

# Export and Import Quarantine



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Specific information for Animal quarantine, Marine product quarantine and Plant quarantine.

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## 1. Export and Import Quarantine

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**▶ The definition of Export and Import Quarantine**

- "Export and Import Quarantine" refers to inspections in airports, harbors or designated places for quarantine and locations for inspection in order to prevent the spread of contagious diseases or harmful insects from entering into the Republic of Korea from a foreign country.

**▶ Animal quarantine**

- The designated goods subject to quarantine
  - The exporting or importing goods subject to quarantine shall fall under any of the following: ① animals and their carcasses, ② products taken from animals, such as bones, flesh, skin, eggs, hair, hooves, horns, etc. and their containers or wrapping materials, and ③ livestock feed, instruments, bedstraw, or other equivalent goods that could spread the pathogens of contagious animal diseases[Article 31 of the Act on the Prevention of Contagious Animal Diseases and Article 31(1) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

1. Artiodactyls and perissodactyls;
2. Dogs and cats;
3. Rabbits;
4. Chickens, turkeys, ducks and geese;
5. Honeybees;
6. Birds and mammals(not including whales) other than those referred to in 1 through 4;
7. Semen, ova and fertilized eggs of animals referred to in 1 through 6;
8. Raw milk;
9. Processed beef and pork products such as ham, sausage and bacon that are not sterilized, processed egg products such as the albumen and egg powder, and milk products that are not pasteurized;
10. Carcasses, flesh, bones, skin, fur, feathers, horns, hooves, tendons, internal organs, eggs, fat, blood, powdered blood, brain, bone marrow, nightsoil, extract, meat and bone meal and feather meal of animals referred to in 1 through 6 that are not processed or sterilized;
11. Containers and wrapping materials for packing goods referred to in 1 through 10;
12. Pathogens of contagious animal diseases and goods that contain liquid for diagnosis containing such pathogens;

13. Livestock feed, raw materials for livestock feed, instruments, bedstraw, or other equivalent goods according to the "Scope of Livestock Feed, Raw Materials for Livestock Feed, Instruments, Bedstraw, or Other Equivalent Goods" that could spread the pathogens of contagious animal diseases.

■ Import quarantine

- Goods prohibited from import

- The following goods shall not be imported[Subparagraph 6 of Article 2 and the main sentence of Article 32(1) of the Act on the Prevention of Contagious Animal Diseases].

- √ The designated goods subject to quarantine produced at, sent from, or have passed through the import ban area established in the 「Notification of The Import Ban Area of Designated Goods subject to Quarantine」;

- √ Pathogens of any contagious animal disease;

- √ Beef and beef products from cattle older than 30 months produced in a country where five years have not passed since the outbreak of bovine spongiform encephalopathy;

- √ Amygdala and distal ileum from cattle of all ages from a country affected by bovine spongiform encephalopathy

- √ Brain, eye, spinal cord, skull, or vertebral column from cattle older than 30 months from a country affected by bovine spongiform encephalopathy

- √ Among the tissue of cattle referred to materials separately designated and publicly notified by the Minister of Agriculture, Food and Rural Affairs by taking into consideration the situations of bovine spongiform encephalopathy outbreaks by country, the people's eating habits, etc. from a country affected by bovine spongiform encephalopathy

- Goods banned from importation can nevertheless be imported when permitted by the Agriculture and Plant Quarantine Agency Commissioner for use in research or the production of vaccines, and when goods designated for quarantine have passed through an import ban area due to a simple stop of the aircraft or ship, or by being put into a sealed container on a vehicle or train, or animals being imported for exhibition at zoos (provided that import hygiene conditions have been separately set by the Ministry of Agriculture, Food and Rural Affairs) [The proviso of Article 32(1) of the Act on the Prevention of Contagious Animal Diseases, Article 15(1)3 of Enforcement Decree of the Act on the Prevention of Contagious Animal Diseases and Article 33(2) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

- Prior notification of animal import

- A person who intends to import the following animals among the designated goods subject to quarantine inspection, shall notify in advance the species and quantity of the animals, time and place of import to the Agriculture and Plant Quarantine Agency Commissioner that has jurisdiction over the harbor, airport, or any other place where the said goods are scheduled to arrive[Article 35(1) of the Act on the Prevention of Contagious Animal Diseases and Article 36(1) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

- √ Cattle, horses, sheep, goats, pigs, honeybees, deer and monkeys;

√ 10 or more dogs or cats (excluding suckling puppies or kittens when they are imported with their mothers and dogs and cats imported for purposes of experiment and research).

- Presentation of the manifest

- The Agriculture and Plant Quarantine Agency Commissioner may require the shipping company, airline or overland transportation company that transports imported goods to submit the relevant manifest before or immediately after the arrival of the foregoing ship, aircraft, train or truck when they have been loaded with the designated goods subject to quarantine[Article 38(1) of the Act on the Prevention of Contagious Animal Diseases].

- Upon the reception of a manifest, the Agriculture and Plant Quarantine Agency Commissioner may order an animal quarantine officer to identify whether the designated goods subject to quarantine loaded on the ship, aircraft, train or truck accord with the manifest and to inspect whether the designated goods subject to quarantine were produced or sent from the import ban area[Article 38(2) of the Act on the Prevention of Contagious Animal Diseases and Article 40(2) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

- An animal quarantine officer may prohibit the designated goods subject to quarantine that failed the aforementioned inspection from being unloaded and order for the goods to be returned to the owner of the cargo. The officer may order to burn or bury the goods if it is deemed that such return of the goods in question may become an obstacle to preventing and controlling animal diseases or that it is practically impossible to be returned[Article 38(3) of the Act on the Prevention of Contagious Animal Diseases].

- Application for quarantine inspection

- Any person who intends to undergo quarantine of the designated goods subject to quarantine shall submit the relevant documents among the following to the Agriculture and Plant Quarantine Agency Commissioner [Article 34(1) of the Act on the Prevention of Contagious Animal Diseases and Article 37(1) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

√ Application for quarantine inspection of animals

1. An application form for animal quarantine;
2. A certificate of quarantine confirmed (verified) by a government agency of the exporting country that there is no risk of spreading any pathogen that causes a contagious animal disease.(It contains a microchip implant number and a rabies antibody titer etc. for bringing cats and dogs. Except when animals in question fall under each subparagraph of Article 35(1) of the Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases)
3. An import certificate(Only when import license was obtained according to the proviso of Article 32(1) of the Act on the Prevention of Contagious Animal Diseases).

√ Application for quarantine of import goods other than animals

1. An application form for livestock products(livestock feed and others) quarantine;

2. A quarantine certificate issued by a governmental agency of the exporting country verifying that animals in question have no fear of spreading pathogens of any contagious animal diseases(Except when animals in question fall under each subparagraph of Article 35(1) of the Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases);

3. An import certificate

- Reporting portable goods subject to quarantine

- √ Any person who intends to report the import of the designated goods subject to quarantine as a traveler's portable goods(hereinafter referred to as 'portable goods subject to quarantine') shall submit a document specifying the names, ID number or passport number of importers, species, quantity and departure places of the portable goods subject to quarantine to the Agriculture and Plant Quarantine Agency Commissioner at an airport, harbor and others [Article 38(1) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

- √ When the importer of portable goods subject to quarantine declares matters regarding the portable goods in a customs declaration form or declares orally the kinds and amount of the portable goods to a Agriculture and Plant Quarantine Agency officer at entry airports, harbors and others, such reports are regarded as declarations of portable goods subject to quarantine[Article 38(2) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].

