compounds, and apparatus or container + package used for food or food additives among the food, etc. whose individual standard or specification are not specified according to Article 7, paragraph 1 or Article 9, paragraph 1 of the Act. <amended October 19, 1998>
- ② Temporary standard and specification of food, etc. according to paragraph 1 shall be examined by a food sanitation inspection agency (hereinafter referred

to as "food sanitation inspection agency") designated in accordance with Article 16 of the Act and then recognized by Commissioner of the Korean Food and Drug Administration. <amended October 19, 1998>

- ③ Examining temporary standard and specification of food, etc. according to paragraph 2, food sanitation inspection agency shall comply with the standard of inspection set up by Commissioner of the Korean Food and Drug Administration. <amended October 19, 1998>
- ④ When Commissioner of the Korean Food and Drug Administration recognizes that the inspection or examination done by food sanitation inspection agency according to paragraph 2 is not in conformity with the standards of inspection as described in paragraph 3, he/she may request that the food sanitation inspection agency rectify the nonconformity. <amended October 19, 1998>
- ⑤ Examining temporary standard and specification of food, etc. according to the paragraph 2, food sanitation inspection agency may request the person who has entrusted inspection to the agency to provide literature, materials and special reagents necessary for inspection. [wholly amended December 20, 1996]

Article 5 Deleted <August 31, 1995>

Article 6 (Scope of False Labelling, Exaggerated Advertisement and Exaggerated Package <amended on December 20, 1996>)

- ① Among acts of displaying or announcing information on the name, manufacturing method, quality, nutritional content, raw materials, ingredients or use of food through container • package or radio • TV • newspaper • journal • audio, video • press • billboard, etc. the scope of false labelling and exaggerative advertisement according to Article 11 of the Act shall pertain to one of the followings: <amended August 31, 1995, December 20, 1996, October 19, 1998, July 31, 2001>

1. Labelling or advertisement that is different in contents from what was permitted • registered or reported for business according to Article 22 of the Act or from what was reported for import according to Article 11 of the Act
2. Labelling or advertisement that may mislead public into thinking that the food is effective in curing disease or that the food is a medicinal product
3. Labelling or advertisement whose description of raw materials or ingredients is not true
4. Labelling or advertisement whose description of manufacturing date or shelf life is not true
5. Labelling or advertisement whose contents about research or discovery involved in food manufacturing are not broadly recognized by food science, nutritional science, etc. However, labelling or advertisement that cites literature on food science, nutritional science, etc. with regards to research or discovery involved in food manufacturing, correctly indicates such literature, and states the names of researcher(s) and literature and the date of publication(s) shall not fall under the category of false labelling and exaggerative advertisement.
6. Labelling or advertisement that uses a letter of appreciation, a certificate of merit (with the exception of a certificate of merit awarded according to government citation regulations for a reason directly related to the product) or a story of personal experiences of the product or uses "a rush of orders," "a professional organization recommends it" or similar expressions.
7. Labelling or advertisement that by using foreign language, etc. may mislead public into thinking that the product is of foreign origin or that the product is an outcome of technical cooperation with a foreign country.
8. Advertisement that slanders or is suspected of slandering products manufactured by other companies or that indirectly affects public perception about products manufactured by other companies by emphasizing contents that do not have a direct bearing on the product's manufacturing methods, quality, nutritional content, raw materials, ingredients or effects.

9. Labelling or advertisement that misleads or risks misleading public by using terms denoting "best" or "special," using ambiguous expressions such as "special manufacturing methods," or using English words such as "best," "most" and "special."
 10. Labelling or advertisement that uses an indecent design, picture, etc. affecting or running the risk of affecting society negatively or advertisement that uses a sound affecting or running the risk of affecting society negatively
 11. Advertisement that, by using the names of raw materials, etc. for chemical synthetic compounds, may mislead public into thinking that they are not chemical synthetic compounds
 12. Deleted <August 31, 1995>
 13. Advertisement that provokes the speculative mood by offering giveaways or selling premium (with the exception of the advertisements that are approved according to the Monopoly Regulation and Fair Trade Act)
- ② The scopes of labelling and advertisement that are not deemed to be false labelling or exaggerative advertisement according to paragraph 1 shall be pursuant to Appendix 3. <amended August 31, 1995, December 20, 1996>
- ③ The scope of exaggerated packages according to the provisions in Article 11 of the Act shall comply with the criteria for packing methods and packing materials according to Article 15, paragraph 1 of the Act on the Promotion of Saving and Recycling of Resources <amended August 31, 1995>
[wholly amended December 28, 1991]

Article 7 Deleted <August 8, 2000>

Article 8 Deleted <August 8, 2000>

Article 9 Deleted <August 8, 2000>

Article 10 Deleted <August 8, 2000>

Article 11 (Import Report for Food, etc.)

- ① A person who intends to report import according to Article 16, paragraph 1 of the Act (hereinafter referred to as "an import reporter,") shall submit the following documents (or in the case of import report using electronic data interchange, the documents except for those corresponding to subparagraphs 3 and 4) to head of the regional agency of the Korean Food and Drug Administration (limited to heads of Seoul, Busan and Gyeongin agencies of the Korean Food and Drug Administration) or head of the local National Quarantine Station (excluding heads of Incheon International Airport, Busan, Incheon and Gimhae National Quarantine Stations) that has jurisdiction over the area of clearance of imported food (or the area of clearance or storage in the case of apparatus or container + package). In such case, an import can be made starting from five days ahead of the date when food, etc. is expected to arrive. If major reported events such as arrival port or expected arrival date change, such change should be reported in writing immediately.

<amended August 31, 1995, May 18, 1996, December 20, 1996, October 19, 1998, December 29, 1999, August 8, 2000, July 31, 2001>

1. Import Report for Food, etc. according to the format of Enclosure Form 4
2. Deleted <December 29, 1999>
3. Review of Temporary Standard and Specification of Food, etc. issued by a food sanitation inspection agency (excluding chemical synthetic compounds and limited to food additives and food and apparatus or container + package used for food additives or food)
4. A copy of Item Manufacturing Report or a copy of Business permission (Registration) Certificate (It shall apply only when raw materials are imported to produce the company's own products.)

5. Inspection Results or Inspection Certificate [It shall apply only when food, etc. falls under the scope of laboratory inspection as specified in Appendix 6 Import Report & Inspection of Food, etc. and when the document is submitted as a result of successful laboratory inspection carried out by a local or foreign inspection agency approved by Commissioner of the Korean Food and Drug Administration (hereinafter referred to as "officially recognized inspection agency").]
 6. A packing paper that has a Korean label (including a packing paper that on the surface has a sticker with a Korean label) or a document that contains a Korean label
 7. Identity Preserved (IP) handling certificates [which hereinafter refer to documents certifying that the identity of the food falls under the category of the provisory clause of Article 10, paragraph 1 of the Act (hereinafter referred to as "Genetically Modified Food" or "GM Food") is preserved and managed at its seed purchasing, production, storage, segregation, delivery, and shipping processes.] or a certificate recognized by the relevant governments to have an equivalent effect with the IP handling certificates. This shall apply to the food that is to be labeled as GM Food and that does not bear any GM Food labels.
- ② "The case that is justified in accordance with the Ordinance of the Ministry of Health and Welfare" in Article 16, paragraph 2 of the Act refers to one of the followings: <established August 8, 2000>
1. The case where there is a need for inspecting compliance with the standard and specification of food, etc. and the labelling standard for food, etc. under the provisions of Article 10 of the Act
 2. The case where food may be sanitarilly harmful
 3. The case where Minister of Public Health & Welfare or Commissioner of the Korean Food and Drug Administration acknowledges the need for inspection for public health reasons after reviewing reports as to food sanitation hazards

③ Head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station shall carry out inspection for the food in question according to the methods of import report and inspection of food, etc. in Appendix 6, when receiving an import report of food, etc. according to paragraph 1 and, if the food is acknowledged to be compliant and if the import reporter wants it, shall issue a Certificate of Import Report of Food, etc. according to the format of Enclosure Form 5. However, they may issue a Certificate of Import Report of Food, etc., with conditions attached as necessary prior to reviewing inspection results. <amended August 31, 1995, May 18, 1996, December 20, 1996, October 19, 1998, August 8, 2000>

1. Fresh food

- a. marine products that are alive, fresh or refrigerated
- b. agricultural or forest products that are fresh or refrigerated (including those products whose small portion is rotten or damaged and yet can be sorted out)

2. Food, etc. that is imported as an urgent measure to meet supply and demand or control prices

3. Food that only slightly breaches the labelling standard according to Article 10 of the Act and can resolve the breach before they go into sales and distribution after customs clearance

4. Food, etc. that falls under the category of random sampling inspection as prescribed in the methods of import report and inspection of food, etc. in Appendix 6

④ For food, etc. pursuant to paragraph 3, subparagraph 3, head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station should report the matter to head of municipality (Si/Gun/Gu) who has jurisdiction over the place, and head of municipality should in turn inform head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station of the results of the

matter. <established August 31, 1995, May 18, 1996, October 19, 1998, December 29, 1999, August 8, 2000>

