

**Detailed Guidelines for Agro-Livestock Product Tariff Rate Quota
Recommendation and Import Management
Pursuant to the Free Trade Agreement Between
the Republic of Korea and the United States of America**

January 2013

Korea Agro-Fisheries & Food Trade Corporation

Public Notice No. 2013-1

In accordance with the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No. 2012-302 (Dec. 18, 2012), the Korea Agro-Fisheries & Food Trade Corporation hereby announces the partially revised Detailed Guidelines for Agro-Livestock Product Tariff Rate Quota Recommendation and Import Management Pursuant to the Free Trade Agreement between the Republic of Korea and the United States of America.

CEO, Korea Agro-Fisheries & Food Trade Corporation

January 7, 2013

**(Draft) Detailed Guidelines for Agro-Livestock Product Tariff
Rate Quota Recommendation and Import Management
Pursuant to the Free Trade Agreement between the Republic of
Korea and the United States of America**

Chapter 1. General Provisions

Article 1 (Purpose)

This Detailed Guideline aims to stipulate matters delegated by the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No. 2012-302 entitled “Agro-Fisheries Product Tariff Rate Quota Recommendation and Import Management Guidelines Pursuant to the Free Trade Agreement between the Republic of Korea and the United States of America(hereinafter referred to as the ‘Ministry for Food, Agriculture, Forestry and Fisheries Public Notice’),” and detailed matters necessary for the implementation of the Ministry Public Notice, and to ensure smooth administration of tariff rate quota recommendation and import management for each product.

Article 2 (Definitions)

Other than those provided for in Article 2 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice, the definitions of the terms used in this Detailed Guideline are as follows:

1. The term “anticipated price” means a price determined and kept in file before an auction is conducted or a contract is made, as a basis for deciding on a successful bidder and a contract amount.
2. The term “tariff rate difference range” means the amount difference between the WTO concessionary tariff and the conventional tariff for Korea-US FTA TRQ’s for the product concerned.

Article 3 (Products and Allocation Methods)

The products and quantities of TRQs, and the allocation methods are as shown in Appendix tables 1 and 2.

Article 4 (Validity Period of Recommendation)

① The validity period of a TRQ recommendation issued by the CEO of Korea Agro-Fisheries & Food Trade Corporation(hereon referred to as “CEO of aT”) in accordance with the provisions of Article 9 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice shall be ninety(90) days from the date of issuance, but cannot go past the current quota year. However, the validity period for oranges shall be from September 1st of the year in which the auction was conducted until the end of February of the following year; and for soybeans for human consumption, the recommendation shall be valid from the time when an import license was allocated until December 31st of the following year.

② Persons seeking to extend the validity period of the recommendation must submit to the CEO of aT the *Request Form to Extend Validity Period of Recommendation on Korea-US FTA TRQ* before the validity period expires. When making such a submission, the original recommendation must be attached. If the CEO of aT determines that the request described in Paragraph ② is necessary due to reasons such as delay in customs clearance procedures, etc., he/she shall re-issue a recommendation upon extending its original validity period by up to thirty(30) days. Notwithstanding, if the last day of the validity period is a public holiday, the recommendation shall be deemed to expire on the first working day after such holiday.

Article 5 (Submission of an Import Declaration Certificate and Notification Thereof)

The CEO of aT may request any person who has received a TRQ recommendation in accordance with the provisions of Article 20 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice, to submit, immediately upon customs clearance of the imported goods, an import declaration certificate, usage results, etc.

Chapter 2. Import Rights Auction

Article 6 (Formulation and Implementation of Import Rights Auction Plan)

The CEO of aT shall set forth in the Public Announcement on Import Rights Auction and Auction Guideline the detailed plans for import rights auction including, but not limited to, the products offered for auction, in-quota quantity for the auction, eligibility of bid participants, auction method, prerequisites for the public auction, bid awarding methods, deposit of bidding bond, payment of import performance bond and bid money (successful bid price), request for a letter of undertaking, application period and documents needed for the auction, for each product available through TRQ import rights auctions.

Article 7 (Eligibility to Participate in Import Rights Auction)

Persons eligible to participate in an import rights auction shall be those who satisfy all of the requirements set forth in the relevant Import Rights Auction Guideline.