- Reporting the designated goods subject to quarantine by mail

- √ Where any person who imports the designated goods subject to quarantine inspection by mail receives such goods by mail, he/she shall attach the mail and notify the fact to the Agriculture and Plant Quarantine Agency Commissioner and undergo quarantine by an animal quarantine officer[The main sentence of Article 39(1) of the Act on the Prevention of Contagious Animal Diseases].

- √ Notification is not necessary where a postmaster who has been entrusted with dispatch of a mail that contains designated goods subject to quarantine, which has not undergone quarantine, has notified it to the head of the animal quarantine inspection of such a fact without delay and underwent a quarantine inspection[The proviso of Article 39(1) of the Act on the Prevention of Contagious Animal Diseases].

- Quarantine

- Quarantine of the designated goods subject to quarantine

- √ Any person who imports the designated goods subject to quarantine shall, without delay, apply for quarantine inspection to the Agriculture and Plant Quarantine Agency Commissioner and undergo quarantine inspection by an animal quarantine officer[The main sentence of Article 36(1) of the Act on the Prevention of Contagious Animal Diseases].

- √ Any person who imports the designated goods subject to quarantine as traveler's portable goods shall report them to the Agriculture and Plant Quarantine Agency Commissioner at the entry airport or harbor upon arriving in the Republic of Korea and undergo quarantine by an animal quarantine officer[The proviso of Article 36(1) of the Act on the Prevention of Contagious Animal Diseases].

- √ An animal quarantine officer may, if deemed necessary for performing quarantine, carry out quarantine inspection of any designated goods subject to quarantine

that has been kept in storage within the bonded area, even though there is no application or notification nor any request on the part of the freight manager in charge of the bonded area[Article 36(3) of the Act on the Prevention of Contagious Animal Diseases].

- Quarantine of any goods other than the designated goods subject to quarantine
- √ An animal quarantine officer shall, without delay, carry out quarantine inspection of any goods other than the designated goods subject to quarantine if, as a result of an epidemiology examination or a close examination, there is good reason to believe that it has been infected by pathogens of any contagious animal diseases[Article 36(2) of the Act on the Prevention of Contagious Animal Diseases].
- Method of quarantine and others
- √ Refer to the attached table 7 of the 「Enforcement rule of the Act on the Prevention of Contagious Animal Diseases」 with regard to the methods of import quarantine and the attached table 8 with regard to the duration of import quarantine[Article 37(4) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].
- √ The Agriculture and Plant Quarantine Agency Commissioner shall set a separate method and duration period of quarantine in case of the following designated goods subject to quarantine[Article 37(5) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].
  1. Animals that stay in the Republic of Korea for a short time for purposes of games or exhibitions(not including livestock under subparagraph 1 of Article 2 of the Act on the Prevention of Contagious Animal Diseases);
  2. Dogs, cats, and birds accompanied by any person travelling to the Republic of Korea for a short time ;
  3. Dogs that guide blind persons;
  4. The designated goods subject to quarantine that are raised through a special management method or that the Agriculture and Plant Quarantine Agency Commissioner recognizes that there is no special pathogen.
- Issuance of quarantine certificates
  - An animal quarantine officer shall issue a quarantine certificate, mark the designated goods subject to quarantine with a brand, or put any other marking on them where he/she recognizes that the goods have no fear of spreading pathogens of any contagious animal diseases as result of import quarantine or quarantine by mail[The main sentence of Article 40 of the Act on the Prevention of Contagious Animal Diseases and Article 41(1) and 41(5) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].
  - When the designated goods subject to quarantine falls under any of the following, the quarantine certificate may be substituted by a mark according to the attached table 9 through 14 of 「Enforcement rule of the Act on the Prevention of Contagious Animal Diseases」. In case of livestock products being reported for import according to the 「Processing of Livestock Products Act」, the quarantine certificate may be substituted by a written note on the import report indicating that the goods have undergone quarantine.[The proviso of Article 41(1) of Enforcement rule of the Act on the Prevention of Contagious



Animal Diseases].

- √ The designated goods subject to quarantine to be quarantined in airports, harbors, post offices and other places(Including the portable goods subject to quarantine inspection);
- √ Samples;
- √ The designated goods subject to quarantine that are subjects of an epidemiology examination;
- √ The goods that the government requests to quarantine;
- √ The goods that the Agriculture and Plant Quarantine Agency Commissioner has given an import permit for purposes of use in tests and researches or in the manufacturing of vaccines.

■ Export quarantine

- Application for quarantine inspection

- A person who intends to undergo export quarantine of the designated goods subject to quarantine, any animals and their products other than the designated goods subject to quarantine shall submit the following documents to the Agriculture and Plant Quarantine Agency Commissioner[Article 37(1) and 37(3) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].
- √ An application form for quarantine inspection;
- √ A certificate of quarantine confirmed (verified) by a government agency of the exporting country that there is no risk of spreading any pathogen that causes a contagious animal disease;
- √ An import license
- √ A document of vaccination and a document verifying the fact that they are healthy or have no fear of spreading any contagious animal diseases;
- √ Requirements of the exporting country.

- Quarantine

- Quarantine of the designated goods subject to quarantine
- √ A person who intends to export designated goods subject to quarantine shall undergo quarantine inspection of the goods by an animal quarantine officer, unless the importing country does not require the quarantine[Article 41(1) of the Act on the Prevention of Contagious Animal Diseases].
- Quarantine of any animals and their products other than the designated goods subject to quarantine
- √ A person who intends to receive an export quarantine of animals and their products other than the designated goods subject to quarantine can undergo quarantine inspection of the goods by an animal quarantine officer upon application[Article 41(2) of the Act on the Prevention of Contagious Animal Diseases].
- Method of quarantine and others
- √ Refer to the attached table 7 of the Enforcement rule of the Act on the Prevention of Contagious Animal Diseases with regard to the methods of import quarantine and the attached table 8 with regard to the duration period of import

quarantine[Article 37(4) of Enforcement rule of the Act on the Prevention of Contagious Animal Diseases].

- Issuance of quarantine certificates

- An animal quarantine officer shall issue a quarantine certificate when, as a result of export quarantine inspection, it is deemed that there is no pathogen of any contagious animal disease in the said goods [Article 41(5) of the Act on the Prevention of Contagious Animal Diseases].

■ Measures following quarantine inspection

- Return of goods prohibited from importing

- Returning, burning up, burying and others by the owner of cargoes

√ An animal quarantine officer may order the owner(including his/her agent. Same below.) to return the designated goods subject to quarantine where the goods fall under any of the following. When it is regarded that such return of the goods in question may become an obstacle to preventing and controlling animal diseases or that it is practically impossible to enforce such return, the officer may order the owner to burn up, bury or dispose of them in a safe way(hereinafter referred to as "burning up, burying and others") according to Article 11 and the attached table 3 of Method of Quarantine and Standard of Designated Goods Subject to Quarantine Inspection[Article 33(1) of the Act on the Prevention of Contagious Animal Diseases and Article 34(1) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

1. Goods prohibited from import according to Article 32(1) of the Act on the Prevention of Contagious Animal Diseases: without delay after importing;
2. Imported goods that fail to attach a quarantine certificate issued by the relevant government agency of the exporting country according to the main sentence of Article 34(1) of the Act on the Prevention of Contagious Animal Diseases: within one month from importing the designated animal subject to quarantine and within four months from importing the designated goods subject to quarantine other than animals;
3. Where the imported goods have decayed or changed in quality or where it is judged that they may decay or change in quality: without delay after importing;
4. Where it is judged that an import of such designated goods subject to quarantine inspection may cause serious danger and harm to preventive measures against animal diseases and public health in the country and is approved by the Minister for Agriculture, Food and Rural Affairs is obtained: without delay after importing.

