

特定農林水産物等の名称の保護に関する法律 Act on Protection of the Names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs

(平成二十六年六月二十五日法律第八十四号)

(Act No. 84 of June 25, 2014)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、世界貿易機関を設立するマラケシュ協定附属書一Cの知的所有権の貿易関連の側面に関する協定に基づき特定農林水産物等の名称の保護に関する制度を確立することにより、特定農林水産物等の生産業者の利益の保護を図り、もって農林水産業及びその関連産業の発展に寄与し、併せて需要者の利益を保護することを目的とする。

Article 1 The purpose of this Act is to secure the profits of Producers of Specific Agricultural, Forestry and Fishery Products and Foodstuffs by establishing a system concerning the protection of the names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs based on the Annex 1C (Agreement on Trade-Related Aspects of Intellectual Property Rights) of the Marrakesh Agreement Establishing the World Trade Organization, and

thereby to contribute to the development of agricultural, forestry and fishery industries and relevant industries as well as to protect the interests of customers.

(定義)

(Definitions)

第二条 この法律において「農林水産物等」とは、次に掲げる物をいう。ただし、酒税法（昭和二十八年法律第六号）第二条第一項に規定する酒類並びに医薬品、医療機器等の品質、有効性及び安全性の確保等に関する法律（昭和三十五年法律第百四十五号）第二条第一項に規定する医薬品、同条第二項に規定する医薬部外品、同条第三項に規定する化粧品及び同条第九項に規定する再生医療等製品に該当するものを除く。

Article 2 (1) The term "Agricultural, Forestry and Fishery Product and Foodstuff" as used in this Act means those set forth below; provided, however, that those falling under any liquors prescribed in Article 2, paragraph (1) of the Liquor Tax Act (Act No. 6 of 1953), and medicines prescribed in Article 2, paragraph (1) of the Act on Securing Quality, Efficacy and Safety of Pharmaceuticals, Medical Devices, Regenerative and Cellular Therapy Products, Gene Therapy Products, and Cosmetics (Act No. 145 of 1960), quasi-pharmaceutical products prescribed in paragraph (2) of said Article, cosmetics prescribed in paragraph (3) of said Article, and regenerative medical product prescribed in paragraph (9) of said Article are excluded:

一 農林水産物（食用に供されるものに限る。）

(i) agricultural, forestry and fishery products (limited to those intended for human consumption);

二 飲食料品（前号に掲げるものを除く。）

(ii) foods and drinks (excluding those set forth in the preceding item);

三 農林水産物（第一号に掲げるものを除く。）であって、政令で定めるもの

(iii) agricultural, forestry and fishery products (excluding those set forth in item (i)), and as provided by Cabinet Order; and

四 農林水産物を原料又は材料として製造し、又は加工したもの（第二号に掲げるものを除く。）であって、政令で定めるもの

(iv) products manufactured or processed by using agricultural, forestry and fishery products as raw materials or ingredients (excluding those set forth in item (ii)), and as provided by Cabinet Order.

2 この法律において「特定農林水産物等」とは、次の各号のいずれにも該当する農林水産物等をいう。

(2) The term "Specific Agricultural, Forestry and Fishery Product and Foodstuff" as used in this Act means any Agricultural, Forestry and Fishery Products and Foodstuffs falling under the following items:

一 特定の場所、地域又は国を生産地とするものであること。

(i) products produced in a specific place, region or country; and

二 品質、社会的評価その他の確立した特性（以下単に「特性」という。）が前号の生産地に主として帰せられるものであること。

(ii) products whose quality, reputation or other established characteristic (hereinafter simply referred to as "Characteristic") is essentially attributable to the place of production specified in the preceding item.

3 この法律において「地理的表示」とは、特定農林水産物等の名称（当該名称により前項各号に掲げる事項を特定することができるものに限る。）の表示をいう。

(3) The term "Geographical Indication" as used in this Act means the indication of the names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs (limited to what can identify the matters set forth in the respective items of the preceding paragraph by said names).

4 この法律において「生産」とは、農林水産物等が出荷されるまでに行われる一連の行為のうち、農林水産物等に特性を付与し、又は農林水産物等の特性を保持するために行われる行為をいい、「生産地」とは、生産が行われる場所、地域又は国をいい、「生産業者」とは、生産を業として行う者をいう。

(4) The term "Production" as used in this Act means acts performed to impart a Characteristic to or preserve the Characteristic of Agricultural, Forestry and Fishery Products and Foodstuffs among a series of acts until the shipment of Agricultural, Forestry and Fishery Products and Foodstuffs; the term "Place of Production" as used in this Act means the place, region or country where Agricultural, Forestry and Fishery Products and Foodstuffs have been produced; and the term "Producer" as used in this Act means a person who conducts Production in the course of trade.

5 この法律において「生産者団体」とは、生産業者を直接又は間接の構成員（以下単に「構成員」という。）とする団体（法人でない団体にあつては代表者又は管理人の定めのあるものに限る、法令又は定款その他の基本約款において、正当な理由がないのに、構成員たる資格を有する者の加入を拒み、又はその加入につき現在の構成員が加入の際に付されたよりも困難な条件を付してはならない旨の定めのあるものに限る。）であつて、農林水産省令で定めるものをいう。

(5) The term "Group of Producers" as used in this Act means a group that comprises Producers as direct or indirect members (hereinafter simply referred to as "Members") and is provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries (only for an organization without legal personality with provisions of representative or administrator, it is limited to those that provide by laws or ordinances or an article of incorporation and any other basic contract provisions, without a just cause, that the group must not deny enrollment of any person eligible to become a Member or that the group must not impose any conditions of enrollment heavier than those imposed on its existing Members).

6 この法律において「生産行程管理業務」とは、生産者団体が行う次に掲げる業務をいう。

- (6) The term "Production Process Management" as used in this Act means the following operations conducted by a Group of Producers:
- 一 農林水産物等について第七条第一項第二号から第八号までに掲げる事項を定めた明細書（以下単に「明細書」という。）の作成又は変更を行うこと。
 - (i) creation or change of a specification containing the information set forth in Article 7, paragraph (1), items (ii) to (viii) (hereinafter simply referred to as "Specification") with regard to Agricultural, Forestry and Fishery Products and Foodstuffs;
 - 二 明細書を作成した農林水産物等について当該生産者団体の構成員たる生産業者が行うその生産が当該明細書に適合して行われるようにするため必要な指導、検査その他の業務を行うこと。
 - (ii) regarding Agricultural, Forestry and Fishery Products and Foodstuffs specified in said Specification, guidance, examination and other operations that are necessary to accord the Production of the Producer as Member of said Group of Producers with the Specification; and
 - 三 前二号に掲げる業務に附帯する業務を行うこと。
 - (iii) conduction of operations incidental to the operations set forth in the preceding two items.

