

# **Handbook for Agricultural and Fishery Products Import Regulations 2009**

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**JETRO** Japan External Trade  
Organization

## CONTENTS

<b>I. Products .....</b>	<b>1</b>
1. Live Animals.....	2
2. Meat and Prepared Products.....	7
3. Other Animal Products.....	14
4. Fishery Products and Prepared Products .....	19
5. Dairy Products, etc. ....	26
6. Plants, Resins and Vegetable Juices, etc .....	30
7. Vegetables, Fruits and Prepared Products.....	35
8. Cereals and Prepared Products .....	41
9. Sugars, Cocoa and Prepared Products.....	47
10. Spices .....	50
11. Oil Seeds and Prepared Products .....	53
12. Various Prepared Foods.....	57
13. Beverages and Spirits, etc.....	61
<b>II. Relevant Information.....</b>	<b>65</b>
1. Import Examination and Inspection for Agricultural and Fishery Products .....	66
2. Act on Domestic Animal Infectious Diseases Control .....	69
3. The Rabies Prevention Act.....	73
4. Washington Convention.....	76
5. Quarantine Act.....	79
6. Plant Protection Act .....	81
7. Act on Stabilization of Supply, Demand and Prices of Staple Food (Staple Foods Law) .....	92
8. Food Sanitation Act.....	94
9. The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products (JAS Law) .....	103
10. Liquor Tax Act.....	111
11. Pharmaceutical Affairs Act .....	114
12. Poisonous and Deleterious Substances Control Act .....	119
13. Organic Foods .....	125
14. Genetically Modified Agricultural Products .....	137
15. Agricultural Chemicals Regulation Act .....	147
16. Food Safety Basic Act .....	150
17. The Fundamental Law of Food Education (Shokuiku) .....	153
18. Consumer Affairs Agency .....	156

## **I. Products**

## Live Animals: A-01

HS Numbers	Items	Main Relevant Regulations
0101	live horse, donkey, mule, pony	<u>Act on Domestic Animal Infectious Diseases Control</u>
0102	live cattle	
0103	live swine	
0104	live sheep, goat	
0105	live poultry	
0106	other live animals	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Rabies Prevention Act</u> <u>Wildlife Protection and Proper Hunting Law</u> <u>Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases</u>

Notes 1: Import of whales in 0106 needs No.2 Approval or Advance Confirmation.

2: Import of some animals in 0106 (other live animals) may be regulated under Washington Convention.

3: Live fishes are classified into 0301.

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Animal Quarantine under the Act on Domestic Animal Infectious Diseases Control >**

- a. The objects of animal quarantine (designated quarantine items) are cloven-hoofed animals, horses, chickens, quail, turkeys, ostrich, ducks, geese and other duck co-ordinal, rabbits, dogs and honeybees. Anyone who imports these animals shall notify the Animal Quarantine Station beforehand.
- b. The import of cloven-hoofed animals is permitted only from the specified overseas countries.
- c. Designated inspection items exported to Japan must be accompanied by an inspection certificate issued by the appropriate government agency, stating that the items are found after inspection in the exporting country to be free of any causative agent that may spread infectious diseases affecting domestic animals.
- d. Anyone who imports designated quarantine animals must, after submitting an application for import inspection to the Animal Quarantine Station, be able to prove to the inspector that the animals are free of any causative agent that may spread infectious diseases affecting domestic animals.
- e. An import quarantine certificate is issued after the inspection when it is confirmed that the designated quarantine articles are free of any causative agent that may spread infectious diseases affecting domestic animals.

**< Import Quarantine of Dogs and Others under the Rabies Prevention Act >**

- a. Cats, raccoons, foxes and skunks are subject to quarantine by the Rabies Prevention Act.
- b. A certificate of health and rabies inoculation certificate issued by an appropriate government agency of the exporting country must be attached.
- c. No areas are designated for import prohibition. However, the quarantine period is different depending on the content of the certificate or the areas designated by the Minister of Agriculture, Forestry and Fisheries (11 regions)

Note: Reptiles and fishes are not subject to animal quarantine.

**< Import of Animals designated by Washington Convention >**

- a. Animals classified in Appendix I: Endangered species of flora and fauna. Generally, no commercial trade is permitted. ( orangutans, giant-panda, gorilla, etc. about 900 )
- b. Animals classified in Appendix II: Flora and fauna endangered unless international trade is strictly restricted.

Commercial trades are possible. An export license issued by an appropriate agency of the

exporting country with consent from scientific authorities is required.

Moreover, Advance Confirmation of the Ministry of Economy, Trade and Industry (METI) is required. (parrots, lions, coral, cactus, etc. about 26,000)

c. Animals classified in Appendix III:

An export license issued by the exporting country is required (of a specific species from a specific country). In addition, a certificate of origin is required (About 300 species, including sea elephants (Canada), hippopotamus (Ghana), etc.). Commercial trades are possible.

d. When importing species enumerated in Appendices II and III from designated countries, an export license from such countries is required; when importing from other countries, the certificate of origin shall be submitted to the customs house.

Moreover, Advance Confirmation of METI is required.

(Note) See the METI web site for animals designated by Washington Convention.

**< Import of Birds and Beasts restricted by Wildlife Protection and Hunting Law >**

a. Birds and beasts included in the Ministry of the Environment Ordinance are the subject of this law.

**Birds:** Copper pheasant, Japanese grosbeak, Chinese grosbeak, bullfinch, oriental greenfinch, siskin, crossbill, yellow-throated bunting, Japanese yellow bunting, bunting, lark, Japanese white eye, varied tit, willow tit, coal tit, narcissus fly-catcher, blue-and-white flycatcher, bush warbler, dusky thrush, Siberian ruby-throat, robin, Siberian blue robin and mandarin duck (all of the above are live birds), and the stuffed, specimens and feather products of copper pheasant and mandarin duck.

**Beasts:** Fox, Asian raccoon, badger, marten, weasel, Korean weasel, red squirrel, Japanese squirrel, giant flying squirrel and Japanese antelope (all of the above are live beasts), the stuffed, specimens of fox and badger, and fur, fur products, stuffed specimens of Asian raccoon, marten weasel, Korean weasel, red squirrel, Japanese squirrel, giant flying squirrel and Japanese antelope.

(Note) Bird eggs: When importing any bird eggs other than domestic rare wild flora and fauna species (excluding specified domestic rare wild flora and fauna species) provided under Article 4, Paragraph 3 of the Seed Preservation Law, no procedures under the Wildlife Law are necessary. Instead, the procedure for permission under the Seed Preservation Law is required.

b. Import of the above mentioned birds and beasts (and their processed products) provided in the Ministry of the Environment Ordinance shall be accompanied by a certificate issued by the country of origin, showing these birds and beasts were properly captured

or that their exportation is permitted. This procedure shall not be applied to countries without such legal systems.

#### **< Import of animals under Infectious Disease Prevention Law >**

Since January 2000, the import quarantine of monkeys is regulated under the Infectious Disease Prevention Law, which shall include the infectious diseases of Ebola virus and Marburg disease, and shall permit the import only from U.S.A., China, Indonesia, Philippines, Vietnam, Guyana and Suriname. Only monkeys used for research and zoo can be imported. In case of these imports, a certificate of the export country authority is required for indicating free from Ebola virus and Marburg disease. Infectious diseases such as SARS and variola (smallpox) were added as the subject of the preventive law and the import restriction, etc. on the animal that is a source of infectious disease attributable to animal in October, 2003

Only two airports of Narita International Airport and Kansai International Airport are qualified to import. Application documents, including the certificate of species, sex, age and birthplace of monkey, loaded aircraft and the expected arrival date should be submitted to the chief of Animal Quarantine Station in advance of 40 to 70 days before the expected arrival. After an inspection on board by the animal quarantine inspector at the airport, the monkeys shall be moored for inspection for 30 days in principle at the facility of the animal quarantine station. Should Ebola virus or Marburg disease be proven in the quarantine inspection, a systematic notice is established to go to the Minister of Health, Labor and Welfare through a public health center from the chief of animal quarantine station.

#### **< Authority concerned >**

##### The Domestic Animal Infectious Diseases Control Law

Animal Health Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

##### The Rabies Prevention Act

Tuberculosis and Infectious Diseases Control Division, Health Service Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp>

##### Convention on International Trade In Endangered Species of Wild Fauna & Flora (CITES) (Washington Convention)

Trade and Licensing Division, Ministry of Economy, Trade and Industry (Processed

products)

Trade and Licensing division, Ministry of Economy, Trade and Industry

(Non processed products regardless alive or dead)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp/english/index.html>

CITES Office: <http://www.cites.org>

Wildlife Protection and Hunting Law

Wildlife Division, Nature Conservation Bureau, Ministry of the Environment

<http://www.env.go.jp/en/index.html>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Meat and Prepared Products: A-02

HS Numbers	Items	Main Relevant Regulations
0201	meat of bovine animals (fresh, chilled)	
0202	meat of bovine animals (frozen)	
0203	meat of swine (fresh, chilled, frozen)	
0204	meat of sheep or goats (fresh, chilled, frozen)	<u>Act on Domestic Animal Infectious Diseases Control</u>
0205	meat of horses, donkeys, mules, (fresh, chilled, frozen)	<u>Food Sanitation Act</u>
0206	edible meat offal (fresh, chilled, frozen)	
0207	meat and edible meat offal of poultry (fresh, chilled, frozen)	
0208	meat and edible offal of others (fresh, chilled, frozen)	JAS Law
0209	pig fat, poultry fat (fresh, chilled, frozen, salted)	
0210	meat and edible meat offal (salted, dried, smoked, etc)	
1601	sausage, ham, bacon	
1602	other prepared meat	

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note1: Import of meat of whales in 0210-90 needs No.2 Approval or Advance Confirmation.

Note 2: Prepared foods containing meat, vegetables and grains such as pilaf and stew are classified into 16-02 (other prepared meat).

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

**< Import Clearance Procedures under the Law on Temporary Measures concerning Customs">**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Animal Quarantine under the Act on Domestic Animal Infectious Diseases Control >**

(1) Meat and edible meat offal

- a. Meat of cloven-hoofed animals, meat and viscera of horses and fowl designated by the Act on Domestic Animal Infectious Diseases Control are subject to quarantine.
- b. The import from regions other than those listed in Article 43 of this law is allowed. Moreover, heat processed meat satisfying Japanese standards shall be imported from the regions of Article 43 of this law.
- c. When importing meat or edible meat offal, an application for import inspection and an inspection certificate issued by an appropriate government agency of the exporting country shall be submitted to the Animal Quarantine Station.
- d. The Animal Quarantine Station, after confirming that the product is not contraband and that the appropriate inspection certificate is attached, implements the inspection of the items to be imported and issues an import quarantine certificate after the items are found to be free of any causative agent that may spread infectious diseases affecting domestic animals.

(2) Prepared meat products, including sausages, etc.

- a. Prepared meat products using meat and viscera of cloven-hoofed animals, horses, or fowl designated by the Act on Domestic Animal Infectious Diseases Control shall be the subject.
- b. Ham, sausage and bacon may be imported from the regions other than those listed in Articles 43 and also those in list No.1 in Article 43 (5 regions).

(3) Animal Quarantine Procedures

- a. Importers shall submit an application for import inspection and inspection certificates issued by the government agency to the Animal Quarantine Station for meats and prepared products imported as cargo, which shall be inspected in the Animal Quarantine

Station or in specified bonded warehouses within the ports or airports. Articles brought by foreign travelers shall be inspected at the animal quarantine counter in the airport.

- b. After confirmation that goods are not contraband and are accompanied by an inspection certificate from a government agency of the exporting country, such goods shall be inspected. If the inspection finds that there is no possibility of spreading any causative agent of infectious diseases affecting domestic animals, the animal quarantine officer shall issue an import quarantine certificate.

#### **< Inspection Procedures under the Food Sanitation Act >**

Meats or prepared meat product shall be imported without an attached health certificate from a government agency of the exporting country, stating that there is no possibility of spreading any causative agent of infectious diseases affecting domestic animals.

#### **< Regulations on Food Additives >**

- a. Food additives are regulated in the Food Sanitation Act. Under the provisions of Article 6 of this law, only individually designated food additives are permitted.
- b. Food additives are divided into those with (a) limited food use, (b) limited purpose use and (c) limited ingredients use.
- c. The food additives used shall not remain in the finished products. It is necessary, with some exceptions, to label all food additives.
- d. In addition, the name of the food, manufacturer (importer) and the address of manufacturer's (importer's) factories as well as the manufacture date/year and the preservation method for any food in containers/packages shall be described under Article 11 of this law.

#### **< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as meat of cattle, pig and chicken as raw materials are recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

#### **< JAS System >**

##### **(1) Quality Labeling**

The food name and countries of origin of meats, and the food name, ingredients, amount of contents, manufacturers, open date, and preservation methods for prepared meat products, including hams and sausages, are required on the label in accordance to JAS law.

(2) Bearing JAS mark

- a. A JAS mark may be affixed by applying to the JAS registered certification organizations after customs clearance for the prepared meat products, including ham, sausage and bacon. However, affixing the JAS mark is at the discretion of the manufacturer (importer) and not mandatory.
- b. Moreover, JAS Law was revised in June, 2005 to abolish the requirements for foreign countries to have the equal system with the JAS system by reviewing the Registered Foreign Certification Organization System under which manufacturers in the foreign countries was required to apply for the acquisition of JAS Mark

(3) A concrete mechanism of JAS Standards of beef with a public disclosure of manufacturing information

"The Law for Special Measures Concerning the Management and Relay of Information for Individual Identification of Cattle" specifies to display the manufacturing information for the species and the slaughter date etc of domestic beef. The JAS Standards under the preceding law require the public disclosure of the information for feeding and administering on the animal drug in addition to the manufacturing information for domestic beef.

Moreover, the same public disclosure as the domestic beef is required for imported beef.

- a. Recording, maintenance and public disclosure of the manufacturing information by a Certified production process manager

Producers certified as a "Certified production process manager" by a third party certification organization and registered to the Minister of Agriculture, Forestry and Fisheries shall sell beef affixed with JAS Mark. They must record, maintain and disclosure the manufacturing information publicly for individual cattle to comply with the JAS Standards.

- b. Subdividing and packaging of beef publicly disclosed its manufacturing information by a certified subdivider

Distributors certified as a "Certified subdivider" by a registered certification organization shall divide beef of publicly disclosed manufacturing information and package beef obtained from tow or more cattalos into one package in the subdividing procedures. Sub-divided or packaged beef shall be publicly disclosed its manufacturing information for each package and sold affixing JAS marks. Consumers may obtain an individual manufacturing information for any beef affixed with JAS Marks through the label of manufacturing information at stores or Fax or the Internet. They obtain a publicly disclosed information by an individual identification number or a package number.

- c. Moreover, JAS Standards of pork with a public disclosure of manufacturing information has been established in June2004.

(4) Organic JAS:

In order to import and sell organic meat products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

**Specification Standards of Meat and Prepared Products  
under the Food Sanitation Act (abstract)**

<b>Items</b>	<b>Standards</b>
<Edible bird eggs> Sterilization egg pulp (Chicken egg)	Salmonella: Negative (after enrichment culture in 25g with BPW, TT medium and RV medium, Salmonella is separated and cultured by a medium distinguished by production of H2S (MLCB, DHL, and XDL,etc.) and a medium that is H2L non productive and distinguishable from Salmonella <BGS, BGM (improved BGA), runback medium and SMID and the like>,and then is identified by vaccinating to TSI , LIM or LIA mediums.
Unsterilization egg pulp (Chicken egg)	Bacterial count 1,000,000/g or less (standard surface plate method)
(1) General standard <Meat products>	Potassium nitrate: 0.070g/kg or less
(2) Individual standard <Dried meat products>	E co1i:Negative (EC culture medium method in 0.1gx5). Water activity: Less than 0.87
<Unheated meat products >	Most probable number of Eco1i: 100/g (EC medium) Yellow staphylococcus:1000g or less (Yolk added mannitol salt agar media method) Salmonella belonging bacterium: Negative (EEM bouillon enrichment method +MLCB or DHL culture medium method in 25g)
<Specific heated meat products >	Most probable number of E.co1i: 100/g (EC medium) Yellow staphylococcus: 1000g or less (Yolk added mannitol salt agar media method) Clostridium belonging bacterium:1,000/g or less (Clostridium culture medium method) Salmonella belonging bacterium: Negative (EEM bouillon enrichment method + MLCB or DHL culture medium method in 25g)
<Heated meat products> Sterilized after putting into containers/packages	Coliform group: Negative (B.G.L. B culture medium method in 1gx3). Clostridium belonging bacterium: 1,000/g or less (Clostridium culture medium method) Put in wrapping container after heat sterilization E.Coli:Negative (EC culture medium method in 0.1gx5) Yellow staphylococcus: 1,000/g or less (yolk added mannitol salt agar media method) Salmonella belonging bacterium: Negative (EEM bouillon enrichment method + MLCB or DHL culture medium method of in 25g)
Whale meat products	Coliform group: Negative (B.G.L.B culture medium method in 1gx3) Potassium Nitrate:0.070g or less(whale meat bacon)

**< Authorities concerned >**

The Domestic Animal Infectious Diseases Control Law

Animal Health Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries  
<http://www.lin.go.jp/maff/maff.htm> (Japanese only)

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare  
<http://www.mhlw.go.jp/english/index.html>

Japan Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries  
<http://www.maff.go.jp/eindex.html>

Japan Agricultural Standard Association

<http://www.jasnet.or.jp/> (Japanese only)

Japan Meat Processors Association

<http://www.niku-kakou.or.jp> (Japanese only)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Other Animal Products: A-03

HS Numbers	Items	Main Relevant Regulations
0501	human hair	<u>Act on Domestic Animal Infectious Diseases Control</u>
0502	pigs' and wild boars' bristles and hair	<u>Act on Domestic Animal Infectious Diseases Control</u>
0511	horsehair	<u>Act on Domestic Animal Infectious Diseases Control</u>
0504	guts and bladders of animals (fresh, chilled, frozen, salted, etc)	<u>Act on Domestic Animal Infectious Diseases Control</u>
0505	skins of birds with feather	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Washington Convention</u>
0506	bones, horn-cores	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Washington Convention</u>
0507	ivory, tortoise-shell, etc	<u>Washington Convention</u>
0510	ambergris, etc	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Food Sanitation Act</u>
1501 1502 1503	pig fat and poultry fat fats of bovine, sheep or goats lard stearin, lard oil	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Food Sanitation Act</u>
1504 1505	oils and fats of fish and marine mammals wool grease and fatty	<u>Food Sanitation Act</u>
1506 4101 4102 4103 4104 4105 4113	other animal fats and oils and their fractions raw hides and skins of bovine or equine animals raw skins of sheep or lambs other raw hides and skins leather of bovine or equine animals without hair on sheep or lamb skin leather (without wool or hair on) goat or kid skin leather (without hair on)	<u>Act on Domestic Animal Infectious Diseases Control</u>
4113	leather of other animals (without hair on)	<u>Act on Domestic Animal Infectious Diseases Control</u> <u>Washington Convention</u>
4301	raw furskins (except 4101 through 4103)	<u>Wildlife Protection and Proper Hunting Law</u> <u>Washington Convention</u>
4302	tanned or dressed furskins	<u>Wildlife Protection and Proper Hunting Law</u> <u>Washington Convention</u>

Note 1: Import of some animal products in 4113, 4301 and 4302 may be regulated by Washington Convention.

**< Import Clearance Procedures under the Customs Law and the Customs Tariff Law >**

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

**< Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Animal Quarantine under the Act on Domestic Animal Infectious Diseases Control >**

- a. The subjects of the animal quarantine are bone, skin, hair, and hooves of the above mentioned animals (cloven-hoofed animals, horses, and fowl). However, finished processed skin products are not subject to animal quarantine.
- b. It is necessary to submit an inspection certificate issued by the government of the exporting country to the Animal Quarantine Station at the time of inspection whether the products are for food or not.
- c. The Animal Quarantine Station, which confirms that importation of the product is not prohibited and that the proper inspection certificate is attached, carries out the inspection of the products to be imported and issues an import quarantine certificate if the quarantine officer agrees that there is no possibility of spreading any causative agent of infectious diseases affecting domestic animals.

**<Parts of Animals and Processed Products designated by Washington Convention >**

- a. Animals classified in Appendix I: Endangered species of flora and fauna.

Generally, no commercial trade is permitted. stuffing, hide and bone, including

orangutans, tigers, etc.

- b. Animals classified in Appendix II Flora and fauna which are endangered unless international trade is strictly restricted. Commercial trade is possible. It is necessary to obtain an export license issued by the controlling agency of the exporting country with approval by scientific authorities. Moreover, an Advance Confirmation of METI is required (stuffing, hide and bone, including parrots and lions).
- c. Animals classified in Appendix III: It is necessary to obtain an export license from the exporting country (import of a specific species from a specific country). In addition, a certificate of origin is required (stuffing, hide and bone, including sea elephants [Canada] and hippopotamus [Ghana]). Commercial trade is possible.
- d. When importing species listed under Appendices II and III from designated countries, an export license from such countries or a certificate of origin from other countries shall be submitted to the customs house. Moreover, Advance Confirmation of METI is required.

**< Import of Birds and Beasts restricted by Wildlife Protection and Hunting Law >**

- a. Birds and beasts included in the Ministry of the Environment Ordinance are the subject of this law.

**Birds:** Copper pheasant, Japanese grosbeak, Chinese grosbeak, bullfinch, oriental greenfinch, siskin, crossbill, yellow-throated bunting, Japanese yellow bunting, bunting, lark, Japanese white eye, varied tit, willow tit, coal tit, narcissus fly-catcher, blue-and-white flycatcher, bush warbler, dusky thrush, Siberian ruby-throat, robin, Siberian blue robin and mandarin duck (all of the above are live birds), and the stuffed, specimens and feather products of copper pheasant and mandarin duck.

**Beasts:** Fox, Asian raccoon, badger, marten, weasel, Korean weasel, red squirrel, Japanese squirrel, giant flying squirrel and Japanese antelope (all of the above are live beasts), the stuffed, specimens of fox and badger, and fur, fur products, stuffed specimens of Asian raccoon, marten weasel, Korean weasel, red squirrel, Japanese squirrel, giant flying squirrel and Japanese antelope.

(Note) Bird eggs: When importing any bird eggs other than domestic rare wild flora and fauna species (excluding specified domestic rare wild flora and fauna species) provided by Article 4 Paragraph 3 of the Seed Preservation Law, no procedures under the Birds and Beasts Law are necessary. Instead, permission procedures based on the preservation of the species are required.

b. Import of the above mentioned birds and beasts (and their processed products) provided in the Ministry of the Environment Ordinance shall be accompanied by a certificate issued by the country of origin, showing these birds and beasts were properly captured, or that exportation is permitted. This procedure shall not apply in countries without such legal systems.

**< Inspection Procedures under the Food Sanitation Act >**

- a. No meat or prepared products shall be imported without an accompanying inspection certificate issued by a government agency of the exporting country stating that there is no possibility of spreading the causative agent of infectious disease affecting domestic animals.
- b. See related materials for import procedures including meat, etc.

**< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as meat of cattle, pig and chicken as raw materials are recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

The internal organs classified separately from meat in the Japanese Standard of Food Classification should be labeled in case of the true skins such as ear, nose, skin, etc. Likewise, animal fats and oils (lard, head) should be labeled. No labeling is required for the internal organs except for these of the abovementioned (including casing), the skins (excluding the true skins) and bones (without meat). Refer to Appendix for details and the label sample.

**< Authorities concerned >**

The Domestic Animal Infectious Diseases Control Law

Animal Health Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.lin.go.jp/maff/maff.htm> (Japanese only)

Convention on International Trade In Endangered Species of Wild Fauna & Flora (CITES)  
(Washington Convention)

Trade and Licensing Division, Ministry of Economy, Trade and Industry (Processed products)

Trade and Licensing division, Ministry of Economy, Trade and Industry  
(Non processed products regardless alive or dead)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp/english/index.html>

CITES Office: <http://www.cites.org>

Wildlife Protection and Hunting Law

Wildlife Division, Nature Conservation Bureau, Ministry of the Environment

<http://www.env.go.jp/en/index.html>

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,

Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Fishery Products and Prepared Products: A-04

HS Numbers	Items	Main Relevant Regulations
0301	live fish	Act on the Protection of Fishery Resources <u>Food Sanitation Act</u> <u>Quarantine Act</u> JAS Law
0302	fish (fresh or chilled, except fillet)	<u>Food Sanitation Act</u>
0303	fish (frozen, except fillet)	<u>Quarantine Act</u>
0304	fish fillets	JAS Law
0305	fish (dried, salted, or smoked) or fish flours and meals	<u>Food Sanitation Act</u> JAS Law
0306	crustaceans (live, fresh, frozen, dried, or salted)	Act on the Protection of Fishery Resources
0307	molluscs(live, fresh, chilled, frozen, dried, salted, or smoked)	<u>Food Sanitation Act</u> <u>Quarantine Act</u> JAS Law
1603	extracts and juices of fish, crustaceans and molluscs	
1604	prepared fish, caviar and caviar substitutes prepared from fish egg	<u>Food Sanitation Act</u> JAS Law
1605	prepared crustaceans and molluscs	

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note: Fish (live) in 0301 include those fish whose import is controlled by Washington Convention.

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, the "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### **< Import Clearance Procedures under the Law on Temporary Measures concerning Customs">**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (No need to obtain it in case the total import amount is 200,000 JPY or less.)

### **< the Protection of Fishery Resources Law >**

The purpose of this law is to ensure the protection and culture of fishery resources, to maintain those advantages for the future, and thereby to contribute to the development of fishery. According to the revision of this law in October, 2007, an importer of such fishery animals as carp, rainbow trout, giant tiger prawn, etc., which falls under the Fisheries Protection Import System, is required to obtain an import permit. Refer to the homepage of the Ministry of Agriculture, Forestry and Fisheries for information on the Fisheries Protection Import System.

### **< Invasive Alien Species Law >**

The purpose of this law is to restrict breeding, cultivating, keeping, transporting, importing, etc. of foreign species. By taking necessary measures, such as the control of the foreign species by the government, this law protects the ecosystem from potential damages caused by specified foreign species, preserve the biodiversity, and aims to protect people's lives and bodies and also promote the healthy development of the agriculture, forestry, and fisheries industries.

"Specified foreign species" are species that came from overseas to our country, and that are living outside the original or appropriate habitat. For marine products, ictalurus, pike, san fish, morone, crawfish, etc. are specified foreign species and are prohibited under this law from being imported. Refer to the homepage of the Ministry of the Environment for the list of specified foreign species.

### **<IQ System>**

Total importable volume in limited period is regulated for some fisheries products.

In order to import, required documents such as "Import application" have to be submitted to the Ministry of Economy, Trade and Industry.

As of December 2009 IQ items of fisheries products are as follows.

1)Pacific erring, 2)dried seaweed, 3)flavoring seaweed, 4)prepared seaweed products (except non-sugar flavoring seaweed), 5)cuttlefish and squid, 6)cod roe, 7)dried cuttlefish, 8) prepared sea tangle, 9)mackerel, 10)sardine, 11)herring (except pacific herring), 12)dried green laver and monostroma nitidum, 13)horse mackerel, 14)sea tangle 15) Korean sea products (horse mackerel, mackerel, sardine, cod, scallop, yellowtail, saury, adductors of shellfish, dried small sardines) 16)codfish, 17)walleye Pollack, 18)scallop, 19)yellowtail, saury, adductors of shellfish, dried small sardines are Import Quota (IQ) items.

#### **< Quarantine under the Quarantine Act >**

No prohibited area is designated for the import of marine products. However, marine products from areas contaminated by cholera or from suspected areas shall be subject to inspection under the Quarantine Act.

#### **< Fish designated by Washington Convention >**

##### a. Fish classified in Appendix I:

Endangered species of flora and fauna. Generally, no commercial trade is permitted.

Eight species, including coelacanths, etc.

##### b. Animals classified in Appendix II:

Flora and fauna endangered unless international trade is severely restricted. Commercial trade is possible. An export license issued by the controlling agency of the exporting country with the consent of scientific authorities is required.

Six species of sturgeons, etc.

##### c. Animals classified in Appendix III:

An export license from the exporting country is required. (Import of the specific species from the specific country) In addition, a certificate of origin is required.

##### d. When importing species included in Appendices II and III from designated countries, an export license from such countries or a certificate of origin from other countries shall be submitted to the customs house. Moreover, Advance Confirmation of METI is required.

(Note) See web site of the Ministry of Economy, Trade and Industry for animals designated by Washington Convention.

#### **< Regulation on Additives >**

##### a. Fresh fish including tuna, yellowtail, etc., may not have carbon dioxide added under the Food Sanitation Act.

##### b. Cultivated marine products are sometimes allowed to contain antibiotic or antimicrobial

substances used to increase production, which use shall be confirmed as meeting the specification standard in Japan. For instance, only 0.10ppm of the antibiotic oxytetracycline is allowed to remain.

- c. Among marine products, globefish must have an attached health certificate issued by the government agency of the exporting country, which must include the species and area of collection as part of the import notification.
- d. Moreover, if after examination it is found that an inspection is necessary, an inspector will conduct an onsite inspection. On the successful completion of inspection, the food import notification will be stamped "Passed"; if rejected, the importers will be instructed to take measures to either destroy or reship.
- e. The specification for frozen foods shall be applied for frozen fillets of fish and stripped shellfish for sashimi, which stipulates the number of bacillus per specimen of 1gram as 100,000 or less and colon bacillus as negative.
- f. Moreover, processed marine products frozen after heat processing (frozen foods processed after heating) shall have 3,000,000 or fewer bacilli per 1(one) gram of specimen and Escherichia-Coli (E-coli ) must be negative.
- g. Other dried, salted, processed marine products must comply with additive standards, including preservation materials, etc.

