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PESTICIDE CONTROL ACT

[Enforcement Date 01. Jul, 2019.] [Act No.16120, 31. Dec, 2018., Partial
Amendment]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose) The purpose of this Act is to promote improvement in the quality of pesticides, the establishment of order in the distribution and safe use thereof, and to contribute to agricultural production and the conservation of the living environment by prescribing matters concerning the production, importation, sale, and use of pesticides.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 2 (Definitions) The definitions of terms used in this Act shall be as follows: <Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>

1. The term "pesticide" means any of the following:

- (a) Fungicides, insecticides, and herbicides used for controlling germs, insects, mites, nematodes, viruses, weeds, and other animals and plants prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs (hereinafter referred to as "disease and insect pest"), which damage crops (including trees, agricultural products, and forest products; hereinafter the same shall apply);
- (b) Chemicals used for promoting or repressing physiological functions of crops;
- (c) Other chemicals prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

1 - 2. The term "biopesticide" means any of the following pesticides that meet the standards determined and publicly notified by the Administrator of the Rural Development Administration:

- (a) Pesticides manufactured from living microorganisms, such as mycetes, bacteria, viruses, or protozoans, as active ingredients;
- (b) Pesticides manufactured from naturally occurring organic or inorganic compounds as active ingredients;

2. The term "item" means the pesticide product which is identical in terms of the percentage of respective active ingredients and the method of preparation;

3. The term "technical concentrate" means the substance in which active ingredients of pesticides are concentrated;
- 3 - 2. The term "pest control equipment" means any of the following determined by the Administrator of the Rural Development Administration:
 - (a) Materials using pesticides as raw materials or materials, which are used to prevent diseases and insect pests from damaging crops and to control the quality of agricultural products;
 - (b) Instruments or devices generating substances which have the effect of sterilization, killing insects, weeding, and growth control;
4. The term "manufacturing business" means manufacturing (including processing; hereinafter the same shall apply) and selling pesticides or pest control equipment (hereinafter referred to as "pesticides, etc.") in the Republic of Korea;
5. The term "technical concentrate business" means manufacturing and selling technical concentrates in the Republic of Korea;
6. The term "importation business" means importing and selling pesticides, etc. or technical concentrates;
7. The term "sales business" means selling pesticides, etc. other than manufacturing business and import business;
8. The term "pest control business" means controlling disease and insect pests or promoting or repressing physiological functions of crops by using pesticides.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 2 - 2 (Development, Dissemination, etc. of Technical Concentrates, Exemplary Pesticides, etc.) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement measures necessary to develop and distribute technical concentrates, high - quality pesticides, etc. and to promote the safe use of pesticides, etc. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14645, Mar. 21, 2017 >

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

CHAPTER II REGISTRATION, ETC. OF BUSINESS

Article 3 (Registration, etc. of Business) (1) Any person who intends to engage in manufacturing, technical concentrate, or importation business shall file for registration with the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food

and Rural Affairs. The same shall also apply to any intended modification of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in registration.

<Amended by Act No. 9658, May 8, 2009; Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>

(2) Any person who intends to engage in sales business shall designate a sales manager for each business establishment and file for registration with the head of a Si (referring to the Special Self-Governing Province Governor in cases of a Special Self-Governing Province; hereinafter the same shall apply)/Gun/autonomous Gu (hereinafter referred to as " head of a Si/Gun/ Gu ") which has jurisdiction over the location of each business establishment, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to any intended modification of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in registration.<Amended by Act No. 9658, May 8, 2009; Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>

(3) A person who intends to sell pesticides, etc., among those intending to engage in manufacturing or importation business, shall designate a sales manager who satisfies the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and file for registration pursuant to the former part of paragraph (1).<Newly Inserted by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>

(4) A person who intends to sell pesticides, etc., among those who have registered their manufacturing or importation business pursuant to the former part of paragraph (1) without designating a sales manager under paragraph (3) shall designate a sales manager under paragraph (3) and file for registration of a change thereof.<Newly Inserted by Act No. 10934, Jul. 25, 2011>

(5) Any person who intends to file for registration pursuant to paragraph (1) or (2) shall be equipped with human resources, facilities, equipment, etc. which satisfy the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.<Amended by Act No. 9658, May 8, 2009; Act No. 11690, Mar. 23, 2013>

Article 3 - 2 (Reporting on Business) (1) Any person who intends to engage in pest control business for imported or exported plants (hereinafter referred to as "pest control business for imported or exported plants") shall report to the Director General of the National Plant Quarantine Service prescribed by Presidential Decree (hereinafter referred to as the "Director General of the National Plant Quarantine Service"), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to any intended modification of important matters

prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in the report.

<Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013 >

(2) Upon receipt of a report on pest control business for imported or exported plants or a report on modification thereof under paragraph (1), the Director General of the National Plant Quarantine Service shall examine the report, and if it conforms to this Act, accept it. <Newly Inserted by Act No. 16120, Dec. 31, 2018 >

(3) The scope of pest control business for imported or exported plants shall be prescribed by Presidential Decree. <Amended by Act No. 16120, Dec. 31, 2018 >

(4) Any person who intends to report pest control business for imported or exported plants shall have human resources, facilities, equipment, etc. which meet the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 16120, Dec. 31, 2018 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 4 (Grounds for Disqualification) None of the following persons shall file for registration pursuant to the former part of Article 3 (1) and the former part of Article 3 (2): <Amended by Act No. 10934, Jul. 25, 2011; Act No. 12426, Mar. 18, 2014; Act No. 13132, Feb. 3, 2015 >

1. A person under adult guardianship or a person under limited guardianship;
2. A person declared bankrupt and yet to be reinstated;
3. A person in whose cases two years have not passed since his/her imprisonment with labor for a violation of this Act was completely executed (including cases where it is deemed that such sentence was completely executed) or exempted;
4. A person who is under suspension of the execution of his/her imprisonment with labor for a violation of this Act;
5. A person in whose cases two years have not passed from the date registration was revoked (excluding cases where registration was revoked due to reasons falling under subparagraphs 1 and 2 of Article 4) in accordance with Article 7;
6. A corporation, any executive officer of which falls under any of subparagraphs 1 through 5.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 5 (Succession to Status of Manufacturers, etc.) (1) Any of the following persons shall succeed to the status of any person who has registered his/her business in accordance with Article 3 (1) or (2) (hereinafter referred to as "manufacturer, etc.") or who has reported pest control business for imported or exported plants in accordance with Article 3 - 2 (1) (hereinafter referred to as "pest

controller for imported or exported plants ”): Provided, That where any person referred to in subparagraph 2 or 3 who intends to succeed to the status of a manufacturer, etc. falls under any of subparagraphs 1 through 5 of Article 4, he/she shall not succeed to such status: <Amended by Act No. 10934, Jul. 25, 2011 >

1. Where a manufacturer, etc. or pest controller for imported or exported plants dies, his/her successor;
2. Where a manufacturer, etc. or pest controller for imported or exported plants transfers his/her business, the transferee;
3. Where a corporate manufacturer, etc. or corporate pest controller for imported or exported plants has merged, a corporation surviving the merger or corporation incorporated as a result of the merger.

(2) Where a successor who has succeeded to the status of a manufacturer, etc. in accordance with paragraph (1) falls under any of subparagraphs 1 through 5 of Article 4, or where a corporation which has succeeded to such status falls under subparagraph 6 of Article 4, the successor shall transfer the status of the manufacturer, etc. to a third person, or the corporation shall appoint a new executive officer to replace a disqualified executive officer, within six months after the date of commencement of the succession or the date of the merger.<Amended by Act No. 10934, Jul. 25, 2011 >

(3) A person who has succeeded to the status of a manufacturer, etc. or pest controller for imported or exported plants in accordance with paragraph (1) shall report to the Administrator of the Rural Development Administration, the head of a Si/Gun/Gu, or the Director General of the National Plant Quarantine Service within one month, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.<Newly Inserted by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013 >
[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 5 - 2 (Succession to Effect of Administrative Dispositions) Where a person succeeds to the status of the previous manufacturer, etc. or the previous pest controller for imported or exported plants pursuant to Article 5 (1), the effect of an administrative disposition imposed on him/her in accordance with Article 7 (1) through (3) shall be succeeded to the successor and shall remain in force against the successor one year from the expiry date of the disposition period; and where a proceeding for an administrative disposition is pending, the proceeding may be continued against the successor: Provided, That the foregoing shall not apply where the successor proves his/her total ignorance to the administrative disposition or violation at the time of his/her succession to the status.

