Required Report: Required - Public Distribution **Date:** April 01, 2022

Report Number: KS2022-0008

Report Name: Food and Agricultural Import Regulations and Standards Country Report

Country: Korea - Republic of

Post: Seoul

Report Category: FAIRS Annual Country Report

Prepared By: Chung, Seung Ah

Approved By: Neil Mikulski

Report Highlights:

This report outlines the specific requirements for food and agricultural product imports into the Republic of South Korea. Updates to the 2022 FAIRS Report are included in Sections V, VI, VII and Appendix II.

Disclaimer

This report was prepared by the Office of Agricultural Affairs (OAA) of the USDA/Foreign Agricultural Service in Seoul, Korea for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of regulatory requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **Final import approval of any product is subject to Korea's rules and regulations as interpreted by border officials at the time of product entry.**

Table of Contents

Executive Summary

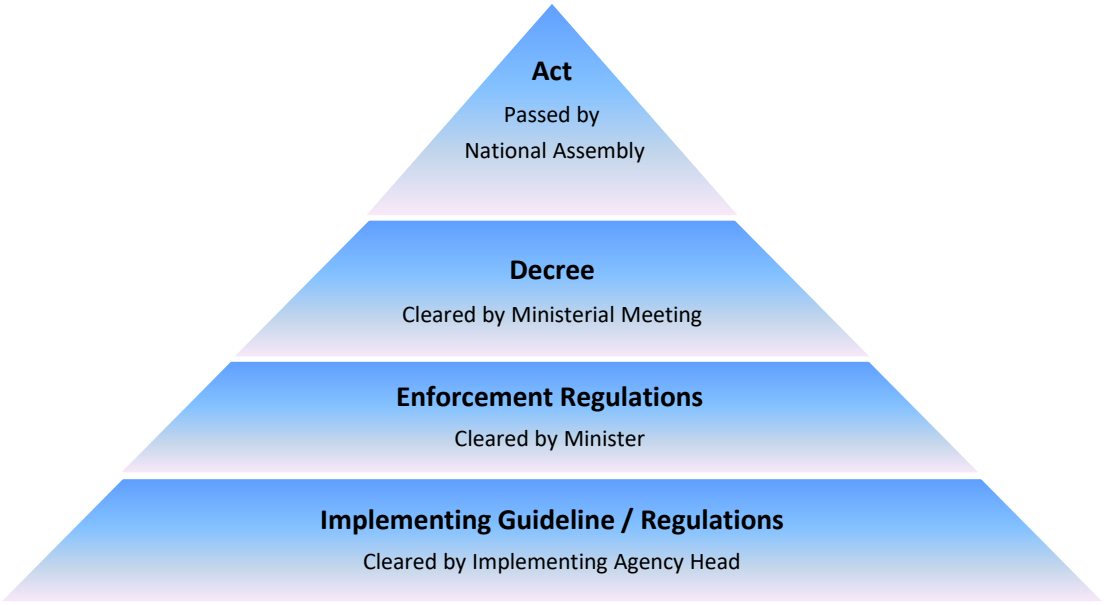
Korea is the United States' fifth largest agricultural export market, and the United States is leading supplier of agricultural and food products to Korea. Korea relies heavily on imports of agricultural and food products as domestic production accounts for only 45 percent of its total annual food demand. Korean consumers and traders recognize the United States as a trusted source for imported agricultural products that are of high quality and value. The Korea-United States Free Trade Agreement (KORUS FTA), implemented in March 2012, has increased export opportunities for U.S. products by reducing tariff and non-tariff barriers to trade. In general, Korea maintains a science-based regulatory system and strictly adheres to the rules governing the importation of agricultural products. The two primary ministries with oversight of the Korean food safety system are the Ministry of Food and Drug Safety (MFDS) and the Ministry of Agriculture, Food and Rural Affairs (MAFRA).

Section I. Food Laws

Korea maintains a modern legal system based on a fixed hierarchy. Under this framework, an act or law legislated by the National Assembly provides the legal basis for government regulations. A draft bill may be submitted by a National Assembly member or a competent government ministry to be considered by the country's National Assembly.

Under each act, enforcement decrees and regulations are drawn up by the responsible ministry to implement the law. Accordingly, the competent ministry or agency also promulgates notices and guidelines to the public as well as provides detailed guidance and clarification when needed. The simplified chart below highlights Korea's legislative hierarchy.

Legal System



Proposed new and/or revised acts, enforcement decrees, enforcement regulations, and the implementing guidelines are published in the government gazette for public comment. These changes are also notified to the WTO for international comments. Additionally, the Korea Legislation Research Institute has translated many of these acts and some enforcement decrees into English to strengthen cooperation with trading partners and multinational firms doing business in Korea.

Over the past decade, Korea has adopted a more science-based approach towards food regulations. However, at times, Korean regulations are ambiguous and may cause confusion and misinterpretation among relevant stakeholders. Also, Korea's regulatory process is influenced by vocal industry and consumer groups, as well as politicians. In some cases, regulators show deference to protectionist- driven views when drafting regulations. Historically, Korea modeled its regulatory approach on the system established in the United States; however, due to NGO influence, Korea's current regulatory posture emulates more of a European precautionary approach to food safety.

Occasionally, Korean regulators will cite consumers' rights as the basis for introducing new food regulations without considering its scientific merit.

The major ministries and agencies regulating the Korean food system are the Ministry of Food and Drug Safety (MFDS), the Ministry of Agriculture, Food and Rural Affairs (MAFRA), the Ministry of Trade, Industry and Energy (MOTIE), and the Prime Minister's Office (PMO). In 2013, all food safety-related authority, including import inspection of livestock products, was transferred to MFDS (formerly known as the Food & Drug Administration), and MFDS was upgraded to ministry status. The purpose behind this consolidation of food safety-related authority was to enable MFDS greater oversight in managing Korea's food sector.

The following is a brief description of each organization's role and the relevant acts and regulations that govern their respective operations.

A. Ministry of Food & Drug Safety (MFDS):

MFDS's role is to protect public health and safety, including the safety of food and livestock products. MFDS, with its six regional offices and the National Institute of Food & Drug Safety Evaluation, is responsible for establishing and enforcing food regulations as well as setting standards and specifications for domestic and imported foods to include livestock products (including eggs and dairy products), functional foods, food additives, and food packaging, containers, and equipment. MFDS establishes the guidelines for implementing the Hazard Analysis of Critical Control Point (HACCP) programs and labeling of food and livestock products. In addition, MFDS sets and implements regulations governing safety evaluations of agricultural products that have been enhanced through biotechnology and labeling requirements for both agricultural products and processed food products using genetically engineered (GE) ingredients. Several key MFDS regulations are listed below.

- The Food Sanitation Act is the legal basis for the food safety-related work conducted by MFDS. Among other things, pesticide and veterinary drug standards are governed under this law.

- Functional Food Act provides the legal basis for MFDS's oversight of functional foods, such as health foods and nutritional supplements.

- Special Act on Children's Dietary Life Safety Management provides the legal basis for MFDS's determination and oversight of food products consumed by children. This act restricts the sales and advertisement of high-calorie, low-nutrient food products and high caffeine food, and introduces a voluntary color-coded labeling system.

- Special Act on Imported Food Safety Management provides a framework for imported food policies. This act was implemented on February 4, 2016 and consolidated all imported food regulations. Some provisions s introduced in the Special Act were designed to better manage imported food, such as pre-registration of foreign facilities. For details on the Special Act, See Section VI.

- Food Labeling and Advertisement Act is the legal basis for labeling of food and livestock products. With the establishment of this new Act in 2018, MFDS merged labeling standards for food and livestock products into "Labeling Standards for Food."

- Food Code stipulates standards and specifications for manufacturing, processing, usage, cooking, and storage of food, equipment containers and packaging. It establishes testing methods and specifies maximum residue levels for agricultural chemicals and veterinary drugs, radioactive standards, and contaminants. To unify the management system of food and livestock products, MFDS merged the Livestock Code into the Food Code in 2017 and implemented the unified management system in 2018. The English translation of the Food Code provided by MFDS can be found on the following website: Food Code

- Food Additive Code defines specifications for individual food additives and usage standards. See Section IV for more details on additive requirements.

- Labeling Standards for Food provides guidance on how to comply with MFDS's Korean language labeling requirements for food products including livestock products and imported food. See Section II for details on labeling requirements.

- Labeling Standards for Genetically Modified Food combines three labeling standards: Labeling Standards for Recombinant Food, Guidelines for Labeling of Genetically Modified Agricultural Products, and Labeling Standards in the LMO Act. The combined standard outlines requirements for the labeling of biotech crops and food, including processed food products. In 2017, MFDS implemented a new biotech labeling requirement to expand mandatory labeling for all detectable products.

- Functional Food Code contains general standards and specifications governing functional foods, and individual standards and specifications for functional food categories.

