

Business Handbook

Rules & Regulations For The Export Of Food - *JAPAN*

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INTRODUCTION

Regulations governing the import of food products in most countries are extremely stringent. However, while most health and safety requirements are provided for in the form of legislations, ensuring food safety and quality standards is a continuous process.

Food manufacturers interested in venturing into the export market must therefore keep close tabs on these developments, besides being well-versed in the import procedures of each country.

The publication of MATRADE's Business Handbook series on the export of food shall cover selected countries to provide pertinent information on their respective food regulations and import procedures. However, exporters are advised to make use of the contacts and access the websites and reference materials listed in the Handbook for more detailed information specific to their products.

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I. IMPORT REGULATIONS

RELATED LAWS

- **The Domestic Animal Infectious Disease Control Law** governs import of animals and animal products by conducting import inspection and quarantine at designated entry points to preclude infectious diseases affecting domestic animals through imported animals and animal products.
- **The Plant Protection Law** governs import of plants and plant products (such as fruits) by conducting import inspection at designated entry points to prevent the spread of dangerous pests.
- **The Quarantine Law** governs the importation of marine products from areas contaminated by cholera or from suspected areas.
- **The Food Sanitation Law** aims to protect people from health hazards caused by food consumption and to help improve and promote public health. The law is applicable to both imported as well as domestically produced food.
- **The Staple Food Law** (rice and wheat) aims to secure the planned distribution of rice and wheat from producers to consumer as these are staple food.
- **The Product Liability Law** aims to protect the consumers from damages caused by product defects.

II. REGULATORY AUTHORITIES

- The **Ministry of Health and Welfare** through the Food Sanitation Law is responsible for the importation of all food

products into Japan. This Ministry is also responsible for the quarantine of marine products from areas contaminated by cholera or from suspected areas.

- The **Ministry of Agriculture, Forestry and Fisheries** governs:
 - Importation of animals, plants and its products to prevent the infection of diseases brought about by these imported items. Both the Domestic Animal Infectious Disease Control Law and the Plant Protection Law are under the jurisdiction of this Ministry.
 - Importation of rice and wheat
 - Quality and labelling standards for the JAS mark certification for designated categories of agricultural and forestry products.

III. IMPORT PROCEDURES

Imports of food products (live animals, agricultural produce, fishery products, prepared food, additives and food packages) are subject to:

- (i) Import Quota (for rice and wheat based products)
- (ii) Animal / Plant Import Quarantine
- (iii) Import Notification

IMPORT QUOTA

- Import quotas are imposed on rice, rice processed products, scallop, adductors of shellfish, cuttlefish and selected squid and seaweed.

- The importers need to apply for quota from the Ministry of International Trade and Industry (MITI), whereby an Import Quota Certificate will be issued if approved.

ANIMAL / PLANT IMPORT QUARANTINE

Animal Quarantine

- The Domestic Animal Infectious Disease Control Law under the jurisdiction of the Ministry of Agriculture, Forestry and Fisheries subject the following imports to quarantine:
 - cloven-hoofed animals, i.e. horses, chickens, ducks, turkey, quail, geese
 - meat of cloven-hoofed animals, meat and viscera of horses and fowl
 - meat prepared product (including sausages, etc)
 - fresh milk
- Importers must give prior Import Notification to the Animal Quarantine Station using a special form.
- An application for import inspection must also be submitted to prove that the animals are free of any causative agent that may spread infectious diseases. Inspection Certificate issued by the appropriate government agency of the exporting country must be attached.
- Import Quarantine Certificate will be issued after inspection confirms that the items are free of the said causative agents.
- For the importation of marine products, the Ministry of Health and Welfare through the Quarantine Law is responsible for the quarantine of marine products from areas contaminated by cholera or from suspected areas.
- With effect from 2 August 2000, all marine products exported

from Malaysia are exempted from cholera testing in Japan. However, if necessary, the Ministry of Health and Welfare can enforce sampling testing.

Plant Quarantine

- The Plant Protection Law (Prevention of Plant Epidemics) subject the imports of fresh fruits, vegetables, grains, pulses, plant products (sugars, cocoa and prepared products), spices and oil seeds, to quarantine.
- An Application for Import Inspection must be submitted to the Plant Quarantine Station. Inspection Certificate (Plant Epidemic Prevention Certificate) issued by the appropriate government agency of the exporting country must be attached. If necessary, products have to be inspected at the inspection laboratories (laboratory tests) designated by the Ministry of Health and Welfare.
- Import Quarantine Certificate will be issued when Inspection confirms that the items are free of the said causative agents. If infection is found, measures such as fumigation and disinfecting will be carried out.
- Products not subjected to inspection are highly processed plant products such as processed tea and dried fruits and spices.

