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Eco-label Certification System(ECS) in Korea

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Table of Contents

| | |
|---|----------|
| I . Introduction | 1 |
| 1. Transition into a resource–circulating society and response to international standards | 1 |
| 2. Progresses made | 3 |
| II . ECS | 4 |
| 1. Certification procedure and status | 4 |
| 2. Eco–label products and purchasing them | 6 |
| 3. Eco–labels abroad and international cooperation | 8 |
| III . Future Tasks | 9 |
| 1. Fostering and strengthening the ECS | 9 |
| 2. Expanding the ECS | 11 |

Summary

As Korean consumers are becoming aware of the seriousness of environmental degradation, the number of Korean consumers has increased a growing number of Korean consumers are beginning to consider eco-friendliness as an important factor in purchasing products, alongside prices, quality, and designs. The government of Korea thus introduced an Environmental labelling for consumers to identify and select eco-friendly products and encourage businesses to develop and produce such products by visualizing information on their eco-friendliness.

Korea became a member state of Global Ecolabelling Network (GEN) in 1997. The national legislature in Korea also enacted the Act on Promotion of Purchase of Green Products in 2005, requiring public organizations and agencies to purchase mandatory quotas of eco-friendly products. The Korean Eco-label Certification System (ECS) is increasingly recognized as an advanced system of eco-labelling worldwide, through the government of Korea's closer cooperation with eco-labelling agencies abroad and effort to better align its ECS with international standards. In 2011, the Korean ECS received the Global Ecolabelling Network Internationally Coordinated Ecolabelling System (GENICES) Certificate, proving its global stature and quality to the world.

The Ministry of Environment provides different standards and requirements of eco-labelling which applies to different categories of products. There are 161 categories of products, including paper, photocopy machines, printers, paints, wallpapers, and soap bars, eligible to apply for Eco labels. Consumers can shop for these products themselves at the 350 designated "Green Stores" nationwide. There are also online stores which displays Eco-label products.

To establish eco-friendly purchases as part of the norms on both the public- and private-sector markets, it is important to increase the public awareness of the ECS through campaigns and education. What's also important is to improve the efficiency of certification procedure, build up support for certified businesses and strengthen international cooperation for a better and stronger ECS.

In order to activate the system, there are a few ways to foster and strengthen the ECS, such as simplifying the certification procedure and increasing support for certified businesses. Also, the Eco-labeling system can be complemented by establishing premium Eco-labels, integrating Eco-label designs, and controlling environmental declarations and advertising.

I . Introduction

1. Transition into a resource-circulating society and response to international standards

With Korean consumers gaining increasing awareness of the seriousness of environmental degradation, a growing number of Korean consumers consider eco-friendliness to be an important factor in purchasing products, alongside prices, quality, and designs.¹⁾

The Korean government thus introduced an Environmental Labelling to help consumers identify and select eco-friendly products and encourage businesses to develop and produce such products by providing visible information on their eco-friendliness.²⁾

ELs can be divided into Types I, II, and III. The Eco-label Certification System (ECS) in Korea is a Type I system subject to ISO 14020 and 14024. It was introduced in April 1992 as a legal voluntary certification system under article 17 of the Development of and Support for Environmental Technology Act (DSETA).³⁾

〈Table 1〉 International Eco-labelling Standards and Their Counterparts in Korea

| Type | Type I | Type II | Type III |
|----------------------|--|---|--|
| ISO standard | ISO 14024 | ISO 14021 | ISO 14025 |
| Enactment date | April 1999 | September 1999 | 2000 |
| Application in Korea | Eco-label Certification System (ECS) | Eco Self-Declaration System (ESDS) | Eco Performance Indication System (EPIS) |
| Legal grounds | DSETA | Act on Fair Labelling and Advertising (AFLA) | DSETA |
| Description | Lists environmental and quality standards on how products should save resources/energy, prevent pollution, and reduce harm to human health throughout their life cycles, with a third-party authority issuing Eco labels for products that satisfy such standards. | Introduces requirements and procedures by which producers can declare eco-friendliness of their products, along with guidelines on the fairness and accuracy of such declarations that ought to be ensured to prevent them misleading or confusing consumers. | A third-party authority indicates quantifiable aspects of the life cycle environmental impact of products, including impact on resource usage, global warming, water pollution, and air pollution, as determined by life cycle assessment (LCA) tests. |
| Authority | Korea Environmental Industry & Technology Institute (KEITI) | Fair Trade Commission (FTC) | KEITI |

Sources: Ministry of Environment (ME, 2016), Environmental White Paper 2016; KEITI (2011), Environmental Management and labelling System.

