

SUPPORT OF DIET EDUCATION ACT

Act No. 9719, May 27, 2009

Amended by Act No. 10840, Jul. 14, 2011

Act No. 11097, Nov. 22, 2011

Act No. 11690, Mar. 23, 2013

Act No. 12054, Aug. 13, 2013

Article 1 (Purpose)

The purpose of this Act is to promote improvement in people's dietary living, the inheritance and development of traditional diet culture and the development of agriculture, fishery and the food industry, and to contribute to the improvement in the quality of life of the people by prescribing matters necessary for raising national awareness of diet.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "diet" means tangible and intangible activities related to the ingestion of food, such as the production, cooking and processing of food, tableware, table setting, eating habits, table manners, the selection and consumption of food, etc.;
2. The term "diet education" means education that helps an individual or group to be able to carry out healthy diet voluntarily;
3. The term "traditional diet culture" means a lifestyle or behavior pattern related to diet indigenous to the Korean people, which is deemed to have traditional and cultural value worthy of promoting at the national level;
4. The term "school" means a school prescribed by Article 2 of the Early Childhood Education Act and Article 2 of the Elementary and Secondary Education Act.

Article 3 (Responsibility of State and Local Governments)

The State and a local government shall formulate and execute policies necessary for the improvement in diet of the people and the inheritance, development, etc. of traditional diet culture.

Article 4 (Responsibility of People)

The people shall endeavor to realize healthy diet in families, schools, communities and all the other fields of society.

Article 5 (Relationship with other Acts)

This Act shall apply to diet education, except as expressly provided for in provisions on diet education in other Acts.

Article 6 (Basic Principles of Formulation and Execution of Policies)

Where the State or a local government formulates and executes policies for diet education, it shall comprehensively consider the function of families, the social structure, and the change in an environment of consumption for diet.

Article 7 (Formation of Healthy Eating Habits)

Diet education shall be promoted so that the people may cultivate appropriate judgment on the selection of food, and implement the proper table manners in order to promote healthy diet.

Article 8 (Gratitude for and Appreciation of Diet)

Diet education shall be promoted so that the people may appreciate that diet they enjoy is realized by the benefits of nature and efforts of all the people involved in diet, and keep a sense of gratitude therefor.

Article 9 (Nationwide Development of Diet Education Movement)

Diet education shall be developed all over the country under the voluntary participation and solidarity of the persons concerned with education, farmers and fishermen, persons engaged in food-related business, organizations related to diet and consumers' organizations.

Article 10 (Education on Children's Diet)

Diet education shall be promoted continuously so that children may practice healthy diet under the positive participation of parents, guardians, the persons concerned with education, farmers and fishermen, persons engaged in food-related business, etc.

Article 11 (Promotion of Activities Experiencing Diet)

Diet education shall be promoted so that people may personally practice proper diet through various activities experiencing diet from the production of eco-friendly food to the consumption thereof.

Article 12 (Inheritance of Traditional Diet Culture and Utilization of Local Agricultural and Fishery Products)

Diet education shall be promoted so that it may contribute to the revitalization of farming and fishing villages and the promotion of the utilization of local agricultural and fishery products by inheriting, developing and globalizing a traditional diet culture through the spread of the excellent Korean diet and by promoting the mutual exchange between producers and consumers of food.

Article 13 (Practice of Eco-friendly Diet)

Diet education shall be promoted so that eco-friendly diet, which may reduce the use of energy and resources and minimize emissions of greenhouse gases and pollutants in a series of process from the production to the consumption of food, may be realized.

Article 14 (Formulation of Master Plans for Diet Education)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate a master plan for diet education (hereinafter referred to as "master plan") in consultation with the heads of relevant central administrative agencies every five years in order to comprehensively and systematically promote policies related to diet

education. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A master plan shall include the following:

1. The objectives of diet education and direction-setting for the promotion thereof;
2. Matters concerning diet education in families, schools, communities, etc.;
3. Matters concerning the promotion of exchanges between farmers and fishermen and consumers for the revitalization, etc. of agriculture and fishery;
4. Matters concerning the inheritance and development of traditional diet culture;
5. Matters concerning plans for raising funds involved in diet education;
6. Matters concerning the revitalization of activities experiencing diet;
7. Other matters necessary for diet education, which are prescribed by Presidential Decree.