Products

Rice & Wheat

- Importers of rice and wheat must notify the Ministry of Agriculture, Forestry and Fisheries and Customs Department on the import amount prior to importing for monitoring purposes.

Fresh Fruits

- A few tropical fruits such as green bananas, coconuts, durians and pineapples are allowed to be imported fresh into Japan. These fruits are subjected only to import quarantine procedures.
- Imports of selected fresh fruits from tropical countries, for example tomatoes and papayas are prohibited due to harmful insects such as oriental fly (*bactrocera dorsalis*) and melon fly (*bactrocera cucurbitae*). These fruits are placed under the import-banned items.
- Imports of “import banned fruits” are only allowed in the frozen forms and must satisfy the following requirements:
 - i) The fruits must be frozen to temperatures below -17.8C (0F)
 - ii) The temperatures must be maintained from the time packaging, shipment and import inspection
 - iii) The health (phyto-sanitary) certificate should accompany the shipment and should certify that the fruits have been frozen at that temperature.
- The import banned agricultural products including fruits (other than the frozen form) can be imported into Japan by forwarding a request to the Japanese government for the item to be removed from the import banned item list. The request must be attached with documentary proof that measures and steps have been taken to eliminate the diseases and harmful insects from the fruits.

Processed Food

- Imports of processed food like sugar confectionery, chocolate, coffee and its substitutes, yeast, ice-cream, sauces are only subjected to the Food Sanitation Law.

IMPORT NOTIFICATIONS

- The Food Sanitation Law requires importers to submit Import Notifications for Food Products for sale (including gifts) or for business use in Japan.
- Import Notifications are not imposed on:
 - personal items, samples for tests, examinations or studies
 - salt (unrefined), copra, animal or vegetable oils and fats, crude sugar, uncertified alcohol, molasses, rapeseed, malt and hops.
 - Import Notifications can be exempted for “Planned imports” for certain kinds of food that are repeatedly imported, provided the importer submits an Import Plan (1 or 3 years import plan) at the initial import submission.
- Supporting documents to be attached with notification submitted to the Food Sanitation Inspection Division of the Quarantine Station are:
 - i) Import Notification (2 copies)
 - ii) Health (sanitation) Certificate on inspection results issued by government organization of the exporting country. For meat and meat products, a certificate to show that processing was done according to the Japanese Abattoir Law/Poultry Slaughtering Business Control and Poultry Inspection Law.
 - iii) For processed food imported for the first time, documents containing more detailed information on raw materials and ingredients, manufacturing process, etc.
- To simplify and expedite import procedures, a copy of Accepted Notification will be issued to the importers promptly

if prior notification is forwarded, i.e. Import Notifications must be submitted 7 days before cargo's estimated arrival date and the notification is in order.

- An Inspection Order will be issued to the importers for the cargo to be inspected.
- If necessary, products have to be inspected at the inspection laboratories (laboratory tests) designated by the Ministry of Health.
- Upon compliance, Import Notification will be stamped "Passed" and a copy returned to the importer.
- If inspection result does not comply with the regulations, the importer will be notified on reasons of violation and measures that can be undertaken are either re-ship, destroy or otherwise dispose of the cargo as instructed.

PROHIBITED IMPORTS/SALE

The Food Sanitation Law prohibits the import/sale of:

- Food or food additives which are rotten, decomposed or immature, contain toxic or harmful substances, are contaminated with pathogenic micro-organisms or foreign substances.
- Food products containing benzoic acid as preservatives, except in allowed food.
- Meat or meat products of livestock which have been suffering from the designated disease or dead.
- Apparatus or container-packages containing toxic or harmful substances.
- Food not conforming with established standards of manufacture and storage.

- Ingredients not meeting the prescribed specifications and standards.

TARIFF REGIME

- Tariff classification is based on the Harmonized Commodity Description and Coding System.
- Most duties are levied at ad valorem rates, while a few items are at specific rates and a few commodities, combination of ad valorem and specific rates.
- The dutiable value of an item is c.i.f. value, which includes its cost, insurance and freight.
- Generally import duties for food products are low, i.e. 0% to 5%.
- However, Japan still imposes substantial tariff rates on selected products (agricultural) to protect the local producers. High tariffs are imposed on bananas, wheat-based, rice-based and milk-based products. For example, the tariff on bananas ranges from 10% to 20% and prawn rolls (wheat-based products) is 27%.
- Tariff escalation also prevails, whereby the import duty of raw products is much lower than the semi processed and processed products. For example the import duty for raw cocoa is nil while cocoa powder is 35%.

