

1. Reason for the Revision and the Main Contents

• Agricultural Products Quality Management Act • had been amended (Issue 9117, promulgated and entered into force on June 13, 2008) as to regulate that the place of origin must be indicated when cooked livestock products, rice and Korean cabbage Kimchi were sold/served at restaurants in order to be able to accomplish coherent and systematic management and control on the place of origin indication from the production/import of agricultural/livestock products to restaurants where the final consumption takes place. Pursuant to the amended Act, this revision is to lay down the general principles and concrete methods of origin indication, while improving and making up for some defects that had been exposed in the current system such as applying an objection against application for registration of a geographical indication, symbol and information to display on local specialties.

Ministry for Food, Agriculture, Forestry and Fisheries Ord . 20¹

Enforcement Regulation of Agricultural Products Quality Management Act Proposed Order of Partial Revision

Herein propose to make the following revisions to a part of the Enforcement Regulations of Agricultural Products Quality Management Act.

Clause 2 of Article 18 shall be substituted with Clause 3, and Clause 2 shall be added into the same Article as below.

Persons who are going to apply an objection against application for registration of a geographic indication, pursuant to Article 18 Clause 4, must submit enclosed Form 5-2 to The Minister of Korea Forest Service or the Director of National Agricultural Products Quality Management Service along with document(s) that would prove applicant's claim as attachment(s).

In Article 24 Clause 3, but not in each sub-clause, "by the regulations in Clause 1" shall be revised to "pursuant to Clause 1", and "according to" shall be revised to "in the manner specified". "Product of Korea" in Sub-clause 1 of the same clause shall be revised to " 'Product of Korea' or 'domestic product' ", "name of the city/province or name of the city/county/district" shall be revised to "name of the Special city/Metropolitan city/province (referred as "city/province" hereinafter) or name of the city/province/autonomous district (referred as "city/province/district" hereinafter), and "Product of Korea" in Sub-clause 4 of the same clause shall be revised to " 'Product of Korea' or 'domestic product' ".

In Article 24 Clause 1, "Product of Korea" in Sub-clause 1 of shall be revised to " 'Product of Korea' or 'domestic product' ".

Article 24-3 shall be substituted with Article 24-4, and Article 24-3 shall be added in its place as below.

Article 24-3 (Methods of origin indication) Methods to indicate the origin of rice/Kimchi, and livestock products as well as their type (referred as "place of origin and the like" hereinafter) complying with Article 15-2 Clause 3 of the Act are being described in Annex.4-2.

¹ Random number, just for formatting purpose.

Article 47 shall be eliminated.

Annex 4 shall become as per enclosure.

Annex 4-2 shall be added as per enclosure.

Form 5-2 shall become as per enclosure.

Form 6 shall become as per enclosure.

Bylaws

Article 1 (Date of entry into force) This Act shall be enforced from the day of promulgation. However, among revised regulations in Article 24 -3 and Annex 4-2, the regulations about livestock products other than beef and Kimchi shall be enforced from December 22nd, 2008.

Article 2 (Interim measures on the use of symbol and information of local specialty) Regardless the revised regulations in Annex 4, those who have been approved geographical indication registration before this new regulation came into effect shall be allowed to use the previous symbol and information for a year after the date of entry into force of this regulation.

[Annex 4]

Local Specialty Symbol and Information to Indicate
(In Relation to Article 20)