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

Article 6 (Reporting on Closure of Business) (1) Where any manufacturer, etc. or pest controller for imported or exported plants intends to close his/her business, he/she shall report the closure of business to the Administrator of the Rural Development Administration, the head of a Si/Gun/Gu, or the Director General of the National Plant Quarantine Service, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013>

(2) A person who intends to report the closure of business pursuant to paragraph (1) shall discard or return pesticides, etc. or technical concentrates stored in his/her place of business, warehouse, etc. or take other appropriate measures, to prevent such pesticides, etc. or technical concentrates from harming people or the environment.

(3) Upon receipt of a report under paragraph (1), the Administrator of the Rural Development Administration, the head of the Si/Gun/Gu, or the Director General of the National Plant Quarantine Service shall examine the report, and if it conforms to this Act, accept it. <Newly Inserted by Act No. 16120, Dec. 31, 2018>

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

Article 7 (Revocation, etc. of Registration) (1) Where any person who has registered his/her manufacturing business, technical concentrates business, or importation business (hereinafter referred to as "manufacturer", "technical concentrate supplier" or "importer", respectively) in accordance with Article 3 (1) falls under any of the followings, the Administrator of the Rural Development Administration may revoke registration of such business or issue an order to fully or partially suspend operation of such business for a specified period of up to one year: Provided, That if he/she falls under subparagraph 1 - 2, 13, or 14, his/her registration shall be revoked: <Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011; Act No. 14980, Oct. 31, 2017>

1. Where he/she fails to make modification of registration pursuant to the latter part of Article 3 (1) or Article 3 (4) without any justifiable grounds;
- 1 - 2. Where he/she falls under the grounds of disqualification prescribed in Article 4: Provided, That the foregoing shall not apply to replacing an executive officer who falls under subparagraph 6 of Article 4 within six months with another;
2. Where he/she manufactures, imports, or sells unregistered pesticides, etc. or technical concentrates, in violation of Article 8 (1), 16 (1), 17 (1), or 17 - 2 (1);
3. Where he/she fails to comply with any disposition to modify any registered matter or to revoke registration or any disposition to restrict manufacturing, exportation and importation, or supply

- (including orders to recall or discard) pursuant to Article 14 (2) (including cases where it is applied mutatis mutandis pursuant to Article 17 (3));
4. Where he/she commits any offense in violation of exportation and importation prohibitions or restrictions or other compliance - related matters which are publicly announced by the Administrator of the Rural Development Administration pursuant to Article 15 (1);
 - 4 - 2. Where he/she violates the conditions referred to in the latter part of Article 17 (4);
 5. Where he/she fails to provide an indication on pesticides, etc. or technical concentrates pursuant to Article 20 (1) or (2) or provides a false indication;
 6. Where he/she manufactures, produces, imports, stores, displays, or sells pesticides, etc. or technical concentrates, in violation of Article 21 (1) or (2);
 7. Where he/she makes a false or exaggerated advertisement, in violation of Article 22, or makes an advertisement contrary to the method of advertisement prescribed in the same Article;
 8. Where he/she handles pesticides, etc. in violation of the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
 9. Where the test prescribed in Article 24 finds that the quality of pesticides, etc. is poor, or where he/she fails to submit an in - house test report or submits a false test report;
 10. Where he/she refuses, obstructs or evades an examination or the collection of samples or testing products referred to in Article 24 (1);
 11. Where he/she fails to comply with an order to collect or abandon pesticides, etc. or technical concentrates pursuant to Article 24 (5);
 12. Where he/she fails to comply with an order to supplement facilities or such pursuant to Article 25, or fails to report matters concerning the control of pesticides, etc., or submits a false report;
 13. Where he/she files for registration of business or makes modification of registration by fraud or other improper means;
 14. Where he/she operates his/her business in violation of an order to suspend operation of such business;
 15. Where he/she fails to commence business despite the lapse of three years from the date of registration.
- (2) Where a person who has registered his/her sales business pursuant to the former part of Article 3 (2) (hereinafter referred to as "dealer") falls under any of the following, the head of a Si/Gun/Gu may revoke registration of such business or issue an order to fully or partially suspend operation of such business for a specified period of up to one year: Provided, That if he/she falls under subparagraph 1 - 2, 4, or 5, his/her registration shall be revoked: < Amended by Act No. 10934, Jul. 25, 2011 >

1. Where he/she fails to make modification of registration pursuant to the latter part of Article 3 (2), without any justifiable grounds;
- 1 - 2. Where he/she falls under any subparagraph of Article 4: Provided, That the foregoing shall not apply to replacing an executive officer of a corporation who falls under subparagraph 6 of Article 4 within six months with another;
2. Where he/she falls under paragraph (1) 6, 7, or 10 through 12;
3. Where he/she handles pesticides, etc. in violation of the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
4. Where he/she files for registration of business or makes modification of registration by fraud or other improper means;
5. Where he/she operates his/her business, in violation of an order to suspend operation of such business;
6. Where he/she fails to commence business despite the lapse of one year from the date of registration.

(3) Where a pest controller for imported or exported plants falls under any of the following, the Director General of the National Plant Quarantine Service may issue an order to close the place of business or to fully or partially suspend operation of such business for a specified period of up to two years: Provided, That the Director General of the National Plant Quarantine Service shall issue an order to close the place of business in cases falling under subparagraph 6 or 7: <Amended by Act No. 10934, Jul. 25, 2011 >

1. Where he/she falls under paragraph (1) 10 through 12;
- 1 - 2. Where he/she fails to make modification of registration pursuant to the latter part of Article 3 - 2 (1), without any justifiable grounds;
2. Where he/she uses or handles pesticides, etc. in violation of the guidelines for the safe use or the standards for restrictions on the handling of pesticides, etc. pursuant to Article 23 (1);
3. Where a fatal accident has been caused by his/her violation of this Act;
4. Deleted; <by Act No. 10934, Jul. 25, 2011 >
5. Where he/she has no record of performance of pest control for at least one year, or violates regulations on the quarantine and disinfection of imported or exported plants determined and publicly announced by the Director General of the National Plant Quarantine Service;
6. Where he/she reports his/her business or makes modification of registration by fraud or other improper means;

7. Where he/she operates his/her business, in violation of an order to suspend operation of such business.

(4) Detailed criteria for any disposition of revocation or suspension provided in paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[<Amended by Act No. 11690, Mar. 23, 2013>](#)

[\[This Article Wholly Amended by Act No. 9658, May 8, 2009\]](#)

CHAPTER III REGISTRATION, ETC. OF PESTICIDES

Article 8 (Registration of Items Manufactured in Republic of Korea) (1) Where a manufacturer intends to manufacture and sell pesticides in the Republic of Korea, he/she shall file for registration of each item with the Administrator of the Rural Development Administration: Provided, That the foregoing shall not apply where he/she manufactures an item registered by another manufacturer after being entrusted therewith.

(2) Any person who intends to file for registration pursuant to paragraph (1) shall submit an application for registration stating the following to the Administrator of the Rural Development Administration, along with results of the test on the effect, harmfulness, toxicity, and residues of the relevant pesticide product that has been conducted by a testing and research institute designated pursuant to Article 17 - 4 (1) (hereinafter referred to as "test report") and with samples of such pesticide product: Provided, That where he/she files for registration of biopesticides or other items prescribed by Presidential Decree, he/she may be wholly or partially exempt from submitting the test report as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: [<Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>](#)

1. An applicant ' s name (in cases of a corporation, its trade name and the name of its representative; hereinafter the same shall apply), domicile, and resident registration number;
2. Name of a pesticide;
3. Physical and chemical nature and condition, the types of active ingredients and other ingredients, and their respective contents;
4. Manufacturing process of items;
5. Types and capacities of containers or packaging, and materials used for the manufacture of containers or packaging;
6. Target diseases and insect pests and crops, instructions for the use of pesticides, and doses of a pesticide;

7. Warranty period of the effect of a pesticide;
8. Where a pesticide is harmful to human bodies or livestock, the details thereof and the method of detoxification;
9. Where a pesticide is harmful to aquatic life, the details thereof;
10. Where a pesticide is inflammable, explosible, or detrimental to skin or such, the details thereof;
11. Cautions for safekeeping, handling, and use;
12. The location of a factory;
13. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of manufactured items.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 9 (Review, etc. of Documents, etc. for Application for Item Registration) (1) Upon receipt of an application referred to in Article 8 (2), the Administrator of the Rural Development Administration shall require the head of an administrative agency in charge of the affairs of agricultural sciences and technologies to review documents and test samples of a pesticide submitted by an applicant.

