

# SPECIAL ACT ON SAFETY MANAGEMENT OF CHILDREN'S DIETARY LIFESTYLE

Act No. 8943, Mar. 21, 2008

Amended by Act No. 9432, Feb. 6, 2009

Act No. 9694, May 21, 2009

Act No. 9932, Jan. 18, 2010

Act No. 10310, May 25, 2010

Act No. 11690, Mar. 23, 2013

Act No. 11988, Jul. 30, 2013

Act No. 12391, Jan. 28, 2014

## Article 1 (Purpose)

The purpose of this Act is to contribute to promoting children's health by prescribing matters necessary for supplying safe and nutritionally balanced foods in order to equip children with healthy eating habits.

## Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 10310, May 25, 2010; Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>

1. The term "child" means students of schools prescribed in subparagraph 3 or children prescribed in the Child Welfare Act;
2. The term "children's favorite foods" means foods that children prefer or eat frequently among foods prescribed in the Food Sanitation Act or the Livestock Products Sanitary Control Act, which are prescribed by Presidential Decree;
3. The term "school" means elementary schools, middle schools, high schools, and special schools defined in Article 2 of the Elementary and Secondary Education Act;
4. The term "children's dietary life safety index" means a numerical value (hereinafter referred to as "dietary life safety index") obtained by evaluating the degree of implementation of a policy on food safety and nutrition management for children and that of improvement of the environment for manufacturing, selling, or supplying children's favorite foods, group meals, etc.;
5. The term "high-calorie, low-nutrient foods" means children's favorite foods likely to cause obesity or nutritional imbalance, which are higher in calories and lower in nutritional value than standard food determined by the Minister of Food and Drug Safety.

6. The term "high caffeine-containing foods" means foods that are labeled as foods containing high levels of caffeine in accordance with the standards for labeling, as prescribed in Article 10 of the Food Sanitation Act.

### **Article 3 (Responsibility of State, etc.)**

(1) The State shall have the responsibility to formulate and implement a policy to improve the safety and nutritional value of foods supplied to children so that children can grow up healthy.

(2) When the State and local governments formulate and implement a policy to improve the safety and nutritional value of foods supplied to children, they shall do so based on the principles of scientific rationality, consistency, transparency, promptitude, and prevention.

(3) Those who manufacture, process, cook, display, or sell children's favorite foods and those who provide group meals shall endeavor to provide safe and nutritious foods, as prescribed in relevant statutes.

### **Article 4 (Relationship to other Acts)**

Except as otherwise expressly provided for in this Act, the Food Sanitation Act, the School Meals Act, and the Livestock Products Sanitary Control Act shall apply with respect to sanitary food-handling methods, food safety management, etc. *<Amended by Act No. 10310, May 25, 2010>*

### **Article 5 (Designation of Children's Food Safety and Protection Zones)**

(1) The head of a Si/Gun/Gu (referring to the heads of autonomous Gu; hereinafter the same shall apply) may designate and manage zones within 200 meters in a straight line from schools and the boundary lines for relevant schools as children's food safety and protection zones (hereinafter referred to as "children's food safety and protection zones") in order to protect children by creating an environment in which safe and sanitary foods are sold.

(2) Detailed matters concerning children's food safety and protection zones shall be prescribed by Presidential Decree.

### **Article 6 (Management of Business Places where Children's Favorite Foods are Cooked and Sold)**

(1) The head of a Si/Gun/Gu shall supervise business places prescribed by Presidential Decree from among business places in which children's favorite foods are cooked and sold within a children's food safety and protection zone as the cooking and selling business places of children's favorite foods (hereinafter referred to as "cooking and selling business places").

