



### Easy-to-Understand Guide to

## Registration of a Foreign Food Facility

2022 Ver. 01







This guidebook explains the procedures and details required for citizens to register foreign food facilities in an easy-to-understand manner and is designed for citizens to use.

The content of this handbook is not legally binding. Please use it as a reference even when it is written with binding phrases such as "you should."

In addition, as this guidebook is based on the laws in force as of March 22, specific details may not apply in the event that the laws are amended or according to specifics of a particular case.

\*\* The "Citizen's Guide" refers to a document that describes laws, notices, orders, and rules in an easy-to-understand way for an internal or external use or specifies the position of the Ministry of Food and Drug Safety on a specific issue (Article 2 of the Regulation on the Management of the Ministry of Food and Drug Safety Guidelines, etc.).

\*\* If you have any comments or questions about this guide, please contact the Onsite Inspection Division of the Imported Food Safety Policy Bureau.

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## FAQ AND KEY REMINDERS FOR REGISTRATION OF FOREIGN FOOD FACILITY



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Registration of a Foreign Food Facility



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### Foreign Food Facility



A facility located abroad (including ships that produce and process marine products) where imported food, etc. (excluding livestock products) is produced, manufactured, processed, treated, packaged, or stored

\* Applicable law: Article 2 of the Special Act on Imported Food Safety Control



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# Registering a Foreign Food Facility



#### Article 5 (Registration of Foreign Food Facilities)

- ① A person who intends to import food, etc. into the Republic of Korea or person who establishes and operates a foreign food facility (hereinafter referred to as "importer, etc.") shall register matters prescribed by the Ordinance of the Prime Minister, such as name and location of and items manufactured by the foreign food facility concerned, with the Minister of Food and Drug Safety before filing an import declaration under Article 20.
- ② Where any modification occurs in the matters registered pursuant to paragraph (1), such modification shall be registered with the Minister of Food and Drug Safety.
- ③ Where the Minister of Food and Drug Safety needs to verify further any matter among matters registered pursuant to paragraphs (1) and (2), he/she may request an importer, etc. to provide the necessary data.
- Where the Minister of Food and Drug Safety deems that a foreign food facility is registered under paragraph (1), or a modified matter is registered under paragraph (2), by fraud or other improper means, he/she shall revoke the registration under paragraph (1).

- ⑤ Where an importer, etc. falls under any of the following, the Minister of Food and Drug Safety may reject an import declaration filed under Article 20:
  - 1. Where the importer, etc. fails to register such matters set forth in paragraph (1) or (2) or registers them by fraud or other improper means;
  - 2. Where the importer, etc. fails to provide data under paragraph (3) or provides data by fraud or other improper means.
- © The period of validity of registration of a foreign food facility under paragraph (1) shall be two years from the date of such registration.
- ① The procedures, methods, etc. for registration set forth in paragraphs (1) and (2) shall be prescribed by the Ordinance of the Prime Minister.

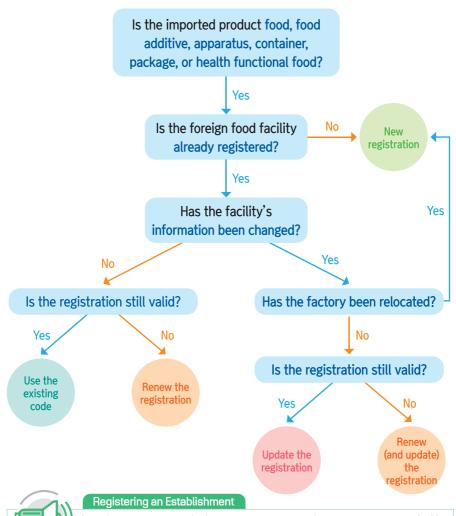


<sup>\*</sup> Applicable law: Article 5 of the Special Act on Imported Food Safety Control / Article 2 of the Enforcement Decree of the same Act



# Flow of Registration of Foreign Food Facility





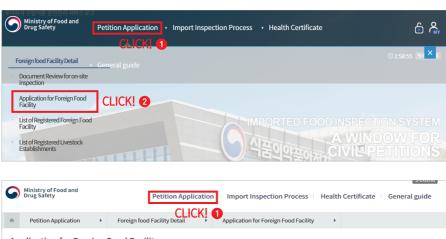
If the imported product is livestock or processed livestock product, the facility must be registered as a foreign establishment through the government of the exporting country, not as a foreign food facility.