(2) Criteria for the review of documents and test of samples of a pesticide submitted pursuant to paragraph (1) shall be publicly notified by the Administrator of the Rural Development Administration in consultation with the head of the related central administrative agency.

(3) Where the results of review of documents and test of samples of a pesticide under paragraphs (1) and (2) fall under any of the following, the Administrator of the Rural Development Administration shall either return application documents for registration to an applicant by clearly stating the causes therefor or order the applicant to supplement them: <Amended by Act No. 14532, Jan. 17, 2017 >

1. Where there are false particulars in the matters stated in the application;
2. Where the effect of the relevant pesticide is too low to have the value as a pesticide;
3. Where the use of the relevant pesticide according to the directions in the application causes damage to crops;
4. Where it is feared that people and livestock may be injured even though the relevant pesticide is used or handled according to the directions for use and handling;
5. Where it is feared that aquatic life may be damaged if the relevant pesticide is used in large quantities;
6. Where the relevant pesticide may, if used following the directions in the application, remain in crops, and thus be likely to harm people and livestock consuming crops;

7. Where it is feared that the relevant pesticide may, if used following the directions in the application, remain in soil of farmland or such, and thus damage the ecosystem of soil of farmland or harm people and livestock consuming crops cultivated on the farmland;
 8. Where it is feared that the relevant pesticide may, if used in large quantities, cause water pollution in the public waters pursuant to subparagraph 9 of Article 2 of the Water Environment Conservation Act, and thus damage the ecosystem of the aquatic life or harm people and livestock consuming the polluted water;
 9. Where the name of the relevant pesticide may cause misunderstanding on the principal ingredients or effect thereof.
- (4) Where application documents for registration are supplemented in accordance with paragraph (3), the provisions of paragraphs (1) through (3) shall apply mutatis mutandis to re - examination or such.
- [[This Article Wholly Amended by Act No. 9658, May 8, 2009](#)]

Article 10 (Issuance of Certificate of Item Registration) The Administrator of the Rural Development Administration shall, without delay, issue to the applicant a certificate of item registration in which the following matters are stated, unless the application for registration falls under any of the grounds for return or order of supplementation under the subparagraphs of Article 9 (3) as a result of the review of documents and test of samples of the relevant pesticide product pursuant to Article 9: [<Amended by Act No. 11690, Mar. 23, 2013>](#)

1. Registration number and the date of registration;
2. Name of a manufacturer;
3. Matters prescribed in Article 8 (2) 2, 3, and 6;
4. The location of a factory;
5. The term of validity of registration;
6. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[[This Article Wholly Amended by Act No. 9658, May 8, 2009](#)]

Article 11 (Term of Validity of Item Registration and Re - registration) (1) The term of validity for item registration under Article 8 (1) shall be ten years.

(2) Where a manufacturer intends to re - register an item whose term of validity is to be expired under paragraph (1), he/she shall file an application for re - registration of such item with the Administrator of the Rural Development Administration at least six months before the term of validity expires. In such cases, the provisions of Articles 8 (2), 9, and 10 shall apply mutatis mutandis to an application for re - registration, review of an application document, etc. and re - issuance of a

certificate of item registration.

(3) Where a manufacturer files an application for re - registration of the item pursuant to paragraph (2), he/she may be wholly or partially exempt from submitting the test report, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013 >

[This Article Wholly Amended by Act No. 10934, Jul. 25, 2011]

Article 12 (Succession to Status of Item Registrant, etc.) The provisions of Articles 5 and 5 - 2 shall apply mutatis mutandis to succession to the status of a manufacturer who has registered his/her item in accordance with Article 8 (1) (hereinafter referred to as the "manufacturer who has registered his/her item") and to succession to the effect of administrative dispositions. In such cases, " Article 7 (1) through (3) " in Article 5 - 2 shall be construed as " Articles 7 (1) and 14. "

<Amended by Act No. 10934, Jul. 25, 2011 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 13 (Modification, etc. of Item Registration by Application) (1) If a manufacturer who has registered his/her item intends to modify an important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs registered, he/she shall submit to the Administrator of the Rural Development Administration a written application stating such matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for which the certificate of registration and the test report regarding such modifications are provided, along with samples of such product. <Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013 >

(2) When a manufacturer who has registered his/her item has made some modifications thereto as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs registered, he/she shall clearly identify the reasons for the modifications and details thereof and report them to the Administrator of the Rural Development Administration within 30 days from the date of such modifications. In such cases, in the case of modifying any matter stated in the certificate of item registration, he/she shall apply for re - issuance of the certificate of item registration. <Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013 >

(3) The provisions of Articles 9 and 10 shall apply mutatis mutandis to the review, return, etc. of application documents, etc. for item registration related to modifications to item registration under paragraph (1) and re - issuance of a certificate of item registration.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

- Article 14 (Ex Officio Revocation, etc. of Item Registration)** (1) Where a manufacturer who has registered his/her item has registered his/her item by fraud or other improper means, the Administrator of the Rural Development Administration shall revoke registration of such item, and where registration of manufacturing business is revoked pursuant to Article 7 (1), the Administrator of the Rural Development Administration shall revoke registration of every item registered. In such cases, the Administrator of the Rural Development Administration may order the manufacturer, importer, or dealer to recall and discard the relevant pesticide product (including pesticide products already sold). [<Amended by Act No. 10934, Jul. 25, 2011; Act No. 14645, Mar. 21, 2017>](#)
- (2) Where a pesticide for which item registration has been filed is used in compliance with instructions given in the application for registration, and where it is deemed to fall under either of the following, the Administrator of the Rural Development Administration may modify a registered matter, revoke item registration or impose a disposition for restricting the manufacturing, exportation or importation, or supply thereof (hereinafter referred to as "restrictive disposition") after undergoing deliberative procedures prescribed by Presidential Decree. In such cases, the Administrator of the Rural Development Administration may order the manufacturer, importer, or dealer to recall and discard the relevant pesticide product (including pesticide products already sold): [<Amended by Act No. 10242, Apr. 12, 2010>](#)
1. Where it falls under any of Article 9 (3) 2 through 8;
 2. Where an international organization, a foreign government, the European Union, etc. prove that the relevant item or active ingredients are likely to cause serious danger and harm.
- (3) Where any manufacturer, importer, or dealer fails to comply with a corrective order issued under the latter part of paragraph (1) or the latter part of paragraph (2), the Administrator of the Rural Development Administration shall directly recall and discard the relevant pesticide product. In such cases the cost incurred shall be borne by the relevant manufacturer, importer, or dealer. [<Newly Inserted by Act No. 14645, Mar. 21, 2017>](#)
- (4) Each public official who recalls and discards a pesticide product pursuant to paragraph (3) shall carry a certificate indicating his/her legitimate authority and present it to interested persons. [<Newly Inserted by Act No. 14645, Mar. 21, 2017>](#)
- (5) The manufacturer, importer, or dealer of a pesticide product in receipt of an order to recall and discard it from the Administrator of the Rural Development Administration pursuant to paragraph (1) or (2) shall compensate for recalled pesticide product if requested by the purchasers of the relevant pesticide product, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. [<Newly Inserted by Act No. 14645, Mar. 21, 2017>](#)

(6) Where it is deemed urgent to control disease and insect pests or to promote or repress physiological functions of crops, the Administrator of the Rural Development Administration may modify target diseases, insect pests or crops, instructions for use and doses registered under subparagraph 3 of Article 10. <Amended by Act No. 10934, Jul. 25, 2011 >

(7) Where the Administrator of the Rural Development Administration has modified matters in item registration pursuant to paragraph (2) or (6), he/she shall re - issue a certificate of item registration pursuant to Article 10 to a manufacturer who filed such item registration. <Amended by Act No. 14645, Mar. 21, 2017 >

(8) Where the Administrator of the Rural Development Administration has revoked item registration or imposed a restrictive imposition in accordance with paragraph (1) or (2), he/she shall publicly notify the relevant item and the details of the revocation of registration or restrictions.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 14 - 2 (Revocation, etc. of Item Registration due to Reasons other than Ex Officio Revocation)

(1) With respect to pesticide products, etc. or technical concentrates that fall under any of the following subparagraphs, the Administrator of the Rural Development Administration may order the relevant manufacturer, importer, or dealer to recall and discard them as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Where the registration of the pesticide products, etc. or technical concentrates registered pursuant to Article 8 (1), 17 (1), or 17 - 2 (1) is revoked at the request of the manufacturer or importer;
2. Where the validity term of registration of the pesticide products, etc. has expired, because the manufacturer or importer has failed to file an application for re - registration pursuant to Article 11 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3)) or Article 17 - 3 (2).