Article 8 (Application Documents Required to Participate in an Import Rights Auction)

Any person who wishes to apply to participate in an import rights auction is required to submit one(1) copy of the following documents and make a deposit for bidding bond not later than a specified date:

1. Application Form for Bidding Participation in Import Rights Auction (Annex Form 1),
2. Copy of Certificate of Business Registration,

3. Import agent service contract (if using import agent),
4. Letter of Undertaking for Imports Rights Auction (Annex Form 2),
5. Certificate of Seal Impression (for corporations, Certificate of Corporate Seal Impression),
6. Letter of Commitment to Integrity Pact (Annex Form 5)
7. Consent Form on the Collection, Use, and Provision of Personal Information (Annex Form 6)

Article 9 (Invitation for Bids)

① An invitation for bids for import rights auction must be announced at least seven(7) days prior to the day before the deadline for submission of bidding sheets.

② Notwithstanding the foregoing paragraph, in an urgent situation, an invitation for bids may be announced at least five(5) days prior to the day before the deadline for submission of bidding sheets.

Article 10 (Auction Guideline) Detailed matters necessary for an import rights auction shall be set forth in aT's Auction Guideline on import rights auction.

Article 11 (Deposit for Bidding Bond) The deposit for bidding bond in an import rights auction shall be 5% or more of the bidding price, and be paid in cash, or in the form of a letter of bank payment guarantee or a certificate of implementation guarantee insurance that has a special clause on insurance payment. Notwithstanding, where it is deemed that the bidder is unlikely to evade signing the contract upon winning the bid, the deposit may be waived if the bidder makes the pledge described in the *Payment Waiver and Pledge of the Bidding Bond* as provided in the *Application Form for Bidding Participation in Import Rights Auction (Annex Form 1)*.

Article 12 (Anticipated Price)

① For an import rights auction, an anticipated price must be set in advance and kept in file.

② An anticipated price shall be set within the tariff rate difference range.

Article 13 (Terms and Conditions of Auction and Determination of Successful Bidder)

① An auction shall, in principle, be conducted in the form of a public competitive bid in which participants bid for the quantity desired, and be deemed to be constituted only if and when there are valid bids from two or more bidders.

② Winners shall be selected consecutively from the pool of bidders with bids at or above the anticipated price, starting from the highest bidder to the next highest bidders. If two or more bidders have bid the same price, the one who has bid a higher quantity shall have priority to be the successful bidder, and in case of the same quantities, the successful bidder shall be decided by draw.

③ If as a result of Paragraph ② above, the quantity bid by a successful bidder with the lowest priority aggregated with the quantities bid by the other successful bidders exceeds the total quantity available for auction, the excess amount shall be considered not auctioned off to the said lowest-priority bidder.

Article 14 (Deposit for Import Performance Bond)

① A successful bidder must pay, as a deposit for import performance bond, 10% or more of the total bid price to aT not later than a prescribed date.

② The import performance bond must be deposited in cash, or in the form of a letter of bank payment guarantee or a certificate of implementation guarantee insurance that has a special clause on insurance payment.

Article 15 (Application for TRQ Recommendation)

① A winning bidder must apply for TRQ recommendation after paying the deposit for import performance bond provided for in Article 14, and paying the bid(successful bid price) to aT for either the entire quantity awarded or for each import shipment separately.

② “Other documents publicly announced by the recommending organization” provided for in Article 7 Subparagraph 2 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice are as follows:

1. Copy of the receipt of the payment of the bid(successful bid price) of the import rights auction, and
2. Copy of shipping documents (bill of lading, commercial invoice, and

packing list).

Article 16 (Extension of Importation Period)

A person who was awarded TRQ quantities for which the importation period has been pre-determined by the CEO of aT may extend the importation period in the event the importation was not performed due to reasons not attributable to that person such as *force majeure*. Notwithstanding, the extended period shall not be carried over to the next quota year. For oranges, the extended period shall not go beyond the last day of February of the year immediately following the year the auction was held.

Chapter 3. Allocation of Import License

Article 17 (Formulation and Implementation of Import License Allocation Plan)

The CEO of aT shall formulate and implement a detailed Import License Allocation Plan on applicant eligibility, allocation criteria, allocation method, application period, application documents, etc. for each TRQ product in order to recommend conventional tariff rates for TRQ's on a product-by-product basis, in accordance with Article 18 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice.

