



Guide to Food Import

Guide to Food Import

Japan exercises various kinds of control over food imports in addition to ordinary customs clearance, due to the necessity to ensure the safety of what its people eat and drink. Depending on the circumstances, Japan also needs to consider the impact that imported food may cause to the domestic livestock industry and agriculture.

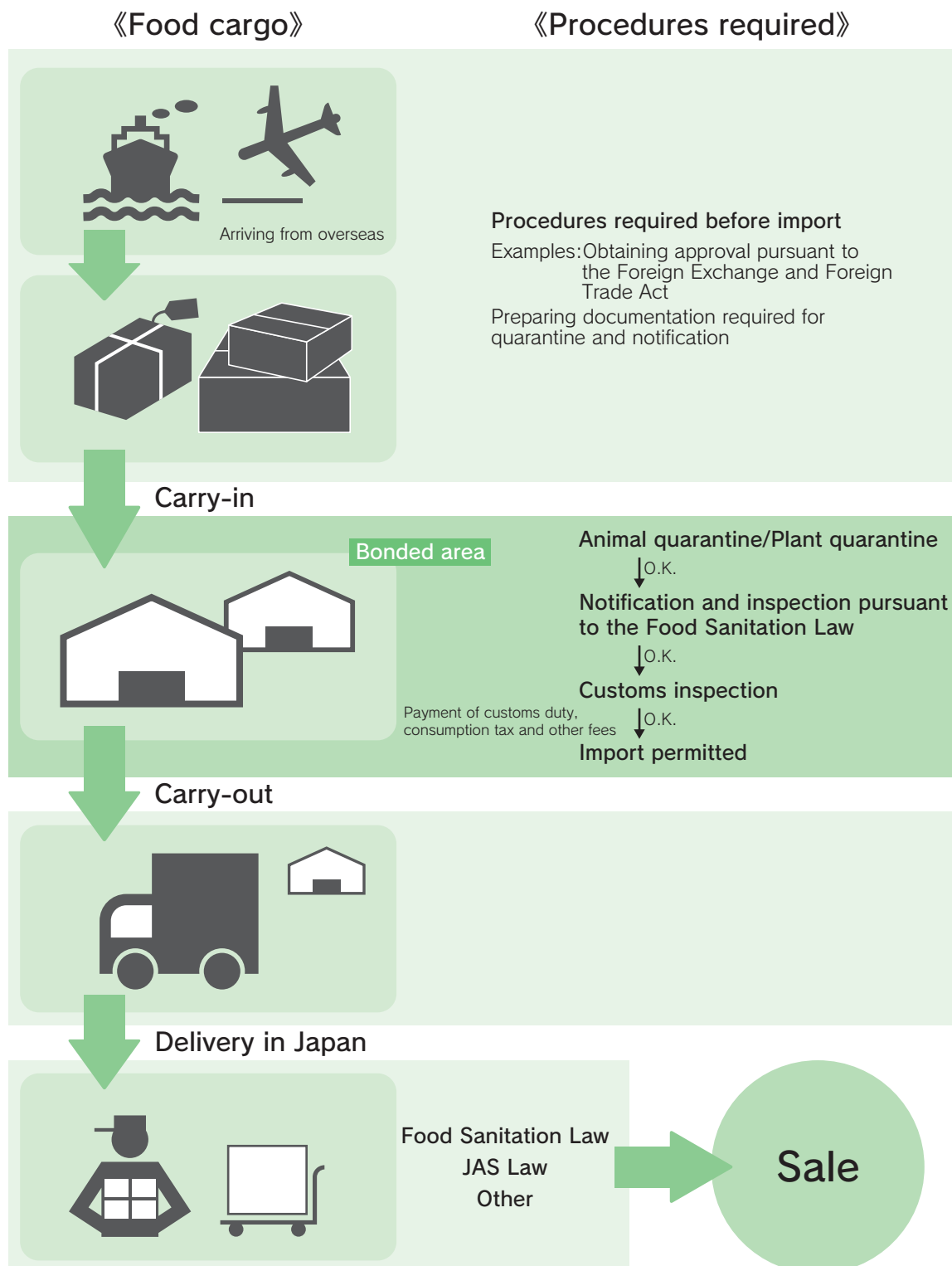
The Guide to Food Import, which largely provides an overview of food import procedures for those who try to import food for the first time, is designed to be the primary source of information based on which they can take specific action for import. Potential importers should check what laws and regulations are applied to the food items they are planning to import and refer to the corresponding procedures.

Food import procedures are subject to change whenever laws and regulations concerned are amended or revised. For details, please check the relevant information desk for confirmation.

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1 Overall Flow of Food Import Procedures



2 Laws and Regulations Applied to Import Food

Japanese regulations concerning food import may be generally categorized according to the following aims:

- (1) Safeguarding human health under the Food Sanitation Law;
- (2) Safeguarding domestic animal and plant health through plant quarantine (under the Plant Protection Law) and animal quarantine (under the Domestic Animal Infectious Diseases Control Law); and
- (3) Seeking a balance between cooperation in international society and the impact on domestic industry.

The main regulations pertaining to each food category are as follows:

The Main Japanese Food Import Laws

	Food Sanitation Law	Plant Protection Law	Domestic Animal Infectious Disease Control Law	Foreign Exchange and Foreign Trade Act	Other
Vegetables and fruits (fresh, frozen, dried)	○	○ Note 1		○ Items notified in import public announcements	
Meat and meat products	○		○	○ Items notified in import public announcements	
Fishery products (fresh, frozen, chilled, salted)	○			○ Items notified in import public announcements	
Tea, black tea and coffee	○	Note 2			
Rice	○	○			Act on Stabilization of Supply, Demand and Prices for Staple Food
Liquor	○				Liquor Tax Law
Salt	○				Salt Business Law
Various processed products (canned, bottled, etc.)	○	○ Note 3	○ Note 1	○ Items notified in import public announcements	

Note 1: Examination is not necessary for some foods depending on their processing method. Please inquire at the plant protection station or animal quarantine service for further details.

Note 2: Fresh herbs, raw coffee beans, etc. imported as ingredients must be inspected. Please inquire at the plant protection station for further details.

Note 3: In general, food sterilized by heat such as canned fruits will not need to be inspected. Please inquire at the plant protection station for further details.

Checking safety for human health

Procedure Required by the Food Sanitation Law

Food sale and food use in business in Japan are subject to control under the Food Sanitation Law to protect human health and prevent sanitation problems. Food importers also bear liability equivalent to that of food producers and sellers in Japan.

Before Beginning a Procedure

Handling food in business means providing customers in the public with what they eat and drink. Food importers first need to obtain information on the ingredients, types and quantities of additives, production and processing methods and so on of the food products they are importing before consulting on the import procedures and filing application documentation.