1. Symbol



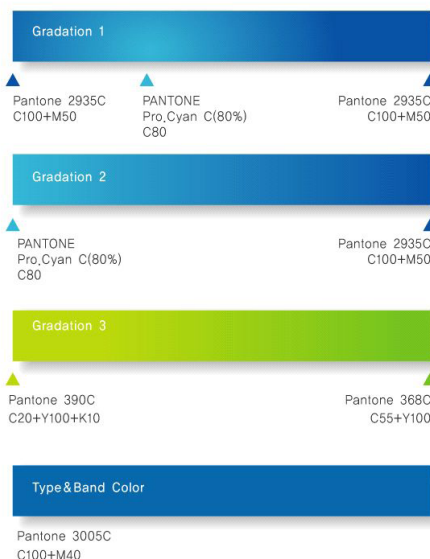
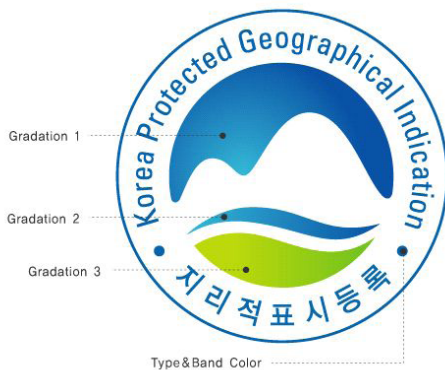
2. Directions to produce the Symbol

A. Produce the symbol.


B. Use yun-gothic 140 font for Korean letters, Universe 57 Condensed for English letters.

C. Following colour scheme shall be used.

- 1) For the sky and the wave, use colour between Pantone 2935c (Cyan 100% + Magenta 50%) and Cyan 80% that is 80% of Pantone Pro Cyan C.
- 2) For green field, use colour Pantone 368c (Cyan 55% + Yellow 100%) and Pantone 390c (Cyan 20% + Yellow 100% + Black 10%).
- 3) For the border and type, use Pantone 3005c (Cyan 100% + Magenta 40%).



3. Information to Indicate

	<p>Registered Name: (Registered Name in English)</p> <p>Name of Management Agency of Geographical Indications, Geographical Indication Registration Number 0000</p> <p>Producer:</p> <p>Address (Phone):</p>
<p>This is a Protected Geographical Indication product complying with • Agricultural Products Quality Management Act •</p>	

4. Guidelines for the Indication

- A. Size: Size of the symbol can be adjusted based on the size of packing material.
- B. Location: Display at the side of the package. The location can be changed if it is structurally impossible to display at the side.
- C. The contents must be printed for consumers to easily recognize, or adhere to the package with a sticker. Ensure that the sticker will not fall off.
- D. For products that will be sold individually or in small packages, and which are not suitable to print on or to attach a sticker, only the symbol and registered name can be displayed.
- E. Letter Size (standard for 15 kg package)
 - Registered Name (Korean, English): width 2.0 cm (57point) * length 2.5 cm(71 point)
 - Registration Number, Producer, Address (Phone): width 1.0 cm(28 point) * length 1.5 cm (43 point)
 - Other characters: width 0.8 cm(23 point) * length 1.0 cm (28 point)

[Annex 4-2]

Guidelines to Indicate place of origin and the like
(In Relation to Article 24-3)

1. General Guidelines

- A. The place of origin of Rice/Kimchi and livestock products must be displayed on menu boards and bulletin boards according to the regulations from Section 2 to 5 of this document. Also, various additional methods of display such as signposts can be used. However, general diners/snack bars where the size of service area is under 100m² can choose one from menu board/bulletin board or signpost.
- B. Group meal facilities can produce a weekly or monthly menu with place of origin and the like written on it, and then make it public by the means of home correspondence, being posted on the internet homepage and in the kitchen. The menu can also be posted or signposted at the restaurant with the size for users to read easily.
- C. When the place of origin is the same for all menu items, it can be displayed en bloc on the menu board and bulletin board.
[Examples]
We use “Domestic Rice” only.
We use “Domestic Hanwoo” only.
We use “Pork that is Product of Denmark” only.

2. Indicating the Origin of Rice

The place of origin of rice shall be divided into Product of Korea or domestic product (referred as ‘domestic product’ hereinafter) and imported product, and be indicated by the classifications below.