- Inspection Guidelines for Imported Food is a checklist for imported food products detailing testing, sampling, and other pertinent inspection standards.

- Livestock Product Sanitary Management Act specifies requirements for the slaughter and handling of livestock as well as the processing, distribution, and inspection of livestock products. The Act is the legal basis for sanitary standards for livestock products.

B. Ministry of Agriculture, Food and Rural Affairs (MAFRA):

MAFRA establishes and enforces regulations pertaining to overall agricultural policy and quarantine inspection of agricultural products, including livestock, dairy, and forestry products. There are several agencies under MAFRA, including the Animal and Plant Quarantine Agency (APQA), the National Agricultural Product Quality Management Service (NAQS), and the Rural Development Administration (RDA).

APQA is responsible for quarantine and sanitary control of animal and plant products with the goal of "Improving the Animal Disease Quarantine System and Securing the Safety of Agriculture and

Livestock Products." APQA is responsible for preventing the introduction of harmful pests and diseases originating from imported plant and plant products. The agency's organization chart (English) shows the various subdivisions and their respective areas of responsibility.

NAQS overseas quality standards and grades for agricultural products, enforcing country of origin marks, and enforcing organic labeling for fresh fruits, vegetables, grains, and processed food products in the marketplace. They also provide organic certifier accreditation for both non-processed organic produce and processed organic products. In addition, NAQS determines organic equivalency with foreign countries.

Several key MAFRA/APQA/NAQS regulations are listed below.

- MAFRA's Quarantine Policy Division (QPD) sets import health requirements for live animals and animal products. The certification requirements for U.S. livestock products are available on USDA's Food Safety & Inspection Service (FSIS) website.

- Plant Protection Act (excerpts in English) safeguards agricultural and forestry production by establishing quarantine regulations for imported and domestic plants.

- Korea's Import Plant Inspection Guideline defines inspection procedures for imported plants and plant materials and establishes specific principles for the inspection and disposition of imported plants.

- The Agricultural Products Quality Management Act includes provisions governing country of origin marks, geographical indication (GI), traceability, etc., for agricultural products.

- Korea's Act on the Management and Support for the Promotion of Eco-Friendly Agriculture/Fisheries and Organic Foods seeks to promote a sustainable eco-friendly agriculture/fishery industry. This consolidated act is the legal basis for MAFRA's organic certification program for both fresh produce and processed food products and equivalency for processed organic products.

- The Guideline for Country of Origin (COO) for Agricultural Products provides Korea's COO labeling requirements for domestic agricultural products and raw materials used in domestically processed agricultural products. COO labeling of imported agricultural products is required under Article 33 of the Foreign Trade Act.

C. Ministry of Trade, Industry and Energy

Korea's Ministry of Trade, Industry and Energy (MOTIE) has authority for implementation of the Cartagena Protocol on Biosafety (CPB). Korea ratified the Cartagena Protocol on Biosafety (CPB) in 2007. In 2008, Korea implemented the Act on Living Modified Organisms, or LMO Act, which is the implementing legislation for the CPB and the overarching law governing the country's biotechnology-related rules and regulations. For more information on Korea's biotech regulatory system, please refer to the Biotech Annual Report for Korea in the FAS GAIN system. The LMO Act and associated regulations are identified below.

- LMO Act: implements the Cartagena Protocol on Biosafety to ensure the safe development, production, importation, exportation, and commercialization of living modified organisms. This Act provides guidance on import approval, mandatory risk assessment, and labeling of living modified organisms (LMO) or genetically engineered commodities.

- Enforcement Decree of the LMO Act: establishes the responsibilities of relevant government agencies, procedures for the importation, production, export notification, and transit report of LMOs, procedures for designating the agencies responsible for risk assessments and specialized review agencies, labeling and handling requirements, and procedures for the creation and operation of a bio-safety clearing house.

- Enforcement Regulations of the LMO Act: stipulates the provisions delegated by the LMO Act and its Enforcement Decree and the provisions deemed necessary to implement the Act and Decree. The Enforcement Regulations include document requirements for import approval of LMOs, safety assessments, environmental risk assessments, and production approval.

- Consolidated Notice: provides guidelines for the export and import of LMOs for agricultural use, environmental release, and food/feed processing and other uses. Identifies data requirements for risk assessments.

D. Prime Minister's Office
Under the Framework Act on Food Safety the Prime Minister's Office coordinates the country's overall food safety controls across various ministries and agencies.

In accordance with the act, each relevant agency is tasked with developing a comprehensive three-year food safety plan. To facilitate integration of these various plans, the law calls for the establishment of a food safety committee with the Prime Minister serving as the chairperson. Committee members include: the Minister of Planning and Finance, the Minister of Education, the Minister of Justice, the Minister of Agriculture, Food and Rural Affairs, the Minister of Health and Welfare, the Minister of Environment, the Minister of Oceans and Fisheries, the Minister of Food & Drug Safety, Minister of the Prime Minister's Office and experts appointed by the Prime Minister.

In 2017, the Prime Minister held a Food Safety Policy Committee meeting and confirmed the "Overall Measures on Improvement of Food Safety." Announced measures included: 1) advancement of the livestock industry, particularly the poultry industry, 2) improvement of an environmentally friendly certification system and HACCP, 3) strengthening measures for food safety and nutritional management, and 4) aligning the food safety management system. With these measures, the Korean government aims to improve public trust in the country's food safety system.

Section II. Labeling Requirements

A. MFDS Labeling Standards for Food
MFDS's Food Safety Labeling and Certification Division develops labeling standards for food including livestock products, while regional offices inspect imported foods and enforce labeling requirements upon arrival. Provincial authorities also have the authority to verify labeling of domestic and imported goods in the marketplace.

All imported food products are required to carry legible Korean language labels. Stickers or tags are permitted but cannot be easily removable nor cover the original label. Labels must contain the following information:

- Product name- The product name should be identical to the product name declared to the licensing/inspection authority.

- Product type- This is the minimum unit of food product categories according to the Standards & Specifications for Food.

- Importer's name and address, and the address where products may be returned or exchanged in the event of defects.

- Name of manufacturer- The foreign manufacturer name shall be stated. If it is written in a foreign language (e.g. English), no Korean translation is necessary.

- Manufacture date (year, month and day)- This is mandatory for specially designated products, such as boxed lunches, rice roll in seaweed, hamburgers, sandwiches, sushi, sugar, edible salts, frozen dessert (ice candies) and alcoholic beverages (excluding beer and Korean traditional rice liquor since they are required to indicate shelf-life or best before date). For alcoholic beverages, a manufacture number (lot number) or bottling date may substitute for the manufacture date.

- Shelf-life or best-before date[1]- Food product labels should indicate the manufacturer-determined shelf-life. Products that are subject to a manufacturer date may be excluded from the shelf-life labeling requirements. Products including jams, saccharide products (e.g. dextrin, oligosaccharide, fructose, and sugar syrup), sterilized liquid teas and coffee, sterilized beverages, bean based sauce and paste, sterilized curry products, vinegar, kimchi, salted and fermented seafood (*jutgal*), pickled products, sterilized hard boiled products, beer, starch, honey, wheat flour, products with long shelf-life such as retort packaged or canned products may use either a best-before or a shelf-life date. If various products are packaged together, the shelf-life expiration date of the product with the shortest life should be noted on the label. In August 2021, Korea revised its Labeling Act to replace the current shelf-life language with “use-by date” (consumption date) to allow the use of food products beyond the shelf-life. This new change will take effect on January 1, 2023.

- Contents (Calories)- Weight, volume or number of pieces should be indicated. If the number of pieces is shown, the weight or volume must be indicated in parentheses. Calories are only required for food products subject to nutritional labeling.

- Ingredient names and content- The names of all ingredients are required on the Korean language label. However, for those products with a principal display panel smaller than 30 cm^2, only the top five ingredients are required.

[1] Note- While Korea maintains recommended shelf-life guidelines, there are no mandatory shelf-life requirements established by the Korean government. Food manufactures are permitted to set shelf-life for their products and may be asked by Korean authorities to provide scientific evidence supporting their claims.

- Ingredient names used in making composite ingredients- Artificially added purified water and names of ingredients used to make a composite raw ingredient amounting to less than five percent of the product in weight will be excluded from the requirement. In the case of a composite raw ingredient amounting to less than five percent of the product by weight, only the name of the composite raw ingredient must be listed on the Korean language label. In the case of a composite raw ingredient amounting to over five percent of the product by weight, the names of all ingredients contained in the composite raw ingredient must be listed on the Korean language label. Ingredients must be listed in order of predominance by weight, that is, the ingredient that weighs the most is listed first, and the ingredient that weighs the least is listed last. As for ingredients amounting to less than two percent of the product in weight, they may be listed without following order by weight. Terms for food additives that are not listed in the Korean Food Additive Code such as MSG are not permitted for use on the label. ("No MSG" is prohibited on the product). For ethanol and distilled spirits, the raw material labeling requirement for composite ingredients can be omitted. It can be labeled as "Whisky", "Vodka" or "Brandy" without providing the names of the raw materials used in making ethanol or distilled spirits.