(3) When the Minister of Agriculture, Food and Rural Affairs formulates a master plan, he/she shall refer it for deliberation by the National Diet Education Committee under Article 18. The same shall also apply where a master plan is revised. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 15 (Holding Hearings)

(1) Where the Minister of Agriculture, Food and Rural Affairs has prepared a proposal of a master plan, he/she shall hold a hearing and hear opinions of the people, related experts, etc., and where opinions voiced at the hearing are recognized to be appropriate, he/she shall reflect such opinions in formulating a master plan. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Paragraph (1) shall apply mutatis mutandis when a City/Do plan and a Si/Gun/Gu plan under Article 16 are formulated.

Article 16 (Formulation of City/Do Plans and Si/Gun/Gu Plans)

(1) A Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") shall formulate and execute a City/Do plan for diet education (hereinafter referred to as "City/Do plan") every five years in accordance with a master plan.

(2) The head of a Si/Gun/Gu (the head of a Gu means the head of an autonomous Gu; hereinafter the same shall apply) shall formulate and execute a Si/Gun/Gu plan for diet education (hereinafter referred to as "Si/Gun/Gu plan") every five years in accordance with a City/Do plan.

(3) Where a City/Do diet education committee and a Si/Gun/Gu diet education committee are established pursuant to Article 20, a City/Do plan and a Si/Gun/Gu plan shall be referred to respective committees for deliberation. The same shall also apply where a City/Do plan or a Si/Gun/Gu plan is amended.

Article 17 (Assessment, etc. of Diet Education)

(1) The State and a local government shall assess the outcomes of the promotion of diet education every five years.

(2) Upon receipt of a request made by the Minister of Agriculture, Food and Rural Affairs, a Mayor/Do Governor or the head of a Si/Gun/Gu shall submit the outcomes of the promotion of diet education to the Minister. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Other matters necessary for the assessment of the outcomes of the promotion of diet education shall be prescribed by Presidential Decree.

Article 18 (National Diet Education Committee)

(1) The National Diet Education Committee (hereinafter referred to as the "National Committee") shall be established under the control of the Minister of Agriculture, Food and Rural Affairs in order to deliberate on matters referred to in the subparagraphs of paragraph (2) concerning diet education. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The National Committee shall deliberate on the following matters:

1. Matters concerning the objectives of diet education and the direction-setting for the promotion thereof;
2. Matters concerning the formulation of master plans;
3. Matters concerning inspection and assessment of the actual outcomes of the promotion of diet education;
4. Other matters the chairperson of the National Committee deems necessary for supporting diet education.

(3) The National Committee shall be comprised of not more than 25 members, including two chairpersons. *<Amended by Act No. 10840, Jul. 14, 2011>*

(4) The Minister of Agriculture, Food and Rural Affairs and a nongovernmental member elected by and from among the members of the National Committee shall be the chairpersons of the National Committee, and the chairpersons shall appoint or commission members from among public officials belonging to relevant central administrative agencies and persons who have ample knowledge and experience in diet education. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Other matters necessary for the formation and operation of the National Committee shall be prescribed by Presidential Decree.

Article 19 (Requests for Cooperation of Public Institutions)

(1) Where it is necessary for the implementation of and support for a diet education project, the Minister of Agriculture, Food and Rural Affairs may request the cooperation of the heads of other central administrative agencies, local governments, public organizations, etc. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A person requested for corporation pursuant to paragraph (1) shall comply with such request, unless extenuating circumstances exist.

Article 20 (City/Do and Si/Gun/Gu Diet Education Committee)

(1) A City/Do diet education committee (hereinafter referred to as "City/Do Committee") and a Si/Gun/Gu diet education committee (hereinafter referred to as "Si/Gun/Gu Committee") may be established for deliberation on a City/Do plan and a Si/Gun/Gu plan, and for inspection and assessment of the actual outcomes of the promotion thereof, etc.

(2) A City/Do Committee and a Si/Gun/Gu Committee shall be each comprised of not more than 20 members, including one chairperson.

