

Food Industry Promotion Act

1. General Provisions

Article 1 (purpose) The purpose of this Act is to encourage the development of the food industry through the enhanced relationship between food industry and agriculture. Moreover, it aims to improve the quality of life and to contribute to the development of the national economy by improving the competitiveness of the food industry and safely providing various kinds of good quality food to consumers.

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

1. “Food” refers to the food described in Article 3.7 of the Agriculture, Agricultural Area and Food Industry Act.
2. “Food Industry” refers to the food industry described in Article 3.8 of the Agriculture, Agricultural Area and Food Industry Act.
3. “Food Industrialist” refers to a person who manages the Food Industry
4. “Traditional Food” refers to the food manufactured, processed or cooked according to traditional Korean recipes with local ingredients so that the unique Korean taste, smell and colour can be preserved.
5. “Processed Organic Food” refers to the food containing organic ingredients and manufactured, processed or distributed in accordance with Article 16 of the Environment Friendly Agriculture Development Act.

Article 3 (responsibilities of government and local governments) The government and the local governments shall establish plans to improve the relationship between the Food Industry and agriculture and to encourage the development of the Food Industry. Moreover, the government and the local governments shall prepare necessary legal and financial measures to carry out these plans.

Article 4 (establishment of standard plan for promoting the food industry) 1. The Minister of Agriculture and Forestry shall establish a standard plan for Food Industry promotion (hereinafter referred to as “Standard Plan”) in order to develop the Food Industry and to improve its competitiveness.

2. The following shall be included in the Standard Plan:

1. A general direction for the Food Industry development plan to take
2. Details of the relationship enhancement between the Food Industry and agriculture
3. Details of catering industry promotion
4. Details of Food quality improvement and Food supply and demand
5. Details of Food Industry-related technology service and development
6. Details of training programmes in the Food Industry and the statistics and information on Food Industry skilled workers
7. Plan details to encourage healthy ingredients consumption
8. Details of consumer protection and information on Food quality
9. Other details related to Food Industry promotion

Article 5 (establishment of food industry promotion committee) 1. The Food Industry Promotion Committee (hereinafter referred to as “Committee”) shall be established under

the Minister of Agriculture and Forestry's supervision in order to discuss and review the issues related to Food Industry promotion.

2. The Committee shall discuss and review the following issues:
 1. Establishment of a Standard Plan
 2. Commercial standard certification of Food
 3. Categorization of Traditional Food and establishment and amendment of the standard
 4. Designation of food masters and its cancellation
 5. Quality certification of Traditional Food and certification of Processed Organic Food
 6. Catering industry promotion and plan details to encourage healthy ingredients consumption
 7. Other issues requested by the Minister of Agriculture and Forestry to be discussed and reviewed regarding Food Industry promotion and consumer protection
3. Food Industry Promotion Subcommittee (hereinafter referred to as "Subcommittee") may be established for the better operation of the Committee.
4. The details of the organization and operation of the Committee and Subcommittee shall be decided by a Presidential Ordinance

Article 6 (connections to other Acts) Regarding Food Industry promotion and an enhanced relationship between Food Industry and agriculture, this Act shall be applied unless the regulations in other Acts specifically say otherwise.

2. Creation of Foundation for Food Industry Promotion

Article 7 (training programmes for the food industry) 1. The government or the local governments shall endeavour to produce skilled workers for Food Industry promotion.

2. In order to produce skilled workers for the Food Industry in accordance with Article 7.1, the Minister of Agriculture and Forestry or the Mayor of Seoul, Mayors of Gwangyeok-si, Provincial Governors and a Special Autonomous Provincial Governor (hereinafter referred to as "Mayor and Provincial Governor") may designate and manage organizations or institutes including universities and research centres as training centres, which can provide the right personnel and facilities to produce skilled workers for the Food Industry, in accordance with a Presidential Ordinance.

3. The government or the local governments may support the training centres described in Article 7.2 by paying all or a part of the cost for producing skilled workers within the budget in accordance with a Presidential Ordinance.