- ⑤ For food, etc. that is found to be unsuitable as a result of inspection according to paragraph 3, head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station should immediately notify the matter to the import reporter and head of customs according to the format of Enclosure Form 5-2. Then, the import reporter should take one of the following steps: <established August 31, 1995, May 18, 1996, October 19, 1998, August 8, 2000>
1. Return of the food, etc. to the exporting or another country
 2. Conversion for a purpose other than human consumption
 3. If there was only a minor breach of the specification for ingredients such as a lack of moisture and thus it is acknowledged that the resulting sanitation hazard can be sufficiently eliminated through processing, heating, usage limitations, etc, then the import reporter can choose to eliminate the hazard and make an import report again.
 4. Deleted <December 20, 1996>
 5. Food, etc. shall be destroyed in the cases other than subparagraph 1 or subparagraph 3.
- ⑥ Head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station should document the reports submitted according to paragraph 1 following the format of Enclosure Form 6 Register of Import Reports for Food, etc. and submit Import Reports Status Report for Food, etc. to Commissioner of the Korean Food and Drug Administration annually within one month after the completion of every year according to the format of Enclosure Form 7. However, if electronically processed, Register of Import Report of Food, etc. and Import Reports Status Report can be replaced by the output of their electronic counterparts. <amended May 18, 1996, October 19, 1998, December 29, 1999>

- ⑦ Deleted <December 29, 1999>
- ⑧ For food, etc. that is seized or confiscated in accordance with the Customs Act or other relevant laws, Import Report for Food, etc. and attached documents can be omitted. <amended October 19, 1998>
- ⑨ If food, etc. arrives later than the expected date of arrival previously reported according to the provisory clause of paragraph 1, the delay shall not be included in the civil petitions treatment period under the provisions of Article 3, the Enforcement Decree of Civil Petitions Treatment Act <established August 31, 1995, December 20, 1996, August 8, 2000>
- ⑩ Head of the regional agency of the Korean Food and Drug Administration or head of the National Quarantine Station can receive Import Report of Food, etc. specified in paragraph 1, issue Certificate of Import Report of Food, etc. specified in paragraph 3, or notify any noncompliance specified in paragraph 5 via electronic data interchange as determined by Commissioner of the Korean Food and Drug Administration <established October 19, 1998, August 8, 2000>
[wholly amended July 3, 1993]

Article 11-2 Deleted <November 30, 1989>

Article 11-3 Deleted <December 29, 1999>

Article 12 (Entry • Inspection, etc.)

- ① Entry • inspection, etc. according to Article 17 of the Act are carried out at any time if deemed necessary for public health and hygiene. <amended December 20, 1996>
- ② Notwithstanding the provisions of paragraph 1, for the business that is subjected to administrative disposition according to Article 53, entry • inspection, etc. should be carried out more than once within six months after the

administrative disposition was initially imposed. However, this shall not apply if the person(s) who are liable to administrative disposition make report on how they have addressed such administrative disposition. <established December 20, 1996>

- ③ A government employee who carries out entry + inspection, etc. according to paragraph 1 or 2 should record the results on Enclosure Form 8 Records of Entry + Inspection, etc. to be kept inside the business place in question. <amended December 20, 1996>.

[wholly amended July 3, 1993]

Article 13 (Amount of Collection, Request for Inspection, etc.)

- ① The food, etc. that can be collected free of charge according to Article 17, paragraph 1 of the Act and its amount shall be pursuant to Appendix 7. <amended November 30, 1989>
- ② If a relevant government employee collects food, etc. according to Article 17, paragraph 1 of the Act, he/she should fill in and issue Enclosure Form 9 Collection Certificate to the business place in question. <amended November 30, 1989>
- ③ The relevant government official who collects food, etc. according to Article 17, paragraph 1 of the Act should seal off and affix his/her seal, the seal of the person whose food, etc. is seized, etc. to the food, etc at the site of collection. <amended December 20, 1996>
- ④ Commissioner of the Korean Food and Drug Administration, the special or other metropolitan city mayor + Do governor, or head of municipality (Si/Gun/Gu) should entrust a food sanitation inspection agency with tasks of inspection for collected food, etc. without delay according to paragraph 3. <amended August 31, 1995, December 20, 1996, October 19, 1998, December 29, 1999>
- ⑤ Commissioner of the Korean Food and Drug Administration, the local

metropolitan city mayor • Do governor, head of municipality (Si/Gun/Gu) should fill out and maintain Enclosure Form 10 Collection-Based Inspection Records describing activities such as entry, collection and inspection. <amended November 30, 1989, July 3, 1993, August 31, 1995, December 20, 1996, October 19, 1998>

- ⑥ The certificate that indicates the authorities of the government employees who carry out entry, collection and inspection shall be pursuant to Enclosure Form 11. <amended November 30, 1989, July 3, 1993>

Article 14 (Inspection Methods, etc.)

- ① Entrusted with inspection tasks according to Article 13, paragraph 4, food sanitation inspection agency should carry out inspection according to the standard and specification of food, etc. However, when the organization that entrusts inspection tasks selects items for inspection food sanitation inspection agency can inspect the selected items only <amended December 20, 1996>
- ② If a food sanitation inspection agency entrusted with inspection tasks cannot carry out inspection due to deficiencies in technology or facilities, etc. it should immediately send the samples required to inspect the standard and specification of food, etc. (hereinafter referred to as "samples") to another food sanitation inspection agency, of which the organization that has entrusted inspection tasks should be informed. <amended August 31, 1995, August 8, 2000>
- ③ If a food sanitation inspection agency finds that the food, etc. it inspects does not comply with the standard and specification of food, etc., it should maintain a part of the samples for sixty (60) days after the completion of the inspection. However, this shall not apply if food, etc. is easily spoiled or difficult to store. <amended December 20, 1996>
- ④ A food sanitation inspection agency that carries out inspection should document and maintain inspection records. Inspection records should be kept

for three years after the date when the final record was entered. <amended July 3, 1993, August 31, 1995>

Article 15 (Inspection Results Report, etc.)

- ① Upon the completion of inspection, the food sanitation inspection agency should notify the organization which has entrusted inspection tasks of the result of the inspection according to Inspection Results, and if it is acknowledged that the product is subject to disposal according to Article 56, paragraph 1 of the Act, the intention toward disposal should be immediately notified to Commissioner of the Korean Food and Drug Administration, the local metropolitan city mayor • Do governor and the competent authorities by which the business was originally registered or permitted. Then the competent authorities should collect and dispose of the product in question without delay. <amended November 30, 1989, August 31, 1995, December 20, 1996, October 19, 1998>
- ② If a food sanitation inspection agency finds that the product that is permitted, registered or reported according to the Liquor Tax Act, the Fisheries Act, or the Ginseng Industry Act is not compliant with the standard and specification of food, etc., it should notify Commissioner of the Korean Food and Drug Administration of the noncompliance with such supportive materials as a copy of Inspection Results, a copy of Inspection Records and a copy of Collection Certificate. <amended December 20, 1996, October 19, 1998>

Article 16 (Designation of Food Sanitation Inspection Agency)

- ① The following organizations shall be designated as food sanitation inspection agencies according to Article 18 of the Act. <amended November 30, 1989, December 28, 1991, August 31, 1995, May 18, 1996, October 19, 1998, March 28, 2001>

1. Deleted <October 19, 1998>

2. Regional agencies of the Korean Food and Drug Administration
 3. National Quarantine Stations
 4. Regional Institutes of Health and Environment Research
 5. National Fisheries Products Quality Inspection Service (limited to the inspection of fisheries products)
- ② In addition to those listed in paragraph 1, additional food sanitation inspection agencies are designated among those organization that are equipped with inspection facility and human resources compliant with standards set up by Commissioner of the Korean Food and Drug Administration. <amended August 31, 1995, October 19, 1998, December 29, 1999>

Article 17 (Application for Designation as Food Sanitation Inspection Agency, etc.)

- ① The organization which intends to be designated as food sanitation inspection agency according to Article 16, paragraph 2 should fill in and submit Enclosure Form 12-2 Food Sanitation Inspection Agency Designation Application to Commissioner of the Korean Food and Drug Administration together with the following documents: <amended December 29, 1999>
1. Floor plan of laboratory
 2. List of machines and equipment necessary for inspection
 3. Document proving qualifications and careers of inspectors
 4. Provisions of inspection
- ② Provisions of inspection in paragraph 1, subparagraph 4 should include the following information: <amended December 29, 1999>
1. Inspection intervals by product type
 2. Procedure of inspection and sampling methods
 3. Inspection fees
 4. Details on issuance of Inspection Certificates
 5. Obligations for inspectors

6. Other conditions necessary for inspection

- ③ In designating a food sanitation inspection agency according to paragraph 1, Commissioner of the Korean Food and Drug Administration should fill in and issue Enclosure Form 12-3 Food Sanitation Inspection Agency Designation Certificate. <established December 29, 1999>

Article 17-2 (Notification of Change in Food Sanitation Inspection Agency)

In changing any of the followings, food sanitation inspection agency designated according to Article 16, paragraph 2 should notify Commissioner of the Korean Food and Drug Administration of the change by filling in and submitting Enclosure Form 12-4 Designation Details Change Report along with Food Sanitation Inspection Agency Designation Certificate.

1. Representative
2. Name or location of agency
3. Scope of food to be inspected
4. Inspection fees

[the Article established December 29, 1999]

Article 17-3 (Designation Cancellation, etc.)

When food sanitation inspection agency designated according to Article 16, paragraph 2 falls under one of the following situations, Commissioner of the Korean Food and Drug Administration can cancel its designation or order that its inspection service be suspended or corrected.

1. Forgery of inspection records
2. Failure to notify relevant changes
3. Absence of or false entries on Register of Inspections
4. Violation of provisions of inspection

[the Article established December 29, 1999]

Article 17-4 (Report, Guidance and Supervision, etc.)