#### **< Inspection Procedures under the Food Sanitation Act >**

Importers are required to submit two copies of the import notification to the Food Sanitation Inspections division of the Quarantine Station for the import site under the Food Sanitation Act. If no problem is found after the examination and inspection at the quarantine station, the notification will be stamped "Passed" and a copy will be returned to the importer.

#### **< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as abalone, cattle fish, salmon roe, shrimp and prawn, crab, salmon and mackerel as raw materials are recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

#### **< JAS System >**

##### **(1) Quality Labeling**

The names of foods and country of origin for fresh fish and the names of foods, raw materials, content quantity, manufacturer, open date, and preservation method for processed marine products shall be contained on the label.

(2) Affixation of JAS mark

a. A JAS mark may be affixed by applying to the JAS registered certification organizations after the customs clearance for marine products including fish, meat, hams, sausages, etc. Using a JAS mark is at the discretion of the manufacturer (importer) and not mandatory. Processed marine products include specially packaged boiled fish pastes, processed sea urchin, flavor seasonings, mixed and dressed sea urchin, Kezuribushi (shavings of dried bonito), fish ham and sausage, kamaboko (flavored boiled fish paste), dried small sardines, etc.

**Element Standards of Marine Products (abstract) under the Food Sanitation Act**

Items	Standards
Fish cake	Coliform group: Negative (excluding fish cake) (B.G.L.B culture medium method in 1gx 3) Potassium nitrate: 0.050g/kg or less (However, fish sausage and fish ham)
Salmon roe, Salted salmon roe Cod roe	Potassium nitrate: 0.050g/kg or less
Frozen boiled octopus	Bacterial count: 100,000/g or less (standard surface plate method) Coliform group: Negative (desokishicorat culture medium method in 0.01gx2)
Oyster for eating raw	Bacterial count: 50,000/g or less (standard surface plate method) Most probable number of E.Coli: 230/100g or less (EC culture medium method)
Frozen seafood for eating raw	Bacterial count: 100,000/g or less (standard surface plate method) Coliform group: Negative (desokishicorat culture medium method in 0.01gx2)

**< Authorities concerned >**

Quarantine Act

Tuberculosis and Infectious Diseases Control Division, Health Service Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Convention on International Trade In Endangered Species of Wild Fauna & Flora (CITES)  
(Washington Convention)

Trade and Licensing Division, Ministry of Economy, Trade and Industry (Processed products)

Trade and Licensing division, Ministry of Economy, Trade and Industry

(Non processed products regardless alive or dead)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp/english/index.html>

CITES Office: <http://www.cites.org>

#### Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,

Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

#### Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standards Association

<http://www.jasnet.or.jp/> (Japanese only)

Japan Frozen Food Inspection Corporation

[http://www.jffic.or.jp/pages\\_e/index2.html](http://www.jffic.or.jp/pages_e/index2.html)

#### Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

#### Act on the Protection of Fishery Resources

Food Safety and Consumer Affairs Bureau ,Ministry of Agriculture , Forestry and Fisheries

<http://www.maff.go.jp/>

Resources Management Department  
Fisheries Coordination Division  
Recreational Fishing Division  
Recreational Fishing Coastal Waters Activities Coordination Office  
<http://www.jfa.maff.go.jp/>

The Invasive Alien Species Act  
Nature Conservation, Ministry of the Environment  
<http://www.env.go.jp/>

## Dairy Products, etc.: A-05

HS Numbers	Items	Main Relevant Regulations
0401	milk and cream	<u>Food Sanitation Act</u> JAS Law
0402 0403 0404 0405 0406	milk and cream (concentrated or dried or containing added sugar or other sweetening matter) fermented or acidified milk and cream whey butter and dairy spreads cheese and curd	<u>Food Sanitation Act</u> JAS Law
0407	birds' egg (in shell, fresh, preserved or cooked)	<u>Food Sanitation Act</u> <u>Act on Domestic Animal</u> <u>Infectious Diseases Control</u> JAS Law
0408	birds' egg not in shell	<u>Food Sanitation Act</u> <u>Act on Domestic Animal</u> <u>Infectious Diseases Control</u> Wildlife Protection and Proper Hunting Law JAS Law
0409 0410	natural honey other edible animal products	<u>Food Sanitation Act</u> JAS Law

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

## **< Animal Quarantine under the Act on Domestic Animal Infectious Diseases Control**

**>**

Fresh milk is subject to animal quarantine.

Processed products, including cheese, are not subject to animal quarantine.

- a. Importers of fresh milk are required to submit to the Animal Quarantine Station an application for import inspection and an inspection certificate issued by an appropriate government agency of the exporting country under the Domestic Animal Infectious Disease Law and the Food Sanitation Act.
- b. When the properly issued inspection certificate is confirmed and it is found by inspection that none of the products may spread any causative agent of animal infectious diseases, an import quarantine certificate is issued.

## **< Inspection Procedure under the Food Sanitation Act >**

- a. Importers of dairy products shall submit two sets of "Import notifications of foods" to the Food Sanitation Inspection division of the Quarantine Station at the import site under the Food Sanitation Act.  
If no problem is found after the examination at the quarantine station, the notification will be stamped "Passed" and a copy will be returned to the importer.
- b. Furthermore, if as a result of the examination it is deemed necessary to inspect the products, the inspector will carry out an onsite inspection.  
If inspection results are accepted, the food import notification will be stamped "Passed"; if rejected, the director of the quarantine station will issue instructions to destroy or reship.
- c. The Food Sanitation Act establishes composition specifications for milk and dairy products as provided for by Ministry ordinances, and in some cases sets standards for manufacturing and preservation methods.
- d. Listeria contamination of natural cheese has recently become a problem. Therefore, natural soft and semi-soft cheese types imported from Denmark, France, Italy and Switzerland are subject to inspection.
- e. Specifications for composition of fermented milk (yogurt) and ice cream are established for non-fat solid content, level of lactic acid bacteria and coliform bacillus groups.

### **Specifications of Dairy Products under Food Sanitation Act (Abstract)**

Items	Specifications	
Non-fat milk	Solid non-fat milk Fat content of milk Specific gravity (at 15-% centigrade) Acidity (as a lactic acid) Bacterial count (per 1ml by standard surface plate method) Coliform group	8. 0% or more 0.5% 1.032-1.038 18% or less 50,000 or less Negative
Processed milk	Solid non-fat milk Acidity (as a lactic acid) Bacterial count (per 1ml by standard surface plate method) Coliform group	8. 0% or more 0.18% or less 50,000 or less Negative

Cream	Fat content of milk Acidity (As a lactic acid) Bacterial count (per 1ml by standard surface plate method) Coliform group	18.0% or more 0.20% or less 100,000 or less  Negative
Butter	Fat content of milk Moisture Coliform group	80.0% or more 17.0% or less Negative
Butter oil	Fat content of milk Moisture Coliform group	99.3% or more 0.5% or less Negative
Processed cheese	Milk solid Coliform group	40.0% or more Negative
Concentrated whey	Milk solid Coliform group	25.0% or more Negative

#### < Regulations on Labeling >

The Cheese Fair Trade Council has prepared "Fair competition rules concerning representation of cheese" as the industry's self-regulation under the Act against Unjustifiable Premiums and Misleading Representation

For fermented milk and lactic acid bacteria beverage, the Fair Trade Council for fermented milk and lactic acid bacteria beverage prepared the "Fair competition rule concerning the labeling of fermented milk and lactic acid bacteria beverage" under the unjustifiable premiums and misleading representation control acts

#### < JAS System >

##### (1) Quality Labeling

In accordance to JAS law, dairy products are subject to including on the label the name of the product, ingredients, content quantity, manufacturers, date, and preservation methods.

##### (2) Organic JAS:

In order to import and sell organic milk products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

#### < Allergy Labeling under Food Sanitation Act >

Labeling of foods containing allergenic substances such as milk and milk products as raw materials are obligated or recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

**< Authorities concerned >**

The Domestic Animal Infectious Diseases Control Law

Animal Health Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture,

Forestry and Fisheries

<http://www.lin.go.jp/maff/maff.htm> (Japanese only)

Wildlife Protection and Hunting Law

Wildlife Division, Nature Conservation Bureau, Ministry of the Environment

<http://www.env.go.jp/en/index.html>

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,

Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp> (Japanese only)

Japan Frozen Food Inspection Corporation

[http://www.jffic.or.jp/pages\\_e/index2.html](http://www.jffic.or.jp/pages_e/index2.html)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Plants, Resins and Vegetable Juices, etc: A-06

HS Numbers	Items	Main Relevant Regulations
0601 0602 0603 0604	bulbs, roots, etc other live plants cut flowers and flower buds foliage, and other parts of plants, etc	<u>Plant Protection Act</u> <u>JAS Law</u> <u>Plant Variety Protection and Seed Act</u> <u>Invasive Alien Species Act</u>
1209	seeds, fruit and spores for sowing	<u>Plant Protection Act</u> <u>Plant Variety Protection and Seed Act</u> <u>The Invasive Alien Species Act</u>
1210	Hop (fresh or dry)	<u>Plant Protection Act</u> <u>JAS Law</u>
1211	plants for medicine and for insecticide	<u>Plant Protection Act</u> <u>Poisonous and Deleterious Substances Control Act</u> <u>Pharmaceutical Affairs Act</u>
1212	seaweed, other algae, sugar beet, etc	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> <u>JAS Law</u>
1213 1214	cereal straw and husks beet, other hay, etc for feeds,	<u>Plant Protection Act</u> <u>Act on Domestic Animal Infectious Diseases Control</u>
1301	lac, natural gums, resins, etc	<u>Food Sanitation Act</u> <u>Pharmaceutical Affairs Act</u> <u>Marijuana Control Act</u>
1302	vegetable saps and extracts, etc	<u>Poisonous and Deleterious Substances Control Act</u> <u>Pharmaceutical Affairs Act</u> <u>Food Sanitation Act</u> <u>Liquor Tax Act</u> <u>Marijuana Control Act</u> <u>Opium Control Act</u> <u>JAS Law</u>

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Notes 1: The following items. are subject to Import Quota (IQ)

- (1) Edible seaweeds formed into rectangular (including square) papery sheets not more than 430 cm<sup>2</sup>/piece.
- (2) Edible seaweed, *amanori* (*Porphyra* spp.), and other seaweeds mixed with *Porphyra* spp.
- (3) Other edible seaweeds (limited to *aonori* (*Enteromorpha* spp.), *hitoegusa* (*Monostroma* spp.), *torokombu* (*Kjellmaniella* spp.), *kombu* (*Laminaria* spp.)
- (4) Cannabis resins

Note 2 Plants in 06-01 through 06-04 include those plants whose import is controlled by

Washington Convention.

**< Import Clearance Procedures under the Customs Law and the Customs Tariff Law >**

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

**< Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Plant Quarantine under the Plant Protection Act>**

(1) Plants imported under the plant trade law are divided roughly into a) contraband, b) items requiring import inspection and c) items not requiring import inspection.

Contraband:

The import from areas known for harmful insects which have caused damage in other parts of the world, but not yet in Japan; parasitic insect plant hosts, the insects themselves, and the soil of those areas are prohibited in Japan.

Items subject to import inspection:

Plants not falling under the import ban, including saplings, ornamental plants, cut flowers, bulbs, seeds, fruit, vegetables, grain, beans, wood, spices, and raw materials for Chinese medicine.

Articles not subject to import inspection:

Highly processed lumber and processed tea, though they belong to plants, do not fall under items to be inspected. The following are also not subject to inspection: (a) lumber, woodwork, (b) wisteria, cork, (c) jute bags, cotton, (d) processed tea, dried hop flowers, dried bamboo shoots, (e) fermentation-processed vanilla beans, (f) plants processed with sulfuric acid or alcohol, etc., (g) dried fruits such as apricots, figs, persimmons, yangtao (shinasarunasi), plums, pears, jujubes, dates, pineapples, bananas, papayas, grapes, mangos, peaches and longans, (h) granulated inner pericarp of coconut, and (i) dried spices closely packed in retail containers.

## (2) Procedure for Prevention of Plant Epidemics

a. Plants which do not fall under the import prohibition shall be subject to procedures for the prevention of plant epidemics. Saplings, ornamental plants, cut flowers, bulbs, seeds, fruits, vegetables, cereals, beans, wood, spices and raw materials for Chinese medicines shall be subject to inspection.

b. The inspection certificate issued by an appropriate government agency of the exporting country must be attached at the quarantine site.

c. After inspection, an import quarantine certificate will be issued when it is established that there is no possibility of infestation by noxious insects in the specified quarantine items.

See the attached Table 1 of Article 9 for the rules for damage by noxious insects, and the areas and plants prohibited.

However, for import from countries with a complete disinfection system, a "plant quarantine certificate" or its copy, issued by an appropriate government agency of the exporting country, stating that there is no threat of damage from the adhesion of noxious insects shall be submitted.

## (3) Overseas quarantine

Some contraband items may be imported on condition that the products comply with standards stipulated by the Ministry of Agriculture, Forestry and Fisheries.

This standard stipulates the kinds, varieties, production locations, disinfection procedures, transportation methods, etc. of the plants, and confirms the export quarantine conducted by the government agency of the exporting country by sending a plant quarantine officer to these countries (areas) before exporting.

### < Pharmaceutical Affairs Act >

Because some herbs are subject to inspection for their medical effects, under the law it is necessary to ascertain beforehand from the person in charge of herbal medicine in the municipality or from an individual in the Inspection and Guidance Division of the Ministry of Health, Labor and Welfare, Pharmaceutical and Medical Safety Bureau whether or not these articles conflict with the Pharmaceutical Affairs Act.

### < Plant Variety Protection Law>

This law is the system concerning registration of seeds and seedlings for protecting of new varieties. Under this law anyone who wants to import seeds and seedlings registered to the Ministry of Agriculture, forestry and Fisheries must get approval of cultivating said seeds and seedlings in Japan from rightful claimant.

### < Invasive Alien Species Law >

The purpose of this law is to restrict breeding, cultivating, keeping, transporting, importing, etc. of foreign species. By taking necessary measures, such as the control

of the foreign species by the government, this law protects the ecosystem from potential damages caused by specified foreign species, preserve the biodiversity, and aims to protect people's lives and bodies and also promote the healthy development of the agriculture, forestry, and fisheries industries.

"Specified foreign species" are species that came from overseas to our country, and that are living outside the original or appropriate habitat. For marine products, ictalurus, pike, san fish, morone, crawfish, etc. are specified foreign species and are prohibited under this law from being imported. Refer to the homepage of the Ministry of the Environment for the list of specified foreign species.

#### **<JAS System>**

##### **(1) Organic JAS:**

In order to import and sell organic agricultural products and organic plants for foods in Japan, plants must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

##### **(2) Genetically modified foods:**

Sugar beet is obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

#### **< Authorities concerned >**

##### **Plant Protection Act**

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

##### **Convention on International Trade in Endangered Species of Wild Fauna & Flora (CITES) (Washington Convention)**

Trade and Licensing Division, Ministry of Economy, Trade and Industry (Processed products)

Trade and Licensing division, Ministry of Economy, Trade and Industry  
(Non processed products regardless alive or dead)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp/english/index.html>

CITES Office: <http://www.cites.org>

##### **Poisonous & Deleterious Substances Control Law**

Office of Chemical Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health,

Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

The Pharmaceutical Affairs Act

General Affairs Division, Pharmaceutical and Food Safety Bureau, Ministry of Health,  
Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Plant Variety Protection Law

Plant Variety Protection and seed Division, Production Bureau, Ministry of Agriculture,  
Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

The Invasive Alien Species Act

Nature Conservation, Ministry of the Environment

<http://www.env.go.jp/>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Vegetables, Fruits and Prepared products: A-07

HS Number	Item	Main Relevant Regulation
0701	potatoes (fresh, chilled)	
0702	tomatoes (fresh, chilled)	
0703	onions, garlic (fresh, chilled)	
0704	cabbages, cauliflowers (fresh, chilled)	
0705	lettuce, etc (fresh, chilled)	
0706	carrots, turnips, radishes, etc (fresh, chilled)	
0707	cucumbers, etc (fresh, chilled)	
0708	peas and beans (fresh, chilled)	
0709	other vegetables (fresh, chilled)	
0711	vegetables provisionally preserved	
0712	dried vegetables	
0713	dried peas and beans	
0714	taro(fresh, chilled, frozen, dried)	<u>Plant Protection Act</u>
0801	coconuts, Brazil nuts and cashew nuts (fresh, chilled)	
0802	other nuts (fresh, chilled)	
0803	bananas (fresh, dried)	
0804	dates, figs, pineapples, etc	
0805	citrus fruits (fresh, dried)	
0806	grapes (fresh, dried)	
0807	papayas, melons, water melons (fresh)	
0808	apples, pears and quinces (fresh)	
0809	cherries, apricots, peaches and plums sloes (fresh)	
0810	other fruits (fresh)	
0811	frozen fruits, frozen nuts	
0812	fruits and nuts, provisionally preserved	
0813	dried fruits (others) (except 0801-0806)	
0814	peel of citrus or melon	
0710	frozen vegetables	
2001	vegetables, fruit and nuts prepared or preserved by vinegar or acetic acid	
2002	tomatoes, prepared or preserved	
2003	mushrooms, prepared or preserved	
2004	other vegetables, prepared or preserved (limited to frozen)	<u>Food Sanitation Act</u>
2005	other vegetables, prepared or preserved (limited to non-frozen)	
2006	vegetables, fruits or nuts preserved by sugar	
2007	jams, marmalades, and puree, paste, etc. of fruits or nuts	
2008	fruits, nuts and other edible parts of plants	
2009	fruit juices and vegetable juices	

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

**< Import Clearance Procedures under the Customs Law and the Customs Tariff Law >**

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

**< Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Prevention of Plant Epidemics under the Plant Protection Act>**

a. The import of fruit and vegetables from areas known for significant damage by noxious insects is prohibited.

Importation from other areas requires the quarantine under the Plant Protection Act.

b. However, dried fruits and fresh fruits which have been soaked in sugar, sub-sulfuric acid, acetic acid, alcohol, etc., including apricots, figs, persimmons, yangtao (shinasarunashi), plums, pears, jujubes, dates, pineapples, bananas, papayas, grapes, mangos, peaches and longans are not subject to quarantine for the prevention of plant epidemics.

c. When importing fruits and vegetables, importers shall apply for inspection to the Plant Quarantine Station by attaching the related documents such as the "Plant import inspection application" accompanied by the plant epidemic prevention certificate issued by the plant epidemic prevention agency of the exporting country.

When any adhesions or damage by noxious insects are found as a result of the inspection, measures such as fumigation and disinfection will be necessary.

d. Fumigation must be carried out by a special agent for the prevention of epidemics at the expense of the importer in a specified fumigation warehouse on the wharf of the import port.

**< Inspection Procedures under the Food Sanitation Act >**

a. After the plant inspection, two copies of a "Food Import Notification" shall be submitted to the section in charge of food inspection in the Quarantine Station under the jurisdiction of

the Ministry of Health, Labor and Welfare. If no problem is found under the Food Sanitation Act after the examination and inspection at the quarantine station, the notification will be stamped "notified" and a copy will be returned to the importer.

- b. Note that a standard for agricultural chemical residues is provided for both fruits and vegetables. Refer to the Food Sanitation Act and other relevant laws concerning the standards for agricultural chemical residues.
- c. Importers of processed products which are imported for the first time are required to submit reference materials showing a detailed ingredients list and the manufacturing process.
- d. Nuts, which may be contaminated with aflatoxin, must be inspected for aflatoxin.
- e. Food additives for preservation, coloring, and sweeteners used for fruit juice beverages must comply with the requirements of the Food Sanitation Act.

#### **< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as orange, kiwi fruit, peach, apples and banana as raw materials are recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

#### **< JAS System >**

##### **(1) Quality Labeling**

In accordance to JAS law, fresh fruit and vegetables shall be labeled as to the name of food and country of origin, and processed products must be labeled with the name of the food, ingredients, amount of contents, manufacturers, open date, preservation methods, etc.

##### **(2) Affixation of JAS mark**

A JAS mark may be affixed by applying to a JAS grading organization. However, this is at the discretion of the manufacturer (importer) and not mandatory.

At present, sugared cherries, jam, canned agricultural products, bottled agricultural products, processed tomatoes, carrot juice, carrot juice mix, jams, etc. are designated JAS items.

##### **(3) Genetically modified foods:**

Prepared potato and prepared soybean is obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

##### **(4) Organic JAS:**

In order to import and sell organic vegetable and fruits in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products.

Refer relevant information 13. Organic foods.

**Quality Standards of Jam (standard) under JAS Standard (abstract)**

Classification	Standards
Soluble solid	Must be 40% or more.
Percentage of fruits content.	Standard: 1. 33% or more for jam 2. 20% or more for marmalade High grade: 1. 45% or more for jam 2. 30% or more for marmalade
Quality of ingredients	Standard: 1. The flavor and color and gloss are acceptable. 2. The level of gel is generally suitable with little damage by harmful insects trace, calyx, and other contaminants. 3. The shapes and amounts of fruits and fleshes are generally suitable with generally uniform sizes for preserved styles. 4. The distribution of pericarp is generally uniform for marmalade. High grade: 1. The flavor, and the color and gloss are excellent. 2. The level of gel is suitable with no damage by harmful insects trace, calyx, and other contaminants. 3. The shapes and amounts of fruits and fleshes are suitable with uniform sizes for preserved styles. 4. The distribution of pericarp is uniform for marmalade.
Raw materials other than food additives	Special grade, Standard grade: Raw materials other than those listed in the followings must not be used. 1. Fruits, etc. 2. Saccharide 3. Sugar alcohol 4. Honey 5. Liquors 6. Sour agent citrus juice (content 4% or less)
Food additives	Special grade: Additives other than those listed in the followings must not be used. 1. Sour agent Citric acid, DL-tartaric acid, L-tartaric acid and DL-malic acid 2. PH adjustment medicine (Limited to usage for raw materials originated from citrus, prune, plum, apricot, blackcurrant, redcurrant, cranberry, blackberry, blueberry, raspberry and passion fruits) Sodium citrate 3. Antioxidant (Limited to usage for raw materials originated from carrot, pumpkin, melon, citrus, apple, pear, loquat, quince, peach, plum, apricot,

	<p>chestnut, pineapple and banana.</p> <p>L-ascorbic acid</p> <p>4. Gelling agent pectin</p> <p>5. Spices (Limited to usage for marmalade and extraction from same varieties as raw material fruits)</p> <p>Standard grade:</p> <p>1. Sour agent (Same as special grade)</p> <p>2. PH adjustment medicine (Same as special grade)</p> <p>3. Antioxidant (Same as special grade)</p> <p>4. Gelling agent (Same as special grade)</p> <p>5. Spices (Limited to extraction from same varieties fruits as raw material fruits)</p>
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#### < Authorities concerned >

##### Plant Protection Act

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

##### Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp/> (Japanese only)

##### Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp/> (Japanese only)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Cereals and Prepared Products: A-08

HS Numbers	Items	Main Relative Regulations
1001 1002 1003	wheat, meslin rye barley	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> <u>Act on Stabilization of Supply, Demand and Prices of Staple Food (Staple Food Act)</u> JAS Law
1004 1005	oats corn	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> JAS Law
1006	rice	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law
1007	grain sorghum	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> JAS Law
1008	buckwheat, millet and other cereals	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law
1101	wheat or meslin flour	<u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law
1102	cereal flours other than of wheat or meslin	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law
1103 1104	cereal groats, meal and pellets cereal grains otherwise worked	<u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law
1105 1106	flour , flakes and pellets of potatoes powder beans	<u>Food Sanitation Act</u> JAS Law
1107	malt	<u>Plant Protection Act</u> <u>Food Sanitation Act</u> JAS Law
1108	starches, inulin	<u>Plant Protection Act</u> <u>Staple Food Act</u> JAS Law
1109	wheat gluten	<u>Food Sanitation Act</u> JAS Law
1901	malt extract, food preparations of cereal flour, meal and starch	<u>Food Sanitation Act</u> <u>Staple Food Act</u> JAS Law

1902	spaghetti and macaroni	<u>Food Sanitation Act</u>
1903	tapioca and tapioca substitutes	<u>JAS Law</u>
1904	cereal prepared foods	<u>Food Sanitation Act</u> <u>Staple Food Act</u> <u>JAS Law</u>
1905	bread, biscuits, cakes, etc	<u>Food Sanitation Act</u> <u>JAS Law</u>

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note: The following are Import Quota (IQ) items.

- (1) Rice in grain, rice flour, rice groat, rice meal, rice pellet, and rice rolled, flaked or otherwise worked;
- (2) Food preparations, containing flour, groats, meal, pellets or starch of rice, wheat, rye, barley with a total weight not less than 85 % of the items and mostly containing rice preparations (excluding cake mixes and a kind used as baby food or diet purpose);
- (3) Doughs for rice cake, (excluding those used as baby food and diet purpose);
- (4) *Mochi* (rice cake), *Dango* (dumpling), and other similar prepared rice products (excluding those used as baby food or for diet purpose);
- (5) Prepared foods obtained by the swelling or roasting of cereals or cereal products and containing rice not less than 50 % by weight of the food;
- (6) Products containing mixture of non-roasted grain flake and roasted grain flakes or expanded grain not less than 50 % by weight of the product;
- (7) Rice in grain, cooked by heating or otherwise prepared.

#### **< Import Clearance Procedures under the Customs Law and the Customs Tariff Law >**

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

#### **< Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >**

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of

preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Staple Food Law >**

- a. When rice, wheat, etc., are imported, taxes other than customs duties shall be paid to the government. (However, such tax payment is not required if the payment for the customs duty is exempted by the Customs Tariff Law or others.)
- b. Importers shall notify the Ministry of Agriculture, Forestry and Fisheries of the import amount beforehand when importing rice other than that with required custom duties and other taxes.

**< Prevention of Plant Epidemics under the Plant Protection Act >**

- a. Import from areas where significant noxious insects are found is prohibited and quarantine under the Plant Protection Act is required for the import from other areas
- b. When plants and plant products are imported, importers shall apply for inspection to the Plant Quarantine Station, submitting the documents including a "Plant import inspection application" accompanied by Plant Protection Act certificates issued by the plant epidemic prevention agency of the exporting country. When any adhesions or damage by noxious insects are found as a result of the inspection, measures such as fumigation and disinfection will be necessary.

**< Inspection Procedures under the Food Sanitation Act >**

- a. Two copies of import notifications shall be submitted to the section in charge of food inspection of the Quarantine Station at the import site for plants for food.
- b. Importers of processed products which are imported for the first time are required to submit reference materials showing a detailed ingredients list and the manufacturing process.

<b>Element Standards of Cereals and Beans under the <u>Foods Sanitation Law</u> (abstract)</b>	
<b>Items</b>	<b>Element Standards</b>
Agar-agar Rice(brown rice) Bean	Boron compound: 1g/kg or less (as H <sub>3</sub> BO <sub>3</sub> ) Cadmium and cadmium compound: Less than 1.0ppm(as Cd) Cyanide: Negative (However, butter bean, white bean, sultaniya bean, Saltan-Pya bean, Peyin bean, and Lima bean are permitted to 500ppm or less (as HCN))
Uncooked bean Instant noodle	Cyanide: Negative Oil and fat contents: Acid value 3 or less or peroxide 30 or less.

#### **Quality Standards of Macaronis (abstract) under JAS Standard**

<b>Classification</b>	<b>Standards</b>
General state	Color and shape must be excellent. With firm tissue that has glass luster at the folded section.
Extraneous materials	Must not be mixed.
Taste	Flavor after cooks must be excellent without a nasty smell or taste.
Specific gravity of appearance	1.40 or more.
Crude protein	11.0% or more. However, 12.0% or more when egg is added.
Ash content	0.90% or less. (excluding the one that egg or vegetable is added) 5.5 or more.
Hydrogen ion concentration	
Raw materials	Must not use the ones other than those listed as follows.
Raw materials other Than food additives	(a) Semolina of durum wheat, common wheat powder of durum wheat, (b) Egg (c) Vegetables (tomato and spinach)
Content weight	Must conform to the labeled weight.

#### **<Additives and Agricultural Chemical Residue Standards >**

- a. Agricultural chemicals are sometimes used for pest control during cultivation, storage and transportation. Stipulations of the agricultural chemical residue standards of the Food Sanitation Act require confirmation of residue levels.

- b. Sulfur dioxide may be used to bleach and preserve biscuits. Importers should note that a maximum residue level is stipulated and that coloring materials must not be other than those specified in the standards.

**< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as wheat, buckwheat and peanut as raw materials are recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

**< JAS System>**

(1) Quality labeling

In accordance to JAS Law, wheat, buckwheat and peanuts products among cereal/bean products shall be labeled with the name, ingredients, amount of contents, names of manufacturers, open date, and preservation methods.

(2) Affixation of JAS mark

a. A JAS mark may be affixed by applying to the JAS standard grading organizations. However, this is at the discretion of the manufacturer (importer) and not mandatory.

At present, five items of instant noodles, non-dried instant noodles, dried noodles, hand made somen(thin wheat noodles) and macaroni are eligible for the JAS mark.

b. Moreover, JAS Law was revised in June, 2005 to abolish the requirements for foreign countries to have the equal system with the JAS system by reviewing the Registered Foreign Certification Organization System under which manufacturers in the foreign countries was required to apply for the acquisition of JAS Mark.