(2) In order to guide cooking and selling business places to cook, or display and sell sanitary and safe foods, the head of a Si/Gun/Gu shall designate persons who are qualified as a consumer food sanitation supervisor under Article 33 (1) of the Food Sanitation Act as a dedicated manager in charge of children's favorite foods (hereinafter referred to as "dedicated manager"). *<Amended by Act No. 9432, Feb. 6, 2009>*

(3) Some of the expenses incurred in the designation and operation of dedicated managers in charge may be covered by the national treasury or from the food promotion fund under Article 89 of the Food Sanitation Act. *<Amended by Act No. 9432, Feb. 6, 2009; Act No. 12671, May 21, 2014>*

(4) Detailed matters concerning the method of managing cooking and selling business places, designation and extent of duties of dedicated managers in charge, etc. shall be prescribed by Ordinance of the Prime

Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

**Article 7 (Designation, etc. of Exemplary Business Places)**

(1) The head of a Si/Gun/Gu may designate a business place that satisfies the safety and sanitation requirements for facilities and does not sell high-calorie, low-nutrient foods and high caffeine-containing foods as an exemplary business place selling children's favorite foods (hereinafter referred to as "exemplary business place") and may allow such exemplary business place to display a logo, etc. prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare, or use such logo, etc. in its advertising. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>

(2) Those who intend to be designated as an exemplary business place shall file an application with the head of a Si/Gun/Gu having jurisdiction over the location of such business place in accordance with the methods, procedures, etc. prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

(3) Some expenses incurred in improving and repairing kitchen equipment and facilities, and facilities on display and for sale may be covered by the national treasury or from the food promotion fund under Article 89 of the Food Sanitation Act, as prescribed by Presidential Decree: Provided, That where a person who has received subsidies fails to be designated as an exemplary business place, he/she shall return the subsidy amount. <Amended by Act No. 9432, Feb. 6, 2009>

**Article 8 (Prohibition, etc. of Sale of High-Calorie, Low-Nutrient Foods, etc.)**

(1) The Minister of Food and Drug Safety may determine and publicly notify nutrition standards for high-calorie, low-nutrient foods. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Food and Drug Safety may restrict or prohibit the sale of high-calorie, low-nutrient foods and high caffeine-containing foods in any of the following places, as prescribed by Presidential Decree: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>

1. Schools;
2. Exemplary business places.

**Article 9 (Prohibition, etc. of Sale of Foods, etc. Detrimental to Children's Emotional Health)**

(1) The Minister of Food and Drug Safety may prohibit selling of foods detrimental to children's emotional health, such as foods inciting a gambling spirit, sexually stimulating, etc., or foods having such designs or taglines, or prohibit manufacturing, processing, importing, cooking, keeping, transporting, or displaying of such foods for the purpose of sale: <Amended by Act No. 11690, Mar. 23, 2013>

1. Foods made in the shape of money, Korean playing cards, cigarettes, or liquor bottles;
2. Foods that look like private parts of the human body which stimulate sexual curiosity;
3. Foods sold by means of game machines, etc.;
4. Foods corresponding to subparagraphs 1 through 3, which are determined by the Minister of Food and Drug Safety.

(2) The shapes, designs, taglines, etc. that can be prohibited pursuant to paragraph (1) shall be publicly announced by the Minister of Food and Drug Safety after deliberation of the Children's Dietary Life Safety Management Committee prescribed in Article 25. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 10 (Restriction on Advertising and Prohibition, etc. thereof)**

(1) No one who manufactures, processes, imports, distributes, or sells children's favorite foods shall place an advertisement on radio, television, and the Internet offering to give away toys, instead of food, or other things at no charge that can encourage children to buy their products.

(2) Where a person who manufactures, processes, imports, distributes, or sells children's favorite foods places an advertisement for high-calorie, low-nutrient foods and high caffeine-containing foods on television prescribed in subparagraph 1 (a) of Article 2 of the Broadcasting Act, the Minister of Food and Drug Safety may partially limit advertising time or prohibit such advertisement. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>*

(3) Where the Minister of Food and Drug Safety intends to partially limit advertising time or prohibit advertisement pursuant to paragraph (2), he/she shall determine and publicly announce high-calorie, low-nutrient foods and high caffeine-containing foods subject to such restriction or prohibition. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>*

(4) The time during which advertising is limited pursuant to paragraph (2) and other detailed matters necessary to impose the limit and prohibition shall be prescribed by Presidential Decree.

