

Import Health Requirements for U.S. Beef and Beef Products

The following import health requirements shall be applied to beef and beef products exported from the United States of America ("United States") to the Republic of Korea ("Korea").

Definitions

1. Definitions for the purpose of these health requirements are as follows:

- (1) "Beef or beef products" includes all edible parts of cattle less than 30 months of age at the time of slaughter and products derived from all edible parts of cattle less than 30 months of age at the time of slaughter as described in the U.S. Federal Meat Inspection Act. However, "beef or beef products" excludes specified risk materials (SRMs); all mechanically recovered meat (MRM)/mechanically separated meat (MSM); and advanced meat recovery product (AMR) from the skull and vertebral column of cattle 30 months of age and over at the time of slaughter. AMR that is free of SRMs and central nervous system tissues (CNS) is allowed. Ground meat, processed products and beef extracts may contain AMR but excludes specified risk materials (SRMs) and all MRM/MSM.
- (2) "BSE" means Bovine Spongiform Encephalopathy.
- (3) "Cattle" means domesticated bovine animals (*Bos taurus* and *Bos indicus*) born and raised in the United States, legally imported into the United States from a country deemed eligible by the Korean government to export beef or beef products to Korea, or raised in the United States for at least 100 days prior to slaughter.
- (4) "Food-safety hazard" means any biological, chemical, or physical property that may cause food to be unsafe for human consumption.
- (5) "Lot" means a quantity of beef or beef products identified on a single export certificate from one meat establishment, and consists of the same process category and product standard of identity (sub-category).
- (6) "Meat establishment" includes any slaughterhouse, processing plant, and storage facility for beef or beef products that operates under U.S. Department of Agriculture (USDA) inspection.
- (7) "Non-compliance" means an inconsistency with this protocol that does not constitute a food-safety hazard.
- (8) "Serious non-compliance" means a food-safety hazard in a shipped product or a food-safety hazard found during a system audit.
- (9) "Specified risk materials" (SRMs) means:
 - (a) tonsils and distal ileum from cattle of all ages; and
 - (b) brain, eyes, spinal cord, skull, dorsal root ganglia (DRG) and vertebral column (excluding vertebrae of the tail, transverse processes and spinous processes of the cervical, thoracic and lumbar vertebrae, median crest and wings of the sacrum) from cattle 30 months of age and over at the time of slaughter.
- (10) "United States" (U.S.) means the fifty states and the District of Columbia.

General Requirements

2. Prior to the loading of the beef or beef products:

(a) the United States has been free of foot-and-mouth disease for the past 12 months and has been free of rinderpest, contagious bovine pleuropneumonia, lumpy skin disease and Rift Valley fever for the past 24 months; and

(b) Vaccination has not been carried out against the aforementioned diseases.

Notwithstanding the above, in the event the Korean government recognizes that effective stamping-out policies are in place for the specific disease in the United States, including emergency vaccination if carried out, the required period for recognizing the United States as being free of that disease may be shortened in accordance with World Organization for Animal Health (OIE) guidelines after Korea conducts a risk analysis.

3. In the event a disease set out in item 2 occurs in the United States, the U.S. government shall immediately suspend the issuance of export certificates for all beef and beef products to Korea that do not meet the requirements of item 2.
4. The U.S. government, in accordance with U.S. regulations, continuously maintains measures that meet or exceed OIE guidelines for controlled-risk status to effectively detect and prevent the introduction and spread of BSE. The U.S. government will provide notice to the World Trade Organization (WTO) - according to its WTO commitments - and inform Korea regarding the repeal or amendment of any BSE-related measure.
5. In the event (an) additional case(s) of BSE occur(s) in the United States, the U.S. government shall immediately conduct a thorough epidemiological investigation and inform the Korean government of the results of the investigation. The U.S. government will consult with the Korean government about the findings of the investigation. The Korean government will suspend the importation of beef and beef products if the additional case(s) results in the OIE recognizing an adverse change in the classification of the U.S. BSE status.

Requirements for Meat Establishments

6. Any meat establishment in the United States that operates under USDA inspection is eligible to produce beef or beef products for Korea. The establishment should be notified to the Korean government in advance.
7. The U.S. government will maintain a regular monitoring and auditing program for meat establishments that produce beef or beef products for export to Korea to ensure they comply with the relevant provisions of these health requirements and U.S. regulations. In the event of a serious non-compliance, the Food Safety and Inspection Service (FSIS) personnel would issue a Noncompliance Record and would immediately control the non-compliant product. If the process that resulted in the non-compliant product

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is on-going, FSIS would immediately stop the process until it determines that appropriate corrective and preventative measures have been taken. Only when FSIS determines that corrective actions are adequate will production be allowed to resume. The U.S. government will inform the Korean government if an establishment is suspended and when corrective action has been taken.

8. The Korean government may conduct on-site audits of a representative sample of the meat establishments that export beef or beef products to Korea. When a serious non-compliance with these health requirements has been found as a result of the on-site audit, the Korean government will inform the results to the U.S. government, and the U.S. government shall take appropriate measures and inform the Korean government of the measures taken.
9. The U.S. government shall verify that a suspended meat establishment has determined and implemented appropriate corrective and preventative measures before lifting the suspension described in item 7, item 8 or item 24. The U.S. government shall inform the Korean government of the corrective action the meat establishment has taken and of the date the meat establishment's suspension is lifted.