(2) Article 14 (3) through (5) shall apply mutatis mutandis to the direct recalling and discarding procedures to be taken by the Administrator of the Rural Development Administration due to failure of a manufacturer, importer, or dealer to comply with a corrective order issued pursuant to paragraph (1), bearing of such costs, indication of authority of public officials who conduct recalling and discarding, and provisions on compensation for purchasers of pesticide products.

[This Article Newly Inserted by Act No. 14645, Mar. 21, 2017]

Article 15 (Public Notification of Ban on Importation of Hazardous Pesticides and Technical Concentrates, etc.)

(1) The Administrator of the Rural Development Administration shall give public notice of the following: <Amended by Act No. 11690, Mar. 23, 2013 >

1. Details of bans or restrictions on pesticides and technical concentrates imposed by any state party to the Convention in accordance with Articles 5 and 6 of the Rotterdam Convention on the Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade (hereinafter referred to as the "Rotterdam Convention");
2. Standards for approval of exportation and importation and other matters to be complied with by importers or exporters of pesticides or technical concentrates in accordance with Articles 10 through 13 of the Rotterdam Convention;
3. Pesticides and technical concentrates listed in Annex of the Rotterdam Convention;
4. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to be publicly notified by the Government pursuant to the Rotterdam Convention.

(2) If the Administrator of the Rural Development Administration intends to give public notice pursuant to paragraph (1), he/she shall consult with the Minister of Trade, Industry and Energy.

[<Amended by Act No. 11690, Mar. 23, 2013>](#)

[\[This Article Wholly Amended by Act No. 9658, May 8, 2009\]](#)

Article 16 (Registration, etc. of Technical Concentrates) (1) Any technical concentrate

supplier who intends to manufacture and sell technical concentrates shall file for registration of each type of technical concentrates with the Administrator of the Rural Development Administration.

(2) A person who intends to file for registration of technical concentrates in accordance with paragraph (1) shall submit an application stating the following to the Administrator of the Rural Development Administration, along with the result of physiochemical analysis and a report on toxicity test of technical concentrates, which is prepared by a testing and research institute designated pursuant to Article 17 - 4 (1), as well as samples of technical concentrates: Provided, That in the case of filing for registration of technical concentrates prescribed by Presidential Decree, he/she shall be wholly or partially exempt from submitting such documents, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:[<Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>](#)

1. Name, domicile, resident registration number of an applicant;
2. Name, the physiochemical properties and condition of technical concentrates and kinds and respective contents of principal ingredients and other ingredients;
3. Synthesizing and manufacturing process of technical concentrates;
4. Where technical concentrates are inflammable or explosible, the details thereof;

5. The location of a factory;
6. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of technical concentrates.

(3) Upon receipt of an application referred to in paragraph (2), the Administrator of the Rural Development Administration shall, without delay, issue a certificate of registration stating the following to an applicant if the application is deemed to meet the standards determined and publicly announced by the Administrator of the Rural Development Administration for registration of technical concentrates: <Amended by Act No. 11690, Mar. 23, 2013 >

1. Registration number and the date of registration;
2. Name of a technical concentrate supplier;
3. The details referred to in paragraph (2) 2;
4. The location of a factory;
5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) The provisions of Articles 12, 13 and 14 (1) shall apply mutatis mutandis to matters related to registration of technical concentrates pursuant to paragraph (1), such as succession to the status of a registrant of technical concentrates, succession to the effect of administrative disposition, modification of registration of technical concentrates by application or such, and ex officio revocation of registration. In such cases, "item" shall be construed as "technical concentrates" and "manufacturer" as "technical concentrate supplier". <Amended by Act No. 10934, Jul. 25, 2011 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 17 (Registration, etc. of Imported Pesticides, etc.) (1) When an importer intends to import and sell pesticides or technical concentrates, he/she shall file for registration of each type of items of pesticides or technical concentrates with the Administrator of the Rural Development Administration. <Amended by Act No. 10934, Jul. 25, 2011 >

(2) Deleted.<by Act No. 10934, Jul. 25, 2011 >

(3) In the case of filing for registration of pesticides or technical concentrates pursuant to paragraph (1), the corresponding provisions classified as follows shall apply mutatis mutandis. In such cases, "manufacturing business" or "technical concentrates business" shall be construed as "importation business", "manufacturer" or "technical concentrate supplier" as "importer", "pesticides" as "imported pesticides", and "technical concentrates" as "imported technical concentrates," respectively: <Amended by Act No. 10934, Jul. 25, 2011 >

1. The provisions of Articles 8 (2), 9 through 14, and 16 shall apply mutatis mutandis to the following:
 - (a) Application for item registration of an imported pesticide;
 - (b) Review, etc. of application documents for item registration;
 - (c) Issuance of a certificate of item registration;
 - (d) The term of validity of item registration and re - registration;
 - (e) Succession to the status of a product registrant, etc., and succession to the effect of administrative disposition;
 - (f) Modification of item registration by application;
 - (g) Ex officio revocation, etc. of item registration;
2. The provisions of Article 16 shall apply mutatis mutandis to the following:
 - (a) Registration of imported technical concentrates;
 - (b) Succession to the status of a registrant of imported technical concentrates and succession to the effect of administrative disposition;
 - (c) Modification of registration of imported technical concentrates by application;
 - (d) Ex officio revocation of registration of imported technical concentrates.
- (4) Notwithstanding the provisions of paragraph (1), in any of the following circumstances, an importer may import and sell pesticides or technical concentrates unregistered pursuant to paragraph (1) after obtaining permission therefor from the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the importer shall meet the conditions prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as sales quantity, sales period, and purchasers: <Newly Inserted by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>
1. Where an unregistered pesticide or technical concentrate is imported for testing or academic research purposes;
2. Where an unregistered pesticide is urgently needed to control disease and insect pests or to promote or repress physiological functions of agricultural products for exportation in the absence of any alternative pesticide among those registered pursuant to Article 8 (1) or 17 (1);
3. Where an unregistered pesticide is urgently needed to control disease and insect pests pursuant to Article 31 (1) of the Plant Protection Act in the absence of any alternative pesticide among those registered pursuant to Article 8 (1) or 17 (1).

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 17 - 2 (Registration of Pest Control Equipment) (1) When a manufacturer or importer intends to manufacture in the Republic of Korea or import pest control equipment for sale, he/she shall file for registration of each type of equipment with the Administrator of the Rural Development Administration: Provided, That the same shall not apply where a manufacturer engages in manufacturing pest control equipment using another manufacturer's registered equipment after being entrusted therewith.

(2) A person who intends to file for registration pursuant to paragraph (1) shall submit to the Administrator of the Rural Development Administration an application stating the following, along with documents stating the physiochemical analysis, etc. of pest control equipment, which are prepared by a testing and research institute designated pursuant to Article 17 - 4 (1), as well as a test product of pest control equipment: Provided, That in the case of filing for registration of pest control equipment prescribed by Presidential Decree, he/she may be wholly or partially exempt from submitting such documents, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: [<Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>](#)

1. Name (in cases of a corporation, referring to its name and the name of its representative), domicile, and resident registration number of an applicant;
2. Name of pest control equipment;
3. Physiochemical properties and conditions, and the types and respective contents of active ingredients and other ingredients;
4. Manufacturing processes of pest control equipment;
5. Types and capacities of containers or packaging, and materials used for the manufacture of containers or packaging;
6. Target diseases and insect pests and crops, term of guarantee of the effect and instructions for use;
7. Where pest control equipment is inflammable or explosible, the details thereof;
8. Cautions for safekeeping, handling and use;
9. Location of a manufacturing place;
10. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for registration of equipment.