- A. Domestic product shall be indicated as “Rice (Domestic Product)”.
- B. The name of importing country shall be indicated for imported rice.
[Example] Rice (Product of USA)
- C. When domestic rice and imported rice were used together, the fact shall be indicated as well as the suitable indications in paragraph A and B.
[Example] Rice (Domestic product and product of China rice were mixed)

3. Indicating the Origin of Kimchi

- A In the case of selling/serving Kimchi that is made of domestic cabbages within the country, it shall be indicated as “Cabbage Kimchi (Domestic Product)”.
- B In the case of selling/serving Kimchi that is made of imported cabbages (including salted cabbages) and was prepared within the country, it shall be indicated as “Domestic Cabbage Kimchi”, and add the name of the importing country in parentheses.
[Example] Domestic Cabbage Kimchi (Cabbage: Product of China)
- C In the case of selling/serving food using imported cabbage Kimchi that was prepared/processed in another country, the name of country where the Kimchi was imported from shall be indicated.
[Example] Cabbage Kimchi (Product of China)
- D When more than one kinds of cabbage Kimchi that were described in paragraphs A through C were used, the fact shall be indicated as well as all pertinent information.
[Example] Cabbage Kimchi (Domestic product and Product of China were mixed)

4. Indicating the Origin of Livestock Products

The place of origin for livestock products shall be divided into domestic and imported, and shall be indicated by the classifications below.

A Beef

- 1) Home products shall be indicated as “Domestic Product”, and the kinds of beef shall be divided into Hanwoo, milk cow and beef cattle. However, if someone had raised imported cows more than 6 months within the country and then distributed their beef as domestic product, it shall be indicated as “Domestic Product” along with the name of importing country in parentheses.
[Examples] Beef Ribs (Domestic Hanwoo), Sirloin (Domestic Beef Cattle), Domestic Beef Ribs (Beef Cattle, Product of Australia)
- 2) For imported beef, the name of the importing country shall be indicated.
[Example] Beef Ribs (Product of USA)
- 3) If more than one kind of beef with different places of origin were used, the fact shall be indicated.
[Example] Beef-Rib Soup (Domestic Hanwoo and Product of Australia beef were mixed)
- 4) In the case that processed beef products were used, the place of origin of ingredients for the processed products shall be indicated. However, if the name of the importing country for the processed meat products was unknown, “Imported Product” can be used.
[Examples] Hamburger (Beef: Domestic Product), Hamburger (Beef: Product of Australia)

B Pork • Chicken

- 1) Home product shall be indicated as “Domestic Product”. However, when if imported pigs, chickens were raised within the country more than 2 months and a month respectively and then the pork and chicken were distributed as domestic products, it shall be indicated as “Domestic Product” along with the name of importing country in parentheses.
[Examples] Samgyeopsal (Domestic Product), Samgyetang (Domestic Product), Domestic Samgyeopsal (Pig, Product of Denmark), Domestic Samgyetang (Chicken, Product of France)
- 2) For imported products, the name of the importing country shall be indicated.
[Examples] Samgyeopsal (Product of Denmark), Samgyetang (Product of China)
- 3) If more than one kind of pork or chicken with different places of origin were used, the fact shall be indicated.
[Examples] Hot pepper paste roasted pork (Domestic Pork and Product of USA pork were mixed), Chicken ribs (Domestic and Product of China chicken were mixed)

5. Other Common Factors

- A. In the case that a combination of beef, pork, and chicken were used, the place of origin for each meat shall be indicated.
[Example] Hamburger Steak (Beef: Domestic Korean beef cattle, Pork: Product of Denmark)
- B. In the case that domestic beef, pork, chicken, rice or cabbages were used, they can be indicated by the name of city/province or city/county/district instead of indicating as “Domestic Product”.

[Enclosure: Form 5-2]

Objection against Application for Registering Geographical Indications			Processing Period 45 Days
Applicant	Organization Name		Number of Members
	Representative		Phone Number
	Address		
Objection	Registered Product		Registration Notification Number
	Objects and Reasons		
<p>I hereby applying objection against the application for registering Geographical Indication as above pursuant to Article 3 of the • Agricultural Products Quality Management Act • and Article 18 of Enforcement Regulations of the same Act.</p> <p style="text-align: right;">Date: (yyyy/mm/dd)</p> <p style="text-align: right;">Applicant: (sign or seal)</p> <p>To: The Minister of Korea Forest Service Director of National Agriculture Products Quality Management Service</p>			
* Required Documents: Documents that shall prove the applicant's assertions.			