Article 18 (Application Documents)

To apply for allocation of import license, applicants must submit one copy of each of the following documents on or before the prescribed date and will be informed of details on document requirements by means of public announcement:

1. Application Form for Allocation of Import License (Annex Form 3)
2. Copy of Certificate of Business Registration
3. Import Agent Service Contract (if using agent)
4. Letter of Undertaking of TRQ allocation (Annex Form 4)
5. Certificate of Seal Impression (for corporations, Certificate of Corporate Seal Impression)
6. Certificate of Seal Impression in Use (attach Certificate of Seal Impression)
7. Consent Form on the Collection, Use, and Provision of Personal Information (Annex Form 6)

Article 19 (Measures to Facilitate Utilization Rate)

- ① In order to facilitate full utilization of a TRQ, the importer with the allocated quota must return the anticipated unused quantity at least six months prior to the pre-determined TRQ expiry date.
- ② The CEO of aT shall allocate on a first-come first-served basis the returned quantity and/or the quantity expected to be unused described in Paragraph ① above.
- ③ In order to facilitate utilization, if the utilization rate of the in-quota quantity of the TRQ is 95% or less, the importer shall be excluded from the next round of allocations.

Article 20 (Delegation, Instruction, and Reporting)

The CEO of aT may delegate or instruct matters related to these Detailed Guidelines to the heads of the regional branch offices of aT, and the heads of such offices shall administer the delegated or instructed matters and report the results to the main office of aT in accordance with the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice and these Detailed Guidelines.

Article 21 (Composition of Association of Soybean Processors)

- ① The association of soybean processors provided for in Article 8 Paragraph 2 of the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice shall be composed of Korea Federation of Soybean Curd Industry Cooperatives, Korea Soy Sauce Industrial Cooperative, Korea Foods Industry Association and other soybean processors that appropriately represent the soybean processing industry, and the CEO of aT shall serve as its administrative manager.
- ② The association shall determine allocation criteria and allocate TRQ quantities, and the TRQ's shall be administered through aT.

Addendum

Article 1 (Date of Enforcement)

These Guidelines shall enter into effect on the date of its announcement.

Article 2 (Application of Other Provisions)

Matters not stipulated herein shall be governed by the *Ministry for Food, Agriculture, Forestry and Fisheries' Public Notice*.

【Appendix Table 1】

**TRQ Products, Quantities, Agencies and Methods of Quota Allocation
under the Korea-US FTA (Regarding Article 3)**

	Products	HSK Listed in KORUS FTA	HS 2012 Code	Description	Method of TRQ Allocation
1	Milk or cream powder less than 1.5 percent fat and buttermilk	0402-10-1010	Same as left	Skim milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%)	- Method: Imports Rights Auction - Time: Auctions to be held in March, June, September and December each year
		0402-10-1090	Same as left	Other milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%)	
		0402-10-9000	Same as left	Other milk powder (Containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%)	
		0403-90-1000	Same as left	Buttermilk	
	Milk and cream powder sweetened and unsweetened over 1.5 percent fat (whole milk powder)	0402-21-1000	Same as left	Whole milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content exceeding 1.5%)	
		0402-21-9000	Same as left	Other milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content	

		0402-29-0000	Same as left	exceeding 1.5%) Other milk powder (Containing added sugar or other sweetening matter / concentrated / fat content exceeding 1.5%)	
	Milk and cream(evaporated) sweetened or unsweetened and/or not concentrated	0402-91-1000	Same as left	Evaporated milk, not containing added sugar or other sweetening matter	
		0402-91-9000	Same as left	Other	
		0402-99-1000	Same as left	Evaporated milk, containing added sugar or other sweetening matter	
		0402-99-9000	Same as left	Other	
2	Butter and other fats and oils derived from milk	0405-10-0000	Same as left	Butter	- Method: Imports Rights Auction - Time: Auctions to be held each year in January. Subsequent auctions for the amount that failed to be awarded shall take place before March 15. Additional auctions thereafter will be held within 45 days of the previous auction.
		0405-90-0000	Same as left	Butter (other)	
3	Honey, natural	0409-00-0000	Same as left	Natural honey	- Method: Imports Rights Auction - Time: Auctions to be held in March, June, September and December each year
4	Potatoes fresh or chilled	0701-90-0000	Same as left	Potatoes(excludes seeds)	- Method: Imports Rights Auction - Time: Auctions to be held in January each