- ① Food sanitation inspection agency designated according to Article 16, paragraph 2, report to Commissioner of the Korean Food and Drug Administration the result of its inspection activities within one month of every half year according to Enclosure Form 12-5.
- ② Commissioner of the Korean Food and Drug Administration can control the inspection capability of food sanitation inspection agency in order to secure reliability in the inspection result of food sanitation inspection agency.
- ③ Details on how to control the inspection capability of food sanitation inspection agency according to paragraph 2 shall be provided by Commissioner of the Korean Food and Drug Administration.

[the Article established December 29, 1999]

Article 18 (Maintenance of Register of Inspections)

- ① Food sanitation inspection agency should fill in and maintain Enclosure Form 12 Register of Inspections. <amended November 30, 1989>
- ② Register of Inspections should be maintained for three years after the date of final document entry.

Article 19 (Self-Quality Inspection)

- ① Self-quality inspection according to Article 19, paragraph 1 should be carried out according to Appendix 8 Self-Quality inspection Standard. <amended December 20, 1996, and August 8, 2000>
- ② When it is difficult for business operator to carry out self-quality inspection on its own according to paragraph 1 due to a lack of self-quality inspection facilities, etc., it can entrust food sanitation inspection agency with inspection tasks.
- ③ In the case of paragraph 2, if business operator wants to entrust self-quality inspection to a collaborative laboratory run by trade association or guild

among food sanitation inspection agencies, it can do so only for the food for which Commissioner of the Korean Food and Drug Administration has acknowledged that the collaborative laboratory has the inspection capability.
<amended October 19, 1998>

- ④ Records on self-quality inspection should be maintained for two years.
[wholly amended August 31, 1995]

Article 20 (Facility Criteria by Business Type)

The facility criteria by business type according to Article 21 of the Act shall be pursuant to Appendix 9. <amended August 31, 1995>
[wholly amended July 3, 1993]

Article 21 (Scope of Food Subdivision Business Registration)

- ① "Food or food additives specified by the Ordinance of the Ministry of Health and Welfare" in Article 7, subparagraph 5(a) of the Enforcement Decree of the Food Sanitation Act (hereinafter referred to as "the Decree") refer to food or food additives (including imported food or food additives) eligible for trade or business according to Article 7, subparagraphs 1 and 3 and honey (excluding the kind of honey that is collected, subdivided and packed all by the bee-farmer). However, sugars (excluding malt candy (or *yout*)), fish products, edible fat & oil, health supplementary food, special dietary food, canned + bottled food, retorted food, powder products such as starch, soy and bean paste, liquefied products such as vinegar, and ginseng products should not be used for subdivision and sale. <amended August 31, 1995, December 20, 1996, December 29, 1999, and August 8, 2000>
- ② If the person(s) permitted or registered for manufacturing food or food additives intend to engage in food subdivision business for the sole purpose of subdividing and packaging the products of their own manufacturing in a place other than the one permitted or registered for manufacturing, they can

register themselves for food subdivision business even for the food that does not fall under the scope of food subdivision business registration according to paragraph 1. <amended November 30, 1989, December 20, 1996, and December 29, 1999>

③ Deleted <August 31, 1995>

Article 21-2 (Scope of Registration for Other Food Sale)

“Department stores, supermarkets and chain stores, etc. that exceed a certain size specified by the Ordinance of the Ministry of Health and Welfare” in Article 7, subparagraph 5(b)(9) of the Decree refer to those department stores, supermarkets and chain stores, etc. whose business space exceeds 300m². <amended December 20, 1996>

[the Article established August 31, 1995]

Article 22 (Business Permission Application)

① The person(s) who intend to get a business permission according to Article 22, paragraph 1 of the Act should fill out and submit Enclosure Form 13 and the following documents to the competent authorities according to Article 10 of the Decree. <amended December 20, 1996, December 2, 1997, October 19, 1998, and December 29, 1999>

1. Deleted <December 29, 1999>
2. Documents describing the type and manufacturing method of food additive to be manufactured (only when manufacturing is necessary)
3. Deleted <December 20, 1996>
4. Certificate of Installation Inspection of Liquefied Petroleum Gas (LPG) Facilities (only when those who intend to set up a public karaoke bar according to Article 7, subparagraph 8(c) of the Decree or an amusement restaurant according to Article 7, subparagraph 8(d) of the Decree are required to receive the installation inspection for LPG facilities according to Article 29, paragraph 2

- of the Safety Control and Business Regulation of Liquefied Petroleum Gas Act)
5. Training certificate (limited to those who have already received training according to Article 27, paragraph 2 of the Act)
 6. Deleted <December 29, 1999>
 7. Excursion ship or ferry business license or registration certificate (limited to those who intend to set up food service business on the floating structure of an excursion ship or ferry)
 8. Water quality inspection certificate issued by a drinking water quality inspection agency according to the Management of Drinking Water Act (only when not tap water but ground water, etc. is used to manufacture food, etc. or cook or clean food)
 9. Certificate of complete preparation of fire-fighting and fire-preventive facility issued by head of the district fire station according to Article 8-2 of the Fire Services Act (limited to those who intend to set up a public karaoke bar according to Article 7, subparagraph 8(c) of the Decree or an amusement restaurant according to Article 7, subparagraph 8(d) of the Decree)
- ② When the competent authorities cannot internally verify the pertinence of the applicant to Article 24, paragraph 1(e) or (f) or details about urban planning and the use of the structure, it can request that the applicant submit not only the documents mentioned in paragraph 1 but also records necessary for identity validation, a confirmation document of urban planning, or a certified copy of building register. <amended December 20, 1996, October 19, 1998, December 29, 1999>
- ③ When the competent authorities grants a business permission, the permission should follow Enclosure Form 14 if the business is subject to Article 7, subparagraph 3, or subparagraph 6(a) and the permission should follow Enclosure Form 14-2 if the business is subject to Article 7, subparagraph 8(c) or (d), respectively. The competent authorities should update and maintain Enclosure Form 14-3 or its electronic equivalent register for business subject

to Article 7, subparagraph 3 or 6(a), and Enclosure Form 14-4 or its electronic equivalent for business subject to Article 7, subparagraph 8(c) or 8(d), respectively. <amended October 19, 1998, December 29, 1999>

④ If business operator has lost a certificate of business permission or had it worn out and thus wants to have a certificate reissued, the business operator must apply to the competent authorities for reissue with the following document attached.

1. Statement of justification, if the certificate has been lost
2. Worn-out certificate, if the certificate has unusably worn out
[wholly amended August 31, 1995]

Article 23 (Permission Details Change)

① Deleted <December 29, 1999>

② The person(s) who intend to get approval for permission change according to Article 22, paragraph 1 of the Act or Article 11 of the Decree should fill in and submit Enclosure Form 15 Business permission Details Change Application to the competent authorities along with Business permission Certificate and the following documents. When the competent authorities cannot internally verify details about urban planning and the use of the structure, it can request that the applicant(s) submit a confirmation document of urban planning, or a certified copy of building register. <amended December 29, 1999>

1. Documents describing the type and manufacturing method of food additive to be manufactured (only when manufacturing is necessary)
2. Certificate of Installation Inspection of Liquefied Petroleum Gas (LPG) Facilities (only when those who want to set up a public karaoke bar according to Article 7, subparagraph 8(c) of the Decree or an amusement restaurant according to Article 7, subparagraph 8(d) of the Decree are required to receive the installation inspection for LPG facilities according to Article 29, paragraph 2 of

the Safety Control and Business Regulation of Liquefied Petroleum Gas Act)

3. Excursion ship or ferry business license or registration certificate (limited to those who want to set up a public karaoke bar according to Article 7, subparagraph 8(c) of the Decree or an amusement restaurant according to Article 7, subparagraph 8(d).
 4. Water quality inspection certificate issued by drinking water quality inspection agency according to Management of Drinking Water Act (only when not tap water but ground water, etc. is used to manufacture food, etc. or cook or clean food)
 5. Certificate of complete preparation of fire-fighting and fire-preventive facility issued by head of the district fire station according to Article 8-2 of the Fire Services Act (limited to those who intend to set up a public karaoke bar according to Article 7, subparagraph 8(c) of the Decree or an amusement restaurant according to Article 7, subparagraph 8(d) of the Decree)
- ③ Deleted <December 29, 1999>
- ④ When the business operator who has been granted a business permission according to Article 22, paragraph 1 of the Act changes the following, the business operator should fill in and submit Enclosure Form 15 Business permission Details Change Report to the competent authorities with Business permission Certificate. However, this shall not apply if the change is about the transfer of the status as business operator according to Article 33. <amended October 19, 1998, December 29, 1999>
1. Name of business operator (or name of representative in the case when the business operator is a corporation)
 2. Title or trade name of business place
 3. When business operator prepares to manufacture new food additives by introducing additional facilities as required for food additives manufacturing according to Article 7, paragraph 3 of the Decree
[wholly amended August 31, 1995]

Article 24 Deleted <December 20, 1996>

Article 24-2 (Scope of Spot-Sale Food Manufacturing + Processing Business)

The food that is eligible for spot-sale food manufacturing + processing business shall be pursuant to Appendix 11.

[wholly amended August 31, 1995]

Article 25 (Item Manufacturing Report, etc.)