Outline of Procedure

Name of procedure	Import notification of foods or related products
Target	Any person who wishes to import food and related products
Application form / necessary documents	<ul style="list-style-type: none"> ● Original and a copy of 'Notification Form for Importation of Foods, etc.' (Entering the description of article, country of production, ingredients, additives, the method of manufacturing or processing, etc.) Where to obtain → Ask the office described below or visit Imported Foods Inspection Service Home Page of the Ministry of Health, Labour and Welfare (MHLW). http://www.mhlw.go.jp/english/ ● Other documents <ol style="list-style-type: none"> (1) Meat/meat products: a sanitary (health) certificate issued by a governmental organization of the exporting country. (2) Blowfish (swellfish): a sanitary (health) certificate issued by a governmental organization of the exporting country (type (scientific name) of the blowfish, original sea area and sanitary processing). (3) Processed food: a list of materials bearing the company title (including materials and additives), the manufacturing process (showing the complete process from ingredients to end product, including the temperature and time of sterilization). (4) Voluntary inspection results (if necessary) Inspection results issued by conducting voluntary inspection (a fee is charged) at laboratories registered with Ministry of Health, Labour and Welfare or official laboratories in exporting countries.
Time of submission	Following the cargo's arrival (where appropriate, after animal or plant quarantine)
Method of submission	As a rule, in person (online submission is also possible, however MHLW registration is required in advance)
Examination criteria	<ul style="list-style-type: none"> ● Whether the imported food, etc. complies with manufacturing standards regulated under the Food Sanitation Law ● Whether the use of additives complies with the standards ● Whether poisonous or hazardous substances are contained ● Whether the manufacturer or the place of manufacturing has a record of sanitation problems in the past
Inquiry	Imported food inspection division of the quarantine offices of the MHLW (Appointment required before counseling) Imported food inspection division of the Narita Airport Quarantine Station TEL: +81-476-32-6741 FAX: +81-476-32-6742 31 stations nationwide for each jurisdictional area
Administrative fee	None (Note, however, that a food importer will be required to pay an inspection fee if the imported food is subject to inspection at a laboratory registered with MHLW and, in some cases, a cargo fee for administrative inspection.)
Note	In order to simplify and expedite the import procedures, the following simplified systems of import notification are available: Advance Notification System*, Planned Import System, Inspection Results by Official Laboratories in Other Countries, Continuous Import of Same Items, Advance Approval of Imported Foods and Related Products, Item Registration System

* A food importer may file a notification seven days prior to the arrival of the food cargo. Except for the foods that are subject to inspection, a "Certificate of Notification for Importation of Foods" is issued to the importer before the arrival of the food cargo or, without delay, after the food is carried into a bonded storage area. (Advance Notification System)

Original

Notification Form for Importation of Foods, etc.

Minister of Health, Labour and Welfare, Esq.

Name and address of importer (Or name of importing company)

Notification Receipt Number		1		Name		
Classification of Notification		Prior Notification / Planned Import		Address		
Code of Importer				(Telephone Number)		
Name and Code of Country of Production				Registration Number of Importer Responsible for Food Declaration		
Name, Address and Code of Manufacturer						
Name, Address and Code of Manufacturing Factory						
Name and Code of Port of Loading				Date of Loading (Month)		
Name and Code of Port of Discharge				Date of Arrival (Month)		
Name and Code of Warehouse				Date of Storage (Month)		
Date of Notification				(Month)		
Media and Numbers of Cargo				Accident (See Explanation if Yes) Yes / No		
Ship Name or Flight Number				Name and Code of Submitter		
1	Classification of Code	Food / Food Additive / Supplement / Consumer Package	Toy	Continuous Import	Y-N	Sanitary Certificate Number
Item Code		If the cargo includes processed food, describe its ingredients and their codes. If the cargo includes pharmaceuticals, consumer packages or toys, describe the raw materials and their codes.				
Description of Article						
Shipped Volume (Number of Units)						
Shipped Volume (Weight)		kg				
Usage and its Code		If the cargo includes food or additives, describe the names and codes of additives. If the cargo includes manufacturing agents or raw additives, describe the names and codes of additives. Additives used as excipients for other cases.)				
Kind of Package and its Code		2				
Registration Number 1		2				
Registration Number 2						
Registration Number 3						
If the cargo includes food or additives, describe the method of manufacturing or processing, and its code.						
Remarks		Stamp for No. 1				

Notes

*1: Do not write here.

² When the article in the cargo includes food additives that are generally supplied in food or drink and regulated by the relevant statutes, list the names of the substances used. When the article includes manufacturing agents in the additives, excluding flavoring agents or food preservatives, which are generally supplied in food or drink, write the names of the agents.

The seal of importer can be substituted by a signature of importer.

Typical information that the food importer is required to enter in the application form

Name and code of country of production

Name, address and code
of manufacturerName and code of
warehouse

Item code

Name and code of port of loading

Name and code of port of discharge

Usage and its code

Kind of package and its code

Ingredients, raw materials and their codes

Names and codes of additives

Method of manufacturing or processing, and its code

An importer is required to fill in given code numbers listed in the “Table of Food Codes for Import Notification” that are issued by the Japan Food Hygiene Association.

Entering codes is not required if submitting a written notification. However, once codes are entered in the system at a quarantine office, the office may refer to the data at upcoming notifications, contributing to smooth handling of procedures.

Certificate of Notification for Importation of Foods

(When passing an order inspection)

(When no inspection is required)

Duplicate

Notification for Importation
of Foods, etc.

命令検査実施 24年7月4日
検査項目
生菌数 大腸菌群

合格
24. 7. 4
全量 C/T kg

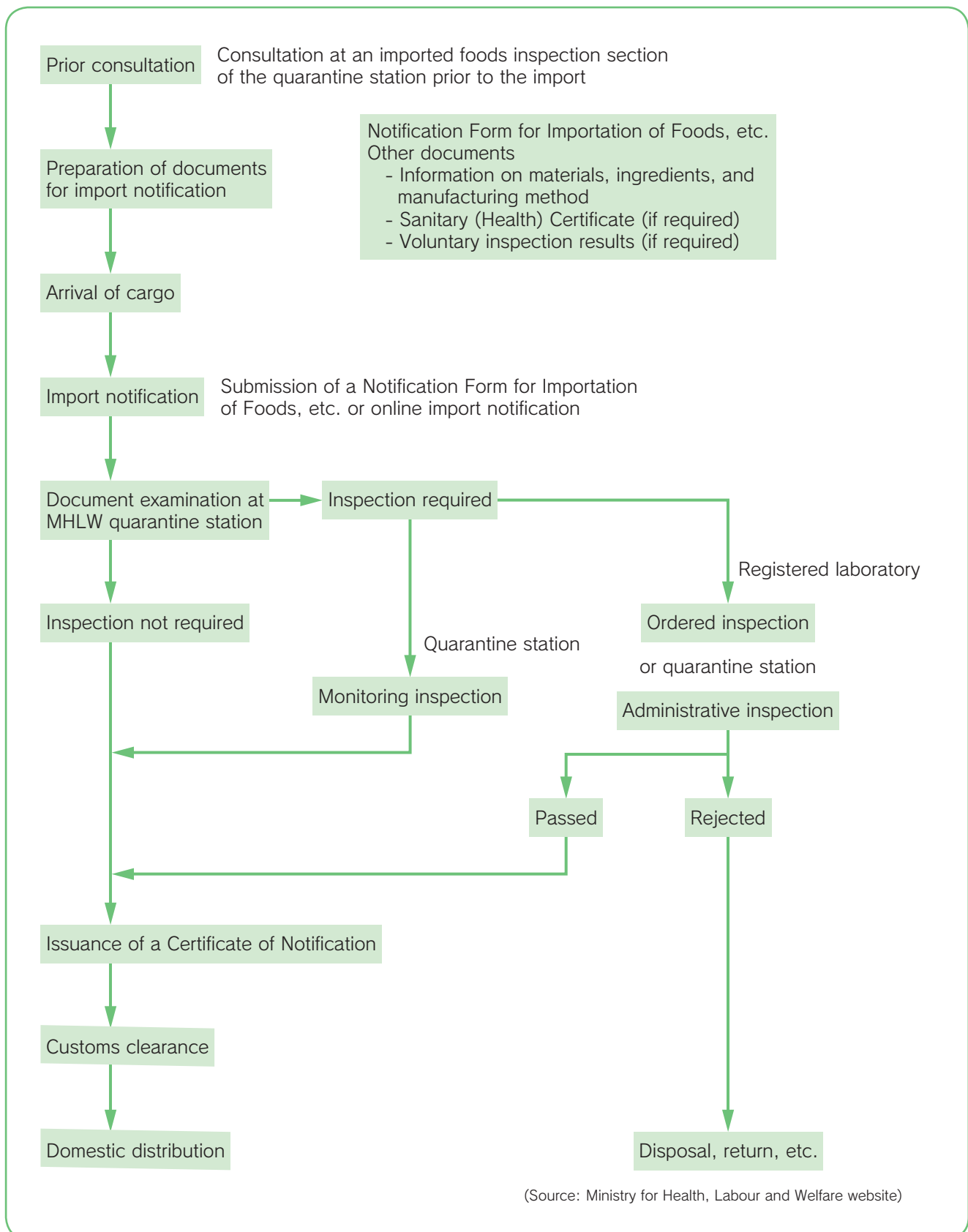
Duplicate

Notification for Importation
of Foods, etc.