(3) Genetically modified foods:

Soybeans, corn, potatoes, rapeseeds, cotton seeds, alfalfa and sugar beats is obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

(4) Organic JAS:

In order to import and sell organic cereals and processed organic cereal products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

**< Authorities concerned >**

Plant Protection Act

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.maff.go.jp/eindex.html>

Staple Food Law

Grain Trade Division, Staple Food Department. General Food Policy Bureau, Ministry of Agriculture, Forestry and Fisheries <http://www.syokuryo.maff.go.jp/english/index2.htm>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp> (Japanese only)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Sugars, Cocoa and Prepared Products: A-09

HS Numbers	Items	Main Relevant Regulations
1701	cane or beet sugar and chemically pure sucrose, in solid form	<u>Food Sanitation Act</u> <u>Sugar and Starch Price Adjustment Law</u> <u>JAS Law</u>
1702	artificial honey	<u>Food Sanitation Act</u> <u>Pharmaceutical Affairs Act</u> <u>JAS Law</u>
1703	mollasses (resulting from the extraction or purification of sugar)	<u>Food Sanitation Act</u> <u>JAS Law</u>
1704	Sugar confectionery (including white chocolate, but not containing cocoa)	<u>Food Sanitation Act</u> <u>JAS Law</u>
1801	cocoa beans, (raw and roasted)	<u>Food Sanitation Act</u> <u>Plant Protection Act</u> <u>JAS Law</u>
1802	cocoa shells	<u>Food Sanitation Act</u> <u>Plant Protection Act</u> <u>JAS Law</u>
1803 1804 1805	cocoa paste cocoa butter, fat and oil cocoa powder (except products added sweetener such as sugar)	<u>Food Sanitation Act</u> <u>JAS Law</u>

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not

necessary if the total import amount is 200,000 JPY or less.)

**< Prevention of Plant Epidemics under the Plant Protection Act>**

- a. The import from the areas where significant noxious insects are known is prohibited and quarantine under the Plant Epidemic Prevention Law is required for import from other areas.
- b. When plants and plant products are imported, importers shall apply for inspection to the Plant Quarantine Station by submitting the documents including a "Plant import inspection application" accompanied by plant epidemic prevention certificates issued by the plant epidemic prevention agency of the exporting country. When any adhesions or damage by noxious insects are found as a result of the inspection, measures such as fumigation and disinfection will be necessary.
- c. Dried spices closely sealed in containers for retail are not subject to the Plant Protection Act.

**< Inspection Procedures under the Food Sanitation Act >**

- a. Two copies of the import notification shall be submitted to the section in charge of food inspection of the Quarantine Station at the import site.
- b. Importers of processed products which are imported for the first time are required to submit reference materials showing a detailed ingredients list and the manufacturing process.

**< Sugar and Starch Price Adjustment Law >**

This law is the law concerning adjustment of sugar and starch price when these products are imported. When importer imports sugar such as cane, beet sugar and sucrose, importer is requested to pay adjustment fee to Agriculture and Livestock Industries Corporation (ALIC) in addition to import tax. Adjustment fee varies from ingredients of sugar (HS code No. varies from type of ingredients). Concerning details, contact with custom office.

**< JAS System >**

- (1) Labeling of the name, ingredients, amount of contents, name of manufacturer, open date and preservation methods is regulated on cereals.

(2) Organic JAS:

In order to import and sell organic sugar products and cocoa products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

(3) Genetically modified foods:

Sugar beats is obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

**< Authorities concerned >**

Plant Protection Act

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,

Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp/> (Japanese only)

Sugar and Starch Price Adjustment Law

Agriculture and Livestock Industries Corporation (ALIC)

<http://alic.lin.go.jp>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Spices: A-10

HS Numbers	Items	Main Relevant Regulations
0901	coffee	
0902	tea	
0903	mate	
0904	chili pepper	<u>Plant Protection Act</u>
0905	vanilla	<u>Food Sanitation Act</u>
0906	cinnamons	JAS Law
0907	cloves	
0908	nutmeg, cardamoms	
0909	seeds of anise, fennel	
0910	ginger, saffron and other spices	

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note: Dried spices packaged for retailing are not subject to the Plant Protection Act.

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

### < Prevention of Plant Epidemics under the Plant Protection Act>

- Import from areas where significant noxious insects are found is prohibited and quarantine under the Plant Protection Act is required for import from other areas.

- b. When plants and plant products are imported, importers shall apply for inspection to the Plant Quarantine Station by submitting the documents including the "Plant import inspection application" accompanied by plant epidemic prevention certificates issued by the plant epidemic prevention agency of the exporting country. When any adhesions or damage by noxious insects are found as a result of the inspection, measures such as fumigation and disinfection will be necessary.
- c. Dried spices closely sealed in containers for retail are not subject to the Plant Protection Act.

#### **< Inspection Procedures under the Food Sanitation Act >**

- a. Two copies of an import notification shall be submitted to the section in charge of food inspection of the Quarantine Station at the import site.
- b Importers of processed products which are imported for the first time are required to submit reference materials showing a detailed ingredient list and the manufacturing process.
- c When importing cayenne peppers, etc., an inspection for aflatoxin is required because of the possibility of contamination by aflatoxin.

#### **< JAS System >**

##### **(1) Quality Labeling**

In accordance to JAS Law, spices must bear on their label the name, ingredients, content quantity, names of manufacturers, open date, and preservation methods.

##### **(2) Organic JAS:**

In order to import and sell organic spice products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

#### **< Authorities concerned >**

##### Plant Protection Act

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,  
Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare  
<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries  
<http://www.maff.go.jp/eindex.html>  
Japanese Agricultural Standard Association  
<http://www.jasnet.or.jp/> (Japanese only)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Oil Seeds and Prepared Products: A-11

HS Numbers	Items	Main Relevant Regulations
1201	soya beans	
1202	ground-nuts	
1203	copra	
1204	linseed	
1205	rape-seeds	
1206	sunflower seeds	<u>Plant Protection Act</u>
1207	other oil seeds	<u>Food Sanitation Act</u>
1507	soya-bean oil	JAS Law
1508	ground-nuts oil	
1509	olive oil	
1510	other oils obtained from olive	
1511	palm oil	
1512	sunflower seed or safflower oil	
1513	coconut oil, palm kernel oil	
1514	rape oil ,mustard oil	
1515	other vegetable oils	

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note: Prepared oil seeds, when imported for use for medical or cosmetic purposes, are subject to the Pharmaceutical Affairs Act.

**< Import Clearance Procedures under the Customs Law and the Customs Tariff Law >**

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

**< Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >**

When importing from preferential beneficiary countries (including special preferential

beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

#### **< Prevention of Plant Epidemics under the Plant Protection Act>**

" A plant quarantine certificate" issued by an appropriate government agency of the exporting country, stating that there is no damage by noxious insects shall be submitted to the Plant Quarantine Station together with an application for import plant inspection. The inspection is carried out at a place designated by the plant quarantine officer, and fumigation and disinfection will be conducted when any bacteria or noxious insects are found.

#### **< Inspection Procedures under the Food Sanitation Act >**

- a. Import notification under the Food Sanitation Act is required for all food items.
- b. Two copies of a "food import notification" shall be submitted to the food inspection section of the Quarantine Station at the import site after the plant quarantine. After examination and inspection, the notification will be returned stamped with "passed" if there is no problem.
- c Refer to "Food Sanitation Act and Relevant Laws" for agricultural chemical residue standards.

#### **< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as peanuts as raw materials is obliged to display and foods containing soybean is recommended to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

#### **< JAS System >**

##### **(1) Quality Labeling**

Labeling of the name, ingredients, amount of contents, name of manufacturer, open date and preservation methods is regulated on oil and prepared products.

##### **(2) Labeling on Genetically Modified Foods**

Processed foods containing soybeans is obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

### (3) Organic JAS

In order to import and sell organic oil seeds in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

### **Quality Standards of Olive oil for Food Oil under Japanese Agricultural Standard (abstract)**

Items	Specification	
Olive oil	Ordinary condition  Color Moisture and impurities Specific gravity (25/25 centigrade) Refractive index (25 centigrade) Acid value Saponification value Iodine number Unsaponifiable material	Unique flavor of olive and generally clear. A unique color. 0.30% or less. 0.908-0.914.  1.466-1.469.  2.0 or less. 184-196. 75-94. 1.5% or less.
Refined olive oil	General state  Color Moisture and impurities Specific gravity (25/25 centigrade) Refractive index (25 centigrade) Acid value Saponification value Iodine number Unsaponifiable material	Generally clear with excellent flavor. A unique color. 0.15% or less. 0.908-0.914.  1.466-1.469.  0.60% or less. 184-196. 75-94. 1.5% or less.

#### **< Authorities concerned >**

##### Plant Protection Act

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Plants Quarantine Association

<http://www.zenshoku-kyo.or.jp/>

##### Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare  
<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standards Association

<http://www.jasnet.or.jp/> (Japanese only)

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Various Prepared Foods: A-12

HS Numbers	Items	Main Relevant Regulations
1704 1806 2101 2102 2103 2104 2105	sugar confectionery chocolate and prepared foods containing cocoa coffee and coffee substitutes yeast and baking powder Sauce, prepared foods for sauce and mixed seasoning soups ice cream and other frozen confectioneries	<u>Food Sanitation Act</u> JAS Law
2106	other prepared foods	<u>Food Sanitation Act</u> JAS Law Act on Stabilization of Supply, Demand and Prices of Staple Food Liquor Tax Act Pharmaceutical Affairs Act

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

Note: The followings are Import Quota (IQ) items.

- (1) Prepared foods containing ice cream mix or natural milk as the main component.
- (2) Prepared foods containing rice of more than 30 % of total weight.

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for

confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

**< Inspection Procedures under the Food Sanitation Act >**

- a. Import notification under the Food Sanitation Act is required for all food items.
- b. Two copies of a "food import notification" shall be submitted to the food inspection section of the Quarantine Station at the import site after the plant quarantine. After examination and inspection, the notification will be returned stamped with "passed" if there is no problem.

**Specification Standards under the Food Sanitation Act (abstract)**

Classification	Element standards
Foods in general	Must not contain antibiotic substances. However, the substances falling under the followings are excluded. (a)The substances that conform to the paragraphs in each article of D of Specification standards for food and additives, and the specifications for milks in the attached table 2 in the ministerial ordinance for milk, etc., together with a general specifications for milk, etc. of the standards (1) of the method of manufacturing, cooking and preservation, and the specifications provided by Article (6) of the standards of the manufacturing method. (b) Any foods that are manufactured or processed from raw materials (a)
Ice cream	Milk solid: 15.0% or more Fat content of milk: 8.0% or more Bacterial count: 100,000 or less (However, as for ice cream using the fermentation milk or lactic acid bacteria beverage as a raw material, bacterial count other than lactic acid bacterium or yeast must be 100,000 or less.) Coliform group: Negative

**< Regulations on Additives >**

- a. It is necessary to confirm the existence of any additives such as benzoic acid or polysorbate (an undesignated additive used as an emulsifier stabilizer), or quinoline yellow or azorubine (coloring materials), which are often included but not allowed in Japan

for making sauces.

- b. Note that for preventing deoxidants and enhancing the effect of emulsification stabilization and preservation in mayonnaise and dressing, TBHQ (antioxidant) or polysorbate (emulsifier stabilizer) are used. Also note that benzoic acid or sorbic acid is used, but both of which are prohibited in such processed products.
- c. Milk solids, milk fat content, bacilli number and coliform bacilli groups are regulated for standard ingredients in ice cream. The standard for the manufacturing method is also provided.

#### **< Allergy Labeling under Food Sanitation Act >**

Labeling of foods containing allergenic substances such as wheat, egg, milk, peanuts, buckwheat as raw materials is obliged to display. Refer to Appendix 8. "Food Sanitation Act" for details and label samples.

#### **< JAS System >**

##### **(1) Quality Labeling**

In accordance to the revision of the JAS Law, diary products must include on the label the name, ingredients, content quantity, names of manufacturers, open date, and preservation methods.

##### **(2) Affixation of JAS mark**

- a. A JAS mark may be affixed by applying to the JAS registered certification organization. However, use of the JAS mark is at the discretion of the manufacturer (importer) and not mandatory.
- b. The JAS standard for prepared foods can be obtained from the JAS registered organization. The following products are subject to the JAS Standard: ice cream, soy sauce, Worcestershire sauce, flavor seasonings and dressings

##### **(3) Labeling on Genetically Modified Foods**

Processed products using genetically modified agricultural products are obliged to display labeling concerning genetically modified foods. Refer relevant information 14. Genetically Modified Agricultural Products.

##### **(4) Organic JAS:**

In order to import and sell organic processed foods products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

**< Authorities concerned >**

Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,  
Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare  
<http://www.mhlw.go.jp/english/index.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries  
<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association  
<http://www.jasnet.or.jp/> (Japanese only)

Staple Food Law

Grain Trade Division, Staple Food Department, General Food Policy Bureau, Ministry of Agriculture, Forestry and Fisheries <http://www.syokuryo.maff.go.jp/english/index2.htm>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## Beverages and Spirits, etc.: A-13

HS Numbers	Items	Main Relevant Regulations
2201 2202	water water (containing added sugar or flavored)	<u>Food Sanitation Act</u> <u>JAS Law</u>
2203 2204 2205 2206	beer wine and grape must vermouth and other wine other fermented beverages	<u>Food Sanitation Act</u> <u>Liquor Tax Act</u>
2207	ethyl alcohol (containing 80 % or higher of alcohol)	<u>Food Sanitation Act</u> <u>Liquor Tax Act</u> <u>Alcohol Business Law</u>
2208	ethyl alcohol (containing less than 80 % of alcohol)	<u>Food Sanitation Act</u> <u>Liquor Tax Act</u>
2209	vinegar and vinegar substitutes produced from acetic acid	<u>Food Sanitation Act</u> <u>JAS Law</u>

JAS Law: The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products

### < Import Clearance Procedures under the Customs Law and the Customs Tariff Law >

At the import clearance, "export declaration" with all necessary documents attached including invoice, B/L, and insurance statement, etc. shall be submitted to customs. After examination, inspection, and payment of taxes at customs, the import permit shall be issued.

### < Import Clearance Procedures under the Law on Temporary Measures concerning Customs" >

When importing from preferential beneficiary countries (including special preferential beneficiary countries), the preferential tariff can be applied. Refer to customs for confirmation.

An importer intending to receive the preferential tariff needs to obtain the certificate of preferential origin which is issued from the origin country at the time of export. (Not necessary if the total import amount is 200,000 JPY or less.)

### < Import Notification under the Food Sanitation Act >

- a. Importers shall submit import certification under the Food Sanitation Act.
- b. An "import notification of food" shall be submitted to the food inspection section of the

Quarantine Station of the Ministry of Health, Labor and Welfare. After examination and inspection, the notification will be returned stamped with "passed" if there is no problem under the Food Sanitation Act.

- c. Importers of processed products which are imported for the first time are required to submit reference materials showing a detailed ingredients list and the manufacturing process.

**Specifications of Beverage under the Food Sanitation Act (abstract)**

Classification	Specifications
Soft drink	Turbid: Not admitted. Precipitate: Not admitted. Arsenic, lead or cadmium: Not detectable. Coliform group: Negative (in 11.1ml, L. B. culture medium method).
Mineral water	Enterococcus: Negative (in 11.1ml, L.B.culture medium method). Pseudomonas aeruginosa:Negative. (In 11.1ml, asparagine broth medium method).

**< Regulation on Additives >**

- a. Mineral water must meet specified standards under the Food Sanitation Act (ingredients, manufacturing, and preservation standards).
- b. When importing fruit wines such as wine, champagne and sherry, it is necessary to confirm beforehand whether they contain any additives other than those specified and the standard for usage, if any. These wines often use additives for preservation, coloring and sweetening which are not permitted or which are limited in amount under the Food Sanitation Act of Japan.
- c. Importers of carbonated drinks containing any plant or animal materials in their ingredients are required to conduct different heat treatments depending on the pH level of the water.
- d. Container packaged beverages must be labeled (name, ingredients, additives, preservation method, year/month/day of manufacture, place of manufacture, name of manufacturer), in a designated manner and place as required under the Food Sanitation Act.
- e. Compliance with the fair competition rule against unjustifiable premiums and misleading representation for whisky and beer is recommended under the Act, although not always a legal obligation.

### **<Alcohol Business law>**

Applicable laws of alcohol products differ from alcohol content. Alcohol Business law shall be applied for alcohol products containing more than 90 % of alcohol, and Liquor Tax Act shall be applied for alcohol products containing less than 90 % of alcohol. Anyone who wants to import alcohol products containing more than 90 % of alcohol shall apply import application to nearest prefectural Division of Ministry of Economy, Trade and Industry and obtain its approval.

### **< Liquor Tax Act >**

A license system applies to liquor sales, and anyone who intends to obtain a sales license must apply to the head of the tax office covering that area for each sales shop. When sales shops already having retail liquor licenses sell imported liquor, no additional license is necessary. Wholesale licenses for imported liquors require a wholesale minimum of 6kl per year for wine, whiskey and brandy, and 60 kl for beer.

### **<JAS System>**

#### **(1)Quality Labeling**

Labeling of the name, ingredients, amount of contents, name of manufacturer, open date and preservation methods, etc. is regulated.

#### **(2) Affixation of JAS mark**

A JAS mark may be affixed for vinegar by applying to the JAS standard grading organizations. However, this is at the discretion of the manufacturer (importer) and not mandatory.

#### **(3) Organic JAS:**

In order to import and sell organic vinegar products in Japan, products must be certified by Organic JAS Standards and Organic JAS label must be affixed to the products. Refer relevant information 13. Organic foods.

### **< Authorities concerned >**

#### Food Sanitation Act

Policy Planning and Communication Division, Department of Food Safety,  
Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare  
<http://www.mhlw.go.jp/english/index.html>

Liquor Tax Act

Liquor Tax and Industry Division, Taxation Department, The National Tax Agency

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japanese Agricultural Standard Association

<http://www.jasnet.or.jp> (Japanese only)

Japan Wines & Spirits Importers Association

Alcohol Business Law

Chemical Department, Manufacturing Industries Bureau, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp>

Customs Law

Customs Tariff Law

The Temporary Tariff Measures Law

Japan Customs

<http://www.customs.go.jp>

## **II . Relevant Information**

# **1. Import Examination and Inspection for Agricultural and Fishery Products**

Following laws shall be deeply concerned with the import of agricultural and fishery products.

## **1. Plant Protection Act**

Import of the plants such as fruits and vegetables are subject to the inspection as provided by Plant Inspection Law at the Plant Quarantine Station of the Ministry of Agricultural, Forestry and Fisheries to prevent invasion of the noxious insects in company with these plants to Japan. Prior consultation is recommended with the nearest Plant Quarantine Station, since imports of the specific plants or from the specific countries are prohibited.

## **2. The Domestic Animal Infectious Diseases Control Law**

Import of animals such as the domestic animals, or these processed products are subject to the inspection as provided by the Domestic Animal Infectious Diseases Control Law at the Animal Quarantine Station of the Ministry of Agricultural, Forestry and Fisheries to prevent invasion of the domestic animal infectious diseases in company with these commodities to Japan. Prior consultation with the nearest Animal Quarantine Station is recommended, since import of the specific animals, domestic animals and these processed products are prohibited by countries.

## **3. Food Sanitation Act**

Agricultural products, agricultural processed products, fishery products, and livestock products are subject to the inspection as provided by Food Sanitation Act to prevent the sanitary harm caused by the chemical substances residuals, such as agricultural chemicals, antibiotic, or post-harvest agricultural chemicals in the agricultural and fishery products. In addition to this, quarantine, observation and guidance for the imported foods are allowed as provided by this law at the quarantine stations of seaports and airports.

## **4. Customs Law**

Customs duties on the agricultural and fishery products and observation of the agricultural and fishery products under import ban are controlled as provided by this law by the Financial Affairs. This law shall lead to the propriety judgment on import. In this connection, permission or approval on the concerned agricultural and fishery products are confirmed in accordance to not only Customs law, but also other relevant regulations on import of the agricultural and fishery products, such as Plant Protection Act, The Act on Domestic Animal Infectious Diseases Control, Food Sanitation Act, etc.

## **5. Quarantine Act**

The quarantine station shall fulfill their duties of inspection as provided by Food Sanitation

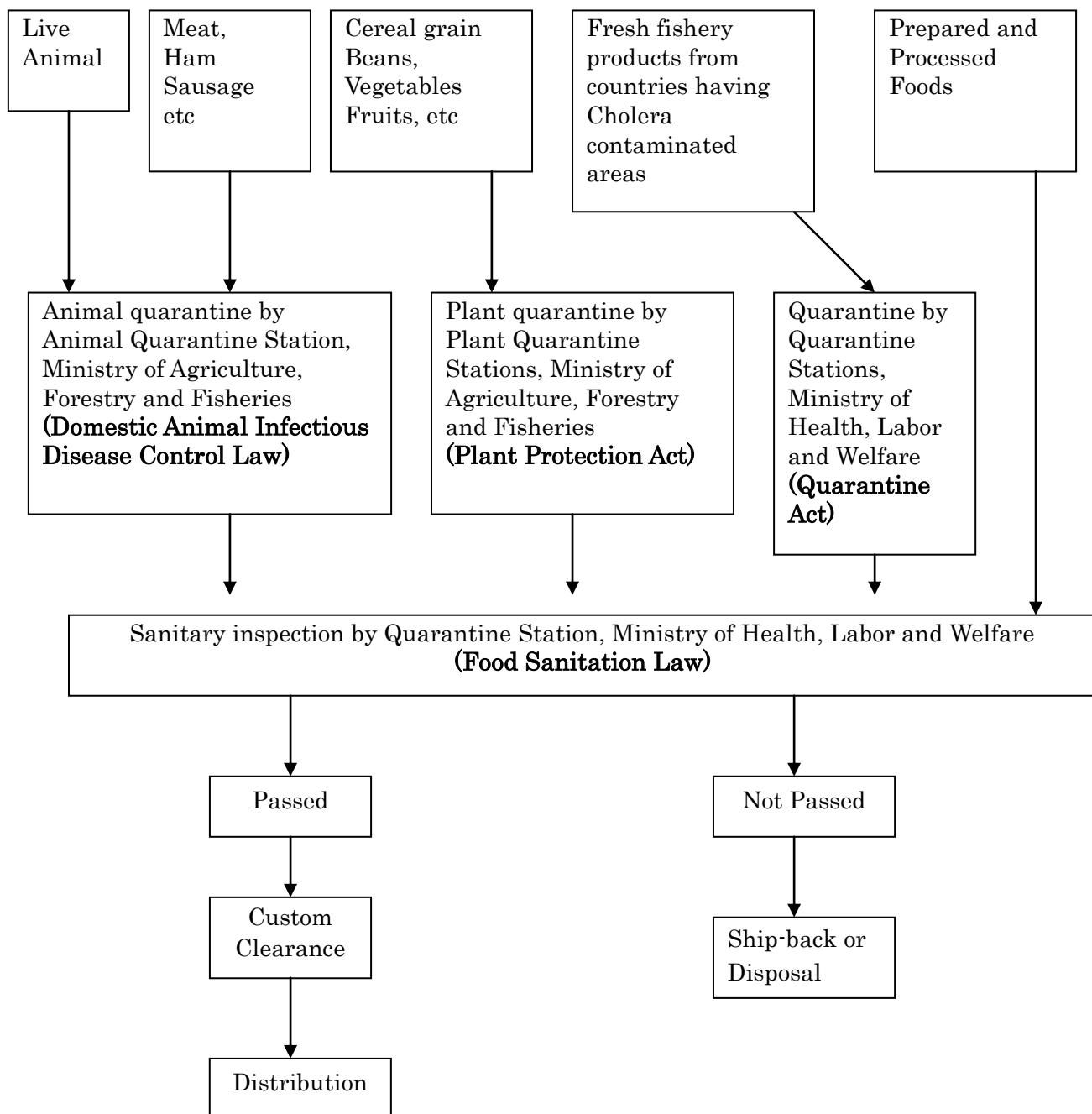
Act, and also inspection on the imported agricultural and fishery products from the countries or territories under being prevalent in the specific diseases like Cholera.

## **6. Others**

Appropriate labeling of quality should be of importance as provided by Law Concerning Standardization and Proper Labeling of Agricultural and Forest Products. (JAS Law).

Refer to the relevant attachments for other laws.

**Flow of Examination and Inspection for Foods,  
Agricultural and Fisheries Products**



## **2. Act on Domestic Animal Infectious Diseases Control**

### **<Purpose of Law >**

This law aims to promote the livestock industry by preventing the occurrence and spread of infectious diseases in domestic animals.

### **< Outline of Law >**

The law provides for preventive measures against the occurrence and spreading of infectious diseases in domestic animals in Japan, establishing export/import systems to protect our country from infectious diseases as the result of the international trade and distribution of animals and animal products.

### **< Items subject to This Law (designated quarantine items)>**

- (1) Cloven-hoofed animals, horses, chickens, ducks, turkeys, quail, ostrich, geese and other duck co-ordinal, dogs, rabbits and honeybees
- (2) Eggs of ducks species, turkeys, quail and geese
- (3) Bones, meat, fat, blood, hair, skin, horns, feather, hooves, tendons and viscera of animals listed in above (1)
- (4) Fresh milk, semen, fertilized eggs, unfertilized eggs, blood meal, excrement and urine of animals listed in (1)
- (5) Bone powder, meat meal, meat and bone meal, blood meal, skin powder, feather meal, hoof and horn powder, and viscera powder of animals listed in (1)
- (6) Sausage, ham and bacon made from ingredients listed in (3)
- (7) Straws of grain dispatched from or via prohibited areas of import (excluding those processed or fabricated to be served for other purposes than fodder) and dried grass for fodder
- (8) Products under import ban but imported into Japan with the Ministry's approval: imports for testing and research purposes; imports for other special purposes.

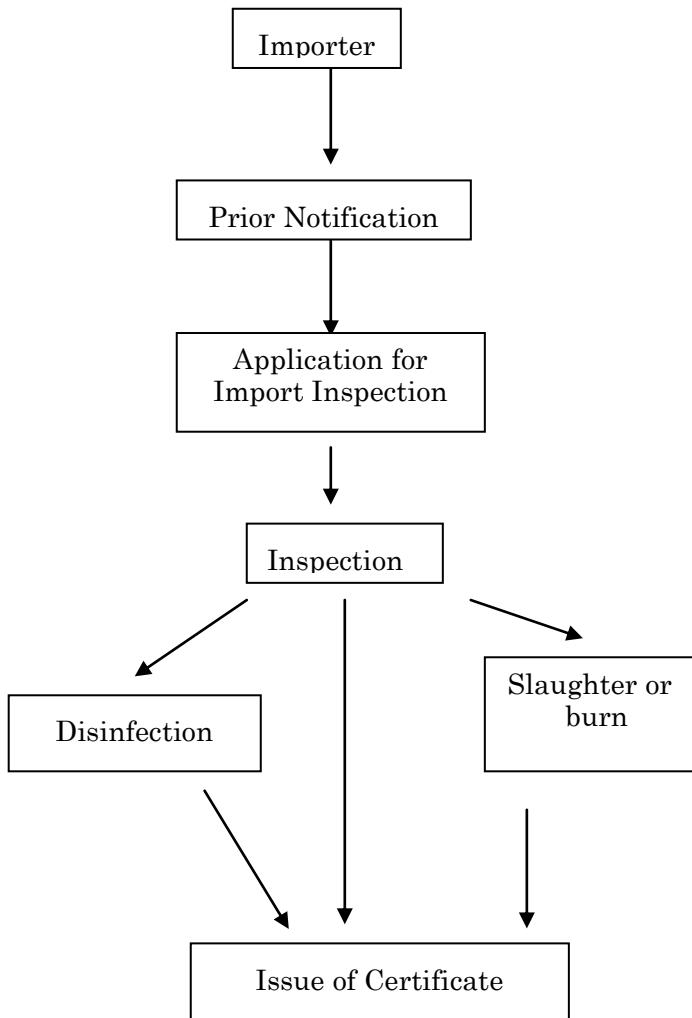
### **< Inspection under Law >**

- (1) The animal quarantine officer of the Animal Quarantine Station carries out the inspection of the designated import quarantine items to determine whether or not they are contraband, if inspection certificates are attached, and if there is any possibility of spreading any causative agent of infectious disease affecting domestic animals.
- (2) If the inspection finds that there is no possibility of spreading any causative agent of infectious diseases affecting domestic animals, the animal quarantine officer issues an import quarantine certificate.

