

Act No. 8755

Act on the Traceability of Cattle and Beef

Article 1 (purpose) The purpose of this Act is to contribute to the development of the livestock industry and to protect consumers by efficiently preventing epidemics and ensuring the meat safety through the establishment of the information management system of cattle and beef. The information management system allows each step of the livestock industry to be identified and traced from the date of birth of cattle to their sale.

Article 2 (definition) The terms used in this Act are defined as follows:

1. "Traceability" means that the origin of cattle and beef can be identified and traced, if necessary, through the cattle and beef information system that records and manages the detailed information of the cattle and beef including the date of birth, import and breeding of the cattle and beef sales.
2. "Identification Number" is a unique number provided to each cow or bull by the Minister for Food, Agriculture, Forestry and Fisheries in order to identify cattle.
3. "Owners" are those who own and manage cattle (except those who are assigned for the transportation of the cattle).
4. "Ear Tag" is a tag designed to be attached to the ears of cattle and shows a unique Identification Number in order to track the origin of the cattle. The identification number consists of letters, numbers and bar codes (including electronic recognition).
5. "Identified Beef" is the beef (including primal cuts, trimmed primal cuts and the meat ready for sale) provided for eating through the butchering and processing of the cattle reported on the Cattle Identification Book.

Article 3 (report of birth) For the purposes of providing and managing the Identification Numbers of cattle, the Owners of cattle shall report the birth or death, import or export, and transfer or acquisition (including the slaughter) of cattle to the Minister for Food, Agriculture, Forestry and Fisheries.

Butchers (those who are licensed for butchery in compliance with Article 22 of the Livestock Processing Act) shall report cattle butchery to the Minister for Food, Agriculture, Forestry and Fisheries. The meat-packers designated by Presidential Ordinance (those who are licensed for meat-packing in compliance with Article 22 of the Livestock Processing Act) shall report meat-packing to the Minister for Food, Agriculture, Forestry and Fisheries.

The method, procedure and period of reporting in accordance with and shall be decided by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

Article 4 (attachment of Ear Tag) The Minister for Food, Agriculture, Forestry and Fisheries shall provide an Identification Number for the cattle whose date of birth and import details were reported and notify the reporter thereof.

Those who are provided with an Identification Number shall attach Ear Tags containing the Identification Number to both ears of the corresponding cattle within the period designated by Ordinance of the Ministry for Food, Agriculture, Forestry and

Fisheries. However, in exceptional cases described by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries, such as cows or bulls without ears, a necklace shall be used.

In case of the loss of Ear Tags or damaged Ear Tags, the Owners of cattle shall attach new Ear Tags containing the same Identification Number.

The details regarding Identification Number distribution method, Ear Tag size, Ear Tag attachment and its management shall be designated by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

Article 5 (prohibition of forgery, alteration and damage of Ear Tag) It shall be prohibited to forge, alter, remove or damage Ear Tags attached to the ears of cattle with the intention of preventing the Identification Number from being recognized. Unless Presidential Ordinance says otherwise, it shall be prohibited to transfer, acquire or import cattle whose Identification Number cannot be recognized because of the absence of Ear Tags or damaged Ear Tags.

Article 6 (creation of Cattle Identification Book) In the case of providing an Identification Number in accordance with Article 4. , the Minister for Food, Agriculture, Forestry and Fisheries shall write the following details for each cow or bull in the Cattle Identification Book.

1. Identification Number
2. Date of birth or import
3. Sex of cattle
4. In the case of imported cattle, the importer's name and address (if the importer is a corporation, its name, business registration number and CEO's name and address)
5. The location of the breeding facility and the business start date of this facility
6. An Owner's name, ID number and address (if the Owner is a corporation, its name, business registration number and CEO's name and address)
7. Other details designated for livestock management policy by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries

The Cattle Identification Book in accordance with shall be recorded and managed by magnetic storage system (including similar methods guaranteed to accurately record the required details).

The Ministry for Food, Agriculture, Forestry and Fisheries may modify or remove the records of the Cattle Identification Book in compliance with Article 3.

The Ministry for Food, Agriculture, Forestry and Fisheries shall preserve the records in the Cattle Identification Book from the date of slaughter, the date of meat processing, the date of death or the date of export for the period designated by Presidential Ordinance.

Other details required of the Cattle Identification Book shall be designated by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

Article 7 (notification of changes) In the case of any changes to the records of the Cattle Identification Book, the Owners of cattle shall notify the Ministry for Food, Agriculture,

Forestry and Fisheries thereof in accordance with the method designated by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

Article 8 (obtainment of records in the Cattle Identification Book) If the Ministry for Food, Agriculture, Forestry and Fisheries finds any missing records or errors in the Cattle Identification Book, he or she may take necessary steps such as advising the Owners to provide the correct details.