A “duplicate” notification is returned to the importer after a seal impression is affixed.

Attach the duplicate to the bill of entry to the customs house.

Flow of General Procedures



Other Things a Food Importer Should Know and Keep in Mind

Collect Information from manufacturers and exporters

Each Country has its own laws concerning food sanitation, which are adapted to its climate and food culture. Therefore, even if the foods comply with the laws of that country, they may not comply with the specifications and standards of the Food Sanitation Law in Japan. There may also be insufficient information concerning the manufacturing, processing and storage of the foods in the exporting country, in comparison with domestic products.

Importers should collect the following written information from manufacturers or exporters in advance about the foods they intend to import. It is also important to choose a reliable exporter who will comply with the various quality assurances required by Japan.

- The name and address of the manufacturer and the manufacturing factory in the country of export. The description of article.
- Materials (name of the ingredients used, checking for presence of genetically modified organisms and allergic substances). Where additives are used, their chemical names, volume and purpose. Checks regarding the presence of any residual agricultural chemicals or veterinary drugs (where present), the ingredients and the place of manufacture, and absence or otherwise of pharmaceutical substances.
- The manufacturing/processing method (in the form of a diagram showing the process from the ingredients to the final product, including the removal of any foreign matter, temperature/time of sterilization, etc.)
- Containers and packages (the raw materials, shape, etc.)

Check transportation and storage process

Foods may have turned moldy due to a leak, moisture absorption or condensation during transportation. There is also the possibility of odor contamination from other items or insect infestation due to proximity to rotten or deteriorating matter resulting from inadequate temperature control, and deterioration due to extended storage. Importers should verify these conditions with exporters and transporters, since Japanese business practices place importance upon qualities such as freshness, size and color as well as hygienic packaging.

Obtaining a written voluntary inspection result

(1) When obtaining a written inspection result from a laboratory registered with MHLW of Japan

An importer is required to apply for a paid inspection to a laboratory registered with MHLW. The laboratory samples some foods for inspection testing from the importer's cargo that arrives at an airport or seaport in Japan and, after inspection, issues a written inspection result to the importer.

(2) When obtaining a written inspection result from an official laboratory of the exporting country

For smooth handling of procedures, Japanese quarantine offices have a system that accepts results of inspections conducted by official laboratories in exporting countries.

A potential importer should check the list of such official laboratories of the exporting country and apply for inspection of the imported food to an official laboratory to obtain a written inspection result. Note, however, that such overseas inspection methods shall conform to Japanese laws and regulations, including the Food Sanitation Law of Japan. For details, consult the quarantine office concerned. ⇒ Visit the MHLW website (<http://www.mhlw.go.jp/topics/yunyu/5/index.html>) for official laboratories of exporting countries.

○Pre-arrival examination system discontinued

The MHLW had previously adopted a preliminary sampling system wherein importers imported a small quantity of food samples, had a voluntary inspection conducted prior to actual import, and attached the written inspection result to documentation when importing a substantial quantity of the food, in order to expedite the procedures. However, the MHLW discontinued the preliminary sampling system as of December 31, 2009 (No. 0219004 of the Notice issued dated on February 19, 2009 by the Office of Import Food Safety, MHLW). Since January 1, 2010, imported food cargos have been subject to inspection.

○Accepting sample test results based on the Item Registration System

As replacement of the preliminary sampling system, the MHLW has adopted a new import system where, after an importer registers the inspection results of a sample that satisfy certain requirements with the MHLW's existing Item Registration System, the inspection results are accepted when a substantial amount of the food is imported (No. 0807-3 of the Notice issued dated on August 7, 2009 by the Department of Food Safety, MHLW). For details, consult the quarantine office concerned or a laboratory registered with the MHLW of Japan.

Checking of pests noxious to plants in Japan

Procedure Required under the Plant Protection Law

Agricultural products imported from overseas are subject to plant quarantine to prevent infestation of noxious disease germs, pests, parasitic plants, etc. Importing of vegetables, fruits and other plants is also subject to control, depending on the type of plant and parts thereof. Such control measures largely range from import prohibition, inspection at the cultivating area in the exporting country, pre-export measures at the exporting country, and import inspection in Japan.

Food Items Subject to Inspection

Vegetables, fruits, nuts, oats, flour, beans, spices, coffee beans, and the like

>> Note, however, that depending on the processing method and the like, some of the above-mentioned targets, such as vegetables and fruits preserved in salt, sugar and vinegar, and fermented tea leaves are not subject to the Plant Protection Law.