√ The owner of the cargoes who were ordered to return, burn up and bury the cargoes shall carry out the order within 30 days from the order. The period may be extended upon the approval of the Agriculture and Plant Quarantine Agency Commissioner in case of a disaster and other inevitable situations[Article 34(2) of Enforcement Rule of the Act on the Prevention of Contagious Animal Diseases].

- Returning, burning up, burying and others by an animal quarantine officer

√ An animal quarantine officer may burn up and bury the designated goods subject to quarantine in cases where they could not order to return, burn up and bury them due to uncertainty of owner of the designated goods or in his/her whereabouts[Article 33(3) of the Act on the Prevention of Contagious Animal

Diseases].

- Disposal of rejected goods and others

- An animal quarantine officer may order the owner of the designated goods subject to quarantine to burn up and bury them or discard them when he/she finds the following designated goods during the execution of import quarantine, quarantine by mail, and export quarantine[Article 44(1) of the Act on the Prevention of Contagious Animal Diseases].
- √ The designated goods subject to quarantine that do not meet sanitary conditions according to Article 34(2) of the Act on the Prevention of Contagious Animal Diseases;
- √ The designated goods subject to quarantine that are contaminated or recognized as contaminated with pathogens of any contagious animal disease;
- √ The designated goods subject to quarantine that contain or are recognized to contain any poisonous and noxious substances;
- √ The designated goods subject to quarantine that are rotten or spoiled and are recognized to bring harm to public sanitation;
- √ The designated goods subject to quarantine that are recognized to bring harm to public sanitation due to mixing or adding other materials, or other reasons.

▶ **Marine product quarantine**

■ The designated goods subject to quarantine inspection

- Marine organisms or goods subject to quarantine inspection for export and import are as follows (Article 23 of the Aquatic Organism Disease Control Act and Article 25 of the Enforcement Rule of the Aquatic Organism Disease Control Act):
  - Marine organisms for transplant;
  - Fish, shellfish and crustaceans among marine animals that are used for food, ornament, experiment, research and investigation;
  - Frozen and refrigerated abalone, oysters and shrimp without processing by heat treatment, cutting, etc.
  - Marine organisms or goods that are imported with a permit from the National Fishery Products Quality Management Service Commissioner for their use in experiment, research and investigation or in medicine production for diagnosis and prevention of marine organism diseases [including the goods that contain diagnostic antigens with pathogens of any contagious marine organism disease]

■ Import quarantine

- Goods prohibited from import

- The following goods shall be prohibited from import[The main sentence of Article 24(1) of the Aquatic Organism Disease Control Act].
- √ The designated goods subject to quarantine that are produced, sent from or have passed through the import ban area (designated and notified by the Minister for Oceans and Fisheries) [not including the designated goods subject to quarantine inspection that pass through the import ban area for a simple stopover of airports or ships];
- √ Marine organisms infected by the pathogens of any contagious marine organism

disease.

√ Aquatic life that is restricted or prohibited of transplantation and aquatic life that is not approved of transplantation although subjected to such approval

· Marine organisms or goods with import permission of the National Fishery Products Quality Management Service Commissioner may be imported for their use in experiment, research and investigation, or in medicine production for diagnosis and prevention of marine organism diseases even though they fall under any of the goods whose import is prohibited (The proviso of Article 24(1) of the Aquatic Organism Disease Control Act).

- Application for quarantine inspection

· Application for import quarantine

√ Any person who intends to undergo import quarantine for the items subject to import and export quarantine out of marine organisms ("designated goods subject to quarantine") shall submit each of the following documents (main sentence of Article 27(1) of the Aquatic Organism Disease Control Act, and main sentence of Article 30(1) and Form 15 of the Enforcement Rule of the Aquatic Organism Disease Control Act).

1. An application form for import (re)quarantine;
2. A copy of the manifest of the designated goods subject to quarantine inspection;
3. A original quarantine certificate issued by a governmental agency of the exporting country(not including cases where a quarantine certificate is exempt from being attached according to the proviso of Article 26(1) the Aquatic Organism Disease Control Act and Article 28 of the Enforcement Rule of the Aquatic Organism Disease Control Act);
4. An original import permission certificate according to Article 26(5) of Enforcement Rule of Aquatic Animal Disease Control Act(to be attached only when the designated goods subject to quarantine inspection prohibited from import are imported according to the proviso of Article 24(1) of the Aquatic Organism Disease Control Act);
5. A original dispatch quarantine certificate according to Article 32(4) of Enforcement Rule of Aquatic Animal Disease Control Act(to be attached only when the designated goods subject to dispatch quarantine inspection are imported);
6. A copy of the letter of approval for transplant(to be attached only when marine organisms that are approved for transplant according to Article 35(1)5 of the Fishery Resources Management Act are imported);
7. A weight confirmation document issued by a metage agency(to be attached only when an applicant wants to submit it).
8. An experiment, research and investigation plan (applicable only to imports for experiment, research and investigation according to Subparagraph 1, Article 23 of the Aquatic Organism Disease Control Act);
9. In case of designated goods subject to quarantine that are returned to the ROK, documents confirming such fact;
10. In case of items brought into the ROK again after being used in a foreign exhibition, documents confirming such fact.

- Declaration of the portable goods subject to quarantine
- √ If any person who carries marine organisms, which are the designated goods subject to quarantine, as traveler's portable goods ("portable goods subject to quarantine") intends to make an import declaration, such declaration shall be made in the following manner (proviso of Article 27(1) of the Aquatic Organism Disease Control Act, and Article 31 and Form 17 of the Enforcement Rule of the Aquatic Organism Disease Control Act).
  1. By submitting a quarantine declaration of portable imported marine organisms along with an original quarantine certificate issued by a government agency of the exporting country to the head of the Regional Office of the National Fishery Products Quality Management Service who has jurisdiction over the entry/departure airport or seaport;
  2. By submitting a declaration of the traveler's portable goods as determined by the commissioner of the Korea Customs Service, which contains information on the portable goods subject to quarantine, to the head of the Regional Office of the National Fishery Products Quality Management Service who has jurisdiction over the entry/departure airport or seaport; or
  3. By verbally reporting the types and quantity of the portable goods subject to quarantine to a marine organism quarantine officer who has jurisdiction over the entry/departure airport or seaport.
- Quarantine
  - Quarantine of the designated goods subject to quarantine
  - √ Any person who imports the designated goods subject to quarantine shall submit an application for import quarantine to the National Fishery Products Quality Management Service Commissioner, with certain documents attached to the application (main sentence of Article 27(1) of Aquatic Organism Disease Control Act, and main sentence of Article 30(1) and Form 15 of the Enforcement Rule of the Aquatic Organism Disease Control Act).
  - √ Any person who imports the designated goods subject to quarantine as traveler's portable goods shall immediately declare them to the National Fishery Products Quality Management Service Commissioner who has jurisdiction over the corresponding airport, seaport, etc. and undergo import quarantine upon their arrival (proviso of Article 27(1) of Aquatic Organism Disease Control Act).
  - Quarantine of marine animals for transplant
  - √ A marine organism quarantine officer shall promptly conduct import quarantine when the findings of an epidemiologic survey or a close examination provide reasonable grounds to believe that any goods other than the designated goods subject to quarantine have been contaminated by pathogens of any contagious marine organism disease (Article 27(2) of Aquatic Organism Disease Control Act).
  - Method of quarantine
  - √ Methodsof import quarantine inspection of the designated goods subject to quarantine that are determined and publicly announced by the Chiefof the National Fishery Products Quality Management Service are asfollows(Article 29 of the 「Enforcement Rule of theAquatic Organism Disease Control Act」):
    1. A document examination(It means to examine whether the application for