- Additives- Food additives must also be listed by full name, abbreviated name, or purpose as they are listed in the Korean Food Additive Code or Labeling Standards for Foods (e.g. Sodium Saccharin (Sweetener)).

- Allergens- Food items known to be food allergens must be indicated on the label even if they are added at minimal levels as part of a mix. Food items considered as food allergens include eggs (limited to poultry eggs), milk, buckwheat, peanuts, soybeans, wheat, mackerel, crab, shrimp, pork, peaches, tomatoes, sulfite-added products (limited to a case where 10mg/g or more of SO2 is present in the finished product), walnuts, beef, chicken, squid, shell fish (including oyster, abalone, and mussel), and pine nut. Any food product containing one or more of these allergens as a raw ingredient(s) or containing raw ingredients made by extracting the above listed allergen items must be indicated on the Korean language label. (e.g. cookies containing egg yolk: "yolk (egg)")

- Products that are made of raw materials that do not cause any food allergies but are produced in the same processing line, a statement such as "This product is manufactured in the same manufacturing facility as products known to be food allergens" shall be indicated.

- Nutrients- Only designated products are subject to nutritional labeling. Please see nutritional labeling section for more details.

- Other items designated by the detailed labeling standards for food- This includes cautions and standards for use or preservation (e.g., drained weight for canned products, radiation-processed products, etc.), packaging materials, etc. The use of photos or pictures of fruit is prohibited unless the product contains the corresponding natural flavor or ingredient.

- Photos or pictures of cooked food on the principal display panel- If such picture or photo is displayed on the principal display panel of the package, “Cooking Image” or a similar term shall be stated along with the image.

- Juice from concentrate- A claim of “100%” is allowed for juice made of concentrates even if it contains food additives. In this case, a name or a purpose of additive shall be indicated below the “100%” marking. (e.g. 100% Orange Juice (including citric acid) or 100% Orange Juice (including acid controlling agent))

- Marketing claims such as HACCP, ISO 22000, Kosher, Halal, GMP, Vegan, etc.- While these claims are permitted, exporters and importers must retain supporting documents validating these statements. MFDS does not check supporting documents when products arrive in Korea but may request supporting documents as needed. Supporting documents should be issued by reliable and credible organizations.

- Gluten free claim- allowed for products that do not use wheat, rye, barley, oat or crossbreed of such grains and whose total gluten content in the finished product is not more than 20mg/kg. It is also allowed for products with ingredients that are made by removing gluten from the aforementioned grains, such that the total gluten content in the finished product is not more than 20mg/kg.

- Products containing flaxseed (excluding flaxseed oil) are required to carry the following statement: “Be cautious in taking flaxseed as total daily intake amount shall not exceed 16 grams and one serving size shall not exceed 4 grams.”

- “Non-alcoholic”, “alcohol free” and “no alcohol added” may be stated on a label for food products other than alcoholic beverages. In this case, a “for adult only” claim in brackets next to or below “non-alcoholic”, “alcohol free” or “no alcohol added” claims shall be made. Also, when a claim of “non-alcoholic” is made, a claim of “less than 1% of ethanol (or alcohol) is contained” shall be stated in the same font size of the “non-alcoholic” claim., e.g. “Non-alcoholic (contains less than 1% of ethanol, for adult only)”, “Alcohol free” (for adult only), “No alcohol added” (for adult only)

- For chilled or frozen livestock products, it shall state either “Chilled” or “Frozen” on the principal display panel. However, if chilled or frozen is used as part of product name or a storage condition is provided on the principal display panel, this labeling requirement may get exempt.

- For chilled livestock products that have transformed into a frozen product, it shall provide following labeling information: 1) a statement “this product is made by freezing chilled product”, 2) a frozen date, and 3) a shelf-life of frozen product and a storage temperature.

- “No sugar added” or “No addition of sugar” may be stated on a label for food products when all of the following conditions are met. 1) No sugar is added, 2) do not use an ingredient that can functionally replace sugar such as honey, sugar syrups, processed saccharide products, etc., 3) do not use an ingredient that contains sugar such as jam and jelly, 4) do not use an ingredient whose sugar contents has been increased by a concentration or drying process such as dried fruit paste

or concentrated fruit juice, and 5) whose sugar content has not been increased through zymolysis.

- Lactic acid bacteria added products shall state the name and contents of lactic acid bacteria on a label, e.g. “Lactobacillus acidophilus 100 million CFU/g.”

The following categories are exempt from the abovementioned labeling requirements:

- Agricultural products such as grains, fishery items such as whole frozen fish, and fruits that are not contained in a container or package, etc.

- Carcasses

- Bulk livestock products which a label cannot be placed (such as tallow, lard)

- Foods to be used for manufacturing for a company’s own use in Korea. Appropriate documentation must be provided to verify end-use. In this case, the name of the product, the name of the manufacturer, and manufacture date or shelf-life or best before date shall be indicated on the original package either in English or in the language of the exporting country.

- Products imported for the purpose of acquisition of foreign currency, under the provisions of Article 2, Paragraph 6 and 8 of the Enforcement Decree to the Foreign Trade Act.

- Agricultural products in a container or packages (e.g. a box of oranges)- In this case, the product name, the business name (producer or producer group, importer for imported products), the manufacture date (a packing date or a production year), contents, storage condition or handling methods are only required to be indicated on the package.
- Inner package labeling is voluntary- Product name, net content, calories corresponding to net contents, shelf-life or the best before date, and nutrients may be included on the inner package label.

Nutritional Labeling Requirements

In accordance with Article 6 of the Enforcement Regulations of the Act on Labeling and Advertisement of Food, nutritional labeling (example below) is required for the food categories listed below. In addition, nutritional labels must be in Korean and use the nutrient reference values provided.

- Special nutrition food products
- Special medical purpose food products
- Health functional foods
- Bread (cake, doughnuts, bread loaf, other bakery goods), noodles, retort foods, edible oil and fats (excluding animal origin oil and fat, imitation cheese, and other processed oil and fat products), and dumplings
- Candy, chocolate, confectionary goods such as cookies, biscuits, and snacks, jam, teas (excluding leached tea and solid tea), coffee (excluding roasted coffee and instant coffee), fruit and vegetable beverages, carbonated beverages, soy milk, fermented beverages, ginseng and red ginseng beverages, and other beverages

- Fermented soybean cube, Korean soy sauce (excluding Korean soy sauce made of Korean fermented soybean cube), soy sauce, acid hydrolyzed soy sauce, enzyme hydrolyzed soy sauce, mixed soy sauce, soy paste, hot pepper soy paste, black bean paste, mixed paste and other soy sauces and pastes
- Frozen desserts
- Milk, processed milk, fermented milk, milk powder, cheese, hams, sausages, ice cream
- Processed cocoa products, cereal (breakfast cereal), and instant food (pre-packaged food for ready to cook and ready to eat)

Beginning January 1, 2022, Korea began a phased implementation for nutrition labeling on the following products based on annual sales value.

- Rice cakes
- Processed saccharide products
- Tofu and grain starch jelly
- Vinegar (limited to fermented vinegar), sauces, curry (excluding curry powder), processed spices products (limited to formulated spices)
- Kimchi, pickled products (excluding pickled Korean cabbage), hard boiled food
- Processed agricultural products: starches, wheat flour, peanut and processed tree nut products, and other processed agricultural products (this category includes processed fruit/vegetable products, processed grain products, processed bean products, processed potato products, and other processed agricultural products)
- Processed meat products: bacons, dried preserved meat products, seasoned meat products (limited to seasoned meat products and ground meat products), processed meat extract products, and processed products containing edible meat
- Processed egg products (excluding products with 100% egg)
- Goat milk
- Processed fishery products (excluding 100% fishery products): processed fish meat products, salted and fermented seafood products, dried fish fillet, seasoned laver, and other processed fishery products

Individual Labelling requirements shall be indicated on the containers and packages of the products in the minimum sales unit sold to consumers. The above products are exempt from labeling if used as an ingredient or have principal display panel smaller than 30 cm^2.
Products not included in the above categories are not subject to mandatory nutritional labeling and are allowed to keep the standard U.S. nutritional fact panel if it is part of the original product label. In addition, if a specific nutrient is emphasized, the exact content must be labeled. For example, if a yogurt product is labeled as “calcium enriched,” the exact content of calcium must be identified on the label. The information required to be stated on nutritional labeling includes: 1) Calories, 2) Sodium, 3) Carbohydrates, 4) All sugar types), 5) Fat (trans fat, saturated fat), 6) Cholesterol, 7) Protein and 8) Any nutrient that is emphasized for marketing purposes.

