



**Requirements to Sell, Manufacture or Commercialize Transgenics,  
Insecticides, Pesticides, Herbicides and Rodenticides**

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- 1. Is permission required from the government in order to plant, commercialize, import or export products that have been genetically modified or engineered ("GMOs")?**

Approvals from relevant Korean governmental authorities are required for import and production of GMOs. The authorities granting approval vary depending on the types of GMOs imported or produced. For the export of GMOs, simple notification to the Minister of Ministry of Knowledge and Economy ("MKE") is needed. A separate approval of Korea Food & Drug Administration ("KFDA") regarding the result of safety test is required to produce, import, and commercialize GMOs for human consumption purpose.

- 2. Is local presence required in order to be considered a duly registered distributor where the GMO is going to be imported and sold?**

A foreign company that intends to conduct business activities in Korea are required to establish and register a branch or other legal presence in Korea. It is, thus, required for a foreign company to have local presence in Korea in order to be considered a duly registered distributor in Korea of the GMOs.

**3. Which governmental authorities are involved in the determination of the regulations involving GMOs (for example, food and agriculture, environmental, health, safety)?**

The Korean governmental authorities involved in the determination of the regulations of GMOs are divided depending on the purpose of “human safety regulations” and “environmental safety regulations”. The KFDA and Korea Center for Disease Control and Prevention are the responsible authorities for the human safety regulations while the MKE, Ministry of Environment and Ministry of Food, Agriculture, Forestry and Fisheries are the authorities responsible for the environmental safety regulations.

**4. Are local performance and/or environmental safety studies required to obtain the permit to plant, commercialize, import or export GMOs, or are studies carried out in the country of origin of the GMO where it has already been certified, valid or accepted?**

At the approval phase of import and production of GMOs, safety evaluation and examination report issued in the country of origin of GMOs are sufficient, but for the commercialization of GMOs in Korea for human consumption purpose, a separate local safety test (both human and environmental safety) and an approval from KFDA are required. In the case of export of GMOs, no separate local safety/performance studies nor approval is required for making notification to the MKE.

**5. Does the permission granted by the Government authorize the consumption of GMOs by human beings? Are there specific rules for the consumption of GMOs?**

GMOs that passed safety test of KFDA and are approved for import, development and production for human consumption is deemed to have been authorized for human consumption. Food manufacturer, distributor, importer and seller of foods are prohibited from selling, distributing, importing, and displaying the foods that contain GMOs without expressly stipulating on the cover of the products that the foods contain GMOs.

**6. Is governmental permission required for foreign companies to commercialize, import or export pesticides, insecticides, rodenticides and/or their consumables?**

Insecticides used for preventing epidemics are classified as “non-pharmaceutical drugs” and a permission from the Korea Food & Drug Administration (“KFDA”) is required for import and sale of insecticides. Insecticides used for agrichemicals must be registered with the Commissioner of Rural Development Administration (“RDA”) per each product. Rodenticides are regulated as “non-pharmaceutical drugs” and a permission from KFDA is required for import and sale of rodenticides.

**7. Is local presence required in order to be a registered or authorized distributor where the pesticides, insecticides, rodenticides and/or their consumables are going to be imported and sold?**

A foreign company that intends to conduct business activities in Korea are required to establish and register a branch or other legal presence in Korea. Local presence (and certain other required facilities and personnel) is required of an importer of insecticides and rodenticides who would import and sell such products in Korea.



**8. Which governmental authorities are involved in the determination of the environmental health and safety of pesticides, insecticides, rodenticides?**

As for the insecticides or rodenticides that are used for the prevention of epidemics, KFDA is the responsible government authority in Korea.

As for the insecticides that are used for agrichemicals, RDA is the responsible governmental authority in Korea.

**9. Are local performance and/or environmental safety studies required to obtain the authorization to market pesticides, plaguicides, rodenticides, insecticides, or are studies carried out in the country of origin of the products, valid or accepted?**

The performance and safety studies that are conducted in the country of origin of the products are accepted as valid in obtaining a permission for marketing when 1) such safety studies are acceptable to KFDA, 2) performance and toxicity tests are either submitted or approved by governmental authorities of the origin country. However, with exception of toxicity test, the performance and safety studies for insecticides used for agrichemicals must be conducted at the labs designated by RDA.

**10. Is a prescription by a qualified professional required in the herbicides commercialization? If the answer is "YES", what is the professional that grants such prescription?**

Herbicides are treated as agrichemicals and must be registered with the RDA per each product for their commercialization. When applying for the registration of the products, importer or manufacturer must submit a prescription issued by the original manufacturer of effective substances of the herbicides.