- quarantine inspection and the attached documents are appropriate. Same below.);
2. A clinical examination(It means to anatomically examine the types and behaviors of the designated goods subject to quarantine and to seek outside opinion. Same below);
  3. A close examination and random sampling(Implies examining the designated goods subject to quarantine by means of histopathologic examination, molecular biology, serology, and biochemical analysis. Same below)
- Issuance of a quarantine certificate
    - Import quarantine of the designated goods subject to quarantine and the portable goods subject to quarantine
    - √ If it is acknowledged, as a result of an import quarantine inspection of the goods subject to import/export quarantine (hereinafter referred to as "designated goods subject to quarantine") and portable goods subject to quarantine, that there exist no concerns that the goods would spread any contagious marine organism disease, a marine organism quarantine officer shall issue any of the following import quarantine certificates (main sentence of Article 30 of the Aquatic Organism Disease Control, and Article 30(3), Attached Table 4 and Form 16 of the Enforcement Rule of the Aquatic Organism Disease Control Act).
      1. Import quarantine of the designated goods subject to quarantine: import quarantine certificate (including certificates in an electronic format)
      2. Import quarantine of the portable goods subject to quarantine: import quarantine findings marker
    - Import quarantine of goods other than the designated goods subject to quarantine
    - √ If a marine organism quarantine officer conducts quarantine of any goods other than the designated goods subject to quarantine, the officer shall issue an import quarantine certificate only upon receipt of an application (proviso of Article 30 of the Aquatic Organism Disease Control Act).
  - Dispatch quarantine
    - The National Fishery Products Quality Management Service Commissioner may dispatch a marine organism quarantine officer to a corresponding foreign country to conduct quarantine inspection if import quarantine of marine organisms falls under any of the following cases (Article 28(1) of the Aquatic Organism Disease Control Act).
      - √ Where any person who intends to import marine organisms requests a quarantine inspection in the exporting country before their importation;
      - √ Where a government agency of the exporting country of marine organisms requests a quarantine inspection in the exporting country before their exportation.
  - Export quarantine
    - Application for quarantine
      - Application for export quarantine
      - √ Any person who applies for export quarantine of the designated goods subject to quarantine or other marine organisms and their products shall submit the following documents to the head of the Regional Office of the National Fishery

Products Quality Management Service (former part of Article 31(1) and Article 31(2) of the Aquatic Organism Disease Control Act, and Article 34(1) and Form 20 of the Enforcement Rule of the Aquatic Organism Disease Control Act).

1. An application form for export quarantine;
  2. A copy of a letter of approval for transplant (to be attached only when marine animals approved for transplant according to Article 35(1)5 of Fishery Resources Management Act are being imported);
  3. A weight confirmation document issued by a metage agency (to be attached only when an applicant wants to submit it).
- Quarantine
- Quarantine of the designated goods subject to quarantine
  - √ Excluding those cases where an importing country does not request quarantine inspection, any person who intends to export the designated goods subject to quarantine shall submit an export quarantine application to the National Fishery Products Quality Management Service Commissioner, with certain documents attached to the application (Article 31(1) of the Aquatic Organism Disease Control Act, and Article 34(1) and Form 20 of the Enforcement Rule of the Aquatic Organism Disease Control Act).
  - Quarantine of marine organisms, their products, etc. other than the designated goods subject to quarantine
  - √ Any person who intends to export marine organisms, their products, etc. other than the designated goods subject to quarantine may undergo export quarantine inspection by submitting an application (Article 31(2) of the Aquatic Organism Disease Control Act).
  - Method of quarantine
  - √ Regarding export quarantine of the designated goods subject to quarantine or marine organisms, their products, etc. other than the designated goods subject to quarantine, it shall be permitted to comply with the standards and methods as requested by a government agency or importer of the corresponding country (Article 31(3) of the Aquatic Organism Disease Control Act).
- Issuance of a quarantine certificate
- Export quarantine of the designated goods subject to quarantine and other goods than the designated goods subject to quarantine
  - √ If it is acknowledged, as a result of an export quarantine inspection of the goods subject to import/export quarantine among marine organisms (hereinafter referred to as "designated goods subject to quarantine") as well as marine organisms, their products, etc. that are not designated goods subject to quarantine), that such goods contain no pathogens of any contagious marine organism disease, a marine organism quarantine officer shall issue an export quarantine certificate (including those in an electronic format) (Article 31(4) of the Aquatic Organism Disease Control Act, and Article 34(4) (main text) and Form 21 of the Enforcement Rule of the Aquatic Organism Disease Control Act).
  - √ However, if the government agency of the importing country requests a separate form, it can be issued accordingly (Article 34(4) (proviso) of the Enforcement Rule of the Aquatic Organism Disease Control Act).

- Measures according to quarantine inspection
  - Measures according to quarantine inspection findings of marine organisms
    - Measures for goods prohibited from importing
    - √ Returning, burning up, burying and others by the owner of cargoes
      1. A marine organism quarantine officer may order the owner of the designated goods subject to quarantine to return the goods when the imported goods fall under any of the following. The officer may order the owner to burn up, bury or dispose of them in a safe way (hereinafter referred to as 'burning up, burying and others') according to the Notice on Method of Disposing Goods Prohibited from Import if it is deemed that such return of the goods in question may become an obstacle to preventing and controlling contagious marine organism diseases or that it is practically impossible to enforce such return [main sentence of Article 25(1) of the Aquatic Organism Disease Control Act].
        - 1) Where the imported goods are prohibited from being imported;
        - 2) Where a quarantine certificate is not attached to the imported goods; or
        - 3) Where it is judged that the import of such designated goods subject to quarantine could cause serious danger and harm to preventive measures against contagious marine organism diseases in the ROK (In such case, prior approval of the Minister for Oceans and Fisheries must be obtained);
      2. A marine organism quarantine officer shall, without delay, order to return, burn up or bury the designated goods subject to quarantine inspection after the application for a quarantine inspection. However, the marine organism quarantine officer shall orally order to return, burn up or bury the marine organisms imported as a traveler's portable goods if they are designated goods subject to quarantine prohibited from import or do not hold a quarantine certificate (not including goods for self-consumption) (Article 27(1) of Enforcement Rule of the Aquatic Organism Disease Control Act).
      3. The owner of cargoes who has been ordered to return, burn up and bury cargoes shall carry out the order within 15 days from the order. However, in case of disaster and other inevitable situations, the period may be extended by obtaining approval of the Minister for Oceans and Fisheries (Article 27(2) of the Enforcement Rule of the Aquatic Organism Disease Control Act).
      4. The owner of cargoes is prohibited from moving the designated goods subject to quarantine that shall be returned, burned up or buried to another place without directions from a marine organism quarantine officer (Article 25(5) of the Aquatic Organism Disease Control Act).
    - √ A marine organism quarantine officer may burn up and bury the designated goods subject to quarantine in cases where he/she could not order to return, burn up and bury them because the owner of the goods or his/her whereabouts is unknown (Article 25(3) of the Aquatic Organism Disease Control Act).
    - Disposal of rejected goods and others
      - √ A marine animal quarantine officer may order the owner of the designated goods subject to quarantine inspection to dispose of all or part of the goods by ways of returning, burning up, and burying or discard such goods when he/she has found the following goods during the performance of import and export quarantine inspection [The main sentence of Article 34(1) of Aquatic Organism Disease



Control Act].