Article 8 (promotion of food industry technology) 1. The Minister of Agriculture and Forestry shall perform the following in order to promote Food Industry technology:

1. Survey on current Food Industry technologies and demands
2. Research and development of Food Industry promotion and other related technologies
3. Research and development on the globalisation of traditional Korean Food
4. Obtainment of patents and practical use of the designed technologies
5. Technical cooperation and information exchange

6. Other details necessary for the research and development of Food Industry technologies

2. The Minister of Agriculture and Forestry may support the researchers, developers and suppliers of Food Industry technologies in order to promote the Food Industry technology described in Article 7.1.

Article 9 (statistical survey on food industry) 1. The Minister of Agriculture and Forestry may perform a statistical survey on the production, distribution and consumption of Food in order to help Food Industry promotion, the smooth distribution of Food and the efficient use of Food resources. In this case, the Statistics Act shall be applied to the creation of Food Industry-related statistics

2. When it is approved to be necessary for creating statistics, the Minister of Agriculture and Forestry may request the head of a central administrative agency, the chief officer of a public organization, a Food Industrialist or the head of business organization described in Article 11 to provide him or her with the related information and data.

3. Those who are requested to provide the related information and data in accordance with Article 9.2 shall cooperate unless they have a particular reason not to do so.

4. The details for conducting the statistical survey in accordance with Article 9.1 shall be prepared by an Ordinance of the Minister of Agriculture and Forestry.

Article 10 (international cooperation and trade promotion) 1. In order to increase the export of Korean Food and traditional Korean food culture, the government and the local governments may establish and practise a policy that helps to promote international cooperation, to explore new markets and to attract foreign investments.

2. The government or the local governments may support the institutes, the organizations, or the businessmen who participate in the policy described in Article 10.1 unless international regulations say otherwise.

Article 11 (food industry business organization) 1. Those who manage the Food Industry may establish a business organization under the permission of the Minister of Agriculture and Forestry in order to contribute to the development of the Food Industry.

2. The business organization described in Article 11.1 shall be established as a corporation and the details including creating a corporation statute and its operation and supervision shall be decided by a Presidential Ordinance.

3. The business organization described in Article 11.1 may perform the following tasks.

1. Research and study on the future development of the corresponding industry
2. Competitiveness promotion and profit increase between members of the corresponding industry
3. Improvement of the relationship between the Food Industry and agriculture
4. Other tasks designated by an Ordinance of the Minister of Agriculture and Forestry in order to help to promote and develop the corresponding industry.

4. Apart from the regulations of this Act, the regulations for corporations in the Civil Law shall be applied to business organizations described in Article 11.1

Article 12 (integrated revitalization of food industry) 1. The Minister of Agriculture and Forestry may establish and practise a policy regarding the integrated revitalization of the Food Industry in order to create synergy between the Food Industry and Food-related industry including agriculture. The integrated revitalization policy involves the relocation of corporations, research centres, universities and corporation support facilities in one area and the creation of a Food Industry complex.

2. The details regarding the creation of the Food Industry complex and the construction of factories in accordance with Article 12.1 shall be decided in compliance with the Industrial Location and Development Act and the Integrated Industrial Revitalization and Factory Construction Act.

3. Food Industry Promotion

Article 13 (improvement of business cooperation and interchange including contract trade) 1. In order to increase the additional value of agricultural products through the strong relationship between the Food Industry and agriculture and to improve the competitiveness by the smooth distribution of ingredients for the Food Industry, the Minister of Agriculture and Forestry may promote the business cooperation and interchange plan between farmers or agriculture organizations and Food Industrialists by encouraging the agreement of contract production and contract supply of food ingredients.

2. The Minister of Agriculture and Forestry may pay the cost for carrying out the business cooperation and interchange plan in accordance with Article 13.1.

3. The standard and the procedure for the selection of a partner for the business cooperation and interchange in accordance with Article 13.1 and the standard and the procedure for the selection of a beneficiary of the support in accordance with Article 13.2 shall be decided by a Presidential Ordinance.