1) KEITI (2010), Fostering the Environmental Labeling System in Korea, p. 2.

2) ME (2016), Environmental White Paper 2016, p. 482.

3) KEITI (2011), Environmental Management and Labeling System, p. 8.

The Eco-label Certification System (ECS) involves a third-party authority identifying products that have less environmental impact throughout their life cycles—manufacturing, distribution, use, and disposal—than other similar products, and issuing eco-labels for them.⁴⁾

Much of the discourse on eco-labelling today is shaped by international organizations, such as the World Trade Organization (WTO) and the ISO, as well as networks for eco-friendly certification and labelling organizations like the Global Ecolabelling Network (GEN).

A key issue concerning eco-labelling around the world today is to bring domestic eco-labelling systems in closer alignment with international standards and the principle of free trade to promote the development and distribution of eco-friendly products worldwide, while also encouraging governments to reduce or eliminate trade barriers to such products.

The WTO emphasizes that countries should enter into Mutual Recognition Agreements (MRAs) to ensure that environmental, safety, health, and consumer protection evaluation programs in effect in different countries do not become Technical Barriers to Trade (TBT). The Organization for Economic Cooperation and Development (OECD) concluded, in its policy report in 1997, that the MRAs are an important means to reduce regulatory barriers to global trade and investment. The OECD Committee on Consumer Policy (CCP), in particular, stresses the importance of MRAs to consumer protection.⁵⁾

GEN, likewise, actively encourages governments to enter into and adopt MRAs as a way of advancing the efforts to establish international standards on ELs.

At the annual general meeting of GEN in 1998, members agreed to apply paragraph 5.18 of the ISO 14024 standard (Environmental labelling and Declarations – Type I labelling – Principles and procedures) as the backbone of mutual recognition, and to adopt the following four-phase approach to establishing mutual recognition.

- 1) Exchange of information and cooperation on policy objectives, etc.
- 2) Enhancing mutual trust based on ISO 14024, GEN rules, and best practices
- 3) Establishing mutually recognized systems of testing and verification
- 4) Establishing common certification standards for different products for mutual recognition

Furthermore, the members agreed to establish Global Ecolabelling Network Internationally Coordinated Ecolabelling System (GENICES) by 2003 as a Multilateral Mutual Trust (MMT) treaty. GEN assembled a working group in 2004 on developing procedures and requirements for mutual trust, common standard development, and common logotypes, and has been actively encouraging member states to join GENICES ever since.

The Korean government has embraced this global movement toward international standardization and

trade, while also facilitating the nation's transformation into a resource-circulating society, by introducing the Rules on Eco-labelling and Certification in April 1992 (which took effect in June of the same year), which created legal grounds for enacting the DSETA in December 1994.

2. Progresses made

The ECS in Korea was first introduced by the ME in April 1992. Unlike in numerous other states where eco-labelling grew spontaneously by the private sector's initiatives and efforts, the ECS in Korea has been led by the government efforts since its very inception.

Korea became a member state of GEN in 1997. The national legislature in Korea also enacted the Act on Promotion of Purchase of Green Products (APPGP) in 2005, requiring public organizations and agencies to purchase mandatory quotas of eco-friendly products.

In addition, the Korean government has made other efforts to promote distribution and use of eco-friendly products. The Program to Purchase Green Products by Public Institutions was introduced by the ME in 2004 as part of that effort. The program, which has targeted for public organizations and agencies as well as agreements with industries since 2005, encouraged businesses to increase their voluntary purchase of eco-friendly materials and products.

The Korean government's policy on promoting the purchases of eco-friendly products, aided chiefly by its ECS, was even included as one of the best practice in the United Nation's sustainable development report in 2012.

Korean policymakers have brought changes and innovation to the eco-friendly purchase system, by introducing the Green Store Designation Program and the Green Cards, in an effort to increase eco-friendly purchases by the private sector and the citizenry as well.⁶⁾

The Korean ECS is increasingly recognized as an advanced system of eco-labelling worldwide, through the Korean government's closer cooperation with eco-labelling agencies abroad and effort to better align its ECS with international standards.