**< Authorities concerned >**

Animal Health Division, and Animal Products Safety Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries  
<http://www.maff.go.jp/eindex.html>

**Figure: Flow Chart of Animal Quarantine**



**Classification of Import-prohibition Areas for Cloven-Hoofed Animals and their Meat, etc. (Summary) (Act on Domestic Animal Infectious Diseases Control Article 43)**

**As of December 31, 2009**

No.	Classification under Article 43 of the Regulations	Area	Import Ban Articles				
			Cloven-Hoofed Animals	Semen, unfertilized embryos and embryos	Ham, sausages and bacon	Meat and viscera	Grain straw, etc.
0	Areas other than those listed	Korea, Finland, Sweden, Norway, Poland, Hungary, Germany, Denmark, Italy (except Sardinia island), Liechtenstein, Switzerland, Netherlands, Belgium, France, UK(Great Britain and north Ireland), Austria, Spain, Ireland, Island ,Canada, U.S.A., (limited to American continents, Hawaii and Guam), Mexico, Belize, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, The Dominican Republic, Chile, Northern Mariana Islands, New Zealand, Vanuatu, New Caledonia, and Australia (36 countries/area)	(Importable) subjecting to submission of inspection certificate issued by governmental organization of export country  (Note) Even though importable products, following products are not allowed to import: * Meat products produced from cow, sheep and goat imported from BSE prevalence countries * Meat products produced from poultries imported from poultries influenza prevalence countries (areas) * Meat products produced from swine imported from swine cholera prevalence countries * Meat products produced from dears imported from CWD (Chronic Wasting Disease prevalence countries)				Quarantine is not required
1	Areas in Table I	Singapore, Romania, Slovenia, Croatia, Bosnia Herzegovina, (5 countries/area)	(Importable) subjecting to submission of inspection certificate issued by governmental organization of export country		<u>Import Ban</u> See Note (1)		<u>Import Ban</u>
2	Areas in Table 2	Areas other than those mentioned above	<u>Import Ban</u>	<u>Import Ban</u> See Note (2)			See Note (2)

Note:

- (1) Except for heat processed products by the facility under the standards set forth by the Japanese Minister of Agriculture, Forestry and Fisheries, or heat processed products by the facility of export country designated by the government of export country together with certificate issued by the government of export country.

(2) Except for heat processed products by the facility under the standards set forth by the Japanese Minister of Agriculture, Forestry and Fisheries together with certificate issued by the government of export country

(3) The areas of "0" are recognized nothing or the slightest opportunity in outbreak of the pernicious domestic animal infectious disease such as foot and mouth disease, etc. for a considerable term supported by an established preventive system.

The areas of "1" are recognized to have established a preventive system and no chance of outbreak of foot and mouth disease, etc. for the time being, nevertheless still undeniable opportunity in outbreak.

The areas of "2" are recognized outbreak of the pernicious domestic animal infectious disease such as foot and mouth disease, etc. or the insufficient preventive system.

An inspection certificate issued by the competent government agency of the exporting country is required for import.

(Note)

Even for the importable articles listed in the previous table, a temporary import ban shall be in force due to the local condition in occurrence of disease. Details are available at the Animal Quarantine Service.

### **3. The Rabies Prevention Act**

#### **<Purpose of Law >**

This law aims to improve public health and enhance public welfare by preventing the generation or spread of rabies.

#### **<Outline of Law >**

No one shall export or import dogs and cats etc without quarantine (Article 7). The Ministry of Agriculture, Forestry and Fisheries shall work for quarantine and the general procedures are regulated in the Ministerial Ordinance.

#### **<Inspection Procedures for Dog Import>**

##### **1) Import Inspection of Dog**

A dog is required to submit an inspection certificate issued by the governmental institution of the exporting country that certifies the dog is not infected with leptospirosis and is not allowed to import when there is no certificate by any chance.

##### **2) Acceptable Airports and Seaports**

Import of dogs is accepted only through the following ports.

Seaports: Tomakomai, Keihin, Nagoya, Osaka, Kobe, Hakata, Kagoshima and Naha

Airports: New Chitose, Narita International, New Tokyo International, Central Japan International, Kansai International, New-Kitakyushu, Fukuoka, Kagoshima and Naha

##### **3) Prior Notification**

When dogs, etc., are imported in to Japan, a written application for the arrival time and numbers shall be submitted to the animal quarantine office that controls the location of the arriving airport or port 40 days before arrival. This notification shall be accepted at the animal quarantine station where controls the arrival port, subject to change of the arrival port or date due to accommodation capacity.

##### **4) Submitting an import application**

When importing dogs, etc., importers shall submit an application to the animal quarantine office without delay after arrival and be subject to the inspection of the domestic animal epidemic prevention commissioner.

##### **5) The place and the reservation period for quarantine.**

To examine the presence of epidemic by isolating the animal with other animals or people, the reservation inspection is implemented in the reservation facilities in the animal quarantine station.

The reservation period at the time of import shall principally be for 180 days in

consideration of the incubation period of rabies.

However, the reservation period shall be for 12 hour or less in the following cases:

(1) Dogs, imported from areas specified as no rabies, satisfy following requirements:

- a .A sure identification by way of microchip, etc.
- b. A certificate prescribing that the dog is bred in no Rabies region since the birth or for the recent 180 days

(2) Dogs or cats, imported from non-clean countries or regions, satisfy the following requirements:

- a.Sure identification by way of microchip, etc.
- b. A certificate proving that an effective vaccination is made.  
(A vaccination certificate of twice or more at intervals of 30 days or more after 91 age in days since its birth)
- c. Confirmation of a sufficient antibody titer
- d. Waiting period for 180 days

(3) Dogs and cats for the purpose of experimental study imported from the facilities specified by the Minister of Agriculture, Forestry and Fisheries

6) The breeding management for the reservation period

There are 12 reservation facilities in Japan. Ask in advance the animal quarantine station controlling the scheduled importation about the facilities where the trader who has been entrusted to the breeding management resides.

The animal quarantine station bears the inspection expense for the reservation period; however, necessary expenditures for the transportation, breeding management, veterinarian's visit, and sending back or disposal, etc., of the animal shall be born by the importer.

Animals, if infected with disease, are not allowed to get out from the reservation facilities during the reservation period.

7) Delivery of Import Quarantine Certificate

When the quarantine finishes, the domestic animal epidemics prevention commissioner issues an "Import quarantine certificate." In case that registration of dog has not been made, the registration of dog may be made at the municipalities where the breeding station is by the importer by submitting "Import quarantine certificate of dog" within 30 days after import.

**< Authorities Concerned >**

Tuberculosis and Infectious Diseases Control Division, Health Service Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp>

Animal Health Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

## **4. Washington Convention**

### **Convention on International Trade In Endangered Species of Wild Fauna & Flora (CITES)**

#### **<Purpose of the Convention>**

This Convention is aimed at establishing worldwide cooperation to protect endangered wildlife and plant species, which constitute a most precious part of the earth, and is intended to prevent certain species from being subjected to excessive international trade.

#### **< Regulatory Subjects>**

Flora and fauna or their derivatives enumerated in the appendix of the convention (eggs, species, bulbs, fruit, stuffed or processed products)

##### **1. Classification of restriction of flora and fauna species**

In this convention, the species are classified into the following three areas:

###### **(1) Flora and fauna and their derivatives classified in Appendix I**

These are the endangered species that are tightly restricted and generally prohibited from commercial trade. However, trade for the scientific research may be permitted exceptionally when both of the export and import licenses are presented.

###### **<Examples and utilization of the fauna classified in Appendix I>**

orangutan (pet), elephant (ivory for seal and accessories), tiger(bone for herbal medicine and tonic, skins for ornament), rhinoceros(horn for herbal medicine), Japanese bear(gallbladder for herbal medicine), wheal(food), macaw(pet), sea turtles including hawksbill(tortoiseshell works, stuffed animal), crocodile (leather works), great salamander(pet), sturgeon(caviar for food), green arowana(pet), cactus(appreciation), orchid(appreciation), aloe(appreciation)

###### **(2) Flora and fauna and their derivatives classified in Appendix II**

Those species which are not now facing extinction but which may face extinction unless trade is restricted, which may be imported for commercial purposes if an export license from the exporting country is issued.

###### **<Examples and utilization of the fauna classified in Appendix II>**

hippopotamus(tusk for ornament and accessories), polar bear(stuffed animal), all kinds of monkeys except for these listed in Appendix (experiment, pet), all kinds of cats except for these listed in Appendix(skin, pet), all kinds of parrots except for these listed in Appendix (pet), all kinds of Asia cuora(pet, food), chameleon, etc.

###### **(3) Flora and fauna and their derivatives classified in Appendix III**

Those species which the parties to the convention agree to restrict in their jurisdictions with the cooperation of other parties. A certificate of origin (an export license is required in the case of countries enumerated in Appendix III) is required for export and import.

Note: The parties to the convention, when dealing with species in Appendix I, may be treated as non-parties to the convention for the trade of those species.

<Examples and utilization of fauna classified in Appendix III>

walrus in Canada(tusk for ornament and accessories), many kinds of inhabitants in Ghana

### **<Import Procedures>**

#### **(1) Flora and fauna and their derivatives in Appendix I**

These fall under the items allocated for import and importers shall submit the respective documents attached to the application for import approval to:

(Processed products)

Trade and Licensing Division, Ministry of Economy, Trade and Industry

(Non-processed products regardless alive or dead)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry

<http://www.meti.go.jp/english/index.html>

and obtain import allocation certificates for the following classifications.

##### **a. For scientific research:**

A written oath stating the purpose for scientific research.

Importers shall possess appropriate facilities to accommodate the flora and fauna to be imported.

##### **b. Species for breeding and reproduction:**

The certificate issued by the controlling authorities of the exporting country stating the species are for breeding and reproduction.

##### **c. Species acquired prior to the execution of this convention:**

A certificate issued by the controlling authorities of the exporting country stating that the species were acquired prior to the date this convention took effect.

Based on the application for approval, METI confirms whether the species falls under Appendix I, is for breeding and reproduction, or was acquired prior to the execution of the Convention, and further confirms the validity of the export license. After such confirmation, METI issues an import approval certificate (import application).

Then, the importer must submit an import declaration to the customs house, attaching the import approval certificate and approval to the import application, together with the export license issued by the controlling authorities of the exporting country.

#### **(2) Flora and Fauna and their derivatives in Appendix III**

##### **a. Shipment from the convention member country.**

For prior confirmation species:

An application for prior confirmation and export license issued by the controlling

authorities of the exporting country

METI confirms whether the species corresponds to Appendix III or not, confirms the validity of the export license, and issues the prior confirmation.

The importer submits an import declaration to the customs house together with the prior confirmation, attaching the export license (export certificate) issued by the controlling authority of the exporting country and sent by the exporter.

For other than prior confirmation

An export license or export certificate is issued by the controlling authority of the exporting country

b. Shipment from the non- convention member country.

Before the species is shipped from such countries, the approval of the METI (No.2 approval) is required; such approval is rarely granted.

(3) Flora and fauna and their derivatives in Appendix III

a. Shipment from the convention member country.

For prior confirmation species:

METI confirms the prior confirmation of application, validity of the certificate of origin issued by the controlling authority of the exporting country, and then issues the prior confirmation.

The importer submits an import declaration to the customs house together with the prior confirmation, attaching the certificate of origin sent from the exporter and issued by the controlling authority of the exporting country.

- For other than prior confirmation

Certificate of origin issued by the controlling authority of the exporting country.

b. Shipment from the non- convention member country.

Before the species is shipped from such countries, the approval of the METI (No.2 approval) is required; such approval is rarely granted.

**< Authorities concerned >**

(Washington Convention)

Trade and Licensing Division, Ministry of Economy, Trade and Industry (Processed products)

Agricultural and Marine Products Office, Trade and Licensing division, Ministry of Economy, Trade and Industry (Non processed products regardless alive or dead)  
<http://www.meti.go.jp/english/index.html>

CITES Office: <http://www.cites.org>

## **5. Quarantine Act**

### **<Purpose of Law >**

This law aims to prevent the causative agents of infectious diseases which do not ordinarily exist within the territory of this country from entering by way of ships or aircraft, and also to take necessary measures to prevent other infectious diseases carried by ships and aircraft.

(Note)

Quarantine infectious diseases include ;

- a. Ebola haemorrhagic fever, Crimean-Congo haemorrhagic fever, South-America haemorrhagic fever, smallpox, plague, Marburg disease and Lassa fever) prescribed by the Law Concerning the Prevention of Infectious Disease and Medical Care for Patients of infections
- b. cholera
- c. yellow fever.
- d. Other diseases than those listed in the above that are prescribed by the government ordinance requiring the inspection concerning the presence of such causal organisms among infectious diseases not existing within the country in order to prevent such causal organisms from invading the country.

### **<Application of the Law>**

1.The application of this law to persons of suspected infections or carriers of pathogen with no symptom

- a. This law shall be applied to those who present these infectious diseases or a false symptom of cholera as they are deemed to be patients of these diseases.
- b. This law shall be applied to those who present no symptoms despite they carry the above mentioned pathogen as they are deemed to be patients of these diseases.

2. Quarantine ports etc

In this law, "Quarantine ports" or "Quarantine airports" mean any ports or airports defined by the respective government ordinances.

### **<Prohibition of entering ports>**

Regarding vessels or aircraft having left or visited a foreign country and arriving at Japan, or vessels or aircraft encountered or embarked persons or material from other vessels or aircraft having left or visited a foreign country during navigation, their entry into Japan, by land and sea, will be forbidden unless such vessel or aircraft receives a Free Pratique, or a Provisory Free Pratique, except for case where enter into designated area such as quarantine area or persons or material on board have already been confirmed by the Chief of the Quarantine Station to the effect that they are not contaminated by pathogenic

microorganism causing quarantine infection diseases.

**<Outline of Specifications, Standards and Inspections, etc.>**

**1) Procedure for application**

The captains of vessels, etc. intending to receive quarantine procedures must preliminarily inform the Chief of Quarantine Station through any adequate method matters prescribed in the ministerial ordinances of the Minister of Health, Labor and Welfare, such as whether or not patients suffering from or who have died from quarantine infectious diseases are on board the vessel, etc. Captains of vessels, etc. applying for quarantine procedures must file with the Chief of the Quarantine Station, a General Declaration stating the name or registration number of his vessel, etc., the name of place of passage, the name of place of registration or port of call, or other matters ministerial ordinance prescribes.

**2) Implementation of quarantine**

When vessels etc enter the quarantine area or an area designated by the Chief of Quarantine Station, the Chief must commence quarantine, except if unavoidable circumstances such as poor weather conditions exist.

**3) Certification**

The Chief of Quarantine Station delivers a Free Pratique when he admits from the results of quarantine or notification prior to entry that no risk of quarantine infectious diseases entering Japan brought by vessels etc exists.

When the Chief of Quarantine Station may not deliver a Free Pratique, a Provisory Free Pratique valid for a fixed period shall be delivered if it is deemed that little risk of pathogenic microorganism causing quarantine infectious diseases spreading into Japan exists.

**< Authorities concerned >**

Tuberculosis and Infectious Diseases Control Division, Health Service Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

## **6. Plant Protection Act**

### **< Purpose of Law >**

The objectives of this law are to inspect the exporting, importing and domestic plant, to control the pests, and to prevent the outbreak and/or spreading thereof, thereby to ensure the stabilization and development of agricultural production.

### **< Outline of Law >**

(Import Plant Quarantine outlined)

There are many plant pests in overseas countries which are potentially hazardous to our agriculture. Plant quarantine is conducted under the Plant Protection Act to prevent the introduction and spread of these pests into Japan by enforcing inspection of imported plants by means of cargo, hand luggage, foreign mail matter, etc. at the seaports or airports of entry.

Imported plants and their container packages shall be inspected, whether or not the inspection certificate issued by an appropriate organization of the exporting country or its copy is attached, whether the plants are prohibited or whether any harmful flora and fauna adheres or not (Article 8, Clause 1).

### **< Objective Articles >**

Imported plants are classified to three groups, i.e. import prohibited articles, articles subject to import inspection and commodities not subject to import inspection.

#### **1.Import prohibited Articles**

Some of the quarantine pests have a high risk of generating great economic losses to our agricultural production if they invade Japan. When they are technically difficult to intercept by the point of entry inspection and no practical control measures are available to combat them, there will be no means to prevent their introduction other than banning entry of the plants (and/or plant products) which can be the host of these pests. For these reasons, the importation of certain kinds of plants is prohibited under the Plant Protection Act.

Pest distribution differs with countries (regions). A species of pest may be present in one country (region) but not in other countries. Consequently, the same kind of plants may be prohibited from one country but admissible from another country.

Some of wild plants shall be ban with countries (regions).

In addition, articles such as quarantine pests, parasitic plants, soil or plants attached with soil are prohibited entry into Japan. Please refer to the separate table for details.

The conditional import of the import prohibited articles shall be permitted for the limited uses for test and display at the laboratories, museums, etc. after permission of the Minister

of Agriculture, Forestry and Fisheries. Separating from Minister's approved plants, concerning import prohibited plants, there are some plants that are able to import subjecting to that sterilization standards regulated by the Minister is done in export country

## **2.Articles subject to Import Inspection**

All the plant articles other than the prohibited items are subject to plant quarantine inspection. They can be imported if they pass the import inspection.

This category involves an extremely wide range of plants (and/or plant products) such as seeds, nursery stocks (including scions) and flower bulbs, cut-flowers, fruits and vegetables, grains and cereals, beans and legumes, dried flowers, timber (excluding sawn timber), spices, medicinal plants, etc. If no quarantine pest is detected on your plants by import inspection, they will be passed for entry into our country. If any quarantine pest is found, their entry is refused. However, if any disinfection treatment is available, they can be passed for entry after the completion of the treatment.

### **<Inspection of Import Cargo>**

Import inspection of bulk cargoes such as cereal grains or beans, etc. is routinely carried out on board the vessels prior to unloading operation. Shipments of fruits and vegetables are inspected in chilled warehouses specially designed for accommodation of these perishable products. Timber and logs are inspected either aboard the vessels or at the log pools after discharge. Containerized cargo shipments are inspected at the container terminal of the port of entry. Air cargo shipments are inspected at the inspection facilities of the Plant Protection Station of the airport.

### **<Application of Import Inspection>**

For the inspection of import plants, you are requested to submit ' Application for Import Plant Inspection ' to the Plant Protection Stations supervising the seaport or airport of entry. which are distributed over 139 sites in Japan as of January 2004. Application will be accepted from seven days ahead of the date of arrival.

Application and acceptance shall be also made with a computer system for import plant inspection procedure: PQ-NETWORK.

### **<Documents required for Inspection>**

When you import plants, you are required to present an official phytosanitary certificate issued by the government of exporting country. The certificate is issued on the basis of export phytosanitary inspection undertaken by plant protection authorities of exporting country in conformity with the stipulation of the International Plant Protection Convention. You are required to submit 'Application for Import Plant Inspection' together with the Phytosanitary Certificate.

For the need of identifying the specific contents of the consignment for inspection, you may

also be required to present Bill of Lading (B/L), Invoice, Packing List, Airway Bill, etc.

**<Inspection Method>**

For each species of plant materials and the size of the consignment, necessary amount of sample is drawn and closely inspected for the presence of quarantine pest or soil attached. Final decision on the inspection will be given as far as possible at the site of inspection. When a closer examination is necessary, samples are taken into laboratories of the plant protection station and subjected to precise indexing by using microscope and/or other sophisticated inspection devices. Tree fruit nursery stocks and flower bulbs are accommodated into the national post-entry quarantine facilities to inspect for virus and viruslike diseases for a prolonged period.

**<Inspection Site and Contact Point>**

Inspection is carried out at the designated places within the areas of seaports or airports. Application for import inspection should be made to the Plant Protection Station responsible for the port of entry.

**3. Commodities not subject to Import Inspection**

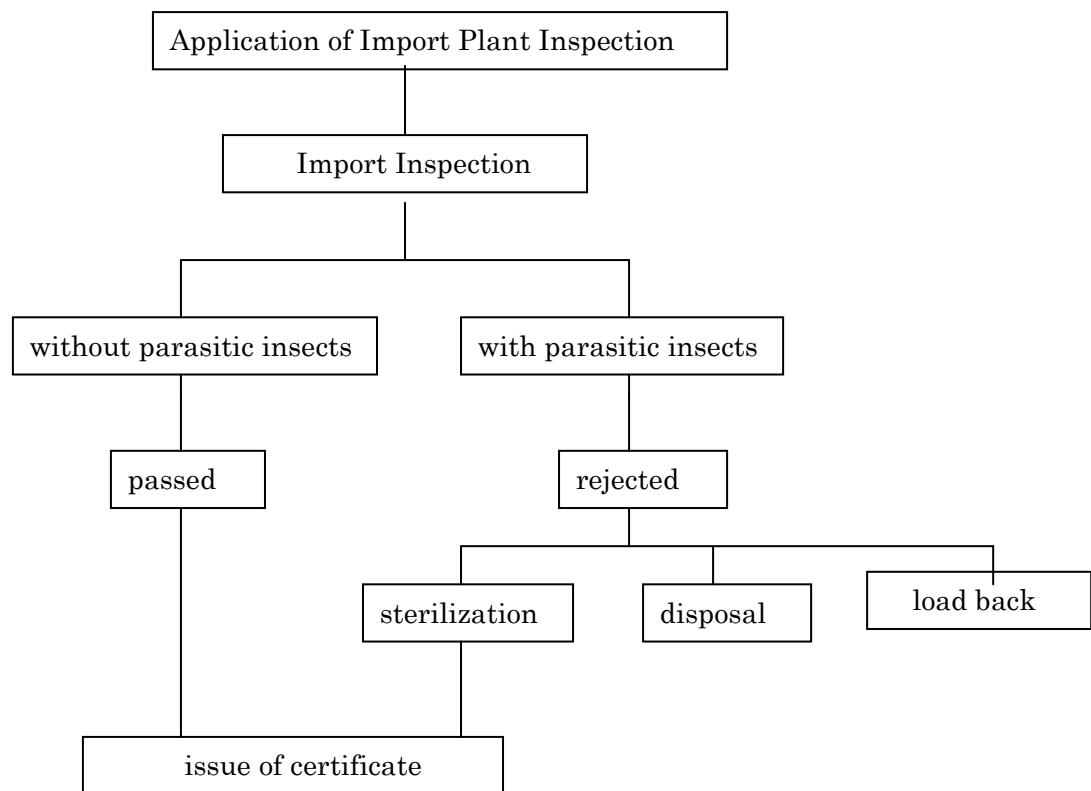
A certain category of plant products can be imported without plant quarantine inspection. All the plants are, as a rule, subject to import inspection. However, some plant products are exempted from import inspection. They are, for example, highly processed products such as wooden furniture, tea, canned or bottled products packed in sealed container, which is free from the risk of recontamination. In any case, not all the '*processed plant products*' are exempted from import inspection. Details are available at the Plant Protection Station.

**<Authorities concerned >**

Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forest and Fisheries

<http://www.maff.go.jp/eindex.html>

## Flow of Plant Import Quarantine



**List of Prohibited Plants for Import**  
**(Plant Protection Act Enforcement Regulations Annexed Tables 2)**  
*(As of December 31, 2009)*

Districts	Prohibited Plants	Quarantine Pests
1. Israel, Cyprus, Saudi Arabia, Syria, Turkey, Jordan, Lebanon, Albania, Italy, United Kingdom (Great Britain and Northern Ireland, hereinafter referred to as "United Kingdom"), Austria, Netherlands, Greece, Switzerland, Spain, Germany, Hungary, France, Belgium, Portugal, Malta, Former Yugoslavia, Africa, El Salvador, Guatemala, Costa Rica, Nicaragua, Panama, Honduras, Argentina, Uruguay, Ecuador, Colombia, Paraguay, Brazil, Peru, Bolivia, Bermuda, West Indies (excluding Cuba, Dominican Republic, Puerto Rico), Australia (excluding Tasmania), Hawaiian Islands	Fresh fruits of akee, avocado, star berry, allspice, olive, cashew nut, kiwi fruit, <i>Thevetia peruviana</i> , carambola, pomegranate, jaboticaba, broad bean, alexandrian laurel, date palm, <i>Muntingia calabura</i> , feijoa, pawpaw, mammee apple, longan, litchi, and plants of the genera <i>Ficus</i> , <i>Phaseolus</i> , <i>Diospyros</i> (excluding those listed in appendix 41), <i>Carissa</i> , <i>Juglans</i> , <i>Morus</i> , <i>Coccoloba</i> , <i>Coffea</i> , <i>Ribes</i> , <i>Passiflora</i> , <i>Dovyalis</i> , <i>Ziziphus</i> , <i>Spondias</i> , <i>Musa</i> (excluding immature banana), <i>Carica</i> (excluding those listed in appendix 1), <i>Psidium</i> , <i>Artocarpus</i> , <i>Annona</i> , <i>Malpighia</i> , <i>Santalum</i> , <i>Garcinia</i> , <i>Vitis</i> (excluding those listed in appendix 3), <i>Syzygium</i> , <i>Mangifera</i> (excluding those listed in appendices 2, 36 and 43), <i>Ilex</i> , <i>Terminalia</i> and <i>Gossypium</i> , and Plants of the family Sapotaceae, Cucurbitaceae (excluding those listed in appendices 3 and 42), Cactaceae (excluding those listed in appendix 35), Solanaceae (excluding those listed in appendix 3), Rosaceae (excluding those listed in appendices 3 and 31) and Rutaceae (excluding those listed in appendices 4 to 8, 39 and 45).	Mediterranean fruit fly ( <i>Ceratitis capitata</i> )
2. India, Indonesia, Cambodia, Singapore, Sri Lanka, Thailand, Taiwan, China (excluding Hong Kong, hereinafter referred to as "China"), Pakistan, Bangladesh, Timor-Leste, Philippines, Brunei, Viet Nam, Hong Kong, Malaysia, Myanmar, Laos, Papua New Guinea, Hawaiian Islands, Micronesia	Fresh fruits of citrus (excluding those listed in appendix 10), barbados cherry, avocado, apricot, fig, <i>Baccaurea sapida</i> , strawberry, olive, indian laurel, <i>Arenga englei</i> , carambola, pomegranate, santol, plum, tahiti chestnut, alexandrian laurel, tomato, pear, date palm, papaya (excluding those listed in appendices 1, 11 and 12, the same in item 4), loquat, betel nut, grape (excluding those listed in appendix 32), peach, <i>Terminalia catappa</i> , <i>Myrica rubra</i> , rambutan, longan, apple, litchi (excluding those listed in appendices 13 and 14), wampi, and plants of the genera <i>Bouea</i> , <i>Diospyros</i> , <i>Coffea</i> , <i>Capsicum</i> , <i>Passiflora</i> , <i>Solanum</i> , <i>Zizyphus</i> , <i>Spondias</i> , <i>Psidium</i> , <i>Artocarpus</i> , <i>Annona</i> , <i>Hylocereus</i> , <i>Garcinia</i> (excluding those listed in appendix 40), <i>Eugenia</i> , <i>Mangifera</i> (excluding those listed in appendices 15 to 17, 36 and 48, the same in item 4) and <i>Lansium</i> , and plants of the family Sapotaceae, and mature banana.	<i>Bactrocera dorsalis</i> species complex
3. Easter Island, Australia (excluding Tasmania), New Caledonia, Papua New Guinea, French Polynesia	Fresh fruits of citrus (excluding those listed in appendix 7), avocado, apricot, fig, strawberry, olive, kiwi fruit, carambola, cherry, pomegranate, red pepper (capsicum), white sapote, plum, tomato, pear, date palm, papaya, guava, loquat, grape, quince, peach, apple, litchi, and plants of the genera <i>Diospyros</i> , <i>Rubus</i> , <i>Morus</i> , <i>Coffea</i> , <i>Passiflora</i> , <i>Zizyphus</i> , <i>Annona</i> , <i>Eugenia</i> and <i>Mangifera</i> (excluding those listed in appendix 2) and mature banana.	Queensland fruit fly ( <i>Bactrocera tryoni</i> )
4. India, Indonesia, Cambodia, Singapore, Sri Lanka, Thailand, Taiwan, China, Nepal, Pakistan,	Live vines, leaves and fresh fruits of plants of the family Cucurbitaceae (excluding those listed in appendix 18), and fresh fruits of kidney bean, pigeon pea, carambola, cowpea, red	Melon fly ( <i>Bactrocera cucurbitae</i> )

Bangladesh, Timor-Leste, Philippines, Brunei, Viet Nam, Hong Kong, Malaysia, Myanmar, Laos, Egypt, Kenya, Tanzania, Papua New Guinea, Hawaiian Islands, Micronesia	pepper(capsicum), tomato, eggplant, papaya, and plants of the genera <i>Hylocereus</i> and <i>Mangifera</i> .	
5. Afghanistan, Israel, Iraq, Iran, India, Cyprus, Syria, China, Turkey, Pakistan, Myanmar, Jordan, Lebanon, Europe, Former Soviet Union, Africa, United States of America (excluding Hawaiian Islands, hereinafter referred to as "United States of America"), Canada, Mexico, Argentina, Uruguay, Colombia, Chile, Brazil, Peru, Bolivia, Australia, New Zealand	Fresh fruits of apricot, cherry (excluding those listed in appendices 19 to 21 , 38 and 44), plum (excluding those listed in appendix 37), pear, quince, peach (excluding those listed in appendices 22 and 23), and apple (excluding those listed in appendices 24, 25,31 and 34). Fresh fruits and nuts in shell of walnut (excluding those listed in appendix 26).	Codling moth ( <i>Cydia pomonella</i> )
6. India, Indonesia, Cambodia, Singapore, Sri Lanka, Thailand, Taiwan, China, Bangladesh, Timor-Leste, Philippines, Brunei, Viet Nam, Hong Kong, Malaysia, Myanmar, Laos, Africa, North America (excluding Canada but including West Indies), South America, Australia, New Zealand, Papua New Guinea, Hawaiian Islands, Polynesia, Micronesia, Melanesia	Live vines, leaves, tuberous roots, and other underground portions of plants of the genera <i>Ipomoea</i> , <i>Pharbitis</i> , and <i>Calystegia</i> . Live tuberous roots and other underground portions of cassava.	Sweet potato weevil ( <i>Cylas formicarius</i> )
7. China, North America (excluding Canada but including West Indies), South America, New Zealand, Hawaiian Islands, Polynesia, Micronesia, Melanesia	Live vines, leaves, tuberous roots and other underground portions of plants of the genera <i>Ipomoea</i> , <i>Pharbitis</i> , and <i>Calystegia</i> .	West Indian sweet potato weevil ( <i>Euscepes postfasciatus</i> )
8. India, Turkey, Nepal, Bhutan, Europe (excluding Albania and Greece), Former Soviet Union, Republic of South Africa, Canada, Uruguay, Ecuador, Chile, Falkland Islands, Peru, Bolivia, New Zealand	Live haulms, leaves, tubers, and other underground portions of plants of the family Solanaceae.	Potato wart ( <i>Synchytrium endobioticum</i> )
9. Turkey, Italy, United Kingdom, Austria, Netherlands, Greece, Switzerland, Spain, Denmark, Germany, Hungary, France, Belgium, Portugal, Luxembourg, Former Czechoslovakia, Former Yugoslavia, United States of America, Canada, Mexico	Live haulms and leaves of cabbage, and plants of the genera <i>Cirsium</i> and <i>Verbascum</i> , and plants of the family Solanaceae.	Colorado potato beetle ( <i>Leptinotarsa decemlineata</i> )
10. Israel, India, Iceland, Ireland, Italy, United Kingdom, Austria, Netherlands, Greece, Switzerland, Sweden, Spain, Denmark, Germany, Norway, Finland, France, Belgium, Poland, Luxembourg, Former Soviet Union, Algeria, North	Live tubers and other underground portions of plants of the genus <i>Chenopodium</i> , and plants of the family Solanaceae(excluding those listed in appendix 46).	Potato cyst nematode ( <i>Globodera rostochiensis</i> )