Article 14 (designation of food master) 1. In order to preserve and promote good Korean food, the Minister of Agriculture and Forestry may designate the people with excellent food manufacturing, processing or cooking skills as food masters with the approval of the Committee and in accordance with a Presidential Ordinance.

2. Those who are designated as food masters in accordance with Article 14.1 shall report their activities as food masters to the Minister of Agriculture and Forestry in accordance with a Presidential Ordinance.

3. If a food master in accordance with Article 14.1 desires to work full-time as a food manufacturing, processing or cooking trainer, the Minister of Agriculture and Forestry may pay the necessary cost.

4. If a food master in accordance with Article 14.1 falls into one of the following categories, the Minister of Agriculture and Forestry may cancel the designation with the approval of the Committee. However, in the case of category 1, the designation shall be cancelled.

1. False or dishonest designation
2. Transfer or lending of a food master certificate to a third party
3. No or false report of food master activities in accordance with Article 14.2 without any reason

Article 15 (food industry consulting support) 1. The Minister of Agriculture and Forestry may-

1. provide consulting services regarding the right size and type of food business
2. establish an assessment system in order to obtain the reliability of the consulting results
3. create a financial support connection including loans according to the consulting results

4. perform other tasks necessary for creating a strong consulting base for food businessmen.
2. The Minister of Agriculture and Forestry may support food businessmen or consulting companies in accordance with Article 15.1.

Article 16 (support for processing industry at production area) 1. The Minister of Agriculture and Forestry may support those who engage themselves in agricultural products processing business including washing, peeling and cutting of agricultural products at the production area or those who produce or desire to produce processed agricultural food and other articles connected with folk arts (hereinafter referred to as “Processed Agricultural Products”) by providing financial aid for the production and development of Processed Agricultural Products, for the installation and operation of the shops for these products, for the export of the products and for the other tasks designated by a Presidential Ordinance.

2. If a person designated for the support in accordance with Article 16.1 desires to build a factory for the production of Processed Agricultural Products, he or she shall submit a business plan to the mayor (if the factory construction area is located in a Special Autonomous Province, to the Special Autonomous Provincial Governor), to the county governor or to the district chairman in charge of the corresponding construction area for the approval in accordance with an Ordinance of the Minister of Agriculture and Forestry.

3. If a person who is designated for the support in accordance with Article 16.1 receives the approval for his or her business plan in accordance with Article 16.2, he or she shall be regarded to have received or reported permission, confirmation, agreement, approval or cancellation as follows:

1. Permission for the occupancy or the use of public waters in accordance with Article 5 of the Public Waters Management Act
2. Permission for the change of land in accordance with Article 56 of the Public Land Plan and Use Act, the designation for urban development plan in accordance with Article 86 of the same Act and the approval for the development plan in accordance with Article 88 of the same Act
3. Permission for the private use of agricultural land in accordance with Article 34.1 of the Agricultural Land Act
4. Permission for building a private road in accordance with Article 4 of the Private Road Act
5. Cancellation of the activity restriction within an erosion control area in accordance with Article 14 of the Erosion Control Act and the cancellation of the designation of an erosion control area in accordance with Article 20 of the same Act
6. Approval of factory construction in accordance with Article 13 of the Concentrated Industry Activity and Factory Construction Act
7. Permission and notification for the private use of mountains in accordance with Article 14 and 15 of the Mountain Maintenance Act and permission and notification of felling in accordance with Article 36.1 and 36.4 of the Forest Resources Creation and Management Act
8. Permission for the installation of waterworks and industrial water supply system for private use in accordance with Article 52 and 54 of Waterworks Act