1. The designated goods subject to quarantine inspection have not met the sanitary conditions;
  2. The designated goods subject to quarantine inspection which are contaminated or recognized to be contaminated with pathogens of any contagious marine organism disease;
  3. The designated goods subject to quarantine inspection that contain or are recognized to contain poisonous and noxious matters;
  4. The designated goods subject to quarantine inspection that are rotten or spoiled, recognized to be harmful to the public health;
  5. The designated goods subject to quarantine that are recognized to be harmful to the public health due to mixing or adding other matters, or by other grounds.
- Re-quarantine inspection
  - √ Any person who objects to the result of an import and export quarantine may apply for a re-quarantine to the head of the Regional Office of the National Fishery Products Quality Management Service within 14 days from receiving notice of the result (Article 35(1) of the Aquatic Organism Disease Control Act).

#### ▶ Plant quarantine

- The goods subject to plant quarantine
  - "The goods subject to plant quarantine" include the following [Subparagraph 3 of Article 2 of Plant Protection Act and Article 3(1) of Enforcement Rule of Plant Protection Act].
    - Plants;
    - Containers and packaging for containing or wrapping plants;
    - Pests;
    - The following soil (hereinafter referred to as "soil")
      - √ Mixture of the earth surface composed of weathered and decomposed rocks that contain organic substances;
      - √ Soil composed of decomposed or corroded organic substances used to cultivate plants.
- Import quarantine
  - The goods prohibited from import
    - The following goods shall be prohibited from import (hereinafter referred to as "the prohibited goods") [Article 10(1) of Plant Protection Act and Article 12 of Enforcement Rule of Plant Protection Act].
      1. Plants specified in the attached table 1 of Enforcement Rule of Plant Protection Act which are produced in, sent from, or transported (not including plants passing through the import ban area by ship, vehicle or aircraft, stored without being infected by any pest) via an area in which pests that are deemed, as a result of a pest risk analysis, to cause severe damage to domestic plants when introduced into the Republic of Korea are spread, and fall under any of the following

- A. Prohibited plants under Attached Table 1 of the Enforcement Rule of the Plant Protection Act (confined to the plants produced in, sent from, or transported via import ban areas in which prohibited pests exist)
- B. Plants produced in, sent from, or transported via areas determined and announced by the head of the quarantine agency as areas with prohibited pests
- 2. Pests;(not including pests that are recognized, as a result of a pest risk analysis, to be very unlikely to inflict economic damage on domestic plants by the Agriculture and Plant Quarantine Agency Commissioner);
- 3. Soil or plants with soil adhering thereto;
- 4. Containers and packaging of goods specified in 1 through 3.
- The following goods may be imported even though they fall under the prohibited goods[Article 10(2) of Plant Protection Act and Article 3 of Enforcement Decree of Plant Protection Act].
- √ Where any person satisfies the following requirements and gets permission from the Minister of Agriculture, Food and Rural Affairs with designating the managing place after importation, as it is imported for testing, research, or display at an international exhibition recognized by the Government or to secure agricultural bioresources pursuant to 「the Act on the Preservation, Management and Use of Agricultural Bioresources」;
  - 1. The research institute that receives the prohibited goods shall be an institute or organization according to Article 14(1) of the Basic Research Promotion and Technology Development Support Act(Only when the prohibited goods are imported for experimental studies);
  - 2. The research institution provided prohibited goods shall be the agency responsible for agricultural bioresources designated by the Minister of Agriculture, Food and Rural Affairs (only for the importation of securing diverse agricultural genetic resources)
  - 3. A highly skilled manpower, facilities and equipment that can manage such prohibited goods shall be prepared;
  - 4. The requested quantities on the approval of import subject to the prohibited goods shall be adequate for the import usage.
- √ Where the exporting country has presented a risk management scheme with respect to the pests that inhabit the plants and the Agriculture and Plant Quarantine Agency Commissioner has recognized as a result of a pest risk analysis with regard to the adequacy of the scheme that the prohibited goods according to Article 10.(1).1 of the Plant Protection Act are unlikely to cause any damage to domestic plants;
- √ Where there is no risk of scattering or spreading the disease and insect pest in the country in case it is managed within the restricted area for the plants subject to Article 10.(1).1 of the 「Plant Protection Act」 and where seeds of the prohibited or temporarily restricted plant are imported for repacking and exporting purposes, any person is permitted by the Minister of Agriculture, Food and Rural Affairs with setting the packaging, processing place and the term of importation and qualifying for the following:
  - 1. A person who imports such prohibited goods shall be a person registered seed business.

2. To be equipped with experts who can manage such prohibited goods.
  3. To prevent spreading of disease and insect pests during the packaging and process of such prohibited goods and to be equipped with adequate facilities and equipment to safely handle residues generated during the process.
  4. Repacking and exporting purpose within one year the date of import of such prohibited goods.
- Application for quarantine
- Application for quarantine of importing cargoes
- √ Any person who intends to apply for import declaration and quarantine shall, without delay, at port of first arrival submit the following documents to the head officer of the Regional Agriculture and Plant Quarantine Agency Headquarters or branch office that has jurisdiction over the importing harbor and airport when a ship, vehicle or aircraft that loads the goods subject to plant quarantine arrives at the harbor and airport [Article 8, 12(1) of Plant Protection Act and Article 14(1), (2) of Enforcement Rule of Plant Protection Act].
1. An import declaration form and a quarantine application form for imported plants subject to plant quarantine;
  2. A phytosanitary certificate or an electronic phytosanitary certificate issued by the governmental entity of an exporting country (not including cases that fall under Article 10 of 「Enforcement Rule of Plant Protection Act」);
  3. An import permission certificate (to attach only in case of importing prohibited goods);
  4. A statement of plants subject to export quarantine (to attach only when there are more than 2 goods).
- Quarantine on board
- √ A plant quarantine officer may board a ship, vehicle, or aircraft prior to customs clearance to quarantine the goods subject to plant quarantine in the following cases if he/she suspects that the goods subject to plant quarantine carry regulated pests and considers that the regulated pests are likely to spread [Article 12(4) of Plant Protection Act and the main sentence of Article 16 of Enforcement Rule of Plant Protection Act].
1. In case of importing cereals, grains in distilled liquor (residual leftovers after squeezing the extract from vegetable raw materials), copra or tapioca (including flour, pellets, cubes and chaff), on a dedicated vessel
  2. Where lumber or bamboo are imported by a private ship;
  3. Where it is suspected that the goods subject to plant quarantine that are being imported carry regulated pests and it is recognized that the regulated pests are likely to spread.
- Quarantine by mail
- √ The head of a post office that carries out customs clearance shall notify the fact to the Agriculture and Plant Quarantine Agency Commissioner without delay if he/she receives a post that contains, or is suspected to contain, the goods subject to plant quarantine, and a plant quarantine officer shall quarantine the

post upon receiving notice from the head of a post office[Article 12(7) and (8) of Plant Protection Act].

- Quarantine on wooden packing materials of imported consignments

√ A plant quarantine officer may quarantine wooden packing materials that the Agriculture and Plant Quarantine Agency Commissioner provides(referring to wooden materials used for propping up, protecting, or transporting consignments) to determine whether such materials carry regulated pests or provisionally regulated pests or meet the requirements for importation[Article 12(2).2 of Plant Protection Act].

- Import quarantine of portable goods

√ A form of the Republic of Korea Customs Declaration prescribed by the head of the Korea Customs Service or an oral report may substitute the report on import and application form for quarantine when the goods subject to plant quarantine are carried upon importation[The proviso of Article 14(1) of Enforcement Rule of Plant Protection Act].

- Quarantine

- Any person who imports the goods subject to plant quarantine shall declare it without delay to the Agriculture and Plant Quarantine Agency Commissioner and undergo quarantine by a plant quarantine officer[The main sentence of Article 12(1) of Plant Protection Act].

