



Ministry of Food and  
Drug Safety



**ARRANGEMENT  
ON THE FOOD SAFETY OF FISH AND FISHERY PRODUCTS  
EXPORTED TO THE REPUBLIC OF KOREA  
BETWEEN  
THE MINISTRY OF FOOD AND DRUG SAFETY  
OF THE REPUBLIC OF KOREA  
AND  
THE DEPARTMENT OF AGRICULTURE –  
BUREAU OF FISHERIES AND AQUATIC RESOURCES  
OF THE REPUBLIC OF THE PHILIPPINES**

The Ministry of Food and Drug Safety (MFDS) of the Republic of Korea and the Department of Agriculture - Bureau of Fisheries and Aquatic Resources (DA-BFAR) of the Republic of the Philippines (hereinafter referred to as the “Side/Sides”);

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

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

Considering that, by virtue of the Republic Act 8550, as amended by Republic Act 10654 and the Republic Act 10611, the BFAR of the Department of Agriculture is the competent authority for the control of the food safety of fish and fishery products which are exported to the Republic of Korea;

Have reached the following understanding:

**Paragraph 1 (Purpose)**

The purpose of this Arrangement is to ensure that fish and fishery products exported from the Republic of the Philippines (hereinafter referred to as the “Philippines”) 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 the following fish and fishery products exported from the Philippines to the ROK for human consumption:

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

### **Paragraph 3 (Operational Procedure)**

1. Fish and fishery products exported to the ROK from the Philippines will be produced by establishments approved by the BFAR. The BFAR will regularly provide the MFDS with a list of the approved establishments, including the name, address and other information jointly decided upon by both Sides. The MFDS will provide information on any establishment suspended from exporting fish and fishery products to the ROK due to non-compliance with the regulations on the food safety.
2. The BFAR will verify whether the approved establishments comply with the ROK's sanitary requirements for fish and fishery products. The MFDS may streamline sanitary inspection procedures, including the frequency of inspections for imported fish and fishery products produced by an approved establishment.
3. The BFAR will conduct inspections of all approved establishments in accordance with a risk-based control plan in order to assure the compliance of the approved establishments with sanitary controls of the ROK, and will maintain records of the inspection results.
4. In order to facilitate the implementation of this Arrangement, the BFAR will ensure that the MFDS may conduct on-site/virtual inspections of the Philippines' approved establishments.

#### **Paragraph 4 (Issuance of Health Certificates)**

1. The BFAR will issue health certificates which verify that fish and fishery products exported to the ROK originate from the approved establishments and meet requirements regarding food safety.
2. Health certificates will be in a format jointly decided upon by both Sides, and electronic certificates will be accepted when sent through government networks recognized by the MFDS.
3. Information, such as the name and registration code of the approved establishments, will be printed or marked on the packages of fish and fishery export products of the Philippines in an indelible manner.

#### **Paragraph 5 (Notification Procedure)**

1. When a food safety issue arises related to fish and fishery products exported to the ROK from an approved establishment in the Philippines, the MFDS will immediately notify the BFAR and provide relevant information on the situation to the BFAR. The BFAR will 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 fish and fishery products from the relevant establishment until the issue is completely resolved.
2. As a response to the above-mentioned notification from the MFDS, the BFAR will notify the MFDS of the results of the investigation. If one Side requests a joint investigation into the result of the other Side's investigation, then the other Side will accede to it if such a request complies with its international commitments.
3. The temporary suspension of imports may be lifted upon the mutual consent of both Sides.

### **Paragraph 6 (Points of Contact)**

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

- (a) for the MFDS: the Imported Food Inspection Management Division of the Imported Food Safety Policy Bureau of the MFDS;
- (b) for the BFAR: the Fisheries Inspection and Quarantine Division of the BFAR

### **Paragraph 7 (Expert Exchange)**

Both 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 inspections and the monitoring of inspection methods of fish and fishery products, both Sides will provide a supportive environment for conducting inspections.

### **Paragraph 8 (General Provisions)**

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 both countries. The implementation of the Arrangement will be subjected to the availability of appropriated funds and personnel of both 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 both Sides.





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**Paragraph 10 (Entry into Effect, Duration, and Amendment)**

1. This Arrangement will come into effect six (6) months 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, at least six (6) months in advance.
2. This Arrangement may be amended with the mutual written consent of both Sides.

Signed in duplicate in the ROK and the Philippines, on December 20, 2021, in the Korean and English languages, all texts being equally valid. In the case of any divergence of interpretation, the English text will prevail.

For the Ministry of Food and Drug Safety  
Republic of Korea

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