(3) The chairperson of each committee shall be a competent Mayor/Do Governor and the head of a competent Si/Gun/Gu, and persons who have ample knowledge experience in connection with diet education of the each region, and are recommended by the chairperson, shall be members.

(4) Necessary matters concerning diet education of a City/Do and a Si/Gun/Gu, such as the formation and operation of a City/Do Committee and a Si/Gun/Gu Committee, shall be prescribed by ordinance of the competent local government.

Article 21 (Surveys and Research on Diet)

(1) The Minister of Agriculture, Food and Rural Affairs shall promote surveys and research on the actual conditions of diet of the people, and the production, distribution, and consumption of food for the dissemination of healthy diet. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The timing of and methods for surveys under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 22 (Development, Distribution, etc. of Diet Guidelines)

(1) The State and a local government may develop and distribute diet guidelines by making use of agricultural and fishery products or traditional food to utilize them for diet education, etc.

(2) Detailed matters, such as the main contents and the frequency of publication of diet guidelines, under paragraph (1) shall be prescribed by Presidential Decree.

Article 23 (Promotion of International Exchanges)

(1) The State and a local government may formulate and execute policies necessary for the collection of information on diet education, diet culture, etc. of other countries, and for international exchanges, etc. between organizations or institutions related to diet.

(2) The State and a local government .

Article 24 (Revitalization of Experiences of Traditional Diet Culture and Diet of Farming and Fishing Villages)

(1) The State and a local government may build a traditional diet culture experience center and public relations center, traditional diet cultural and educational facilities, etc. for the revitalization of experiences in traditional diet culture.

(2) The Minister of Agriculture, Food and Rural Affairs may designate a place offering outstanding space for experiencing excellent diet of farming and fishing villages (hereinafter referred to as "place offering outstanding hands-on experiences"), as prescribed by Presidential Decree, in order to enhance understanding of farming and fishing villages and to provide diversified opportunities to experience diet.

<Amended by Act No. 11690, Mar. 23, 2013>

(3) Standards for the designation of places offering outstanding hands-on experiences shall be as follows:

1. Excellency in experiencing environments, such as facilities for experiencing diet of farming and fishing villages, surrounding scenery, accessibility, etc.;

2. Appropriateness of programs for experiencing diet of farming and fishing villages;
 3. The professionalism of human resources related to experiences in or education of diet of farming and fishing villages.
- (4) The Minister of Agriculture, Food and Rural Affairs may subsidize expenses, etc. incurred in the development of educational or experiencing programs, education, or public relations for the revitalization of places offering outstanding hands-on experiences. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 25 (Designation of Institutions Educating Diet)

- (1) The Minister of Agriculture, Food and Rural Affairs may designate a national or public educational facility, university, and relevant institution or organization as an institution educating diet so that the people may implement a proper diet, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) Standards for the designation of an institution educating diet pursuant to paragraph (1) shall be as follows:

1. A course of study, the systemicity of the education program, the ability to perform the function of providing education;
 2. The professionalism of human resources related to education;
 3. The current status on the promotion of educational environment, such as facilities and equipment.
- (3) For the cultivation of institutions educating diet under paragraph (1), the State and a local government may subsidize expenses, etc. incurred in relation to the followings: *<Amended by Act No. 12054, Aug. 13, 2013>*
1. Development of teaching materials for education;
 2. Management of educational programs;
 3. Establishment of educational facilities and equipment;
 4. Management of professional human resources in education and training;
 5. Other improvements in educational environments.

Article 25-2 (Designation, etc. of Support Centers for Diet Education)

- (1) The Minister of Agriculture, Food and Rural Affairs, or the head of a local government may designate a specialized institution or organization as a support center for diet education to smoothly promote diet education. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) A support center for diet education shall perform the following projects:
1. Collecting and providing information on promoting activities regarding diet education provided by diet education-related organizations;
 2. Supporting the establishment of cooperation networks among diet education-related organizations;
 3. Supporting education and publicity about the use of locally produced agricultural or marine products;
 4. Supporting the development of materials and programs for diet education suitable for local characteristics;

5. Supporting diet education in schools, etc.;

6. Surveying the actual state of local diet education and studying measures for the improvement thereof;

7. Conducting other projects necessary for vitalizing diet education.

(3) The Minister of Agriculture, Food and Rural Affairs, or the head of a local government may, within budgetary limits, subsidize all or some expenses incurred in performing the projects referred to in each subparagraph of paragraph (2) by a support center for diet education designated pursuant to paragraph (1).