# How to Register a Foreign Food Facility



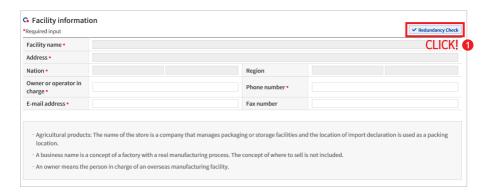
- Access the "Imported Food Information Maru" website (https://impfood.mfds.go.kr).
  - · [Join] and [Login]
  - E-Civil Complaint ▶ ② Go to Application ▶ ③ Application for Registration of Foreign Food Facility





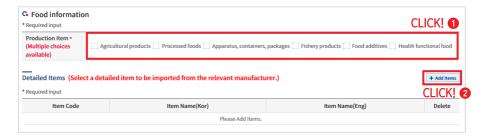


#### 2 Choose [Check Duplicate] for foreign food facility information.



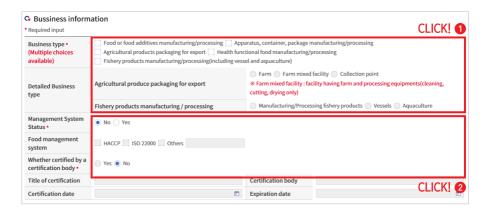
- For a new registration, enter [Foreign Food Facility Name], [Address], and [Country], and then [Search]. ▶ If there is no duplicate registration, click the magnifier (Region) at the bottom. ▶ Click [Search] and select the region.
- For an update or renewal of registration, click "Search Business" and select to create the existing registration information automatically and make the necessary changes.
  - \* In the event of a change of factory address, new registration is required.
- Enter [Representative], [Phone Number], [Email Address], and [FAX].

#### 3 Enter [Food Product Information] and [Business Information]



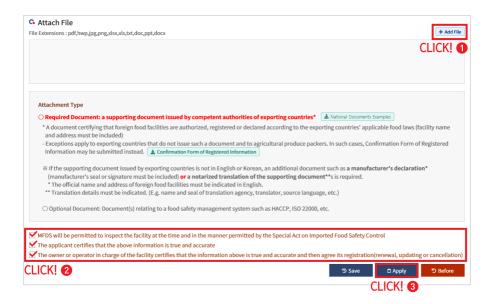
• It is now required to enter [Subitem] for the production item(s) to be imported.

- \* For categories of subitems, refer to Food Standards and Specifications (Ministry of Food and Drug Safety Notice).
- For agricultural and fishery products, register the foreign food facility according to the type of processing.
  - \* [Agricultural Products]: Farms, mixed farm facilities(farm and simple processing facility), and collection facilities
    [Fishery Products]: Fishery product manufacturers and processors, ships, and aquafarms
- Select an applicable management system(e.g., HACCP and ISO22000), etc.
   Enter details.





- 4 Click [Add File], attach the required documents\*, click [Confirm Agreement] at the bottom, and then click [Apply].
  - \* Licensing documents issued by the exporting country proving that it is a food manufacturing facility, etc.



To check the status and results of application visit the "Imported Food Information Maru" website(https://impfood.mfds.go.kr).
 ● ① E-Civil Complaint
 ● ② Status of Complaint



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#### **New Registration**

**Newly register** a facility located abroad from which no goods have been imported before

#### ✓ Notes

- The name and address of a foreign food facility for registration must be those that the government of the exporting country recognizes for the factory that manufactures and processes the product.
- 2 If a foreign food facility has registered with false or fabricated information, the registration will be canceled immediately and the business that makes a false import report using the information is also subject to an administrative disposition.
- In the event that additional verification is required, the importer may be requested to submit the necessary information.
- 4 If the importing product is a livestock product, the business must be registered as a foreign establishment rather than a foreign food facility.
- **5** For contracted facilities for marine products, the application should be submitted to the country of exporting country.

#### When additional documents should be submitted

#### When one company has multiple factories

- Additional document: Official document from the manufacturer [or factory verification document (in English) issued by the government of each exporting company]
- The official document should include information regarding the multiple factories held by Company A.

#### When the factory has been relocated

- Additional document : Official document from the manufacturer, Cancellation request of the importer applying for registration
- The official document should include address before/after relocation, date of relocation, operation status of (old) facility.