(3) Upon receipt of an application referred to in paragraph (2), the Administrator of the Rural Development Administration shall, without delay, issue a certificate of registration stating the following to an applicant if the application is deemed to meet the standards determined and publicly announced by him/her for registration of pest control equipment: [<Amended by Act No. 11690, Mar.](#)

[23, 2013 >](#)

1. Registration number and the date of registration;
2. Manufacturer's name;
3. Matters referred to in paragraph (2) 2, 3, 6 and 9;
4. Term of validity of registration;
5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) The provisions of Articles 9, 12, 13, and 14 shall apply mutatis mutandis to matters concerning registration of pest control equipment, such as the review of an application document, etc. for registration, succession to the status of a registrant, and succession to the effect of administrative disposition, modification of registration by application, and ex officio revocation of registration. In such cases, "pesticide" shall be construed as "pest control equipment", "product" as "equipment", "sample" as "test product", and "test report" as "documents stating the outcomes of physiochemical analysis, etc.," respectively. [<Amended by Act No. 10934, Jul. 25, 2011 >](#)
[\[This Article Newly Inserted by Act No. 10242, Apr. 12, 2010\]](#)

Article 17 - 3 (Term of Validity of Product Registration and Re - registration) (1) The term

of validity of product registration under Article 17 - 2 (1) shall be ten years.

(2) Where a manufacturer or importer intends to re - register the product whose term of validity is to be expired under paragraph (1), he/she shall apply for re - registration of such equipment with the Administrator of the Rural Development Administration by no later than six months before the term of validity expires. In such cases, the provisions of Article 17 - 2 (2) though (4) shall apply mutatis mutandis to application for re - registration, review of application documents and re - issuance of a certificate of registration.

(3) Where a manufacturer or importer applies for re - registration of products pursuant to paragraph (2), he/she may be wholly or partially exempted from submitting documents stating the outcomes of physiochemical analysis, etc. pursuant to Article 17 - 2 (2), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. [<Amended by Act No. 11690, Mar. 23, 2013 >](#)

[\[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011\]](#)

Article 17 - 4 (Designation, etc. of Testing and Research Institutes) (1) The Administrator

of the Rural Development Administration may, ex officio or upon request, designate an entity which is equipped with human resources, facilities, etc. required for testing the efficacy, harmfulness, toxicity, and residue, and for physiochemical analysis, etc. of pesticides, etc. or technical concentrates as a testing and research institute for each area of test.

(2) An entity that intends to be designated as a testing and research institute pursuant to paragraph (1) shall file an application therefor with the Administrator of the Rural Development Administration. The same shall also apply to any intended modification of an important matter prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among the designated matters.

[<Amended by Act No. 11690, Mar. 23, 2013>](#)

(3) The term of validity for designation as a testing and research institute under paragraph (1) shall be four years from the date of being designated as a testing and research institute.

(4) A person who intends to continue to perform the relevant work after the expiration of the term of validity for designation under paragraph (3) shall apply for re - designation by no later than three months before the term of validity expires.

(5) Detailed standards, procedures, methods, etc. necessary for the designation, modified designation, and re - designation as a testing and research institute pursuant to paragraphs (1), (2), and (4) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. [<Amended by Act No. 11690, Mar. 23, 2013>](#)

[\[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011\]](#)

Article 17 - 5 (Cancellation of Designation of Testing and Research Institute, etc.) (1)

Where a testing and research institute designated pursuant to Article 17 - 4 (1) falls under any of the following, the Administrator of the Rural Development Administration may cancel the designation or issue an order to fully or partially suspend its business operation for a specified period not to exceed one year: Provided, That the Administrator shall cancel the designation in cases falling under subparagraph 1 or 5:

1. Where it is designated by fraud or other improper means;
2. Where it issues the following documents containing false information by intention or gross negligence:
 - (a) Test report;
 - (b) Documents in which the outcomes of the physiochemical analysis and toxicity test of technical concentrates are stated;
 - (c) Documents in which the outcomes of the physiochemical analysis, etc. of pest control equipment are stated;
3. Where it fails to meet the designation standards referred to in Article 17 - 4 (5);
4. Where it has no record of business performance for at least three consecutive years;

5. Where it engages in the relevant work in violation of an order to suspend such work.

(2) No testing and research institute whose designation was cancelled pursuant to paragraph (1) may be re - designated within two years after such designation was cancelled.

(3) Detailed standards for the administrative disposition under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, after taking into account the type of violation, the degree of violation, etc. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

CHAPTER IV DISTRIBUTION MANAGEMENT, ETC. OF PESTICIDES

Article 18 (Adjustment, etc. of Pesticide Supply and Demand) If deemed necessary for the stabilization of pesticide supply and demand, the Minister of Agriculture, Food and Rural Affairs may request manufacturers, technical concentrate suppliers, importers, or dealers to adjust demand for and supply of pesticides and maintain order in their distribution. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13403, Jul. 20, 2015>

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 19 Deleted. <by Act No. 10934, Jul. 25, 2011>

Article 20 (Indications on Pesticides, etc. and Technical Concentrates) (1) If a manufacturer or importer intends to sell pesticides, etc. he/she has manufactured or imported, he/she shall indicate, on the containers or packaging, the names of pesticides, etc., the content of each active ingredient, the names of target diseases and insect pests, the warranty period for pesticides, etc., and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

<Amended by Act No. 11690, Mar. 23, 2013>

(2) If a technical concentrate supplier or importer intends to sell technical concentrates he/she has produced or imported, he/she shall indicate, on the containers or packaging, the names of technical concentrates, harmfulness, handling instructions, and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Any person who sells pesticides, etc. directly to consumers, including sellers, shall indicate the prices of pesticides, etc. as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted by Act No. 14980, Oct. 31, 2017>

[This Article Wholly Amended by Act No. 10934, Jul. 25, 2011]

Article 21 (Prohibition, etc. against Manufacture, Importation, Storage, Display, or Sale)

(1) No manufacturer, technical concentrate supplier, importer, or dealer shall store, display, or sell any of the following pesticides, etc. or technical concentrates: [<Amended by Act No. 14980, Oct. 31, 2017>](#)

1. Pesticides, etc. or technical concentrates without an indication referred to in Article 20 (1) or (2), or with a label that provides forged, altered or false information;
2. Pesticides, etc. or technical concentrates with an indication referred to in Article 20 (1) or (2) on the containers or packaging that is damaged and illegible;
3. Pesticides, etc. whose warranty period referred to in Article 20 (1) has expired;
4. Pesticides repackaged or subdivided: Provided, That pesticides repackaged or subdivided by an importer after importation may be stored, displayed or sold;
5. Pesticides, etc. without any in - house test certificate prescribed in Article 24 (2).

(2) No person shall manufacture, produce, import, store, display, or sell any of the following pesticides, etc. or technical concentrates: [<Amended by Act No. 14645, Mar. 21, 2017>](#)

1. Pesticides, etc. or technical concentrates not registered pursuant to Articles 8 (1), 16 (1), 17 (1), or 17 - 2 (1);
2. Pesticides, etc. or technical concentrates whose registration is revoked ex officio pursuant to Article 14 (1) or (2) (including cases where it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4));
3. Pesticides, etc. or technical concentrates subject to recall or discarding pursuant to Article 14 - 2 (1);
4. Pesticides, etc. or technical concentrates not permitted pursuant to Article 17 (4).

(3) No person shall sell pesticides, etc. or technical concentrates by mail order referred to in subparagraph 2 of Article 2 of the Act on the Consumer Protection in Electronic Commerce, Etc. or by telemarketing referred to in subparagraph 3 of Article 2 of the Act on Door - to - Door Sales, Etc.: Provided, That the foregoing shall not apply to pesticides causing minor adverse effects in human beings and the environment, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. [<Amended by Act No. 11690, Mar. 23, 2013>](#)

(4) No person shall sell pesticides, etc. or technical concentrates to youth provided in subparagraph 1 of Article 2 of the Youth Protection Act.