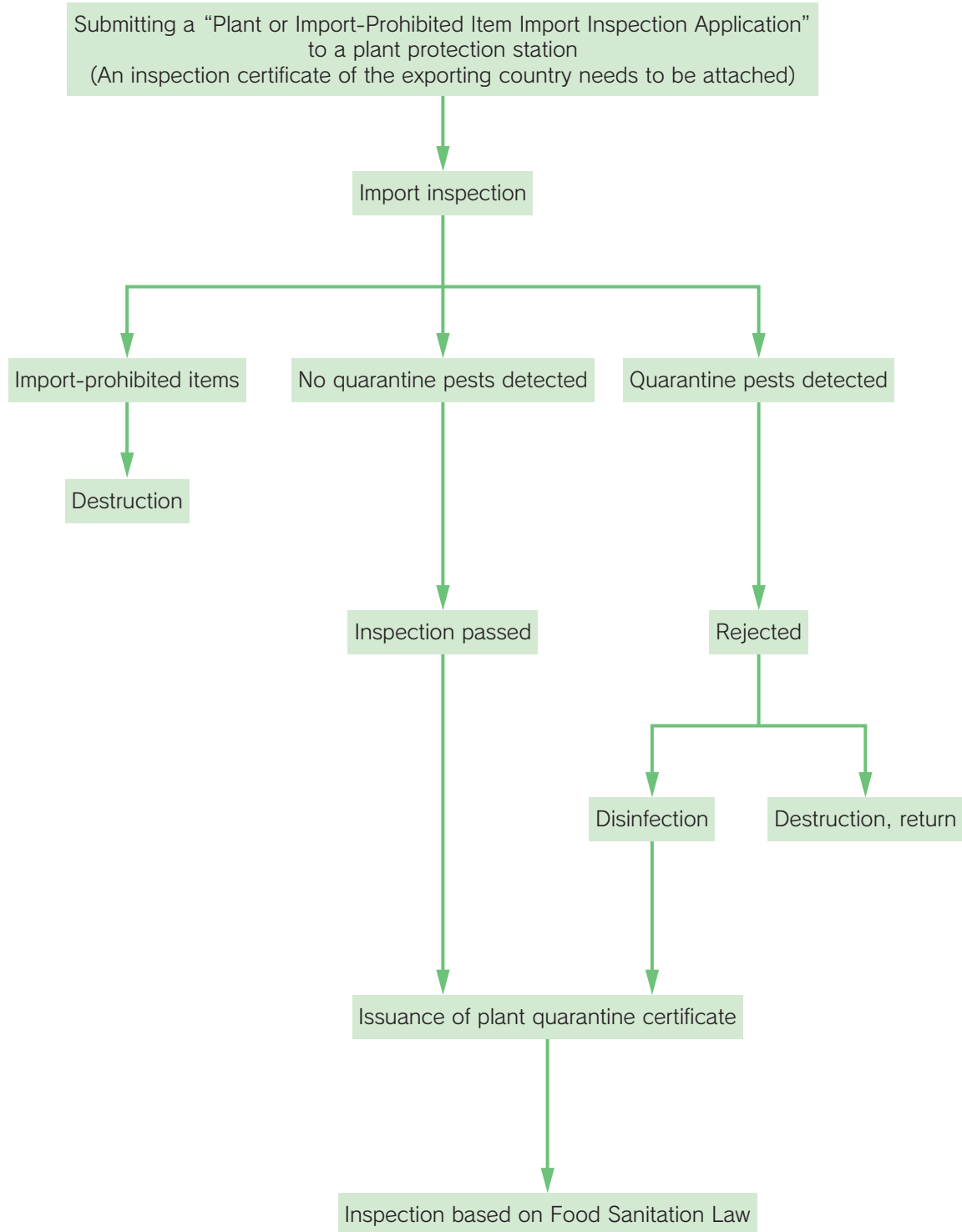
Import-prohibited Items

- Plants shipped from or through a region listed in Annexed Table 2 of the Enforcement Regulations
- Plants listed in Annexed Table 1 of the Enforcement Regulations that grow in the wild in a region listed the table
- Living pests subject to plant quarantine (insects, germs, etc.)
- Soil or plants to which soil is attached
- Plant containers and packaging materials of the items mentioned above

Outline of Procedure

Name of procedure	Application for Import Plant Inspection										
Target	Any person who imports plants										
Application form / necessary documents	<ul style="list-style-type: none"> ● Plant or import-prohibited item import inspection application: one set ● Phytosanitary certificate issued by the government of the exporting country: one set ● Manufacturing process, packing list or invoice, etc. (if required) 										
Time of submission	From seven days prior to the date of arrival										
Method of submission	In person or by post (online application is also possible)										
Examination criteria	<ul style="list-style-type: none"> ● Checks the imported plants for import restriction violation (for example, a required phytosanitary certificate is not attached) ● Checks whether the imported plants are subject to import prohibition ● Checks the imported plants for pests subject to plant quarantine 										
Inquiry	<p>◇ About laws and regulations: Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries TEL: +81-3-3502-5976</p> <p>About procedure: ◇ Plant protection stations</p> <table> <tr> <td>Yokohama Plant Protection Station</td><td>TEL: +81-45-211-7152, 7153 or 7154 FAX: +81-45-211-0611</td></tr> <tr> <td>Nagoya Plant Protection Station</td><td>TEL: +81-52-651-0112 or 0113 FAX: +81-52-651-0115</td></tr> <tr> <td>Kobe Plant Protection Station</td><td>TEL: +81-78-331-2386 or 4201 FAX: +81-78-391-1757</td></tr> <tr> <td>Moji Plant Protection Station</td><td>TEL: +81-93-321-2601 FAX: +81-93-332-5182</td></tr> <tr> <td>Naha Plant Protection Station</td><td>TEL: +81-98-868-2850 FAX: +81-98-861-5500</td></tr> </table>	Yokohama Plant Protection Station	TEL: +81-45-211-7152, 7153 or 7154 FAX: +81-45-211-0611	Nagoya Plant Protection Station	TEL: +81-52-651-0112 or 0113 FAX: +81-52-651-0115	Kobe Plant Protection Station	TEL: +81-78-331-2386 or 4201 FAX: +81-78-391-1757	Moji Plant Protection Station	TEL: +81-93-321-2601 FAX: +81-93-332-5182	Naha Plant Protection Station	TEL: +81-98-868-2850 FAX: +81-98-861-5500
Yokohama Plant Protection Station	TEL: +81-45-211-7152, 7153 or 7154 FAX: +81-45-211-0611										
Nagoya Plant Protection Station	TEL: +81-52-651-0112 or 0113 FAX: +81-52-651-0115										
Kobe Plant Protection Station	TEL: +81-78-331-2386 or 4201 FAX: +81-78-391-1757										
Moji Plant Protection Station	TEL: +81-93-321-2601 FAX: +81-93-332-5182										
Naha Plant Protection Station	TEL: +81-98-868-2850 FAX: +81-98-861-5500										
Administrative fee	None										
Note	<p>Visit the Plant Protection Station website to check import-prohibited items, plants requiring isolated cultivation, and plants requiring field inspection in the exporting country, etc.</p> <p>→ http://www.maff.go.jp/pps/</p>										

Flow of General Procedures



Checking of infectious diseases to prevent infestation into domestic animals in Japan

Procedure Required under the Domestic Animal Infectious Diseases Control Law

A livestock product imported from overseas is subject to animal quarantine in order to prevent pathogenic infestation of overseas domestic animals infected by disease. The above-mentioned law specifies the targets (designated quarantine items) based on export regions, type of animal, bodily regions, processing conditions, etc.

Food Items Subject to Designated Quarantine

Meat, internal organs, ham, bacon, and sausage of animals (cloven-hoofed animals, such as beef cattle, pigs and sheep); meat and eggs of chickens, quails, pheasants, ostriches, guinea fowls, turkeys and ducks; bees (honeycombs with adults)

>> Note, however, that depending on the processing method or the like, some of the above-mentioned targets, such as canned livestock products that undergo complete heat sterilization, are not subject to animal quarantine.