#### When multiple businesses share similar addresses

- Additional document: Official document from the manufacturer [or factory verification document (in English) issued by the government of the exporting company]
- The official document should include information verifying that Companies A and B are different companies.

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#### **Updating Registration**

When there is a change in the registered information of a foreign food facility

#### ✓ Notes

- In the event of factory relocation (change of address), it requires new registration instead of an update.
- 2 If one company has multiple factories, each factory must be registered individually.
- If the existing registered foreign food facility has been wrongly registered as an exporting business (including distributors and trading companies), the registration should be cancelled instead of updated (performance data cannot be carried over).
- 4 For contracted facilities for marine products, the application should be submitted to the country of exporting country.

#### When additional documents should be submitted

#### Change of business name

- · Additional document: Official document from the manufacturer
- Key reason for change: Change of business name (e.g., merger and acquisitions), editing for typo, etc.
- The official document should include that the company has changed its name from A to B, and its address has not been changed.

#### Change of address

- Additional document: Official document from the manufacturer
- Key reason for change: Change of administrative structure, editing for typo, etc.
- The official document should include that the address of Business A has been changed from

   (a) to (b) due to [reasons of change] (and there is no direct address change such as relocation of the factory).
  - \* Direct address change, such as factory relocation, is subject to new registration.

#### Change of representative

- Additional document: A document that can verify the change of representative such as the
  official document from the manufacturer
- The official document should specify that the company has changed its representative from A
  to B, and that there is no direct address change such as relocation of the factory.

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#### **Renewing Registration**

The validation of a foreign food facility lasts for two years, and it needs to be renewed prior to expiration.

#### ✓ Notes

- The application for registration renewal for a foreign food facility may be submitted from 30 days before the date of expiration.
- When there is any change in registered information, the relevant documentary evidence must be submitted

#### When additional documents should be submitted

#### Change of business name

- Additional document: Official document from the manufacturer
- Key reason for change: Change of business name (e.g., merger and acquisitions), editing for typo, etc.
- The official document should include that the company has changed its name from A to B, and its address has not been changed.

#### Change of address

- Additional document: Official document from the manufacturer
- Key reason for change: Change of administrative structure, editing for typo, etc.
- The official document should include that the address of Business A has been changed from

   (a) to (b) due to [reasons of change] (and there is no direct address change such as relocation of the factory).
  - \* Direct address change, such as factory relocation, is subject to new registration.

#### Change of representative

- Document verifying the change: Official document from the manufacturer or document confirming the registered information of the foreign food facility
- The official document should specify that the company has changed its representative from A
  to B, and that there is no direct address change such as relocation of the factory.



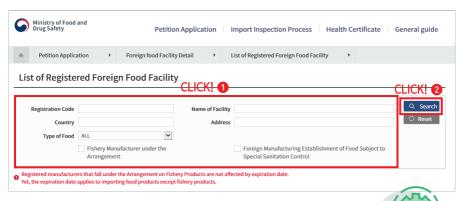


### How to Search for Registered Foreign Food Facilities



- Access the "Imported Food Information Maru" website (https://impfood.mfds.go.kr).
  - **1** Safety Information ▶ **2** Search Business ▶ **3** Foreign Food Facility tab
  - Search by foreign food facility code, business name, or address.







## Major Grounds for Revoking Registration of Foreign Food Facility



- When a foreign food facility is deemed to have been newly registered or to have changed the registration with false or otherwise illegal methods
  - When the facility has been verified as an exporting company (e.g., distributors and trading companies) rather than a facility that produces, manufacturers, processes, treats, packages, or stores products (including ships for marine products)
  - When the facility is not in operation due to closure or relocation of the business
- When the facility does not meet the definition of a foreign food facility (e.g., no facilities)
- Action taken in accordance with the verification of on-site inspection of the facility
  - Items to check: Whether it is not a manufacturing but an exporting company, whether the factory has been relocated (address change), whether not in operation due to business closure, etc.



FAQ and Key Reminders for Registration of Foreign Food Facility



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# FAQ for Registration of Foreign Food Facility



### 1-1 Registering a Foreign Food Facility



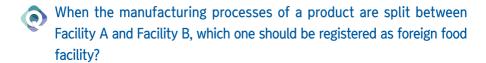
Which facilities should be registered as foreign food facilities?