9. Permission for activity restriction in accordance with Article 15 of the Balanced Regional Development and Local Small and Medium -Sized Companies Growth Support Act
 10. Permission and notification for the private use of grasslands in accordance with Article 23 of the Grasslands Act
 11. Permission for sewerage installation by those who are not public sewerage management authorities in accordance with Article 16 of the Sewerage Act and notification of drainage system installation in accordance with Article 27 of the same Act
 12. Watercourse construction, its maintenance and repair by watercourse management authorities in accordance with Article 27 of the Watercourse Act and the permission for the private use of watercourse s in accordance with Article 33 of the same Act
 13. Permission for harbour construction in accordance with Article 9.2 of the Harbour Act
4. If a person who does business in accordance with Article 16.3 receives planning permission for the business in accordance with the Construction Act, he or she shall be regarded to have received permission for or notified of the following items:
1. Temporary buildings in accordance with Article 15 of the Construction Act
 2. Permission for road works done by those who are not the authorities in charge in accordance with Article 34 of the Road Act, the permission for the private use of roads in accordance with Article 40 of the same Act and the designation of a controlled area in the vicinity of roads in accordance with Article 50 of the same Act
5. If a mayor, a county governor or a district chairman is not authorized to approve but still desires to approve a business plan that includes the tasks of Article 16.3 and 16.4, he or she shall discuss with or obtain permission from an administration office concerned in advance.

Article 17 (globalisation of traditional food and food culture) 1. The government and the local governments shall endeavour to improve the national image through the globalisation of traditional Korean food and food culture as well as to research, to discover and to modernize Traditional Food and food culture in each region.

2. When it is approved to be necessary for the globalisation of Traditional Food in accordance with Article 17.1, the government and the local governments may support for the advertisement of Traditional Food and Korean food culture and for the improvement of the competitiveness of Korean restaurants and Korean food companies located overseas.

3. The details required for designating support beneficiaries, support standards, support methods and operation in accordance with Article 17.2 shall be decided by a Presidential Ordinance.

Article 18 (inheritance and development of traditional food culture) 1. The government and the local governments may provide necessary information and guidelines in order to improve the rights of consumers and to inherit and develop traditional food culture.

2. The Minister of Agriculture and Forestry may develop and supply different menus and recipes made of local agricultural products and Traditional Food in order to increase the

consumption of local agricultural products and to inherit and develop traditional food culture.

Article 19 (examination of food ingredients) 1. In order to provide the information in accordance with Article 18.1 and 18.2, the government may publish a food ingredients table based on the analysis of food ingredients nutrition including agricultural products and do research on the nutritious quality and character of Food.

2. The details required for the analysis of food ingredients nutrition including agricultural products and the research and study on the nutritious quality and character of Food in accordance with Article 19.1 shall be decided by a Presidential Ordinance.

4. Food Quality Management

Article 20 (industrial standard certification of food) 1. The Minister of Agriculture and Forestry may issue an industrial standard certification of Food in order to encourage the standardization of the Food Industry and to improve Food quality and consumers' rights.

2. The categorization, the standards, the indication methods and other details required for the industrial standard certification in accordance with Article 20.1 shall be decided by a Presidential Ordinance.

Article 21 (promotion of international standardization of traditional food) The Minister of Agriculture and Forestry shall promote the international standardization of Traditional Food in order to improve the quality of Traditional Food and international trade.

Moreover, the Minister shall endeavour to improve international cooperation including working with the Food and Agriculture Organization and Codex Alimentarius Commission for the standardization of Food and providing necessary information.

Article 22 (quality certification of traditional food) 1. The Minister of Agriculture and Forestry shall operate quality certification system for Traditional Food in order to improve the quality of Traditional Food, to encourage the production and to protect consumers.

2. The categorization, the indication methods, the application procedures and other details required for the quality certification in accordance with Article 22.1 shall be decided by a Presidential Ordinance.

Article 23 (certification of processed organic food) 1. The Minister of Agriculture and Forestry may operate a certification system for Processed Organic Food in order to improve the quality of Processed Organic Food, to encourage production and to protect consumers.

2. The valid period of certification of Processed Organic Food in accordance with Article 23.1 shall be one year as of the day of the receipt of the certification. However, if the shipping of the corresponding Food is not complete after one year or additional time is required due to the specific character of the Food, the certification period may be extended in accordance with an Ordinance of the Minister of Agriculture and Forestry.