第二章 特定農林水産物等の名称の保護

Chapter II Protection of the Names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs

(地理的表示)

(Geographical Indication)

第三条 第六条の登録（次項（第二号を除く。）及び次条第一項において単に「登録」という。）を受けた生産者団体（第十五条第一項の変更の登録を受けた生産者団体を含む。以下「登録生産者団体」という。）の構成員たる生産業者は、生産を行った農林水産物等が第六条の登録に係る特定農林水産物等であるときは、当該特定農林水産物等又はその包装、容器若しくは送り状（以下「包装等」という。）に地理的表示を付することができる。当該生産業者から当該農林水産物等を直接又は間接に譲り受けた者についても、同様とする。

Article 3 (1) A Producer as a Member of a Group of Producers which has received a registration pursuant to Article 6 (simply referred to as "registration" in the following paragraph (excluding item (ii)) and paragraph (1) of the following Article (including a Group of Producers that has received a registration of change to Article 15, paragraph (1); hereinafter referred to as a "Registered Group of Producers") may affix a Geographical Indication on the Specific Agricultural, Forestry and Fishery Products and Foodstuffs or their package, container or invoice (hereinafter referred to as "Package, etc.") if the Agricultural, Forestry and Fishery Products and Foodstuffs produced by the

Producer are Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the registration prescribed in Article 6. The same applies to a person who has directly or indirectly received said Agricultural, Forestry and Fishery Products and Foodstuffs from said Producer.

2 前項の規定による場合を除き、何人も、登録に係る特定農林水産物等が属する区分（農林物資の規格化等に関する法律（昭和二十五年法律第百七十五号）第七条第一項の規定により農林水産大臣が指定する種類その他の事情を勘案して農林水産大臣が定める農林水産物等の区分をいう。以下同じ。）に属する農林水産物等若しくはこれを主な原料若しくは材料として製造され、若しくは加工された農林水産物等又はこれらの包装等に当該特定農林水産物等に係る地理的表示又はこれに類似する表示を付してはならない。ただし、次に掲げる場合には、この限りでない。

(2) Unless otherwise provided for in the preceding paragraph, it is prohibited for any person to affix a Geographical Indication pertaining to the Specific Agricultural, Forestry and Fishery Products and Foodstuffs or an indication similar thereto on Agricultural, Forestry and Fishery Products and Foodstuffs, which belongs to the classification to which the Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the registration belongs (meaning a classification of Agricultural, Forestry and Fishery Products and Foodstuffs as provided by the Minister of Agriculture, Forestry and Fisheries in consideration of circumstances including the types designated by the Minister of Agriculture, Forestry and Fisheries pursuant to Article 7, paragraph (1) of the Act on Standardization of Commodities concerning Agricultural and Forestry Products (Act No. 175 of 1950); the same applies hereafter), or Agricultural, Forestry and Fishery Products and Foodstuffs manufactured or processed using said Product as a main raw material or ingredient, or on its Package, etc.; provided, however, that this does not apply in the following cases:

一 登録に係る特定農林水産物等を主な原料若しくは材料として製造され、若しくは加工された農林水産物等又はその包装等に当該特定農林水産物等に係る地理的表示又はこれに類似する表示を付する場合

(i) when a person affixes a Geographical Indication pertaining to the Specific Agricultural, Forestry and Fishery Products and Foodstuffs or an indication similar thereto on Agricultural, Forestry and Fishery Products and Foodstuffs manufactured or processed using said Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the registration as a main raw material or ingredient, or on its Package, etc.;

二 第六条の登録の日（当該登録に係る第七条第一項第三号に掲げる事項について第十六条第一項の変更の登録があった場合にあっては、当該変更の登録の日。次号及び第四号において同じ。）前の商標登録出願に係る登録商標（商標法（昭和三十四年法律第百二十七号）第二条第五項に規定する登録商標をいう。以下同じ。）に係る商標権者その他同法の規定により当該登録商標の使用（同法第二条第三項に規定

する使用をいう。以下この号及び次号において同じ。) をする権利を有する者が、その商標登録に係る指定商品又は指定役務(同法第六条第一項の規定により指定した商品又は役務をいう。) について当該登録商標の使用をする場合

(ii) when the holder of trademark right of a registered trademark (meaning the registered trademark prescribed in Article 2, paragraph (5) of the Trademark Act (Act No. 127 of 1959); the same applies hereafter) pertaining to an application for registration filed before the date of the registration provided by Article 6 (when there has been any registration of change to Article 16, paragraph (1) with regard to the information set forth in Article 7, paragraph (1), item (iii) pertaining to said registration, the day of registration of said change; the same applies in the following item and item (iv)) or any other person who has the right to use (meaning use as prescribed in Article 2, paragraph (3) of said Act; hereinafter the same applies in this item and the following item) said registered trademark pursuant to the Articles of said Act uses said registered trademark for designated goods or designated services (meaning the goods or services designated pursuant to the provisions of Article 6, paragraph (1) of said Act) pertaining to such registration of trademark;

三 登録の日前から商標法その他の法律の規定により商標の使用をする権利を有している者が、当該権利に係る商品又は役務について当該権利に係る商標の使用をする場合(前号に掲げる場合を除く。)

(iii) when a person who has had the right to use a trademark pursuant to the provisions of the Trademark Act or any other law since before the date of registration uses the trademark pertaining to said right for the goods or services pertaining to said right (excluding the case set forth in the preceding item);

四 登録の日前から不正の利益を得る目的、他人に損害を加える目的その他の不正の目的でなく登録に係る特定農林水産物等が属する区分に属する農林水産物等若しくはその包装等に当該特定農林水産物等に係る地理的表示と同一の名称の表示若しくはこれに類似する表示を付していた者及びその業務を承継した者が継続して当該農林水産物等若しくはその包装等にこれらの表示を付する場合又はこれらの者から当該農林水産物等(これらの表示が付されたもの又はその包装等にこれらの表示が付されたものに限る。) を直接若しくは間接に譲り受けた者が当該農林水産物等若しくはその包装等にこれらの表示を付する場合