Nutrient Reference Daily Values*

Nutrients	**Values**	**Nutrients**	**Values**
Carbohydrate (g)	**324**	**Vitamin B_2 (mg)**	**1.4**

Sugar (g)	**100**	**Niacin (mg NE)**	**15**
Dietary fiber (g)	**25**	**Vitamin B6 (mg)**	**1.5**
Protein (g)	**55**	**Folic acid (µg)**	**400**
Fat (g)	**54**	**Molybdenum (µg)**	**25**
Saturated fat (g)	**15**	**Vitamin B_{12} (µg)**	**2.4**
Cholesterol (mg)	**300**	**Biotin (µg)**	**30**
Sodium (mg)	**2,000**	**Pantothenic acid (mg)**	**5**
Potassium (mg)	**3,500**	**Phosphorus (mg)**	**700**
Vitamin A (µg RE)	**700**	**Iodine (µg)**	**150**
Vitamin C (mg)	**100**	**Magnesium (mg)**	**315**
Chrome	**30**	**Zinc (mg)**	**8.5**
Calcium (mg)	**700**	**Selenium (µg)**	**55**
Iron (mg)	**12**	**Copper (mg)**	**0.8**
Vitamin D (µg)	**10**	**Manganese (mg)**	**3.0**
Vitamin E (mga – TE)	**11**	**Vitamin B1 (mg)**	**1.2**
Vitamin K (µg)	**70**		

*Vitamin A, Vitamin D, and Vitamin E must be expressed in the units specified above, but the values in International Units (IU) may be stated in parentheses.

The MFDS English website for information on food labeling and nutritional labeling is as follows: MFDS Food Label

Voluntary Color-Coded Labeling System

The Special Act on Children's Dietary Life Safety Management maintains a voluntary color-coded labeling system, also referred to as a traffic light label for children's preferred food products. Food products may be labeled with the total fat, saturated fat, sugar, sodium, caffeine and other nutrients using a yellow, green and red color.

Labeling Requirements for Liquid Products with High Caffeine

High caffeine labeling requirements apply to all liquid products where caffeine levels exceed 0.15 mg/ml. For these products the label must contain the following two statements: "High caffeine content" and "Children, pregnant women, and people sensitive to caffeine shall be cautious in taking this product." Additionally, total caffeine content ("XX mg") must appear on the principal display panel.

Functional Food Labeling Requirements

The latest version of Labeling Standards for Functional Food was published in June 2020. In accordance with these standards, a manufacturer's printed Korean language label must be on the product. It should have the following information, in addition to those required for general food products listed above: (1) functional food to be indicated (symbol), (2) information on the efficacy claim, (3) intake directions and cautions, (4) a statement that the product is not a pharmaceutical product that prevents or heals disease and, (5) other points as required in the detailed labeling guidelines for functional food. As for a simple minor error on the printed label such as a typo, a sticker can be affixed to correct the error. In case of the error in shelf-life, a sticker is not allowed.

GM Labeling Standards for Unprocessed Agricultural Products and Processed Food (Administered by MFDS)

In 2017 MFDS implemented new biotech labeling requirements that expanded mandatory labeling to all detectable products. Soy, corn, cotton, canola, sugar beet, alfalfa, and any newly approved GM crops or food products containing these crops are subject to the biotech labeling requirement. If detectable biotech DNA is present in the final product, biotech labeling is required. Examples of labels are as follows:

Cases	Example Label	
GM grains or oilseeds	"GM Corn" or "GM Soy"	
Products containing GM grains or oilseeds	"Containing GM Corn or GM Soy"	
Vegetables grown from GM grains or oilseeds	"Beansprout grown from GM Soy"	
Products containing vegetable from GM grains or oilseeds	"Containing beansprout grown from GM soy"	
May contain GM Grains	"May contain GM Corn or GM Soy	
May contain vegetable from GM grains or oilseeds	"May contain beansprout grown from GM soy"	
Food Products with detectable GM component (labeled on either principal display panel or ingredient panel)	Principal Display Panel	"GM Food", "GM Food Additive", "GM Health Functional Food", "Food product containing GM Soy", "Food additives containing GM corn", or "Health functional food containing GM corn"
	Ingredient Panel	"GM" or "GM Soy" or "GM Corn" in parenthesis next to a name of raw ingredient on the ingredient panel
Food products contain GM raw ingredients from multiple sources	Principal Display Panel	"May contain GM Corn and Soy"
Food products where a detectable GM component is uncertain	Principal Display Panel	"May contain GM Soy" or "May contain GM Corn"
	Ingredient Panel	"May contain GM Soy" or "May contain GM Corn" in parenthesis next to a name of raw ingredient on the ingredient panel

- "Non-GMO" and "GMO Free" claims are permitted when the contents of raw ingredients subject to biotech labeling are 50% or higher or when such ingredient is the primary component by volume. In this case, it should not contain any trace of a biotech component (zero tolerance). Please note that such marketing claims are not permitted for products that do not have biotech counterparts (i.e. wheat, rice, etc.)

- Highly-processed products with undetectable recombinant DNA, such as cooking oil, sugar, soy sauce, modified starch, and alcoholic beverages, are exempt from biotech labeling without supporting documents. Any product other than those listed have non-detectable GMO product

content, processors may submit a document confirming the product or a raw ingredient does not contain a foreign DNA or protein. The supporting document can be made based upon a test result or substance purification documents.

- A test certificate issued by a MFDS-accredited domestic or foreign laboratory is acceptable if it confirms the absence of recombinant DNA or foreign protein in the final product. Please refer to KS 6064 in the FAS GAIN system for details about testing methods. A list of approved laboratories is found in Appendix I of this report.

- MFDS allows up to three percent unintentional presence of approved biotech components in unprocessed non-biotech products (e.g. conventional food grade soybeans or corn) which carry an IP or government certificate. This three percent tolerance is the default threshold for processed food products that are subject to biotech labeling requirements. If a finished product is made of raw ingredients originating from non-biotech grain within the three percent tolerance, it is exempt from biotech labeling if a supporting document such as IP document or a government issued certificate is submitted. Please note that this three percent tolerance is not the tolerance for the finished processed product.

- Processing agents, carriers, diluents, and stabilizers including emulsifiers are exempt from biotech labeling. Korea does not consider these items as raw ingredients for food as they are used in very small quantities.

- If an imported product arrives without appropriate supporting documents or test certificate, it can be either labeled as GM food or tested by MFDS accredited laboratories in Korea prior to customs clearance. If the product tests negative, it may be exempt from biotech labeling.

For more information on biotech labeling, please see Post's latest Voluntary Report on Biotech Labeling and the Biotech Annual Report in the FAS GAIN system.

B. Liquor Labeling (Administered by Korea Tax Administration)

The Ministry of Health and Welfare (MOHW) mandates the following warning statement be labeled on alcohol products:

- Alcohol is a carcinogen and excessive drinking causes liver cancer, stomach cancer, etc. Drinking in pregnancy raises the risk of birth with a congenital anomaly.
- Excessive drinking is the cause of cancer development. Drinking in youth hinders physical growth and brain development and drinking in pregnancy raises the risk of congenital anomaly or miscarriage.
- Excessive drinking causes stroke, memory impairment, or dementia. Drinking in pregnancy raises the risk of birth of congenital anomaly.

Certain alcoholic beverages require their usage type to be displayed on the main or supplementary label. Home consumption use of diluted soju, beer, and alcoholic beverages such as whisky that require a radio frequency identification tag (so called RFID tag) should state "For home use" and "Not to be sold in restaurants and bars."

As noted in the section on MFDS's labeling standards, the use of a photo or picture of fruit or ingredients on a product label that contains only synthetic flavors is prohibited. This restriction applies to liquor products as well.

C. Country of Origin Labeling (COOL)

According to COOL guidelines, many agricultural products, including most imported products, must carry country of origin markings. As for imported products, the Korea Customs Service (KCS) enforces COOL requirements at customs clearance. NAQS enforces COOL requirements in the marketplace.

COOL for meat products requires inner package labeling. The following statements are acceptable: "Made in U.S.A.", "Made in U.S.", or the U.S.D.A. mark of inspection – "U.S. inspected and passed". In 2008, KCS agreed that imported fruit such as oranges and bananas did not require COOL on the individual pieces of fruit.

Complex country of origin (COO) requirements in the KORUS FTA and KCS investigations to verify COO have affected certain U.S. agricultural exports. The KORUS FTA permits both parties' customs services to undertake investigations to verify the origin of goods for which preferential tariff treatment was claimed to prevent transshipment or false claims.

Korean customs authorities have conducted origin verification investigations on a number of U.S. exports, including food and agricultural products. Examples include frozen concentrated juices, meat products, dietary supplements, dry edible beans, and corn.