The Korean government has also entered into MRAs with 10 countries since 2002, including Japan, Australia, China, and some Northern European countries.

In 2011, the Korean ECS received the GENICES⁷⁾ Certificate, proving its global stature and quality to the world.

⁶⁾ ME (2012), "Making the History of Eco-Friendly Products in Korea: Number of Certified Products Multiply by 100-Fold in Two Decades of ECS" (press release, April 5, 2012).

⁷⁾ GENICES: allows GEN to review and certify national eco-labelling and certification agencies as satisfying the requirements of ISO 14024.

⁴⁾ KETI (2010), International Standardization of Eco-labelling Systems, p. 2.

⁵⁾ KETI (2010), p. 4.



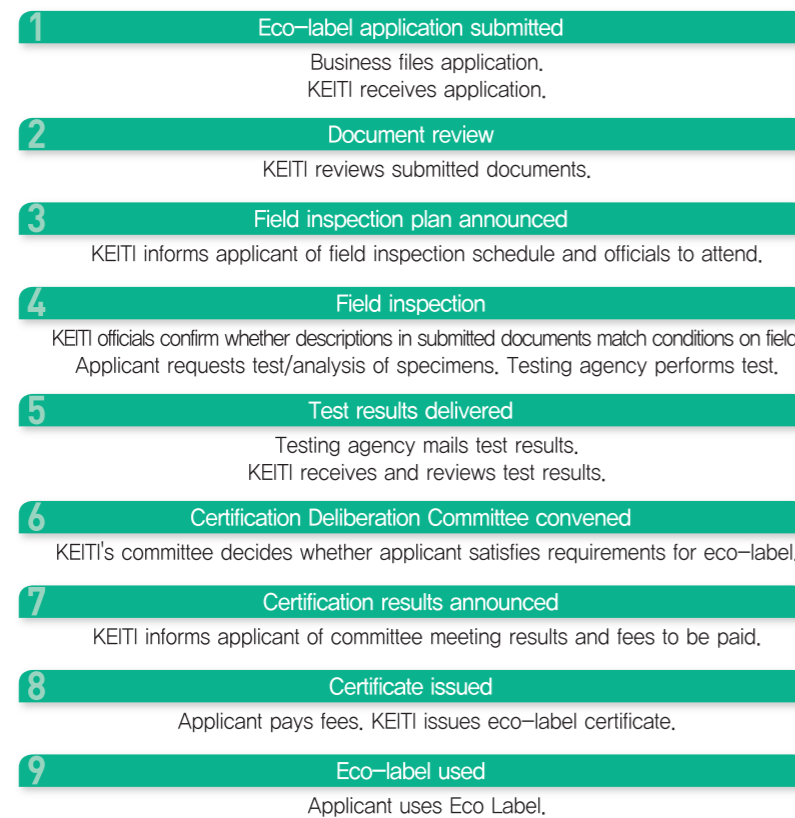
1. Certification procedure and status

The ME provides different standards and requirements of eco-labelling applying to different categories of products.

The certification requirements include both the environmental aspects and quality of products.

- The environmental requirements pertain to the environmental effects of products (i.e. how much do the products reduce hazardous materials, promote human health, save energy and water, encourage recycling and generate little or no noise, etc.) throughout their life cycles (ranging from manufacturing, distribution, use, to disposal).
- Eco-friendly products must also satisfy the quality requirements of the Korean Standards (KS) to qualify for the eco-labels.

〈Figure 1〉 Eco-label Certification Procedure



Source: ME (2015), Eco-label Certification System and Eco-labelled Products.

As for the test and field inspection required, a KEITI official will collect and seal a specimen, either from the market or from the manufacturing site, and the applicant (company) submits the sealed specimen to a testing agency. The testing agency tests it and submits the original copy of the test results to KEITI.

To ensure consumers' trust in eco-labelled products and make sure the certified products continue to satisfy the requirements of the ECS, KEITI also conducts follow-up tests by dispatching its official to the site of manufacturing once a year on an announced date.

The annual fees manufacturers have to pay for obtaining and maintaining eco-labels are determined on the basis of the annual sales amount from selling the certified product. If one full year has not elapsed from the day of fee payment for the product's certification, the sales amount from selling the product in the immediate previous year is used to determine the amount of fee.