[\[This Article Wholly Amended by Act No. 10934, Jul. 25, 2011\]](#)

Article 22 (Prohibition of False Advertisement, etc.) (1) No manufacturer, importer, or dealer shall make any false advertisement or exaggerated advertisement about pesticides, etc. he/she has manufactured, imported, or sold. <Amended by Act No. 10242, Apr. 12, 2010>

(2) Advertising methods and the scope of exaggerated advertisements about pesticides, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.<Amended by Act No. 10242, Apr. 12, 2010; Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 23 (Guidelines, etc. for Safe Use of Pesticides, etc.) (1) Each pest controller or user of pesticides, etc. shall use pesticides, etc. according to the guidelines for the safe use of pesticides, etc. and each manufacturer, importer, dealer or pest controller shall handle pesticides, etc. in accordance with the standards for restrictions on the handling of pesticides, etc.

(2) The Director General of the National Plant Quarantine Service shall provide education on the guidelines for safe use and the standards for handling restrictions referred to in paragraph (1) to pest controllers for imported or exported plants, whereas the Administrator of the Rural Development Administration and the heads of Sis/Guns/Gus, to other users of pesticides, etc.

(3) Each manufacturer, importer or dealer who has designated a sales manager under Article 3 (3) shall direct the sales manager to receive education provided by the Administrator of the Rural Development Administration with respect to the guidelines for safe use and the standards for handling restrictions referred to in paragraph (1).

(4) No manufacturer, importer or dealer shall recommend the use of pesticides, etc. in violation of the guidelines for safe use under paragraph (1) or sell pesticides, etc. through such recommendation.

(5) No pest controller or user of pesticides, etc. shall use pesticides, etc. unregistered pursuant to Article 8 (1), 17 (1), or 17 - 2 (1) or imported without obtaining permission pursuant to the former part of Article 17 (4).

(6) The Administrator of the Rural Development Administration shall take measures necessary to prevent environmental contamination resulting from the improper and excessive use of pesticides, etc.

(7) Matters necessary for the guidelines for safe use and the standards for restrictions on the handling referred to in paragraph (1) and for the implementation of education referred to in paragraphs (2) and (3) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10934, Jul. 25, 2011]

Article 23 - 2 (Recording and Retaining Records of Information about Sales and Purchases) (1) Where a manufacturer, importer, or dealer sells pesticides, etc. (excluding small

packaged pesticides, etc. for which the size of the container or package is 50ml (g) or less) or where a pest controller for imported or exported plants uses pesticides, etc. (for a pest controller for imported or exported plants, the same shall apply in this Article), he/she shall record and retain records of the following information in an electronic form: <Amended by Act No. 16120, Dec. 31, 2018>

1. The names, addresses and contact information of the purchasers of pesticides, etc. (for a pest controller for imported or exported plants, referring to the users of pesticides, etc.; hereinafter the same shall apply);
2. Information on sale of pesticides, etc., such as item names and quantities;
3. Other information prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) A manufacturer, importer, dealer, or pest controller for imported or exported plants shall provide the Administrator of the Rural Development Administration with information prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the safe management of pesticides, among those provided for in the subparagraphs of paragraph (1). <Amended by Act No. 16120, Dec. 31, 2018>

(3) A manufacturer, importer, dealer, or pest controller for imported or exported plants may require the purchasers of pesticides, etc. to offer personal information defined in subparagraph 1 of Article 2 of the Personal Information Protection Act, so as to record and retain records of information under paragraph (1). <Newly Inserted by Act No. 16120, Dec. 31, 2018>

(4) Matters necessary for recording and retaining records of information about sales and purchases under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Newly Inserted by Act No. 16120, Dec. 31, 2018>

[This Article Newly Inserted by Act No. 10242, Apr. 12, 2010]

Article 23 - 3 (Establishment and Operation of Pesticide Safety Information System) (1)

The Administrator of the Rural Development Administration shall establish and operate a pesticide safety information system to perform the following affairs:

1. Collection and management of information related to the registration or report of the business of manufacturing, importing or selling pesticides or and the business of pest control for imported or exported plants;
2. Collection, analysis and management of information on registration of pesticides;
3. Management of information on the sale or purchase of registered pesticides;

4. Provision of information on standards for safe use or handling of pesticides, etc.;
5. Publication of pesticides, etc. under Articles 14 and 14 - 2, pesticides, etc. that are in violation of Articles 21 and 22, and pesticides, etc. under Article 24 (5) and (6);
6. Other affairs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) The Administrator of the Rural Development Administration shall use the personal information provided pursuant to paragraph (1) only for the purpose of operating the pesticide safety information system, and protect and manage such personal information in accordance with the Personal Information Protection Act.

(3) The State may reimburse all or some of the expenses required for establishing and operating the pesticide safety information system under paragraph (1).

(4) The Administrator of the Rural Development Administration shall not disclose the information collected pursuant to paragraph (1): Provided, That the same shall not apply in cases of Article 23 - 3 (1) 5.

(5) The Administrator of the Rural Development Administration shall not use, utilize or provide the information collected pursuant to paragraph (1) for purposes other than the safety control of pesticides as provided for in this Act.

(6) The Administrator of the Rural Development Administration may request the heads of relevant administrative agencies to provide information on pesticide safety control, specifying a period, to operate the pesticide safety information system and to ensure the safety control of pesticides. In such cases, the scope of relevant administrative agencies and information on pesticide safety control shall be prescribed by Presidential Decree.

(7) The head of a relevant administrative agency who is requested to provide data under paragraph (6) shall comply with such request within the specified period, except in extenuating circumstances.

(8) Matters necessary for the establishment, operation, etc. of the pesticide safety information system under paragraphs (1) through (5) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[This Article Newly Inserted by Act No. 16120, Dec. 31, 2018]

Article 24 (Testing, etc. of Pesticides Being Distributed and Pest Control Equipment) (1)

The Administrator of the Rural Development Administration, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or the Special Self - Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), the head of a Si/Gun/Gu or the Director General of the National Plant Quarantine Service may direct relevant public officials to test pesticides or

technical concentrates thereof, or pest control equipment or materials thereof that manufacturers, technical concentrate suppliers, importers, dealers, or pest controllers (including those conducting the relevant business without registration or reporting referred to in the former part of Article 3 (1), the former part of Article 3 (2) or the former part of Article 3 - 2 (1)) have manufactured, imported, stored, displayed, sold, or used, or inspect their books of account, facilities and equipment, or collect samples or testing products necessary for testing pesticides or technical concentrates thereof or pest control equipment and materials thereof. <Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011 >

(2) Each manufacturer or importer shall conduct an in - house test of his/her manufactured or imported pesticides, etc. prior to shipment, and shall ship out pesticides which have passed such test, along with in - house test certificates prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, an in - house test report on a pesticide, etc. shall be submitted to the Administrator of the Rural Development Administration without delay after the shipment of such pesticide, etc. <Amended by Act No. 10242, Apr. 12, 2010; Act No. 11690, Mar. 23, 2013 >

(3) Where a manufacturer or importer requests the Administrator of the Rural Development Administration to test pesticides, etc. prior to shipment, the Administrator shall test such pesticides, etc. <Amended by Act No. 10242, Apr. 12, 2010 >

(4) Where deemed necessary for the quality control of pesticides, etc. shipped, the Administrator of the Rural Development Administration may direct a relevant official to test such pesticides, etc. <Amended by Act No. 10242, Apr. 12, 2010 >

(5) When a relevant public official deems it necessary to take safety measures to prevent any danger and injury resulting from pesticides, etc. or technical concentrates which have violated this Act or orders issued pursuant to this Act, he/she may order the relevant violator to collect or dispose of such pesticides, etc. or technical concentrates after sealing them, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 10934, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013 >

(6) Where the relevant violator of paragraph (5) fails to comply with a corrective order issued pursuant to the same paragraph, the Administrator of the Rural Development Administration shall directly recall or discard the relevant pesticide products, etc. or technical concentrates after sealing them. In such cases, the cost incurred shall be borne by the relevant violator referred to in paragraph (5). <Newly Inserted by Act No. 14645, Mar. 21, 2017 >

(7) Standards for testing referred to in paragraphs (1) through (4) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 11690, Mar. 23, 2013 >