If the Owner of cattle finds any missing records or errors in the Cattle Identification Book, he or she may ask the Ministry for Food, Agriculture, Forestry and Fisheries to correct the details.

Article 9 (publication of Identification Information) The Ministry for Food, Agriculture, Forestry and Fisheries shall make the Identification Information of cattle and beef available to the public. An Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries shall decide what details are to be opened to the public, for how long, and how to make them available.

If the information collected in accordance with this Act is personal or is a corporate secret, it shall be kept confidential and shall be used only for livestock policy purposes.

Article 10 (display of Identification Number by a butcher) A butcher shall display the corresponding Identification Number on the Identified Beef.

Unless an Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries says otherwise, a butcher shall not slaughter cattle without Ear Tags, with Ear Tags but unrecognisable Identification Numbers and without registration in the Cattle Identification Book. If a butcher is asked to slaughter cattle without Ear Tags, he or she shall immediately report this to an inspector, who represents the district where the butcher is located and works under the supervision of the Teukbyul mayor or Gwanggyok mayor, or the provincial governor or the head of Teukbyul local government (hereinafter referred as “Mayor and Provincial governor”) Other details required of how to display and manage Identification Number by a butcher in accordance with and shall be designated by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

Article 11 (Identification Number display by meat-packers or meat sellers) Meat-packers or meat sellers (those who are licensed for meat sales in compliance with Article 24 of the Livestock Processing Act) shall display the corresponding Identification Number on beef or on a label in accordance with the Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

In the case of , meat-packers or meat sellers shall provide one Identification Number to each piece of Identified Beef. However, in the case of packing or selling different kinds of Identified Beef as one unit, a Unit Number (different Identification Numbers or other numbers than the Identification Number or new symbols that replace the numbers) may be used in accordance with the Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

On a consumer’s request, meat-packers or meat sellers who dealt with the Identified Beef shall provide a receipt or a purchase order with the corresponding Identification

Number in accordance with Article 31 of the Livestock Processing Act, or a copy of a Livestock Grade Certificate in accordance with Article 40 of the Livestock Processing Act.

Article 12 (correction order) In case that the Minister for Food, Agriculture, Forestry and Fisheries decides that a butcher, a meat-packer or a meat seller does not obey Article 10 or 11 without justification, he or she may give the corresponding butcher, meat-packer or meat seller a correction order.

Article 13 (display of data book) A butcher and a meat-packer shall record the details of cattle slaughter, meat-packing or Identified Beef sale on a data book (including electronic methods) and keep the data for two years from the date of recording.

A meat seller shall record the Identification Number of beef on the purchase order, which must be created in accordance with Article 31 of the Livestock Processing Act and keep the data for a year from the date of purchasing the meat.

Other details required of how to record on a data book or on a purchase order in accordance with and shall be designated by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries .

Article 14 (report, visit and inspection) When the Minister for Food, Agriculture, Forestry and Fisheries acknowledges that it is necessary to do so in order to enforce this Act, the Owners, importers or exporters of cattle shall be asked to report the required details. Additionally, the Minister may have a public officer in charge (including the employee of a public organization assigned with a task in accordance with Article 16) visit the corresponding Owners', importers' or exporters' offices and business sites or other facilities and inspect the documents and objects related to the corresponding business or sales.

When the Minister for Food, Agriculture, Forestry and Fisheries acknowledges that it is necessary to do so in order to enforce this Act, butchers, meat-packers or meat sellers shall be asked to report the required details. Additionally, the Minister may have a public officer in charge to visit the corresponding offices and business sites or other facilities and to inspect the documents and objects related to the corresponding business or sales. Moreover, a sample (minimum quantity) of Identified Beef may be taken away without charge for inspection.

When a report, a visit or an inspection is made in accordance with or , Owners, importers, exporters, butchers, meat-packers or meat sellers shall not reject, interrupt or avoid this without justification.

The public officer aforementioned in or shall show his or her ID card which proves his or her authorization to visit, inspect or collect samples when he or she visits a business site or a facility for inspection.

The Minister for Food, Agriculture, Forestry and Fisheries may decide the details required for inspection methods in accordance with and , and publicly announce them.

Article 15 (distribution of certificates) The inspector who inspected the slaughtered cattle and the meat processed from the slaughtered cattle in accordance with Article 11

and Article 12 of the Livestock Processing Act, shall provide those who applied for inspection with a slaughter inspection certificate including an Identification Number.

The grading test performer, who graded the beef in accordance with Article 40 of the Livestock Processing Act, shall provide those who applied for a grading test with a livestock grade certificate including Identification Number.