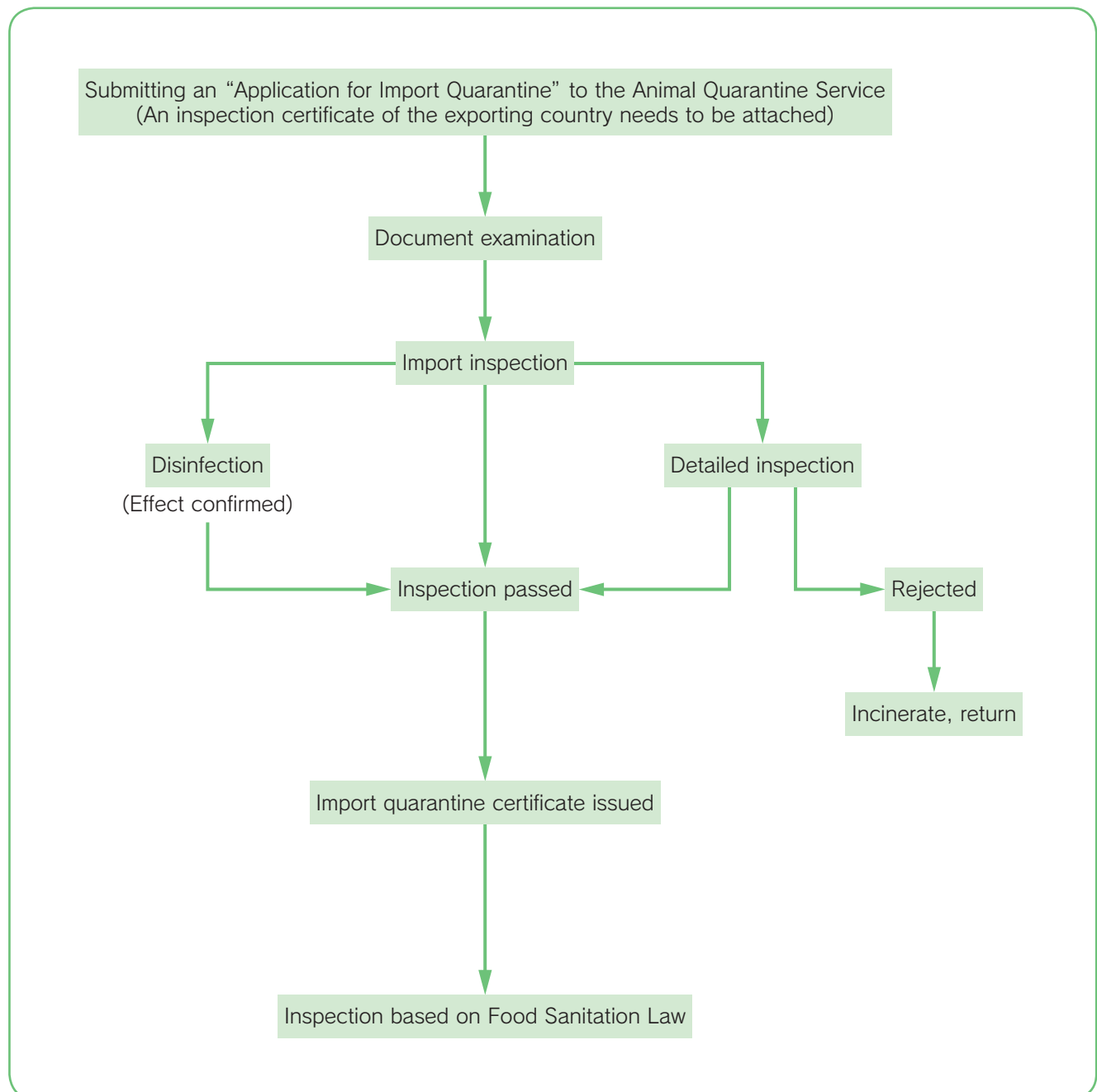
Import-prohibited Items

The Domestic Animal Infectious Diseases Control Law also specifies the import-prohibited areas and import-prohibited items (such as meat products from certain parts of Europe, Southeast Asia, Africa and South America) to prevent the infestation of infectious diseases from areas where foot-and-mouth disease and other virulent livestock diseases may occur.

Outline of Procedure

Name of procedure	Application for import inspection of designated quarantine items
Target	Any person who imports designated quarantine items
Application form / necessary documents	<ul style="list-style-type: none">● Application for Import Quarantine: one set Obtain the form at the Animal Quarantine Service website: http://www.maff.go.jp/aqs/● Inspection certificate issued by the government of the exporting country: one set● Manufacturing process or invoice, etc. (if required)
Time of submission	As a rule, by the day prior to the date when the applicant wishes item inspection
Method of submission	In person or by post (online application is also possible)
Examination criteria	<ul style="list-style-type: none">● Checks the imported animals and livestock products for import restriction violation (for example, a required inspection certificate is not attached)● Checks whether the imported animals and livestock products are subject to import prohibition● Checks the imported animals and livestock products for monitored infectious diseases that might spread pathogens.
Inquiry	<p>◇ About laws and regulations: Animal Quarantine Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries TEL: +81-3-3502-5994</p> <p>◇ About procedure: Animal quarantine services http://www.maff.go.jp/aqs/english/contactus.html (Example: Yokohama Head Office TEL: +81-45-751-5921 FAX: +81-45-754-1729)</p>
Administrative fee	None
Note	Detailed information on inspection procedures, designated quarantine items, etc. can be obtained on the Animal Quarantine Service website (http://www.maff.go.jp/aqs/).

Flow of General Procedures



METI's approval required

Procedure Required under the Foreign Exchange and Foreign Trade Act

There are cases where the intending importer of a cargo is required to obtain approval of the METI. This is because Japan needs to uphold the ratified treaties and other international commitments and stabilize import transaction order, etc.

The "Import Trade Control Order," which provides specific import methods based on the import control provisions of the above-mentioned law, stipulates the import approval system. The system consists of (1) Import Quota, (2) Section II approval, Section II-2 approval, (3) Preliminary Confirmation, and (4) Customs Confirmation. The matters required are notified in Import Public Announcements, Import Announcements, etc.

(1) Import Quota System

The Import Quota System applies to the specific items listed in Import Public Announcement Section I; based on domestic demand and other factors, it sets quota limits on how much of each item can be imported, as measured in terms of quantity or value.

Quota limits and application procedure methods for items subject to an import quota are specified and announced by item or item group in an Import Announcement once or twice every year, which are then placed in a METI public bulletin and JETRO "Tsusho Koho" publication.

Fishery products require a separate import approval application after the import quota application. Together with the import quota application returned to the importer after a seal impression is affixed, the importer is required to submit a filled-out import approval application to the Regional Bureaus of Economy, Trade and Industry, or the International Trade Offices (Tokyo, Yokohama) to obtain an approval certificate.

As to other items, import quota application and import approval application may be submitted concurrently.

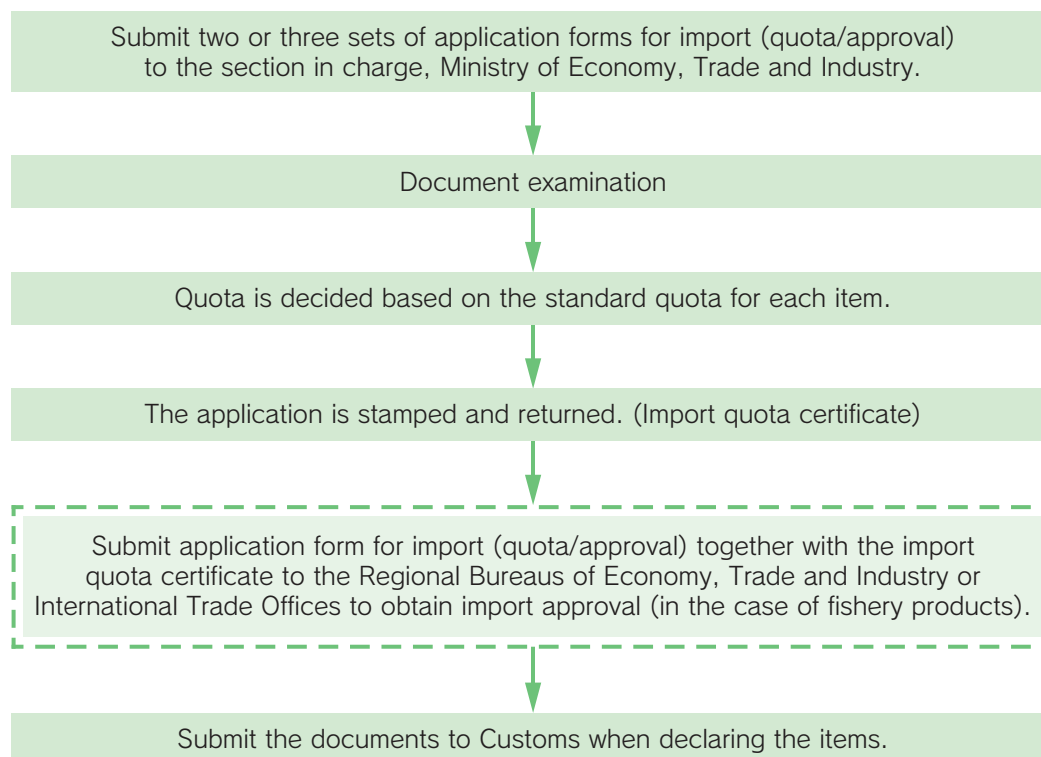
Food Items Subject to an Import Quota (April 11, 2012)

- Non-liberalized items: Sardines, herring, Pacific Ocean herring, cod, walleye pollack, scallops, squid, horse mackerel, cod roe, dried squid, mackerel, yellowtail, saury, adductors of shellfish, small dried sardines, Korean laver, Korean toasted and seasoned laver (non-sugar-added), dried green laver, Monostroma nitidum, dried laver, seasoned laver (non-sugar-added), processed laver, kelp, processed kelp

Outline of Procedure

Name of procedure	Import quota
Target	Any person who intends to import items that are subject to an import quota
Application form / required documents	● Import (approval and quota) application, two or three sets ● Required documents that are mentioned in the Import Announcement
Time of submission	Mentioned in each Import Announcement
Method of submission	As a rule, in person (online application is also possible)
Inquiry	Agricultural and Marine Products Office, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-0532
Administrative fee	None

Flow of General Procedures



[2] Section II Approval and Section II-2 Approval System

An importer who intends to import a specified cargo listed in Section II and Section II-2 of the Import Public Announcement is required to obtain import approval. This is because the Government of Japan upholds import control stipulated in international agreements. Accordingly, a party who intends to import an item subject to import control is required to submit two or three sets of application forms for import (quota/approval), together with other required papers, to the inquiry office stated below to obtain import approval.