#### **Article 11 (Nutrition Labeling)**

(1) The foods cooked and sold by a business operator prescribed by Presidential Decree at a business place in which mainly children's favorite foods are cooked and sold from among business operators that provide food services as prescribed in Article 36 (1) 3 of the Food Sanitation Act shall provide nutritional information thereabout. *<Amended by Act No. 9432, Feb. 6, 2009>*

(2) The Minister of Food and Drug Safety shall determine and publicly announce the nutrition labeling standards prescribed in paragraph (1), and method, etc. thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 12 (Nutrition Labeling with Color and Shape)**

(1) The Minister of Food and Drug Safety may recommend that the manufacturers, processors, or importers of foods determine grades, such as high, medium, low, etc. according to the amount of nutrients, such as total fat, saturated fat, sugar, sodium, etc. contained in foods prescribed by Ordinance of the Prime Minister from among children's favorite foods, and use labels bearing colors, such as green, yellow, red, etc. and in different shapes, such as a circle, etc. (hereinafter referred to as "indication of color and shape") according to the grade of respective foods so that children can easily recognize them. *<Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>*

(2) Where the Minister of Food and Drug Safety recommends using labels bearing colors and in different shapes pursuant to paragraph (1), he/she shall have business operators clearly state the percentage of the recommended daily intakes of nutrients each nutrient found in the respective children's favorite food would contribute to in a circle, etc. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Food and Drug Safety shall determine and publicly announce the method, etc. of labeling with colors and shapes. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 12-2 (Labeling on High Caffeine-Containing Foods with Color)**

(1) The Minister of Food and Drug Safety may recommend that the manufacturers, processors, or importers of foods label high caffeine-containing foods using visible red color so that children can easily recognize them.

(2) The Minister of Food and Drug Safety shall determine and publicly announce the labeling methods, etc. to place labels under paragraph (1).

#### **Article 13 (Education of Children on Food Safety and Nutrition, and Publicity, etc. thereof)**

(1) The Minister of Food and Drug Safety, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, a Special Self-Governing Province Governor (hereinafter referred to as the "Mayor/Do Governor"), the head of a Si/Gun/Gu, or the head of a Si/Do office of education shall conduct education and publicity relating to the safety of children's favorite foods, supply of nutrients, etc. according to the characteristics, health conditions, and the level of health awareness of individuals or groups so that all the children may lead a healthy and safe dietary life. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The heads of elementary schools shall regularly conduct education on safety and nutrition necessary for the management of children's dietary life.

#### **Article 14 (Standards for Quality Certification and Labeling)**

(1) In order to encourage the manufacture, processing, distribution, and sale of safe and well-balanced children's favorite foods, the Minister of Food and Drug Safety may certify the quality of children's favorite foods complying with quality certification standards (hereinafter referred to as "quality certification standards") publicly announced by the Minister of Food and Drug Safety. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Children's favorite foods that have undergone quality certification, as prescribed in paragraph (1) (hereinafter referred to as "certified food") may contain diagrams or letters on the receptacles, packages, etc. (hereinafter referred to as "food quality certification mark"), as prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. *<Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Food and Drug Safety may entrust institutions or organizations prescribed by Presidential Decree which are government-funded institutions or organizations relating to foods with the duty of quality certification prescribed in paragraph (1). In such cases, expenses incurred in performing the duty of certification other than the fees prescribed in the latter part of Article 15 (1) shall be covered by the State. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 15 (Application for Quality Certification and Examination thereof)**

(1) Where a person who manufactures, processes, imports, or cooks children's favorite foods intends to place the food quality certification mark, the person shall file an application with the Minister of Food and

Drug Safety. In such cases, the person shall pay fees prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

(2) Upon receipt of an application for quality certification, as prescribed in paragraph (1), the Minister of Food and Drug Safety shall examine whether the relevant foods comply with the quality certification standards. <Amended by Act No. 11690, Mar. 23, 2013>

(3) A person who has an objection against the results of examination of quality certification prescribed in paragraph (2) may file an application for reexamination.

