

**ARRANGEMENT ON THE FOOD SAFETY OF
FISHERY PRODUCTS EXPORTED TO
THE REPUBLIC OF KOREA
BETWEEN
THE MINISTRY OF FOOD AND DRUG SAFETY OF
THE REPUBLIC OF KOREA
AND
THE NATIONAL SERVICE FOR AGRI-FOOD HEALTH AND QUALITY OF
THE ARGENTINE REPUBLIC**

The Ministry of Food and Drug Safety (hereinafter "MFDS") of the REPUBLIC OF KOREA and the National Service for Agri-Food Health and Quality (hereinafter "SENASA") of the ARGENTINE REPUBLIC (hereinafter jointly referred to as "THE SIDES");

Deeming it necessary to strengthen mutual cooperation in the control of the food safety of 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), and inspections of the customs clearance and distribution stages of imported food; and

Considering further that the SENASA is the competent body under the Law 27233/2015 for the control of the food safety of fishery products which are exported to the Republic of Korea;

By virtue of the foregoing, the Sides find it appropriate to enter into an arrangement under the following paragraphs:

Paragraph 1 (Purpose)

The purpose of this Arrangement is to promote cooperation between the Sides to ensure that fishery products exported from the Argentine Republic to the Republic of Korea are safe for human consumption.

Paragraph 2 (Scope of Application)

1. This Arrangement will apply to the following fishery products exported from the Argentine Republic to the Republic of Korea for human consumption:
 - (a) aquatic 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), dried, salted, preserved in brine, smoked, chilled, or frozen to the extent the original shape can be identified.
2. Fishery products with food additives or other ingredients, except for edible salt, are not within the scope of this Arrangement.

Paragraph 3 (Implementation)

1. Fishery products exported to the Republic of Korea from the Argentine Republic will be produced by establishments approved by the SENASA. The SENASA will regularly provide the MFDS with a list of the approved establishments, including the name, address and other information jointly decided upon by the Sides. The MFDS will provide information on the establishment suspended from exporting fishery products to the Republic of Korea due to non-compliance with the regulations on the food safety.
2. The SENASA will verify whether the approved establishments comply with the Republic of Korea's sanitary requirements for fishery products. The MFDS may streamline sanitary inspection procedures, including the frequency of inspections for imported fishery products produced by an approved establishment.
3. The SENASA 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 Republic of Korea, and will maintain records of the inspection results.
4. In order to facilitate the implementation of this Arrangement, the SENASA will collaborate with the MFDS so that the on-site inspections may be conducted on the approved establishments of the Argentine Republic.

Paragraph 4 (Issuance of Health Certificate)

1. Under the SENASA Order 5/2003, the SENASA will issue health certificates which verify that fishery products exported to the Republic of Korea originate from approved establishments and meet the requirements regarding food safety.
2. Health certificates will be in a format jointly decided upon by the 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 the fishery export products of the Argentine Republic in an indelible manner.

Paragraph 5 (Notification)

1. When a food safety problem arises related to fishery products exported to the Republic of Korea from an approved establishment in the Argentine Republic, the MFDS will immediately notify the SENASA and provide relevant information on the situation to the SENASA. The SENASA will investigate the cause of the problem in order to prevent the recurrence of similar cases. In such cases, the MFDS may temporarily suspend the import of fishery products from the relevant establishment until the problem is completely resolved.
2. As a response to the above-mentioned notice from the MFDS, the SENASA will notify the MFDS of the results of the investigation. If one Side requests a joint investigation into the results of the other Side's investigation, then the other Side will accede to it if such request complies with its international commitments.
3. The temporary suspension of imports may be lifted upon the mutual consent by the Sides.

Paragraph 6 (Points of Contact)

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

1. for the Republic of Korea: the Imported Food Inspection Management Division of the Imported Food Safety Policy Bureau of the MFDS;
2. for the Argentine Republic: the General Coordination Office for International Affairs of the SENASA.

Paragraph 7 (Expert Exchange and Cooperative Activities)

1. In the context of cooperative environment, the Sides may carry out cooperative activities and exchange inspectors/experts. The Side sending the inspectors/experts will bear all travel and accommodation expenses.
2. The Sides will promote cooperation in the following areas:
 - (a) Sanitary inspection and monitoring of inspection methods of fishery products;
 - (b) Electronic certification; and
 - (c) Any other cooperative activities that may be jointly decided by the Sides.

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

3. The Sides expressly state that signing this Arrangement does not constitute an unjustified barrier for each Side to enter into similar arrangements with other bodies and/or third countries interested in analogous purposes.
4. Any communication, publication, or dissemination by any means, referring to the joint programs, projects, and activities carried out in collaboration or cooperation under this Arrangement will be previously authorized by and make express mention of the Sides. The technical information generated under this Arrangement will be preserved and used with the mutual consent of the 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 the Sides.

Paragraph 10 (Confidentiality)

The Sides will not disclose, in whole or in part, any information or documents received under this Arrangement to any third party, without the prior written consent of the other Side. The data, reports, and final results obtained will be considered confidential.

Paragraph 11 (Entry into Effect, Duration, and Amendment)

1. This Arrangement will come into effect one (1) year 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 the Sides.

Signed in duplicate in the Republic of Korea and the Argentine Republic, on August 10, 2023, in the Korean, Spanish, 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
of the REPUBLIC OF KOREA

For the NATIONAL SERVICE FOR AGRI-
FOOD HEALTH AND QUALITY
of the ARGENTINE REPUBLIC



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