Please refer to the following website provided by the U.S. Agricultural Trade Office in Seoul for details about COOL requirements under the U.S. and Korea Free Trade Agreement: KORUS COOL FAQ

D. Other Labeling Requirements

The Korean government requires beef retailers and distributors to keep track of all transactions from the importing stage to the final retail level. Imported beef must be traceable via a distribution identification number up to the retail store level. See GAIN Report KS1033 in the FAS GAIN system for further details.

MFDS requires a traceability system for infant/baby food, health functional food, milk formula, food for pregnant/lactating women, special medical purpose food, and weight control food. Importers are required to establish a traceability system from when imported products arrive into Korea throughout the distribution chain.

Section III. Packaging and Container Regulations

MFDS's "Standards & Specifications for Equipment and Container/Packaging" (so called "Packaging and Container Code") provides general standards for equipment, containers, and packaging for food products and specifications for individual packaging materials. Please see the following link for an English translation of MFDS's Packaging and Container Code: Package

Containers or packages that can be recycled must carry a "separation and discharge" marking. In accordance with the Act on the Promotion of Saving and Recycling of Resources and its corresponding

decree, containers or packages made with paper, carton pack, metal, glass, PET, plastic materials, and vinyl must be marked with a "separation and discharge" sign. The mark is to facilitate the recycling of waste. The sign should indicate the type of material of which the package is composed. For example, PVC, PP, PS, HDPE, LDPE, and Other should be indicated for containers or packaging made of plastic and vinyl materials. For metals, either iron or aluminum should be indicated. Either a printed label or a sticker label is acceptable.

In 2019, Korea's Ministry of Environment (MOE) published partial amendments to the "Enforcement Decree and the Rule of the Act on the Promotion of Saving and Recycling of Resources" and to the "Enforcement Rule of the Act on Standards for Packing Materials and Packing Methods of Products" to promote recycling and reduce waste. These amendments require packages to be evaluated, graded, and labeled for the recyclability of packaging materials. Industry must receive classification of packaging materials, based on recyclability, and apply the corresponding packaging claim to the label. With this new requirement, Korean importers may request exporters to provide packaging material information for their products. This requirement applies to all packaged products. Details are as follows:

Requirements	Remarks
Grade of recycling material	Classification of materials depending on recyclability shall be evaluated.
Labeling of grades	Recycling material grades shall be labeled on a package. Wines are exempt from grade labeling. Industry may seek additional exemptions for other products if necessary. MOE forms a committee to discuss details on recycling requirements including exemptions.
Ban of PVC and colored PET bottle for water and beverages	Use of PVC packaging material is banned. Use of colored PET bottles for water and non-alcoholic beverages is banned. For imported alcoholic beverages, colored PET bottle are permitted with applicable recycling grades and labeling.

Section IV. Food Additive Regulations

MFDS's Food Additive Code stipulates how additives may be used in foods. As of March 2022, Korea has a positive list of 621 approved food additives. In addition to individual additives, MFDS allows seven types of mixed additive substances. Also, the Code defines 13 sanitizers permitted for use in food equipment.

Most additives and/or preservatives are approved, and tolerance levels are established on a product-by-product basis. This sometimes creates difficulties as tolerances can vary from product to product. Even though there may be an established CODEX standard for a given food additive, if that food additive is not registered in the Korean Food Additive Code, or even if it is registered but usage in a certain food product is not specified, then use of that food additive in the given food product is prohibited.

New additive approval can take up to a year. The "Guidelines for Designation of Food Additives" explain the detailed information required for the approval of a new additive.

English translation of Korea's food additive standards is available from the following link: Food Additive Standards

However, for the most up to date information, please refer to the following Korean link: Korean Food Additive Code

Section V. Pesticides and Other Contaminants

Three government agencies –MFDS, MAFRA, and the Ministry of Environment (MOE) – handle pesticide-related matters. MFDS regulates pesticide residues in foodstuffs. MAFRA is responsible for pesticide registration and MOE is responsible for testing pesticide levels in the environment including drinking water and soil.

MFDS is responsible for regulating pesticide residues in foodstuffs, in accordance with the maximum residue levels (MRLs) set in the Food Code. As of March 2022, MFDS has set MRLs for 518 pesticides in agricultural products. The Food Code also lists MRLs for 135 pesticides and 192 veterinary drugs in meat, fish, eggs, and milk products. In addition to the Food Code, MFDS has set-up an MRL database for agricultural products in English: MRL Database

MFDS began full implementation of its pesticide Positive List System (PLS) on January 1, 2022, removing nearly all previously set temporary MRLs. As such, a 0.01ppm default tolerance applies when there is no established MRL in the Korean Food Code. MRLs established in the Food Code for a pesticide on a particular agricultural product, apply to both domestic and imported products. For details on Korea's PLS implementation, please refer to GAIN report KS 1843 in the FAS GAIN system.

MFDS plans to implement a PLS for veterinary drugs over the next few years. As an initial step of this transition, Korea now applies a 0.01 mg/kg default tolerance for antimicrobials that do not have Korean MRLs or import tolerances. For details on a PLS for veterinary drugs, please refer to GAIN report KS2020-0037 in the FAS GAIN system.

Pesticide Registration
The Rural Development Administration (RDA) under MAFRA is responsible for the registration of pesticides, safety usage standards, and notification of pesticides. All pesticides used in Korea should be registered with RDA. The registration process can take several years to complete. A list of all registered agrochemical items can be obtained from the Korea Crop Protection Agency (KCPA). Details on pesticide registration can be accessed from the KCPA website: KCPA

Maximum Allowable Aflatoxin
MFDS sets the maximum residue limits (MRLs) for aflatoxin, ochratoxin, fumonisin, deoxinyvalenol, zearalenone, and other contaminants. Some of the MRLs for contaminants are as below:

Total Aflatoxin (Sum of B1, B2, G1 & G2)

Target Foods	Standards (μg/kg)
Plant based raw ingredients	Not more than 15.0 (however, B1 shall be not more than 10.0)
Processed food products	
Infant formula, follow up formula, weaning food for infant and young children	B1 shall be not more than 0.10
All other processed food products	Not more than 15.0 (however, B1 shall be not more than 10.0)

Fumonisin

Target Foods	Standards (as sum of B1 and B2)
Corn and sorghum Sorghum that is simply processed (such as grinding, cutting, etc.)	Not more than 4 mg/kg
Corn that is simply processed (such as grinding, cutting, etc.)	Not more than 2 mg/kg
Processed grain products that contain 50% or more of simply processed corn or sorghum Cereal (breakfast cereal) Corn products for popcorn use	Not more than 1 mg/kg

Ochratoxin A

Target Foods	Standards (μg/kg)
Grains and their products that have undergone simple processing (such as grinding, cutting, etc.)	Not more than 5.0
Coffee beans, roasted coffee	Not more than 5.0
Instant coffee	Not more than 10.0
Fermented dry cooked soybean cube	Not more than 20
Red pepper powder	Not more than 7.0
Grape juice, Grape juice concentrate (including raw materials), wine	Not more than 2.0
Dried fruit	Not more than 10.0
Nutmeg, Turmeric, and black pepper and seasoning products containing nutmeg, turmeric and black pepper	Not more than 15.0
Infant formula, follow-up formula, cereal-based formula for infant/young children, other food for infant/young children	Not more than 0.50

Deoxynivalenol

Target Foods	Standards (mg/kg)
Grains and their products that have undergone simple processing (such as grinding, cutting, etc.)	Not more than 1

Corn and simple processed corn (such as grinding, cutting, etc.)	Not more than 2
Cereals (breakfast cereal)	Not more than 0.5
Infant formula, follow-up formula weaning food for infant/young children	Not more than 0.2
Noodles	Not more than 0.75

Zearalenone

Target Foods	Standards (μg/kg)
Grains and their products that have undergone simple processing (such as grinding, cutting, etc.)	Not more than 100 (200 for corn to make starch or syrup)
Confectioneries	Not more than 50
Infant formula, follow-up formula, weaning food for infant and young children	Not more than 20
Cereals (breakfast cereal)	Not more than 50

Heavy Metals in Agricultural Products

Target Foods	Lead (mg/kg)	Cadmium (mg/kg)	Arsenic, inorganic (mg/kg)
Grains (excluding brown rice)	Not more than 0.2	Not more than 0.1 (0.2 for wheat and rice)	Not more than 0.2 (limited to rice*)
Potatoes	Not more than 0.1	Not more than 0.1	
Pulses	Not more than 0.2	Not more than 0.1 (0.2 for soybean)	
Peanuts and tree nuts	Not more than 0.1	Not more than 0.3	
Oilseeds	Not more than 0.3 (limited to sesame seed)	Not more than 0.2 (limited to sesame seed)	
Fruits	Not more than 0.1	Not more than 0.05	
Leafy vegetables (including flower-head brassica)	Not more than 0.3	Not more than 0.2	
Stalk and stem vegetables	Not more than 0.1	Not more than 0.05	
Root and tuber vegetables	Not more than 0.1 (2.0 for ginseng and 0.2 for balloon flower, and bonnet bellflower)	Not more than 0.1 (0.05 for onions, 0.2 for ginseng)	
Fruiting vegetables	Not more than 0.1 (0.2 for pepper and squash)	Not more than 0.05 (0.1 for pepper and squash)	