Article 16 (delegation) The Minister for Food, Agriculture, Forestry and Fisheries may delegate the head of an organization, Mayor or Provincial Governor, a county governor or a district chairman to perform tasks in accordance with Presidential Ordinance.

The Minister for Food, Agriculture, Forestry and Fisheries may delegate a public organization, a producers' association, a corporation dealing with livestock business or inspecting organization designated in compliance with Public Organization Operation Act (hereinafter referred as "Public Organization") to perform tasks in accordance with Presidential Ordinance.

An employee of a Public Organization who performs tasks in accordance with shall be regarded as a public officer when Article 129, 130, 131 and 132 of Criminal Law are applied.

Article 17 (cost support) The government or local a utonomous entity may support a part of or all of the cost within the range decided by Presidential Ordinance when it is required for harmonious enforcement of Article 3, 4, 6, 10, 11, 13 and 14.

Article 18 (penalty) Those who commit one of the following shall be fined less than 5 million Won.

1. False report in violation of Article 3 or
2. Change, removal or damaging of Ear Tags in violation of Article 5 in order to make the Identification Number unrecognizable
3. No display or false display of an Identification Number in violation of Article 10

Article 19 (penalty regulation) When the CEO, the representative or other employees of a corporation violates the rules as referred to in Article 18 regarding the business of the corporation, not only the violator but also the corporation shall be fined in accordance with the corresponding regulation.

The representative of an individual or other employees hired by an individual violates the rules as referred in Article 18 regarding the business of the individual, not only the violator but also the individual shall be fined in accordance with the corresponding regulation.

Article 20 (fine) Those who commit one of the followings shall be fined less than 5 million Won.

1. No report in violation of Article 3 or
2. No attachment of Ear Tags displaying an Identification Number in violation of Article 4 or

3. Transfer, acquisition or export of cattle without Ear Tags or with damaged Ear Tags in violation of Article 5
4. Slaughtering of cattle with unclear Identification on or no registration on the Cattle Identification Book in violation with Article 10
5. No display or false display of an Identification Number on Identified Beef in violation of Article 11 and
6. No distribution of a purchase order displaying an Identification Number to a buyer in violation of Article 11
7. Violation of a correction order in accordance with Article 12
8. No record or false record on a book or failure to preserve the book during the designated period in violation with Article 13
9. No report or false report, rejection or interruption of inspection and collection of test samples in violation with Article 14 , and

The fine in accordance with shall be imposed and collected by the Minister for Food, Agriculture, Forestry and Fisheries , Mayor or Provincial Governor, a county governor or a district chairman (hereinafter referred as “Imposer”) in accordance with Presidential Ordinance.

Those who disagree with the fine imposed in accordance with may lodge a complaint to the corresponding Impo ser within 30 days as of the receipt of the notification of the fine.

When a case described in occurs, the corresponding imposer shall notify immediately the court in charge of the corresponding district and the court shall deal with the case in accordance with the Non-litigation Case Procedure Act.

Those who do not lodge a complaint during the period described in and do not pay the fine shall be fined in accordance with the taxes and rates payment delay penalty.

Article 21 (association in charge of traceability) An Association in charge of Traceability (hereinafter referred as “Association”) shall be created under the supervision of the Minister for Food, Agriculture, Forestry and Fisheries for the purpose of answering the Minister’s questions about major polices related to the cattle and beef Traceability.

The Association shall consist of individuals with expertise in the livestock business, veterinary science, meat distribution and consumer protection.

Other details required for the creation and operation of the Association in accordance with and shall be decided by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.

Subsidiary Act

Article 1 (enforcement date) This Act shall be enforced one year after the announcement.

However, Article 3 , Article 10,11,12,13, 14 and 15 shall be enforced one year and six months after the announcement.

Article 2 (exemption of application) The cattle owned by Owners during the enforcement of this Act (hereinafter referred as “Existing Cattle ”) shall be reported and Ear Tags shall be attached to them in accordance with Article 3 , and Article 4

within six months as of the enforcement of this Act. However, Article s 18, 19, 20 shall not be applied during this period.

In accordance with the promotion business of the Traceability system in compliance with the Livestock Processing Act during the enforcement of this Act, Existing Cattle whose dates of birth were reported and Ear Tags with an Identification Number were properly attached or corrected (and reported) shall be regarded as their dates of birth having been reported and Ear Tags with an Identification Number having been properly attached or corrected (and reported) in accordance with Article 3, 4 and 7 of this Act.

The cattle to which Ear Tags were attached to test for brucellosis in cattle in accordance with the Livestock Epidemics Prevention Act as well as in accordance with promotion of calf production, livestock inspection, livestock development and livestock deduction in compliance with the Livestock Processing Act shall be regarded as their Ear Tags displaying an Identification Number having been correctly attached in accordance with Article 4 of this Act.