America (excluding West Indies), Argentina, Peru, Bolivia		
11. India, Cyprus, Turkey, Iceland, Ireland, Italy, United Kingdom, Austria, Netherlands, Greece, Switzerland, Sweden, Spain, Czech, Denmark, Germany, Norway, Hungary, France, Portugal, Malta, Former Soviet Union, Canary Islands, United States of America, Canada, Panama, Ecuador, Colombia, Chile, Falkland Islands, Venezuela, Peru, Bolivia, New Zealand	Live tubers and other underground portions of plants of the family Solanaceae(excluding those listed in appendix 46).	White potato cyst nematode ( <i>Globodera pallida</i> )
12. United Arab Emirates, Yemen, Israel, Iraq, Iran, Syria, Turkey, Myanmar, Jordan, Lebanon, Europe (excluding Netherlands), Former Soviet Union, Algeria, Egypt, Tunisia, Republic of South Africa, Morocco, Libya, United States of America, El Salvador, Canada, Cuba, Guatemala, Costa Rica, Jamaica, Dominican Republic, Haiti, Puerto Rico, Honduras, Nicaragua, Mexico, Argentina, Uruguay, Brazil, Venezuela, Australia (excluding Tasmania)	Live haulms, leaves, and fresh fruits of plants of the family Solanaceae (excluding those listed in appendices 27,30,42 and 47).	Blue mold ( <i>Peronospora tabacina</i> )
13. United States of America, Hawaiian Islands	Underground portions of live plants of avocado, alfalfa, kidney bean, <i>Indigofera hirsuta</i> , okra, pepper, sweet potato, sugarcane, watermelon, radish, soybean, loblolly pine, red pepper( <i>capsicum</i> ), corn, tomato, balsam pear, pineapple, <i>Pinus elliotii</i> , summer squash, melon, peanut (excluding seeds without pod), leek and litchi, and plants of the genera <i>Anthurium</i> (excluding those listed in appendices 49), <i>Musa</i> and <i>Beta</i> , and plants of the family Rutaceae.	Citrus burrowing nematode ( <i>Radopholus citrophilus</i> )
14. Iran, Turkey, Europe, Former Soviet Union, North America (excluding West Indies), New Zealand	Culms and leaves of plants of the genera <i>Hordeum</i> , <i>Triticum</i> , and <i>Secale</i> (including straw packing materials and straw goods similar thereof referred to as "straw" in appendices 28 and 33), and culms and leaves of plants of the genus <i>Agropyron</i> (exculding those listed in appendices 28 and 33).	Hessian fly ( <i>Mayetiola destructor</i> )
15. Foreign countries excluding North Korea, Korea and Taiwan	Rice plants, rice straw (including rice straw bags, mats, and other rice straw goods similar thereof (excluding those listed in appendix 29)), unhulled rice and rice hull.	Rice stem nematode ( <i>Ditylenchus angustus</i> ), <i>Trichononis caudata</i> , <i>Balansia oryzae</i> , and other quarantine pests not existing in Japan.

16. Israel, Iran, Cyprus, Turkey, Jordan, Lebanon, Ireland, Albania, Armenia, Italy, United Kingdom, Austria, Netherlands, Greece, Switzerland, Sweden, Spain, Denmark, Germany, Norway, Hungary, France, Bulgaria, Belgium, Poland, Moldva, Liechtenstein, Luxembourg, Romania, Former Czechoslovakia, Former Yugoslavia, Egypt, United States of America, Canada, Guatemala, Bermuda, Mexico, New Zealand	Live plants and plant parts (including fruit, flower and pollen, other than seed) of <i>Pseudocydonia sinensis</i> , medler, loquat, quince, and plants of the genera <i>Aronia</i> , <i>Photinia</i> , <i>Crataegomespilus</i> , <i>Amelanchier</i> , <i>Crataegus</i> , <i>Cotoneaster</i> , <i>Raphiolepis</i> , <i>Stranvaesia</i> , <i>Osteomeles</i> , <i>Dichotomanthes</i> , <i>Pyracantha</i> , <i>Docynia</i> , <i>Pyrus</i> , <i>Sorbus</i> , <i>Heteromeles</i> , <i>Peraphyllum</i> , <i>Choenomeles</i> , and <i>Malus</i> (excluding those listed in appendices 24, 25 and 31).	Fire blight ( <i>Erwinia amylovora</i> )
17. Yemen, India, Indonesia, Cambodia, Saudi Arabia, Sri Lanka, Thailand, Taiwan, China, Nepal, Bangladesh, Timor-Leste, Philippines, Bhutan, Viet Nam, Malaysia, Myanmar, Laos, Africa, United States of America, Brazil, Papua New Guinea	Live plants and plant parts (excluding seed and fruit ) of <i>Aeglopsis chevalieri</i> , <i>Atalantia missionis</i> , <i>Calodendrum capensis</i> , <i>Triphasia trifolia</i> , <i>Clausena indica</i> , <i>Citroncirrus webberi</i> , <i>Swinglea glutinosa</i> , <i>Feronia limonia</i> , <i>Severinia buxifolia</i> , <i>Balsamocitrus dawei</i> , <i>Microcitrus australis</i> , wampi, and plants of the genera <i>Toddalia</i> .	Huanglongbing ( <i>Candidatus Liberibacter asiaticus</i> , <i>Candidatus Liberibacter africanus</i> and <i>Candidatus Liberibacter americanus</i> )

## In relation to Enforcement Regulation Article 9 of Plant Protection Act

### Appendix (Conditional Import)

1. Solo type of papaya shipped from the Hawaiian Islands directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
2. R2E2 variety, Keitt variety, Kensington variety, Kent variety and Palmer variety of mango shipped from Australia directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
3. Strawberry, cucumber, pepper(capsicum), tomato, eggplant, grape, summer squash and melon shipped from the Netherlands directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
4. Valencia variety, Washington Navel variety, Tomango variety and Protea variety of sweet orange, lemon, grapefruit and clementine shipped from the Republic of South Africa directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
5. Valencia variety, Washington Navel variety, Tomango variety and Protea variety of sweet orange, grapefruit and clementine shipped through the Republic of South Africa from the Kingdom of Swaziland without going by way of other countries to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
6. Shamouti variety and Valencia variety of sweet orange, grapefruit, sweetie and pomelo shipped from Israel directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
7. Citrus spp. shipped from Australia directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

- 8.** Navel variety, Valencia variety and Salustiana variety of sweet orange, lemon and Clementine shipped from Spain directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 9.** Deleted
- 10.** Ponkan orange, Tankan orange and Liutin variety of sweet orange and pomelo shipped from Taiwan directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 11.** Solo type and Tailung No.2 type of papaya shipped from Taiwan directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 12.** Solo type of papaya shipped from the Republic of the Philippines directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 13.** Litchi shipped from Taiwan directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 14.** Litchi shipped from the People's Republic of China directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 15.** Manila Super variety of mango shipped from the Republic of the Philippines directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 16.** Irwin variety, Keitt variety and Haden variety of mango shipped from Taiwan directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 17.** Nan Klarngwun variety, Nam Dorkmai variety, Pimsen Daeng variety, Mahachanok variety and Rad variety of mango shipped from the Kingdom of Thailand directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 18.** Melon shipped from the People's Republic of China directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 19.** Cherry shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 20.** Lambert variety of cherry shipped from Canada directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 21.** Cherry shipped from New Zealand directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 22.** Nectarine shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries
- 23.** Firebrite variety, Fantasia variety and Red Gold variety of nectarine shipped from New

Zealand directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**24.** Apple shipped from New Zealand directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**25.** Apple shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**26.** Hartley variety, Payne variety and Franquette variety of inshell walnut shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**27.** Tomato shipped from Canada directly to Japan

**28.** Straw of wheat and barley group and culms and leaves of plants of the genus Agropyron mixed in hay shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**29.** Rice straw shipped from the People's Republic of China directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**30.** Tomato shipped from the United States of America directly to Japan

**31.** Golden Delicious variety of apple shipped from the French Republic directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**32.** Kyoho variety and Italy variety of grape shipped from Taiwan directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**33.** Straw of wheat and barley group and culms and leaves of plants of the genus Agropyron shipped from Canada directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**34.** Apple shipped from Australia directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**35.** Yellow Pitaya shipped from Republic of Colombia directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**36.** Keitt variety and Haden variety of mango shipped from the Hawaiian Islands directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**37.** Plum shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**38.** Cherry shipped from the Republic of Chili directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**39.** Grapefruit, valencia variety of sweet orange and lemon shipped from the Argentine

Republic directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**40.** Mangosteen shipped from the Kingdom of Thailand directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**41.** Triumph variety of persimmon shipped from the State of Israel directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**42.** Tomato and cucumber shipped from the Kingdom of Belgium directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**43.** Tommy Atkins variety of mango shipped from the Federative Republic of Brazil directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**44.** Cherry shipped from Australia directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**45.** Tarocco variety of sweet orange shipped from the Republic of Italy directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**46.** Live tubers of potato shipped from the United States of America directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**47.** Tomato shipped from the United Mexican States directly to Japan

**48.** Alphonso variety, Kesar variety, Chausa variety, Banganpalli variety, Mallika variety and Langra variety of mango shipped from the Federative Republic of India directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

**49.** Underground portions of live plants of the genera Anthurium shipped from the Hawaiian Islands directly to Japan and which meets the standards established by the Minister of Agriculture, Forestry and Fisheries

## **7. Act on Stabilization of Supply, Demand and Prices of Staple Food (Staple Foods Law)**

### **<Purpose of Law >**

Since rice and wheat play a role as staple foods and are posted as important agricultural products, this law, by taking measures to secure the planned distribution of rice from producers to consumers, and by taking comprehensive governmental measures to control the purchase, import and sale of these major foods, aims to stabilize their supply and demand as well as the price, thereby assisting to stabilize the life of its citizens and the national economy.

### **<Staple Foods>**

Staple foods in this law refers rice, wheat (wheat, barley and rye which are applied for hereinafter), and other foods provided by the government ordinance (including those processed or prepared and stipulated by the government ordinance).

### **<Basic policy to aim the stable demand and supply, and prices of essential foods>**

1. The government prepares the proper prospect of supply and demand of rice for the stable supply and demand and price of rice, by promoting a smooth production adjustment for the balanced demand and supply of rice, as well as by attempting at securing a mobile management, proper and smooth distribution of rice preparing for an expected event of a short supply of rice, and implements a proper purchase, import and sale based on this policy.
2. The government, when implementing measures for a smooth promotion of the above mentioned production adjustment, supports and tries to carry out the voluntary effort of producers in accordance to a local characteristic, by attempting the cooperation with measures concerning the promotion of crops other than rice plant in the rice fields and other related measures.
3. The government prepares a proper prospect of the supply and demand of wheat for the stable supply, demand, and price of wheat, and implements a proper import and sale of wheat based on this policy by attempting at a smooth management of the stock preparing for an unexpected event of a short supply of wheat.

### **< Rice distribution system >**

Pursuant to an extensive revision of Staple Foods Law in April, 2004, the distribution

system of rice also was revised to a large extent, and arranged and constructed as follows.

In detail, a planned distribution system is abolished, and

- (1) support to a voluntary addressing for a stable supply by Rice Stable Supply Support Organization,
- (2) supply of an objective demand and supply information,
- (3) maintenance of the place of a fair and neutral dealing of rice,
- (4) reorganization of the labeling and inspection system to recover consumer's confidence,
- (5) construction, etc. of the system of securing supply of rice at an unexpected event are maintained and constructed.

Moreover, the conventional distinction in the system of "Planned distribution rice" and "Unplanned distribution rice" was revised to "Private sector distribution rice" and "Government rice" that is sold as stockpile rice.

#### **< Characteristic of distribution of wheat >**

There is a big difference between wheat and rice in the real aspect of production and distribution, etc. while wheat is positioned as an essential food together with rice in the food law.

While rice is produced domestically more than domestic demand, approximately 90 percent of demand of wheat is imported, which is a big difference.

In distribution, rice is basically distributed in the state of cereal grain (paddy, brown rice, and rice cleaning) from production to consumption but wheat has the characteristic of having passed various processing in the distribution process because it is consumed finally as bread or noodle.

Import surcharge under the Staple Food Law (JPY/kg)	
Rice	292.00
Rice flour	321.00
Wheat, meslin, rye	45.20
Barley	28.60
Wheat flour, meslin flour, rye flour	62.60
Barley flour	52.00
barley, rolled or flaked	57.80
wheat or rye, rolled or flaked	80.60
Other worked grains (listed under Table No. 1104.29 in Customs Tariff Schedules of Japan)	72.40
Wheat starch	99.60
Prepared goods from wheat or rye	58.80
Prepared goods from barley	37.40

#### **< Authorities concerned >**

Grain Trade Division, Staple Food Department, General Food Policy Bureau, Ministry of Agriculture, Forest and Fisheries

<http://www.syokuryo.maff.go.jp/>

## 8. Food Sanitation Act

In recent years, awareness of health has been increasing among people, coupled with fears or distrust about safety of food because of the discoveries of BSE cow, violations of residue-prone agricultural chemicals standards, food poisonings, and false labeling on food. In order to cope with such circumstances, the Japanese Government enforced the revised Food Sanitation Act from August 2003. The Government also enforced "Food Safety Basic Act" from July 2003 (Refer to relevant information-16)

The major revisions of the Food Sanitation Act may be summarized as follows:

1. Revision of the purpose of the law

New purposes "to secure food safety and to protect public health" have been added.  
(Refer to "Purpose of the Law" below)

2. Definition of responsibility each of the central government, local authorities, and food related businesses

Responsibility each of the government, local authorities, and food related businesses for food sanitation including food safety has been defined. (Refer to "Summary of the Law" below)

3. Revision of regulations of food specifications and standards

Any food containing agricultural chemicals whose content is not controlled by food additives standards or residue-prone agricultural chemicals standards shall be prohibited from distribution.

4. Intensified inspection and monitor

The law requires the local authorities to establish plans to monitor and supervise food businesses and the government to establish plans to monitor and supervise food imports.

5. Intensified measures against hazards from eating and drinking

To protect people from food poisoning, hazard control systems have been intensified.

6. Review of the Slaughterhouse Law and the regulations of poultry processing business

Protection of public health has been stated as one of the purposes of the law, while the responsibility each of the government and local authorities has been clarified.

7. Strengthening of punitive clauses

For those businesses who have failed to conform to the labeling standards, etc., penalties and imprisonment have been reviewed to higher levels.

This time revisions of the Food Sanitation Act are so lengthy that all of the revisions cannot be quoted in this document. So, we have briefed below major points of the law, especially with respect to import of food and agricultural products. For the whole text of the Food Sanitation Act, please visit the web site (<http://www.soumu.go.jp/>) operated by Ministry of

Public Management, Home Affairs, Posts and Telecommunications to check with the law search site.

### **<Purpose of the law>**

The purpose of the law is to prevent the occurrence of health hazards arising from human consumption of food so as to contribute to the protection of health of people by conducting regulations and measures deemed necessary, from the view point of public health, for securing food safety.

### **<Point of the Law>**

#### **1 . Role of the government and local authorities**

The government, prefectures, and special administrative regions shall take measures required to disseminate proper knowledge on food safety among people through educational and publicity activities, collect, sort out, analyze, and provide information on food safety, promote studies on food safety, improve inspection abilities with respect to food safety, and foster personnel involved in food safety and improve the quality of such personnel. (Article 2)

The government shall improve such systems as to collect, sort out, analyze, and provide information on food safety, study on food safety, and inspect imported food, additives, apparatus, and containers, and packages used for such food. In addition, the government shall take measures required to provide necessary technical assistance to prefectures, cities and special administrative regions having public health centers so as to enable them to fulfill their responsibility while maintaining international relationships.

(Article 2)

#### **2 . Role of food related businesses**

With respect to the food products food related businesses collect, manufacture, import, process, prepare, store, transport, sell, and provide to many and unspecified people, and additives, apparatus and containers/packages used in business (hereinafter called "Food for Sale, etc."), in order to secure safety at their responsibility, such businesses shall master knowledge and techniques required to secure safety for Food for Sale, etc. and also for the materials therefore, and shall take necessary measures such as conducting voluntary inspection. (Article 3)

#### **3 . Articles covered by the law**

- a. The term "food" means all foods and drinks; provided, however, that this term does not include drugs and quasi-drugs prescribed in the Pharmaceutical Affairs Act.
- b. The term "additive" means substances to be used in or on food, in the process of manufacturing of food or for the purpose of the processing or preserving of food, by adding, mixing, infiltrating, or other means.

- c. The term "natural flavoring agent" means additives, intended for use for flavoring food, which are substances obtained from animals or plants, or mixtures thereof.
- d. The term "apparatus" means tableware, kitchen utensils, machines, implements, and other articles which are used for handling, manufacturing, processing, preparing, storing, transporting, displaying, delivering, or consuming food or additives and which come into direct contact with food or additives; provided, however, that this term does not include machines, implements, and other articles used for collecting food in agriculture and fisheries.
- e. The term "container/package" means articles in which food or additives are contained or packaged and in which food and additives are offered when such food and additives are delivered. (Article 4)

**< Change according to the inauguration of Consumer Affairs Agency >**

The jurisdiction over labeling concerning allergies and genetic alteration has been transferred to the Consumer Affairs Agency.

**< Monitoring system for imported food >**

Under this law, the Minister of the Health, Labor and Welfare may introduce the procedures for development and publication of monitoring and guidance programs for imported food, thus enabling the minister to timely issue orders, at his judgment, to inspect imported food if such food is highly suspected of violating the relevant laws. Under the previous law, governors of prefectures were authorized to suspend or ban such importers from doing business while under the new law, Minister of Health, Labor and Welfare has been also authorized to do so.

**< Discontinuation of Pilot Sample System >**

The "Pilot Sample System" was discontinued at the time of import of foods, equipments, containers, toys, etc. (No. 0219004 of the Notice issued dated on February 19, 2009 by the Office of Safety monitoring of Imported Food, Ministry of Health, Labour and Welfare).

Accordingly a voluntary inspection of a sample from unloaded freight is required at the customs clearance starting on January 1, 2010.

Based on Article 27 of the Food Sanitation Act, the import notification for the pilot sample is not submitted. There were cases in which it was difficult to check that the imported goods were the same as the food products that were actually imported for sales purposes and cases in which the examination results were issued without an inspection of the sample actually being performed by the inspection body.

In accordance to the discontinuation of the Pilot Sample System, the examination result previously obtained cannot be used. In case voluntary inspection is consigned to an inspection body, an inspector of the aforementioned inspection body is required to examine

a sample extracted from the freight at sea or air port where the freight is unloaded, and to stay there until the examination result becomes available.

#### **<Responsibility of businesses>**

The law has been revised to provide for the responsibility of food related businesses that such businesses shall make efforts to take as many as possible measures at their responsibility to secure safety for food intended for sale. For example, such businesses are required to conduct voluntary inspections of food for sale, recording and maintaining information on supply sources, collecting the latest technical information on food, mastering knowledge and techniques of food sanitation, checking and securing safety for materials for food.

#### **<Hearing opinions from the public>**

Under the new law, in establishing specifications and standards, the Minister of Health, Labor and Welfare is required to disclose necessary information to the public and seek wide ranging opinions from the public or residents. The stipulations provide that the minister and prefectural governors, etc. shall publicize the state of implementation of measures related to food sanitation and seek opinions from the various sectors of the public and residents. (Risk Communication Provisions)

#### **<Positive list system>**

Positive list system for Agricultural chemicals, etc. is the system that prohibits sales, etc. of agricultural chemicals in which residual chemicals remain. This system started in May 2006. Objective materials are agricultural chemicals, drugs for animals and feeds additives. Objective foods are all foods that include perishable products and processed foods. Foods additives are out of control by this system but foods additives distributed in the market as foods shall be controlled by this system.

#### **<Penal Provisions>**

Considering the fact that people are getting increasingly fearful and distrustful about food safety because of such problems as residue-prone agricultural chemicals in imported agricultural products and false labeling on food, penal provisions have been strengthened to prevent the violations of the relevant laws.

Penal Provisions for Violators of the Food Sanitation Act effective as from August 29, 2003	
Violations	Punishments
Sale of hazardous food, use of unspecified additives, violation of order to dispose, violation of order to suspend business	Imprisonment for not more than 3 years, or a fine of not more than 3 million JPY In case of firms: a fine of not more than 100 million JPY

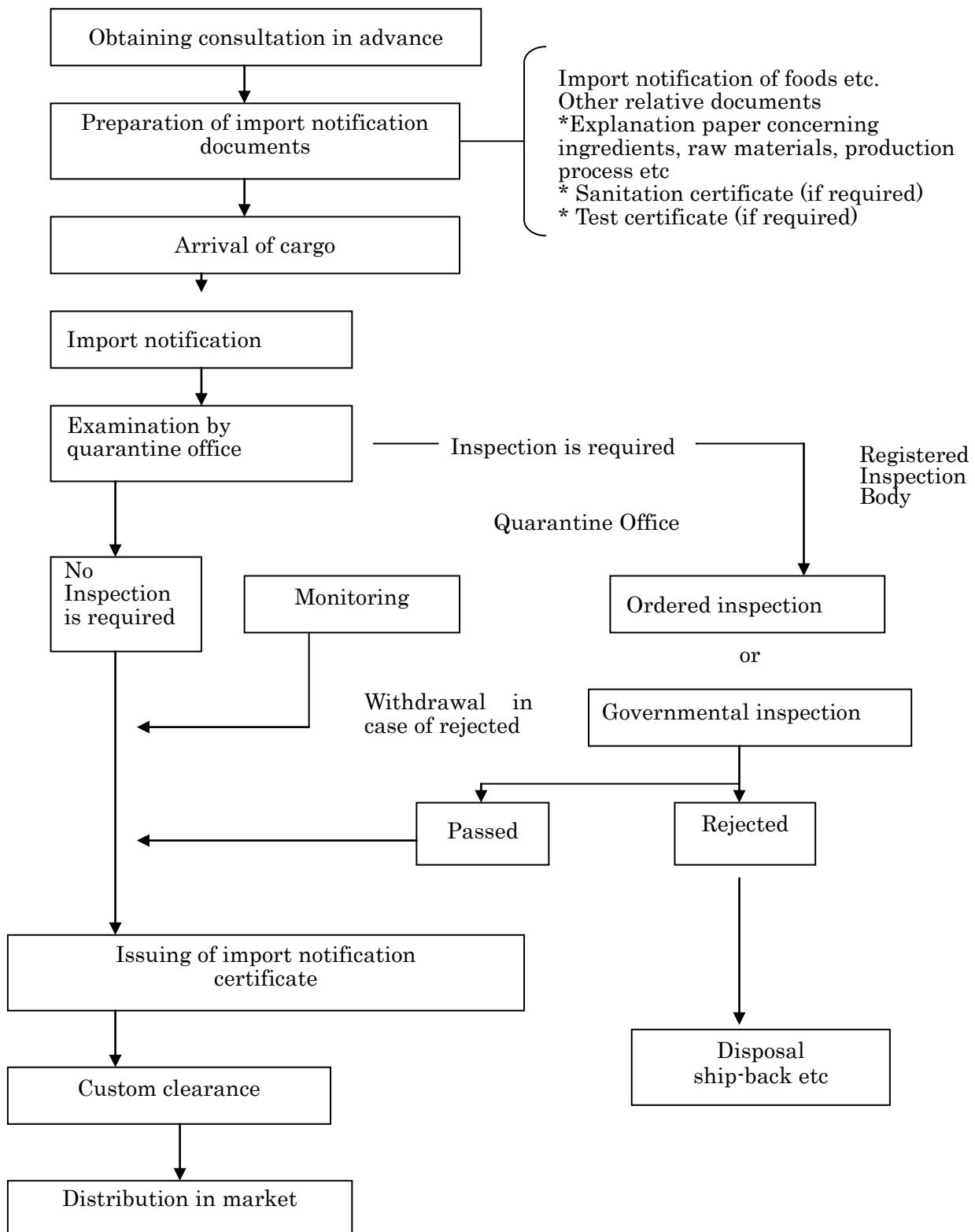
Sale of food violating the specifications and standards Sale of food violating the labeling standards (applicable to the case of violation of specifications and standards and labeling standards)	Imprisonment for not more than 2 years, or a fine of not more than 2 million JPY. In case of firms: a fine of not more 100 million JPY
Violation of the provisions for facilities standards Violation of the order to improve business facilities Violation by doctor of the provisions for reporting food poisoning cases	Imprisonment for not more than 1 year, or a fine of not more than 1 million JPY
Refusal to a spot inspection, False reporting, etc.	A fine of not more than 500 thousand JPY
<b>(Reference) Punishment under the Health Promotion Law</b>	
1 , If any person of firm has made false or exaggerated labeling on food about the effect of health promotion, when such person or firm has not taken corrective action ordered by the Minister of Health, Labor and Welfare,	Imprisonment for not more than 6 months, or a fine of not more than 1 million JPY
2 , Punishments on the registration organizations (e.g. violation of confidentiality obligations by the staff of relevant organizations)	Imprisonment for not more than 1 year , or a fine of 1 million JPY

### **<Import Notification System>**

Anyone intending to import foods, etc. shall submit import notification to the Minister of Health, Labor and Welfare whenever imported. Import notification is under the control of about 31 quarantine stations of sea ports and air ports in Japan.

In order to control sanitation/hygiene and to secure safety of import foods, etc., quarantine stations shall carried out spot check as needed in addition to the examination of documents for all import foods, etc.

## Flow Chart of Procedures for Ordinary Import



### < Allergic labeling >

1) Foods including allergen (specifics ingredients) are classified to those required labelings by regulation and those advised by notification because of differences in an actual number of allergic appearances of disease and its severity, etc.

Category (Specific ingredients, etc.)	Foods including allergen
Foods obligated to label in the Food Sanitation Act (Foods causing serious illness and numbers of allergic appearances)	7 items of wheat, buckwheat, egg, milk, peanut, prawn, crab
Foods advised to display (Foods with less appearance, or less seriousness if appeared, or insufficient scientific findings not always at present)	18 items of abalone, squid, salmon roe, orange, kiwifruit, beef, walnut, salmon, mackerel, soybean, chicken, pork, mushroom, peach, yam, apple, banana and gelatin

#### 2) Foods to be subjected to:

Any and all processed foods in bags, boxes or containers packing beforehand

Foods or food additives for business use not to be directly sold to consumers shall also be labeled.

However, daily dishes to be sold by measurement in a shop, bread sold loose or box lunches made after order shall be not be obligated to display.

Moreover, foods with an area of containers/packages of 30cm<sup>2</sup> or less are exempted to label.

#### 3) Contents required to display

Even a small amount of protein included shall be displayed because food allergy might develop in some people to the extent of licking. However, display may be omitted when the protein content is several mg or less per one kg of processed foods.

#### 4) Example of labeling

Foods including allergen are displayed in ingredients column to that effect.

#### **[Example of labeling when individually displayed]**

Allergen is displayed for individual ingredients in a way of showing (including...).

Name of articles: Cream puff

Ingredients name of: Flour paste (flour, cornstarch, sugar, soybean oil, etc.), egg, milk, sugar, flour, starch (containing flour), salt.

Name of articles: Potato salad

Ingredients name: Potato, carrot, ham (containing egg and pork), mayonnaise (containing egg and soybean oil), protein hydrolyzate (containing pork), seasoning (amino acid, etc.), coupler (nitrous acid NA), and phosphoric acid NA.

※ "Egg" is omitted because mayonnaise evidently contains "Egg," .