3. A Processed Organic Food certification recipient in accordance with Article 23.1 shall receive a regular inspection (hereinafter referred to as "Regular Inspection") to ensure that the standards of the Processed Organic Food certification are properly maintained.

4. The methods, procedures, details and other necessary facts for Regular Inspection in accordance with Article 23.3 shall be decided by an Ordinance of the Minister of Agriculture and Forestry.

5. The certification procedure and the standard of Processed Organic Food, the types and the selection standard of allowed organic materials and the standard of organic treatment in accordance with Article 23.1 shall be decided by an Ordinance of the Minister of Agriculture and Forestry.

6. A certification recipient in accordance with Article 23.1 and a person who desires to sell or process organic food shall mark on the wrapping paper or the container of Processed Organic Food a symbol or letters showing that the food is Processed Organic Food.

Article 24 (support for good food certification office) 1. In order to efficiently perform the tasks regarding industrial standard certification in accordance with Article 20.1, quality certification of Traditional Food in accordance with Article 22.1, certification of Processed Organic Food in accordance with Article 23.1 (hereinafter referred to as “Good Food Certification”) and Regular Inspection, the Minister of Agriculture and Forestry may designate a Good Food Certification Office and support the Office within the budget.

2. The designation and other details required for the operation of Good Food Certification Office in accordance with Article 24.1 shall be decided by a Presidential Ordinance.

Article 25 (prohibition of misconduct) No person shall -

1. lie or behave dishonestly in order to be designated as a food master in accordance with Article 14.1. No person shall either transfer or lend a food master certificate to a third party.
2. lie or behave dishonestly in order to receive industrial standard certification in accordance with Article 20.1, quality certification of Traditional Food in accordance with Article 22.1 or certification of Processed Organic Food in accordance with Article 23.1.
3. mark a Good Food Certification or other similar signs (including the signs in the foreign languages, which could be understood as Traditional Food or Processed Organic Food) on the Food not certified as Good Food.
4. describe the certified Good Food differently from what the Certification says.
5. mix the certified Good Food with the non-certified Food and sell them or store, carry or display the certified Good Food and non-certified Food together for the purpose of mixing and selling.
6. sell the Food or store, carry or display the Food for the purpose of selling in spite of being aware that the Food is described differently from what the Good Food Certification says.
7. sell the Food or store, carry or display the Food for the purpose of selling in spite of being aware that Good Food Certification has not been given to the Food but Good Food Certification or a similar sign is shown on the Food.
8. advertise non-certified Food as the certified Good Food
9. advertise the certified Good Food differently from what the Certification says.

Article 26 (aftercare of Good Food Certification) 1. When it is approved to be necessary in order to maintain the quality of the certified Good Food and to protect consumers, the Minister of Agriculture and Forestry may order the public officers concerned and the manager of Good Food Certification Office in accordance with Article 24 to perform the following tasks:

1. Inspection of suitability of the Good Food Certification standard

2. Inspection of a certification recipient's account books and documents related to Good Food Certification

3. Collection and inspection of the certified Food samples or request to a professional test centre for the test of the samples

2. A Good Food Certification recipient shall display and preserve the documents related to the certification examination, the maintenance of processing facilities, the use of food additives and the sales of the certified Good Food.

3. When inspections or a collection is carried out in accordance with Article 26.1, the owner, the possessor, or the manager of the certified Good Food shall not reject, interrupt or avoid the inspections or the collection without any good reason.

Article 27 (commission fees and others) 1. The following commission fees shall be paid if a person desires to -

1. receive quality certification of Traditional Food in accordance with Article 22.1.

2. receive certification of Processed Organic Food in accordance with Article 23.1.

3. be granted the extension of the valid period of certification of Processed Organic Food in accordance with Article 23.2.

2. The amount of commission fees, the payment methods and period in accordance with Article 27.1 shall be decided by an Ordinance of the Minister of Agriculture and Forestry.

Article 28 (order to change indication) 1. When the result of an inspection or a test in accordance with Article 26 shows that the certified Good Food has violated the certification standard or has been indicated improperly or the production of the Food and the operation of the corresponding Food Industry are in difficulty, the Minister of Agriculture and Forestry may order to change the indication or to stop the use and the sale of the Food.