Mushrooms	Not more than 0.3	Not more than 0.3	

Heavy Metals in Livestock Products

Target Food	Lead (mg/kg)	Cadmium (mg/kg)
Poultry meat	Not more than 0.1	-
Swine liver	Not more than 0.5	Not more than 0.5
Pork	Not more than 0.1	Not more than 0.05
Swine kidney	Not more than 0.5	Not more than 1.0
Cattle liver	Not more than 0.5	Not more than 0.5
Beef	Not more than 0.1	Not more than 0.05
Cattle kidney	Not more than 0.5	Not more than 1.0
Raw milk and milk	Not more than 0.02	

Heavy Metals in Fishery Products

Target Food	Lead (mg/kg)	Cadmium (mg/kg)	Mercury (mg/kg)	Methyl mercury (mg/kg)
Fish	Not more than 0.5	Not more than 0.1 (limited to fresh water fish and pelagic fish) Not more than 0.2 (limited to marine fish)	Not more than 0.5 (excluding products listed below)	Not more than 1.0 (limited to products below)
Mollusks	Not more than 2.0 (1.0 for squid, 2.0 for octopus with intestines)	Not more than 2.0 (1.5 for squid, 3.0 for octopus with intestines)	Not more than 0.5	
Crustaceans	Not more than 0.5 (2.0 for swimming crabs with intestines (swimming crabs in Family Portunidae)	Not more than 1.0 (5.0 for swimming crabs with intestines (swimming crabs in Family Portunidae)		
Seaweeds	Not more than 0.5 (limited to sea mustard)	Not more than 0.3 (limited to laver including seasoned laver and sea mustard)		
Frozen fish head	Not more than 0.5		Not more than 0.5 (excluding products listed below)	Not more than 1.0 (limited to products listed below)
Frozen fish	Not more than	Not more than	Not more than	Not more than

intestines	0.5 (2.0 for cephalopoda)	3.0 (1.0 for fish eggs and 2.0 for cephalopoda)	0.5 (excluding products listed below)	1.0 (limited to products listed below)

*Aquatic products subject to methyl mercury: marbled rock fish, southern hake, butter fish, tunas, marlins, furigate tuna, tooth fish, mako shark, broadnose sevelgill shark, pelagic tresher, sawedged perch, pink cusk eel, Allocyttus niger, Pseudocyttus maculatus, Hoplostethus atlanticus, hag fish.

Heavy Metal Standards for Processed Food Products

Target Food	**Lead (mg/kg)**	**Arsenic (mg/kg)**	**Inorganic Arsenic (mg/kg)**
Vegetable oil, fish oil, other animal oil & fat, mixed edible oil, flavored oil, processed oil & fat, shortening, margarine	Not more than 0.1	Not more than 0.1	Not more than 0.1
Fish oil	Not more than 0.1	-	Not more than 0.1*
Infant formula, follow-up formula, cereal based formula for infant/young children, other food for infant/young children, special formula for infant/young children, follow-up milk formula	Not more than 0.01		Not more than 0.1 (limited to food made with brown rice, rice bran, rice germ, fusiformis, or gulfweed)
Special medical purpose food (excluding special formula for infant/young children), snacks, breakfast cereals, noodles	-	-	Not more than 0.1 (limited to food made with brown rice, rice bran, rice germ, fusiformis, or gulfweed)
Other food	-	-	Not more than 1 (limited to food made with brown rice, rice bran, rice germ, fusiformis, or gulfweed)

Section VI. Other Requirements, Regulations and Registration Measures

A. Product Registration & Import Inspection

No product registration is required to import food products into Korea. However, all new-to- market products are subject to mandatory laboratory testing conducted by the relevant inspection agency. Subsequent shipments of products that have passed their first laboratory testing will be exempt from additional arrival testing for five years except for random testing. If random testing is conducted,

no mandatory arrival testing will be conducted for a five-year period. For more details about import inspection, see Section IX.

B. Facility and Livestock Establishment Registration

MFDS implemented the Special Act on Imported Food Safety Management (hereinafter referred to as the Special Act) in 2016. In accordance with the Special Act, MFDS requires the pre-registration of foreign facilities wishing to export food products to Korea. Food products include processed food, agricultural products such as grains, fruits, etc., health functional food, fishery products, food additives, and food packages/containers/equipment. Foreign facilities shall be registered with MFDS prior to import declaration. MFDS set up an electronic registration system at https://impfood.mfds.go.kr/?locale=en_EN for foreign manufacturers or their local importers to register electronically. MFDS requires a copy of a business license or permit for registration in order to verify the name and address of the facility. Registration can also be done by postal mail. MFDS completes facility registration within three working days. Once the foreign manufacturer is registered by MFDS, it is valid for two years. Application for renewal can only be made 30 days from the expiration date. Renewal of registration shall be completed at least seven days before the registration expires.

As for establishments of livestock products, MFDS recognizes meat and poultry establishments listed in the USDA FSIS Meat and Poultry Inspection Directory. As for establishments of dairy products and egg products, MFDS recognized establishments that have a record of export to Korea prior to the implementation of the Special Act as registered establishments. For any new establishment of dairy or egg products that wishes to export products to Korea, registration shall be made through the exporting government. For this registration, the following documents shall be submitted to FAS/Seoul (agseoul@fas.usda.gov).

- MFDS Application
- Recent inspection report issued by the exporting government (State or Federal government) and a corrective action report prepared by an establishment for any identified issues in the inspection report
- HACCP plan summary that contains information on critical control point (CCP) or Control Point (CP) monitoring plan (that includes critical limits, monitoring frequency and plan, preventive measures, etc.) and a process flowchart indicating CCP
- A copy of a dairy, eggs, or processed food business permit or license
- For establishments that do not have HACCP, a summary of Sanitation Standard Operating Procedures (SSOP) and work process chart

If a plant produces both livestock products and food products and exports such products to Korea, the plant is required to be registered not only as a livestock establishment through FAS/Seoul but also as a foreign food facility following the registration process described above.

For details on foreign facility registration and livestock establishments, please check FAS Seoul's voluntary GAIN report in the FAS GAIN system.

C. Sanitary and Phytosanitary Certification Requirements – Animals, Meat, Plants, etc.

In accordance with the Livestock Epidemics Prevention & Control Act and the Plant Protection Act, sanitary and phyto-sanitary certificates issued by the exporting country's inspection authority are required for plants, live animals, and meat products, such as beef, pork, poultry, etc.

MFDS requires an original health and sanitary certificate for livestock products in accordance with the Special Act.

For the United States, the USDA Animal & Plant Health Inspection Service (APHIS) issues sanitary and phytosanitary certificates for live animals and plants, while the Food Safety & Inspection Service (FSIS), issues health certificates for meat products. U.S. diary certificates are completed by the Agricultural Marketing Service (AMS). Details on certification requirements are found in the annual FAIRS Export Certificate Report in the FAS GAIN system.

D. Event 32 Test on U.S. Corn Shipments
During a quarter of each year, MFDS will test all U.S. origin corn shipments for Event 32 (biotech seed variety). White, sweet, and waxy corn types and popcorn are excluded from the testing requirement.

E. GE Wheat Event Testing upon Arrival
MFDS conducts mandatory testing on all U.S. wheat and wheat flour for the presence of eight unapproved GE wheat events, MON 71100, 71200, 71300, 71400, 71500, 71600, 71700, and 71800. GE wheat testing began in 2013 due to a detection of MON 71800 in the State of Oregon and detections of MON 71700 and MON 71300 in Washington State in 2016 and 2019.

F. Papaya
MFDS requires 100 percent testing of all imported papaya and papaya products for the presence of biotech components.

G. Monitoring at Retail and Wholesale Levels
MFDS conducts monitoring at retail and wholesale levels for agriculture, livestock and fishery products, and processed food products including processed meat products such as canned meat, and non-processed meat products. In addition to MFDS, the municipal government also monitors for residues of food products distributed at the retail and wholesale levels.

Section VII. Other Specific Standards

Korea's Fair Trade Commission (FTC) maintains advertising requirements for foods containing a biotech-enhanced ingredient. Under the "Notification of Principle Information on Labeling & Advertisement" guideline, anyone who produces and/or sells biotech-enhanced foods, and advertises such products in one of the identified forms below, needs to indicate the presence of the biotech component:

- Newspapers or magazines
- TV commercials (when its running time is greater than two minutes)

Information must be noted as:

- "Contains biotech-enhanced food" when the presence of a biotech-enhanced component is certain;
- "May contain biotech-enhanced food" when the presence of a biotech-enhanced component is uncertain.