In an effort to alleviate the financial burden of certification on Small and Medium Enterprises (SMEs), the ME provides 30% discounts on the fees to be paid by businesses with total annual sales of less than KRW 3 billion, and 90% discounts on the fees to be paid by businesses with total annual sales of less than KRW 500 million.

The eco-label fees are to be paid every two years. A business subject to a fee of KRW 2 million or more may divide the sum into two installment payments. A 10% value-added tax is also imposed on the fees.

Tables 2 and 3 provide details of the eco-label application and use fees.

〈Table 2〉 Eco-label Application Fees (Excluding 10% VAT)

| Fee item | Description |
|---------------------------|---|
| Basic charge | KRW 50,000 per product |
| Certification test charge | Cost of hiring a qualified test engineer per day × number of days spent |
| Travel expenses | Calculated according to Class-2 standard of trip expenses for government workers. |

〈Table 3〉 Eco-label Use Fees (Excluding the 10% VAT)

| Annual revenue generated by certified product | Annual fee |
|---|----------------|
| Less than KRW 1 billion | KRW 1,000,000 |
| KRW 1 billion to less than KRW 5 billion | KRW 2,000,000 |
| KRW 5 billion to less than KRW 10 billion | KRW 3,000,000 |
| KRW 10 billion to less than KRW 50 billion | KRW 4,000,000 |
| KRW 50 billion to less than KRW 100 billion | KRW 5,000,000 |
| KRW 100 billion to less than KRW 200 billion | KRW 7,000,000 |
| KRW 200 billion to less than KRW 300 billion | KRW 9,000,000 |
| KRW 300 billion or more | KRW 11,000,000 |

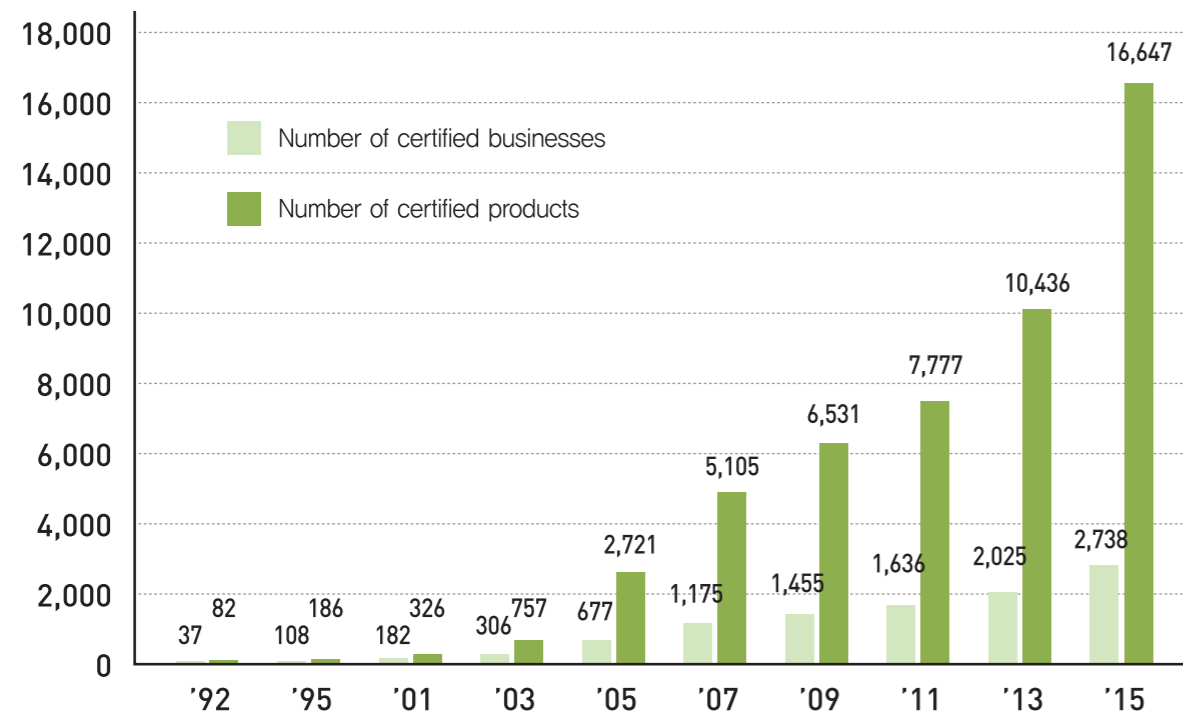
※ Note: SMEs may receive between 30%–90% discounts on their fees depending on their annual revenue. Source: ME (2015).