2. The detailed standard for administrative procedures in accordance with Article 28.1 shall be decided by an Ordinance of the Minister of Agriculture and Forestry.

Article 29 (cancellation of good food certification) If a Good Food Certification recipient falls into one of the following categories, the Minister of Agriculture and Forestry may cancel the certification. However, in case of category 1, the certification shall be cancelled.

1. False or dishonest certification

2. Failure to meet the certification standard according to the inspection result in accordance with Article 26

3. Disobedience without any good reason to the indication change order or the use and sale suspension order in accordance with Article 28

Article 30 (succession) 1. If a Good Food Certification recipient transfers his or her business to a third party or dies or a merger happens, a transferee, an inheritor who desires to keep producing, importing or distributing the certified Good Food or an existing corporation after the merger or a newly established corporation by the merger may succeed the Good Food Certification recipient.

2. The successor of Good Food Certification in accordance with Article 30.1 shall report to the Minister of Agriculture and Forestry thereof.

3. The details required for the report in accordance with Article 30.2 shall be decided by an Ordinance of the Minister of Agriculture and Forestry.

5. Supplementary Rules

Article 31 (tax reduction and exemption) The government or the local governments may reduce and exempt a Food Industrialist from taxes in accordance with Tax Exemption Restriction Act and Local Tax Act in order to efficiently perform Food Industry promotion plans in accordance with this Act.

Article 32 (purchase priority of certified food) When the government, the local governments or the public offices described in Article 4 of Public Office Operation Act desire to purchase Food, they may give priority to the purchase of the following products -

1. that have received quality certification of Traditional Food in accordance with Article 22.1.
2. that have received certification of Processed Organic Food in accordance with Article 23.1.
3. that have been produced in a workplace where enhanced hazardous material management standard is applied in accordance with Article 9.1 of the Livestock Processing Act.
4. that have received a certification in accordance with the national certification system decided by a Presidential Ordinance.

Article 33 (encouragement of good food ingredients) 1. In order to promote a balanced supply of high quality Food, the Minister of Agriculture and Forestry may establish and practise a policy to encourage Food Industrialists to use safe and good quality food ingredients including -

1. products that have received quality certification of Traditional Food in accordance with Article 22.1.
2. products that have received certification of Processed Organic Food in accordance with Article 23.1.
3. agricultural products that have received quality certification in accordance with Article 5 of the Agricultural Products Quality Management Act.
4. good agricultural products that have received the certification according to the good agricultural products management standard in accordance with Article 7.2.2 of the Agricultural Products Quality Management Act.
5. products that have been registered for the indication of origins in accordance with Article 8 of the Agricultural Products Quality Management Act.
6. products that have been produced in a workplace where enhanced hazardous material management standard is applied in accordance with Article 9.1 of the Livestock Processing Act.
7. products that have received environment friendly agricultural products certification in accordance with Article 17 of the Environment Friendly Agriculture Development Act
8. products that have been produced in a workplace where enhanced hygiene management standard is applied in accordance with Article 32.2.3 of the Food Hygiene Act
9. products that have received a certification in accordance with national certification system decided by a Presidential Ordinance.

2. The details required for designating support beneficiaries, support standards, support procedures and methods of the encouragement plan for good food ingredients use in accordance with Article 33.1 shall be decided by a Presidential Ordinance.

3. The Minister of Agriculture and Forestry may support the encouragement plan for good food ingredients use in accordance with Article 33.1 by paying all or a part of the cost.

Article 34 (trust of authority) The authority of the Minister of Agriculture and Forestry in accordance with this Act may be partly entrusted to a public office, a producers' association and other corporations related to agriculture, forestry and food as well as to the Administrator of Rural Development Administration, the Minister of Korea Forest Service, Mayor and Provincial Governor or the head officer of the office concerned.