(iv) when, before the date of registration, without the purpose of obtaining an wrongful gain, the purpose of causing damages to others, or any other wrongful purpose, a person who has affixed an indication with the identical name as the Geographical Indication pertaining to the Specific Agricultural, Forestry and Fishery Products and Foodstuffs or an indication similar thereto on Agricultural, Forestry and Fishery Products and Foodstuffs, which belongs to the classification to which the Specific Agricultural, Forestry and

Fishery Products and Foodstuffs pertaining to the registration belongs or on its Package, etc., or a person who has assumed the business, continues to affix the indication on said Agricultural, Forestry and Fishery Products and Foodstuffs or their Package, etc.; or, when a person who has directly or indirectly received said Agricultural, Forestry and Fishery Products and Foodstuffs (limited to those that the indication is affixed on the product or its Package, etc.) from such a person affixes the indication on said Agricultural, Forestry and Fishery Products and Foodstuffs or its Package, etc.;

五 前各号に掲げるもののほか、農林水産省令で定める場合

(v) in addition to what is set forth in the preceding items, when it is provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(登録標章)

(Registered Mark)

第四条 登録生産者団体の構成員たる生産業者は、前条第一項前段の規定により登録に係る特定農林水産物等又はその包装等に地理的表示を付する場合には、当該特定農林水産物等又はその包装等に登録標章（地理的表示が登録に係る特定農林水産物等の名称の表示である旨の標章であって、農林水産省令で定めるものをいう。以下同じ。）を付さなければならない。同項後段に規定する者についても、同様とする。

Article 4 (1) When a Producer Member of a Registered Group of Producers affixes a Geographical Indication on the Specific Agricultural, Forestry and Fishery Products and Foodstuffs or on their Package, etc. pursuant to the provisions of the first sentence of paragraph (1) of the preceding Article, the Producer must affix a registered mark (meaning a mark stating that the Geographical Indication indicates the name of the Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the registration and provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries; the same applies hereafter) on said Specific Agricultural, Forestry and Fishery Products and Foodstuffs or their Package, etc. The same applies to a person prescribed in the second sentence of said paragraph.

2 前項の規定による場合を除き、何人も、農林水産物等又はその包装等に登録標章又はこれに類似する標章を付してはならない。

(2) Except in cases under the preceding paragraph, it is prohibited for any person to affix a registered mark or a mark similar thereto on Agricultural, Forestry and Fishery Products and Foodstuffs or their Package, etc.

(措置命令)

(Order for Measures)

第五条 農林水産大臣は、次の各号に掲げる規定に違反した者に対し、当該各号に定める措置その他の必要な措置をとるべきことを命ずることができる。

Article 5 The Minister of Agriculture, Forestry and Fisheries may order a person

who has violated the provisions set forth in the following items to take measures set forth in said respective items and other necessary measures:

一 第三条第二項地理的表示又はこれに類似する表示の除去又は抹消

(i) Article 3, paragraph (2): remove or erase the Geographical Indication or an indication similar thereto;

二 前条第一項登録標章を付すること。

(ii) paragraph (1) of the preceding Article: affix the registered mark; or

三 前条第二項登録標章又はこれに類似する標章の除去又は抹消

(iii) paragraph (2) of the preceding Article: remove or erase the registered mark or a mark similar thereto.

第三章 登録

Chapter III Registration

(特定農林水産物等の登録)

(Registration of Specific Agricultural, Forestry and Fishery Products and Foodstuffs)

第六条 生産行程管理業務を行う生産者団体は、明細書を作成した農林水産物等が特定農林水産物等であるときは、当該農林水産物等について農林水産大臣の登録を受けることができる。

Article 6 A Group of Producers that conducts Production Process Management may, if the Agricultural, Forestry and Fishery Products and Foodstuffs concerning which the group has created a Specification is Specific Agricultural, Forestry and Fishery Products and Foodstuffs, have said Agricultural, Forestry and Fishery Products and Foodstuffs registered by the Minister of Agriculture, Forestry and Fisheries.

(登録の申請)

(Application for Registration)

第七条 前条の登録（第十五条、第十六条、第十七条第二項及び第三項並びに第二十二條第一項第一号ニを除き、以下単に「登録」という。）を受けようとする生産者団体は、農林水産省令で定めるところにより、次に掲げる事項を記載した申請書を農林水産大臣に提出しなければならない。

Article 7 (1) A Group of Producers that intends to receive a registration prescribed in the preceding Article (excluding Article 15, 16, paragraphs (2) and (3) of Article 17, and Article 22, paragraph (1), item (i), (d); hereinafter simply referred to as a "registration") must submit a written application specifying the following information to the Minister of Agriculture, Forestry and Fisheries, pursuant to Ordinance of the Ministry of Agriculture, Forestry and Fisheries:

一 生産者団体の名称及び住所並びに代表者（法人でない生産者団体にあつては、そ

- の代表者又は管理人) の氏名
- (i) the name and address of the Group of Producers, and the name of its representative (if it is a group of producers without legal personality, its representative or administrator);
- 二 当該農林水産物等の区分
- (ii) the classification of said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 三 当該農林水産物等の名称
- (iii) the name of said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 四 当該農林水産物等の生産地
- (iv) the Place of Production of said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 五 当該農林水産物等の特性
- (v) the Characteristic of said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 六 当該農林水産物等の生産の方法
- (vi) the method of Production of said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 七 第二号から前号までに掲げるもののほか、当該農林水産物等を特定するために必要な事項
- (vii) in addition to what is set forth from item (ii) to the preceding item, other necessary matters to identify said Agricultural, Forestry and Fishery Products and Foodstuffs;
- 八 第二号から前号までに掲げるもののほか、当該農林水産物等について農林水産省令で定める事項
- (viii) in addition to what is set forth from item (ii) to the preceding item, matters as provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries with regard to said Agricultural, Forestry and Fishery Products and Foodstuffs; and
- 九 前各号に掲げるもののほか、農林水産省令で定める事項
- (ix) in addition to what is set forth in the preceding items, matters as provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- 2 前項の申請書には、次に掲げる書類を添付しなければならない。
- (2) The following documents must be attached to the written application of the preceding paragraph:
- 一 明細書
- (i) the Specification;
- 二 生産行程管理業務の方法に関する規程（以下「生産行程管理業務規程」という。）
- (ii) the rules regarding the method of Production Process Management

(hereinafter referred to as the "Production Process Management Rules"); and
三 前二号に掲げるもののほか、農林水産省令で定める書類

(iii) in addition to what is set forth in the preceding two items, documents provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

3 生産行程管理業務を行う生産者団体は、共同して登録の申請をすることができる。

(3) A Group of Producers that conducts Production Process Management may apply for registration jointly with others.