· Any person importing the goods subject to plant quarantine who intends to undergo quarantine shall take necessary measures for the following quarantine inspections such as transporting and unpacking the goods subject to plant quarantine according to the direction of a plant quarantine officer[Article 18 of Plant Protection Act and Articles 15 and 18 of Enforcement Rule of Plant Protection Act].

√ document quarantine;

√ field quarantine;

√ close quarantine of a laboratory;

√ Quarantine of isolated cultivation

- Issuance of an inspection certificate

- A plant quarantine officer shall issue a quarantine certificate for the goods subject to plant quarantine, only when he/she finds that the goods subject to plant quarantine do not violate any provisions of Articles 8 to 11 of the Plant Protection Act and do not carry regulated pests or provisionally regulated pests[The main sentence of Article 17(1) of Plant Protection Act and Article 29 of Enforcement Rule of Plant Protection Act].

· A quarantine certificate shall be issued for the goods subject to plant quarantine only upon a request of the person importing the goods, if it is imported by accompanying luggage[The proviso of Article 17(1) of Plant Protection Act].

■ Export quarantine

- Application for quarantine

- Any person who intends to export plants and containers and packaging for

containing or wrapping plants(hereinafter referred to as 'plants and others') shall submit the following documents to the head officer of the Regional Agriculture and Plant Quarantine Agency Headquarters office or branch office (hereinafter referred to as 'the head officers')[The main sentence of Article 35(1) of Enforcement Rule of Plant Protection Act].

- √ An application form for quarantine;
- √ An import permission (to attach only when an importing country issues it);
- √ A plant quarantine certificate issued by the exporting country(to attach only when plants and others are re-exported, and can be returned to the applicant after verification);
- √ A statement of plants subject to export or import quarantine (to attach only when there are more than 2 or more goods);
- √ Requirements of the importing country(to attach only when an importing country requires additional matters to be written in the plant quarantine certificate.

- Quarantine

- Any person who intends to export plants and others shall undergo quarantine conducted by a plant quarantine officer to ensure that the plants and others satisfy the requirements set out by the importing country, and any plant that fails to pass the quarantine shall not be exported(The main sentence of Article 28 of Plant Protection Act).
- Any person who intends to undergo a quarantine inspection for export must follow the directions of a plant quarantine officer and shall take necessary measures for the following quarantine regarding the transportation and unpacking of the goods subject to plant quarantine[Article 15, 18(1), (2) and 36(1) of Enforcement Rule of Plant Protection Act].

- √ document quarantine;
- √ field quarantine;
- √ close quarantine in a laboratory;

- Issuance of quarantine certificates

- A plant quarantine officer shall issue a quarantine certificate for exported plants for the applicant or stamp its seal that proves the passing of the quarantine where plants and others have passed the quarantine[Article 37(1) of Enforcement Rule of Plant Protection Act].

■ Measures following quarantine inspection

- Disinfecting, discarding and others by the owner

- A plant quarantine officer shall order the owner or his/her agent to discard or return the goods or to take other necessary measures if the goods subject to plant quarantine fall under any of the following [Article 16(1) of Plant Protection Act].
- √ Plants imported without a plant quarantine certificate according to Article 8 of Plant Protection Act;
- √ Goods subject to plant quarantine imported through any place other than an import port in violation of Article 9 of Plant Protection Act;

- √ Prohibited goods imported in violation of Article 10(1) of Plant Protection Act(goods imported according to Article 10(1) of Plant Protection Act shall be excluded);
- √ Prohibited goods that contravene the method of import, the method of follow-up management after import, or other necessary conditions under Article 10(3) of Plant Protection Act;
- √ Plants imported in violation of a restriction on import under Article 11(1) or (3) of Plant Protection Act;
- √ Goods subject to plant quarantine which have been imported without quarantine inspection under Article 12(1) through 12(3) of Plant Protection Act or have passed such quarantine by fraudulent or other wrongful means;
- √ The goods subject to plant quarantine which evaded quarantine under Article 12(7) of Plant Protection Act or have passed quarantine by fraudulent or other wrongful means.
- If an article subject to isolated cultivation plants falls under any of the following, a plant quarantine officer shall order the owner or his/her agent to collect, discard or return the article, or to take other necessary measures(Article 16(2) of 「Plant Protection Act」).
- √ The plants which are breached the isolated cultivation order (including in the market. Provided that, the plants which are in the damaged facilities caused by natural disaster shall be excluded herefrom.)
- √ The plants which dose not attach a label to identify an item, an import date, an importer and an origin or violates the way of attaching a label. (Provided that, the plants which are revised and supplemented before the term prescribed by the head of phytosanitary agencies shall be excluded.)
- If any regulated pests or provisionally regulated pests are detected as a result of an inspection,a plant quarantine officer may order the owner of the article subject to phytosanitary measures or his/her agent to conduct disinfection or discarding, or to take other necessary measures. (Article 16(3) of 「Plant Protection Act」).
- Disinfecting and discarding by a plant quarantine officer
  - A plant quarantine officer may disinfect or discard the goods subject to plant quarantine at his/her discretion in any of the following cases[Article 16(4) of Plant Protection Act].
  - √ If the goods fall under any of the following categories and a plant quarantine officer concludes that disposing of the goods directly is efficient and obtains consent of the owner or his/her agent thereto;
    1. An article subject to phytosanitary measures, imported by mail, consignment, moving orcarried in accompanying luggage.
    2. The goods subject to plant quarantine imported in a small quantity.
  - √ If the owner or his/her agent fails to comply with the order according to paragraphs 1 to 3 of Article 16 of the Plant Protection Act by the deadline for the performance period;
  - √ Where a plant quarantine officer could not issue an order under paragraphs 1 to 3 of Article 16 of the Plant Protection Act because the owner or his/her agent

or his/her whereabouts is unknown.

■ Quarantine of inland transit

- Goods subject to plant quarantine from a foreign country may be transported inland only between import ports, if it is intended to transport such goods via the Republic of Korea[Article 20(1) of Plant Protection Act].

- Approval for transit

· Application for approval for inland transit

√ The owner of the foreign goods subject to plant quarantine or his/her agent shall obtain approval for inland transit from the Agriculture and Plant Quarantine Agency Commissioner that has jurisdiction over the import port which is the departure point for the inland transit if he/she intends to transport such goods inland by vehicle via the Republic of Korea[Article 20(2) of Plant Protection Act].

√ Any person who intends to file an application for approval of transit of the goods subject to plant quarantine shall submit the following documents to the head officer of the Regional Agriculture and Plant Quarantine Agency Headquarters or branch office [Article 30(1) of Enforcement Rule of Plant Protection Act].

1. An application form for approval of inland transit;

2. Manifests (including electronic documents) and others that identify the goods subject to plant quarantine as those going through inland transit;

3. A statement of the goods subject to approval for transit (to attach only when there are 2 or more goods).

√ A plant quarantine officer shall identify the following matters when he/she receives an application for approval for inland transit[Article 7(2) and 30(2) of Enforcement Rule of Plant Protection Act].

1. Whether the following measures for safety are performed;

1) Keeping the goods in a sealed container or receptacle;

2) Sealing the doors of the container or vehicle;

3) Covering ventilation holes of container and vehicle that exceed 1.6 mms in diameter with a net that has holes of under 1.6 mms in diameter.

2. Whether the exterior of the vehicle in transit carries regulated pests and provisionally regulated pests.

· Issuance of a letter of approval for inland transit

√ The head officer of the Regional Agriculture and Plant Quarantine Agency Headquarters or branch office shall issue the applicant a letter of approval for inland transit, if he/she finds that the applicant has performed measures for safety control and the exterior of the vehicle in transit does not carry regulated pests and provisionally regulated pests[Article 20(3) of Plant Protection Act].