MFDS has the discretion to limit or prohibit TV advertisements of high calorie, low nutrient food products, and highly caffeinated products. According to the Enforcement Decree of the Special Act on Children's Dietary Life Safety Management, TV advertisements of the designated products are prohibited between 5:00 p.m. and 7:00 p.m. Also, commercials during children's programs may be restricted. MFDS' website maintains information where industry can verify product classification. For more details on children's preferred food products and high calorie-low nutrient food products, please refer to GAIN report KS 9020 in the FAS GAIN system.

Organic Food
The Act on the Management and Support for the Promotion of Eco-Friendly Agriculture/Fisheries and Organic Foods (New Organic Act) requires that all domestic and imported organic produce and processed products be certified by a MAFRA/NAQS-accredited certifying agent. However, in lieu of certification by accredited certifying agents, the act allowed MAFRA to have an equivalency agreement on processed organic products with foreign trade partners.

U.S.-Korea Organic Equivalency Arrangement
The United States and Korea reached an equivalency arrangement on processed organic food products in 2014. Under the arrangement, certified organic products in the U.S. may be sold as organic in the Korean market and display the Korean organic logo, and vice versa for Korean products. The arrangement covers products which:

- Are certified according to USDA or Korean organic regulations
- Are "processed products" as defined by the Korean Food Code
- Contain at least 95% organic ingredients
- Have their final processing (as defined in the Korean Food Code) occur in the U.S. or Korea
- U.S. products: do not contain apples or pears produced with the use of antibiotics
- Korean products: do not contain livestock products produced with the use of antibiotics

U.S. processed organic products exported to Korea must be accompanied by the NAQS Import Certificate of Organic Processed Foods that includes the statement "Certified in compliance with the terms of the U.S. – Korea Organic Equivalency Arrangement." Starting January 1, 2022, U.S. certifying agents are required to issue the NAQS Import Certificate through the electronic certification system after they complete registration with NAQS. A printed copy of the NAQS Import Certificate issued through an electronic system will be sent to U.S. operations or Korean importers for submission of import inspection in Korea. Also, a copy of USDA/NOP organic certificate shall be submitted for importation. Korea does not allow organic certification logos from a third country to appear on a label (e.g., Canadian organic logo on a label of US organic products) unless it has been certified to Korean organic standards. Details about the organic certificate and labeling are available on the following link: U.S.-Korea Organic Equivalency

MAFRA's Certification and Labeling Requirements for Processed Organic Foods Not Covered by Equivalency

The Act on the Management and Support for the Promotion of Eco-Friendly Agriculture/Fisheries and Organic Foods (New Organic Act) requires all domestic and imported organic processed products other than those covered by the equivalency to be certified by a NAQS-accredited certifying agent. Each product is required to obtain organic certification to be sold as organic in Korea. Details are available from the following link: Organic Certification.

Certification Procedures for Organic Producers

1. Application for certification: A person who desires certification should apply to a certifying agency using the form in Attachment 3 of the Enforcement Regulations of the New Organic Act accompanied by a copy of a food item manufacturing report, an organic handling plan, etc.

2. Documentation review: Once the documents are submitted, the certifying agency reviews the documents to determine whether the content of the documents is in compliance with the standards set forth under the New Organic Act. If any non-compliance is identified during the review, the applicant is notified of the fact and requested to correct the non-compliance.

3. On-site inspection: If no problems are identified during the document review, the certifying agency sends two inspectors to the applicant's production facility. An inspector should not have a conflict of interest with regard to the certification of the applicant. He or she conducts the evaluation based on objective facts to determine whether the organic handling system of the applicant's production facility complies with the standards set forth under the New Organic Act and then prepares a report on the results of the review.

4. Certification decision: Once the review report is submitted, the certifying agency takes into consideration the review report and all other relevant information from the applicant.

5. Certificate issuance: If the applicant is determined as having an organic handling system in compliance with the standards set forth under the New Organic Act at his/her production facility, the certifying agency issues a certificate. In the case of non-compliance, the applicant will be notified, and another review will be conducted after corrections have been made. Depending on the severity of the non-compliance, additional action may be taken.

6. Regular inspections: After issuance of a certificate, the applicant's production facilities will need to be regularly inspected at least once every year. The procedures are the same as with the initial certification. Three months before the validity of the certification expires the applicant should submit a regular inspection application (using the form in Attachment 3 of the Enforcement Regulations of the New Organic Act) with required documents to the head of the certifying agency.

To date, 30 certifying agencies in Korea and two foreign certifiers have been accredited by NAQS for organic processed food products. There are no U.S. certifiers accredited by Korean authorities.

MAFRA's Labeling Regulations for Organic Agricultural Products

Under the Act on the Management and Support for the Promotion of Eco-Friendly Agriculture/Fisheries and Organic Foods (New Organic Act) an organic certification issued by Korea's accredited certifying agents is required for both fresh (unprocessed) produce and livestock products. The certification for organic produce is classified into two categories: organic and no-pesticide. For livestock products, two categories of certification are available: organic livestock and antibiotic-free livestock.

Organic agricultural produce and livestock products complying with the U.S. organic standards or international standards still require certification from a NAQS-accredited certification agency. The overall certification process is the same as shown above for processed organic products.

Plant Based Meat and Dairy Alternatives
To date, Korea has not set a policy for labeling on plant based meat and dairy alternatives. Since there are only a few of these products available in the market, Korea has taken a case-by-case approach to monitoring labels used on plant based meat and dairy alternatives.

Section VIII. Trademark, Brand Names and Intellectual Property Rights

The Korea Industrial Property Office is responsible for registration of trademarks and for review of petitions related to trademark registration. In accordance with the Trademark Law, the trademark registration system in Korea is based on a "first-to-file" principle. A company that registers a trademark first has a preferential right to that trademark and is protected under Korean law. To prevent trademark disputes, U.S. companies considering business in Korea are encouraged to register their trademarks prior to commencing operations.

Section IX. Import Procedures

A. Korea Customs Clearance

Imports of agricultural products must undergo clearance from several agencies and are more likely to encounter port delays than other imported goods. The Korea Customs Service (KCS), MFDS, the National Quarantine Office (for ports that do not have MFDS regional offices), and the Animal and Plant Quarantine Agency (APQA) are the agencies involved in the import clearance process.

KCS is responsible for ensuring that all necessary documentation is in place before the product is released from a bonded area. The respective quarantine inspection authorities must clear products subject to plant or animal quarantine inspection before KCS will discharge the goods. The import inspection application must be filled-out in Korean and submitted to the relevant agency.

KCS import clearance procedures and additional details are available at the following website: KCS Import Procedures

B. MFDS Import Procedures

MFDS carries out the safety inspection upon arrival of imported agricultural products including livestock products, processed foods, health functional foods, food additives, food packaging, containers and equipment. Details on MFDS's import procedures are available at the following MFDS website: MFDS Food Inspection

C. APQA Quarantine Inspection Procedures for Animal & Livestock Products

In addition to MFDS food safety inspection process, imported meat, dairy, and egg products are subject to quarantine inspection by the Animal and Plant Quarantine Agency (APQA). Clean quarantine inspection results from APQA are required for Customs clearance. APQA and MFDS inspection can occur simultaneously. Korea's APQA quarantine inspection procedures for livestock products are available on the following website: Animal & Livestock Product Inspection

D. APQA Inspection Procedures for Plant Products

In addition to MFDS residue testing for agricultural chemical, aflatoxin, and other contaminants, plant products, including fresh vegetables, fruits, and grains are subject to quarantine inspection. Clean inspection results from APQA and MFDS are required for customs clearance. APQA and MFDS inspection can occur simultaneously. Unless subject to further testing, APQA laboratory inspection generally requires 10 days to complete. The APQA quarantine inspection procedures and additional details are available from the following APQA website (English): Plant Quarantine.

E. Samples

In general, sample-designated food products are not subject to Korean import requirements. For sample shipments, the invoice should be marked as having no commercial value. A phytosanitary certificate and a meat export health certificate are required for products subject to quarantine inspection even if they are shipped as samples.

Section X. Trade Facilitation

A. Pre-clearance Program

In-shell walnuts from California is the only product subject to a pre-clearance program. When in-shell walnuts from California are imported, APQA may conduct a document or visual inspection but does not perform laboratory testing.

B. Electronic Certificate

MFDS maintains an electronic certificate system for edible meat products including beef, pork, chicken, lamb, etc. originated from Australia and plans in 2022 to launch a pilot program with Chile on livestock and fishery products. In 2021, NAQS launched an e-certificate system for processed organic products covered under the organic equivalence arrangement. NAQS accepts a printed copy of electronically issued NAQS Import Certificate and no longer recognizes the paper-based NAQS Import Certificate.

C. Inspection Fees

There is no fee applied for document and visual inspections. Fees will vary for laboratory testing conducted by Korean government accredited companies. Accredited laboratories post their fee schedules on their websites.