(8) A public official who tests pesticides, etc. or technical concentrates in accordance with paragraph (1) or (4) or collects or discards them after sealing them in accordance with paragraph (6) shall carry a certificate indicating his/her legitimate authority and present it to interested persons. < Amended by Act No. 14645, Mar. 21, 2017 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 25 (Reporting, etc. on Management of Pesticides, etc. or Technical

Concentrates) The Administrator of the Rural Development Administration, the head of a Si/Gun/Gu, or the Director General of the National Plant Quarantine Service may order a manufacturer, technical concentrate supplier, importer, dealer or pest controller for imported and exported plants to report matters concerning the management of pesticides, etc. or technical concentrates or to supplement human resources, facilities, equipment or such which cease to satisfy their respective standards. < Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 26 (Objections) (1) Any person on whom any of the following dispositions has been imposed may file a written objection with the Administrator of the Rural Development Administration within 30 days from the date of such disposition: < Amended by Act No. 10934, Jul. 25, 2011 >

1. A disposition to reject application documents submitted by a person who has applied for registration, re - registration, or modification of registration pursuant to Article 8 (1), 11 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3)), 13 (1) (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4)), 16 (1), 17 (1), 17 - 2 (1), or 17 - 3 (2);
2. A disposition to revoke registration ex officio, make modification in registered matters, or place a restriction pursuant to Article 14 (1) (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4)) or 14 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3) or 17 - 2 (4)).

(2) Upon receipt of an objection under paragraph (1), the Administrator of the Rural Development Administration shall without delay notify the applicant of the date and place to provide him/her or his/her representative with an opportunity to state his/her opinion: Provided, That the foregoing shall not apply where the applicant or his/her representative fails to comply therewith without good cause

or where it is impracticable to provide him/her with an opportunity to state his/her opinion due to his/her unknown whereabouts or such.

(3) The Administrator of the Rural Development Administration shall review an objection and notify the applicant of the outcomes thereof within 60 days from the date of his/her receipt of the objection raised pursuant to paragraph (1).

(4) When notifying the applicant of the outcomes of the review pursuant to paragraph (3), the Administrator of the Rural Development Administration shall give him/her additional notice to the effect that the applicant may file an administrative appeal within 90 days from the date of his/her receipt of the notice on the review outcomes.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 27 (Protection of Submitted Materials) (1) Where a person who has filed for registration requests the protection of materials submitted pursuant to Articles 8 (2) (including cases where it is applied mutatis mutandis pursuant to Article 11 (2) or 17 (3)), 13 (1) (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4)), 16 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3)), or 17 - 2 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 - 3 (2)), the Administrator of the Rural Development Administration shall not disclose the contents thereof to the public: Provided, That the foregoing shall not apply where the disclosure of materials is deemed necessary for public interests.

<Amended by Act No. 10934, Jul. 25, 2011 >

(2) No person who becomes aware of any information in the course of inspecting or examining materials, the protection of which has been requested under paragraph (1), shall disclose such information.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 27 - 2 (Monetary Reward for Reporting) (1) The Administrator of the Rural Development Administration may offer a monetary reward, within budgetary limits, to a person who has reported those who violated Article 21 (1) or (2).

(2) Matters necessary for the standards, methods and procedures for the provision of monetary rewards, and the amount thereof, etc. under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

Article 28 (Fees) (1) Any of the following persons shall pay fees as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended by Act No. 10934, Jul. 25, 2011; Act No.

[11690, Mar. 23, 2013 >](#)

1. A person who applies for registration, or modification of registration, of manufacturing business, technical concentrate business, importation business, or sales business pursuant to Article 3 (1), (2), or (4);
2. A person who reports or makes modification of the report on pest control business for imported or exported plants pursuant to Article 3 - 2 (1);
3. A person who reports succession to status pursuant to Article 5 (3) (including cases to which it is applied mutatis mutandis pursuant to Article 12, 16 (4), 17 (3), or 17 - 2 (4));
4. A person who applies for registration, re - registration, or modification of registration pursuant to Article 8 (1), 11 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3)), 13 (1) (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4)), 16 (1), 17 (1), 17 - 2 (1), or 17 - 3 (2);
5. A person who applies for permission pursuant to Article 17 (4);
6. A person who applies for designation, or modification of designation, as a testing and research institute pursuant to Article 17 - 4 (2);
7. A person who applies for education pursuant to Article 23 (3).

(2) Any manufacturer or importer who has requested a test on pesticides, etc. in accordance with Article 24 (3) shall pay test fees to the Administrator of the Rural Development Administration, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 10242, Apr. 12, 2010; Act No. 11690, Mar. 23, 2013 >

(3) Where a testing and research institute referred to in Article 8 (2), 16 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 17 (3)), or 17 - 2 (2) tests the harmfulness, effect, toxicity, or residues at the request of a manufacturer, importer, or technical concentrate supplier, it may collect fees. <Amended by Act No. 10242, Apr. 12, 2010 >

(4) The Minister of Agriculture, Food and Rural Affairs may determine the standards for fees referred to in paragraph (3). <Amended by Act No. 11690, Mar. 23, 2013 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 29 (Hearings) The Administrator of the Rural Development Administration, the head of a Si/Gun/Gu, or the Director General of the National Plant Quarantine Service shall hold a hearing if he/she intends to impose any of the following dispositions: <Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011 >

1. Revoking registration of business or closing the relevant place of business under Article 7 (1) through (3);
2. Revoking item registration pursuant to Article 14 (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4));
3. Cancelling designation of a testing and research institute pursuant to Article 17 - 5 (1).

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 30 (Exclusion from Application) (1) Where a manufacturer or technical concentrate supplier manufactures and exports pesticides, etc. or technical concentrates, this Act shall not apply to such pesticides, etc. or technical concentrates: Provided, That the provisions of Articles 14 and 15 shall apply to the following: <Amended by Act No. 10242, Apr. 12, 2010; Act No. 14645, Mar. 21, 2017 >

1. Pesticides or technical concentrates publicly notified by the Administrator of the Rural Development Administration that they are subject to export restrictions in accordance with Article 14 (8);
2. Pesticides or technical concentrates publicly notified by the Administrator of the Rural Development Administration that they are subject to export approval in accordance with Article 15 (1).

(2) This Act shall not apply where a user himself/herself manufactures biopesticides publicly notified by the Administrator of the Rural Development Administration which cause minor adverse effects in human beings and the environment and require no extraordinary knowledge or attention in manufacturing and he/she uses them on crops grown by himself/herself. <Newly Inserted by Act No. 10934, Jul. 25, 2011 >

(3) The Chemicals Control Act shall not apply to the pesticides and technical concentrates under this Act. <Amended by Act No. 11862, Jun. 4, 2013 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 31 (Delegation and Entrustment of Authority) (1) The Administrator of the Rural Development Administration may delegate part of his/her authority under this Act to the head of an administrative agency in charge of the affairs concerning agricultural science and technology, a relevant Mayor/Do Governor, or the Director General of the National Plant Quarantine Service, as prescribed by Presidential Decree.

(2) The Administrator of the Rural Development Administration may entrust some of his/her duties under this Act to the Foundation of Agricultural Technology Commercialization and Transfer established pursuant to Article 33 of the Agricultural Community Development Promotion Act or to the head of a pesticide - related organization, as prescribed by Presidential Decree. <Amended by Act

No. 10934, Jul. 25, 2011; Act No. 12050, Aug. 13, 2013 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 31 - 2 (Legal Fiction as Public Official in Application of Penalty Provisions)

Executive officers and employees of a testing and research institute designated pursuant to Article 17 - 4 (1) and the heads, executive officers, and employees of the Foundation of Agricultural Technology Commercialization and Transfer or of pesticide - related organizations engaging in the work entrusted pursuant to Article 31 (2) shall be deemed public officials in applying penalty provisions provided in Articles 129 through 132 of the Criminal Act.

[This Article Newly Inserted by Act No. 10934, Jul. 25, 2011]

CHAPTER VI PENALTY PROVISIONS

Article 31 - 3 (Penalty Provisions) (1) Either of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won:

<Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011; Act No. 12808, Oct. 15, 2014 >

1. A person who inflicts a bodily injury by manufacturing, importing, or selling pesticides, etc. without registration, in violation of the former part of Article 3 (1) or the former part of Article 3 (2);
2. A person who inflicts a bodily injury by engaging in any conduct referred to in Article 7 (1) 2, 5 through 8 and 11, Article 7 (2) 2 and 3, or Article 7 (3) 2 and 3.