(登録の申請の公示等)

(Public Notice of Application for Registration)

第八条 農林水産大臣は、登録の申請があったときは、第十三条第一項（第一号に係る部分に限る。）の規定により登録を拒否する場合を除き、前条第一項第一号から第八号までに掲げる事項その他必要な事項を公示しなければならない。

Article 8 (1) When the Minister of Agriculture, Forestry and Fisheries has received an application for registration, the Minister must make a public notice of the information set forth in items (i) to (viii) of paragraph (1) of the preceding Article and any other necessary information, except when registration is refused pursuant to the provisions of Article 13, paragraph (1) (limited to the part pertaining to item (i)).

2 農林水産大臣は、前項の規定による公示の日から二月間、前条第一項の申請書並びに同条第二項第一号及び第二号に掲げる書類を公衆の縦覧に供しなければならない。

(2) The Minister of Agriculture, Forestry and Fisheries must make the written application in paragraph (1) of the preceding Article and the documents set forth in items (i) and (ii) of paragraph (2) of said Article available for public inspection for 2 months from the date of the public notice under the provisions of the preceding paragraph.

(意見書の提出等)

(Submission of Written Opinion)

第九条 前条第一項の規定による公示があったときは、何人も、当該公示の日から三月以内に、当該公示に係る登録の申請について、農林水産大臣に意見書を提出することができる。

Article 9 (1) When there is a public notice under the provisions of paragraph (1) of the preceding Article, any person may submit a written opinion about the application for registration pertaining to said announcement to the Minister of Agriculture, Forestry and Fisheries within 3 months from the date of said public notice.

2 農林水産大臣は、前項の規定による意見書の提出があったときは、当該意見書の写しを登録の申請をした生産者団体に送付しなければならない。

(2) When the Minister of Agriculture, Forestry and Fisheries has received a

written opinion under the provisions of the preceding paragraph, the Minister must send a copy of said written opinion to the Group of Producers that has made the application for registration.

(登録の申請の制限)

(Restrictions on Application for Registration)

第十条 次の各号のいずれにも該当する登録の申請は、前条第二項並びに次条第二項及び第三項の規定の適用については、第八条第一項の規定による公示に係る登録の申請について前条第一項の規定によりされた意見書の提出とみなす。この場合においては、農林水産大臣は、当該各号のいずれにも該当する登録の申請をした生産者団体に対し、その旨を通知しなければならない。

Article 10 (1) For the purpose of applying the provisions of paragraph (2) of the preceding Article and paragraphs (2) and (3) of the following Article, an application for registration falling under all of the following items is deemed to be a submission of a written opinion pursuant to the provisions of paragraph (1) of the preceding Article with regard to the application for registration pertaining to the public notice under the provisions of Article 8, paragraph (1). In this case, the Minister of Agriculture, Forestry and Fisheries must notify it to the Group of Producers that has made the application for registration falling under all of said respective items:

一 第八条第一項の規定による公示に係る登録の申請がされた後前条第一項に規定する期間が満了するまでの間にされた登録の申請であること。

(i) the application for registration was made before the period prescribed in paragraph (1) of the preceding Article has expired, and after the application for registration pertaining to the public notice under the provisions of Article 8, paragraph (1) was made; and

二 当該登録の申請に係る農林水産物等の全部又は一部が第八条第一項の規定による公示に係る特定農林水産物等の全部又は一部に該当すること。

(ii) all or part of the Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to said application for registration must fall under all or part of the Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the public notice under the provisions of Article 8, paragraph (1).

2 前項第二号に該当する登録の申請は、前条第一項に規定する期間の経過後は、することができない。ただし、第八条第一項の規定による公示に係る登録の申請について、取下げ、第十三条第一項の規定により登録を拒否する処分又は登録があった後は、この限りでない。

(2) An application for registration falling under paragraph (2) of the preceding Article may not be made after the passage of a period of time prescribed in paragraph (1) of the preceding Article; provided, however, that this does not apply after an application for registration pertaining to the public notice under

the provisions of Article 8, paragraph (1) has been withdrawn, refused pursuant to the provisions of Article 13, paragraph (1) or carried out.

(学識経験者の意見の聴取)

(Hearing of Opinions of Persons with Relevant Knowledge and Experience)

第十一条 農林水産大臣は、第九条第一項に規定する期間が満了したときは、農林水産省令で定めるところにより、登録の申請が第十三条第一項第二号から第四号までに掲げる場合に該当するかどうかについて、学識経験を有する者（以下この条において「学識経験者」という。）の意見を聴かなければならない。

Article 11 (1) When the period prescribed in Article 9, paragraph (1) has expired, pursuant to the provisions of Ordinance of the Ministry of Agriculture, Forestry and Fisheries, the Minister of Agriculture, Forestry and Fisheries must consult with relevant knowledge and experience (hereinafter referred to as "persons with relevant knowledge and experience" in this Article) as to whether applications for registration fall under the cases set forth in Article 13, paragraph (1), items (ii) to (iv).

2 前項の場合において、農林水産大臣は、第九条第一項の規定により提出された意見書の内容を学識経験者に示さなければならない。

(2) In the case of the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries must show the contents of written opinions submitted pursuant to Article 9, paragraph (1) to persons with relevant knowledge and experience..

3 第一項の場合により意見を求められた学識経験者は、必要があると認めるときは、登録の申請をした生産者団体又は第九条第一項の規定により意見書を提出した者その他の関係者から意見を聴くことができる。

(3) Persons with relevant knowledge and experience who have been consulted pursuant to the provisions of paragraph (1), if they find it to be necessary, may hear opinions of the Group of Producers that made the application for registration or the person who submitted a written opinion pursuant to Article 9, paragraph (1), or other relevant persons.

4 第一項の規定により意見を求められた学識経験者は、その意見を求められた事案に関して知り得た秘密を漏らし、又は盗用してはならない。

(4) Persons with relevant knowledge and experience who have been consulted pursuant to the provisions of paragraph (1) must not leak or misappropriate secrets that they have learned in the course of being asked for their opinions.

