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Korea, Republic of

Sanitary/Phytosanitary/Food Safety

Korea's Maximum Residue Limits (MRLs) Regulations

2004

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Report Highlights:

This provides information on Korean Maximum Residue Limits (MRLs) for pesticides in crops.

Includes PSD Changes: No
Includes Trade Matrix: No
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Table of Contents

Government agencies involved in MRL establishment and their responsibilities	3
Laws and regulations guiding the development and enforcement of MRLs for pesticides	3
Process for the establishment of MRLs.....	3
Updates of the printed copy or website listing of MRLs.....	4
Regulatory process for the establishment of import MRLs.....	4
Residue Definition	4
Crop Groupings for MRLs.....	4
Routine surveillance/testing program for pesticide residues in imported foods	5
Acceptance of CODEX MRLs	6
Default pesticide enforcement levels	6
Actions taken when residues are found above the MRL	6
Name, office telephone and email address of a pertinent government official for Korean MRLs	7

DISCLAIMER: This report was prepared by the USDA/Foreign Agricultural Service in Seoul, Korea for exporters of U.S. agricultural products. While every effort for accuracy in the preparation of this report was made, information provided may not be completely precise either because policies have changed since the report was prepared, or because clear and consistent information about these policies was not available. It is highly recommended, therefore, that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL FOR ANY PRODUCT IS SUBJECT TO THE KOREAN GOVERNMENT RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

This is to provide U.S. growers and exporters with information and guidance on Korean regulations and standards for Maximum Residue Limits (MRLs).

Government agencies involved in MRL establishment and their responsibilities

The Korea Food & Drug Administration (KFDA) is the primary government agency responsible for ensuring the safety of food for the Korean market. KFDA establishes specifications and standards for food, including MRLs. The Ministry of Agriculture & Forestry (MAF) is responsible for registration of all pesticides sold or used in Korea.

Laws and regulations guiding the development and enforcement of MRLs for pesticides

The Food Sanitation Act issued by the Ministry of Health & Welfare (MHW) is the legal basis for KFDA to establish MRLs. Based upon the delegated authority from the Food Sanitation Act, KFDA establishes and revises MRLs that are included in the Korean Food Code. As of July 2004, KFDA has set MRLs for 347 pesticides used on 157 crops (includes grain, fruits, etc.). With MRLs established in the Korean Food Code, KFDA issues "Guidelines for Inspection of Imported Food" (Guidelines), which provides KFDA inspectors, who conduct import inspection at port of entry, with details about enforcement of MRLs for pesticides. In accordance with the Guidelines, imported crops are tested for 47 pesticides using a "simultaneous multi-residue test." Further analysis may be conducted depending on the simultaneous multi-residue test results.

Process for the establishment of MRLs

For full registration, a data package similar to that required by the U.S. Environmental Protection Agency (EPA) must be submitted to MAF. MAF shares information submitted for registration with KFDA. Subsequently, KFDA can work with MAF and provincial authorities to generate acute toxicology, phytotoxicity, and residue data under Korean environmental conditions. After data review by MAF and KFDA, the latter agency will promulgate an MRL. If a pesticide level has already been established for another commodity, the required studies will be for residues and, possibly, methodology, since other information is already submitted for registration.

Updates of the printed copy or website listing of MRLs

MRLs are usually updated annually. KFDA provides an English translation of MRLs on its website at www.kfda.go.kr/cgi-bin/t4.cgi/eng/english_12.taf and publishes the updated Korean Food Code annually. Based on past practice, KFDA issues draft revisions of MRLs before the end of the calendar year and completes the revision process the following year. KFDA follows the World Trade Organization notification process whenever revising current MRLs or establishing new MRLs. Therefore, trading partners are notified of any changes or proposed changes.

Regulatory process for the establishment of import MRLs

KFDA has not established any import MRLs and has no procedures established to so. However, KFDA has indicated a willingness to discuss this matter on an as needed basis.

Residue Definition

Residue is determined as the parent compound in principle. However, in case metabolites have high toxicity or long residual characteristic, MRLs are established for metabolites or combination of a parent compound and metabolites.

Crop Groupings for MRLs

All crops are placed into groupings but MRLs are established for individual crops only. Crop groupings specified in the Korean Food Code consist of 11 categories with 11 sub-groups as follows.

Category	Group	Crop
Grains	-	Rice, barley, wheat, buckwheat, foxtail millet, sorghum, maize, oats, rye, great millet, Job's tear, millet, barnyard grass, triticale, etc.
Potatoes	-	Potato, sweet potato, taro, yam, cassava (tapioca), Devil's tongue, etc.
Pulses	-	Soybean, mung bean, pea, kidney bean, cowpea, red bean, broad bean, <i>pigeonpi</i> , lima bean, Egyptian bean, green bean, black bean, lentil, etc.
Nuts and oilseeds	Nuts	Chestnut, walnut, ginkgo nut, pine nut, peanut, almond, pecan, cashew nut, hazelnut, macadamia, pistachio, oak acorn, etc.
	Oilseeds	Sesame seed, cotton seed, sunflower seed, pumpkin seed, perilla seed, black sesame seed, olive, evening primrose seed, cotton seed, rapeseed (canola seed), palm, safflower seed, etc.
Fruits	Pomaceous fruits	Apple, pear, persimmon, Chinese quince, pomegranate, etc.
	Citrus fruits	Tangerine, orange, grapefruit, lemon, Chinese lemon, lime, kumquat, trifoliolate orange, citron, etc.
	Stone fruits	Peach, Chinese date, apricot, plum, Japanese apricot, cherry, nectarine, Japanese cherry, etc.