Food Items Subject to System (April 11, 2012)

(Section II approval items)

- Whale and its preparations (excluding those originating in or shipped from Antigua and Barbuda, Argentina, Australia, Austria, Chile, etc.)
- Bluefin tuna (limited to fresh or chilled bluefin tuna bred in the Atlantic Ocean or the Mediterranean Sea) (excluding that originating in or shipped from Spain, Mexico, Turkey, Philippines, etc.)
- Fresh and chilled southern bluefin tuna (excluding that originating in or shipped from Australia, New Zealand, South Korea, Philippines, Taiwan, etc.)
- Salmon, trout, and parts and preparations thereof originating in or are shipped from China, North Korea and Taiwan
- Fish, crustaceans, and seaweed harvested in non-Japanese waters
- Any animal, plant, and parts and derivatives thereof made from those items designated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Appendix II and III (excluding those originating in or shipped from specified countries or regions)

(Section II -2 approval items)

- Any animal, plant, and parts and derivatives thereof made from those items designated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Appendix I

Outline of Procedure

Name of procedure	Import approval for items originating in or shipped from specified regions or waters (Section II approval/Section II -2 approval)
Target	Any person who intends to import specified items that are designated in Section II or II -2 of the Import Public Announcement
Application form / required documents	<ul style="list-style-type: none"> ● Import (approval and quota) application, two sets ● Document outlining the reasons for applying for import approval, one set ● Import confirmation certificate issued by the Fisheries Agency (in case of importing whale meat, products made from whale, salmon, trout, and/or preparations) ● Required documents mentioned in the Import-related Information
Time of submission	Prior to importation
Method of submission	As a rule, in person (online application is also possible)
Inquiry	<p>Whale and its preparations, and items subject to the CITES → Office of Trade Licensing for Wild Animal and Plants, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-1723</p> <p>Bluefin tuna, southern bluefin tuna, salmon and trout as well as preparations thereof, and other fishery products → Agricultural and Marine Products Office, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-0532</p>
Administrative fee	None

The CITES and Import Control

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) classifies endangered wild plants and animals into three categories, namely Appendices I, II and III, depending on their need for protection, and controls international transactions. Accordingly, if a party intends to import an animal or plant under the CITES, the party is required to obtain a number of certificates including an export permit issued by a government agency of the exporting country that is designated in the convention and an import approval certificate issued by the Ministry of Economy, Trade and Industry (METI). Upon import declaration, the importing party is required to submit these documents to the customs house for confirmation.

The required procedures are largely stipulated in the Import Trade Control Order and Import-related Information. Such procedures differ, depending on the category of the animal or plant to be imported, country of origin, and shipment country.

- Plants and animals specified in Import Public Announcement Section II and II-2 → Import approval application
- Plants and animals specified in Import Public Announcement Section III → Preliminary confirmation application
- Species listed in Appendices II and III other than those subject to preliminary confirmation → Customs confirmation

If a party tries to import an item controlled under the CITES without obtaining the required documentation, including an export permit and import approval certificate, that item will be suspended by the customs house in Japan. Food products and herbal medicines often suspended by customs houses include crocodiles, caviar, musk, saussurea costus, American Ginseng, and so on.

(Inquiry) Office of Trade Licensing for Wild Animal and Plants, Trade Control Department, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-1723

(Reference) "The CITES" on the Ministry of Economy, Trade and Industry website (<http://www.meti.go.jp/>)

Though it may be somewhat complicated...

Import Public Announcements are notifications issued by the Ministry of Economy, Trade and Industry of Japan that stipulate the details of the import control system pursuant to the Import Trade Control Order. They are placed in official gazettes, METI public bulletins, and JETRO "Tsusho Koho" publication.

Import Announcements specify matters required in the procedure for import quota application. They are placed in METI public bulletins and JETRO "Tsusho Koho" publication.

Import-related Information focuses on announcements on interpretation and implementation of the Foreign Exchange and Foreign Trade Control Act as well as institutional establishment and reorganizations, etc. They are placed in METI public bulletins and JETRO "Tsusho-Koho" publication.

[3] Preliminary Confirmation System

When importing items specified in the Import Public Announcement Section III, a confirmation application form and other required documents must be submitted prior to importation, and confirmation from Minister for Economy, Trade and Industry obtained.

Food items requiring preliminary confirmation (as of April 11, 2012)

- Frozen bluefin tuna, southern bluefin tuna, bigeye tuna, or swordfish
- In case of importing tuna or marlin by ship other than the above fishes
- Patagonian toothfish
- Animals, plants, and derivatives made from those items in Appendices II and III of the CITES specified in the Import Public Announcement Section III

Outline of Procedure

Name of procedure	Preliminary confirmation
Target	Any person who intends to import the relevant items
Application form / required documents	<ul style="list-style-type: none">● Import confirmation application pursuant to Import Public Announcement Section III, two sets● One photocopy of bill of lading, invoice, agreement, etc.● Import confirmation certificate issued by the Fishery Agency (in case of tuna and Patagonian toothfish)● Required documents mentioned in the Import-related Information
Time of submission	Prior to importation
Method of submission	As a rule, in person (online application is also possible)
Inquiry	Agricultural and Marine Products Office, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-0532
Administrative fee	None

[4] Customs Confirmation System

An importer attempting to import cargos specified in Import Public Announcement Section III is required to submit all required documents to a customs house for confirmation and clearance.

Food items requiring customs confirmation (as of April 11, 2012)

- Fresh or chilled bluefin tuna, southern bluefin tuna or swordfish
Documents to submit: Bluefin tuna fishing certificate or re-export certificate, southern bluefin tuna fishing certificate or re-export certificate, or swordfish statistical certificate and re-export certificate
- Animals, plants, and their derivatives other than those subject to preliminary confirmation listed in Appendices II and III of the CITES

Inquiry

Agricultural and Marine Products Office, Trade and Economic Cooperation Bureau, Ministry of Economy, Trade and Industry TEL: +81-3-3501-0532

Other Laws and Regulations

Act on Stabilization of Supply, Demand and Prices for Staple Food

Rice can be imported in two ways. One is the Minimum Access Deal by business operators designated by the Government of Japan. The other way is importation by private food business operators by paying tax and customs duties.

Under provisions of the Act on Stabilization of Supply, Demand and Prices of Staple Food, a party intending to import rice for sale outside the Minimum Access Deal is required to submit an application form for the payment of tax for the import of rice etc., an invoice, and other required documents to a Regional Agricultural Administration office or District Agriculture Office. The office that accepts these documents then returns 1) a notice of payment, and 2) the application form for the payment of tax for the import of rice etc. on which a seal impression is affixed. The importer, with the 1) notice of payment, must then visit a bank to pay the tax for the import rice, etc. (292 yen/kg), which is a part of the secondary customs duties. The importer then needs to submit an import declaration, together with the receipt for the notice of payment and the 2) application form, to the customs house and pay 49 yen/kg on the imported rice and consumption tax, which are part of other secondary taxes.

(Inquiry) Regional Agricultural Administration office or District Agriculture Office

Liquor Tax Law

In principle, anyone may import liquor into Japan. However, in case of importing liquor for wholesale or retail in Japan, the person is required to obtain a liquor sales license in advance.

Anyone intending to obtain a liquor sales license is required to submit necessary documents, including a liquor sales license application, a prospectus, and a photocopy of the registration certificate of the land and building for liquor sales, to the tax office with jurisdiction over the site where the sales will take place.