(登録の実施)

(Conduct of Registration)

第十二条 農林水産大臣は、登録の申請があった場合（第八条第一項に規定する場合を除く。）において同条から前条までの規定による手続を終えたときは、次条第一項の規定により登録を拒否する場合を除き、登録をしなければならない。

Article 12 (1) When the Minister of Agriculture, Forestry and Fisheries has

received an application for registration (excluding the cases set forth in Article 8, paragraph (1)) and finished the procedures under the provisions of said Article to the preceding Article, the Minister must register the application, except when registration is refused pursuant to the provisions in paragraph (1) of the following Article.

2 登録は、次に掲げる事項を特定農林水産物等登録簿に記載してするものとする。

(2) Registration is to be made by specifying the following information in the register of specific agricultural, forestry and fishery products and foodstuffs:

一 登録番号及び登録の年月日

(i) the number and date of registration;

二 第七条第一項第二号から第八号までに掲げる事項

(ii) the information set forth in Article 7, paragraph (1), items (ii) to (viii); and

三 第七条第一項第一号に掲げる事項

(iii) the information set forth in Article 7, paragraph (1), item (i).

3 農林水産大臣は、登録をしたときは、登録の申請をした生産者団体に対しその旨を通知するとともに、農林水産省令で定める事項を公示しなければならない。

(3) When the Minister of Agriculture, Forestry and Fisheries, has made registration, the Minister must notify it to the Group of Producers that made the application for registration and also publicly notify matters provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(登録の拒否)

(Refusal of Registration)

第十三条 農林水産大臣は、次に掲げる場合には、登録を拒否しなければならない。

Article 13 (1) The Minister of Agriculture, Forestry and Fisheries must refuse registration in the following cases:

一 生産者団体について次のいずれかに該当するとき。

(i) when the Group of Producers falls under any of the following:

イ 第二十二条第一項の規定により登録を取り消され、その取消の日から二年を経過しないとき。

(a) when the Group of Producers has had its registration revoked pursuant to the provisions of Article 22, paragraph (1), and 2 years have not elapsed yet from the date of the revocation; or

ロ その役員（法人でない生産者団体の代表者又は管理人を含む。（2）において同じ。）のうちに、次のいずれかに該当する者がいるとき。

(b) when an officer of the group (including the representative or administrator of a group of producers without legal personality; The same applies to 2) falls under any of the following:

(1) この法律の規定により刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から二年を経過しない者

1. a person who was sentenced pursuant to any provisions of this Act, if a

period of 2 years has not yet elapsed from the date on which the person served out the sentence or was exempted from the execution of the sentence; or

(2) 第二十二條第一項の規定により登録を取り消された生産者団体において、その取消しの日前三十日以内にその役員であった者であつて、その取消しの日から二年を経過しない者

2. in the case of a Group of Producers whose registration was revoked pursuant to the provisions of Article 22, paragraph (1), a person who was an officer of the Group of Producers within 30 days before the revocation, without exceeding 2 years after the revocation;

二 生産行程管理業務について次のいずれかに該当するとき。

(ii) when the Production Process Management falls under any of the following:

イ 第七条第二項の規定により同条第一項の申請書に添付された明細書に定められた同項第二号から第八号までに掲げる事項と当該申請書に記載されたこれらの事項とが異なるとき。

(a) when the information set forth in items (ii) to (viii) of said paragraph as provided in the Specification attached to the written application in paragraph (1) of said Article pursuant to the provisions of Article 7, paragraph (2) are different from the information specified in said written application;

ロ 生産行程管理業務規程で定める生産行程管理業務の方法が、当該生産者団体の構成員たる生産業者が行うその生産が明細書に適合して行われるようにすることを確保するために必要なものとして農林水産省令で定める基準に適合していないとき。

(b) when the method of Production Process Management provided for by the Production Process Management Rules does not accord with the standards provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as a way necessary to ensure that the Production conducted by a Producer as a Member of said Group of Producers accords with the Specification;

ハ 生産者団体が生産行程管理業務を適確かつ円滑に実施するに足りる経理的基礎を有しないとき。

(c) when the Group of Producers do not have sufficient financial basis to conduct accurate and smooth Production Process Management; or

ニ 生産行程管理業務の公正な実施を確保するため必要な体制が整備されていると認められないとき。

(d) when a system necessary to ensure fair conduct of Production Process Management is found not to be established;

三 登録の申請に係る農林水産物等（次号において「申請農林水産物等」という。）について次のいずれかに該当するとき。

(iii) when the Agricultural, Forestry and Fishery Products and Foodstuffs

(referred to as "agricultural, forestry and fishery product and foodstuff applied for" in the following items) pertaining to application for registration falls under any of the following:

イ 特定農林水産物等でないとき。

(a) when the product is not Specific Agricultural, Forestry and Fishery Products and Foodstuffs; or

ロ その全部又は一部が登録に係る特定農林水産物等のいずれかに該当するとき。

(b) when all or part of the product falls under Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to registration:

四 申請農林水産物等の名称について次のいずれかに該当するとき。

(iv) when the name of the agricultural, forestry and fishery products and foodstuffs applied for falls under any of the following:

イ 普通名称であるとき、その他当該申請農林水産物等について第二条第二項各号に掲げる事項を特定することができない名称であるとき。

(a) when the name is a generic term or when the information set forth in the items of Article 2, paragraph (2) regarding said agricultural, forestry and fishery products and foodstuffs applied for cannot be specified by the name; or

ロ 次に掲げる登録商標と同一又は類似の名称であるとき。

(b) when the name is the identical with or similar to the following registered trademark:

(1) 申請農林水産物等又はこれに類似する商品に係る登録商標

1. a registered trademark pertaining to the agricultural, forestry and fishery products and foodstuffs applied for or a product similar thereto; or

(2) 申請農林水産物等又はこれに類似する商品に関する役務に係る登録商標

2. a registered trademark pertaining to a service related to the agricultural, forestry and fishery products and foodstuffs applied for or a product similar thereto.