(2) Any person who causes serious physical injury or death by engaging in any conduct referred to in paragraph (1) shall be punished by imprisonment with labor for not more than ten years or by a fine not exceeding 100 million won. <Amended by Act No. 12808, Oct. 15, 2014 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 32 (Penalty Provisions) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended by Act No.

10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011; Act No. 12808, Oct. 15, 2014; Act No. 14645, Mar. 21, 2017; Act No. 14980, Oct. 31, 2017; Act No. 16120, Dec. 31, 2018 >

1. A person engaging in manufacturing, importing or selling pesticides, etc. or technical concentrates without registration of manufacturing business or such, in violation of the former part of Article 3 (1) or the former part of Article 3 (2);

2. A person engaging in his/her business despite the receipt of an order to suspend such business issued pursuant to Article 7 (1) through (3);
3. Deleted; <by Act No. 10934, Jul. 25, 2011 >
4. A person who files for registration pursuant to the former part of Article 3 (1) and the former part of Article 3 (2), Article 8 (1), 16 (1), 17 (1), or 17 - 2 (1) or submits a report pursuant to the former part of Article 3 - 2 (1) by fraud or other improper means;
5. A person who manufactures, imports, exports, or supplies items or fails to comply with an order to withdraw or abandon items, in violation of a disposition referred to in Article 14 (1) or (2) (including cases where it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4));
- 5 - 2. A person who fails to bear the costs referred to in the latter part of Article 14 (3) (including cases where it is applied mutatis mutandis pursuant to Article 14 - 2 (2)) or the latter part of Article 24 (6);
- 5 - 3. A person who fails to comply with an order to recall and discard pesticide products, etc. or technical concentrates pursuant to Article 14 - 2 (1);
6. A person who imports or exports pesticides or technical concentrates, in violation of prohibition, restrictions, observance pursuant to Article 15 (1) 1 or 2;
- 6 - 2. A person who has been designated as a testing and research institute pursuant to Article 17 - 4 (1) by fraud or other improper means;
7. A person who fails to provide an indication on pesticides, etc. or technical concentrates prescribed in Article 20 (1) or (2) or provides a false indication;
8. A person who manufactures, produces, imports, stores, displays, or sells pesticides, etc. or technical concentrates, in violation of Article 21 (1) or (2);
9. A manufacturer, importer, dealer, or pest controller for imported or exported plants who requires purchasers of pesticides, etc. to offer personal information by fraud or other improper means in violation of Article 23 - 2 (3);
10. A person who violates an order to collect or dispose of pesticides, etc. or technical concentrates, etc. in accordance with Article 24 (5);
11. A person who discloses any submitted materials to the public, in violation of Article 27 (2).

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 33 (Penalty Provisions) Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won: < Amended by Act No.

[10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011; Act No. 12808, Oct. 15, 2014](#)>

1. A person who modifies already registered matters, without registering a modification of manufacturing business, etc., in violation of the latter part of Article 3 (1) or the latter part of Article 3 (2);
- 1 - 2. A person who falsely issues the documents referred to in Article 17 - 5 (1) 2, by intention or gross negligence;
- 1 - 3. A person who sells pesticides, etc. or technical concentrates by mail order or telemarketing, in violation of Article 21 (3);
- 1 - 4. A person who sells pesticides, etc. or technical concentrates to youth, in violation of Article 21 (4);
- 1 - 5. A person who makes a false or exaggerated advertisement, in violation of Article 22;
2. A person who refuses, obstructs, or evades an examination or the collection of testing samples or testing products in accordance with Article 24 (1);
3. A manufacturer or importer who ships pesticides, etc., in violation of Article 24 (2) or a person in charge of testing who prepares an in - house test report by fraud.

[\[This Article Wholly Amended by Act No. 9658, May 8, 2009\]](#)

Article 34 (Penalty Provisions) Where a manufacturer, importer, or dealer handles pesticides, etc. in violation of Article 23 (1), he/she shall be punished by a fine not exceeding three million won.

[\[This Article Wholly Amended by Act No. 10934, Jul. 25, 2011\]](#)

Article 35 (Penalty Provisions) Any of the following persons shall be punished by a fine not exceeding two million won: <[Amended by Act No. 10242, Apr. 12, 2010; Act No. 10934, Jul. 25, 2011](#)>

1. A person who fails to submit a report referred to in Article 13 (2) (including cases to which it is applied mutatis mutandis pursuant to Article 16 (4), 17 (3), or 17 - 2 (4)) or who submits a false report;
2. A pest controller who uses or handles pesticides, etc. in violation of the guidelines for the safe use of pesticides, etc. or standards for restrictions on the handling of pesticides, etc. under Article 23 (1);
3. A person who violates an order to supplement facilities or such pursuant to Article 25 or who fails to report matters concerning the management of pesticides, etc. or technical concentrates under the same Article or submits a false report.

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 36 Deleted. <by Act No. 5945, Mar. 31, 1999>

Article 37 Deleted. <by Act No. 6763, Dec. 11, 2002>

Article 38 (Joint Penalty Provisions) Where the representative of a corporation or an agent or employee of, or any other person employed by a corporation or an individual commits any offense referred to in Articles 31 - 3 and 32 through 35 in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but also the corporation or individual shall be punished by a fine referred to in the respective provisions: Provided, That the same shall not apply where such corporation or individual has not been negligent in giving due attention to and supervision concerning the relevant duties in order to prevent such offense. <Amended by Act No. 10934, Jul. 25, 2011 >

[This Article Wholly Amended by Act No. 10242, Apr. 12, 2010]

Article 39 (Confiscation) All of the pesticides, etc. owned or possessed by a person who has been punished pursuant to Article 32 or pesticides, etc. acquired by a third person with the knowledge of such fact shall be confiscated: Provided, That when it is impracticable to confiscate such pesticides, etc., the assessed value thereof shall be collected. <Amended by Act No. 10242, Apr. 12, 2010 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]

Article 40 (Administrative Fines) (1) Any of the following persons shall be punished by an administrative fine not exceeding five million won: <Amended by Act No. 10934, Jul. 25, 2011 >

1. A person who engages in pest control business for imported or exported plants without reporting thereon in violation of the former part of Article 3 - 2 (1);
2. A person who modifies already reported matters without reporting a modification of pest control business for imported or exported plants in violation of the latter part of Article 3 - 2 (1);
3. A person who recommends the use of pesticides, etc. contrary to the guidelines for the safe use thereof or who recommends that people purchase them in violation of Article 23 (4);
4. A person who uses unregistered pesticides, etc. in violation of Article 23 (5).

(2) Any of the following persons shall be punished by an administrative fine not exceeding one million won: <Amended by Act No. 10934, Jul. 25, 2011; Act No. 14980, Oct. 31, 2017; Act No. 16120, Dec. 31, 2018 >

1. A person who fails to report succession to status in violation of Article 5 (3) (including cases where it is applied mutatis mutandis pursuant to Article 12, 16 (4), 17 (3), or 17 - 2 (4));
2. A person who fails to report the closure of business in violation of Article 6 (1);
3. A person who fails to take appropriate measures, such as discarding and returning pesticides, etc. or technical concentrates in violation of Article 6 (2);
- 3 - 2. A person who fails to indicate the prices of pesticides, etc. or provides a false indication in violation of Article 20 (3);
4. A person, other than a pest controller, who uses pesticides, etc. in violation of the guidelines for the safe use prescribed in Article 23 (1);
5. A manufacturer, importer, or dealer who fails to have his/her sales manager receive education, in violation of Article 23 (3);
6. A manufacturer, importer, dealer, or pest controller for imported or exported plants who fails to record and retain records of information on pesticide purchasers in violation of Article 23 - 2 (1);
7. A manufacturer, importer, dealer, or pest controller for imported or exported plants who fails to provide information, or provides information by fraud or other improper means in violation of Article 23 - 2 (2).

(3) Administrative fines referred to in paragraphs (1) and (2) shall be imposed and collected by the Administrator of the Rural Development Administration, the Director General of the National Plant Quarantine Service, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. < Amended by Act No. 10934, Jul. 25, 2011 >

[This Article Wholly Amended by Act No. 9658, May 8, 2009]