(4) Necessary matters concerning procedures for applying for certification of certified food, procedures, and methods for examination and reexamination thereof, etc. shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

#### **Article 16 (Period of Validity of Quality Certification)**

The period of validity of quality certification shall be two years from the date certification is issued.

#### **Article 17 (Prohibition, etc. of Wrongful Acts)**

No one shall engage in any of the following acts:

1. Obtaining quality certification by wrongful means, such as fraud, etc.;
2. Placing the food quality certification mark or similar mark on a food which is not a certified food;
3. Selling foods, or keeping, transporting, or displaying foods for the purpose of selling them while clearly being aware of the acts defined in subparagraph 2.

#### **Article 18 (Cancellation of Quality Certification, Order to Change Mark, etc.)**

(1) Where a person who has obtained food quality certification falls under any of the following cases, the Minister of Food and Drug Safety may cancel such certification or prohibit the use of a relevant mark for a fixed period of not more than six months: <Amended by Act No. 10310, May 25, 2010; Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>

1. Where the person has obtained quality certification by improper means, such as fraud, etc.;
2. Where quality certified foods fail to satisfy the food certification standards;
3. Where foods are manufactured or produced improperly and have caused harm to the human body;
4. Where measures, such as changes in mark, suspension of use, prohibition of sale, etc. taken under paragraph (2) have not been complied with without good cause;
5. Where quality certified foods became subject to administrative dispositions, such as business suspension, suspension of manufacture of certain food categories, and suspension of manufacture of certain food items, for violating the Food Sanitation Act, the School Meals Act, or the Livestock Products Sanitary Control Act, and such dispositions remain in effect.

(2) Where children's favorite foods bearing the food quality certification mark fail to meet the quality certification standards, as a result of collection, examination, etc. of such foods, the Minister of Food and Drug Safety may order the manufacturers, processors, importers, distributors, or sellers of such foods to

take necessary measures, such as changes in food quality certification marks, suspension of use thereof for a period of not more than six months, prohibition of sale, etc. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11988, Jul. 30, 2013>

(3) Detailed standards for cancellation of certification, changes in marks, suspension of use, etc. referred to in paragraphs (1) and (2) shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

#### **Article 19 (Designation, etc. of Children's Health-Friendly Enterprises)**

(1) In order to ensure the safety of children's favorite foods and group meals and to enhance the nutritional value thereof, the Minister of Food and Drug Safety may designate food business operators who set a good example for others as a children's health-friendly enterprise (hereinafter referred to as "health-friendly enterprise"). <Amended by Act No. 11690, Mar. 23, 2013>

(2) Food business operators who intend to be designated as a health-friendly enterprise shall file an application with the Minister of Food and Drug Safety, as determined by Ordinance of the Prime Minister. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

(3) Food business operators designated as a health-friendly enterprise may engage in labeling and advertising, as listed in the following subparagraphs:

1. Placement of the logo of health-friendly enterprise on the receptacles, packages, etc. of the relevant foods, or placing such logo in the advertisement by persons who manufacture, process, or import children's favorite foods;

2. Attaching the logo of health-friendly enterprise on the signboard, etc., or placing such logo in the advertisement at business place of cooking and selling children's favorite foods.

(4) Articles 17 and 18 shall apply mutatis mutandis to the health-friendly enterprises.

(5) Necessary matters concerning logos of a health-friendly enterprise and labeling methods thereof, etc. shall be prescribed by Ordinance of the Prime Minister. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

#### **Article 20 (Entrustment of Duty of Designating Children's Health-Friendly Enterprises)**

The Minister of Food and Drug Safety may entrust the duty of designating a children's health-friendly enterprise to institutions or organizations prescribed by Presidential Decree, which are food-related government-funded institutions or organizations. In such cases, expenses incurred in performing the duty of designation shall be covered by the State. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 21 (Establishment and Operation of Children's Meal Service Support Center, etc.)**