In the initial year of the ECS, four categories of products (including recycled paper and toilet paper made with recycled paper) were selected as targets of the system. As of October 2016, the scope of the system's targets expanded to include 161 categories. Today, 3,386 companies maintain eco-labels on 17,148 products.

This has dramatically boosted the eco-friendly product market in Korea, with its combined sales volume from the eco-labelled products growing by 50% from 2010 to 2014 and reaching KRW 37.3 trillion in total.

Eco-label not only improves manufacturers' reputation and brand image of products, but also gives them competitive edge in public tenders. It also helps businesses' chances for winning contracts from government and public agencies and benefiting from government programs such as the ME's Green Business Program. The ECS, moreover, ensures businesses receive governmental support in obtaining overseas eco-labels for participating in international fairs and exhibitions.

〈Figure 2〉 Eco-label Certification Trend by Year



Source: ME (2016), Environmental White Paper 2016.

2. Eco-labelled products and purchasing them

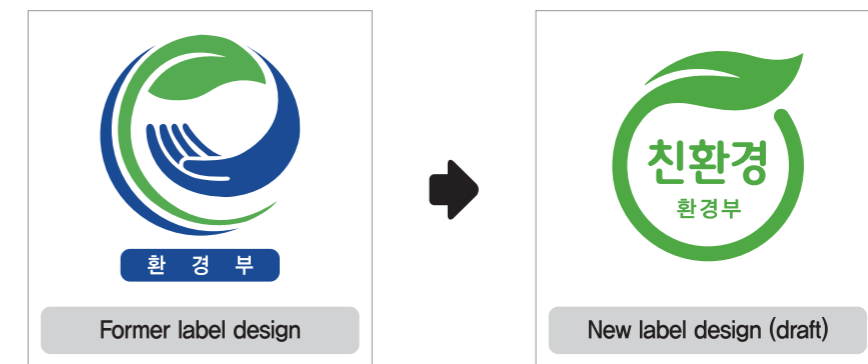
The partially amended Enforcement Rules for the Environmental Technology and Industry Support Act (ETISA) merges the formerly separate eco-friendliness certification labels, such as the eco-label and the Eco-Friendly Performance Label, into a single system to improve convenience for producers and consumers alike.

The manufacturer may indicate the environmental information of the product to the right of the eco-label, according to the rules of indication announced by the Minister of Environment.

While all Eco Marks are to be green in color(C70+M5+Y100+K5), the color may change or the mark itself may be engraved or imprinted directly on products for visibility.

Only the fonts and logotypes specified by the ME must be used. Manufacturers may not alter proportions and sizes of the fonts.

〈Figure 3〉 Integrated Eco-label Design



Source: Ministry of Government Legislation (MOLEG, 2016), Legislative announcement on partial amendment to the Enforcement Rules for the ETISA (draft).

There are 161 categories of products, including paper, photocopy machines, printers, paints, wallpapers, and soap bars, eligible for apply for eco-labels. Consumers can shop for these products themselves at the 350 designated "Green Stores" nationwide. There are also online malls displaying eco-labelled products.

The ME intends to increase the number of the Green Stores, 350 as of December 2016, to 550 nationwide by 2020 by diversifying the channels of eco-labelled product distribution to include convenience stores, large department stores, exclusive dealerships, and the Nadeul grocery stores.¹⁾

Green Cards provide shopping mileage points for cardholders every time they purchase eco-friendly products. As part of its plan to increase the market influence of eco-friendly products, the ME also intends to expand the scope of products for which additional Green Card points are given to customers upon their purchase. The expanded scope will include Eco Mark-certified products, exemplary recycled products and eco-friendly agricultural produce. The Ministry also plans to increase the number of points earned and make it possible to spend them at popular venues including cafes, theaters, hotels and airports.

1) ME (2016), "ME to Increase Eco-labelled Products in Circulation" (press release, January 11, 2016).