210mmx297mm
(Paper for newspapers 54g/m² (Recyclable))

[Enclosure: Form 6]



Certification Of Geographical Indication Registration

1. Registration Number:
2. Registered Product:
3. Registration Name:
 - in Korean:
 - in English:
4. Target Area:
5. Registrant:
6. Address:

This is to certify that above product has registered Geographical Indication as above pursuant to Article 3 of the • Agricultural Products Quality Management Act • and Article 19 of Enforcement Regulations of the same Act.

Date: (yyyy/mm/dd)

The Minister of Korea Forest Service

Comparison Table of New-Old Provisions

Current	Proposal
<p>Article 18 (Notification of application for Registration of a Geographical Indication and the like) (Omitted)</p> <p><Added></p> <p>_(Omitted)</p> <p>Article 24 (Subjects and guidelines of origin indication for processed products) / (Omitted)</p> <p>Origin indication guidelines for ingredients that are subject to be indicated by the regulations in Clause 1 shall be classified according to the sub-clauses below.</p> <p>1.Home produced ingredients shall be indicated as “<u>Product of Korea</u>” or shall be indicated by the <u>name of the city/province or name of the city/county/district</u>.</p> <p>2./3. (Omitted)</p>	<p>Article 18 (Notification of application for Registration of a Geographical Indication and the like (The same as at present)</p> <p><u>Persons who are going to apply an objection against application for registration of a geographic indication, pursuant to Article 18 Clause 4, must submit enclosed Form 5-2 to The Minister of Korea Forest Service or the Director of National Agriculture Products Quality Management Service along with document(s) that would prove applicant’s claim as attachment(s).</u></p> <p>(The same as current Clause 2)</p> <p>Article 24 (Subjects and guidelines of origin indication for processed products) / (The same as at present)</p> <p><u>Pursuant to -----</u> ----- ----- <u>in the manner specified in ---</u></p> <p>1.----- “<u>Product of Korea</u>” or “<u>Domestic Product</u>” ----- ----- “<u>name of the Special city/Metropolitan city/province (referred as “city/province” hereinafter) or name of the city/province/autonomous district (referred as “city/province/district” hereinafter)</u>”</p> <p>2./3. (The same as at present)</p>

<p>4. In the case that places of the origin of agricultural products that were used for processed foods within the country were all home-grown, they shall be indicated en bloc as <u>“Product of Korea”</u>.</p> <p>(Omitted)</p> <p>Article 24-2 (Guidelines of origin indication for agricultural products that are the same item but places of origin are different) (Omitted)</p> <p>1. In the case that the same agricultural item with different origins were mixed, up to 3 names of places of origin and the ratio in percentage shall be indicated in the order of high mixture ratio, or shall be indicated as <u>“Product of Korea”</u>.</p> <p>2. (Omitted)</p> <p>(Omitted)</p> <p><to be added></p> <p><u>Article 24-3 (Omitted)</u></p> <p><u>Article 47 (Penalty collection procedure)</u> <u>Penalty collection procedure under the Article 33 Clause 4 of the Decree shall apply • Enforcement Regulation of National Funds Administration Act • . In this case, payment methods and due date must be written on the bill.</u></p>	<p>4. ----- ----- ----- <u>“Product of Korea” or “Domestic Product”</u></p> <p>(The same as at present)</p> <p>Article 24-2 (Guidelines of origin indication for agricultural products that are the same item but places of origin are different) (The same as at present)</p> <p>1. ----- ----- ----- <u>“Product of Korea” or “Domestic Product”</u>.</p> <p>2. (The same as at present)</p> <p>(The same as at present)</p> <p><u>Article 24-3 (Methods of origin indication)</u> <u>Methods to indicate the origin of rice /Kimchi, and livestock products as well as their type (referred as “place of origin and the like” hereinafter) complying with Article 15 -2 Clause 3 of the Act are being described in Annex.4-2.</u></p> <p><u>Article 24-4 (The same as Article 24-3 at present)</u></p> <p><Eliminated></p>
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