(1) In order to support the management of sanitation and nutrition of the following meal facilities (hereinafter referred to as "meal facilities") that provide group meal services to children, the Mayor/Do Governor or the head of a Si/Gun/Gu may establish and operate children's meal service support centers. In such cases, the head of a Si/Gun/Gu may join hands to establish and operate children's meal service support centers: <Amended by Act No. 10789, Jun. 7, 2011; Act No. 12391, Jan. 28, 2014>

1. Meal facilities for day care centers in which infants and toddlers are cared for after being entrusted by guardians, as prescribed by the Infant Care Act;
2. Meal facilities for kindergartens established and operated for the education of toddlers, as prescribed by the Early Childhood Education Act;
3. Meal facilities for schools subject to group meals, as prescribed by the School Meals Act;
4. Other meal facilities prescribed by Presidential Decree, from among the meal facilities in which group meals are provided to children.

(2) The Minister of Food and Drug Safety may establish and operate a central meal service support center, for the integrated operation and management of the children's meal service support centers under paragraph (1) (hereinafter referred to as "children's meal service support center"). *<Newly Inserted by Act No. 12391, Jan. 28, 2014>*

(3) Children's meal service support centers and the central meal service support center prescribed in paragraph (2) (hereinafter referred to as "central meal service support center") shall be a juristic person or may entrust their operation to an institute or organization specified by Presidential Decree, and the children's meal service support centers may be operated after being integrated with school meal service support centers prescribed in Article 5 (4) of the School Meals Act. *<Amended by Act No. 10513, Mar. 30, 2011; Act No. 12391, Jan. 28, 2014>*

(4) The number of dieticians and persons responsible for the sanitation of a children's meal service support center, as prescribed in paragraph (1), the extent of their duties, and the establishment and operation thereof shall be prescribed by Presidential Decree. *<Amended by Act No. 12391, Jan. 28, 2014>*

(5) Pursuant to paragraph (1), the State or local governments may cover some of the expenses necessary for the establishment, operation, etc. of children's meal service support centers, as prescribed by Presidential Decree, or from the food promotion fund prescribed in Article 89 of the Food Sanitation Act; and the central meal service support center may be entirely subsidized by the State. *<Amended by Act No. 9432, Feb. 6, 2009; Act No. 12391, Jan. 28, 2014>*

#### **Article 21-2 (Supervision and Instruction on Children's Meal Service Support Center, etc.)**

(1) The Minister of Food and Drug Safety may, for the purpose of supervising children's meal service support centers and the central meal service support center, order such centers to make a report on their relevant affairs or to submit documents, or have the public officials under the Ministry enter the relevant place of business and inspect its ledgers, documents, etc.

(2) The Minister of Food and Drug Safety may, in order to verify if children's meal service support centers efficiently assist meal facilities with sanitation and nutritional management, provide guidance to and conduct inspections and assessment, etc. of children's meal service support centers and the meal facilities registered therewith, at least once a year.

(3) Other than the provisions prescribed in paragraphs (1) and (2), necessary matters for the guidance on, supervision, etc. of children's meal service support centers and the meal facilities therewith shall be determined by Ordinance of the Minister of Food and Drug Safety.



## **Article 22 (Special Cases concerning Employment, etc. of Dietitians)**

(1) Notwithstanding Article 52 of the Food Sanitation Act, group meal facilities which ordinarily provide meals to not more than 100 persons at a time, from among the group meal facilities registered with and managed by the children's meal service support centers, may not have a dietitian: Provided, That group meal facilities of schools shall have a dietitian. <Amended by Act No. 9432, Feb. 6, 2009; Act No. 12391, Jan. 28, 2014>

(2) Matters necessary for the management of registration prescribed in paragraph (1), and procedures, etc. therefor shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010>

## **Article 23 (Calculation, etc. of Dietary Life Safety Index)**

(1) In order to objectively ascertain and evaluate the level of safety of children's dietary life and the nutritional levels of their diets, the Minister of Food and Drug Safety shall regularly calculate the dietary life safety index, as prescribed by Presidential Decree and publicly announce the results thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Food and Drug Safety may entrust organizations or institutions prescribed by Presidential Decree with the duties of examining the dietary life safety index prescribed in paragraph (1). In such cases, expenses incurred in conducting such examination shall be borne by the State. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Necessary matters concerning items used for calculating the dietary life safety index prescribed in paragraph (1), and methods, etc. thereof shall be determined and publicly announced by the Minister of Food and Drug Safety. <Amended by Act No. 11690, Mar. 23, 2013>