2 前項（第四号ロに係る部分に限る。）の規定は、次の各号のいずれかに該当する生産者団体が同項第四号ロに規定する名称の農林水産物等について登録の申請をする場合には、適用しない。

(2) The provisions in the preceding paragraph (limited to the part pertaining to item (iv), (b)) do not apply if a Group of Producers falling under any of the following items files an application for registration regarding Agricultural, Forestry and Fishery Products and Foodstuffs whose names are provided in (b) of item (iv) of said paragraph:

一 前項第四号ロに規定する登録商標に係る商標権者たる生産者団体（当該登録商標に係る商標権について専用使用権が設定されているときは、同号ロに規定する名称の農林水産物等についての登録をすることについて当該専用使用権の専用使用権者の承諾を得ている場合に限る。）

(i) a Group of Producers that is a holder of trademark pertaining to the registered trademark as prescribed in (b) of item (iv) of the preceding paragraph (when an exclusive right to use has been established for the trademark right pertaining to said registered trademark, this is limited to cases where approval of the exclusive licensee of said exclusive right to use has been obtained with regard to the registration of Agricultural, Forestry and Fishery Products and Foodstuffs whose names are provided in (b) of said item);

二 前項第四号ロに規定する登録商標に係る商標権について専用使用権が設定されている場合における当該専用使用権の専用使用権者たる生産者団体（同号ロに規定する名称の農林水産物等についての登録をすることについて次に掲げる者の承諾を得ている場合に限る。）

(ii) a Group of Producers that is an exclusive licensee of an exclusive right to use established as an exclusive right to use for the trademark right pertaining to the registered trademark prescribed in (b) of item (iv) of the preceding paragraph (limited to cases where approval of the following persons has been obtained with regard to the registration of Agricultural, Forestry and Fishery Products and Foodstuffs whose names are provided in (b) of said item):

イ 当該登録商標に係る商標権者

(a) the holder of trademark pertaining to said registered trademark; and

ロ 当該生産者団体以外の当該専用使用権の専用使用権者

(b) exclusive licensee of said exclusive right to use other than said Group of Producers;

三 前項第四号ロに規定する名称の農林水産物等についての登録をすることについて同号ロに規定する登録商標に係る商標権者の承諾を得ている生産者団体（当該登録商標に係る商標権について専用使用権が設定されているときは、当該農林水産物等についての登録をすることについて当該専用使用権の専用使用権者の承諾を得ている場合に限る。）

(iii) a Group of Producers that has obtained approval of the holder of trademark pertaining to the registered trademark provided in (b) of said item with regard to registration of Agricultural, Forestry and Fishery Products and Foodstuffs whose names are provided in (b) of item (iv) of the preceding paragraph (if an exclusive right to use is established for the trademark right pertaining to said registered trademark, limited to cases where approval of the exclusive licensee of said exclusive right to use has been obtained with regard to the registration of said Agricultural, Forestry and Fishery Products and Foodstuffs).

3 農林水産大臣は、第一項の規定により登録を拒否したときは、登録の申請をした生産者団体に対し、その旨及びその理由を書面により通知しなければならない。

(3) When the Minister of Agriculture, Forestry and Fisheries has refused

registration pursuant to the provisions of paragraph (1), the Minister must give notice in writing of the same and the reason to the Group of Producers that filed the application for registration.

(特定農林水産物等登録簿の縦覧)

(Public Inspection of the Register of Specific Agricultural, Forestry and Fishery Products and Foodstuffs)

第十四条 農林水産大臣は、特定農林水産物等登録簿を公衆の縦覧に供しなければならない。

Article 14 The Minister of Agriculture, Forestry and Fisheries must make the register of specific agricultural, forestry and fishery products and foodstuffs available for public inspection.

(生産者団体を追加する変更の登録)

(Registration of Change to Add Group of Producers)

第十五条 第六条の登録に係る特定農林水産物等について生産行程管理業務を行おうとする生産者団体（当該登録を受けた生産者団体を除く。）は、第十二条第二項第三号に掲げる事項に当該生産者団体に係る第七条第一項第一号に掲げる事項を追加する変更の登録を受けることができる。

Article 15 (1) A Group of Producers intending to conduct Production Process Management for Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to the registration in Article 6 (excluding a Group of Producers that has received said registration) may receive a registration of change to add the information set forth in Article 7, paragraph (1), item (i) pertaining to said Group of Producers to the information set forth in Article 12, paragraph (2), item (iii).

2 第七条から第九条まで及び第十一条から第十三条までの規定は、前項の変更の登録について準用する。この場合において、第七条第一項中「次に掲げる事項」とあるのは「第一号に掲げる事項、登録番号及び第九号に掲げる事項」と、第八条第一項中「前条第一項第一号から第八号までに掲げる事項」とあるのは「前条第一項第一号に掲げる事項、登録番号」と、第十一条第一項中「第十三条第一項第二号から第四号まで」とあるのは「第十三条第一項第二号及び第四号（イを除く。）」と、第十二条第一項中「同条から前条まで」とあるのは「同条、第九条及び前条」と、同条第二項中「次に」とあるのは「変更の年月日及び第三号に」と、第十三条第一項中「次に掲げる場合」とあるのは「第一号、第二号及び第四号（イを除く。）に掲げる場合」と、同項第二号イ中「これらの」とあるのは「登録番号に係る前条第二項第二号に掲げる」と読み替えるものとする。

(2) The provisions in Articles 7 to 9 and 11 to 13 apply mutatis mutandis to the registration of change prescribed in the preceding paragraph. In this case, the term "the following information" in Article 7, paragraph (1) is deemed to be replaced with "the information set forth in item (i), the registration number,

and the information set forth in Article 9," the term "the information set forth in paragraph (1), items (i) to (viii) of the preceding Article" in Article 8, paragraph (1) is deemed to be replaced with "the information set forth in paragraph (1), item (i) of the preceding Article, the registration number," the term "Article 13, paragraph (1), items (ii) to (iv)" in Article 11, paragraph (1) is deemed to be replaced with "Article 13, paragraph (1), items (ii) and (iv) (excluding (a))," the term "said Article to the preceding Article" in Article 12, paragraph (1) is deemed to be replaced with "said Article, Article 9, and the preceding Article," the term "following" in paragraph (2) of said Article is deemed to be replaced with "set forth in the date of change and item (iii)," the term "in the following cases" in Article 13, paragraph (1) is deemed to be replaced with "in the cases set forth in items (i), (ii) and (iv) (excluding (a))," and the term "the information" in (a) of item (ii) of said paragraph is deemed to be replaced with "the information as set forth in item (ii) of paragraph (2) of the preceding Article pertaining to registration number."

(明細書の変更の登録)

(Registration of Change of Specification)

第十六条 登録生産者団体は、明細書の変更（第七条第一項第三号から第八号までに掲げる事項に係るものに限る。）をしようとするときは、変更の登録を受けなければならない。

Article 16 (1) A Registered Group of Producers intending to make a change to the Specification (limited to those pertaining to the information set forth in Article 7, paragraph (1), items (iii) to (viii)) must receive a registration of change.