	Berries	Grape, strawberry, fig, mulberry, cowberry, currant, berry, etc.
	Tropical fruits	Banana, pineapple, kiwi, avocado, papaya, jujube, mango, guava, coconut, etc.
Vegetables	Leaf vegetables	Chinese cabbage, cabbage, Chinese lettuce, lettuce, spinach, perilla leaf, crown daisy, mallow, Swiss chard, butterbur, radish (including young radish, leaf), aster, red pepper leaf, <i>Pimpinella brachycarpa</i> , kale, broccoli, <i>Brassica campestris var. Chinensis</i> , leaf mustard, shepherd's purse, chicory (leaf), endive, parsley, pumpkin leaf, <i>Angelica makino</i> , wasabi (leaf), pigweed, <i>Ixeris dentata</i> , etc.
	Leaf & stalk vegetables	Green onion, leek, dropwort, sweet potato stalk, taro stalk, bracken, asparagus, celery, bamboo shoot, kohlrabi, day lily, fatsia, wild rocambole, royal fern, green garlic (including garlic stalk), <i>Sedum sarmentosum bunge</i> , etc.
	Root vegetables	Radish (root), onion, garlic, carrot, ginger, lotus root, burdock, bellflower root, <i>Codonopsis lanceolata</i> , beet (sugar beet), turnip, parsnip, yacon, wasabi (root), chicory (root), etc.
	Fruit vegetables	Cucumber, squash, tomato, pepper, green pepper, egg plant, Oriental melon, water melon, okra, green bean, etc.
Mushroom	-	Oyster mushroom, pine mushroom, shiitake mushroom, mushroom, coral fungus, velvet shank, brain fungus, bracket fungus, <i>saesongi</i> mushroom, etc.
Tea	-	Tea
Ginseng	-	Ginseng
Hop	-	Hop
Miscellaneous plants	-	Mustard, black pepper, white pepper, coffee bean, cacao bean, etc.

Routine surveillance/testing program for pesticide residues in imported foods

KFDA has a surveillance program for pesticide residues in both imported and domestic foods. Samples are collected from retail and wholesale markets and forwarded to KFDA laboratories for analysis. KFDA publishes a report providing results of analysis and posts it on its website at <http://www.kfda.go.kr>.

Besides KFDA, city and provincial government institutes with laboratories monitor domestic and imported crops sold in local retail and wholesale markets. For example, the Seoul Metropolitan Environmental and Health Institute is stationed at one of biggest wholesale markets in Korea. This institute collects samples of crops that are auctioned in the wholesale market and tests them for pesticide residues. The Institute has the authority to require a commodity recall when illegal residues are found and notifies KFDA of such findings. The Institution will order the destruction of the product found in violation and will file a complaint with local police. The judicial authority will prosecute and impose penalties according to the Presidential Decree to the Food Sanitation Act.

Using KFDA standards, the National Agricultural Product Quality Control Service under MAF has a surveillance program for domestic crops.

Acceptance of CODEX MRLs

CODEX values are the principal default levels when no Korean MRLs have been established. This means that other tolerance levels, such as CODEX, etc., are not accepted when an MRL is established for a given pesticide in the Korean Food Code.

Default pesticide enforcement levels

For pesticides where tolerance levels have not been established in the Korean Food Code, rules described below are applied.

- (1) The CODEX standards shall apply;
- (2) If the provision in (1) is not applicable, the lowest of the residue limits of the pesticide in question specified for similar crops shall apply to the crop in which the pesticide is detected (a grouping of similar crops is provided in Section "Crop Groupings for MRLs"); or
- (3) If provisions in (1) and (2) are not applicable, the lowest of the residue limits for the crop shall apply to the detected pesticide.

Actions taken when residues are found above the MRL

If an imported product fails to meet the established MRL, KFDA will determine if the product will be returned, destroyed, or otherwise disposed of, which includes working with the importer to decide if the product can be used for non-food purposes. If the product is already in trade channels, it will be recalled and subjected to the same procedures. Any violation will result in mandatory laboratory analysis of, at least, the next shipment of the same product from the same source. After that, KFDA will determine whether continued laboratory analysis will be required for subsequent shipments based upon KFDA's database of past findings. This means that for exporters or importers with a record of frequent violations, KFDA may increase the rate of random samplings or require mandatory laboratory analysis. Otherwise, the following shipments of the same product same source will return to the normal inspection program. There is no monetary fine for an infraction. KFDA publishes all inspection results in an annual publication listing only the country of origin, the commodity and, when violations are noted, the reason. A list of imported foods that fail to pass import inspection, along with the reasons for failure, country of origin, the commodity and, for processed foods, the manufacturer, is posted monthly on KFDA's home page at <http://www.kfda.go.kr>. For U.S. crops, there has been no record of violations of MRLs for at least the past five years.

Name, office telephone and email address of a pertinent government official for Korean MRLs

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