					year (Auction for year 1 may be adjusted) - Remarks: At least one or more re-auction must take place during the quota year for quantities not allocated at previous auctions.
5	Oranges	0805-10-0000	Same as left	Oranges	- Method: Imports Rights Auction - Time: Auctions to be held in August each year
6	Barley, excluding malting barley and cereals of barley	1003-00-9010 1003-00-9020	1003-10-2000 1003-90-2000 1003-10-3000 1003-90-3000	Seed(Hulled barley) Other(Hulled barley) Seed(Naked barley) Other(Naked barley)	- Method: License allocation - Remarks: ▪ TRQ's are to be allocated on a first-come first-served basis according to written applications received during January 1~31 each year. If the aggregate TRQ quantity requested by applicants exceeds total TRQ quantity for that year, the quota will be allocated among applicants on a pro rata basis. ▪ If the aggregate TRQ quantity requested during January is less than the total quota for that year, the remaining quota will be allocated throughout the year based on a first-come first-served basis
7	Malt and malting barley	1003-00-1000 1107-10-0000	1003-10-1000 1003-90-1000 Same as left	Malting barley (seed) Malting barley (Other) Malt (not roasted)	- Method: License allocation - Remarks: ▪ TRQ's are to be allocated on a first-come first-served basis according to written applications received during January 1~31 each year. If the aggregate TRQ quantity requested by applicants exceeds total TRQ quantity for that year, the quota will be allocated among applicants on a pro rata

					<p>basis.</p> <ul style="list-style-type: none"> ▪ If the aggregate TRQ quantity requested during January is less than the total quota for that year, the remaining quota will be allocated throughout the year based on a first-come first-served basis
8	Maize starch	1108-12-0000	<p>1108-12-1000 Corn starch (for food)</p> <p>1108-12-9000 Corn starch (other)</p>		<p>- Method: License allocation</p> <p>- Remarks:</p> <ul style="list-style-type: none"> ▪ TRQ's are to be allocated on a first-come first-served basis according to written applications received during January 1~31 each year. If the aggregate TRQ quantity requested by applicants exceeds total TRQ quantity for that year, the quota will be allocated among applicants on a pro rata basis. ▪ If the aggregate TRQ quantity requested during January is less than the total quota for that year, the remaining quota will be allocated throughout the year based on a first-come first-served basis
9	Soybeans for Human Consumption (for processing) * Identity Preserved	1201-00-9000	<p>1201-10-1000 Soybean for sprouting (seed)</p> <p>1201-10-9000 Other (seed)</p> <p>1201-90-2000 For feed purpose</p> <p>1201-90-3000 For soybean sprouts</p> <p>1201-90-9000 Other</p>		<p>- Method: License allocation(Allocation of import rights to actual end users)</p> <p>- Remarks</p> <ul style="list-style-type: none"> ▪ Applicants are to submit written applications to aT from January 1~31 of the year prior to the year of importation; and the association of soybean processors shall begin allocating the TRQ prior to April of the year pursuant to allocation criteria. ▪ Allocation criteria: Import performance on TRQ soybeans for past two years (Pursuant to Association guidelines on composition and