### **[Example of labeling displayed collectively]**

Examples of displaying allergen used for processed foods collectively at the end of the ingredient name

Name of articles: Noodle broth

Ingredients name: Soy sauce, dried bonito, seaweed, hydrolyzed vegetable protein, sugar, and salt (Containing wheat in a part of the ingredients)

Name of articles: Lunch box with rice and a variety of side dishes

Ingredients name: Rice, deep fried vegetable, chicken fry without coating, boiled food (aroid, carrot, burdock, lotus root, etc.), burnt salmon, spaghetti, fried prawns, potato salad, minced cutlet, sliced radish pickles, garnish, (additionally containing. wheat, egg, soybean, ingredients stemmed from beef), seasoning (amino acid, etc.), pH regulator, glycogen, colorant (caramel, carotenoid, red102, red106, safflower yellow), spice, foaming agent, sweeteners (licorice), preservative (sorbic acid K)

### 5) Prohibition labeling

The following labeling are not permitted.

① [Labeling for possibility] such as "Foods may contain ...." or "Foods sometimes contain ...."

② Labeling that indicate to contain as if a lot of expensive articles such as abalone, salmon roe, or mushroom, etc) are contained.

Care must be taken not to give misunderstanding by displaying labels stressing on contents and forms as if they were main ingredients.

### **< Authorities concerned >**

Office of Import Food Safety Inspection and Safety Division, Food Safety Division,  
Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health,  
Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

The Japan Food Chemical Research Foundation

<http://www.ffcr.or.jp/zaidan/ffcrhome.nsf/TrueMainE?OpenFrameSet>

Consumer Affairs Agency

<http://www.caa.go.jp/>

## **9. The Law Concerning Standardization and Proper Labeling of Agriculture and Forestry Products (JAS Law)**

### **<Purpose of Law >**

The JAS System is built on two cornerstones based on the **Law Concerning Standardization and Proper Labeling of Agricultural and Forest Products** (so called “**JAS Law**”) in an attempt to promote 1) Improvement of quality, 2) Rationalization of production, 3) Fair and simplified trade, 4) Reasonable use or consumption of agricultural and forest products and suitable labeling concerning quality.

JAS system consists from following 2 systems.

#### **\* JAS Standards System**

One of them is the JAS Standards System wherein Japanese Agricultural Standards (hereinafter referred to as the “JAS Standards”) were elaborated and the products accepted through inspections under JAS Standards are permitted to display the JAS symbol once the products have passed the inspection conducted under the provisions of the relevant JAS standards established by the Minister of Agriculture, Forestry and Fisheries (hereinafter referred to as “the Minister”).

#### **\* Standardized Quality Labeling System**

The second is the Standardized Quality Labeling System which obligates all producers/manufacturers and distributors to label their products in accordance to the quality labeling standards established by the Minister to enable consumers to select products more easily and confidently.

(Note)

JAS is abbreviation of Japanese Agricultural Standards and it is currently used as the word that represents whole system of JAS Law. The standards that regulate individual quality standard is called as JAS Standard.

### **<Outline of Law>**

#### **Overview of the JAS Standards System**

##### **1. Establishment of JAS Standards**

The Minister designates a category (or item) of agricultural and forest products and establishes JAS Standards for the designated category (or item). Interested parties may apply to the Minister to establish of JAS standards. The establishment of JAS standards is subject to the decision of the “Research Committee for Agricultural and Forest Products Standards (JAS Research Committee),” which consists of representatives of consumers,

producers and manufacturers and distributors as well as experts and academics.

JAS Standards consist from extent of application, definition, standard and measuring method. The revision has been made to have JAS Standards comply with the need of society and to remove unnecessary Standards after the revision. The revised law stipulates that established JAS standards are to be reviewed every five years to determine whether or not their content continues to be appropriate and are confirmed, amended or abolished.

In reviewing the established standards, due consideration is to be given to trends in international standards (Codex Standards\*, etc.) as well as the current situation and future prospect of production, transactions, applications and consumption.

\*Codex Standards: International standards established by the Codex Alimentarius Commission which was set up jointly by the FAO (Food and Agriculture Organization) and the WHO (World Health Organization)

#### **< Change according to the inauguration of Consumer Affairs Agency >**

The jurisdiction over the labeling concerning JAS Standards System and Quality Labeling Systems has been transferred to the Consumer Affairs Agency.

#### **Products Covered by JAS Standards:**

Agricultural and forest product in the JAS Law refers to the following products excluding alcoholic beverages, pharmaceuticals, etc.

- 1) Foods, beverage and oils and fats
- 2) Agricultural, forest, livestock and marine products as well as products manufactured or processed with such produce as raw materials (except for those cited in (1) above) and designated by Government Ordinance. Any item falling under these two categories is included in the standards, whether it is produced domestically or imported.

#### **2. Grading in accordance to JAS Standards**

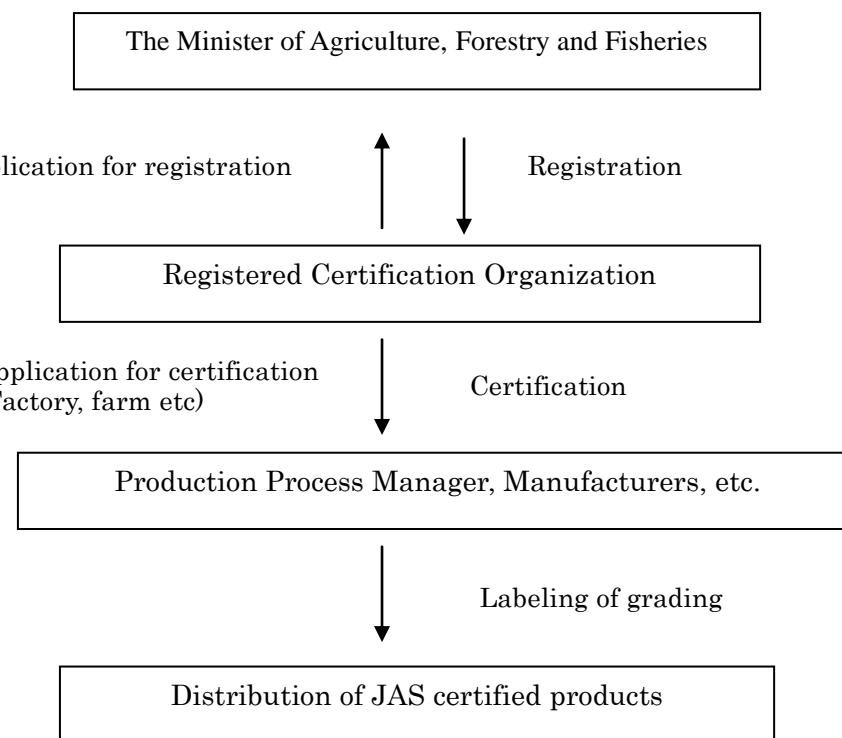
If the product is judged to be acceptable as a result of grading (inspection to check whether the produce or product meets the relevant JAS standard), the produce or product may carry a grading label (JAS symbol).

It is the responsibility of the producer or manufacturer to determine whether or not the products should be subject to grading. Since there are no restrictions to the distribution of products that do not have the JAS symbol, the penetration of the JAS symbol system basically depends upon consumer preferences and the selection of products on the market the quality of which is guaranteed by the JAS symbol.

#### Method of grading:

Grading is conducted by the manufacturers or production process managers\* themselves who have been certified by registered certification organizations (“certification organization”). They inspect and judge the produce and products and the production and manufacturing process by themselves.

\*Production process Manager: Persons who control and manage the production processes of agricultural and forest products.



### 3. Overview of Quality Labeling Systems

To support the consumer's commodity selection, there is a Standardized Quality Labeling System that obligates manufacturers or distributors to display quality labeling irrespective of the affixation of the JAS Marks. The revision of the JAS Standards in 1999 has provided for a horizontal Standardized Quality Labeling System for all beverages and foods to the general consumers to cope with their requirements for commodity selection by a proper relay of information. Besides this, an additional necessary standard may be stipulated to meet the characteristic of each item of beverages and foods.

Persons who are obligated to display are manufacturers or distributors according to the types of distribution of agricultural and forestry products. In any cases, it is necessary to transmit information in every stage of distribution so that accurate information is given to general consumers.

## **Labeling requirements based on the quality labeling standards**

All the processed foods (those in container or package) and perishable foods for general consumers must be labeled. (Excluding, however, the case of manufacturing or processing of foods and beverages that are sold directly to general consumers, or the case of providing customers with foods and beverages by installing facilities to serve)

### **(1) Processed Food Quality Labeling Standards**

Processed foods in containers or packages are obligated to display the name, raw material name, content, the best before date, preservation method, the name of manufacturer, etc. and the name of and address of corporations. This label is required to collectively display on an easily visible place on containers or packages.

### **(2) Perishable Foods Quality Labeling Standards**

Labeling on perishable foods is required to show their name and the country of origin.

### **(3) Marine Products Labeling Standards**

Labeling on marine products among perishable foods was obligated to display the defrost and/or culture in addition to the requirements based on the perishable quality labeling standards.

### **(4) Labeling Obligation regarding Transactions among Businesses**

Up until now, transactions among businesses have been based on mutual trust, and communication of product information has been considered to be properly done by visual inspection, etc. However, the previous regulations assumed that the labeling of end products of processed food products was accurate if the manufacturers fulfilled their obligations to provide labeling, but there are cases in which the accuracy of end product labeling cannot be ensured.

Therefore, in order to deter improper labeling and promote the proper labeling of end products, it has been decided that the communication of product information among businesses falls under the Quality Labeling Standards based on JAS Law. As a result, a partial revision of Quality Labeling Standards of processed food products was announced and enforced on products traded among businesses since April 1, 2008.

#### **A. Labeling Requirement for Processed Foods for Business**

- i) Raw material name, name of manufacturer, etc., including names and addresses
- ii) Others
  - a. For food products that are required by the Measurement Law and the Food Sanitation Act, the labeling should show the content amount, due date, and preservation method.

- b. For the import products (that are sold without a substantial change after imported), the labeling should show the country of origin.
- c. For end products that are required by the Quality Labeling Standard of processed foods, the labeling should show the origin of raw materials for a group of 20 food product types, and under the Quality Labeling Standard of individual food products, the labeling should show the origin of raw materials for processed eel products, shavings of dried bonito, pickles of the agricultural products, and frozen vegetable products (limited to ingredients of end products for which the labels should show the origin of raw materials).

However, in regards to the product name, food additives, amount of content, due date, preservation method, and name/address of manufacturer, etc., as required by the Food Sanitation Act and the Measurement Law, labeling is required even in transactions among businesses. Therefore, this newly added labeling requirement consists of raw material names (excluding food product additives) and for a portion of other food products, the labeling should show the country of origin and origin of raw materials.

## B. Labeling Requirement for Perishable Foods for Business

### i) Product Name and Origin

Under the Measurement Law, it is required that labeling should show the content amount and the name and address of the distributor in addition to the product name and origin.

### ii) Others

However, it is possible to omit the labeling of the origin of raw materials for perishable foods that are not part of the 20 food types for which the labeling should show the origin of raw materials as required by the Quality Labeling Standard of processed foods, and processed eel products, shavings of dried bonito, and pickles of the agricultural products and frozen vegetable products for which the labels should show the origin of raw materials as required by the Quality Labeling Standard of individual food products. For food products required by the Measurement Law to show the content amount on the label, in addition to the product name, it is required that the labeling should show the name and address of distributor.

iii) For perishable products for which it has not been determined whether or not it will be used for business use, the labeling of country of origin is not required.

iv) For perishable foods subject to the regulation of the JAS Law (meat, raw oysters, ground fish meat, fresh fish, and shell fish that is contained, wrapped, or frozen), the labeling should show the due date, preservation method, food additives, etc. as

required by the Food Sanitation Act.

### C. Import Products

Labeling is required at the point of sales from importer to other businesses in the domestic market. Accordingly, the business in an exporting country does not have any labeling obligation under the JAS Law. An agency of the import procedure does not have any labeling obligation under the JAS Law.

#### (5) Labeling concerning genetic modification

Labeling concerning genetic modification shall be applied for soybean (including green soybean and soy bean sprout), corn, potato, hatchet, cotton seed, alfalfa, and beet, and processed foods mainly made from these raw materials.

(6) JAS standards are established for organic agricultural products, organic livestock products, organic processed foods and organic feeds. In order to sell these products in Japan Organic JAS mark must be affixed in the products. See relevant information 13. Organic Foods.

## 4. Monitoring System and Measure for Violation

### (1) Monitoring system

#### a) The JAS Standards

The certification organization regularly investigates whether or not a registered certified manufacturer continuously satisfies the technical standards and properly performs the practice and display for the grading.

Moreover, Independent Administrative Agency, the Center for Quality Control and Consumer Service audits the performances of a registered grading organization and a registered certification organization to make sure if they perform the practices required by JAS properly. In addition, this agency is engaged in the purchase of products with JAS Mark labeling, while conducting analyses.

In addition, the Minister of Agriculture, Forestry and Fisheries may, if necessary, inspect the whether the practices of the registered grading organization and the registered certification organization (including foreign organizations) are properly performed.

#### b) Quality Labeling Standards

The Center for Quality Control and Consumer Service and the Local Agricultural Administration Offices of the Regional Offices of The Ministry of Agriculture, Forestry and Fisheries, an Independent Administrative Agency, look around as a routine to investigate to make sure if nationwide supermarkets and retail stores properly perform the quality labeling for the names and origins etc at the sales counters of perishable foods. Moreover, the above Agency and the Offices implement from time to time a special survey for specific

items highly concerned to consumers to confirm if the labels of origins are properly displayed tracing to the original manufacturers from where retailers purchased. When an improper quality labeling is found as a result of these investigations etc, an inspection and a necessary administrative measure shall be implemented. Prefectural governors etc perform a part of the authorization of the Minister of Agriculture, Forestry and Fisheries.

### **5. Countries that have the system equal to JAS system (as of December 2009)**

Countries that have the grading system admitted to be in equal level with that of JAS on Organic Agricultural Products and Organic Agricultural Processed Foods

<b>Designated agriculture and forestry products</b>	<b>Name of a country</b>
Organic agricultural product and organic processed products	Ireland, U.S.A., Argentina, Italy, U.K., Australia, Austria, Netherlands, Greece, Switzerland, Sweden, Spain, Denmark, Germany, New Zealand, Finland, France, Belgium, Portugal, Luxembourg

#### **< Authorities concerned >**

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Japan Agricultural Standards Association

<http://www.jasnet.or.jp/> (Japanese only)

Consumer Affairs Agency

<http://www.caa.go.jp/>

**JAS mark**

For foods and forestry products that comply with quality, ingredients, and other requirements of JAS standards (normal JAS standards)



Name of Certification Body

**Specific JAS mark**

For foods that comply with JAS standard (specific JAS standards) concerning special production method and specific raw materials (production method)



Name of Certification Body

**Organic JAS Mark**

For agricultural products etc. that comply with organic JAS standards. Foods affixed this mark can be labeled "Organic XXXX" etc.

**JAS mark with public disclosure of manufacturing information**

For beef products with public disclosure of feeds and administration of animal drugs in accordance to public disclosure of production information of JAS standards



Name of Certification Body

## **10. Liquor Tax Act**

### **< Purpose of Law >**

The objective of this law is to impose liquor tax on the alcoholic beverages to ensure financial revenue.

### **< Definitions and Kind of Liquors >**

In this law, basically, "Liquors" means the beverages containing an alcoholic content of one percent or more to be diluted to drink. The "Liquors" also includes the beverages which are produced by a licensed producer of liquors in a licensed manufacturing facility under the provision of Article 7, Paragraph 1, from the raw material containing 90 percent or more of alcohol other than industrial use. In addition, powdery substances are defined as "Liquors," if they can be transformed into beverages with an alcoholic content of one percent or more.

### **< Outlines of Law >**

Producers and importers of liquor shall pay a liquor tax when they shipped from manufacturing facilities and/or shipped from bonded areas.

Alcoholic beverages shall be divided and classified into 4 kinds and 17 items as per following tables, and liquor tax, in principal, shall be imposed based on kinds of liquor.

### **< Classification of Liquor and Liquor Tax >**

Classification of kinds of liquor and kinds of liquor tax is as per following tables.

### **< License under the Law >**

(1) Manufacturing and sale of liquor shall be subject to the license system and any person who is desirous of obtaining a license shall apply to the head of the tax office at the location where the respective factories or sales shops will be located to obtain the license. (Article 7 and Article 9)

(2) The head of the tax office will not grant a license if the application falls under the requirement of Liquor Tax Act Article 10.

(3) When selling imported liquors,

- a. It is not necessary to acquire a new license if personally imported liquor is retailed in the shop where a general liquor retail trade license has been granted,
- b. Wholesale license to import liquor requires an anticipated annual minimum sales of about 6kl as a condition for granting such a license.

**<Tax Standards and Tax Rate>**

(A) A tax standard of liquor is imposed on the quantity of liquors to be taken out of brewery or the bonded warehouse. Tax rates are as following amounts per kilo-liter depending on their classifications.

**Classification of Liquor**

Classification of liquor (Kinds)	Name of liquor (Items)
Sparkling Liquor (Happo-shu)	Beer
	Sparkling Liquor (Happo-shu)
	Other sparkling liquor (not items of liquor)
	* Liquors other than beer and sparkling liquor and alcohol content is less than 10 %
Brewed Liquor (note)	Sake
	Fruit Liquors
	Other distilled liquor
Distilled Liquor (note)	Continuous distilled clear liquor (Shochu)
	Batch distilled clear liquor (Shochu)
	Whisky
	Brandy
	Alcohol for raw materials
	Sprits
Mixed Liquor (note)	Synthetic Sake
	Sweet Sake (Mirin)
	Sweet fruit liquor
	Liquors
	Powder Liquor
	Various Liquors

(Note) Other sparkling Liquors shall be excluded.

Kinds of liquor)	Basic Tax	Liquor Tax (JPY/kilo litter)
		Special Tax
Sparkling Liquor (Happo-shu) (note)	220,000 JPY	Sparkling Liquor (Malts percent is more than 25 % less than 50%) 178,125 JPY
		Sparkling Liquor (Malts percent is less than 25 %) 134,250 JPY
		Other Sparkling Liquor 80,000 JPY
Brewed Liquor	140,000 JPY	Sake 120,000 JPY
		Fruits liquor 80,000 JPY
Distilled Liquor	200,000 JPY (less than 21 %) (10,000 JPY per one % in case that % is more than 20 %)	Whisky Brandy Spirits } 370,000 JPY(Less than 37 % ) (Basic tax is applied in case more than 37 %)
Mixed Liquor	220,000 JPY (less than 21 %) (10,000 JPY per one % in case that % is more than 20 %)	Synthetic Sake 100,000 JPY
		Sweet Sake (Mirin) and Various Liquors (Similar to Mirin) 20,000 JPY
		Sweet Fruits Liquor and Liquors 120,000 JPY ( less than 13 %) (10,000 JPY per one % in case that % is more than 12 %)
		Powdered Liquor 390,000 JPY

(Note)

1. "%" means alcohol contents.
2. Sparkling liquor applied special tax shall be liquors whose alcohol content is less than 10 %.
3. Among other sparkling liquors, liquors applied special tax shall be following liquors contained hop and bitter taste materials.
  - (1) Liquors produced by fermentation by using saccharide, hop, water and soybean protein etc (Extraction contents shall be more than 2 %)
  - (2) Sparkling liquors added spirits (Extraction contents shall be more than 2 %)

(Special tax concerning low alcohol distilled liquors)

Tax of liquor (less than 12 %) and/or distilled liquors whose alcohol contents is less than 13 %, shall be as follows regardless of abovementioned description.

- a) Liquor whose alcohol contents are less than 9 %: 80,000 JPY
- b) Liquor whose alcohol contents are more than 9 % less than 13 %:  
10,000 JPY per one % in case that % is more than 8 %.

(Note) Sparkling Liquors shall be excluded.

**< Authorities concerned>**

Liquor Tax and Industry Division, Taxation Department, The National Tax Agency

<http://www.nta.go.jp/category/english/index.htm>

## **11. Pharmaceutical Affairs Act**

The revised Pharmaceutical Affairs Act was enforced on April 1, 2005 aiming to improve the public health hygiene, by taking necessary measures for promoting research and development of the medicine and medical equipment, not only from the viewpoint of these regulations but also from a highly required medical treatments to secure quality, effectiveness, and safety for the medicine and medical equipment.

### **< Points of revision >**

- a. Review of safety measures compatible to the characteristic of medical equipment
- b. Introduction of class separation according to the risk of medical equipment

Classification to three categories of "Advanced managed care equipment," "Managed care equipment," and "General medical treatment equipment."

Advanced managed care equipment: Equipment that might have an important influence on human health and life,

Managed care equipment: Equipment that may have influence on human health and life, and

General medical treatment equipment: Equipment that may have little influence on human health and life.

- c. Enhancement of safety measures concerning sales

Amending the sales of "Advanced managed care equipment" to the license system and "Management care equipment" to the reporting system

**< Comparison table of former Pharmaceutical Affairs Act and Revised Law >**

Former Pharmaceutical Affairs Act				Revised Pharmaceutical Affairs Act			
Classification	Risk classification	Sales regulation	Example of pertinent commodity	Classification	Risk classification	Sales regulation	※ Specific maintenance medical equipment
Class I	The risk to the human body is extremely low.	No written application of sales industry is required.	Steel-made small articles (surgical knife, etc.) X-ray film	General medical treatment equipment	Little influence on human life and health	No written application of sales industry is required.	Entire license system
Class II	The risk to the human body is relatively low.		Air massager for household use Domestic electrolysis water production machine	Managed care equipment	Little influence on human life and health	Written application system of sales industry	
Class III	Relatively high risk to the human body	Written application system of sales industry	Domestic electronic sphygmomanometer				
Class IV	May directly lead to the crisis of life.		Dialyzer Artificial bone	Advanced managed care equipment	May cause an important influence on human life and health.	License system of sales industry	
			Cardiac pacemaker Heart valve				

**< Purpose of Law >**

This purpose of this law is to control and regulate matters concerning drugs, quasi-drugs, cosmetics and medical appliances, and to assure the effectiveness thereof.

**< Outline of Law >**

The law requires that manufacturers (importers and sellers) obtain approval for manufacturing (import) and permission for business as a manufacturer (import and sales) for each product.

### **< Subject Items >**

Drugs, quasi-drugs, cosmetics, medical appliances and medical appliances for animals.

#### **1) Definition of drugs**

Drugs, for prevention and treatment of diseases are those approved over the inspection of quality, efficacy and effectiveness, and safety on name, ingredients, quantity, directions for use and dose, and efficacy by the Minister of Health, Labor and Welfare or the prefectural governor

Pharmaceutical Affairs Act Article 2, Clause 1 defines the drugs as follows,

- a. Substances listed on the Japanese Pharmacopoeia.
- b. Substances to be used for diagnosis, medical treatment and prevention of diseases by people and animals, including quasi-drugs, but excluding devices and instruments for such as dental, medical and sanitation supplies.
- c. Substances to give influence on organizations and functions of people and animal bodies, including quasi-drugs and cosmetics, but except for devices and instruments.

#### **2) Difference from Health foods**

Health foods are regarded as foods in the nature of things and can not profess efficacy and effectiveness approved for the drugs. Should foods be liable to cause judgment of drugs, it is against the Pharmaceutical Affairs Act in view of advertisement and sale without permission and approval for the drugs.

### **< Inspection under Law >**

Whether the products fall under medical treatment goods or not (to classify the products as either foods or drugs) will depend on a comprehensive judgment of the essential ingredients, volume to be used, sales methods and the representation / explanation when sold, to assure that ordinary citizens may recognize that such products satisfy the purpose of drugs.

### **< Attestation System >**

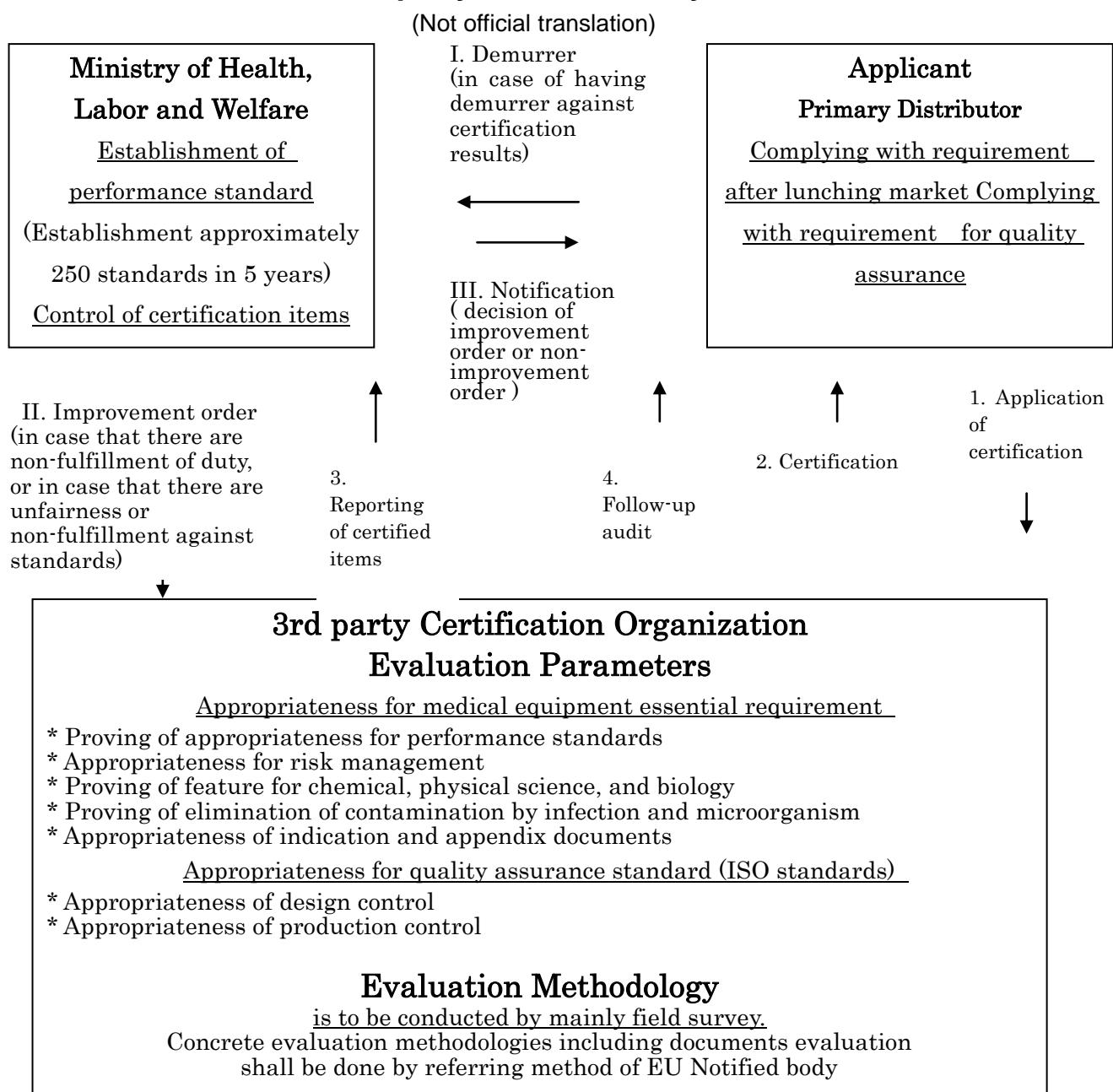
Manufacturers (importers/sellers) of drugs are required to obtain approval for each product (evaluation of quality, effectiveness and safety) and an approval for business (evaluation of structural equipment manufacturing management systems). Approval of the Minister of Health, Labor and Welfare is required for Medical equipment except some equipment. Of low risk medical equipments, some items, which standards are stipulated by the Minister of Health, Labor and Welfare, do not require the approval of the Minister to which the certification system of applicability by the third parties certification agency to the standard will be introduced.

**<Authorities concerned >**

General Affairs Division, Pharmaceutical and Food Safety Bureau, Ministry of Health,  
Labor and Welfare

<http://www.mhlw.go.jp/english/index.htmljp>

## Certification flow chart of individual items for 3rd party certification system



Reference data concerning “Pharmaceutical Affairs Act” and “Law concerning Securing of Steady Supply of Safe Pharmaceutical Products for Blood” of Ministry of Health, Labor and Welfare. (<http://www.mhlw.go.jp/>)

## **12. Poisonous and Deleterious Substance Control Law**

### **< Purpose of Law >**

This law aims to control and regulate poisonous and deleterious substances to protect health and hygiene.

### **< Outline of Law >**

Any one who intends to manufacture, import or sell poisonous and deleterious substances for business are requested to make a registration in advance by each manufacturer or business office.

Persons conducting business are required to meet certain standards for the facilities to manufacture and store poisonous and deleterious substances; moreover, the storing, labeling and transfer methods in handling these products are regulated.

### **< Procedures >**

Any one who intends to engage in the business of manufacture, import and sell of poisonous and deleterious substances are requested to make a registration in advance by each manufacturer or business office. The registration of each manufacturer and business office, including manufacturer and subdivision of medicines is accepted by the chief of local welfare bureau. However, the registration of a manufacturer only for subdivision of raw materials and importers only for import business shall be accepted by the prefectural governor.

Flows of these applications through registration are as follows in order. These procedures shall take 60 days by the chief of local welfare bureau and 30 days by the prefectural governor.

### **< Subjected Substances under This Law >**

#### **(1) Poisonous**

These are listed in Appendix 1 in accordance to the specified ordinance Article 1 of Poisonous and Deleterious Substances Law (hereinafter referred to as the Law), but except for drugs and quasi-drugs prescribed in Pharmaceutical Affairs Act.