Other Taxes

Consumption Tax : 5% is imposed on all food products. For imported item, tax is assessed on c.i.f. value plus import duty paid.

IV. STANDARDS, QUALITY & LABELLING REQUIREMENTS

FOOD ADDITIVES STANDARDS

The Food Sanitation Law stipulates the standards for use of food additives.

- Food additives of chemically synthesized compounds must not be used in food except those designated by the Ministry of Health and Welfare.
- Standards are set for use of food additives. These standards stipulates the type and amount of additives allowed for certain food use and the methods of using the additives.
- Benzoic acid which is widely used by Malaysian manufacturers as food preservatives, are only allowed to be used in the preparation of caviar, margarine, syrup, soy sauce and non alcoholic beverages. Other food products containing benzoic acid as preservatives are not allowed to be imported into Japan.

QUALITY STANDARDS

All products are subjected to mandatory and non-mandatory voluntary standards. Products will be inspected and upon compliance a certificate or quality mark will be issued:

- Voluntary mark of approval/standards will greatly enhance sales potential.
- The Japanese Agriculture Standards (JAS) system is a voluntary standard and certification system, which may be affixed by applying to the JAS standard grading organizations after customs clearance.

- JAS standard grading can be obtained based on inspection data prepared by a designated foreign testing organization (FTO), i.e. a foreign testing organization accepted by the Ministry of Agriculture, Forestry and Fisheries.

PACKAGING AND LABELLING

The Quality labelling system under the JAS is mandatory where quality-labelling standards are established for a variety of food products. In general, all labels must be in Japanese and must contain the following information:

- Product name
- Country of origin
- Producer name and address (if imported, name and address of importer)
- Date of durability
- List of ingredients
- Indication of food additives present (if any)
- Usage instruction
- Preservation method
- Content volume (in metric weights and measurements)

V. USEFUL CONTACTS

1. Office of International Animal Health Affairs
Animal Health Division
Livestock Industry Bureau
The Ministry of Agriculture, Forestry and Fisheries
1-2-1, Kasumigaseki, Chiyoda-ku
Tokyo 100-8950, Japan
Tel: 81-03-35916584 (Direct)
Fax: 81-03-35082546 (Direct)
Website: www.maff.go.jp
2. Food Sanitation Division
Environmental Health Bureau
The Ministry of Health and Welfare
1-2-2, Kasumigaseki, Chiyoda-ku
Tokyo 100-8045, Japan
Tel: 81-03-35952326 (Direct)
Fax: 81-03-35037965 (Direct)
Website: www.mhw.go.jp
3. Office of Port Health Administration
Food Sanitation Division
Environmental Health Bureau
The Ministry of Health and Welfare
1-2-2, Kasumigaseki, Chiyoda-ku
Tokyo 100-8045, Japan

Tel: 81-03-35952333 (Direct)
Fax: 81-03-35918029 (Direct)
Website: www.mhw.go.jp

4. Standard & Labelling Division
Food and Marketing Bureau
The Ministry of Agriculture, Forestry and Fisheries
1-2-1, Kasumigaseki, Chiyoda-ku
Tokyo 100-8950, Japan
Tel: 81-03-35078592 (Direct)
Fax: 81-03-35020614 (Direct)
Website: www.maff.go.jp

5. Japan Agricultural Standard Association
Aroma Bldg. 5F, 3-5-2, Nihonbashi Kayabacho
Chuo-ku
Tokyo 103-0025, Japan
Tel: 81-03-32497120
Fax: 81-03-32499388
Website: www.jasnet.or.jp

**VI. FOOD RULES AND REGULATIONS FOR JAPAN
AVAILABLE AT MATRADE BUSINESS LIBRARY**

<u>TITLE</u>	<u>CALL NO</u>
<u>JAPAN</u>	
<u>Customs tariff schedules of Japan 2000.</u> Tokyo : Japan Tariff Association, 2000. [v.p].	T 382.7 CUS (JAPN)
<u>Exporters' encyclopaedia 2000/2001. [s.l.] :</u> Dun & Bradstreet, 2000. [v.p].	I 382.603 EXP
<u>Foodex Japan : import procedure for food.</u> Tokyo : Japan Management Association, 1999. 59 p.	JAPN 344.042 JAP
<u>Food sanitation law : food additives in Japan supervision of food chemical division of the Ministry of Health and Welfare.</u> Tokyo : Japan Food Additives Association, 1997. [n.p].	INFO FILE (JAPAN)
<u>Food sanitation law : no.233, December 24, 1947 final amendment law no. 101, May 24, 1995 : March 1, 1996.</u> Tokyo : JETRO, 1997 34 p.	JAPN 344.04232 JAP