A facility where the manufacturing process of the final product is completed, such as setting the product expiration date (date of manufacture) and quality control, should be registered as a foreign food facility.



How should I register a foreign food facility for agricultural products?

For agricultural products, the final packaging facility should be registered as a foreign food facility. The packaging facility should be registered as a farm, a mixed farm facility (farm and simple processing facility), or a collection facility depending on the type of packaging.



In cases wherein the manufacturing processes of one product are divided into multiple facilities, the facility where the final product is packaged, and the date of manufacture and expiry dates are stamped, should be registered as foreign food facility.



## When importing baby bottle products with the bottle and the pacifier are manufactured and processed by different companies, which one should be registered as a foreign food facility?

Registering a foreign food facility requires registering a facility located overseas that produces, manufactures, processes, treats, packages, and stores imported food, etc. (excluding livestock products). In terms of equipment, containers, and packaging, if Companies A and B manufacture the finished products, and Company C simply packages the products, companies A and B must be registered as foreign food facilities. If Company C carries out the final assembly of the finished products and packaging of the set, Company C must be registered as foreign food facility.



## For wines whose bottling location changes every time, which facility should I register as foreign food facility?

For alcoholic beverages, the final bottling facility should be registered as the foreign food facility. Note that a brand name of liquor (trade name) cannot be registered as foreign food facility.

When the bottling facility changes every time, however, the facility that produces/manufactures liquor can be registered as foreign food facility under the condition that an official document issued by the manufacturing facility that verifies this fact is attached.





If a manufacturing client, that is, an OEM, is A, and Factory B actually produces products, which one should be registered as foreign food facility?

The facility that carries out the actual production, manufacturing, processing, treating, packaging, and storage of imported food, etc. should be registered as a foreign food facility. When imported food, etc. has been manufactured through the OEM process, Company B should be registered as a foreign food facility as it manufactures/processes the actual food products.



Is it required to register the production item (type of food product) and the type of business (type of agricultural and aquatic product processing)?

The aim and purpose of the Special Act on Imported Food Safety Control lie in importing safer food products by controlling them from their sources through registration as foreign food facilities. It requires the information such as production item and type of business of the facilities prior to importation of food to ensure safety of imported food. For production items, please refer to the Food Standards and Specifications (Ministry of Food and Drug Safety Notice) or visit the Import Food Information Maru (impfood.mfds.go.kr) and click 1 [Safety Information] > 2 [Product and Business Search] > 3 [Find Import Food].

\* However, for equipment, containers, or packaging, register information on the material,

Please do not delete existing production items when updating or renewing an existing registration since the foreign food facility code is used by many importers.



If I import a product using the false information that someone else has registered on a foreign food facility, does it make my import declaration false?

An import declaration made using a false foreign food facility information such as address someone else has registered is still a false import declaration and is subject to administrative disposition.

\* The 1st business suspension is for 10 days; the 2nd business suspension is for 20 days; the 3rd business suspension is for one month.

Therefore, all importers must check the registration information through the foreign food facility, etc. before making an import declaration.



How should I register a foreign food facility when products from multiple foreign food facilities are packaged into a set?

If Company B is supplied with a product from Company A and packages it with its own product into a final product (e.g., instant noodle by Company B with seasoning powder from Company A), you must register Company B where the final product is completed as the foreign food facility.



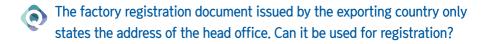
### 1-2 New Registration



What documents are required to apply for the registration of a foreign food facility?

Documentary evidence (in English) from the government of the exporting country proving that the facility is a food production facility must be submitted. Note that documents written in the language of the exporting country (except English) must be accompanied by a notarized translation or an official document with translation from the foreign food facility (including the name and address of the facility in English).

Additionally, for a facility where a food safety management system (HACCP, ISO 22000, etc.) applies, the relevant documentary evidence must be submitted during registration. In the event that additional verification is required in the registration approval process, the importer, etc. may be requested to submit the necessary information.



The factory registration document issued by the exporting country only states the address of the head office. Can it be used for registration?

For parallel imports, it is sometimes difficult to obtain information about foreign food facilities. Do we need to make a registration also in this case?

The aim and purpose of the Special Act on Imported Food Safety Control lie in importing safer food products by controlling them from their sources

through registration as foreign food facilities. Therefore, regardless of whether or not food products are imported through parallel import, the foreign food facility of the final product should be registered.