· Refusal of approval for inland transit

√ Where a plant quarantine officer does not approve for transit because the measures for safety control are not performed or regulated pests or

provisionally regulated pests are found in the exterior of the vehicle in transit as a result of quarantine inspection, he/she shall notify the reason for refusing the approval for inland transit to the applicant within 2 days after completing the quarantine inspection[Article 30(4) of Enforcement Rule of Plant Protection Act].

- Arrival report

- The foreign goods subject to plant quarantine with approval for inland transit(hereinafter referred to as "consignment in transit")shall arrive at the import port which is the transit destination , within seven days from the date of issuance of the letter of approval for inland transit(hereinafter referred to as "transit period") [The main sentence of Article 21 of Plant Protection Act].
- Where items in transit arrive at the port of destination, which shall be a port of importation, each person who has obtained approval for inland transit shall promptly submit an arrival declaration of consignments in transit, a copy of the certificate of arrival declaration for transit shipments, and the details of transit shipments to the head of the phytosanitary agency having jurisdiction over the port of importation. (Article 25(1) of 「Plant Protection Act」 and Article 33(1) of 「Enforcement Rule of Plant Protection Act」).

- Inspection of consignments in transit

- A plant quarantine officer may inspect to ascertain whether there is any problem in the safety of consignments in transit until the consignments are taken abroad[Article 26 of Plant Protection Act].
- Upon the reception of an arrival report of consignments in transit, a plant quarantine officer may inspectwhether any problem occurs in the safety of an item in transit.(Article 33(2) of 「Enforcement Rule of Plant Protection Act」).

- Report of accident

- When any problem in the safety of consignments in transit occurs due to natural disaster,traffic accident, or other situations, the person who has obtained approval for inland transit shall, without delay, report it to the Agriculture and Plant Quarantine Agency Commissioner who has approved the inland transit [Article 22(1) of Plant Protection Act].
- When any problem in the safety of consignments in transit occurs, the person who has obtained approval for inland transit shall immediately report the following matters to the head officer of the Regional Agriculture and Plant Quarantine Agency Headquarters or branch office who has jurisdiction over the nearest district from the location where the problem has occurred [Article 22(2) of Plant Protection Act and Article 32 of Enforcement Rule of Plant Protection Act].

- √ When and where the problem occurred;
- √ The approval number for transit;
- √ The name and quantity of consignments in transit;
- √ The details of the problem.

**▶ Inspection of livestock products**

▪ Declaration of livestock products



- Products subject to import declaration and inspection
  - The items subject to an import declaration and inspection are livestock products that a person intends to import for sale or for other business purposes. They include meat, packaged meat, raw milk, edible eggs, processed meat products, processed milk products and processed egg products (Article 2 of the Livestock Products Sanitary Control Act).
- Import declaration
  - When a business entity intends to import(including filing an import declaration by proxy) livestock products (imported from a foreign country to Korea as defined in the Livestock Products Sanitary Control Act, the same applies hereinafter) for the purpose of sale or for the purpose of using them for business (excluding business of online purchasing of imported food, etc. by proxy), he/she shall file an import declaration by attaching import declaration documents prescribed under the “Enforcement Rule of the Special Act on Imported Food Safety Control” with the Commissioner of the Regional Food and Drug Safety Administration that has jurisdiction over the clearance location of the livestock products concerned (subparagraph 1 of Article 2 and Article 20(1) of the Special Act on Imported Food Safety Management and Article 27(1) and Attached Form 25 of the Enforcement Rule of the Special Act on Imported Food Safety Management).

※ Import declaration documents prescribed under the “Enforcement Rules of the Special Act on Imported Food Safety Control” shall be as the documents specified in the <Food Inspection - Declarations of Foods, Etc. - Import Declaration>.

- Any person declaring import of livestock products may file an advance report, beginning from five days prior to the scheduled date of their arrival. In the event of any change in important matters of such prior report including the port of arrival, the scheduled date of arrival and the location and scheduled date of receiving, its particulars shall be promptly reported in writing (including documents in an electronic format) (Article 20.(1) of the Special Act on Imported Food Safety Management and the latter part of Article 27.(1) of the Enforcement Rule of the Special Act on Imported Food Safety Management).
- Prohibition of Import/Sale, Etc.
  - If livestock products slaughtered, treated, processed, packaged, distributed or sold in a specific country or area are proven to be harmful or deemed likely to be harmful, the Minister of Food and Drug Safety may prohibit the import or sale of such livestock products or the processing, packaging, storage, transportation or display of such livestock products for sale (Article 15-2.(1) of the Livestock Products Sanitary Control Act).
- Inspection of livestock products
  - Import inspection
    - The Minister of Food and Drug Safety shall require an inspection officer or an inspection agency to conduct necessary inspections before customs clearance formalities for livestock products (imported from a foreign country to Korea as defined in the Livestock Products Sanitary Control Act, the same hereinafter) for which an import declaration has been filed are completed. In such cases, he/she may accept the import declaration upon attaching conditions, such as the

prohibition of use or sale, before the confirmation of the results of inspection or supplementation on violated matters (Article 2.1 and Article 21.(1) of the Special Act on Imported Food Safety Management).

- When the Minister of Food and Drug Safety conducts the above inspections, he/she may conduct inspections differentially by classifying livestock products according to the history of inspections of the products, domestic and international food safety information and other similar matters (Article 21.(2) of the Special Act on Imported Food Safety Management).
- Handling of products passing an inspection
  - In event that the head of a regional office of the Korea Food and Drug Administration conducts an inspection on the livestock products and deems the result of the inspection to be appropriate, he/she shall issue an import declaration certificate for imported food, etc. (including a certificate in an electronic document format) to the person of import declaration that has made the import declaration and an import declaration certificate of imported food, etc. for online purchasing in proxy (including a certificate in an electronic document format) to the person of purchasing by proxy and import declaration that has made the import declaration (Article 21.(5) of the Special Act on Imported Food Safety Management and Article 30, Annexed Form 28 and Annexed Form 29 of the Enforcement Rule of the Special Act on Imported Food Safety Management).
- Handling of products not passing an inspection
  - With respect to livestock products that fail to pass an import inspection, the head of a regional office of the Korea Food and Drug Administration shall issue a nonconformity report (including a report in an electronic document format) individually to the person of import declaration (in the case the person of import declaration is a person engaged in the business of filing import declarations of livestock by proxy, the livestock importer or seller that has requested the filing of import declarations by proxy) or the person of purchasing by proxy and import declaration and notify the inspection findings without delay to the person of livestock products storage business and the head of the competent customs authority (former part of Article 34.(1), Annexed Form 30 and Annexed Form 31 of the Enforcement Rule of the Special Act on Imported Food Safety Management).

**▶ Food inspection**

- Declaration of food, etc.
  - Products subject to import declaration and inspection
    - Items subject to an import declaration and inspection are foods, food additives, apparatus, or containers and packages to be imported for sale or other business purposes (Article 2 of the Food Sanitation Act).
  - Import declaration
    - When a business entity intends to import(including filing an import declaration by proxy) food, etc. (foods, foodadditives, apparatuses, containers and packages as defined in the FoodSanitation Act that are imported from a foreign country to Korea, the samehereinafter) for the purpose of sale or for the purpose of using them forbusiness (excluding business of online purchasing of imported food, etc. byproxy), he/she shall file an import declaration by attaching the following

documents with the Commissioner of the Regional Food and Drug Safety Administration that has jurisdiction over the clearance location of the food, etc. concerned (subparagraph 1 of Article 2, the main text of Article 18(2), and Article 20(1) of the Special Act on Imported Food Safety Management and Article 27(1) and Attached Form 25 of the Enforcement Rule of the Special Act on Imported Food Safety Management).