					allocation). <ul style="list-style-type: none"> ▪ Remaining and/or returned quantities shall be reallocated prior to April 1 and additional allocations shall not be allocated after April 1.
10	Ginseng (raw, white))	1211-20-1100 1211-20-1210 1211-20-1220 1211-20-1240	1211-20-1110 1211-20-1190 Same as left 1211-20-1290	Raw ginseng(wood-cultivated ginseng) Raw ginseng (other) White ginseng (whole ginseng) White ginseng (other)	<ul style="list-style-type: none"> - Method: Imports Rights Auction - Time: Auctions to be held in January each year (Auction for year 1 may be adjusted) - Remarks: At least one or more re-auction must take place during the quota year for quantities not allocated at previous auctions.
11	Dextrin (modified starch)	3505-10-4000 3505-10-5000	3505-10-4010 3505-10-4090 3505-10-5010 3505-10-5090	Pregelatinised or swelling starch (for food) Pregelatinised or swelling starch (other) Etherfied or esterified starches (for food) Etherfied or esterified starches (other)	<ul style="list-style-type: none"> - Method: License allocation - Remarks: <ul style="list-style-type: none"> ▪ TRQ's are to be allocated on a first-come first-served basis according to written applications received during January 1~31 each year. If the aggregate TRQ quantity requested by applicants exceeds total TRQ quantity for that year, the quota will be allocated among applicants on a pro rata basis. ▪ If the aggregate TRQ quantity requested during January is less than the total quota for that year, the remaining quota will be allocated throughout the year based on a first-come first-served basis

		99-9000																
2	Butter and other fats and oils derived from milk	0405-10-0000 0405-90-0000	200	206	212	219	225	232	239	246	253	Unlimited						
3	Honey, natural	0409-00-0000	200	206	212	219	225	After year 5, the in-quota quantity increases 3% per year, compounded annually.										
4	Potatoes fresh or chilled	0701-90-0000	3,000	3,090	3,183	3,278	3,377	After year 5, the in-quota quantity increases 3% per year, compounded annually.										
5	Oranges	0805-10-0000	2,500	2,575	2,652	2,732	2,814	After year 5, the in-quota quantity increases 3% per year, compounded annually.										
6	Barley	1003-10-2000 1003-90-2000 1003-10-3000 1003-90-3000	2,500	2,550	2,601	2,653	2,706	2,760	2,815	2,872	2,929	2,988	3,047	3,108	3,171	3,234	Unlimited	
7	Malt and malting barley	1003-10-1000 1003-90-1000 1107-10-0000	9,000	9,180	9,364	9,551	9,742	9,937	10,135	10,338	10,545	10,756	10,971	11,190	11,414	11,642	Unlimited	

8	Maize starch	1108-12-1000 1108-12-9000	10,000	10,300	10,609	10,927	11,255	11,593	11,941	12,299	12,668	13,048	13,439	13,842	14,258	14,685	Unlimited			
9	Soybeans for Human Consumption *Identity Preserved	1201-10-1000 1201-10-9000 1201-90-2000 1201-90-3000 1201-90-9000	10,000	20,000	25,000	25,750	26,523	After year 5, the in-quota quantity increases 3% per year, compounded annually.												
10	Ginseng(raw)	1211-20-1100 1211-20-1190 1211-20-1210 1211-20-1290	5.7	5.9	6.0	6.2	6.4	6.6	6.8	7.0	7.2	7.4	7.7	7.9	8.1	8.4	8.6	8.9	9.1	Unlimited
11	Modified starch (Dextrin)	3505-10-4010 3505-10-4090 3505-10-5010 3505-	14,000	14,420	14,853	15,298	15,757	16,230	16,717	17,218	17,735	18,267	18,815	Unlimited						

<Annex Form 1 >

Application Form for Bidding Participation in Import Rights Auction * Provide information below only where applicable				Required time for processing
				Immediate processing
Applicant	Name of Company or Corporation		Corporate Registration Number	
	Address		Telephone /E-mail	
	Representative		Resident Registration Number	
Auction Information	Auction Number		HS Code	
	Name of Auction		Bidding Quantity(tons)	
Bidding Bond	Payment	. Share of Bid: % . Deposit Amount: won (₩) . Payment Method:		
	Payment Waiver and Pledge	. Reason: . I hereby pledge to pay in cash to aT the bidding bond determined as a share of the winning bid in the event of a failure to conclude the contract after winning or other self-attributable reasons that give rise to the obligation to pay the bidding bond.		

Proxy & Seal Impression to be Used	I hereby delegate all authority related to this auction to the following person: Name Resident Registration No.	I hereby declare the seal impression to be used in this auction: Seal Impression to be Used (Seal)
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I hereby acknowledge all the matters set forth by aT in the Auction Guideline and Invitation for Bids and submit this *Application Form for Bidding Participation in Import Rights Auction* together with relevant documents listed below in order to participate in aT's auction (auction number), publicly announced under the number above, for TRQ (product name) import rights under the Korea-US Free Trade Agreement.