2 前項の場合において、第六条の登録に係る登録生産者団体が二以上あるときは、当該登録に係る全ての登録生産者団体は、共同して同項の変更の登録の申請をしなければならない。

(2) In the case of the preceding paragraph, if there are two or more Registered Groups of Producers pertaining to registration in Article 6, all Registered Groups of Producers pertaining to said registration must jointly apply for registration of change in said paragraph.

3 第七条第一項及び第二項、第八条、第九条並びに第十一条から第十三条までの規定（第一項の変更の登録に係る事項が農林水産省令で定める軽微なものである場合にあっては、第九条及び第十一条の規定を除く。）は、第一項の変更の登録について準用する。この場合において、第七条第一項中「次に掲げる事項」とあるのは「第一号に掲げる事項、登録番号及び第三号から第八号までに掲げる事項のうち変更に係るもの」と、第八条第一項中「前条第一項第一号から第八号までに掲げる事項」とあるのは「前条第一項第一号に掲げる事項、登録番号、同項第三号から第八号までに掲げる事項のうち変更に係るもの」と、第十二条第一項中「同条から前条まで」とあるのは第一項の変更の登録に係る事項が当該農林水産省令で定める軽微なものである場合以

外の場合にあつては「同条、第九条及び前条」と、同項の変更の登録に係る事項が当該農林水産省令で定める軽微なものである場合にあつては「同条」と、同条第二項中「次に掲げる」とあるのは「変更の年月日及び変更に係る」と、第十三条第一項第二号イ中「同項第二号」とあるのは「同項第三号」と、「事項」とあるのは「事項のうち変更に係るもの」と読み替えるものとする。

- (3) The provisions in paragraphs (1) and (2) of Article 7, Articles 8 and 9 and Articles 11 through 13 (if the matters pertaining to registration of change as prescribed in paragraph (1) are those provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as being minor, excluding the provisions of Articles 9 and 11) apply mutatis mutandis to registration of change as prescribed in paragraph (1). In this case, the term "the following information" in Article 7, paragraph (1) is deemed to be replaced with "of the information set forth in item (1), the registration number, and among the information set forth in items (iii) to (viii), those pertaining to change," the term "the information set forth in paragraph (1), items (i) to (viii) of the preceding Article" in Article 8, paragraph (1) is deemed to be replaced with "of the information set forth in paragraph (1), item (i) of the preceding Article, the registration number, and among the items (iii) to (viii) of said paragraph, those pertaining to change," the term "said Article to the preceding Article" in Article 12, paragraph (1) is deemed to be replaced with "said Article, Article 9, and the preceding Article" in cases other than the case where the information pertaining to the registration of change as prescribed in paragraph (1) are those provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as being minor, or replaced with "said Article" if the matters pertaining to the registration of change as prescribed in said paragraph are those provided by said Ordinance of the Ministry of Agriculture, Forestry and Fisheries as being minor, the term "following" in paragraph (2) of said Article is deemed to be replaced with "the information pertaining to the date of change and the change," the term "item (ii) of the said paragraph" in Article 13, paragraph (1), item (ii) (a) is deemed to be replaced with "item (iii) of said paragraph" and the term "the information" is deemed to be replaced with "among the information, those pertaining to change."

(登録生産者団体の変更の届出等)

(Notification of Change in Registered Group of Producers)

第十七条 登録生産者団体は、当該登録生産者団体に係る第十二条第二項第三号に掲げる事項に変更があつたときは、遅滞なく、その旨及びその年月日を農林水産大臣に届け出なければならない。

Article 17 (1) Whenever a Registered Group of Producers changes any of the information set forth in Article 12, paragraph (2), item (iii) pertaining to said Registered Group of Producers, the group must notify of the same and the date

to the Minister of Agriculture, Forestry and Fisheries without delay.

2 農林水産大臣は、前項の規定による届出があったときは、当該届出に係る事項を特定農林水産物等登録簿に記載して、変更の登録をしなければならない。

(2) When the Minister of Agriculture, Forestry and Fisheries has received a notification under the provisions of the preceding paragraph, the Minister must register the change by specifying the information pertaining to said notification in the register of specific agricultural, forestry and fishery products and foodstuffs.

3 農林水産大臣は、前項の変更の登録をしたときは、その旨を公示しなければならない。

(3) When the Minister of Agriculture, Forestry and Fisheries has registered the change prescribed in the preceding paragraph, the Minister must publicly notify of the same.

(生産行程管理業務規程の変更の届出)

(Notification of Change to Production Process Management Rules)

第十八条 登録生産者団体は、生産行程管理業務規程の変更をしようとするときは、あらかじめ、農林水産大臣に届け出なければならない。

Article 18 A Registered Group of Producers that intends to change its Production Process Management Rules must in advance notify the Minister of Agriculture, Forestry and Fisheries.

(生産行程管理業務の休止の届出)

(Notification of Suspension of Production Process Management)

第十九条 登録生産者団体は、生産行程管理業務を休止しようとするときは、あらかじめ、農林水産大臣に届け出なければならない。

Article 19 A Registered Group of Producers that intends to suspend its Production Process Management must in advance notify the Minister of Agriculture, Forestry and Fisheries.

(登録の失効)

(Expiration of Registration)

第二十条 次の各号のいずれかに該当する場合には、登録（当該登録に係る登録生産者団体が二以上ある場合にあつては、第十二条第二項第三号に掲げる事項のうち当該各号のいずれかに該当する登録生産者団体に係る部分に限る。以下この条において同じ。）は、その効力を失う。

Article 20 (1) A registration (when there are two or more Registered Group of Producers pertaining to said registration, this is limited to the part pertaining to a Registered Group of Producers falling under any of said respective items among the information set forth in Article 12, paragraph (2), item (iii); hereinafter the same applies in this Article) will cease to be effective if the

registration falls under any of the following items:

一 登録生産者団体が解散した場合においてその清算が終了したとき。

(i) if the Registered Group of Producers has been dissolved and the liquidation has been completed; or

二 登録生産者団体が生産行程管理業務を廃止したとき。

(ii) if the Registered Group of Producers has discontinued its Production Process Management.

2 前項の規定により登録がその効力を失ったときは、当該登録に係る登録生産者団体（同項第一号に掲げる場合にあつては、清算人）は、遅滞なく、効力を失った事由及びその年月日を農林水産大臣に届け出なければならない。

(2) When a registration has ceased to be effective pursuant to the provisions of the preceding paragraph, the Registered Group of Producers pertaining to said registration (in the case set forth in item (i) of said paragraph, a liquidator) must notify the Minister of Agriculture, Forestry and Fisheries of the reason and the date of its invalidation without delay.

