

Changes concerning pesticide legislation in Korea

Dear participants of the SPS Market Access Working Group,

Commission is concerned of potential market access problems due to changes in the Korean food safety legislation concerning pesticides.

Please find enclosed the **lists of Maximum Residue Limits (MRLs) for pesticides which Korea plans to amend** :

Annex 1- MRLs for tropical fruit and nuts to be deleted from 31 December 2016 **and Annex 2-** MRLs for all foodstuffs to be deleted from 1st January 2018

South Korea's Ministry of Food & Drug Safety (MFDS) made a public hearing for the project in July 2014 that it is going to amend its pesticide MRL legislation and the announcement was made in October 2015. Korea's current system recognizes a number of MRLs determined by the domestic regulators, including the EU, or international food safety standard- setting body Codex Alimentarius Commission.

Korea will in the future require industry to submit data packages to enable their regulators to set national Korean residue limits for each agricultural good. If this data is not submitted, Korea will set a default MRL of 0.01 parts per million, which could mean an effective trade ban. The potential risk is that if the data is not submitted in time shipments of EU agricultural commodities could be rejected in Korea.

Other residues such as veterinary drugs will be regulated as from 1st January 2018 along with for other remaining pesticides for foodstuffs. The Public hearing would be held in June 2016 and be announced early next year.

Korea has published a list of pesticides, which will be deleted from 31 December 2016 for tropical fruits and nuts (Annex 1). You will also find attached another list of pesticides which includes a full list of pesticides to be deleted as from 1 January 2018 and applied to all foodstuffs (Annex 2). The full list includes the first list for tropical fruit and nuts. The companies should ask through the formal procedure to maintain certain chemicals to MFDS. Korea has indicated to the EU that the EU submission of EFSA opinion would not be sufficient.

We would therefore ask you to **identify those substances for which MRLs would need to be retained because they are used in the EU for agricultural commodities and important for entering Korean market. Please keep us informed so that we are aware of the scale of the possible market access problems. Finally the current stand of Korea is that the companies would need to operate through the formal approval procedure for those substances and the applications for pesticides applied on tropical fruits and nuts would need to be sent by 31 March.**

Other veterinary drugs and remaining pesticides would take an estimated period of 12 to 18 months of assessment by MFDS.

If you need more information on Korea's MRLs and the details of the information, there is more information available on the following web-pages:

Manual on Pesticides Registration:

<http://www.foodnara.go.kr/residue/article/view.do?articleKey=783&searchTitleFlag=1&boardKey=0&menuKey=4&subMenuKey=5¤tPageNo=1>

Existing MRLs: <http://www.foodnara.go.kr/residue/main.do>

Please identify the possible substances and send the names of such substances of interests to TRADE-SPS@ec.europa.eu for which companies would need to be prepared to prepare applications.

Best regards,

DG Trade SPS Team