

## **Main Revision of Plant Protection Act of Republic of Korea**

### **A. Expansion of regulated article: Import inspection on article of concern over pest introduction (newly Enacted Provision of Article 2 Subparagraph 7-2 and Article 12-3)**

**Background:** With increasing risks of introduction of high risk pests into the Republic of Korea along with climate change and expanded intranational trade, there is a increased need for inspection on general articles, including wooden furniture which a pest is easily associated with.

**Revision content:** In accordance with the provision, a phytosanitary officer may conduct an inspection on an article of concern, as a result of pest risk assessment, and the phytosanitary officer may order to disinfect and discard the article where regulated pests or provisionally regulated pests are detected.

### **B. Review of documents necessary for on-site Inspection, including a ship (newly enacted Article 7-3 (3) and (4))**

**Background:** Currently, a phytosanitary officer boards a ship and an aircraft to inspect imported articles, but it takes long time as it is hard to check detailed information of the articles subject to the inspection only with import declaration and application.

**Revision content:** In accordance with the provision, a phytosanitary officer may check the list of consignments along with an import declaration in the case of conducting on-site inspection by boarding a ship, an aircraft, etc.

### **C. Introduction of e-phytosanitary certificate (newly enacted provisions of Article 8 and Article 28 (1) and (2))**

The introduction is intended to improve civil conveniences by allowing the use of e-phytosanitary certificate for import or export inspection application along with paper phytosanitary certificate where e-phytosanitary certificate is being used in the case of agreement between counties in accordance with the International Plant Protection Convention.

**D. Approval import of prohibited articles for re-export (newly enacted provision of Article 10 (2) 3)**

**Background:** Technically, it is prohibited to import prohibited article. There is an opinion, however, that it is too rigid to apply the same provision of prohibition to the plants imported for re-export.

**Revision content:** In accordance with the provision, a prohibited article may be imported, provided that a prohibited plant is imported only for re-export; that the plant may be imported with permission by Minister of Agriculture, Food and Rural Affairs with place for re-package & processing, period and appropriate measures to prevent scattering or spreading pests.

**E. Prohibition on smuggling and carry-out of prohibited articles permitted for import with limited condition (newly enacted provisions of Article 10 (4) and (5))**

To prevent quarantine pests from spreading in the Republic of Korea, as to a person who smuggles and carries out the prohibited article which is imported with limited condition by the Minister of Agriculture, Food and Rural affairs from the place designated shall be restricted import for a certain period not exceeding two years, or be ordered to retrieve and discard the prohibited article.

**F. Establishment of inspection on courier (newly enacted provisions of Article 12 (7) through (9))**

**Background:** The volume of articles imported via international courier is increasing, but the importer of couriers may not aware obligation to declare an article subject to the phytosanitary measures.

**Revision content:** In accordance with the provisions, the carrier of couriers shall, upon receiving a courier that contains or is likely to contain a regulated article subject to the phytosanitary measures, notify it to the head of the National Plant Protection Organization (NPPO) so that a phytosanitary officer conducts an inspection on the courier concerned.

**G. Introduction of registration of agent for application of inspection (newly enacted provision of Article 12-4)**

**Background:** As there are many cases where agents poorly apply for phytosanitary inspection due to lack of knowledge with respect to phytosanitary measures, there is an increasing dissatisfaction of importer and concern of quarantine security.

**Revision content:** An agent who carries out application of an article subject to plant quarantine inspection shall complete the phytosanitary education session and register to the head of the NPPO, and there are the measures of restriction on the agent for example, an order to suspend the operation of business may be issued to the agent if it is confirmed that he/she makes declaration by fraudulent or other wrongful means in accordance with the provision.

**H. Requirement of attachment of a tag to nursery stocks of trees subject to post entry quarantine (PEQ) (newly enacted provisions of Article 13 (2), (3) and Article 16 (2) 2)**

**Background:** Nursery stocks of trees subject to PEQ are frequently taken out from an PEQ facility illegally. To prevent the illegal movement a tag is required with relevant informations.

**Revision content:** A person who intends to import nursery stocks of trees subject to PEQ shall attach a tag that contains the name of commodity, import date, the name of importer, and origin of country, and an order to discard and return to origin may be issued for the consignment without tag or with tag in violation of the requirement in accordance with the provisions.

**I. Designation of professional test agency for plant pest (newly enacted provision of Article 15-2)**

**Background:** Currently, the NPPO has conducted all tests necessary for phytosanitary measures for imported plants. There is increasing civil inconveniences, including delay of inspections, due to growing workload and lack of manpower for quarantine works.

**Revision content:** The provision allows the accreditation of an agency for the test who satisfies the requirements in terms of facility, equipment and human resources to conduct technical and professional tests including test for virus & bacteria

necessary for phytosanitary inspections.

**J. Requiring treatment and disinfection mark of wood packing materials (newly enacted provisions of Article 28-3, 48 subparagraph 8-3 through 8-5)**

Wood packing materials for an article to be exported shall be applied with phytosanitary treatment and the mark by a registered treatment provider. A person who violates the foregoing shall be punished in accordance with the provision.

**K. Tailored export inspection by importing country (newly enacted provision of Article 28-4)**

**Background:** It is difficult to satisfy quarantine requirements requested by importing countries only via standard export inspections as the quarantine requirements have been diversified.

**Revision content:** To satisfy the requirements of importing countries, the head of the NPPO may conduct continuous quarantine management and inspection on growing areas by designating export area/place/field subject to the inspection if necessary in accordance with the provision.

**L. Reports obligation of outbreak of quarantine pest (newly enacted provision of Article 30-2)**

**Background:** The provision is intended to improve and complement the shortcomings of current institution by laying a legal ground for quarantine pest reports obligation. A person who fails to report by intention or serious negligence shall be fined and the compensation may be reduced or excluded.

**Revision content:** A grower of a plant where pests subject to official control or potential official control measures are founded shall promptly notify to the Minister of Agriculture, Food and Rural Affairs or the head of local government. This provision also provides legal ground to compensate farmers who rent land for their losses incurred by official pest control measures.