<Amended by Act No. 11690, Mar. 23, 2013>

(4) The Minister of Agriculture, Food and Rural Affairs, or the head of a local government may revoke the designation of a support center for diet education, where the center fails to comply with standards for designation prescribed in paragraph (5). *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Matters necessary for the standards and procedures for designation or for revocation of designation of, and the operation of, a support center for diet education shall be prescribed by Presidential Decree.

Article 26 (Diet Education in Schools)

(1) A school shall promote diet education for the dissemination of proper diet regularly at least twice a year and the education shall include the following: *<Amended by Act No. 12054, Aug. 13, 2013>*

1. Nutritional ingredients and pernicious ingredients of foods or food additives frequently ingested by children and juveniles, including children's favorite foods under subparagraph 2 of Article 2 of the Special Act on Safety Management of Children's Dietary Life;

2. Various chemical additives used in the procedures for production, manufacturing, processing, etc. of foods and agricultural and fishery products;

3. Other matters which the Minister of Agriculture, Food and Rural Affairs deems necessary for the dissemination of proper diet.

(2) The State and a local government may support the development of teaching materials for education, facilities, equipment, etc. for the revitalization of diet education in schools.

(3) The State and a local government may support diet education, study, and training of the persons involved in education, farmers and fishermen, persons engaged in food-related business who participate in diet education in schools.

(4) The State and a local government may subsidize expenses incurred in the promotion of direct transactions, etc. for producers or producers' organizations so that eco-friendly agricultural and fishery products can be used for the revitalization of diet education in schools. *<Newly Inserted by Act No. 10840, Jul. 14, 2011>*

Article 27 (Revocation of Designation of Places Offering Hands-on Experiences and Other Similar Organizations)

(1) Where a place offering outstanding hands-on experiences designated pursuant to Article 24 or an institution educating diet designated pursuant to Article 25 falls under any of the following subparagraphs, the Minister of Agriculture, Food and Rural Affairs may revoke such designation: Provided, That where it falls under subparagraph 1, he/she shall revoke such designation: *<Amended by Act No. 11690, Mar. 23,*

2013>

1. Where it obtains its designation by deceit or other unlawful means;
2. Where it fails to conduct business for at least one year without any justifiable ground;
3. Where it violates any requirement for designation or it has been managed or operated by unlawful means.

(2) Matters necessary for the revocation of designation under paragraph (1) shall be prescribed by Presidential Decree.

Article 28 (Hearings)

Where the Minister of Agriculture, Food and Rural Affairs intends to revoke designation pursuant to Article 27, he/she shall hold a hearing. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 29 (Delegation or Entrustment of Authority)

The Minister of Agriculture, Food and Rural Affairs may delegate part of his/her authority under this Act to the Administrator of the Rural Development Administration, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of an agency under his/her control, or entrust a public institution, producers' organization, or other corporations related to agriculture, forestry, fisheries, and foods with part of his/her authority, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 30 (Legal Fiction as Public Officials in Application of Penalty Provisions)

A member of the National Committee under Article 18, a person who is not a public official among the members of a City/Do Committee and a Si/Gun/Gu Committee pursuant to Article 20, and a person who is not a public official among the persons delegated or entrusted with the authority pursuant to Article 29 shall be deemed a public official for the purposes of the penalty provisions under Articles 129 through 132 of the Criminal Act.

ADDENDUM

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM *<Act No. 10840, Jul. 14, 2011>*

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM *<Act No. 11097, Nov. 22, 2011>*

This Act shall enter into force six months after the date of its promulgation.

ADDENDA *<Act No. 11690, Mar. 23, 2013>*

Article 1 (Enforcement Date)

- (1) This Act shall enter into force on the date of its promulgation.
- (2) Omitted.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 12054, Aug. 13, 2013>

This Act shall enter into force three months after the date of its promulgation.