Attached Documents:

1. One copy of Certificate of Business Registration.
2. One copy of import agent service contract (if using import agent)
3. Letter of Undertaking for Imports Rights Auction (Annex Form 2)
4. Certificate of Seal Impression (for corporations, Certificate of Corporate Seal Impression)
5. Consent Form on the Collection, Use, and Provision of Personal Information (Annex Form 6)

mm.dd.year

Applicant name and (seal) seal impression

To: CEO of aT

<Annex Form 2 >

Letter of Undertaking of Import Right Auction

I (The company) hereby declare(s) that I(the company) fully understand(s) and pledge(s) to faithfully comply with the contents of the Auction Guideline and all related matters in participating in the Corporation's auction (auction number) for TRQ (name of item) import rights under the Korea-US Free Trade Agreement. I (The company) also hereby confirm(s) that I(it) have(has) no objections to bearing the liabilities for damage that may arise as a result of failure to comply with the aforementioned.

mm.dd.year

Name of company (or name):

Address:

Name of representative: (seal)

Telephone number:

To: CEO of aT

<Annex Form 3 >

Registration No.: (Date of registration: mm.dd.year.)					
Application Form for Allocation of Import License for Agro-Livestock Product TRQ Pursuant to the Free Trade Agreement Between the Republic of Korea and the United States of America					
Company name					
Address					
Name of company representative					
Business Registration No.					
Phone No.		Fax No.			
Person in Charge		Mobile Phone No.			
◦ Details of Request:					
HS Code	Product Item	Quantity (KG)	Country of origin (importer)	Expected Import Date	Purpose
<p>I hereby apply for TRQ allocation in accordance with Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No. 2012-32 (March 12, 2012).</p> <p>mm.dd.year</p> <p>Name of Applicant: (seal)</p> <p>To: CEO of aT</p>					

<Annex Form 4>

Letter of Undertaking for Allocation of Import Right

The Company hereby affirms that, in the event of a violation of legislation on country of origin indications and other disruptions to follow-up administration in the course of importing and utilizing the TRQ import license (name of product item, ___ tons) allocated to the Company by the Corporation under the Korea-US Free Trade Agreement in accordance with Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No. 2012-32 (March 12, 2012), the Company will accept suspension orders for import recommendations from the Corporation and any punishment applicable under relevant laws.

mm.dd.year

Name of company (or name):

Address:

Name of representative: (seal)

Telephone number:

To: CEO of aT

Letter of Commitment to Integrity Pact

The Company, being fully aware that *incorrupt and transparent business management and fair public administration* are key to social development and national competitiveness, in line with the international trend toward strengthened sanctions against corrupt companies and states with the entry into effect of the OECD Convention on Combating Bribery of Foreign Public Officials, actively embraces the spirit of the integrity pact and hereby ensures that its employees and their proxies/agents, in participating in any public tender for construction projects, goods, services, etc., awarded by Korea Agro-Fisheries & Food Trade Corporation, will:

1. Not engage in any unfair act that may unjustly hinder free competition in bidding, involving collusion to fix prices or to support a certain participant to win a bid, or conclusion of a pact, resolution, or agreement with another business firm;
 - If the Company is found to have been involved in the above unfair practices including collusion, the Company will not raise any objection to being reported to the Fair Trade Commission for a fine in accordance with the Anti-Monopoly and Fair Trade Act.
2. Not provide any unfair profits such as money, goods, or entertainment, directly or indirectly, to any of the officials in charge in the course of bidding, deciding on a successful bidder, making a contract, or implementing the contract. If the Company is found to be in breach of the above, the Company will not participate in a bid invited by Korea Agro-Fisheries & Food Trade Corporation for two years from the date the Company is declared disqualified to participate in such a bid. Moreover, for two years after the expiration of the disqualification period, the

Company will make a deposit for bidding bond under Article 37 of the Enforcement Ordinance of the Act on Contracts To Which the Government is a Party, in any bid invited by Korea Agro-Fisheries & Food Trade Corporation.