1. Import declaration of imported food, etc.;
2. A wrapping paper marked in Korean (including wrapping paper to which a sticker printed in Korean remains attached) or a document marked in Korean;
3. A test or inspection report issued by a foreign testing and inspection agency after close inspection (applicable only to food, etc. subject to close inspection in No. 2, C of the Annexed Table 9 of the Enforcement Rule of the Special Act on Imported Food Safety Management);
4. Documents related to any of the following; ((genetically modified foods etc. (meaning agricultural, livestock and marine products cultivated or raised by using biotechnology that have undergone a food safety test, and foods, food additive that were produced/processed out of said products; hereinafter the same shall apply) applicable only to the cases where foods which must be identified as genetically modified foods lack such identification);
  - 1) a certificate of separate distribution (Identification preservation); (a document proving that purchase of seeds, production, manufacturing, storage, sorting, transportation and shipment etc. has been managed separately from genetically modified foods in the handling process)
  - 2) a certificate recognized by the government of a producing country as having the same effect as a certificate of separate distribution (Identification preservation)
  - 3) A test or inspection report proving that it is not a subject to genetically modified foods labelling issued by designated or seems to be designated as a testing and inspection agency pursuant to the 「Act on Testing and Inspection in the Food and Drug Industry」.
5. A rationale for determining shelf life or a report on shelf life extension [applicable to only imported foods, etc. whose manufacturing and processing have been assigned to the exporting country for the OEM (hereinafter referred to as "OEM foods, etc.")]
6. An export plan (the plans after the product is received into Korea to be written in detail, applicable only to the import for acquisition of foreign currencies):
7. A copy of permit and authorization documents, such as business permit, etc. or a copy of item manufacturing report (applicable only to the import of materials for acquisition of foreign currencies or for manufacturing of products, excluding a case where the information is checked in the data processing system);
8. Sanitation certificate or inspection certificate (only for fishery products to be imported from countries which entered into an agreement, etc. on the attachment of certificate with exporting country, but excluding cases where the certificate issued by the government agency of the exporting country

isverifiable through a communication network recognized by the Minister of Foodand Drug Safety.)

9. Export sanitationcertificate (only for livestock products, butexcluding cases where the certificate issued by the government agency of theexporting country is verifiable through a communication network recognized bythe Minister of Food and Drug Safety)
  10. Following x-documents other than the x-documents under 2. to 9. that the Minister of Food and Drug Safety deems to be required for ensuring the safety of imported foods, etc.
    - 1) A certificate issued by the government of the producing country that ingredients from healthy ruminants not affected by bovine spongiform encephalopathy have been used
    - 2) Dioxin residue inspection report (only for import of heat-processed salt)
    - 3) Other documents that the Minister of Food and Drug Safety posts on the website of the Ministry of Food and Drug Safety in accordance with the hazard information including documents issued by the government of the exporting country
- Any person declaring import of food, etc. mayfile an advance report, beginning from five days prior to the scheduled date oftheir arrival. In the event of any change in important matters of such priorreport including the port of arrival, the scheduled date of arrival and thelocation and scheduled date of receiving, its particulars shall be promptlyreported in writing (Article 20(1) of the Special Act on Imported Food SafetyManagement and the latter part of Article 27(1) of the Enforcement Rule of theSpecial Act on Imported Food Safety Management).
  - The head ofthe Regional Office of Food and Drug Safety may receive documents necessary forthe import declaration of imported foods, etc. in an electronic form (provisoto Article 27(4) of the Enforcement Rules of the Special Act on Imported FoodSafety Control).
- Prohibition of import, sale, etc.
- When foods, food additives, apparatus, or containers and packages (hereinafter referred to as "foods, etc.") collected, manufactured, processed, used, cooked or stored in a specific nation or region are found or likely to be harmful in such nation or region, the Minister for the Korea Food and Drug Safety may prohibit importing or selling such foods, etc., or manufacturing, processing, using, cooking, storing, subdividing, transporting or displaying such foods, etc. for sale (Article 21(1) of the Food Sanitation Act).
- Import declaration by purchase service agent
- Import declaration
- A person who intends to conduct a business of filing declaration of food, etc. by proxy shall undergo education on the sanitation control, etc. of food, etc. in advance and register his/her business with the Minister of Food and Drug Safety (Main sentences in Article 14.(1).2, Article 15.(1) and Article 17.(1) of the Special Act on Imported Food Safety Management).
- Inspection of foods, etc.

- Import inspection
  - The Minister of Food and Drug Safety shall require a related public official or an inspection agency to conduct necessary inspections before customs clearance formalities for food, etc. (foods, food additives, apparatuses, containers and packages as defined in the Food Sanitation Act that are imported from a foreign country to Korea, the same hereinafter) for which an import declaration has been filed are completed. In such cases, he/she may accept the import declaration upon attaching conditions, such as the prohibition of use or sale, before the confirmation of the results of inspection or supplementation on violated matters (Article 2.1 and Article 21.(1) of the Special Act on Imported Food Safety Management).
  - When the Minister of Food and Drug Safety conducts inspections above, he/she may conduct inspections differentially by classifying food, etc. according to the history of inspections of the food, etc., domestic and international food safety information and other similar matters (Article 21.(2) of the Special Act on Imported Food Safety Management).
- Handling of products passing an inspection
  - In the event that a head of regional office of the Korea Food and Drug Administration conducts an inspection on the food, etc. and deems the result of the inspection appropriate, he/she shall issue an import declaration certificate for imported food, etc. (including certificate in an electronic document format) to the person of import declaration that has made the import declaration and an import declaration certificate of imported food, etc. for online purchasing in proxy (including a certificate in an electronic document format) to the person of purchasing by proxy and import declaration that has made the import declaration (Article 21.(5) of the Special Act on Imported Food Safety Management and Article 30, Annexed Form 28 and Annexed Form 29 of the Enforcement Rule of the Special Act on Imported Food Safety Management).
- Handling of products not passing an inspection
  - When an import inspection of foods, etc. indicates that the foods, etc. fail to meet the standards or specifications for foods, food additives, apparatus, or containers and packages (Articles 7 and 9 of the Food Sanitation Act), the Minister for the Korea Food and Drug Safety (including the head of a regional office of the Korea Food and Drug Administration), the mayor of a metropolitan city/governor of a province, or the head of a Si/Gun/Gu office (hereinafter referred to as "the Minister for the Korea Food and Drug Safety, etc.") shall notify the corresponding business operator of the methodology adopted for the inspection, specimen collection and handling method, and outcomes of the inspection within seven days from the date of preparation of the inspection report or certificate (Article 23(1) of the Food Sanitation Act, and Articles 14(1) and 14(2) of the Enforcement Decree of the Food Sanitation Act).
  - With respect to food, etc. that fail to pass an import inspection, the head of a regional office of the Korea Food and Drug Administration shall issue a nonconformity report (including a report in an electronic document format) individually to the person of import declaration (in the case the person of import declaration is a person engaged in the business of filing import declarations of food, etc. by proxy, the food, etc. importer or seller that has requested the filing of import declarations by proxy) or the person of purchasing by proxy and import declaration and notify the inspection findings

without delay to the person of food, etc. storage business and the head of the competent customs authority (former part of Article 34.(1), Annexed Form 30 and Annexed Form 31 of the Enforcement Rule of the Special Act on Imported Food Safety Management).