① The food manufacturer + processor in Article 7, subparagraph 1 of the Decree and the food additives manufacturer in Article 7, subparagraph 3 who are requested to submit an item manufacturing report according to Article 22, paragraph 6 of the Act should fill in and submit Enclosure Form 20 Item Manufacturing Report to the competent authorities along with the following documents either prior to the initiation of manufacturing or within 7 days after the initiation of manufacturing. If the food manufacturer + processor entrusts food manufacturing + processing to a third party, the truster should submit the item manufacturing report. <amended October 19, 1998, and August 8, 2000>

1. Description of manufacturing methods
2. Review of Temporary Standard and Specification of Food, etc. issued by a food sanitation inspection agency (limited to food additives, excluding chemical synthetic compounds, and apparatus or container + package used for food and food additives)
3. Deleted <December 29, 1999>

② When the competent authorities receives an item manufacturing report according to paragraph 1, it should document and maintain the contents according to Enclosure Form 16-2 Item Manufacturing Report Register.

[wholly amended December 20, 1996]

Article 26 (Change of Item Manufacturing Report, etc.)

- ① If the person(s) who submitted an item manufacturing report according to Article 25 intend to change the name of the product in question or change major raw materials according to the standard and specification of food, etc. (hereinafter referred to as "major raw materials"), they should fill in and submit Enclosure Form 23 Item Manufacturing Change Report to the competent authorities. However, if they intend to change the name of the product in question or change major raw materials to manufacture food, etc. for export, they may not report such changes.
- ② If the persons(s) who submitted an item manufacturing report according to Article 25 intend to extend the shelf life of the product in question, they should fill in and submit Enclosure Form 24 Shelf-life Extension Report to the competent authorities along with a statement of justification <amended December 29, 1999>
[wholly amended December 20, 1996]

Article 27 (Business Registration, etc.)

- ① The persons(s) who intend to register their business according to Article 22, paragraph 5 of the Act or Article 13 of the Decree should prepare facilities necessary for business and then fill in and submit Enclosure Form 25 Business Registration Report to the competent authorities along with the following documents. <amended August 31, 1995, December 20, 1996, October 19, 1998, December 29, 1999, and July 31, 2001>
 1. Deleted <December 29, 1999>
 2. Training certificate (only those who have already received training according to Article 27, paragraph 2 of the Act)
 3. Documents describing the type and manufacturing method of food to be manufactured (limited to business subject to Article 7, subparagraphs 1 and 2 of the Act)

4. Facility rent contract (only when a garage or car wash is rented for food transportation business)
5. Water quality inspection certificate issued by a drinking water quality inspection agency according to the Management of Drinking Water Act (only when not tap water but ground water, etc. is used to manufacture food, etc. or cook or clean food)
6. Certificate of Installation Inspection of Liquefied Petroleum Gas (LPG) Facilities (limited to the person(s) who are required to receive the installation inspection for LPG facilities according to Article 29, paragraph 2 of Safety Control and Business Regulation of Liquefied Petroleum Gas Act among those who want to set up a restaurant (rest area) according to Article 7, subparagraph 8(a) of the Decree or a general restaurant according to Article 7, subparagraph 8(b))
7. Excursion ship or ferry business license or registration certificate (limited to those who want to set up a restaurant (rest area) according to Article 7, subparagraph 8(a) of the Decree or a general restaurant according to Article 7, subparagraph 8(b) on the floating structure of an excursion ship or ferry)
8. Certificate of complete preparation of fire-fighting and fire-preventive facility issued by the head of the district fire station according to Article 8-2 of the Fire Services Act (limited to the type of business that is requested to acquire a certificate of complete preparation of fire-fighting and fire-preventive facility according to Article 8-2 of the Fire Services Act)
9. Document that describes the type and location of food vending machines (limited to those cases when two or more food vending machines are installed, given serial control numbers, and registered collectively)
- ② In the case of business registration according to paragraph 1, for food sale according to Article 7, subparagraph 5, even if the same person(s) intend to engage in food vending machine, edible ice sale and other food sale inside the same facility, they should submit a business registration report separately for each business type. <amended July 3, 1993, December 29, 1999>

- ③ In the case of registration for food vending machine business according to paragraph 1, if two or more food vending machines are set up and run for business in the same Eup/Myon/Dong according to Article 3, paragraph 4 of the Local Autonomy Act, the food vending machines can be given serial control numbers and registered collectively. <established December 29, 1999>
- ④ When the competent authorities cannot internally verify details about urban planning and the use of the structure, it can request that not only the documents specified in paragraph 1 but also a confirmation document of urban planning and a certified copy of building register be submitted. However, when the person(s) intend to engage in food subdivision + sale business according to Article 7, subparagraph 5, or set up a restaurant (rest area) according to Article 7, subparagraph 8(a), or a general restaurant according to Article 7, subparagraph 8(b) in state or city railroad stations, the competent authorities can request that, in place of a confirmation document of urban planning and a certified copy of building register, they submit a permission of state property commercial use in the case of state railroad stations and a document of city railroad facility use contract signed with the operator of the city railroad in question in the case of city railroad stations, respectively. <amended August 31, 1995, October 19, 1998, December 20, 1999>
- ⑤ Upon receiving reports according to paragraph 1, the competent authorities should without delay issue a certificate of business registration following the format of Enclosure Form 26 for the business subject to Article 7, subparagraph 1, 2 or 7 of the Decree and issue a certificate of business registration following the format of Enclosure Form 26-2 for the business subject to Article 7, subparagraph 4, 5, 6(b), 8(a) or 8(b). <amended December 29, 1999>
- ⑥ After issuing a certificate of business registration according to paragraph 5, the competent authorities should update and maintain a business registration

register according to Enclosure Form 14-3 or its electronic equivalent in the case of the business subject to Article 7, subparagraph 1, 2, 4, 5, 6(b) or 7 of the Decree, and a business registration register according to Enclosure Form 14-4 or its electronic equivalent in the case of the business subject to Article 7, subparagraph 8(a) or 8(b) of the Decree, respectively. <established December 29, 1999>

- ⑦ Receiving a business registration report according to paragraph 1, the competent authorities should verify the report within one month after it issues a certificate of business registration. <established December 29, 1999>
- ⑧ If business operator has lost a certificate of business registration or had it worn out and thus wants to have a certificate reissued, the business operator must apply to the competent authorities for reissue with the following document attached.
 1. Statement of justification, if the certificate has been lost
 2. Worn-out certificate, if the certificate has unusably worn out
[wholly amended November 30, 1989]

Article 28 (Business Registration Change)

- ① Deleted <August 8, 2000>
- ② The person who intends to submit a change report according to Article 13-2 of the Decree should fill in and submit a Registration Change Report to the competent authorities along with a certificate of business registration. However, in the case of a change in location, Article 27, paragraph 1 shall be applied. <amended November 30, 1989, August 31, 1995, August 8, 2000>

Article 29 (Business Cessation Report)

The person who intends to submit a business cessation report according to Article 22, paragraph 4 or 5 should fill in and submit Enclosure Form 29 Report to the competent authorities along with a certificate of business permission or

business registration. <amended November 30, 1989, August 31, 1995, and August 8, 2000>

Article 30 Deleted <August 8, 2000>

Article 31 Deleted <August 8, 2000>

Article 31-2 Deleted <August 31, 1995>

Article 32 (Report of Business permission, etc.)

- ① After head of the regional agency of the Korean Food and Drug Administration or head of municipality (Si/Gun/Gu) delegated according to Article 53 of the Decree issues a business permission according to Article 22, paragraph 1 or 5 of the Decree (limited to food additives manufacturing business and food irradiation business) or receives a business registration report (limited to food manufacturing + processing business in Article 7, paragraph 1 of the Decree), head of the regional agency of the Korean Food and Drug Administration and head of municipality (Si/Gun/Gu) should report the matter to Commissioner of the Korean Food and Drug Administration and the local metropolitan city mayor + Do governor, respectively, within 15 days according to Enclosure Form 31. After the local metropolitan city mayor + Do governor receives reports from head of municipality (Si/Gun/Gu), they should compile and submit the reports to Commissioner of the Korean Food and Drug Administration within 20 days after the completion of every quarter of year. <amended December 20, 1996, October 19, 1998, December 29, 1999>
- ② As to business permissions or registrations for food manufacturing + processing business for which fisheries products are used as major raw materials, head of municipality (Si/Gun/Gu) delegated according to Article 53 of the Decree should fill in and submit Enclosure Form 32 to Minister of Maritime Affairs

and Fisheries within 20 days after the completion of every quarter of year.
<amended December 20, 1996, December 29, 1999>

- ③ When Commissioner of the Korean Food and Drug Administration, or the local metropolitan city mayor + Do governor finds that any business permissions or registrations submitted to them are noncompliant, they can request that the competent authorities take corrective action. In this case, head of the regional agency of the Korean Food and Drug Administration or head of municipality (Si/Gun/Gu) should take corrective action without delay and within 10 days report the result of corrective action to Commissioner of the Korean Food and Drug Administration or head of the regional agency of the Korean Food and Drug Administration who requested the corrective action be taken. <amended November 30, 1989, August 31, 1995, October 19, 1998, December 29, 1999>

Article 33 (Report of Succession of Status as Business Operator)

- ① The person who intends to report the succession of the status as business operator according to Article 25, paragraph 3 of the Act should fill in and submit Enclosure Form 33 Business Operator Status Succession Report to the competent authorities along with the documents that prove the succession of rights [in the case of transfer, documents that prove the transfer and a certificate of the transferer's authorized seal impression (excluding food vending machine business); in the case of inheritance, the heir's family register and documents that prove the status as the heir; in other cases, documents that substantiate the succession of the status as business operator appropriately for each case]. However, if a certificate of the transferer's authorized seal impression cannot be submitted as the transferer is unaccounted for (or the transferer has moved out without any notification as required by the Resident Registration Act) but the competent authorities can acknowledge, through verification, etc., that the transfer has been made or the transferer and transferee visit the competent authorities together and submit a

business operator status succession report. a certificate of the transferer's authorized seal impression may not have to be submitted. <amended December 20, 1996, July 31, 2001>