D. Import Inspection Timeline

MFDS Inspection Duration for Food Products including health functional food

Document Inspection	2 days
Visual Inspection	3 days
Laboratory Inspection	10 days
Irradiated Food Test	14 days
Incubation Test	15 days

Random Inspection	5 days

MFDS Inspection Duration for Livestock Products including egg and dairy

Document Inspection	3 days
Visual Inspection	5 days
Laboratory Inspection	18 days
Random Inspection	18 days

APQA Quarantine Inspection Duration for Livestock Products including egg and dairy

Document &Visual Inspection	3 days

Appendix I. Government Regulatory Key Agency Contacts

A. Primary Korean Food Agencies

Ministry of Agriculture, Food and Rural Affairs: Overall agricultural policy
General Division of International Cooperation
MAFRA
94 Dasom 2ro, Sejong-si, Korea 30110
Phone: 82-44-201-2034; Fax: 82-44-868-0431
http://www.mafra.go.kr

Ministry of Food & Drug Safety: Overall safety policy and inspection of food and livestock products
International Cooperation Office
MFDS
#187 Osongsaengmyung 2-ro, Osong-eup, Cheongwon-gun
Chungcheongbukdo, Korea 28159
Phone: 82-43-719-1551~1553; Fax: 82-43-719-1550
E-mail: intmfds@korea.kr
http://www.mfds.go.kr

Animal and Plant Quarantine Agency (Headquarters): Overall quarantine measures
177 Hyuksin 8-ro, Kimcheon-si
Kyungsangbuk-do, Korea 39660
Phone: 82-54-912-0416 for animal quarantine issues and 82-54-912-0601 for plant quarantine issues
http://www.qia.go.kr

B. WORLD TRADE ORGANIZATION (WTO) Enquiry Point

Names of the SPS Enquiry Points are as follows:

Animal or Plant Health or Zoonosis
Quarantine Policy Division, International Cooperation Bureau
MAFRA
94 Dasom 2-ro, Sejong-si, Korea 30110
Phone: 82-44-201-2080; Fax: 82-44-868-0449
Website: www.mafra.go.kr

Food Safety and Food Labeling
International Cooperation Office
Ministry of Food & Drug Safety
#187 Osongsaengmyung 2-ro, Osong-eup, Cheongwon-gun
Chungcheongbukdo, Korea 28159
Phone: 82-43-719-1551~1553; Fax: 82-43-719-1550
E-mail: intmfds@korea.kr
Website: www.mfds.go.kr

Aquatic Animal Health and Sanitation
International Commerce and Trade Division
Ministry of Oceans and Fisheries
94 Dasom 2 -ro, Sejong-si, Korea 30110
Phone: 82-44-200-5383; Fax: 82-44-200-5399
Website: www.mof.go.kr

C. Websites for other Important Agencies

Ministry of Environment: http://www.me.go.kr
Ministry of Trade, Industry and Energy: http://www.motie.go.kr
Rural Development Administration: http://www.rda.go.kr
National Agricultural Product Quality Management Service: http://www.naqs.go.kr
Korea Forestry Administration: http://www.foa.go.kr
Korea Rural Economic Institute: http://www.krei.re.kr
Korea Industrial Property Office: http://www.kipo.go.kr

D. Useful Acronyms

AMS: Agricultural Marketing Service (USDA)
APHIS: Animal and Plant Health Inspection Service (USDA)
COO: Country of Origin
COOL: Country of Origin Labeling
FSIS: Food Safety & Inspection Service (USDA)
FTC: Korea Fair Trade Commission
GI: Geographical Indications
GMO: Genetically Modified Organism
KCPA: Korea Crop Protection Agency
KCS: Korea Customs Service
MFDS: Ministry of Food & Drug Safety
KTA: Korea Tax Administration
LMO: Living Modified Organisms
ME: Ministry of Environment
MHW: Ministry of Health & Welfare
MAFRA: Ministry of Agriculture, Food & Rural Affairs
MOTIE: Ministry of Trade, Industry and Energy
NAQS: National Agricultural Product Quality Management Service
NOP: National Organics Program (USDA)
APQA: Animal and Plant Quarantine Agency
RDA: Rural Development Administration
USDA: U.S. Department of Agriculture
WTO: World Trade Organization

Appendix II. Other Import Specialist Technical Contacts

Accredited Laboratories

A. U.S. Laboratories Accredited by MFDS

MFDS authorizes foreign laboratories the ability to conduct inspection and testing and to issue some types of certifications. This enhances the efficiency of conducting inspection of imported foods and reduces the likelihood of rejection. There are currently four accredited laboratories operating in the United States: Oregon Department of Agriculture (ODA), OMIC USA, FoodChain ID Testing, and Eurofins Analytical Laboratories.

For GMO testing, MFDS only accepts test certificates issued from MFDS-accredited laboratories. To date, three U.S. laboratories; OMIC USA, FoodChain ID Testing, and Eurofins are accredited for GMO qualitative testing.

Oregon Department of Agriculture
Export Service Center
1207 N.W. Natio Parkway, Suite 204
Portland, Oregon 97217
Tel: 503-872-6644; Fax: 503-872-6615
Email) kwickman@oda.state.or.us
Authorized for agriculture, processed food and health functional food -related testing, such as residue and microbiological testing on food and beverages, food package, and health functional food.

OMIC, USA Inc.
3344 N.W. Industrial Street Portland, Oregon 97210
Tel: 503-223-1497; Fax: 503-223-9436
Email) info.usa@omicusa.com
Authorized for agriculture and processed food and health functional food-related testing, such as residue and microbiological testing on food, beverages, and health functional food and GMO testing.

FoodChain ID Testing
4150 Lafayette Center Drive, Suite 600
Chantilly, Virginia 20515
Tel: 641-472-9979; Fax: 641-472-9198
Email) jbolster@genetic-id.com
Authorized for GMO testing

Eurofins Analytical Laboratories
(Eurofins Central Analytical Laboratories & Eurofins GeneScan)
2219 Lakeshore Drive, Suite 500
New Orleans, Louisiana 70122
Tel: 504-297-3000/4300; Fax: 504-297-4335
Email) ecalquality@eurofins.com
Authorized for agriculture and forestry products related testing (physics, microbiological and chemistry testing, ag. chemical residues) and GMO testing, which are bound for Korea

B. Korean Laboratories Accredited by MFDS

There are 17 Korean laboratories accredited by MFDS for testing of imported food products.

No.	Name	Web Address	Accredited Testing
1	Korea Advanced Food Research Institute	www.kafri.or.kr	Food*, Health functional food, Additives, Packages, Qualitative GMO testing, Irradiated food testing
2	Korea Advanced Food Research Institute – Pusan Branch	www.kafri.or.kr	Food, Health functional food, Additives, Packages, Qualitative GMO testing
3	Korea Basic Science Institute – Seoul Center	www.kbsi.re.kr	Dioxin
4	Korea Research Institute of Analytical Technology	www.anapex.com	Food, Health functional food, Additives, Packages, Qualitative GMO testing
5	Korea Health Supplement Institute	www.khsi.re.kr	Food, Health functional food, Additives, Packages, Irradiated food testing, Radioactivity testing, Qualitative GMO testing
6	Kogene Biotech	www.kogene.co.kr	Qualitative GMO testing in Food and Health Functional Food
7	SGS Testing Korea	www.kr.sgs.com/kr	Food, Health functional food, Packages, Qualitative GMO testing, and Radioactivity testing in food
8	JPNC	www.jnc.co.kr	Qualitative GMO testing for food
9	Industry-Academic Cooperation Foundation, Chosun University	http://iacf.chosun.ac.kr/	Radioactivity testing in food
10	Institute for Nuclear Science and Technology, Jeju National University	http://wcms.jejunu.ac.kr/arsri/index.jsp	Radioactivity testing in food
11	NeosisKorea	http://www.neosiskorea.com/	Radioactivity testing in food
12	Radioactivity Testing	http://hanarad.com	Radioactivity testing in

	Center, Hana Nuclear Power Engineering Co., Ltd.		food and health functional food
13	Radioactivity Testing Center, HDX Corporation	www.hdx.co.kr	Radioactivity testing in food, Health functional food, Food additives, and Food containers, packages and utensils
14	Pinnacle CALS Branch	Phone: 82-70-8879-0623 Fax: 82-2-6280-2362	Qualitative GMO testing for food, Health functional food and Food additives
15	RM Tec	www.rmtec.co.kr	Radioactivity testing in food
16	Eurofins Korea Analytic Service Co.	Phone: 82-31-361-7706 Fax: 82-31-361-7798	Food, Health functional food, Food additives, and Food containers, packages and utensils
17	KOTITI Testing & Research Institute	KOTITI (kotiti-global.com)	Food, Health functional food, and Food additives

**Food testing may include physical/chemical, microorganisms, chemical residues, and veterinary drug residues testing.*

Attachments:

No Attachments