(Inquiry) Tax office where a Chief Examiner (Liquor Tax and Industry) is present

Major liquor sales licenses

- Imported liquor wholesale license: Limited to wholesale of imported liquors to liquor shops. (No retailing is permitted)
- General liquor retail license: May retail liquors to consumers (restaurants). (No wholesaling is permitted)
- Liquor mail-order retail license: Limited to mail-order retail of liquors to consumers, whose business area extends across two or more prefectures.

Salt Business Law

Anyone intending to import salt (defined as the solid material that contains 40% or more of sodium chloride according to the law) for sale in business is required to register as a “specified salt retailer” with a customs house. Said person is required to submit a “specified salt retailer registration application form” and other required documents to the customs with jurisdiction over the area where the principal place of business of the applicant is located.

Those importing salt defined as “salt for special use” (e.g., salt sold experimentally, in volumes of no more than 100 tons annually and with sales limited to certain customers) for sale must submit a “specified retailer of salt for special use” notice to a customs.

Anyone producing salt, which is defined as “special processed salt,” such as salt as an ingredient where other food products, such as species and sesame seeds are mixed, is required to abide by the following procedures.

- Selling imported salt products → Not covered by the Salt Business Law
- Using imported salt, as an ingredient, for production → Filing a notification with the Commissioner of a Local Finance Bureau or Local Finance Branch Bureau

(Inquiry) Tobacco and Salt Section 1, Tobacco and Salt Industries Office, Co-ordination Division, Financial Bureau, Ministry of Finance TEL: +81-3-3581-4111 (main)

3 Tax System

Any goods that are imported into Japan are in principle subject to taxes as follows:

- Customs duty Taxable value (product cost + insurance + freight, etc.) × tariff rate
- Consumption tax (Taxable value + customs duty + liquor tax, where appropriate) × 5% (as of September 2012)

Customs Duty

[Tariff Rate]

Tariff rates are determined by the Customs Tariff Law and vary according to the item classification. Depending on the classification of an item and place of origin, the imported item is bound to pay customs duty at differing rates, such as general rate, temporary rate (general rate revised in response to domestic and overseas economic conditions), preferential rate (applicable to items imported from developing countries) and WTO conventional rate. In addition, the "Tariff Quota System" sets two tariff rates to specified items.

You may know the tariff in the Customs Tariff Schedules of Japan (described on the Customs website). However, it may sometimes be difficult to judge the tariff because they vary depending on the shape, process method, and mixture rate of materials. The Advance Classification Ruling System (described later) will be useful to assess the tariff of the goods planned for import.

[Tariff Quota System]

This system sets the quota for the quantity of specific items that can be imported, aiming to maintain a balance between consumer demand for a cheaper price and protection of domestic producers. Primary tariff (In-quota tariff, low or free duty) is applicable when importers remain within the quota. Secondary tariff (Out-of-quota tariff, high rate) is applied when above the quota.

In order for any goods to be eligible for the primary tariff, importers must submit an 'application of tariff quota' and other required documents to the section in charge at Ministry of Agriculture, Forestry and Fisheries, and obtain a tariff quota certificate.

Importers may apply for the quota of each item once or twice a year, respectively, and the necessary conditions, documents and section in charge will be described in the Tariff Quota Notice.

In addition, there is tariff quota system between the EPA parties.

(Inquiry) International Economic Affairs Division, International Affairs Department, Minister's Secretariat, Ministry of Agriculture, Forestry and Fisheries TEL: +81-3-3502-8498

[Generalized System of Preferences]

The general preferential rate, which is lower than the general rate, is applied to specified imported items that originate from developing countries and regions, in order to promote economic development in these countries and regions.

A party intending to have a general preferential rate applied to its import item is required to obtain a "Combined Declaration and Certificate of Origin (Form A)" that will be issued, upon the exporter's application, by a customs house or other agency authorized to do so, such as a chamber of commerce, of the beneficiary country.

Note, however, that if the total amount of the taxable value per declaration is 200,000 yen or less, or if the Director-General of regional customs verifies that the imported item obviously indicates the country of origin in its type and/or appearance, no certificate of origin will be needed.

(Reference) Customs Answer (FAQ)
<http://www.customs.go.jp/english/>

[Preferential Tariff under Economic Partnership Agreements]

If an importer intends to have a preferential rate applied to its import item under the Economic Partnership Agreement (EPA) that Japan has concluded with the exporting country, in principle, the party is required to submit a certificate of origin in accordance with the rules of origin, together with an import declaration, which is issued by the exporting country.

(Reference) "FTA/EPA" page on the Customs website
<http://www.customs.go.jp/english/epa/index.htm>

[Advance classification ruling system]

The Advance Classification Ruling System allows importers to inquire about the tariff classification and tariff rate of the goods prior to importation and receive a response from customs. This system allows the inquirer to make cost calculations accurately and speed up the customs clearance process.

It can be used in the following three ways:

(1) In writing

Importers can submit the designated inquiry form along with a sample of the goods (a photo or drawing is also permissible) to the customs office where importation is scheduled. An inquiry in writing is provided in the form of a response document. Importers attach the form at the time of import declaration. Classifications for the application of the tariff schedule, duty rate, and statistical code listed in the attached form are respected on customs examination.

(2) By telephone or in person

It is possible to make inquiries in person at any customs office. In this case, the responses will not be given in written form.

(3) By e-mail

In the case of e-mail inquiries, an applicant should go to the "Inquiry on Tariff Code and Tariff Rate" page or the "Advance Classification Ruling" page of the website of each customs office, download and fill in the Inquiry Form of Advance Classification Ruling, and send it to the e-mail address of the relevant customs office. Responses will not be provided in written form.

(Inquiry) Customs Counselor (Office)

(Reference) Customs Answer No.9301 (Customs Counselor System)
http://www.customs.go.jp/english/c-answer_e/sonota/9301_e.htm

Hakodate Customs	TEL: +81-138-40-4261	http://www.customs.go.jp/hakodate/
Tokyo Customs	TEL: +81-3-3529-0700	http://www.customs.go.jp/tokyo/
Yokohama Customs	TEL: +81-45-212-6000	http://www.customs.go.jp/yokohama/
Nagoya Customs	TEL: +81-52-654-4100	http://www.customs.go.jp/nagoya/
Osaka Customs	TEL: +81-6-6576-3001 to 3005	http://www.customs.go.jp/osaka/
Kobe Customs	TEL: +81-78-333-3100	http://www.customs.go.jp/kobe/
Moji Customs	TEL: +81-50-3530-8372	http://www.customs.go.jp/moji/
Nagasaki Customs	TEL: +81-95-828-8619	http://www.customs.go.jp/nagasaki/
Okinawa Regional Customs	TEL: +81-98-863-0099	http://www.customs.go.jp/okinawa/

Liquor Tax

What are treated as liquors (one percent or higher alcohol content) are classified by type and alcohol content and accordingly different rates are applicable. A party intending to take such liquors out of a bonded storage area is obliged to pay liquor tax, together with the customs duty and consumption tax, upon import and customs clearance.

(Inquiry) Nearest tax office.

(Reference) "AN OUTLINE OF JAPANESE TAX ADMINISTRATION 2003" page on the National Tax Agency website <http://www.nta.go.jp/>

4 Sales Regulations and Procedures

The Food Sanitation Law prohibits the sale of foods containing poisonous or hazardous substances, and unsanitary foods. There are cases where a party intending to engage in the sale of foods in Japan is required to obtain a permit in accordance with the Food Sanitation Law and/or a municipal ordinance, or other cases where a party intending to engage in food import, etc. is required to make a notification at its office (ex. Kanagawa Prefecture), depending on the type of business or food item. A party intending to engage in the sale of liquor is also required to obtain a liquor sales license, while a party intending to engage in the sale of rice is required to make a notification, etc.