3. Accept, if the Company is found to have provided any money, goods, or entertainment to any of the officials in charge in connection with bidding, deciding on a successful bidder, making a contract, or implementing the contract, the Corporation's cancellation of the decision on the successful bidder if a contract has not been signed, cancellation of the contract if it has not been implemented, or cancellation or termination of the entirety or part of the contract when the contract has already been implemented, and will not file any civil or criminal complaints.

4. Strive to formulate a company code of ethics that shall prohibit company employees from committing such unfair acts as collusion or providing money, goods, or entertainment to any of the officials in charge; and to establish company policies that would protect a whistle-blower from unfavorable treatment.

The Company considers the above commitment to the integrity pact to be a pledge based on mutual trust and hereby vows to honor the above commitment. If the Company is determined as the winning bidder, this pledge will be incorporated as special contract conditions and carried out as such. In addition, in relation to measures taken by the Corporation such as disqualification and termination of contract, the Company pledges not to claim compensation for damages or file any civil or criminal complaints for excluding the Company in a bid, against the Corporation.

mm.dd.year

Pledged by:

Representative (seal)

To: CEO of aT

<Annex Form 6 >

Consent Form on the Collection, Use, and Provision of Personal Information

I . Consent on the Collection and Use of Personal Information

In order to collect and use personal information of the applicant, the Korea Agro-Fisheries and Food Trade Corporation(hereafter referred to as “aT”) is required to obtain consent from the applicant pursuant to Article 15 (Collection and Use of Personal Information), Article 22 (Methods of Obtaining Consent), Article 33 (Impact Assessment of Personal Information), and Article 34(Notification, etc. on Leakage of Personal Information) of the Personal Information Protection Act. I hereby provide consent for aT from collecting and using personal information as follows:

Matters Related to the Collection and Use of Personal Information

1. Purpose of Collecting and Using Personal Information

- To register and manage bid participants and proxies
- To track the country-of-origin of agricultural products, analyze sales results, and conduct studies on distribution, etc.

2. Types of Personal Information to be Collected

- Personal identification information (name, address, resident registration number, occupation (name of business, department, position, address, etc.), business registration number, E-mail, (mobile) phone number, etc.)

3. Personal Information Retention and Use Period

- Until the purposes of collecting and using personal information are satisfied starting from the date consent to collect and use said information was obtained

I hereby consent to the collection and use of my unique identification information by aT for the purposes mentioned above (retention and use period same as above).

Consent Do Not Consent

※ Any applicant not consenting to the above is unable to participate in the auction as the person cannot be identified.

II. Consent on the Provision of Personal Information

The personal information acquired(collected) from the applicant by the Korea Agro-Fisheries and Food Trade Corporation(hereafter referred to as “aT”) is information subject to prior consent by the applicant if and when aT wishes to provide the said information to a third party, in accordance with Article 17 (Provision of Personal Information), Article 22 (Methods of Obtaining Consent), Article 33 (Impact Assessment of Personal Information), and Article 34 (Notification, etc. on Leakage of Personal Information) of the Personal Information Protection Act. I hereby consent to the provision of my personal information to a third party by aT given the conditions described below.

Matters Related to the Provision of Personal Information

1. Recipients of Personal Information

◦ Organizations involved in enforcement of country-of-origin regulations and management of sales: Ministry for Food, Agriculture, Forestry and Fisheries, National Agricultural Products Quality Management Service, local autonomous

government, National Assembly, audit agencies, research agencies studying the distribution of imported agro-products, etc.

◦ Where Article 18(Restrictions on Use and Provision of Personal Information) of the Personal Information Protection Act applies

2. Purpose of Using Personal Information by Recipient

◦ Enforcement of country-of-origin labeling regulations for agro-products, analysis of sales results, and studies on distribution, etc.

3. Types of Personal Information Provided to Third Party

◦ Name of company, representative, address, telephone number, vehicle license plate number, sales and shipping data, etc.

4. Personal Information Retention and Use Period by Recipient

◦ Until the purposes of collecting and using personal information are satisfied starting from the date consent to collect and use said information was obtained

I hereby consent to the provision of my unique identification information and sales data, etc., by aT for the purposes mentioned above (retention and use period same as above).

Consent Do Not Consent

※ Any applicant not consenting to the above may be denied participation in the auction.

2013. . .

Applicant:

To: CEO of aT