- ② When the competent authorities cannot internally verify the pertinence of the applicant to Article 24, paragraph 1, subparagraph 5 of the Act, it can request that the applicant submit not only the documents mentioned in paragraph 1 but also records necessary for identity validation. <amended August 8, 2000>
- ③ When the person(s) who submit a business operator status succession report according to paragraph 1 intend to change the name or trade name of the business place according to Article 23, paragraph 4, subparagraph 2 or Article 28, paragraph 1, subparagraph 2, such changes can be included in the report as well. <established December 29, 1999>
[wholly amended August 31, 1995]

Article 34 (Those Subject to Health Examination)

- ① Subject to health examination according to Article 26, paragraph 1 of the Act are those who directly engage in the collection, manufacturing, processing, cooking, storage and transportation of food or food additives (excluding chemical synthetic food additives). However, those business operators or employees who engage in transporting or selling completely packaged food or food additives are excluded. <amended August 31, 1995, December 20, 1996>
- ② Health examination as specified in paragraph 1 shall follow the health examination rule for those with sanitarily critical professions, etc

Article 35 (Diseases that Prohibit Engagement in Business)

Prohibited from engaging in business according to Article 26, paragraph 4 of the Act are those who have contracted the following diseases. <amended November 30, 1989, December 8, 1991, July 3, 1993, and July 31, 2001>

- 1. Contagious Disease Group 1 according to Article 2, paragraph 1, subparagraph

- 1 of the Prevention of Contagious Disease Act
2. Tuberculosis (excluding noncontagious tuberculosis) in Contagious Disease Group 3 according to Article 2, paragraph 1, subparagraph 3 of the Prevention of Contagious Disease Act
3. Skin disease, other suppurative disease
4. Deleted <July 31, 2001>
5. Acquired Immune Deficiency Syndrome (limited to those who engage in the type of business that requires health examination for venereal diseases according to Article 8 of the Prevention of Contagious Disease Act)

Article 36 (Those Subject to Sanitation Education)

- ① Minister of Health and Welfare can request that those who fall under one of the following subparagraphs receive sanitation education. <amended August 8, 2000>
 1. Business operators and employees of the business where contagious disease according to Article 2 of the Prevention of Contagious Disease Act may escalate into a food-borne epidemic or collective food poisoning may break out and spread, undermining public health
 2. Business operators who were subjected to administrative disposition due to their violations of the Act or relevant regulations (including those who were subjected to penalty according to Article 65 of the Act)
- ② For those business operators and employees in islands or remote areas for whom the competent authorities acknowledges that it is difficult to attend education and training, education materials according to Article 37-3 can be distributed, understood and applied, taking the place of sanitation education <amended on December 29, 1999, August 8, 2000>
[wholly amended July 3, 1993]

Article 37 (Sanitary Education Agency, etc.)

- ① Sanitary education providers according to Article 27, paragraph 6 shall be those agencies or organizations dedicated to sanitary education, designated and announced by Minister of Health and Welfare. <amended December 29, 1999, August 8, 2000>
- ② The contents of sanitary education include food sanitation, personal sanitation, food sanitation policy, etc. and details about sanitary education shall be determined by Minister of Health and Welfare.
[wholly amended August 31, 1995]

Article 37-2 (Education Hours)

- ① A person who intends to engage in the business pursuant to Article 27, paragraph 2 of the Act shall receive sanitary education for the following hours.
<amended August 8, 2000>
 - 1. Business subject to Article 7, subparagraph 1 or 3 of the Decree : 12 hours
 - 2. Business subject to Article 7, subparagraph 4 or 7 of the Decree : 4 hours
 - 3. Business subject to Article 7, subparagraph 8 of the Decree : 6 hours
- ② Notwithstanding the provisions of paragraph 1, in case when a person intends to engage in the business in an island or remote area or where the competent authorities acknowledges that a person may have difficulty receiving advance education due to business preparation, the competent authorities can request that, according to its own provisions, they receive sanitary education within 3 month after the issuance of business permission or the submission of business registration report. <amended August 8, 2000>
- ③ If a person who received the first sanitary education according to paragraph 1 or 2 intends to engage in the business whose type is either the same as the one for which he already received the first sanitary education or one of the followings within 2 years after the date of the first sanitary education, it is acknowledged that the person has completed the first sanitary education. The same shall apply when a person changes the type of business from the one

subject to Article 7, subparagraph 1 or 3 of the Decree to the one subject to Article 7, subparagraph 4 or 7-1. <amended October 19, 1998, December 29, 1999, August 8, 2000>

1. Restaurant (rest area) business under Article 7, subparagraph 8(a) of the Decree and general restaurant business under Article 7, subparagraph 8(b)
 2. Public karaoke bar business under Article 7, subparagraph 8(c) of the Decree and amusement restaurant business under Article 7, subparagraph 8(d) of the Decree
 3. Food manufacturing + processing business under Article 7, subparagraph 1 of the Decree, spot-sale food manufacturing + processing business under Article 7, subparagraph 2 of the Decree, and food additives manufacturing business under Article 7, subparagraph 3 of the Decree
- ④ Deleted <December 29, 1999>
[wholly amended August 31, 1995]

Article 37-3 (Education Materials, etc.)

- ① Sanitary education agencies under Article 37, paragraph 1 should prepare and provide education materials for the recipients.
- ② Sanitary education agencies shall issue a certificate of completion to the recipients upon their completion of education, report the result of education to the competent authorities within 1 month after education and to Minister of Health and Welfare by January of the next year, respectively. Sanitary education agencies shall also maintain records on education such as a register of issued certificates for more than 2 years. <amended August 31, 1995, December 29, 1999>
[wholly amended July 3, 1993]

Article 38 Deleted <August 8, 2000>

Article 39 Deleted <August 8, 2000>

Article 40 (Obligations for Food and Food Additives Manufacturers or Processors)

The responsibilities of food and food additives manufacturers and processors subject to Article 29, paragraph 1 of the Act and Article 31, paragraph 1 of the Act shall be pursuant to Appendix 12. <amended August 8, 2000>

[wholly amended December 20, 1996]

Article 41 (Report of Production Results, etc.)

① Report of production results, etc. for food and food additives according to Article 29, paragraph 2 of the Act shall follow the format of Enclosure Form 35 and should be submitted within 3 month after the completion of the year in question. <amended November 30, 1989, December 20, 1996, October 19, 1998, December 29, 1999>

② Once a business operator submits a report according to paragraph 1, the report should be then presented to Commissioner of the Korean Food and Drug Administration through head of municipality (Si/Gun/Gu) and the local metropolitan city mayor + Do governor in case when the competent authorities is head of municipality (Si/Gun/Gu) on the one hand, and through head of the local agency of the Korean Food and Drug Administration in case when the competent authorities is head of the local agency of the Korean Food and Drug Administration, on the other. <amended November 30, 1989, August 31, 1995, October 19, 1998>

Article 42 (Obligations, etc. for Food Service Business Operators, etc.)

① Food service business operators under Article 31, paragraph 1 of the Act shall be pursuant to Appendix 13. <amended August 8, 2000>

② Business subject to Article 17-2, subparagraph 4 of the Decree includes the followings. <amended October 19, 1998>

1. Food transportation business under Article 7, subparagraph 4 of the Decree
2. Food irradiation business in food storage under Article 7, subparagraph 6 of the Decree

[wholly amended August 31, 1995]

Article 43 (Designation of Excellent or Exemplary Business Places, etc.)

- ① Designation of excellent or exemplary business place according to Article 32, paragraph 1 of the Act shall conform to the following. <amended October 19, 1998>
 1. Excellent business place shall be designated by Commissioner of the Korean Food and Drug Administration or the local metropolitan city mayor • Do governor.
 2. Exemplary business place shall be designated by head of municipality (Si/Gun/Gu).
- ② Food manufacturing • processing business under Article 7, paragraph 1 of the Decree as well as food additives manufacturing business under Article 7, paragraph 3 shall be classified into excellent business places and general business places, while general restaurant businesses under Article 7, paragraph 8(b) shall be classified into exemplary business places and general business places. In this case, the criteria for classification shall be pursuant to Appendix 14 Excellent and Exemplary Business Places.
- ③ For the business places designated as excellent or exemplary according to paragraph 2, Commissioner of the Korean Food and Drug Administration, the local metropolitan city mayor • Do governor, and head of municipality (Si/Gun/Gu) can allow them to label a mark of excellent business place on the food or food additives produced by the business place in question or post a sign of exemplary business place whose standards are determined by Commissioner of the Korean Food and Drug Administration on the inside or outside of the business place in question. Entry • inspection according to

Article 17 of the Act may be exempted for 2 years since the date of designation as excellent or exemplary business place, unless the business place in question is subjected to revocation of designation according to Article 32, paragraph 3 of the Act.

<amended October 19, 1998>

[wholly amended December 20, 1996]

Article 44 (Dieticians Responsibilities, etc.)

① Dieticians shall perform the following duties according to Article 35 of the Act.
<amended November 30, 1989, August 31, 1995>

1. Menu preparation, food inspection and control of food servicing
2. Review and control of purchased food
3. Sanitary control of mass catering facility
4. Maintenance of a chart of mass catering operation
5. Nutritional and sanitary education for employees

② When a person who runs mass catering service appoints or dismisses a dietician, the person should submit to the competent authorities a report following the format of Enclosure Form 36. <amended November 30, 1989>

Article 45 Deleted <August 8, 2000>

Article 46 (Cook License Application, etc.)