3. Eco-label abroad and international cooperation

1) GEN

GEN oversees 28 eco-labels used in 48 countries nationwide. The EU and the five countries in Northern Europe use common eco-labels.

* GEN : Global Ecolabelling Network

2) International relations

Korea became a member of GEN in 1997. Ever since, the Korean government has entered into multiple MRAs with a number of partner countries, and has been participating in the development of common standards to be used worldwide.











* MRA : Mutual Recognition Agreement

MRAs are agreements under which signatory states mutually recognize the eco-labels and testing methods used by the parties to the agreements. The parties also commit to provide necessary cooperation to help their products obtain eco-labels across their jurisdictions.

The three Northeast Asian countries of South Korea, China, and Japan have entered into an agreement on developing common standards and mutually recognizing their eco-label standards on seven categories of products, including personal computers, complex office devices, video players and recorders, and televisions. Manufacturers of these products, therefore, need to undergo repeated testing and verification procedures in taking their products into any of the three countries.

As of 2015, Korea was a party to 10 MRAs with other country partners.

〈Table 4〉 Korea's MRA Partners and Their Eco-Labels

| Taiwan | Thailand | Japan | Australia | China | New Zealand | N. Europe | USA | Germany | Taiwan |
|---|---|---|---|---|---|---|--|---|---|
|  |  |  |  |  |  |  |  |  |  |
| 2002 | 2002 | 2003 | 2004 | 2005 | 2006 | 2010 | 2012 | 2013 | 2013 |
| Green Mark | Green Label | Eco Mark | Good Env. Choice | 環境標志 | Env. Choice | Nordic Swan | Green Sea | Blue Angel | Green Building Material |

Source: ME (2016), "Eco-label Change Certification Procedure to Alleviate Burdens on Businesses" (press release, January 11, 2016).

Future Tasks

1. Fostering and strengthening the ECS

The ECS in Korea has been growing rapidly thanks to the enactment and implementation of the APPGP. Korea is on a par with other advanced economies in terms on the number of certified businesses and products on the market. However, eco-labels still have little impact on general consumers' decision-making.

To establish eco-friendly purchases as part of the norms on both the public- and private-sector markets, it is important to raise the public awareness of the ECS through campaigns and education. What's also important is to improve the efficiency of certification procedure, build up support for certified businesses, and strengthen international cooperation for a better and stronger ECS.

1) Simplifying the certification procedure

At present, the process for receiving an Eco-label involves submitting an application, document review, field inspection, product specimen test, and the decision-making by the review committee. Field inspection is a mandatory procedure that takes place with respect to all products to which Eco-labels are applied.

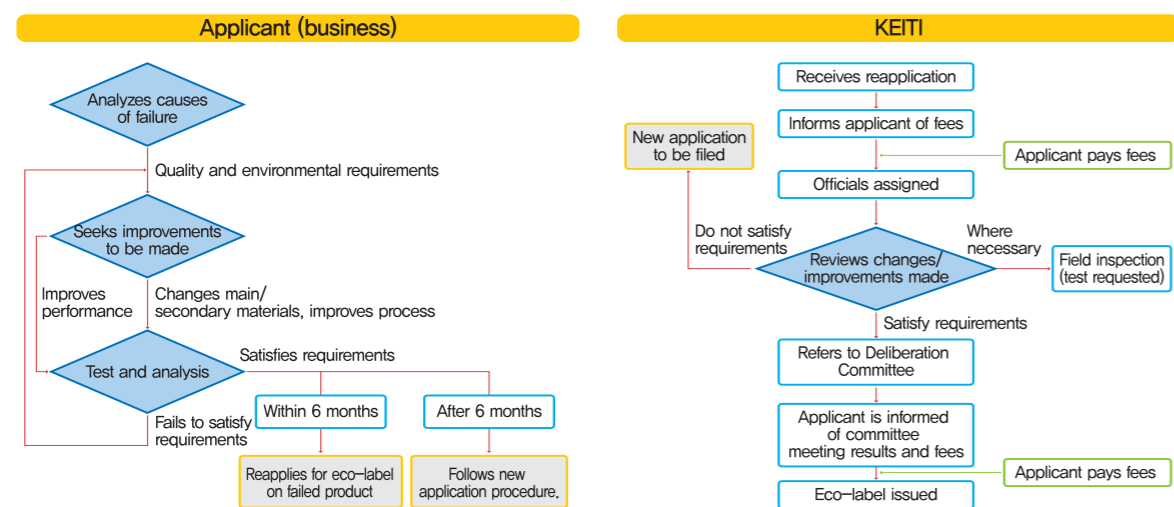
Effective as of December 4, 2013, businesses whose requests have been denied can reapply for Eco-labels and undergo a simplified procedure insofar as the environmental requirements and quality requirements applied to those businesses do not affect each other.