#### **(2) Deleterious substances**

These are listed in Appendix 2 in accordance to the specified ordinance Article 2 of the law, but except for drugs and quasi-drugs prescribed in Pharmaceutical Affairs Act.

#### **(3) Specified poisonous**

These are listed from among the poisonous in Appendix 3 in accordance to the specified ordinance Article 3 of the law.

#### **Appendix 1 Poisonous Substances**

No.	Official Gazette Name
1	Ethylparanitrophenylthionobenzeneephosphonate
2	Yellow phosphorus
3	Octachlorotetrahydromethanophthalan
4	Octamethyl-pyrophosphoramido
5	Curare
6	Tetraalkyl lead
7	Hydroxylamine
8	Sodium cyanide
9	Diethyl-paranitrophenyl-thiophosphate
10	Dinitrocresol
11	2,4-Dinitro-6-(1-methylpropyl)-phenol
12	Dimethylethylmercaptoethylthiophosphate
13	Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
14	Dimethylparanitrophenylthiophosphate
15	Mercury
16	Selenium
17	Thiosemicarbazide
18	Arsenic
19	Nicotine
20	Nickel carbonyl
21	Arsenic
22	Hydrogen fluoride
23	Hexachloro-epoxy-octahydro-endo,endo-dimethanonaphthalene
24	Hexachloro-hexahydro-methano-benzo-dioxathiepine oxide
25	Monofluoroacetate
26	Fluoroacetamide
27	Phosphorus sulfide
28	In addition to the above, the materials including above substances and other poisonous substances regulated under a government ordinance.

**Appendix 2 Deleterious Substances**

<b>No.</b>	<b>Official Gazette Name</b>
1	Acrylonitrile
2	Acrolein
3	Aniline
4	Ammonia
5	2-Isopropyl-4-methylpyrimidyl-6-diethylthiophosphate
6	Ethyl-N-(diethyldithiophosphorylacetyl)-N-methylcarbamate
7	Ethylene chlorohydrin
8	Hydrogen chloride
9	Mercury chloride
10	Hydrogen peroxide
11	Sodium peroxide
12	Urea peroxide
13	Potassium
14	Alloy of potassium and sodium
15	Cresol
16	Ethyl chloride
17	Chlorosulfonic acid
18	Chloropicrin
19	Methyl chloride
20	Chloroform
21	Silicofluoric acid
22	Sodium cyanate
23	Diethyl-4-chlorophenylmercaptomethyldithiophosphate
24	Diethyl-(2,4-dichlorophenyl)-thiophosphate
25	Diethyl-2,5-dichlorophenyl mercapto methyldithiophosphate
26	Tetrachloromethane
27	Cycloheximide
28	Dichloroacetic acid
29	Dichlorobutyne
30	2,3-dl-(Diethyldithiophosphoro)-paradioxan
31	2,4-Dinitro-6-cyclohexylphenol
32	2,4-Dinitro-6-(1-methylpropyl)-phenylacetate
33	2,4-Dinitro-6-methylpropylphenoldimethylacrylate

34	2,2'-Dipyridirium-1,1'-ethylene-dibromide
35	1,2-Dibromoethane
36	Dibromochloropropane
37	3,5-Dibromo-4-hydroxy-4'-nitroazobenzene
38	Dimethyl ethylsulfinyl lisopropyl thiophosphate
39	O,O-dimethyl-S-ethylthioethyl-dithiophosphate
40	Dimethyl-2,2-dichlorovinyl-phosphate
41	Dimethyldithiophosphorylphenyl acetic acid ethylester
42	O,O-Dimethyl-1,2-dibromo-2,2-dichloroethylphosphate
43	Dimethyl-phthalylimide methyldithiophosphate
44	Dimethyl-methylcarbamylethylthioethyl thiophosphate
45	O,O-Dimethyl-N-methylcarbamylmethyl-dithiophosphate
46	O,O-Dimethyl-O-4-(methylmercapto)-3-methylphenylthiophosphate
47	Dimethyl sulfate
48	Dichromic acid
49	Oxalic acid
50	Bromine
51	Nitric acid
52	Thallium nitrate
53	Potassium hydroxide
54	Sodium hydroxide
55	Sulfonal
56	Tetraethylmethlene bisdithiophosphate
57	Triethanolammonium-2,4-dinitro-6-(1 -methylpropyl)-phenolate
58	Trichloroacetic acid
59	Trichlorohydroxyethyldimethylphosphonate
60	1,2,5-Trithiocycloheptadiene-3,4,6,7-tetracarbonitrile
61	Toluidine
62	Sodium
63	Nitrobenzene
64	Carbon disulfide
65	Sulfuric acid, fuming
66	p-Toluylene-diamine
67	p-Phenylenediamine
68	Picric acid

69	Hydroxylamine
70	Phenol
71	Blasticidin S
72	Ethyl bromide
73	Hydrogen bromide
74	Methyl bromide
75	Hexachloro-epoxy-octahydro-endo,exo-dimethnonaphthalene
76	1,2,3,4,5,6-Hexachlorocyclohexane
77	Hexachloro hexahydro dimethanonaphthalene
78	Beta-naphthol
79	1,4,5,6,7-Pentachloro-3a,4,7,7a-tetrahydro-4,7-(8,8-dichloromethano)-indene
80	Pentachlorophenol
81	Formaldehyde
82	Chromium trioxide
83	Methanol
84	Methyl sulfonal
85	N-Methyl-1-naphthylcarbamate
86	Monochloroacetic acid
87	Hydroiodic acid
88	Iodine
89	Sulphuric acid
90	Thallium sulfate
91	Zinc phosphide
92	Rhodanide acetate ethyl
93	Rotenone
94	In addition to the above, the materials including above substances and other deleterious substances regulated under a government ordinance

### **Appendix 3 Specified Poisonous Substances**

No.	Official Gazette Name
1	Octamethyl-pyrophosphoramide
2	Tetraalkyl lead
3	Diethyl-paranitrophenyl-thiophosphate
4	Dimethylethylmercaptoethylthiophosphate
5	Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
6	Dimethylparanitrophenylthiophosphate
7	Tetraethylpyrophosphate
8	Monofluoroacetate
9	Fluoroacetamide
10	In addition to the above, the materials including above substances and other remarkable deleterious substances regulated under a government ordinance

#### **< Authorities concerned>**

Pharmaceutical Affairs Act

Examination and Administration Division, Pharmaceutical and Food Safety Bureau,

Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

## 13. Organic Foods

### (1) History of inspection and certification systems for organic agricultural products and processed organic foods

The "Special labeling guide line for vegetables and fruits related to Organic Agricultural Products" was enacted in 1992 in an attempt to display Organic Agricultural Products properly. The "Labeling guide line related to Organic Agricultural Products and Specially Cultivated Agricultural Products" in 1996" and the "Labeling guideline related to Specially Cultivated Agricultural Products" in 2001 followed. Confusion in labeling with many improper labeling, however, has continued since the guideline had no enforcing power.

Coping with such an international situation, the "Specific JAS Standards of organic agricultural products and organic agricultural processed foods" was enacted to meet the labeling requirements in 1999. And then, "Organic JAS Standards for livestock products and feeds" was also enacted in 2005. After these standards have been enacted all organic foods must be graded and affixed organic JAS mark in order to label "Organic xxxx," etc.

#### Organic JAS Mark



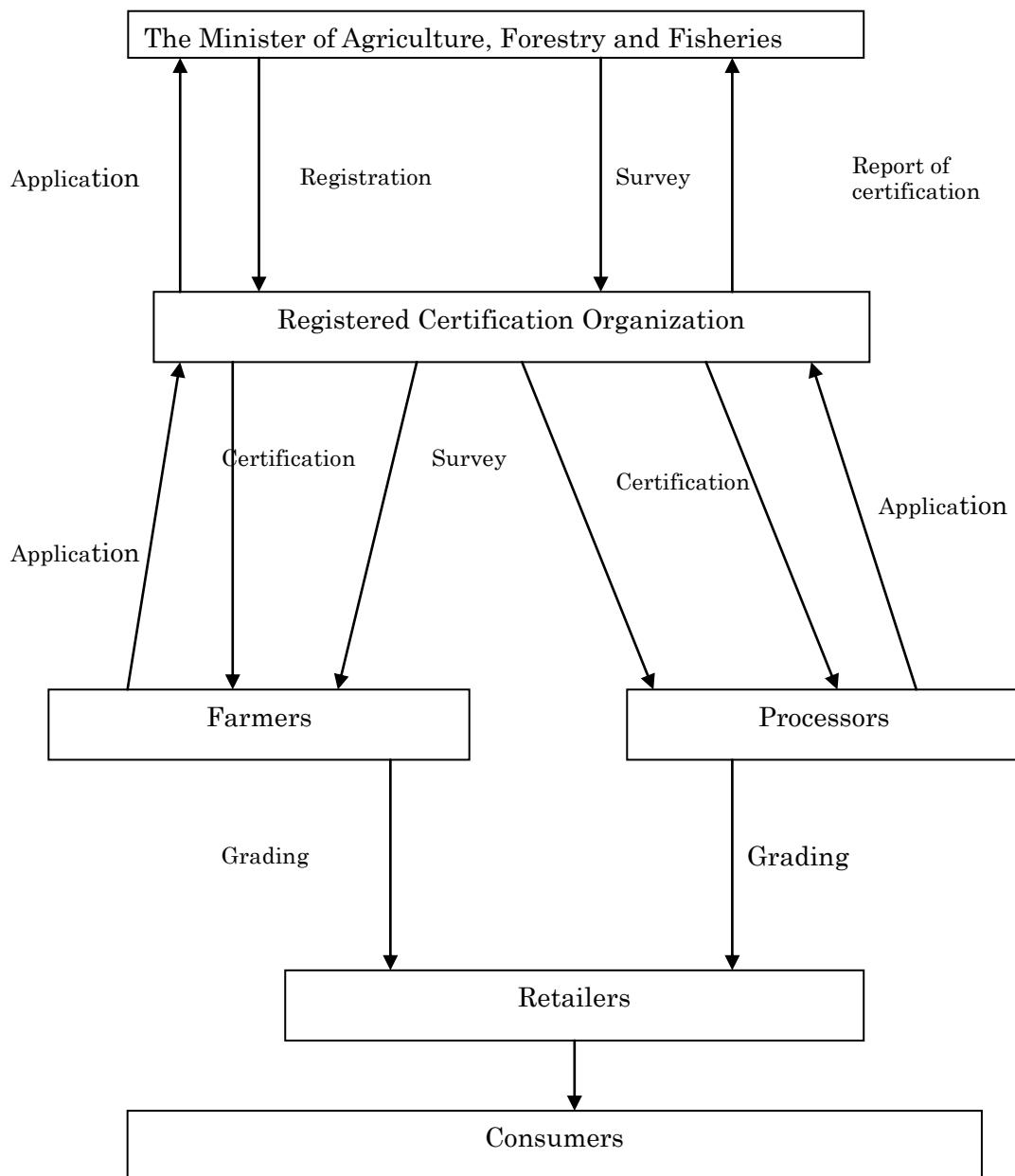
(Name of Certification Organization)

### (2) Certification system of organic foods

(Registration of Registered Certification Organization to the Ministry of Agriculture, Forestry and Fisheries)

Certification organization that wants to undertake organic certification shall submit application paper to the Minister of Agriculture, Forestry and Fisheries in Japan. After passing of evaluation by the Minister of Agriculture, Forestry and Fisheries, certification body is officially registered as Registered Certification Organization.

## Certification System of Organic Foods



Source: Source: "Inspection and certification system of organic agricultural products"  
Ministry of Agriculture, Forestry and Fisheries (<http://www.maff.go.jp/>)

(Certified operator)

Farmer and processor that want to produce Organic JAS products are requested to submit application paper to Registered Certification Organization. Registered Certification Organization makes examination and evaluation of operators whether they are able to produce organic products in accordance to JAS standards or not and then certifies as Registered Operator. To confirm whether Registered Operator produces organic products in accordance to JAS Standards, Registered Certification Organization undertakes survey of operator once a year.

(Grading by certified operator)

Certified operator is able to sell their products with organic JAS label after undertaking grading of products by themselves based on the records of production,

**(3) Production standards of organic foods (Main points)**

(Organic agricultural products)

- \* Soil should be produced by compost, etc. In principal, chemical fertilizers and agricultural chemicals shall not be used prior to 2 years of seeding and planting and/or during cultivation. (More than 3 years prior to harvesting in case of perennial plants)
- \* Seeds and seedlings produced by genetically modified technology should not be applied.

(Organic processed foods)

- \* Chemically produced food additives and medical chemicals/agents shall not be used.
- \* More than 95 % of raw materials shall be organic agricultural plants or organic livestock products or organic processed foods except water and salt.
- \* Production shall be done by the factory controlled so as not to be polluted by chemicals, etc.
- \* Genetically modified technology shall not be applied.

(Organic livestock products)

- \* Feeds for animals shall mainly be organic agricultural products.
- \* Breeding shall be done without giving stress to animals such as pasturage.
- \* Antibiotics shall be applied only for the purpose of preventing diseases.
- \* Genetically modified technology shall not be applied.

(Note)

1. Source: Source: "Inspection and certification system of organic agricultural products" Ministry of Agriculture, Forestry and Fisheries (<http://www.maff.go.jp/>)
2. Detailed production criteria of organic agricultural products, organic processed foods and organic livestock products are written in following web site of Ministry of Agriculture,

Forestry and Fisheries.

[http://www.maff.go.jp/soshiki/syokuhin/hinshitu/e\\_label/index.htm](http://www.maff.go.jp/soshiki/syokuhin/hinshitu/e_label/index.htm)

#### **(4) Import of organic products from foreign countries**

##### **1. Two cases of import method**

Imported organic products are not permitted to display names such as “organic xxxx” unless the grading finishes. There are 2 cases of import method for appending the JAS mark and labeling with “organic xxxx.”

##### **(Case-1)**

Affixing Organic JAS mark to organic foods produced by the foreign production process manager or processor, etc. certified by Japanese organic certification organization or foreign organic certification organization:

In this case, operators (such as farmers, processing factories, etc.) certified by Organic JAS standards are able to carry out grading by themselves and affix Organic JAS to the products. Japanese importers can import these products and distribute in Japanese market labeling “Organic xxxx.”

As of December 31<sup>st</sup>, 2007, 24 Japanese and overseas certifying organizations are registered as certification organizations that conduct organic certification in Overseas. Foreign operators which wants to produce JAS certified organic products should apply to these certification organizations and have to be Organic JAS operators.

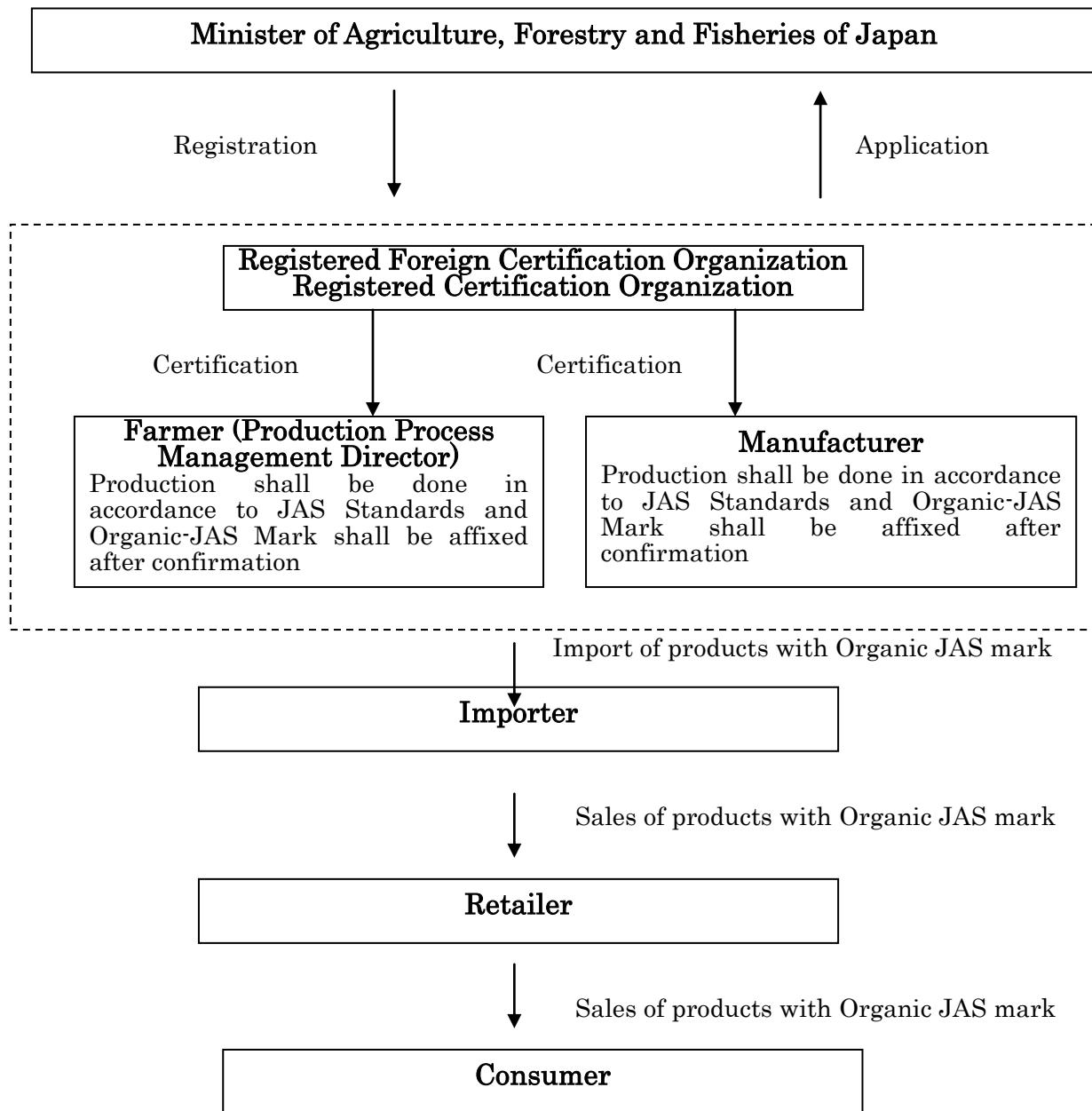
There is the case that foreign organic farmers or organic processed food makers are selling domestically or export their products certified by the organic standards pursuant to own countries' or EU or USA regulations. However even in this case if farmers or makers intend to export their products to Japan, they must acquire Organic JAS certification. Otherwise they cannot export and sell their products to Japan.

##### **(Case-2)**

Affixing Organic JAS mark to organic foods by the by Japanese importers certified by Japanese registered certification organization. (Limited to specific agricultural products, namely organic agricultural plants and organic agricultural processed foods):

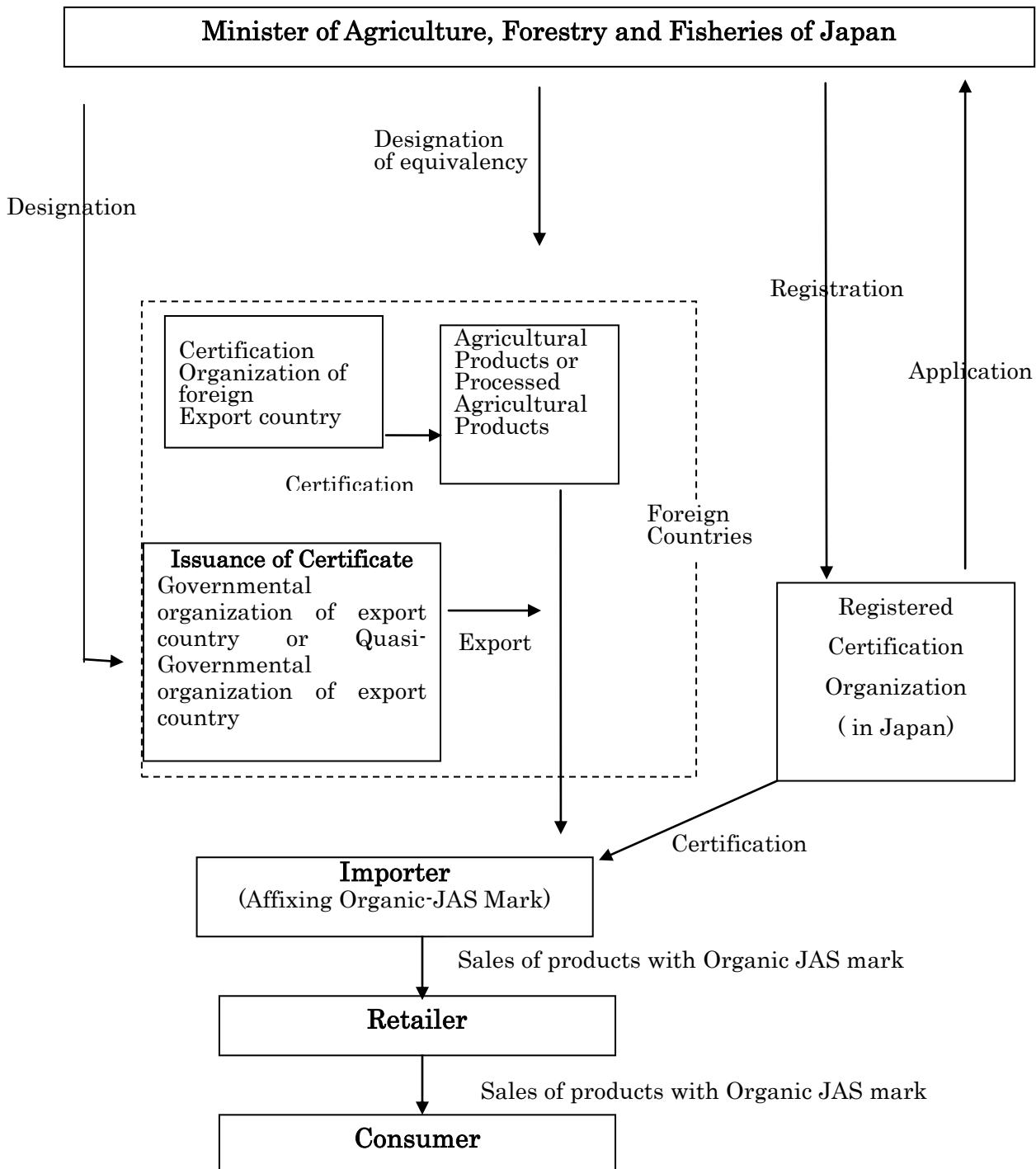
In this case, a certified Japanese importer can affix an organic JAS mark to the organic agricultural products or organic agricultural processed foods produced in countries for which Japanese government admits that they have an equal level of grading system with Japan. (See “ Foreign countries with grading system equal to JAS system ” below) In addition, an organic certificate issued by the government organization or similar organization of these countries must be attached.

CASE-1



Source: “Inspection and certification system of organic agricultural products”  
Ministry of Agriculture, Forestry and Fisheries (<http://www.maff.go.jp/>)

## CASE-2



Source: "Inspection and certification system of organic agricultural products"  
Ministry of Agriculture, Forestry and Fisheries (<http://www.maff.go.jp/>)

< Foreign countries with grading system equal to JAS system >

Countries with systems equivalent to JAS system(As of December 2007.)

Concerning specific agricultural product, countries with the grading system admitted to be in the same level as that of Japanese Agricultural Standards for specified agriculture and forestry products ( Here in after referred as "JAS Equivalent Countries" )

Name of country of specified agriculture and forestry products	Name of country
Organic Agricultural Products and Processed Organic Agricultural Products	Ireland, United States, Argentina, New Zealand, Italy, Australia, Austria, Netherlands, Greece, Switzerland, Sweden, Spain, Denmark, Germany, Finland, France, Belgium, Portugal, Luxembourg and United Kingdom

## **2. Raw materials for producing Organic JAS processed foods**

In case of producing Organic JAS agricultural processed foods in the not JAS Equivalent Countries, processor must use raw materials certified by JAS standards or raw materials certified by the standards of JAS Equivalent Countries.

In case of producing Organic JAS agricultural processed foods in the JAS Equivalent Countries, processor can use (not limited to raw materials certified by JAS standards) raw materials certified by the standards of JAS Equivalent Countries.

In case of producing Organic JAS livestock processed products, raw materials should be certified by Organic JAS standards regardless production countries are JAS Equivalent Countries or not JAS Equivalent Countries. (Because livestock products are not specified agriculture and forestry products)

## **3. Re-packing by exporters**

When Organic JAS products certified in accordance to not JAS Equivalent Countries are exported to Japan, there are 2 cases, namely by producers, by exporters.

When exporters export they should pay attention to the following points.

(a) Exporters export products by re-packing:

When exporters exports JAS certified product by re-packing by themselves and affixing Organic JAS label, exporters should be certified as Organic JAS re-packer by either Japanese Registered Certification Organization or Foreign Registered Certification Organization.

(b) Exporters export products without re-packing:

When exporters exports JAS certified product without re-packing but as they are, exporters are not required to be Organic JAS re-packer. Exporters are able to export JAS certified products with JAS label affixed by producers.

#### **4. Export of Organic JAS products via JAS Equivalent Countries**

When Organic JAS products (Organic Agricultural Products and Processed Organic Agricultural Products) produced in not JAS Equivalent Countries are exported to Japan via JAS Equivalent Country, exporters should pay attention to the following points.

(a) In case that exporters export Organic JAS products produced in not JAS Equivalent Countries without any processing in JAS Equivalent Countries:

In this case products are not considered as the products of JAS Equivalent Countries. Therefore rule of above-mentioned 1. (Case-2) is not applicable. Exported Organic JAS products must be affixed Organic JAS label.

(b) In case that exporters export Organic JAS products produced in not JAS Equivalent Countries with processing in JAS Equivalent Countries:

In this case products are considered as products of JAS Equivalent Countries. Therefore rule of above-mentioned 1. (Case-2) is applicable. Exporters can export products if organic certificate issued by the governmental organization or similar organization to said countries are attached to the products.

#### **< Authorities concerned >**

Standards and Labeling Division, General Food Policy Bureau,

The Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

IAI Center for Food Quality, Labeling and Consumer Services

[http://www.cfqlcs.go.jp/information/english\\_edition/index.html](http://www.cfqlcs.go.jp/information/english_edition/index.html)

**List of Registered Japanese and Overseas Certifying Bodies  
which Conduct Organic Certification in Overseas**

December 31, 2007

	Name of organization	Item to be certified	Certification business area other than Japan	Address	Phone
1	AFAS Certification Center Co. Ltd.	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	5-10-13 Ginza, Chuo-ku, Tokyo, Japan	03-3569-7370
2	Organic Certification Organization Co., Ltd.	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	2-23-14 Minamigaoka, Oonojo-shi, Fukuoka, Japan	092-589-2245
3	SGS Japan	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	Landmark Tower Yokohama 38F, 2-2-1 Minato-mirai, Nishi-ku, Yokohama-shi, Kanagawa, Japan	045-330-5030
4	Japan Organic & Natural Foods Association	Organic agricultural products and organic processed foods	Overseas	3-5-3 Kyobashi, Chuo-ku, Tokyo, Japan	03-3538-1851
5	Eco Design Certification Center Co. Ltd	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	2-7 Kandatsukasa-machi, Chiyoda-ku, Tokyo, Japan	03-5283-2626

6	Ecocert QAI Japan Ltd.	Organic agricultural products and organic processed foods	Overseas	Kanagawa Science Park Building, 3-2-1 Sakaido, Takatsu-ku, Kawasaki-shi, Kanagawa, Japan	03-5413-7330
7	ICS Japan, Inc.	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	4-5-17 Chigasaki-higashi, Tuzuki-ku, Yokohama, Kanagawa, Japan	045-949-4620
8	Japan Grain Inspection Association	Organic agricultural products and organic processed foods	USA and China	15-6 Kabuto-cho, Nihonbashi, Chuo-ku, Tokyo, Japan	03-3644-6410
9	OCIA Japan Ltd.	Organic agricultural products and organic processed foods	Overseas	4-21-7 Shinbashi, Minato-ku, Tokyo	03-5733-2267
10	Overseas Merchandise Inspection Co., Ltd.	Organic agricultural products and organic processed foods and organic feeds	Overseas	15-6 Nihonbashi, Kabuto-cho, Chuo-ku, Tokyo, Japan	03-3669-5184
11	Nonprofit Organization ASAC	Organic agricultural products and organic processed foods	Overseas	3-3-17 Zenkunen, Morioka-shi, Iwate, Japan	019-605-3345
12	Japan Eco-system Farming Association	Organic agriculturel products and organic processed foods	Cambodia, Vietnam and Thailand	1-21-12 Tsukishima, Chuo-ku, Tokyo, Japan	03-3532-6283
13	Japan Soysauce Technology Center	Organic processed foods	Overseas	3-11, Koami-cho, Nihonbashi, Chuo-ku, Tokyo, Japan	03-3666-4521
14	Japan Frozen Foods Inspection Corporation	Organic processed foods	China, Thailand, Vietnam, Taiwan	2-4-6, Shibadaimon, Minato-ku, Tokyo, Japan	03-3438-1411

15	Australian Certified Organic	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	766 Gympie Rd, Chermside, Queensland, Australia	+61(0)7 3350 5706
16	BCS Oeko-Garantie GmbH	Organic agricultural products and organic processed foods, organic feeds and organic livestock products	Overseas	Cimbern strasse 21, 90402, Nuernberg, Germany	+49(0)911 4243 935
17	Control Union Certifications	Organic agricultural products and organic processed foods	Overseas	Meeuwenlaan 4-6, 8011 BZ Zwolle, Netherlands	03-5521-7658
18	CERES, CERTification of Environmental Standards, GmbH	Organic agricultural products, organic processed foods and organic feeds	Overseas	Vorderhaslach Nr.1, D-91230 Happurg, Federal State of Bavaria, Germany	+49 9158-928290
19	Institute for Marketocology, IMO	Organic agricultural products, organic processed foods and organic feeds	Overseas	Weststrasse 51, CH-8570 Weinfelden, Switzerland	+41(0)71-626-0626
20	Istituto per la Certificazione Etica e Ambientale	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	Strada Maggiore, 29 40125 (BO), Italy	+39 051-272986 extension 3
21	Consorzio per il Controllo dei Prodotti Biologici	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	Overseas	Via J. Barozzi, 8 40126 (BO), Italy	+39 051-6089811

22	Global Organic Alliance, Inc.	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	* See note	P.O.BOX530 3185 Township Road 179Bellefontaine, OH 43311-0530	937-593-9507
23	BioGro New Zealand Ltd	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	New Zealand, Niue and Cook Islands	Level9, 75 Ghuznee Street Wellington NZ	64-4-801-9741
24	AsureQuality Limited	Organic agricultural products, organic processed foods, organic feeds and organic livestock products	New Zealand, Republic of Vanuatu and Cook Islands	Level 4, 8 Pacific Rise Mt.Wellington, Auckland NZ	64-4-570-8800

\*Note: USA(Including Guam, Northern Mariana Islands, Puerto Rico, Virgin Islands and Somao of the United States), Canada, Mexico, Panama, Belize, Costa Rica, El Salvador, Guatemala, Nicaragua, Philippines, Korea, Indonesia and Taiwan

## **14. Genetically Modified Agricultural Products**

### **< Agricultural products requiring the labeling of genetically modified foods >**

The products requiring the labeling shall be seven (7) kinds of agricultural products; soybeans, corn, potatoes, rapeseeds, cotton seeds, alfalfa and sugar beats, and 32 groups of foods processed from such products, in which recombinant DNA or the resulting protein still exists even after processing or high oleic acid genetically modified soybean processed foods (soybean oil etc) and processed foods produced from these raw materials.