① A person who intends to get a cook license according to Article 36 of the Act should fill in and submit Enclosure Form 37 Cook License Application to the local metropolitan city mayor + Do governor along with two photographs (taken within recent 6 months; hat off and the upper half of the body; 3.0cm x 4.0cm) and the following documents <amended November 30, 1989>

1. Medical certificate issued by a public health center, hospital or other medical institution with the same or higher capacity level that proves the cook does

not fall under Article 38, subparagraph 1 or 3 of the Act.

2. Copy of National Cook Certificate according to the National Technical Qualifications Act

- ② When the local metropolitan city mayor + Do governor grants a cook license, they should update Enclosure Form 38 Cooks List and issue a cook license following the format of Enclosure Form 38. <amended November 30, 1989>

Article 47 (License Reissue, etc.)

- ① If a cook has lost the license or had it worn out, the cook should fill in and submit Enclosure Form 37 Cook License Reissue Application to the local metropolitan city mayor + Do governor along with two photographs (taken within recent 6 months; hat off and the upper half of the body; 3.0cm x 4.0cm) and the license (only when it has unusably worn out). <amended March 4, 1988, November 30, 1989>
- ② When there is a change in details of the license, the cook should fill in and submit Enclosure Form 40 Cook License Details Change Application to the local metropolitan city mayor + Do governor along with the license and documents that verify the change. <amended November 30, 1989>

Article 48 (Cook License Return)

When a cook has the license cancelled according to Article 63 of the Act, the cook should return the license to the local metropolitan city mayor + Do governor without delay.

Article 49 (Education of Cooks and Dieticians)

In accordance with Article 40 of the Act, if Minister of Health and Welfare acknowledges that contagious disease according to Article 2 of the Prevention of Contagious Disease Act may escalate into a food-borne epidemic or collective food poisoning may break out and spread, undermining public health, the Minister

can rule that the cooks and dieticians who fall under one of the following subparagraphs receive education. <amended December 29, 1999, August 8, 2000>

1. Cooks engaging in food service business or mass catering service place that is required to hire a cook according to Article 18 of the Decree
2. Dieticians engaging in mass catering service place that is required to hire a dietician according to Article 19 of the Decree or dieticians engaging in a food, etc. manufacturing + processing business place.

[wholly amended August 31, 1995]

Article 50 (Methods of Education, etc.)

- ① Deleted <December 29, 1999>
- ② Minister of Health and Welfare can entrust education pursuant to Article 49 to relevant organizations or sanitary education providers pursuant to Article 37, paragraph 1 of the Act. <amended August 31, 1995, December 29, 1999, August 8, 2000>
- ③ The agencies or organizations entrusted with education according to paragraph 2 should provide education and report the result of education to Minister of Health and Welfare. <amended December 29, 1999, August 8, 2000>

Article 51 Deleted <August 8, 2000>

Article 52 (Seizure, etc.)

- ① If the competent government employee(s) seize food, etc. according to Article 56 of the Act, they should issue Seizure Certificate following the format of Enclosure Form 9. <amended November 30, 1989>
- ② The certificate that indicates the authorities of the government employee who seizes or discards food, etc. shall follow the format of Enclosure Form 11. <amended August 31, 1995>

Article 53 (Criteria for Administrative Disposition)

Administrative disposition according to Article 55, 59 or 63 of the Act shall be pursuant to Appendix 15. <amended August 31, 1995, December 20, 1996>

[wholly amended July 3, 1993]

Article 54 (Notice of Business Closing, etc.)

When the competent authorities cancels a business permission, suspends a business, or rule closure of business place according to Article 58 of the Act, it should post a notice that describes the name of the business place, the nature and period of the administrative disposition, etc. on the business place in question, entrance or other conspicuous position.

Article 55 (Register of Administrative Dispositions, etc.)

① When the competent authorities implements an administrative disposition according to Article 55, 59, 62 or 63 of the Act or carries out an inquiry according to Article 64 of the Act, it should fill in and maintain Enclosure Form 41 Register of Administrative Dispositions and Inquiries. <amended August 31, 1995, December 20, 1996, August 8, 2000>

② When head of the regional agency of the Korean Food and Drug Administration or head of municipality (Si/Gun/Gu) cancels a business permission according to Article 58 of the Act, or rule closure of business place according to Article 62 of the Act, the name and resident registration number of the business operator in question, justification of cancellation or closure, the date of cancellation or closure, etc. should be reported, in the case of head of the regional agency of the Korean Food and Drug Administration, to the heads of the other regional agencies of the Korean Food and Drug Administration and, in the case of head of municipality (Si/Gun/Gu), via the local metropolitan city mayor • Do governor to the other metropolitan city mayors and Do governors, respectively. <amended October 19, 1998>

③ When head of the regional agency of the Korean Food and Drug Administration or head of municipality (Si/Gun/Gu) imposes an administrative disposition for one of the following subparagraphs according to Article 58, 59 or 62 of the Act, they should report the name and business permission (registration) number of the business place in question, the content of violation, the nature, period and item name of the administrative disposition following the format of Enclosure Form 45 to Commissioner of the Korean Food and Drug Administration. In this case, head of municipality (Si/Gun/Gu) should submit the report via the local metropolitan city mayor • Do governor. <established on October 19, 1998>

1. Food manufacturing • processing business pursuant to Article 7, subparagraph 1 of the Decree
2. Food additives manufacturing business pursuant to Article 7, subparagraph 3 of the Decree
3. Distribution specialized sale business pursuant to Article 7, subparagraph 5(b)(6)
4. Food, etc. import & sale business pursuant to Article 7, subparagraph 5(b)(8)
5. Container • package manufacturing business pursuant to Article 7, subparagraph 7

Article 56 (Collection Procedure, etc. of Penalty and Fines)

- ① Exempted from penalty under the provisory clause of Article 65, paragraph 1 of the Act are those pursuant to Appendix 15. <established on July 3, 1993>
- ② Collection of penalty under Article 39 of the Decree and collection of fines under Article 54, paragraph 5 of the Decree shall be pursuant to the tax collectors' administrative rule. In this case, the payment notice should include payment methods and period. <amended August 31, 1995>

Article 57 (Report of Food Poisoning Patients or Dead Bodies)

- ① Report prepared by a doctor or herb doctor according to Article 67, paragraph 1 of the Act should include the following:

1. Address and name of the reporter
 2. Address, name, resident registration number and location (only in the case of dead body) of a patient poisoned, suspected to be poisoned by food, or killed by food poisoning
 3. Cause of food poisoning
 4. Date of outbreak
 5. Date of diagnosis or inspection
- ② Report controlled by the local metropolitan city mayor • Do governor according to Article 67, paragraph 3 of the Act and Article 41 of the Decree shall be pursuant to Enclosure Form 42. <amended November 30, 1989>

Article 58 (Mass Catering Service Registration, etc.)

- ① Registration of mass catering service according to Article 69, paragraph 1 of the Act shall be pursuant to Enclosure Form 43. <amended November 30, 1989>
- ② The competent authorities that has received a business registration report according to paragraph 1 should issue a certificate of business registration following the format of Enclosure Form 44. <established November 30, 1989, July 31, 2001>
- ③ If a person running mass catering service has lost a certificate of mass catering business registration or had it worn out and thus wants to have a certificate reissued, the person should fill in and submit Enclosure Form 28 to the competent authorities along with one of the following documents. <established November 30, 1989>
 1. Statement of justification, if the certificate has been lost
 2. Worn-out certificate, if the certificate has unusably worn out

Article 59 (Fees)

Fees according to Article 73 of the Act shall be pursuant to Appendix 16. If the

central government handles permission, licensing or registration, fees shall be paid in state revenue stamps. If a municipality handles permission, licensing or registration, fees shall be paid in revenue stamps issued by the municipality in question. However, when import report of food, etc. according to Article 11, paragraph 10 is submitted through electronic data interchange, cash payment can be made through a financial institution designated by Commissioner of the Korean Food and Drug Administration or a government office dedicated to postal and telegraphic service. <amended November 30, 1989, December 29, 1999, August 8, 2000>

ADDENDA <No. 798, March 28, 1987>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Reissue of Certificate of Business Permission or Business Registration)

For a person who has been granted a certificate of business permission or business registration according to previous provisions at the time this rule enters into force, if only the previous competent authorities or previous business type has been substituted for, the current competent authorities should reissue a certificate of business permission or business registration according to Article 22 by December 31, 1987.

Article 3 (Transitional Measures concerning Labelling Standard of Food, etc.)

① Labelling standard for food, etc. manufactured and sold within 1 year after this rule enters into force by a person who has submitted a business registration

report or received a business permission according to previous provisions before this rule enters into force shall be subject to the previous provisions.

- ② Labelling standard for food, etc. imported within 1 year after this rule enters into force by an importer of food, etc. shall be subject to the previous provisions.

Article 4 (Transitional Measures concerning Change of Facility Criteria by Business Type)

Any person who has been granted a certificate of business permission or business registration according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for each business type according to Article 20 within 1 year after this rule enters into force. However, a vending machine for tea products set up or manufactured before the rule enters into force shall be considered to be pursuant to this rule.

Article 5 (Transitional Measures concerning Restriction on Business Place of Foreigners-only Amusement Restaurants)

Restriction on business place of foreigners-only amusement restaurants according to 6. Food Service + Cooking and Sale Business, Appendix 7 Facility Criteria by Business Type shall not apply if the business place has received a business permission before this rule enters into force.

