

ARRANGEMENT
ON THE FOOD SAFETY OF FISHERY PRODUCTS EXPORTED TO
THE REPUBLIC OF KOREA
BETWEEN THE MINISTRY OF FOOD AND DRUG SAFETY
OF THE REPUBLIC OF KOREA
AND
THE NATIONAL FISHERIES AND AQUACULTURE SERVICE OF THE MINISTRY OF
ECONOMY, DEVELOPMENT AND TOURISM OF THE REPUBLIC OF CHILE

The Ministry of Food and Drug Safety of the Republic of Korea (MFDS) and the National Fisheries and Aquaculture Service (SERNAPESCA) of the Ministry of Economy, Development and Tourism of the Republic of Chile (MINECON) (hereinafter referred to as the “Sides”);

Considering that currently food safety, including the safety of fishery products, is one of the main concerns at the international level, which is reflected in the increasingly demanding requirements to guarantee such safety, both nationally and internationally;

Deeming it necessary to strengthen mutual cooperation in the control of the food safety of fishery products meant for export to the Republic of Korea;

Recognizing that it is vital to be able to carry out technical consultations to develop and implement in the Republic of Chile, in a successful manner, control plans for fishery products according to the standards required by the Republic of Korea;

Considering that the Imported Food Safety Policy Bureau of the MFDS is responsible for all policy and system improvement, proactive safety management (on-site inspections), inspections of customs clearance stage, and inspections of distribution stage of imported food; and

Considering further that SERNAPESCA, in accordance with the provisions of Article 122 r of Supreme Decree No. 430 which establishes the revised, coordinated and systematized text of the Law No. 18.892, General Fisheries and Aquaculture Law, is the competent body for the control of the food safety of fishery and aquaculture products for export;

Have reached the following understanding:

Paragraph 1 (Purpose)

The purpose of this Arrangement is to ensure that fishery products exported from the Republic of Chile (hereinafter referred to as “Chile”) to the Republic of Korea (hereinafter referred to as the “ROK”) are safe for human consumption and to promote cooperation in the field of food safety control.

Paragraph 2 (Scope of Application)

This Arrangement will apply to fishery products exported from Chile to the ROK for human consumption, including the following:

- a. aquaculture products,
- b. aquatic animals and seaweed as raw material including live aquatic animals,
- c. fish, aquatic animals and seaweed that have been simply processed, such as cut, heated, fully-cooked (steamed or boiled), dried, salted, preserved in brine, smoked, chilled, or frozen, without using food additives or other ingredients except for edible salt, to the extent the original shape can be identified.

Paragraph 3 (Operational Procedure)

1. Fishery products exported to the ROK will be produced by manufacturers registered with SERNAPESCA, which will provide the MFDS with a list of the registered manufacturers.
2. SERNAPESCA will verify whether the manufacturers comply with the food safety standards for fishery products agreed between the Sides. If the list of registered manufacturers is recognized by the MFDS, the sanitary inspection procedures, including the frequency of inspections for imported fishery and aquaculture products produced by a registered manufacturer, may be streamlined.
3. SERNAPESCA will periodically conduct inspections and record and manage the results thereof, in order to assure the compliance of the registered establishments with sanitary controls.
4. In order to facilitate the implementation of this Arrangement, SERNAPESCA will ensure that the MFDS may conduct random inspections of Chile’s registered establishments.
5. SERNAPESCA will regularly inform the MFDS of the details (name, address and other information required by the ROK’s Special Act on Safety Control of Imported Food) on the *National List of Processing Establishments Participating of Health Control Programs*, and MFDS will provide information on the manufacturers suspended from exporting fishery products due to non-compliance with the regulations on food safety.

Paragraph 4 (Issuance of Health Certificate)

SERNAPESCA will issue health certificates which verify that fishery products exported to the ROK are not contaminated by germs or toxic/hazardous substances or adulterants harmful to the human body and which guarantee the food safety of said products. Information such as the name and registration code of the registered establishments will be printed or marked on the packages of the fishery products of Chile in an indelible manner.

Paragraph 5 (Notification Procedure)

1. When food safety issues arise in fishery products exported to the ROK from a manufacturer registered with SERNAPESCA, the MFDS will immediately notify SERNAPESCA of the situation and provide information for SERNAPESCA to investigate the cause of the issue, in order to prevent the recurrence of similar cases. In such cases, the MFDS may temporarily suspend the import of fishery products manufactured, processed or packaged by the relevant manufacturer until the issue is completely resolved.
2. As a response to the above-mentioned notice from the MFDS, SERNAPESCA will investigate the inspection, testing, verification, and approval procedures for shipment and notify the MFDS of the cause of the issue and the results of the investigation. If one Side requests a joint investigation into the results of the other Side's investigation, then the other Side will accede to it if such request complies with international commitments.

Paragraph 6 (Points of Contact)

The Sides hereby establish the following direct points of contact for discussing administrative procedures, information exchange, and other matters:

- a. for the ROK : the Imported Food Inspection Management Division of the Imported Food Safety Policy Bureau of the MFDS
- b. for Chile : the Food Safety and Certification SubDirectorate of SERNAPESCA

Paragraph 7 (Expert Exchange)

The Sides may exchange inspectors/experts, and the Side sending the inspectors/experts will bear all the expenses of travel and accommodation. For the purpose of furthering cooperation in the fields of sanitary inspection and the monitoring of inspection methods of fishery products, the Sides will provide a supportive environment for conducting inspections.

Paragraph 8 (General Provision)

1. This Arrangement is not intended to create any legally binding obligations under international law.
2. This Arrangement will be carried out within the framework of the respective laws and regulations of the

two countries and subject to the availability of appropriated funds and personnel of the Sides.

Paragraph 9 (Resolution of Differences)

Any differences which may arise from the interpretation or implementation of this Arrangement will be resolved through consultations between the Sides.

Paragraph 10 (Entry into Effect, Duration and Amendment)

1. This Arrangement will come into effect one (1) year after the date of signature and will remain in effect for five (5) years. This Arrangement will continue to have effect thereafter for subsequent periods of five (5) years unless either Side notifies the other Side in writing of its intention to terminate this Arrangement six (6) months in advance.
2. This Arrangement may be amended with the mutual written consent of the Sides.
3. Signed in duplicate at [place], on [date], in the Korean, Spanish, and the English languages, all texts being equally valid. In the case of any divergence of interpretation hereof, the English version will prevail.

For the Ministry of Food and Drug Safety
Republic of Korea

Imported Food Safety Policy Bureau



For the National Fisheries and Aquaculture Service of
the Ministry of Economy, Development and Tourism
Republic of Chile

National Fisheries and Aquaculture Service