Article 35 (legal fiction on penalty imposition on a public servant) The employees of the Good Food Certification Office in accordance with Article 24.1 shall be regarded as public servants if a penalty is imposed on them in accordance with Article 129, 130, 131 and 132 of Criminal Law.

6. Penalty

Article 36 (penalties) 1. The imprisonment of less than three years or the fine of less than thirty million won shall be imposed if a person -

1. has received Good Food Certification by lying or using other dishonest methods in violation of Article 25.2.
2. has indicated a Good Food Certification mark or a similar mark on the Food not certified as Good Food in violation of Article 25.3.
3. has shown Good Food Certification contents on the certified Good Food but differently from what the Certification says in violation of Article 25.4.
4. has mixed the non-certified Food with the certified Good Food and sold them or stored, carried or displayed the certified Good Food and non-certified Food together for the purpose of mixing and selling in violation of Article 25.5.
5. has sold the Food or stored, carried or displayed the Food for the purpose of selling in spite of being aware that the Food is described differently from what Good Food Certification says in violation of Article 25.6.
6. has sold the Food or stored, carried or displayed the Food for the purpose of selling in spite of being aware that Good Food Certification has not been given to the Food but Good Food Certification or a similar sign is shown on the Food in violation of Article 25.7.

2. The imprisonment of less than one year or the fine of less than ten million won shall be imposed if a person -

1. has advertised the non-certified Food as the certified Good Food in violation of Article 25.8.
2. has advertised the certified Good Food differently from what the Certification says in violation of Article 25.9.
3. has disobeyed the indication change order or the use and sale suspension order in accordance with Article 28.1

Article 37 (double penalty regulations) 1. If the CEO, the agent or other employees of a corporation violates this Act as described in Article 36 regarding the corporation business, a penalty shall be imposed not only on the violator but also on the corporation in accordance with the corresponding Article.

2. If the agent or other employees of a person violates this Act as described in Article 36 regarding the person's business, a penalty shall be imposed not only on the violator but also on the person in accordance with the corresponding Article.

Article 38 (fine) 1. The fine of less than five million won shall be imposed if a person -

1. has been designated as a food master by lying or using other dishonest methods in violation of Article 25.1 or has transferred or lent a food master certificate to a third party.
2. has failed to display or preserve the related documents in violation of Article 26.2.
3. has rejected, interrupted or avoided the inspections in violation of Article 26.3
4. has succeeded a person who had received Good Food Certification but has not reported thereof in violation of Article 30.2

2. The Minister of Agriculture and Forestry shall impose and collect the fine described in Article 38.1 in accordance with a Presidential Ordinance.

3. If a person does not agree to the imposition of the fine in accordance with Article 38.2, he or she may submit an objection to the imposer within thirty days as of the receipt of the fine notice.

4. If a person who has been fined in accordance with Article 38.2 submits an objection to the imposer in accordance with Article 38.3, the imposer shall immediately notify the court concerned thereof and the court shall judge the case according to the Nonlitigation Case Procedure Act.

5. If a person who has been fined but has not paid the fine without submitting an objection within the period described in Article 38.3, the fine shall be collected as a case of arrears of national taxes.

Subsidiary Act

Article 1 (enforcement date) This Act shall be enforced six months after the announcement.

Article 2 (abolition of another law) The former Agricultural Products Processing Industry Development Act shall be abolished.

Article 3 (interim measures) 1. The designation of Traditional Food items and traditional food master and quality certification of local specialties in accordance with the Agricultural Products Processing Industry Development Act shall be regarded as designated and certified in accordance with this Act.

2. The financial support shall be provided in accordance with this Act for those who produce locally processed products or desire to produce locally processed products and those who do Traditional Food catering business in accordance with the Agricultural Products Processing Industry Development Act.

Article 4 (amendment of other laws) A part of the special law regarding the support for farmers and fishermen in accordance with Free Trade Agreement shall be amended as follows:

“Agricultural products processing industry in accordance with Article 2.5 of Agricultural Products Processing Industry Development Act” in Article 2.2 shall be replaced with “Food Industry in accordance with Article 2.2 of Food Industry Promotion Act”.