Article 6 (Transitional Measures concerning Number of Dieticians)

A person operating mass catering service who is required to hire more dietician(s) as this rule enters into force should hire dietician(s) whose number is pursuant to Article 45 within 1 year after this rule enters into force.

Article 7 (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition at the time this rule enters into force shall be subject to the previous provisions.

ADDENDA (Amended rule of the Tourism Business Act) <No. 857, July 7, 1987>

Article 1 (Enforcement Date)

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

Article 2 (Amendment of Other Statutes)

① and ② Deleted

③ Enforcement rule of the Food Sanitation Act shall be amended as follows:

In [Appendix 4] subparagraph 3(a)(1), "Article 21 of the Tourism Business Act" shall be replaced by "Article 4 of the Tourism Promotion Act."

④ Deleted

Articles 3 through 11 Deleted

ADDENDA <No. 814, March 4, 1988>

① (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions in Appendix 9, subparagraph 10 and Appendix 10, subparagraph 24 shall enter into force 3 month after this rule enters into force.

② (Transitional Measures concerning Labelling Standard)

Labelling standard for food, etc. manufactured and soled within 6 months (3 months in the case of ginseng products) after this rule enters into force by any

person who has received a business permission or submitted a business registration report at the time this rule enters into force shall be subject to the previous provisions.

③ (Transitional Measures concerning Facility Criteria)

Any person who has been granted a business permission according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for the corresponding business type according to the amended provisions of Appendix 7 within 1 year after this rule enters into force.

ADDENDA <No. 835, November 30, 1989>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions in (e) Facility Criteria for Food Vending Machine Business (2) through (4) and (7), 3. Facility Criteria for Food Subdivision + Sale Business, Appendix 3 Facility Criteria by Business Type shall enter into force from December 1, 1990.

Article 2 (Transitional Measures concerning Reissue of Certificate of Business Permission or Business Registration)

For a person who has been granted a certificate of business permission or business registration according to previous provisions at the time this rule enters into force, if the previous competent authorities or previous business type has been replaced, the current competent authorities should reissue a certificate of business permission or business registration according to Article 22 or 27 by March 31, 1990.

Article 3 (Transitional Measure concerning Item Manufacturing Permission or

Item Manufacturing Registration)

- ① Items subject to item manufacturing registration under the amended provisions of Article 24 or Appendix 9 among those items that have received item manufacturing permissions according to the previous provisions at the time the rule enters into force shall be considered to be registered according to the amended provisions of Article 25.
- ② Items newly subject to item manufacturing permission or registration under this rule among those items that have been manufactured + processed based on business permissions or registrations pursuant to previous provisions at the time this rule enters into force should be permitted or registered for manufacturing by June 30, 1990.

Article 4 (Transitional Measures concerning Labelling Standard of Food, etc.)

Labelling standard for food, etc. manufactured + processed or imported based on business permissions or registrations pursuant to previous provisions at the time this rule enters into force can be subject to the previous labelling standard by June 30, 1990.

Article 5 (Transitional Measures concerning Shelf-Life)

Any person who has manufactured + processed food based on a food manufacturing + processing permission or item manufacturing permission pursuant to previous provisions at the time this rule enters into force should submit to the competent authorities a shelf life and a letter of justification for the shelf-life for each item according to the amended provisions in Article 25, paragraph 1, subparagraph 3 by June 30, 1990.

Article 6 (Transitional Measures concerning Change of Facility Criteria by Business Type)

- ① Any person who has received a business permission or submitted a business

registration report under previous provisions at the time this rule enters into force (excluding those business operators whose business type pursuant to the provisions of Article 3, paragraph 1 of the Addenda of the Amendment Decree of the Enforcement Decree of the Food Sanitation Act, Presidential Decree No. 12755, has been replaced and those business operators who are commissioned to process rice cakes according to Article 4 of the Addenda) should prepare facility suitable for the facility criteria for each business type according to the amended provisions of Appendix 8 by December 31, 1990.

- ② Notwithstanding the provisions of paragraph 1, in case when the size of workplace or business place has become greater than before according to the facility criteria for each business type of the amended provisions of Appendix 8, the previous provisions shall continue to apply and food vending machines set up prior to December 1, 1990 shall be considered to be pursuant to this rule.

Article 7 (Transitional Measures concerning Mass Catering Service Shared by Dietician(s))

If any person operating mass catering service according to previous provisions at the time this rule enters into force has been shared by dietician(s), they should employ and manage dietician(s) according to the amended provisions of Article 45, paragraph 2 by June 30, 1990.

Article 8 (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition at the time this rule enters into force shall be subject to the previous provisions.

Article 9 (Transitional Measures concerning Installation of Business Sign among Obligations for Food Service Business Operators)

Among those permitted for business pursuant to Article 7, subparagraph 7 or 8 of

the Decree at the time this rule enters into force, any person who carries on business with a business sign noncompliant to the amended provisions of subparagraph 13 of Appendix 13 Obligations for Food Service Business Operators, etc. should install a business sign pursuant to the amended provisions by March 31, 1990.

ADDENDA <No. 859, December 22, 1990>

① (Enforcement Date)

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

② (Transitional Measures concerning Change in Food Service Business Permission and Business Sign)

Among those permitted for business pursuant to Article 7, subparagraph 7 or 8 of the Decree at the time this rule enters into force, any person who is permitted for business with a trade name noncompliant to the amended provisions of subparagraph 13 of Appendix 13 Obligations for Food Service Business Operators, etc. should submit a trade name change report and change the display of the sign in accordance with this rule by February 28, 1991.

③ (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition at the time this rule enters into force shall be subject to the previous provisions. If any person who has received a first or second administrative disposition according to previous provisions is in violation again, it shall be considered to be the first violation of this rule. If any person who has received a third administrative disposition according to previous provisions is in violation again, it shall be considered to be the second violation of this rule.

ADDENDA <No. 885, December 28, 1991>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, confectionaries manufacturing, fish products manufacturing, soybean curd manufacturing, soy and bean paste in condiments manufacturing under Appendix 10, subparagraph 1(b) and television advertisements under Appendix 12, subparagraph 14 or and the provisions of subparagraph 20 of Appendix 13 Obligations for Food Subdivision • Sale • Transportation Business Operators shall enter into force on January 1, 1993.

Article 2 (Transitional Measures concerning Labelling Standard of Food, etc.)

- ① Labelling standard for food, etc. manufactured and sold within 1 year after this rule enters into effect by a person who has been registered or permitted for business according to previous provisions before this rule enters into force shall be subject to the previous provisions.
- ② Labelling standard for food, etc. imported within 1 year after this rule enters into force by an importer of food, etc. shall be subject to the previous provisions.

Article 3 (Transitional Measures concerning Criteria for Administrative Dispositions)

- ① Any person who has been under an administrative disposition at the time this rule enters into force shall be subject to the previous provisions.
- ② If any person who was subjected to administrative disposition by violating subparagraph 9 of Appendix 13 Obligations for Food Service Business Operators and Food Cooking, Sale Business Operators once or by violating subparagraph 32 once or twice according to previous provisions violates the

same provisions, it shall be considered to be the first violation of this rule. If any person who was subjected to administrative disposition by violating subparagraph 9 twice or by violating subparagraph 32 three times according to previous provisions violates the same provisions, it shall be considered to be the second violation of this rule.

Article 4 (Special Cases concerning Product Names)

If 5 years or more have passed since item manufacturing was permitted at the time this rule enters into force or a trade name was registered according to the Trademark Act, the amended provisions of Article 6, paragraph 1, subparagraph 9 shall not apply. If less than 5 years have passed since item manufacturing was permitted at the time this rule enters into force, the product name should be replaced by the one that is pursuant to this rule within 2 years after this rule enters into force.

ADDENDA <No. 910, July 3, 1993>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, green report under Article 11-3 and sanitary education under Articles 36 through Article 37-3 shall enter into force on January 1, 1994.

Article 2 (Transitional Measures concerning Labelling Standard of Food, etc.)

① The labelling standard of the food, etc. manufactured and sold within 1 year after this rule enters into effect by a person who has been registered or permitted for business according to previous provisions before this rule enters into force shall be subject to the previous provisions.

- ② Labelling standard for food, etc. imported within 1 year after this rule enters into force by an importer of food, etc. shall be subject to the previous provisions.

Article 3 (Transitional Measures concerning Criteria for Administrative Dispositions)

- ① In case when the criteria for administrative disposition has been strengthened by this rule toward a person who has been under administrative disposition at the time this rule enters into force, the previous provisions shall be applied..

Article 4 (Transitional Measures for Change of Facility Criteria by Business Type)

- ① Any person who has been permitted or registered for business according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for each business type according to the amended provisions of Appendix 8 by June 30, 1994.

Article 5 (Transitional Measures concerning Business Type Indication among Obligations for Food Service Business Operators, etc.)

Any person who is operating a coffee and tea house or a confectionary store whose business type has been changed to restaurant (rest area) business in food service business according to Article 7, subparagraph 8 of the Act at the time this rule enters into force can optionally indicate the title of coffee and tea house or confectionary store under the previous provisions in parallel with the title of restaurant (rest area), in accordance with the indication of business type among responsibilities of business operators.

ADDENDA <No. 10, August 31, 1995>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions of Article 5, Appendix 9, subparagraph 1, and Appendix 13, subparagraph 2(c) shall enter into force on January 1, 1996.

Article 2 (Transitional Measures concerning Labelling Standard of Food, etc.)

Labelling standard for food, etc. manufactured + processed + sold or imported by a person permitted or registered for business according to previous provisions at the time this rule enters into force can be subject to the previous provisions until December 31, 1997.