Requirements for Beef and Beef Products

10. The beef or beef products were derived from cattle born and raised in the United States, from cattle legally imported into the United States from a country deemed eligible by the Korean government to export beef or beef products to Korea, or from cattle raised in the United States for at least 100 days prior to slaughter.
11. Cattle for producing beef or beef products for export were not suspect or confirmed BSE cases; confirmed progenies of BSE cases; or confirmed cohorts of BSE cases, as defined in the Terrestrial Animal Health Code adopted by the OIE.
12. Meat establishments that produce beef or beef products shall maintain a program for the hygienic removal of SRMs.
13. For the purpose of SRM removal, the age of cattle at the time of slaughter was verified by documentation which identifies the age or by dentition.
14. The meat establishments maintain purchase records indicating the facility from which the animals were purchased for slaughter. Records may be disposed of two years after the date of purchase.
15. The beef or beef products were derived from cattle that were slaughtered in meat establishments (slaughterhouses) certified by the U.S. government as eligible to export beef and beef products to Korea and that passed ante-mortem and post-mortem inspection conducted by USDA inspection personnel under the supervision of the resident USDA veterinarian.
16. The beef or beef products were derived from cattle that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas

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into the cranial cavity, or to a pithing process.

17. The beef or beef products were produced and handled in a manner as to prevent contamination from SRMs or from MSM from the skull and vertebral column of cattle 30 months of age and over, in accordance with FSIS regulations.
18. Residues (radioactivity, synthetic antibiotic substances, antibiotic substances, heavy metals, pesticides, hormones, etc.) posing a public health hazard and pathogenic microorganisms in the beef and beef products shall not exceed the tolerance levels established by the Korean government. The beef and beef products may be treated with ionizing radiation, ultraviolet rays, and tenderizers in accordance with Korean regulations.
19. Sanitary packaging material was used to package the beef or beef products.
20. The processing, storage and transportation of the beef and beef products were handled in such a manner as to prevent contamination by communicable animal disease pathogens.
21. Refrigerated or cold storage rooms on a ship (aircraft) or container that transports the beef and beef products were sealed by using the seal of the U.S. government or a U.S. government-recognized seal and then certified by a U.S. government veterinarian.

Export Certificate

22. Beef and beef products qualify for import quarantine inspection if accompanied by the Export Certificate of Wholesomeness and the Certificate for Export of Beef and Beef Products to the Republic of Korea (ROK) issued by the veterinary authority of the U.S. government, which include the following information to be submitted to the quarantine authority of the Korean government:
 - (1) Information responsive to items 2, 10 and 15-20 above;
 - (2) Name of the product (including species), number of packages and weight (net weight) listed by each final processing plant;
 - (3) Names, addresses and establishment numbers of the slaughterhouse, meat processing plant and storage facility;
 - (4) Slaughtering period and/or processing period (dd/mm/yy-dd/mm/yy);
 - (5) Names and addresses of the consignor and the consignee;
 - (6) Date the export certificate was issued and the name and signature of the issuer; and
 - (7) Container number and seal number.

Import Quarantine Inspection and Regulatory Action

23. If the Korean government detects a food-safety hazard in a lot during the quarantine inspection process, it may reject the lot. The Korean government shall notify and consult with the U.S. government regarding the matter and may request corrective action if

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appropriate. If an SRM is found, FSIS will conduct an investigation to determine the cause of the problem. Product produced by the pertinent meat establishment shall continue to be eligible for import quarantine inspection. However, the Korean government will increase the rate of inspection of subsequent beef and beef products from the meat establishment. After the Korean government inspects five lots of equal or greater quantity of the same product without finding a food-safety hazard, the Korean government shall apply its standard inspection procedures and rates.

24. If the Korean government observes at least two incidents of food-safety hazards involving separate lots from the same meat establishment, the meat establishment may be suspended until corrective action has been taken. Beef and beef products of the meat establishment that were certified prior to the date of suspension shall continue to be eligible for import quarantine inspection. An establishment shall remain suspended until the U.S. government verifies to the Korean government that corrective actions have been completed. The U.S. government shall inform the Korean government of the meat establishment's corrective action and of the date the meat establishment's suspension is lifted. The Korean government may include an on-site audit of the establishment during its next system audit in the United States.

Consultations

25. The Korean government or the U.S. government may request consultations with the other concerning any matter regarding the interpretation or application of these import health requirements. Unless otherwise agreed, the consultations shall be held within seven days of the request in the territory of the government that receives the request.

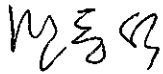
Addendum

1. This notice will go into effect on the date of its notification.
2. When the United States publicly announces its enhanced feed ban, Article 1(1) shall be modified to read as follows: "beef or beef products" includes all edible parts of cattle and products derived from all edible parts of cattle as described in the U.S. Federal Meat Inspection Act. However, "beef or beef products" excludes specified risk materials (SRMs); all mechanically recovered meat (MRM) /mechanically separated meat (MSM); and advanced meat recovery product (AMR) from the skull and vertebral column of cattle 30 months of age and over at the time of slaughter. AMR that is free of SRMs and central nervous system tissues (CNS) is allowed. Ground meat, processed products and beef extracts may contain AMR but excludes specified risk materials (SRMs) and all MRM/MSM.
3. During the first 90 days following the effective date of these import health requirements, Korea may audit and/or reject U.S. decisions regarding the listing of new plants or re-listing of previously de-listed plants.
4. During the first 180 days following the effective date of these import health requirements, exports of T-bone and Porterhouse steaks will be accompanied by some notation on the box that confirms for Korean officials that these cuts of beef come from

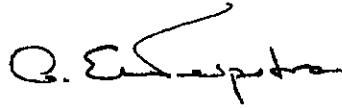
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cattle under 30 months of age. The Korean government and the U.S. government agree to have consultations upon the completion of the 180 day period with a view to addressing concerns after reviewing the notation's effect on beef trade and its inspection.



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