#### Who should register foreign food facilities?

The person who intends to import food products, etc. to South Korea (importer) or the establisher or operator of the foreign food facility can proceed with the registration. Note that the types of businesses that can apply for the registration are as follows:

- 1 Business that imports and sells imported food products, etc.
- 2 Business that manufactures or processes food (including liquor)
- 3 Business that manufactures food additives
- 4 Business that manufactures health functional food
- **5** Venture business that manufactures health functional food
- 6 Business that manufactures container/packaging
- Business that specializes in distribution and sale (limited to food imported as raw materials for the manufacture of its own products, etc.)

You may register a foreign food facility by joining the website and logging in with the information on a license issued to the business types listed above. Note that customs brokers and agents are not eligible to apply for the registration; only individuals intending to import food products to South Korea or establisher or operator of a foreign food facility may apply for the registration under Article 5 of the Special Act on Imported Food Safety Control.



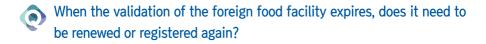
# When a foreign food facility has changed its address, does it need to apply for an update of registration? Can it keep its performance history?

If a foreign food facility has changed its address, it must apply for new registration.

Apply for new registration with documents (e.g., official document from the manufacturer and a factory registration issued by the government of the exporting country) proving the relocation of the foreign food facility. Note that when a foreign food facility is given a new foreign food facility code in new registration, its previous import history will no longer be recognized.



Returned exports are also considered imported food products. Therefore, register the domestic food facility that exported the product and report the importation.



It is subject to registration renewal. Renewal is possible even if the expiration date has been passed.





## Is there a platform where I can search for the history and information of the registered foreign food facilities?

Go to Imported Food Information Maru (impfood.mfds.go.kr) and navigate to My Page  $\rangle$  Applications / Completed Applications to check the history. Click the application number to view the details, registration code, reason for refusal, and more.

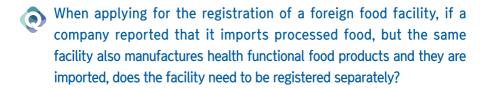


## Is it mandatory to agree to the on-site inspection of foreign food facility?

It is mandatory. When registering a foreign food facility, the applicant must confirm and tick the "Agreement to on-site inspection order by the Minister of Food and Drug Safety when it is deemed necessary" to complete the application for the registration.



### 1-3 Updating and Renewing Registration



If a foreign food facility's production item has processed food only, select both processed food and health functional food product as production items (multiple items may be selected) to apply for a registration update.

I received a text message saying that registration renewal is required for my foreign food facility.

You will get a text message, "You need to apply for a registration renewal" two years after the registration of a foreign food facility. Please check the information of your registered foreign food facility again and apply for a registration renewal.

I am not the initial importer that registered the foreign food facility. Can a different importer update/renew the registration?

Importers other than the initial importer of a product may update or renew the registration.





It was confirmed that information has been changed in the process of verifying the facility's information in a registration renewal. Should I apply for an update and a renewal separately?

You can change the information of foreign food facilities while applying for renewal. Except for the cases subject for new registration (i.e., change of address such as factory relocation), you need to submit the relevant documents (e.g., documents issued by the government of the exporting country and official documents from the manufacturer) in case of a change in the manufacturer's name, address, representative, contact information, etc.





## Key Reminders for Registration of Foreign





When registering a new foreign food facility (or updating or renewing registration), please enter information on any applicable food hygiene management system such as HACCP and ISO, if possible.



Be sure to check the registered information on the foreign food facility before filing a imported food declaration to prevent a false import declaration.



Please complete the registration of a foreign food facility (including renewal upon expiration of the validity period) before conducting product import because delays may occur in the registration process due to reasons such as incomplete submission.



For inquiries on registration (new, updating, and renewing registration) of foreign food facilities, please contact the National Food Safety Information Service (1811–6496).



Please check out the Imported Food Information Maru Nurijip (https://impfood.mfds.go.kr) for safety information on imported food including new and renewing registration of foreign food facilities.





#### [ Reporting Corruption and Public Interest in the Public Sector ]

- \*\* The whistleblower and the report content will be protected
- ► Report of Corruption and Public Interest in the Public Sector:

  MFDS official website > Public Communication > e-People > Report Corruption & Public Interest

