

  식품의약품안전처	<h1>Press Release</h1>	배포	2020. 4. 6.(월)
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## Pre-announcement of Legislation on for a Partial Draft Revision of the ENFORCEMENT RULE OF THE FOOD SANITATION ACT

- The Ministry of Food and Drug Safety (Minister Lee Eui-Kyung) will make a **pre-announcement of legislation** on April 6 on a partial draft revision of the **ENFORCEMENT RULE OF THE FOOD SANITATION ACT** which **allows “outdoor operations”** so that food and drink can also be sold at outdoor **terraces** or building **rooftops**.
- This revision was prepared to alleviate fairness issues between business operators occurred due to a difference in local governments’ approval of outdoor operations and safety standards, and prevent consumers’ safety accidents.

Current	→	Draft revision
<b><u>Restrictive Approval</u></b> under the <b>local ordinances</b> <ul style="list-style-type: none"> <li>▶ (Positive regulation) Restricted to places designated by the head of local governments, hotels, special tourist zones</li> <li>▶ Safety standards managed by each local government</li> </ul>		<b><u>In-principle Approval</u></b> under the <b>statutes</b> on reporting business operation <ul style="list-style-type: none"> <li>▶ (Negative regulation) Only excluding places where safety/hygiene issues or civil complaints may arise</li> <li>▶ Legalization of common facility standards</li> </ul>

\* Among 238 local governments nationwide, 97 governments (41%) currently approve outdoor operations (as of November, 2019)

- Furthermore, the revision of law was carried out to enable business operators to easily reflect on a consumer culture seeking unique atmosphere and various ways of operating restaurants overseas to their actual business operations.

- The main content of the draft revision includes **▲allowing outdoor operations in principle, ▲strengthening the responsibility of business operators by including outdoor business site when reporting the operation, and ▲strengthening hygiene and safety standards of outdoor business site.**
- **“Outdoor operations”** of open air cafes or rooftops, etc. are **approved in principle**, but places designated by the head of the local governments where hygiene and safety issues or civil complaints regarding noise and others arose are excluded.
- The approved businesses include rest restaurants, general restaurants, or bakeries, and when reporting the business, **the size of outdoor business site** must be **reported** to the **competent authority**.
- As **consumer safety is a top priority**, **cooking foods** will be **prohibited in outdoor business sites** to prevent fire, safety accidents, etc.
  - Under the **notification** determined by the Minister of Food and Drug Safety, **specific safety standards** will be **prepared** such as **▲installing railings on balconies and rooftops in two or more story buildings** and **▲installing vehicle entrance/exit barrier gates** in those places close to roads and parking lots.
- The Minister of Food and Drug Safety, Lee Eui-Kyung, stated “I expect this draft revision will help revitalize local businesses” and also added “we plan to implement the revision with the full consideration of changes in COVID-19 quarantine activities, etc.”
- Furthermore, we plan to consult with local governments to enable outdoor operations reflecting the content of the draft revision, if necessary, even before the revision of the statutes.
  - \* According to the current Food Sanitation Act, the head of the local government can designate places where outdoor operations are allowed and set safety standards to implement outdoor operation.
- In addition, the detailed content of this draft revision is available on the MFDS website ([www.mfds.go.kr](http://www.mfds.go.kr)) → Law/Documentation → Pre-announcements of Legislation/Administration.