Furthermore, when a party sells foods by receiving orders by mail, telephone and/or other telecommunication means after advertising in newspapers, magazines, on the Internet, etc., the party is subject to control under the Act on Specified Commercial Transactions.

Food labeling is subject to the Food Sanitation Law, the JAS Law (the Law Concerning Standardization and Proper Labeling of Agricultural and Forestry Products), the Measurement Act and so on. These laws prohibit the sale of non-conforming foods. In addition, there are special legal controlling items on labeling, such as “organic” and effect/efficacy, on food products. There are also cases where a municipality or some industry sets labeling standards, etc.

Main food items to be labeled

All food products being sold in Japan are required to be labeled in Japanese. This also applies to importers or sellers whose food products have been manufactured outside Japan. If you do not comply with these regulations, you will be in violation of the Food Sanitation Law and the JAS Law.

The labeling items are roughly as specified below, depending on the food item and conditions. For details, ask the government office that has jurisdiction over the law concerned.

(1) Processed foods labeling (sealed in wrapping or container)

Processed foods are subject to the labeling standards of the Food Sanitation Law, the list of labeling descriptions pursuant to the “Quality Labeling Standards for Processed Foods” of the JAS Law, and the labeling of the Measurement Act.

In connection with these, from April 1, 2008, the scope of application of “Quality Labeling Standards for Processed Foods” of the JAS Law has been broadened. Accordingly, transactions between food business operators, such as ingredient suppliers (including importers), are obliged to label their food products.

〈Mandatory labeling items〉

Product name, ingredient names (additives, allergenic substances if contained), net content, best-before date, preservation method (if specified), country of origin, name of importer and address

(2) Fresh foods labeling

Fresh foods shall be labeled with the name and country of origin pursuant to the “Quality Labeling Standards for Fresh Foods” of the JAS Law. Depending on the characteristics of individual fresh food items, labeling items are also stipulated pursuant to the Food Sanitation Law and the JAS Law.

〈Mandatory labeling items〉 Product name, country of origin

(3) Expiration date labeling

The quality labeling standards of the Food Sanitation Law and the JAS Law stipulate two types of date marking, namely “use-by date” and “best-before date” labels, as follows:

Use-by date Food products whose quality degrades rapidly shall be so labeled.

Best-before date Food products whose quality can be maintained up to three months or less shall be labeled with a “day, month and year,” while food products whose quality can be maintained for more than three months shall be labeled with a “month and year.”

(Example of list of descriptive labeling)

Name: Tea
Ingredient name: Tea
Net content: 50g (25 bags)
Best-before date: September 2012
Preservation method: Avoid keeping in high-temperature and high-humidity areas.
Country of origin: Kenya, Sri Lanka, etc.
Importer: XXX Bussan Co., Ltd.
XXX, Chuo-ku, Tokyo

(4) Country of origin labeling

Country of origin labeling is stipulated by the JAS Law and the Act Against Unjustifiable Premiums and Misleading Representations as follows:

JAS Law

Stipulates that imported products shall be labeled with a “country of origin.”

Act Against Unjustifiable Premiums and Misleading Representations

Prohibits representations that general consumers are likely to misidentify.

Examples of misrepresentation: Products that are labeled with the name of a country, place and/or national flag other than those of the country of origin.

(5) “Organic” foods labeling

Specified JAS Standards (standards focusing on special production methods or unique raw materials) have been established covering the definitions, production methods and labeling of “organic agricultural products,” “organic livestock products” and “organic processed products” as based on the JAS Law.

The above-mentioned foods that pass an inspection conducted by a certified laboratory registered with the Ministry of Agriculture, Forestry and Fisheries are qualified to be labeled with an “Organic JAS Mark.” Labeling of agricultural products and processed agricultural products that have no Organic JAS Mark as “organic” is prohibited by the law.

Organic JAS Mark



(6) Labeling foods containing allergens

The Food Sanitation Law stipulates that processed foods sealed in wrapping or containers as well as additives shall, or are recommended to, indicate whether they contain any allergenic ingredients. The target products are as follows:

Specified ingredients (labeling mandatory)

Wheat, buckwheat, eggs, milk, peanuts, shrimp/prawns, crab

Items equivalent to specified ingredients (labeling recommended)

Abalone, squid, salmon roe (ikura), oranges, kiwi fruit, beef, walnuts, salmon, mackerel, soybeans, chicken, pork, matsutake mushrooms, peaches, yams, apples, gelatin, bananas

(7) Liquor labeling

Liquors for sale shall be labeled according to the Food Sanitation Law and the Law concerning Liquor Business Associations and Measures for Securing Revenue from Liquor Tax), under which they shall be labeled distinctively with the name of the business operator, volume of container, type of liquor, etc.

(List of descriptive labeling)

Food Sanitation Law

Name of item, name and address of importer, whether the food contains additives, use-by date (omissible), preservation method, etc.

Liquor Business Association Law

Name of liquor, volume of container, alcohol content, name and address of dealer or importer, etc.

Name of liquor item: Beer
Ingredients: Malt, Hops, Corn, Saccharides, Caramel
Alcohol content: 5.6%
Volume of container: 330ml
Use-by date: Labeled on the can bottom
Preservation method: Keep in a cool place, away from direct sunlight.
Name and address of importer or dealer: XXX Trading Co., Ltd.
XXX, Kita-ku, Osaka

Country of origin: Germany
Caution for handling: Put empty cans in a litter bin.
Drinking alcohol under the age of 20 is prohibited by law

(8) Labeling requirements for genetically modified (“GM”) foods

Labeling for genetically modified foods is stipulated by the Food Sanitation Law and the JAS Law.

Food items produced from genetically modified agricultural products are required to be labeled with, for example, “genetically modified.” Foods produced or distributed without segregation between GM agricultural products and non-GM agricultural products are required to be labeled with, for example, “GM not segregated.”

Example of labeling: Foods produced from soybean, etc.

- Foods produced from soybeans that are not segregated from genetically modified soybeans (labeling mandatory)

Name: XXX Ingredients: Soybeans (GM not segregated), XXX, YYY
--

- Foods produced from non-GM soybeans, etc. (labeling optional)

Name: XXX Ingredients: Glabrous beans, soybeans, XXX, YYY
--

Or

Name: XXX Ingredients: Soybeans (segregated from GM soybeans), XXX, YYY
--

(9) Nutrition labeling

Processed foods (including chicken eggs) that are labeled with nutrients and calories in Japanese are subject to the following nutrition labeling standards of the Health Promotion Act.

- In case of labeling nutrients and calories of processed foods, where to position descriptions, items and order, etc. are stipulated by the law mentioned above.
- In case of labeling processed foods where descriptions of “high XXX,” “rich in YYY,” “ZZZ reinforced,” “zero” and/or “low” are underlined, their standard values and labeling method, etc. are stipulated by the law mentioned above. (Example: Vitamin A contained, dietary fiber increased, low sugar, low salt)

In addition, false and/or extravagant labeling of effects and promotion of health are also prohibited by the Health Promotion Act.

Selling Foods with Health Claims (1) FOSHU (Food for Specified Health Uses), or (2) FNFC (Food for Nutrient Function Claims) is subject to specification standards and labeling content, etc. stipulated by the Food Sanitation Law and the Health Promotion Act.

[Further information on food labeling]

Food Sanitation Law: Public health center that controls the location of the business operator's office

JAS Law: Standards and Labeling Division, Regional Agricultural Administration office, Ministry of Agriculture, Forestry and Fisheries

(Reference)

For whole foods labeling systems

Visit the “Food Labeling” page on the Consumer Affairs Agency website

(<http://www.caa.go.jp/en/index.html>).

Food labeling pursuant to the JAS Law

Visit the “Labeling and Standards” page on the Ministry of Agriculture, Forestry and Fisheries website

(<http://www.maff.go.jp/e/jas/index.html>)



Issued by
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September 2012
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