The reapplication procedure requires the reapplying business to submit, in six months following the notification of the initial request denied, documented proof of having solved, corrected, or improved the condition for which it failed to obtain an Eco-label in the first place. The results of the earlier field inspection apply once the proof is accepted.

If the reason for which the business was denied its initial request does not cause a conflict between environmental and quality requirements applied to that business, the results of the earlier test and inspection may be cited in favor of the business when it reapplies for an Eco-label with submitted documented proof of having solved the cause of failure.

If the cause of failure, however, affects the business's ability to satisfy both the environmental and quality requirements, and/or if the business's reapplication for the Eco-label had again been denied in the previous six months, no results from earlier tests and inspections may be cited in favor of the business even if it were applying for an Eco-label on a different product.

〈Figure 4〉 Simplified Procedure for Reapplication for eco-label on Failed Products



Source: Green Product Information System (2014), Note on the simplified reapplication procedure concerning failed products (dated May 15, 2014).

2) Increasing support for certified businesses

– Reducing financial burden of certification for SMEs

Businesses today are required to pay application and use fees for eco-labels they obtain and use, as well as the service charges for tests performed by testing agencies.

KEITI seeks to minimize the financial burden of eco-labelling on SMEs by providing 30% and 50% discounts on the use of eco-labels by businesses whose total annual sales revenue amounts to KRW 3 billion or less or KRW 1 billion or less, respectively.

As for the test service charges, KEITI has also entered into memoranda of understanding with six major testing agencies in Korea, including the Korea Conformity Laboratories (KCL), to provide 30% discounts on the specimen analysis service for eligible businesses. The institute intends to enter into similar agreements with additional agencies in the future, including the Korea Institute of Civil Engineering and Building Technology (KICT), to provide similar discounts.

If businesses apply for additional eco-labels for products that are made with materials or parts also used to make already certified products, KEITI exempts them from the required tests on the same certified materials and parts after confirming that those materials and parts are kept in conformity with the required standards.

– Support for obtaining eco-labels abroad

The majority of countries, such as China, countries in Europe, and the United States, enforce their own eco-labelling programs. The diversity of these eco-labels and issuing authorities around the world may seem to pose additional difficulties to businesses. Considering the growing demand for eco-friendliness and the increasingly stricter environmental regulations of various governments worldwide today, however,

it is crucial for businesses in Korea to seek and obtain these diverse eco-labels to increase their exports.

Korea, currently a party to 10 MRAs with various countries, intends to enter into an increasing number of MRAs with even more diverse countries in the future, including those in Europe and the Americas. In addition to increasing international cooperation at the government level, however, it is also important to devise and provide actual measures of support for businesses seeking to expand their markets abroad.

Although a party to MRAs can conduct eco-labelling tests and review, on behalf of their counterparts in MRA partner countries, for businesses that seek to obtain the eco-labels of those countries, and because of that, the Korean government is making efforts to enter into more MRAs, it is time for policymakers to find and provide support for businesses seeking to globalize their operations irrespective of MRAs. Such measures would include providing subsidy for obtaining eco-labels abroad and also conducting tests and reviews required by the governments abroad with which the Korean government has not yet signed MRAs.

2. Expanding the ECS

1) Premium eco-labels

Consumers consider a wide range of factors, including quality and performance, eco-friendliness, and safety, before they make purchase decisions. Premium eco-labels that indicate products with superior environmental, economic, and safety attributes can significantly widen the range of choice for consumers and help with their decision-making.

The ME plans to issue the premium eco-labels for only the top 10% of products in each category with proven records of superior environmental and safety properties. The new labels will have a stricter standard on the products that are heavily dependent on energy and resource use (70 product categories per year, beginning in 2017).

