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MFDS-KIPO-KCA Joint Inspection Results on Masks

Revealed 1,191 cases including false/deceptive advertising (446), false patent labelling (745), and others

- As more masks are used under the influence of COVID-19, Ministry of Food and Drug Safety (MFDS, Minister Lee Eui-kyung), Korea Intellectual Property Office (KIPO, Commissioner Kim Yong-rae), and Korea Consumer Agency (KCA, President Lee Hee-sook) conducted a 1-month comprehensive inspection on online selling and advertising websites.
- As a result, a total of 1,191 cases were revealed, including 446 false/deceptive advertising cases, 745 false patent labelling cases, and others.
- This comprehensive inspection was conducted to encourage consumers select adequate products and prevent damages by verifying whether masks were advertised in a false or deceptive manner and labelled with patents falsely.

■ MFDS and KCA inspection results

- Among a total of 3,740 cases, MFDS and KCA uncovered 446 false/deceptive advertisements. All of these cases were falsely advertised, and were categorized as industrial products rather than “quasi-drugs.” Therefore, these industrial products could be mistaken as quasi-drugs claiming to have medical efficacy such as “blocks yellow/fine dusts,” “prevents droplets/toxic substances,” “quasi-drug (KF Mask),” “prevents infection of COVID-19,” “prevents virus/germs,” and others.
- To this end, requests were made to Korea Communications Standards Commission and online shopping malls in concern to block access to these false/deceptive advertising posts recently uncovered.
 - ※ Quasi-drug (efficacy): Ultra-fine dust mask (prevents respiratory system from source of infection and particulate hazardous substances including yellow/fine dusts), Surgical mask (prevents infection during treatment, care, or surgery), Anti-droplet mask (Prevents infectious droplets in daily life)
 - ※ None of the “ultra-fine dust masks” were excessively advertised, and all complied with approval items.

■ KIPO inspection results

- KIPO inspected a total of 5,000 online display and advertisements related to patent, trademark, and design right. Among these, 745 cases were found to have labelled patents falsely on 11 products. In most cases (691), patents were labelled incorrectly (e.g. “Design registration” labelled as “patent registration”).

- Others include **labelling** as “**registration**” while the patent was still “**pending**” (28 cases), **use** of “**patent number rejected for registration**” (17 cases), and **labelling** of “**expired patent number**” (9 cases).
- KIPO plans to take **measures** on **falsely labelled posts** (e.g. patent, etc.) recently revealed, including **deletion** of such **posts** and **suspension** of **sales**. Furthermore, KIPO is expected to cooperate with open markets and social commerce platforms and **hold training sessions** for **sellers** on how to **label intellectual property rights** correctly.
- In the midst of the current **COVID-19** situation, it is **preferable** that MFDS-approved **quasi-drug masks** be used when wearing a **mask**, and
 - **when purchasing** a mask, always **check** the “**quasi-drug**” label, as “**quasi-drug**” masks are proven to block fine particles or **droplets** and others, and
 - **first wash your hands thoroughly** before wearing a mask. Make sure the mask covers your mouth and nose completely, and leaves no space between your face and the mask.
- MFDS, KIPO, and KCA stated that the institutions will continue to **strengthen cooperation** in creating a **user-friendly environment** where consumers can feel confident.
 - In addition, the institutions urged **active reporting** of **illegal online distribution** of **false/deceptive advertising** and **suspected false labelling** (e.g. patent).

- ※ (MFDS) Pop-up window at MFDS.go.kr → Click “Report illegal online distribution”
- ※ (KIPO) Call Intellectual Property Rights False Labelling Report Center (Tel. 82-1670-1279)
- ※ (KCA) Visit Consumer Injury Surveillance System (CISS) website at KCA → Click “Report injury information”

<첨부> 1. 허위·과대광고 등 위반 사례
2. 특허 등 허위표시 위반 사례