

**ARRANGEMENT
ON THE SAFETY OF HYDROBIOLOGICAL PRODUCTS
BETWEEN
THE MINISTRY OF FOOD AND DRUG SAFETY OF
THE REPUBLIC OF KOREA
AND
THE NATIONAL FISHERIES HEALTH AGENCY OF
THE REPUBLIC OF PERU**

The Ministry of Food and Drug Safety (MFDS) of the Republic of Korea and the National Fisheries Health Agency (SANIPES) of the Republic of Peru (hereinafter referred to as the “Sides”);

Considering it necessary to strengthen mutual cooperation in the control of the safety of hydrobiological products exported from the Republic of Peru to the Republic of Korea;

Recognizing that it is vital to be able to carry out technical consultations to successfully develop and implement control plans for hydrobiological products in accordance with the standards required by Peruvian and Korean sanitary regulations;

Acknowledging that the Imported Food Safety Policy Bureau of the MFDS is responsible for the improvement of all policies and systems related to imported food products, proactive safety management (on-site inspections), customs clearance stage inspections and inspections of the imported food distribution stage; and

That the SANIPES is the competent body for the control of hydrobiological products for health and safety purposes, including aspects related to inspection, sampling, testing and official health certification;

Have reached the following understanding:



Paragraph 1. Objective

The objective of this Arrangement is to promote cooperation in the field of food safety control, in order to guarantee that hydrobiological products exported from the Republic of Peru to the

Republic of Korea are safe for human consumption, in accordance with the relevant Peruvian and Korean sanitary regulations, respectively.

Paragraph 2. Scope of Application

This Arrangement will apply to hydrobiological products exported from the Republic of Peru to the Republic of Korea for human consumption, such as the following:

- a) Aquatic animals and seaweeds as raw materials;
- b) Aquatic animals and seaweeds that have been cut, precooked, fully-cooked (steamed or boiled), dried, salted, preserved in brine, smoked, chilled, or frozen without using food additives or other ingredients, except edible salt, to the extent that the original form can be identified.

Paragraph 3. Operational Procedure

1. Hydrobiological products exported to the Republic of Korea from the Republic of Peru will be produced by the SANIPES approved establishments in compliance with the regulations applicable by the competent national authority. The MFDS will provide information on the establishment suspended from exporting hydrobiological products to the Republic of Korea due to some non-compliance with sanitary regulations according to the application of health and phytosanitary measures of the WTO agreement, or according to the procedures of notifications or health alerts on innocuousness in force, reviewed by both Sides.
2. The SANIPES will prepare, update and periodically provide the MFDS with the official lists of establishments that export hydrobiological products, including the following details: name, address, health authorization code or registration number, and other required information about the approved establishments.



3. The SANIPES will conduct inspections of all approved establishments in accordance with a risk-based control plan to ensure compliance of the approved establishments with the Republic of Korea's sanitary controls, and will maintain records of the inspection results.
4. The SANIPES will verify whether the approved establishments comply with the sanitary requirements of the Republic of Korea for hydrobiological products. The MFDS will be able to streamline sanitary inspection procedures, including the frequency of inspections for imported hydrobiological products produced by an approved establishment.
5. In order to facilitate the implementation of this Arrangement, the SANIPES will ensure that the MFDS may conduct on-site inspections of Peru's approved establishments.

Paragraph 4. Health Certificates

1. The SANIPES will issue health certificates verifying that the exported hydrobiological products originate from approved establishments and comply with food safety requirements.
2. Health certificates will have a format agreed upon by the Sides, and electronic certificates will be accepted when they are sent through government networks recognized by the MFDS and by the SANIPES.
3. Information such as the name and registration code of the approved establishments will be printed or marked on the packages of the hydrobiological export products of Peru in an indelible manner.



Paragraph 5. Notification Procedure

1. When a food safety issue arises related to hydrobiological products exported to the Republic of Korea from an establishment approved by the SANIPES, the MFDS will immediately notify the SANIPES and provide information on the situation. The SANIPES will investigate the cause of the problem in order to prevent similar cases from recurring. In such cases, the

MFDS may temporarily suspend the importation of hydrobiological products from the relevant approved establishment until the problem is fully resolved.

2. In response to the aforementioned notification of the MFDS, the SANIPES will notify the MFDS of the results of the investigation. The MFDS will conduct the review of the response and/or information provided by the SANIPES on the notification in an expedited manner. If one Side requests a joint investigation into the results of the other Side's investigation, then the other Side will agree to it if such request complies with its international commitments.
3. The temporary suspension of imports may be lifted with the mutual consent of the Sides.

Paragraph 6. Contact Points

The Sides establish the following as contact points to coordinate the execution and implementation of this Arrangement, and exchange of information:

- a) For the MFDS: The Imported Food Inspection Management Division
- b) For the SANIPES: The Directorate of Authorizations and Certifications

Paragraph 7. Expert Exchange

The Sides may exchange auditors/inspectors/experts. The Side sending the auditors/inspectors/experts will bear all travel and accommodation costs. For the purpose of furthering cooperation in the field of sanitary inspections and the monitoring of inspection methods of hydrobiological products, the Sides will provide a supportive environment for exchanges of the auditors/inspectors/visiting experts.



Paragraph 8. General Provisions

1. This Arrangement is not an international contract and will not create any rights or any legally binding obligations for their respective States under international law. Its provisions are interpreted and executed within the framework of the national laws and regulations of the two countries, as well as within the scope of the functional competences of the Sides.
2. The Sides agree that each will bear the operating expenses related to the development, implementation and execution of this Arrangement, in accordance with the availability of the resources and budgetary capacity of each Side. No paragraph will impose any financial obligation on the other Side.

Paragraph 9. Validity and Modification

1. This Arrangement will come into effect one (1) year after the date of signing and will remain in force for five (5) years. It will automatically be renewed for periods of equal duration unless either Side notifies the other Side in writing of its intention to terminate it six (6) months in advance.
2. This Arrangement may be modified with the mutual written consent of the Sides.

Paragraph 10. Resolution of Differences

Any difference or controversy that may arise from the interpretation or implementation of this Arrangement will be resolved through consultation between the Sides.





Ministry of Food and
Drug Safety



SANIPES
Organismo Nacional de
Sanidad Pesquera

Signed in duplicate in the Republic of Korea on January 13, 2023 and the Republic of Peru on January 12, 2023 in the Korean, Spanish, and English languages, all texts being equally valid. In the event of any divergence of interpretation, the English text will prevail.

By the Ministry of Food and Drug Safety

(MFDS)

of the Republic of Korea

강대진

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Imported Food Safety Policy Bureau

By the National Fisheries Health Agency

(SANIPES)

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Pedro Saravia Almeyda
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