## **Article 24 (Evaluation, etc. of Level of Safety of Dietary Life and Nutritional Levels of Diets in Si/Gun/Gu)**

(1) The Minister of Food and Drug Safety may use the dietary life safety index prescribed in Article 23 (1) to examine and evaluate the level of safety and nutrition of dietary life in a Si/Gun/Gu (referring to autonomous Gu; hereinafter the same shall apply), and publicly announce the results thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for the procedures for examination of the level of safety and evaluation of dietary life, and methods, etc. of evaluation shall be prescribed by Ordinance of the Prime Minister in consultation with the Minister of Health and Welfare. <Amended by Act No. 9932, Jan. 18, 2010; Act No. 11690, Mar. 23, 2013>

## **Article 25 (Children's Dietary Life Safety Management Committee)**

(1) In order to provide advice to the Minister of Food and Drug Safety and to deliberate on matters necessary for the management of safety of children's dietary life, such as the safety of children's favorite foods, group meals, etc., and management, etc. of nutrition, a Children's Dietary Life Safety Management Committee (hereinafter referred to as "Committee") shall be established under the Ministry of Food and Drug Safety. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The duties of the Committee shall be as follows: <Amended by Act No. 11690, Mar. 23, 2013>

1. Matters concerning the establishment of comprehensive plans for children's dietary life;
2. Matters concerning the improvement of systems for the safety and nutritional management of children's favorite foods and group meals;
3. Matters concerning the safety and management of nutrition standards for children's favorite foods and group meals;
4. Matters concerning investigation into the actual status of safety and nutrition of children's favorite foods and group meals and research projects, etc. thereon;
5. Matters concerning education and publicity for the safety management of children's dietary life;
6. Other matters concerning the safety and nutritional management of children's favorite foods, which the Minister of Food and Drug Safety or the chairperson refers for deliberation.

(3) When necessary for the performance of duties, the Committee may have relevant public officials or specialists with specialized knowledge and experience attend the meeting to make a statement, or may request the relevant institutions, organizations, etc. for presentation, etc. of necessary data or opinions.

(4) Matters necessary for the composition, organization, operation, etc. of the Committee shall be prescribed by Presidential Decree.

#### **Article 26 (Establishment of Comprehensive Plans for Safety Management of Children's Dietary Life)**

(1) The Minister of Food and Drug Safety shall establish a comprehensive plan for the safety management of children's dietary life concerning the safety, nutritional management, etc. of children's favorite foods, group meals, etc. every three years, following deliberation of the Committee. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The comprehensive plan for the safety management of children's dietary life prescribed in paragraph (1) (hereinafter referred to as "comprehensive plan") shall contain the following matters:

1. Goals and direction-setting for safety policy on children's favorite foods;
2. Changes in children's favorite foods, etc. and the prospects thereof;
3. Matters concerning the improvement of system concerning children's favorite foods, etc.;
4. Matters concerning research and technological development related to children's favorite foods, etc.;
5. Matters concerning international cooperation for the safety of children's favorite foods, etc.;
6. Matters concerning support for persons who sell children's favorite foods, etc. after the manufacture, processing, import, or cooking thereof, and method of support in order to ensure safety;
7. Other matters necessary to ensure safety of children's favorite foods, etc.

(3) The heads of local governments shall establish and implement an implementation plan for the safety management of children's dietary life (hereinafter referred to as "implementation plan") every year.

(4) Other matters necessary for the establishment and implementation of comprehensive plans and implementation plans shall be prescribed by Presidential Decree.