Article 3 (Transitional Measures concerning Self-Quality Inspection)

Among those who have been permitted or registered for business according to previous provisions and engage in food, etc. manufacturing + processing business at the time this rule enters into force, any person subject to self-quality inspection under the amended provisions of Article 19 should carry out self-quality inspection from September 1, 1996.

Article 4 (Transitional Measures for Change of Facility Criteria by Business Type)

Any person who has been permitted or registered for business according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for each business type according to the amended provisions of Appendix 9 by December 31, 1996.

Article 5 (Transitional Measures concerning Reissue of Certificate of Business Permission or Business Registration)

For a person who has been permitted or registered for business according to

previous provisions at the time this rule enters into force, if the previous competent authorities or previous business type has been substituted for, they should be reissued with a certificate of business permission or business registration according to Article 22 or 27 by June 30, 1996.

Article 6 (Transitional Measures concerning Business Registration of Health Supplementary Food Sale, etc.)

Any person carrying on health supplementary food sale under Article 7 of the Decree at the time this rule enters into force and any person required to be newly registered for food sale at department store, etc. among other food sale according to the amended provisions of Article 21-2 should prepare facility suitable for the facility criteria for the business and submit to the competent authorities a business registration report by June 30, 1996.

Article 7 (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition at the time this rule enters into force shall be subject to the previous provisions.

ADDENDA <No. 22, May 18, 1996>

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

ADDENDA <No. 41, December 20, 1996>

① (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions of subparagraph 11 of Appendix 12 Obligations for Food and

Food Additives Manufacturers • Processors and item(p) of Appendix 13, 2. Obligations for Food Subdivision • Sale • Transportation Business Operators shall enter into force on January 1, 1997.

② (Transitional Measures for Change of Facility Criteria by Business Type)

Any person who has been permitted or registered for business according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for each business type according to the amended provisions of Appendix 9 by June 30, 1998.

③ (Transitional Measures concerning Reissue of Certificate of Business Permission)

For any person who has been permitted or registered for food manufacturing • processing business (frozen sweets, powder products, compressed edible oil, pickle, hard-boiled food, pickled fish, extracted food or Korean sausage (*soondae*)) according to previous provisions at the time this rule enters into force and intends to change the business type to spot-sale food manufacturing • processing business or any person who is permitted for spot-sale food manufacturing • processing business and engages in processing double-boiled goat products, head of municipality (Si/Gun/Gu) should receive their applications until April 30, 1997 and newly issue certificates of business permission under the amended provisions of Article 22.

④ (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition at the time this rule enters into force and any administrative disposition implemented to a person whose violation was caught before this rule enters into force shall be subject to the previous provisions.

ADDENDA (Enforcement rule of the Fire Services Act) <No. 723, December 2, 1997>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions of Article 9-2, Article 29-2, Article 49 through Article 55-2, Article 86-2 and Article 93-4 shall enter into force on March 8, 1998.

Articles 2 through 5 Deleted

Article 6 ① through ② Deleted

③ The Enforcement rule of the Food Sanitation Act shall be amended as follows:

"Fire-fighting facility" and "certificate of complete preparation of fire-fighting facility" under Article 22, paragraph 1, subparagraph 9 shall be replaced by "fire-fighting and fire-preventive facility, etc." and "certificate of completed preparation of fire-fighting and fire-preventive facility," respectively.

"Fire-fighting facility" under Appendix 9, subparagraph 8, item (b), (1)(d), (2)(f) and (3)(d) shall be replaced by "fire-fighting and fire-preventive facility, etc."

In subparagraph 8 of Enclosure Form 13, "fire-fighting facility" and "certificate of complete preparation of fire-fighting facility" shall be replaced by "fire-fighting and fire proof facility, etc." and "certificate of completed preparation of fire-fighting and fire-preventive facility," respectively.

ADDENDA <No. 83, October 19, 1998>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the

amended provisions of Article 37-2, paragraphs 2 and 3 shall enter into force on January 1, 1999.

Article 2 (Transitional Measures concerning Labelling Standard of Food, etc.)

- ① Labelling standard for food, etc. manufactured and sold within 1 year after this rule enters into effect by a person who has been registered or permitted for business according to previous provisions before this rule enters into force shall be subject to the previous provisions, notwithstanding the amended provisions of Article 6, paragraph 1.
- ② Labelling standard for food, etc. imported within 1 year after this rule enters into force by an importer of food, etc. shall be subject to the previous provisions, notwithstanding the amended provisions of Article 6, paragraph 1.

Article 3 (Transitional Measures concerning Product Inspection Fees)

Fees for product inspection applied according to previous provisions should be subject to the previous provisions, notwithstanding the amended provisions of Article 7, paragraph 3.

Article 4 (Transitional Measures concerning Major Business Facility Change Report)

Any person permitted to change major business facility such as the kitchen of food establishment according to previous provisions at the time this rule enters into force shall be considered to have submitted a change report according to the amended provisions of Article 23, paragraph 4, subparagraph 3.

Article 5 (Transitional Measures concerning Reissue of Certificate of Business permission)

For any person who has been permitted or registered for food manufacturing • processing business or restaurant (rest area) business for natural spice, fruit and

vegetable processed products, fried food or corn processed products for pop corn according to previous provisions at the time this rule enters into force and intends to change their business type to spot-sale food manufacturing + processing business, head of municipality (Si/Gun/Gu) should receive their change applications until December 31, 1998 and newly issue certificates of business permission under the amended provisions of Article 22.

Article 6 (Transitional Measures concerning Criteria for Administrative Dispositions)

Any person who has been under an administrative disposition and any administrative disposition implemented to a person caught before this rule enters into force shall be subject to the previous provisions.

ADDENDA <No. 139, December 29, 1999>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions of Appendix 6, paragraph 3 and Appendix 16, paragraph 3 shall enter into force on January 1, 2000.

Article 2 (Transitional Measures concerning Reissue of Certificate of Business Registration)

① For those who have been permitted for food manufacturing + processing business, spot-sale food manufacturing + processing business, food freezing + refrigeration business, or restaurant (rest area) or general restaurant business in food service business according to previous provisions at the time this rule enters into force, head of municipality (Si/Gun/Gu) should newly issue

certificates of business registration to them by March 31, 2000 according to the amended provisions of Article 27.

- ② For any person who intends to change their business type to spot-sale food manufacturing + processing business among those who have been permitted or registered for food manufacturing + processing business or restaurant (rest area) business for malt candy (*yout*), fish products (excluding fish paste, and semi-processed fish products), soybean curd, tea products (excluding instant coffee), rib-products, dried meat and other meat processed products and spot-sale dried food according to previous provisions at the time this rule enters into force, head of municipality (Si/Gun/Gu) should receive their applications until March 31, 2000 and newly issue certificates of business registration under the amended provisions of Article 27.
- ③ Any person who carries on the business of 2 or more food vending machines in the same Eup/Myon/Dong according to Article 3, paragraph 4 of the Local Autonomy Act and intends to register the food vending machines collectively should register the business by March 31, 2000.

Article 3 (Transitional Measures concerning Change of Facility Criteria)

Any person who has been permitted or registered for business according to previous provisions at the time this rule enters into force should prepare facility suitable for the facility criteria for each business type according to the amended provisions of Appendix 9 by June 30, 2000.

Article 4 (Transitional Measures concerning Criteria for Administrative Disposition)

The criteria for administrative disposition toward violations before this rule enters into force shall be subject to the previous provisions.

ADDENDA <No. 166, August 8, 2000>

① (Enforcement Date)

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

② (Transitional Measures concerning Criteria for Administrative Disposition)

The criteria for administrative disposition toward violations before this rule enters into force shall be subject to the previous provisions.

ADDENDA (Enforcement rule of the Organization of the Ministry of Maritime Affairs and Fisheries and Its Affiliates) <No. 185, March 28, 2001>

Article 1 (Enforcement Date)

This rule shall enter into force on March 29, 2001.

Article 2 Deleted

Article 3 (Amendment of Other Statutes)

① through ④ Deleted

⑤ The Enforcement rule of the Food Sanitation Act shall be amended as follows:

In Article 16, paragraph 1, subparagraph 5, "National Fisheries Products Inspection Station" shall be replaced by "National Fisheries Products Quality Inspection Service."

ADDENDA <No. 199, July 31, 2001>

Article 1 (Enforcement Date)

This rule shall enter into force on the date of its promulgation. However, the amended provisions of Appendix 12, subparagraph 12-2 and Appendix 13, subparagraph 2(s) shall enter into force on January 1, 2002.

Article 2 (Duration of Regulations)

The amended provisions of Article 11, paragraph 1, subparagraph 7 and Appendix 13, subparagraph 2(t) with regards to attached documents for the import and report of GM Food shall remain valid for 5 years after the date this rule enters into force.

Article 3 (Transitional Measures concerning Spot-Sale Food Manufacturing • Processing Business Registration for Ginseng Products)

Among those who have been registered for food manufacturing • processing business or restaurant (rest area) business according to previous provisions at the time this rule enters into force and manufacture • process ginseng products that fall under spot-sale food manufacturing • processing business according to the amended provisions of Appendix 11, any person who intends to change their business type to spot-sale food manufacturing • processing business and submits a business type change report according to Article 27 by December 31, 2001 may not submit the documents as specified in the subparagraphs of Article 27, paragraph 1 and is exempted from fees pursuant to Article 59.

Article 4 (Transitional Measures concerning Criteria for Administrative Disposition)

The criteria for administrative disposition toward violations committed before this rule enters into force shall be subject to the previous provisions.