〈Table 5〉 Examples of eco-labels Requirements

| Product type | Uncertified | Certified (eco-labels) | Premium eco-labels |
|------------------------|--|---|--|
| Play mats for children | No chemicals posing hazards to human health detected | Hazardous chemicals, such as arsenic and lead of below 0.2 mg/kg detected | No hazardous chemicals, including plasticizer; no volatile organic compounds (VOCs) detected |
| Gas boilers | Unverified amounts of nitrogen oxides (NOx) detected | NOx of below 40 ppm detected | NOx of below 20 ppm detected |
| Water-saving toilets | 10 to 14 l of water used | 6 l or less water used | 4 l or less water used |

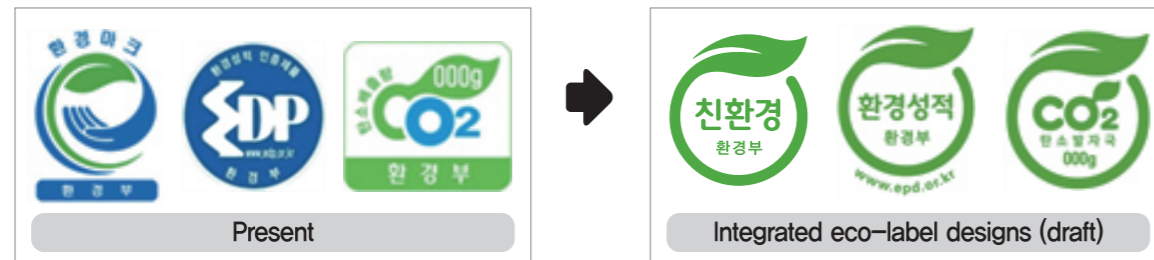
Source: ME (2015)

2) Integration of eco-label designs

In an effort to minimize confusion on the label concerning the diverse eco-labels issued by the ME and to enhance the visibility and identifiability of eco-labels, policymakers have decided to enforce integrated eco-label designs (Annex 5), beginning on January 28, 2017.

Starting in January 2017, products certified by the ME will bear eco-labels of integrated designs that will be easier for consumers to read and identify.

〈Figure 5〉 Integrated Eco-label Designs



Source: MOLEG (2016).

3) Controlling environmental declarations and advertising

– Legal grounds

Pursuant to Article 16–10 of the ETISA (Prohibition against Unfair Labelling or Advertising, etc.), businesses in Korea are prohibited from providing false or misleading information and labelling on the environmental properties of their products, including false or incorrect information on rival products by intention, that could deceive or mislead consumers.

※ The prohibition has been in effect since April 2015.

– Eco-labels and green washing

Eco-labels are meant to provide fair and accurate information for consumers so that they could make informed choices in purchasing products. The ECS plays a pivotal role in establishing and maintaining the order of the eco-friendly product market.

Unfair and misleading environmental declarations and advertisements, including, but not limited to, the misleading or false product information on rival products by intention, could not only hurt the financial prospects for businesses producing eco-friendly products in good faith, but also discourage businesses in general from seeking eco-labels, undermine consumers' trust in environmentally certified products, and compromise the entire eco-friendly product market.

– Monitoring against false and misleading environmental declarations and advertising

The ME organizes market monitoring groups and agents, in partnership with consumer groups, and provides them specialized training so that they could monitor off-line channels of distribution (large department stores, retail stores, etc.) as well as online channels (online malls, blogs, and the social media) against misleading and false environmental advertising.

– Administrative actions against false and misleading environmental advertising

Pursuant to Article 34 of the ETISA (Penalty Provisions), businesses that engage in false or misleading environmental declarations and/or advertising are punishable by imprisonment or fines of up to KRW 20 million.

Pursuant to Article 16–12 of the same Act (Corrective Measures), the ME may order such businesses to take corrective actions (e.g., cessation of the illegal acts, public announcement of facts, corrective advertising, etc.). According to Article 16–13 (Penalty Surcharges), the ME may also impose a penalty surcharge not exceeding the amount equivalent to 2/100 of the businesses' sales revenue, or no more than KRW 500 million where there are no sales records upon which the amounts of the surcharges may be based.

– Anticipated effects

These measures encourage manufacturers and distributors to ensure the accuracy and reality of environmental declarations and labels on their products, thereby strengthening the order of the eco-friendly product market and ultimately helping consumers make the right choice.

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