<u>Guide to JAS system for agricultural and forestry products : March1997.</u> Tokyo : JETRO, 1997. 21 p.	JAPN 343.076 JAP
<u>Handbook for entering the Japanese market : introduction to market access in Japan and its relevant laws, standards, certification procedures, and other regulations.</u> [s.l] :Economic Planning Agency, 2000. 264 p.	JAPN 344.042 HAN
<u>JETRO Japanese market report : regulations & practices : beer.</u> Tokyo : JETRO, 1998. 23 p.	JAPN 641.22 JAP
<u>JETRO Japanese market report : regulations & practices : cheese.</u> Tokyo : JETRO, 1999. 26 p.	JAPN 641.373 JAP
<u>JETRO Japanese market report : regulations & practices : fresh vegetable.</u> Tokyo : JETRO, 1999. 21 p.	JAPN 641.35 JAP
<u>JETRO Japanese market report : regulations & practices : frozen vegetables.</u> Tokyo : JETRO, 2000. [n.p].	INFO FILE (JAPAN- MARKET)
<u>JETRO Japanese market report : regulations & practices : fruit drinks.</u> Tokyo : JETRO, 1999. 25p	JAPN 641.122 JAP

<u>JETRO Japanese market report : regulations & practices : jam and canned fruit.</u> Tokyo : JETRO, 1999. 23 p.	JAPN 641.122 JAP
<u>JETRO Japanese market report : regulations & practices : mineral water</u> Tokyo : JETRO, 2000. [n. p].	INFO FILE (JAPAN- MARKET)
<u>JETRO Japanese market report : regulations & practices : mushroom.</u> Tokyo : JETRO, 1999. [n.p].	INFO FILE (JAPAN- MARKET)
<u>JETRO Japanese market report : regulations & practices : natural honey.</u> Tokyo : JETRO, 2000. [n. p].	INFO FILE (JAPAN- MARKET)
<u>JETRO Japanese market report : regulations & practices : nutritional dietary, supplement products.</u> Tokyo : JETRO, 1997. 20 p.	JAPN 641.302 JAP
<u>JETRO Japanese market report : regulations & practices : processed meats.</u> Tokyo : JETRO, 1999. [n.p].	INFO FILE (JAPAN- MARKET)
<u>JETRO Japanese market report : regulations & practices : seafood products.</u> Tokyo : JETRO, 1999. 26 p.	JAPN 641.392 JAP

<u>JETRO Japanese market report :regulations & practices : wine. No. 15, March 1998.</u> Tokyo : JETRO, 1998. 26 p.	JAPN 641.22 JAP
<u>Labeling systems for processed foods in Japan.</u> Tokyo : Japan Association of Agricultural Standards, 1997. 45 p.	INFO FILE (JAPAN)
<u>Marketing guidebook for major imported products 2000.</u> Tokyo : JETRO, 2000.	CD-ROM 102-2 MAR
<u>Procedure for importing foods and related products in Japan under the food sanitation law : March 1997.</u> Tokyo : JETRO, [199-]. 14 p.	JAPN 344.04232 PRO
<u>Rules and regulations for the export of food to Japan. [s.l] :[s.n], [199-]</u> 9 p	INFO FILE (JAPAN)
<u>Specifications and standards for food, food additives, etc. under the food sanitation law (abstracts) : March 1997.</u> Tokyo : JETRO,1997. 147 p.	JAPN 344.04232 JAP
<u>Workshop on the packaging and labelling in Japan (Kuala Lumpur : MATRADE, 2 March 1999).</u> Kuala Lumpur : WOR MATRADE, 1999. [n.p].	S 658.564 WOR

Paper presented :

- a. Food Packaging Design (Industrial Design) : Basic Conditions Required for Food Packaging / Mr. Hirotaka Sasaki

<u>Your market in Japan : edible vegetables oil.</u> Tokyo : JETRO, 1997 28 p.	P 665.3 YOU
<u>Your market in Japan : meat products.</u> Tokyo : JETRO, 1996. 32 p.	JAPN 641.36 YOU
<u>Your market in Japan : organic vegetables.</u> Tokyo : JETRO, 1994. 20 p.	JAPN 641.35 YOU