#### **Article 27 (Corrective Orders, etc.)**

The Minister of Food and Drug Safety, the Mayor/Do Governor, the head of a Si/Gun/Gu shall issue necessary corrective orders to persons who cook, display, or sell children's favorite foods in a children's food safety and protection zone, in violation of a restriction or prohibition imposed under Article 8 (2) or 9. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 28 (Hearings)**

Where the head of a Si/Gun/Gu intends to cancel the food quality certification of the relevant foods, as prescribed in Article 18 (1) (including cases where such provision applies mutatis mutandis, as prescribed in Article 19 (4)), he/she shall hold a hearing.

#### **Article 29 (Administrative Fines)**

(1) Any of the following persons shall be subject to an administrative fine of not more than ten million won: <Amended by Act No. 11988, Jul. 30, 2013>

1. A person who displays a logo of exemplary business place or places such logo in advertisements without being designated as an exemplary business place pursuant to Article 7 (1);
2. A person who fails to comply with a restriction or prohibition of the sale of high-calorie, low-nutrient foods or high caffeine-containing foods prescribed in Article 8 (2);
3. A person who sells children's favorite foods that pose a threat to children's emotional health, in violation of the prohibitions prescribed in Article 9 (1), or manufactures, processes, imports, cooks, transports, or displays children's favorite foods for the purpose of selling them;
4. A person who places an advertisement, in violation of Article 10 (1);
5. A person who violates a limit on advertising time for children's favorite foods or prohibition of advertisement thereof, as prescribed in Article 10 (2);
6. A business operator providing food service that fails to display nutrition content of foods being cooked and sold despite being required to do so, in violation of Article 11 (1);
7. A person who extends the certification validity period without due process, in violation of Article 16;
8. A person who performs any act specified in subparagraphs of Article 17 (including cases in which such provision applies mutatis mutandis, as prescribed in Article 19 (4));
9. A person who continues to place the food quality certification mark on children's favorite foods, even after the certification was cancelled pursuant to prescribed in Article 19 (1) (including cases in which such provision applies mutatis mutandis, as prescribed in Article 19 (4)), or who fails to comply with an order of prohibition of the use of the food quality certification mark;
10. A person who displays the logo of health-friendly enterprise, places it in the advertisement, or uses it by attaching it on the signboard, etc. without being designated as a health-friendly enterprise.

(2) An administrative fine prescribed in paragraph (1) shall be imposed and collected by the Minister of Food and Drug Safety, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

(3) through (5) Deleted. <by Act No. 11690, Mar. 23, 2013>

## ADDENDUM

This Act shall enter into force one year after the date of its promulgation: Provided, That Articles 10 (2) and 11 (1) shall enter into force on January 1, 2010 and Article 12, on January 1, 2011. <Amended by Act No. 9694, May 21, 2009>

ADDENDA <Act No. 9432, Feb. 6, 2009>

### **Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 6 (12) of Addenda (limited to the amended provisions of Article 11 (1)) shall enter into force on January 1, 2010.

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 9694, May 21, 2009>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12 shall enter into force on January 1, 2011.

ADDENDA <Act No. 9932, Jan. 18, 2010>

### **Article 1 (Enforcement Date)**

This Act shall enter into force two months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 10310, May 25, 2010>

### **Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 14 Omitted.**

ADDENDUM <Act No. 10513, Mar. 30, 2011>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 10789, Jun. 7, 2011>

### **Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

- (1) This Act shall enter into force on the date of its promulgation.
- (2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 11988, Jul. 30, 2013>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 18 (1) and (2) shall enter into force on the date of its promulgation.

**Article 2 (Applicability concerning Suspension of Use)**

The amended provisions of Article 18 (1) and (2) shall also apply to any administrative disposition made for any violation committed before the same amended provisions enter into force.

ADDENDA <Act No. 12391, Jan. 28, 2014>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Article 2 (Relation to Other Statutes)**

Where other statutes cite the former provisions of the Special Act on Safety Management of Children's Dietary Life at the time this Act enters into force, the corresponding provisions of this Act shall be deemed to have been cited in lieu of the former provisions if this Act includes the provisions corresponding thereto.

ADDENDUM <Act No. 12671, May 21, 2014>

This Act shall enter into force on the date of its promulgation.