### **< Labeling>**

(1) The processed foods produced from genetically modified agricultural products whose nutritional values and composition are equal to conventional products, and the products whose DNA is re-modified after the processing or protein that is produced by such a modification and detectable by the latest widely known detection technique is required to label as "genetically modified products," or "products without segregation between genetically modified agricultural products and non-GM agricultural products."

(2) The labeling concerning "genetically modified products" is under no obligation of affixing to foods, in which recombinant DNA and the resulting protein do not exist due to removal or resolution agent in processing.

(3) The labeling indicating "non-genetically modified products" is not necessary for non-genetically modified agricultural products and products processed from such ingredients. However, it is possible to voluntarily affix the labeling indicating "non-GM segregated from GM," or "not genetically modified, etc.

### **<Voluntary labeling>**

#### **(1) Oil and Soybean sauce:**

The processed foods such as oil and soybean sauce whose DNA is re-modified or protein that is removed and decomposed during processing produced and not detectable by the latest widely known detection technique is not required labeling concerning genetically modified products. But voluntary labeling is acceptable.

#### **(2) Non genetically modified agricultural products and processed foods made from these products as raw materials:**

Non genetically modified agricultural products and processed foods made from these products as raw materials under identity preserved handling (IP handling) are not required to label for genetic modification, provided, however that "non-genetic modification" may be displayed voluntarily.

**< Products not requiring labeling >**

In each of the following items, the labeling is not necessary, even if products are the designated products of the labeling:

- (1) In the event that food and drink, which are manufactured or processed, are directly sold to consuming public, or offered in a catering establishment set up; or
- (2) In the event that perishable foods produced ("collected" and "taken," etc.) are directly sold to consuming public, or are offered in a catering establishment set up.

**Products requiring labeling** (As of December 2007)

Processed Foods (32 foods)	Agricultural product
(1) soybean curd (TOFU), fried soybean curd	soybean
(2) freeze-dried TOFU、bean curd lees(OKARA), YUBA	soybean
(3) fermented soybeans (NATTO)	soybean
(4) soybean milk	soybean
(5) MISO	soybean
(6) cooked beans	soybean
(7) canned soybeans and bottled soybeans	soybean
(8) soybean flour	soybean
(9) roast soybeans	soybean
(10) foods produced mainly above (1) to (9)	soybean
(11) foods produced mainly from soybeans (for cooking)	soybean
(12) foods produced mainly from soybean powder	soybean
(13) foods produced mainly from soybean protein	soybean
(14) foods produced mainly from green soybean (EDAMAME)	soybean MOYASHI
(15) foods produced mainly from soybean MOYASHI	corn
(16) corn snack	corn
(17) corn starch	corn
(18) popcorn	corn
(19) frozen corn	corn
(20) canned corn and bottled corn	corn
(21) foods produced mainly from corn flour	corn
(22) foods produced mainly from corn grits ( except cornflake)	corn
(23) foods produced mainly from corn (for cooking)	corn
(24) foods produced mainly above (16) to (20)	corn
(25) potato snack	potato
(26) dried potato	potato
(27) frozen potato	potato
(28) potato starch	potato
(29) foods produced mainly from above (25) to (28)	potato
(30) foods produced mainly from potato (for cooking)	potato
(31) foods produced mainly from alfalfa	alfalfa
(32) foods produced mainly from sugar beet (for cooking)	sugar beet

Source : the Ministry of Health, Labor and Welfare

**Commercial production countries of  
Genetically Modified Agricultural products**

(As of year 2006)

Country	Agricultural Products
U.S.A.	soybean, cone, cottonseed、rapeseed, alfalfa
Argentine	soybean, cone, cottonseed
Brazil	soybean, cottonseed
Canada	rapeseed、soybean, cone
India	cottonseed
China	cottonseed
Paraguay	soybean
South African Republic	soybean, cone, cottonseed
Uruguay	Soybean, cone
Philippine	cone
Australia	Cottonseed
Rumania	soybean
Mexico	cottonseed, soybean
Spain	cone
Colombia	cottonseed
France	cone
Iran	-----
Honduras	cone
Czech Republic	cone
Portugal	cone
Germany	cone
Slovakia	cone

Note:

(1) source: ISAAA(International Service for the Acquisition of Agri-biotech Applications)  
and the Ministry of Health, Labor and Welfare

(2) Name of agricultural products are nominated products as genetically modified  
agricultural products in Japan and commercial production is confirmed by ISAAA.

### **< Identity Preserved Handling >**

(1) The definition of "Identity preserved handling (IP handling)" provided by Quality Labeling Standard for Genetically Modified Foods shall be given as follows: Management method in which segregation between genetically modified agricultural products and non-genetically modified agricultural products is accomplished, under the care of a good manager at each stage of production, distribution, and processing. Furthermore, it must be verified by using documents clearing indicating that segregation has been made.

(2) As for specific methods of the identity preserved handling, there are various types of manners depending on production center, category, and kinds of processed foods. As a standard case, Japan Food Industry Center has prepared "Distribution Manual" for the IP handling related to soybeans and dent specie's corn produced in North America, which are overwhelmingly imported by bulk transport. Please refer to this Manual for IP handling.

The Manual describes checkpoints at each stage of production, distribution and processing, management method, and necessary records, etc. Further, it introduces examples of certificate form showing that a processed food has been confirmed based on the said checkpoints, etc., flow of issue of certificates, and retention period, etc.

(3) Another method of identity preserved handling (IP handling) different from methods described in the Manual may be used. However, the said method shall have reliability and traceability equal to or better than the IP handling described in the Manual.

### **< Adventitious mixture of genetically modified foods >**

(1) As for soybean and corn, in the event that genetically modified products of five (5) % or more are mixed in its processed foods, such products shall be regarded as "a certain amount of adventitious mixture of genetically modified agricultural products."

(2) The mixing rate, five % or less, shows a mixture rate of the adventitious genetically modified agricultural products on the premise that the products have been properly treated under an identity preserved handling. In the event that the mixing rate of genetically modified agricultural products results in five % or less though it is confirmed that the products have been treated under an identity preserved handling, or in the event that genetically modified agricultural products are intentionally mixed, the products shall be not regarded as "adventitious mixture" provided in the provisions of Article 3, Paragraph 3 of the Quality Labeling Standard for Processed Foods.

**< Labeling method of the labeling designated products using non-genetically modified agricultural products, which have been treated under an identity preserved handling >**

(1) Only the ingredient shall be declared, or it shall be declared that the ingredient is a non-genetically modified agricultural product by printing in parentheses words representing "not genetically modified products" following the name of the ingredient.

(2) In the case that a processed food is made from only one ingredient (for example: kinako, or roasted soybean flour), the name of the said ingredient should be omitted based on the provisions of Article 3, Paragraph 6 of the Quality Labeling Standard for Processed Foods. Therefore, in this case, only the name of the ingredient shall be described, or the ingredient concerned shall be described, and also it shall be declared that the ingredient is a non-genetically modified agricultural product by printing in parentheses words representing "not genetically modified products" following the name of the ingredient.

**< Labeling method of "not genetically modified products," etc.>**

(1) The labeling of "not genetically modified products" shall be performed based on the provisions of the Quality Labeling Standard, though the performance of the said labeling may be an arbitrary selection.

(2) In the case the labeling is performed in a column of general labeling matters, it may be declared that the ingredient is a non-genetically modified agricultural product treated under an identity preserved handling by printing in parentheses words representing "not genetically modified products," etc. following the name of the said ingredient.

**< Example of the labeling concerning the genetically modified products >  
Example of foods made from soybeans**

**Foods made from soybeans without segregation between genetically modified soybeans and non-GM soybeans (Labeling required)**

Name	XXXXXXXXXXXX
Ingredients	Soybean (without segregation between genetically modified and non-GM), XXX
Amount of contents	300 g
Best before	XX Year XX Month XX Date
Method of store	Refrigeration required: to be preserved at 10 °C or less
Manufacturer	XXXXXX Food Company Chiyoda-ku, Tokyo,

**Foods made from non-genetically modified soybeans**

Name	XXXXXXXXXXXX
Ingredients	Uncovered bean, soybean,
Amount of contents	1kg
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXX Food Company Chiyoda-ku, Tokyo,

**Or**

Name	XXXXXXXX
Ingredients	Uncovered bean, soybean(segregation between genetically modified and non-GM)
Amount of contents	1kg
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXX Food Company Chiyoda-ku, Tokyo,

**Example of foods made from corn**

**Foods made from corn without segregation between genetically modified corn and non-GM corn**

Name	XXXXXXXXXXXX
Ingredients	Flour, starch (corn without segregation between genetically modified corn and non-GM corn), XXXXXXXX
Amount of contents	1kg
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXX Food Company Chiyoda-ku, Tokyo,

**Products made from non-genetically modified corn (voluntary labeling)**

Name	XXXXXXXXXX
Ingredients	cone, XXXX
Amount of contents	80g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXXX Food Company Chiyoda-ku, Tokyo,

**Or**

Name	XXXXXXXX
Ingredients	Corn (non-GM), XXX
Amount of contents	80g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXXX Food Company Chiyoda-ku, Tokyo,

**Examples of foods made from potato (Potato starch powder, tapioca starch**

**Foods made from potato without segregation between genetically modified potato and non-GM potato**

Name	XXXXXXXXXXXX
Ingredients	Wheat flour, potato starch (potato starch w · thout segregation between genetically modified potato starch and non-GM potato starch ), XXXX
Amount of contents	100g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXXX Food Company Chiyoda-ku, Tokyo,

**or,**

Name	XXXXXXXXXXXX
Ingredients	Wheat flour, starch, potato (potato without segregation between genetically modified potato and non-GM potato), XXXX
Amount of contents	100g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXXX Food Company Chiyoda-ku, Tokyo,

**Foods made from potato without segregation between genetically modified potato and non-GM potato ( In case of mixing potato starch and tapioca starch)**

<b>Name</b>	XXXXXXXXXX
Ingredients	Wheat flour, starch {potato (potato without segregation between genetically modified potato and non-GM potato) tapioca }, XXXX
Amount of contents	80g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXX Food Company Chiyoda-ku, Tokyo,

or

<b>Name</b>	XXXXXXXXXX
Ingredients	Wheat flour, potato starch (potato starch without segregation between genetically modified potato starch and non-GM potato starch ), tapioca starch, XXXX
Amount of contents	80g
Best before	XX Year XX Month XX Date
Method of store	Store at room temperature along with avoiding direct sunlight
Manufacturer	XXXXX Food Company Chiyoda-ku, Tokyo,

**< Authorities concerned >**

Your questions and consultations on labeling system of the genetically modified foods shall be accepted at the following authorities.

(1) Concrete labeling method

\*General inquiry about labeling on foods

Food and Agricultural Materials Inspection Center (FAMIC) (Wednesday only)

<http://www.famic.go.jp/> (Japanese only)

Japan Food Hygiene Association (JFHA) (Monday only)

<http://www.n-shouei.jp/> (Japanese only)

\*The nearest Food and Agricultural Materials Inspection Center (FAMIC) (8 Centers are in Japan)

<http://www.cfqlcs.go.jp/> (Japanese only)

(2) General labeling system

Standards and Evaluation Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

The nearest Public Health Center

Food Labeling and Standards Surveillance Office, Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, the Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Labeling and Standards Division, Food Safety and Consumer Affairs Bureau, Regional Agricultural Administration Office (7 offices are in Japan, i.e. Sendai, Saitama, Kanazawa, Nagoya, Kyoto, Okayama and Kumamoto), The Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Food Safety and Consumer Affairs Division, Agricultural, Forestry and Fisheries Department, Okinawa General Bureau, Cabinet Office

<http://www.ogb.go.jp/> (Japanese only)

District Agricultural Office (46 Prefectures, except for Okinawa)

<http://www.maff.go.jp/eindex.html>

(3) Distribution manual on the identity preserved handling

JAFIC-Japan Food Industry Center

<http://www.shokusan.or.jp/> (Japanese only)

(4) General inquiry about foods

“Room for Consumer,” The Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/soshiki/syokuhin/heya/HEYA.html> (Japanese only)

(5) Inquiry about labeling on food

Free dial 0120-481-239

## **15. Agricultural Chemicals Regulation Act**

It became clear that unregistered agricultural chemicals had been distributed and used nationwide after the summer of 2002. This caused a big problem that undermines the nation's confidence in "food." Under such circumstances, the Agricultural Chemicals Regulation Act was revised in December 2002 and in effect from March 10, 2003. The law stipulates a) ban of manufacturing, import, and use of unregistered agricultural chemicals (sales had been prohibited since before), ban of agricultural chemicals infringing the standards for use of pesticides, strengthened penalties, etc.

However under this law, it was difficult to prohibit distribution of foods which contains agricultural chemicals not stipulated residual value. Under new residual standard system (Positive List System) for agricultural chemicals remaining in foods, the system prohibits the distribution of foods that contain agricultural chemicals above a certain level if maximum residue limits have not been established, and this system came in force since May 2006.

### **<Purpose of law>**

The objective of this law is to contribute to the stability of agricultural production, the protection of popular health, and the maintenance of national life environment by establishing a system of registration for agricultural chemicals regulating their sale and use so as to ensure that they are of proper quality and are correctly and safely used.

### **< Outline of law>**

Any person wishing to manufacture, process or import agricultural chemicals shall register the said agricultural chemicals to the Minister of Agriculture, Forestry and Fisheries and no agricultural chemicals shall be sold without such registration.

Any person wishing to manufacture or process agricultural chemicals overseas for export to Japan may register the said agricultural chemicals to the Minister of Agriculture, Forestry and Fisheries (Paragraph 1 of Article 15-2). In this case, importers of the said agricultural chemicals shall not be required to make registration for the said agricultural chemicals (Paragraph 1 of Article 2). However, a foreign applicant wishing to apply for registration shall appoint a domestic custodian (residing in Japan, including the representative of a Japanese office of a foreign juridical person).

### **< Registration of Import and Sales of Pesticide >**

Any person, who would like to import and sale a pesticide, must submit the application form with the sample of the pesticide (200g or more) and various types of data/study/test reports

concerning the efficacy, phytotoxicity, toxicity, and residual chemistry for each brand to the Ministry of Agriculture, Forestry and Fisheries, or Incorporated Administrative Agency, Agricultural Chemicals Inspection Station. Finally, such person must get an approved registration from the Minister of Agriculture, Forestry and Fisheries, after the safety, etc. of the pesticide is confirmed. In accordance to the Agricultural Chemicals Regulation Act, it is necessary to note that any agricultural chemicals except for the registered ones cannot be imported, manufactured, and sold. Moreover, even if a pesticide is the same active ingredient, in case any dosage form (powder material, granule, emulsifiable concentrate, and liquid drug, etc.) is different, or a manufacturing company or a trade company is different, it is necessary to get a separate registration respectively. The registration is valid for five (5) years.

In addition, before starting the sales business of agricultural chemicals, each sales office must notify to the prefecture city government governor who has jurisdiction over the location where such office exists.

#### **< Labeling to Container and Package >**

In accordance to the provisions of the Agricultural Chemicals Regulation Act, any person, who would like to sale a pesticide registered as the agricultural chemicals by the Minister of Agriculture, Forestry and Fisheries, must indicate the items specified on the container or package to so as to be properly used.

The following labeling needed for a pesticide are prescribed.

- Name and location of factory
- Kind and name of agricultural chemicals
- Kind and content of active ingredients, etc.
- Amount of contents
- Registry number
- Scope and usage of applicable harmful insects
- Precautions for storing or use
- Final effective date

#### **< Positive List System >**

This system prohibits the distribution of foods that contain agricultural chemicals above a certain level if maximum residue limits have not been established, and this system came in force since May 2006. Even before Positive List System started, allowable residual values of agricultural chemicals were stipulated. However under old Agricultural Chemicals Regulation Act, Japanese government was not able to control distribution of foods that contain agricultural chemicals more than a certain level such as agricultural chemicals used

in abroad. However after Positive List System came into force, residual value 0.01 ppm will be applied for foods (including agricultural products) whose residual values have not been stipulated.

**< Authorities concerned >**

Agricultural Chemicals Office, Plant Products Safety Division, Food Safety and Consumer Affairs Bureau, the Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Policy Planning and Communication Division, Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare

<http://www.mhlw.go.jp/english/index.html>

Food and Agricultural Materials Inspection Center (FAMIC)

<http://www.famic.go.jp/english/index.html>

## **16. Food Safety Basic Act**

In recent years, people have been getting increasingly nervous about safety of food, mainly because of outbreaks of the mad cow disease (BSE), violations of residue-prone agricultural chemicals standards, and false labeling on food. In order to cope with such circumstances, the Food Safety Basic Act, which will constitute a basis for securing safety for food, got enacted on May 16, 2003 and came into force as from July 1 of the year.

### **<Purpose of the law>**

The purpose of the law is, considering the urgent necessity of measures to cope with changes in the environment affecting dietary lives of people, such as development of science, advancement of globalization, etc., to promote comprehensive measures to secure food safety by laying down the basic principles on safety for food, defining the responsibility each of the government, local authorities, and food-related businesses, clarifying the role of consumers, and establishing basic policies for developing measures.

### **<Points of the law>**

#### **1. (Basic understanding of securing safety on food)**

Food safety shall be secured by taking necessary measures with the basic understanding that such measures are most important to protect the public health. (Article 3)

#### **2. (Proper measures for each stage of food supply process)**

Considering that any of factors in the whole process from production to supply of agricultural and fishery products, either home or overseas, (hereinafter called "Food Supply Process") may affect food safety, food safety shall be secured by taking necessary measures at every stage of the process. (Article 4)

#### **3. (Prevention of public health from adversely affecting)**

Food safety shall be secured by taking necessary measures based on the latest scientific knowledge on food safety while considering international trends and public opinions with respect to food safety and aimed at ensuring that people will be prevented from adverse effects from eating food. (Article 5)

#### **4. (Responsibility of food-related businesses)**

a) Food-related businesses who produce, import, or sell fertilizers, agrochemicals, feed additives, medical products for livestock, and any other production facilities in agriculture and fisheries, food (including agricultural and fishery products used as materials for food), additives, apparatus, and containers/packages which may affect food safety, and who do other food-related business shall be responsible for taking proper measures for securing food safety at each stage of the supply process in accordance to the basic principles and with understanding that such businesses shall assume primary responsibility in doing such business.

b) In running business, food-related businesses shall provide correct and proper information on food to be handled and others in accordance to the basic principles.

c) Food-related businesses, in accordance to the basic principles, shall be responsible for cooperating with the government or local authorities in measures for food safety in relation to their business activities. (Article 8)

5. (Role of consumers)

Consumers shall by deepen their knowledge and understanding concerning securing food safety and play active roles in securing food safety by expressing their opinions on food safety. (Article 9)

6. (Conducting food risk assessment)

In developing measures for food safety, food risk assessment (hereinafter called "Risk Assessment") shall be conducted on each proposed measure about any biological, chemical, or physical factors or states which may injure human health when taken into human bodies, which are included in food or may be located near food,; provided, however, that the foregoing does not apply to the following cases:

- a) When it is clearly unnecessary to conduct risk assessment, judging from the nature of such measure;
- b) When the nature and level of the adverse effect on human health is clear;
- c) When such measure is urgently needed to prevent people form health hazards or to control such hazards, if there is not enough time for risk assessment to be conducted beforehand, (Article 11)

7. (Promotion of exchange of information and opinions)

In developing measures for securing food safety, necessary steps shall be taken so as to reflect public opinions in particular measures, keep the developing process fair and transparent, issue information on such measure, provide opportunities to express opinions, to promote exchange of information and opinions among relevant people.

(Article 13)

**< Change according to the inauguration of Consumer Affairs Agency >**

The jurisdiction over the Article 1 and 2, etc. of the Food Safety Basic Act has been transferred to the Consumer Affairs Agency.

**<Articles covered by the law>**

All foods and drinks (excluding drugs and quasi-drugs prescribed by the Pharmaceutical Affairs Act)

**< Authorities concerned >**

Food Safety Commission, Cabinet Office

<http://www8.cao.go.jp/shokuhin/> (Japanese only)

Consumer Affairs Agency

<http://www.caa.go.jp/>

## **17. The Fundamental Law of Food Education (Shokuiku)**

For the purpose of fostering people's healthy mind and body, and bring up a rich human nature, "Fundamental Law of Food Education" to promote a comprehensive and designed policy concerning food education was established on June 10, 2005 and enforced on July 15, 2005.

### **< Purposes of the Law >**

The purpose of the law is to establish a fundamental concept of food education and clarifies the duty of the country and local public bodies by prescribing the fundamental policy measure concerning food education, and promoting a comprehensive and a designed policy concerning food education policy, thereby aiming to contribute to materialize a healthy and cultural people's life as well as rich and vital society at present and for future, in accordance to the environmental change over people's eating habits in recent years, and in consideration of a crucial issue of developing food education for the purpose of building up a sound mind and body and affluent humanity through the whole life of people.

### **< Outline of law >**

#### **1) Promotion of food education at home.**

Enhancing the interest and understanding for foods of guardians and children aiming to establish a healthy eating habit

- \* To provide an opportunity to enjoy themselves with foods while learning a preferable practice at cooking classes joining both parents and children.
- \* To propagate knowledge and give information concerning an appropriate nutritional management like healthy beauty, etc.
- \* To provide nourishment guidance, etc. intended for pregnant women and nursing mothers and infants and toddlers.

#### **2) Promotion of food education at schools, nurseries and facilities.**

To promote an attractive food education at schools and nurseries, etc., and aim to materialize healthy eating habits and grow children's mind and body.

- \* Preparation of a guideline to promote food education at schools and nurseries, etc.
- \* Maintenance of guidance system including the arrangement of suitable staffs for providing food education and consciousness edification of people in a leading position.
- \* Implementation of a school lunch that makes the best use of local trait
- \* A variety of experience activities including practices in farm and cooking foods, etc.

3) Promotion of the approach for the improvement of eating habits in the region

To promote the improvement of the consumption concerning the nourishment, eating habits and foods, preventing the region from a life-style disease:

- \* Designing, propagation and enlightenment of the guideline concerning healthy eating habits
- \* Training and utilization of persons who have expertise of food education
- \* Propagation and enlightenment of food education at public health centers and health centers, etc. located at cities, towns, and villages.
- \* Promotion of propagation and enlightenment of food education at medical institutions
- \* Support to the activity for promotion of food education carried out by food business sectors.

4) Development of food education promotion activity

To aim a nationwide development of voluntary food education activity of private associations including people, persons involved in education, agricultural forestry industries and fisheries, and food related business, etc.

- \* Implementation of the event for promotion of food education
- \* Designation of the period that promotes activity concerning promotion of food education emphatically and effectively
- \* Cooperation with volunteers, etc.

5) Promotion of the communication between producers and consumers, and activation of harmonized agricultural forestry and fisheries industries with environment.

To aim a harmonized activation of rural and fishing villages with environment by advancing symbiosis and convection between cities and rural/fishing villages while building up mutual trust between producers and consumers.

- \* Promotion of experiential activities of consumers in the process of production of agriculture, forestry and fisheries products, and manufacture and distribution of food products.
- \* Promotion of agriculture, forestry and fisheries products that are locally produced and consumed in school lunches, etc.
- \* Control of generation and recycling, etc. of food wastes

6) Support to the activity for the succession of gastronomic culture, etc.

To aim to succeed the gastronomic culture closely related to traditional events and manners, specialized local gastronomic culture and traditional excellent gastronomic culture in the region.

- \* Succession and development of rich gastronomic culture
- \* Propagation of knowledge concerning gastronomic culture, etc.

7) Promotion of safety, nourishment and other survey, research and provision of information as well as international communication concerning foods

Promotion of the international communication concerning food education together with the advancement of survey/research and the provision of information to contribute to people's appropriate selection of eating habits

\* Survey and research of safety and nourishment of foods, and eating habits.

\* Collection and provision of information for safety and nourishment of foods, and eating habits

\* Collection of information for safety, nourishment and eating habits of foods in foreign countries.

\* International communication and information exchange among researchers, etc. concerning food education

**< Articles covered by law>**

Foods and beverage

**< Authority concerned >**

Cabinet office Government of Japan

<http://www.cao.go.jp/index-e.html>

Food Safety Commission, Cabinet office Government of Japan

<http://www.fsc.go.jp/english/>

Sports and Youth Bureau, Ministry of Culture Sports Science and Technology

<http://www.mext.go.jp/>

General Affairs Division, Health Service Bureau, Ministry of Health, Labor and Welfare

<http://www.maff.go.jp/eindex.html>

Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries

<http://www.maff.go.jp/eindex.html>

Consumer Affairs Agency

<http://www.caa.go.jp/>

# **18. Consumer Affairs Agency**

## **<Establishment of Consumer Affairs Agency >**

The government established the Consumer Affairs Agency on September 1, 2009 as a governmental steering role for consumers. The Consumer Affairs Agency has broad jurisdiction over issues that deal with consumer safety and piece of mind, including "Safety" of products and foods, "Trade" of commodities and financial products, "Labeling," etc., and acts as a control tower for the consumer administration as a whole. The establishment of the Consumer Affairs Agency is a symbol of the shift towards and administration that takes on the viewpoints of general consumers, and while providing consumers with safety and piece of mind, it improves the transparency of rules and increases the ability to anticipate administrative actions, and while the industry feels safe, the it aims to establish consumer administration that can offer to consumers new products and services.

The relevant laws as the basis of the administration of the Consumer Affair Agency are the Food Sanitation Act, the Law on Standardization and Proper Labeling of Agricultural and Forest Products (JAS Law), and the Health Promotion Law.

## **< Areas Covered and Duties >**

### **(1) Areas**

The areas covered are labeling (foods, utensils, housing, etc.), trade (areas with many issues, such purchases through auctions, Internet, etc.), services (wages, travel, etc.), Safety (household goods, Food Sanitation Act), and others (product liability, pyramiding, etc.).

### **(2) Roles concerning labeling**

1. The Consumer Affairs Agency formulates label standards. Only the Consumer Affairs Agency holds the authority to make the standards to be observed and executes them.
2. The Fair Trade Commission, the Ministry of Agriculture and Forestry, the Ministry of Economy, Trade and Industry and the Ministry of Health, and Labour and Welfare are in charge of executing necessary inspections and administrative guidance, and they are obligated to notify the Consumer Affair Agency of necessary information. (The Consumer Affairs Agency executes inspections by itself when required.)

### **(3) About the JAS Law**

While the JAS Law consists of the two systems, the JAS Standard System and the Quality Label Standard System, the Consumer Affairs Agency has the jurisdiction over the latter. This does not mean, however, that the Quality Label System is taken out from the JAS Law,

but does means that the JAS Law is handle by the Ministry of Agriculture, Forestry and Fisheries and the Cabinet Office (Consumer Affairs Agency).

Since the JAS Standard System is not in the jurisdiction of the Consumer Affair Agency, the JAS Certificate System based on JAS Standard System is handled by the Ministry of Agriculture, Forestry and Fisheries.

The Consumer Affair Agency has the authority to plan quality label standards, but the Ministry of Agriculture, Forestry and Fisheries can make proposals for planning standard and also can use existing organizations, such as Agricultural Administration Bureau, Consumption Safety Technological Center, Agricultural Administration Office, etc. to make necessary inspections.

**< Authority concerned >**

Consumer Affairs Agency

<http://www.caa.go.jp/>