3 農林水産大臣は、第一項の規定により登録がその効力を失ったときは、特定農林水産物等登録簿につき、その登録を削除しなければならない。

(3) When a registration has ceased to be effective pursuant to the provisions of paragraph (1), the Minister of Agriculture, Forestry and Fisheries must delete the registration from the register of specific agricultural, forestry and fishery products and foodstuffs

4 農林水産大臣は、前項の規定により登録を削除したときは、その旨を公示しなければならない。

(4) When the Minister of Agriculture, Forestry and Fisheries has deleted a registration pursuant to the provisions of the preceding paragraph, the Minister must publicly notify of the same.

(措置命令)

(Order for Measures)

第二十一条 農林水産大臣は、次に掲げる場合には、登録生産者団体に対し、明細書又は生産行程管理業務規程の変更その他の必要な措置をとるべきことを命ずることができる。

Article 21 The Minister of Agriculture, Forestry and Fisheries, in the following cases, may order a Registered Group of Producers to change the Specification or the Production Process Management Rules, and to take any necessary measure:

一 その構成員たる生産業者が、第三条第二項若しくは第四条の規定に違反し、又は第五条の規定による命令に違反したとき。

(i) if a Producer Member of the group has breached the provisions of Article 3, paragraph (2) or Article 4, or an order under Article 5;

二 その明細書が第十二条第二項第二号に掲げる事項に適合していないとき。

(ii) if the Specification does not accord with the information set forth in Article 12, paragraph (2), item (ii); or

三 第十三条第一項第二号（イを除く。）に該当するに至ったとき。

(iii) if it falls under Article 13, paragraph (1), item (ii) (excluding (a)).

（登録の取消し）

(Revocation of Registration)

第二十二條 農林水産大臣は、次に掲げる場合には、登録の全部又は一部を取り消すことができる。

Article 22 (1) The Minister of Agriculture, Forestry and Fisheries, in the following cases, may revoke all or part of a registration:

一 登録生産者団体が次のいずれかに該当するとき。

(i) if a Registered Group of Producers falls under any of the following:

イ 生産者団体に該当しなくなったとき。

(a) the group no longer falls under a Group of Producers;

ロ 第十三条第一項第一号ロ（（1）に係る部分に限る。）に該当するに至ったとき。

(b) the group has fallen under Article 13, paragraph (1), item (i) (b) (limited to the part pertaining to 1);

ハ 前条の規定による命令に違反したとき。

(c) the group has breached an order under the provisions of the preceding Article; or

ニ 不正の手段により第六条の登録又は第十五条第一項若しくは第十六条第一項の変更の登録を受けたとき。

(d) the group has received a registration as prescribed in Article 6 or a registration of change as prescribed in Article 15, paragraph (1) or Article 16, paragraph (1) by wrongful means;

二 登録に係る特定農林水産物等が第十三条第一項第三号イに該当するに至ったとき。

(ii) if the Specific Agricultural, Forestry and Fishery Product and Foodstuffs pertaining to registration have fallen under Article 13, paragraph (1), item (iii) (a);

三 登録に係る特定農林水産物等の名称が第十三条第一項第四号イに該当するに至ったとき。

(iii) if the name of the Specific Agricultural, Forestry and Fishery Products and Foodstuffs pertaining to registration have fallen under Article 13, paragraph (1), item (iv) (a); or

四 第十三条第二項各号に規定する商標権者又は専用使用権者が同項各号に規定する承諾を撤回したとき。

(iv) if a holder of trademark or an exclusive licensee as provided in the respective items of Article 13, paragraph (2) has withdrawn the approval provided in the respective items of said paragraph.

2 第八条、第九条及び第十一条の規定は、前項（第二号及び第三号に係る部分に限る。）の規定による登録の取消しについて準用する。この場合において、第八条第一項中「第十三条第一項（第一号に係る部分に限る。）の規定により登録を拒否する場合を除き、前条第一項第一号から第八号までに掲げる事項」とあるのは「登録番号、取消しをしようとする理由」と、同条第二項中「前条第一項の申請書並びに同条第二項第一号」とあるのは「前条第二項第一号」と、第十一条第一項中「第十三条第一項第二号から第四号まで」とあるのは「第二十二條第一項第二号及び第三号」と読み替えるものとする。

(2) The provisions of Articles 8, 9, and 11 apply mutatis mutandis to the revocation of registration under the provisions of the preceding paragraph (limited to the part pertaining to items (ii) and (iii)). In this case, the term "the information set forth in paragraph (1), items (i) to (viii) of the preceding Article, except when registration is refused by the provisions of Article 13, paragraph (1) (limited to the part pertaining to item (i))" in Article 8, paragraph (1) is deemed to be replaced with "the registration number and the reason for revocation," the term "the written application in paragraph (1) of the preceding Article and the documents set forth in paragraph (2), item (i) of said Article" in paragraph (2) of said Article is deemed to be replaced with "the documents set forth in paragraph (2), item (i) of the preceding Article" and the term "Article 13, paragraph (1), items (ii) to (iv)" in Article 11, paragraph (1) is deemed to be replaced with "Article 22, paragraph (1), items (ii) and (iii)."

3 農林水産大臣は、第一項の規定による登録の全部又は一部の取消しをしたときは、特定農林水産物等登録簿につき、その登録の全部又は一部を消除しなければならない。

(3) When the Minister of Agriculture, Forestry and Fisheries has revoked all or part of a registration under the provisions of paragraph (1), the Minister must delete all or part of the registration from the register of specific agricultural, forestry and fishery products and Foodstuffs.

4 農林水産大臣は、前項の規定により登録の全部又は一部を消除したときは、その旨を、当該登録の取消しに係る登録生産者団体に通知するとともに、公示しなければならない。

(4) When the Minister of Agriculture, Forestry and Fisheries has deleted all or part of a registration pursuant to the provisions of the preceding paragraph, the Minister must give notice of the same to the Registered Group of Producers pertaining to the revocation of said registration, and make a public notice.

第四章 雑則

Chapter IV Miscellaneous Provisions

(公示の方法)

(Method of Public Notice)

第二十三条 この法律の規定による公示は、インターネットの利用その他の適切な方法

により行うものとする。

Article 23 (1) Public notice under the provisions of this Act is to be performed through the Internet or through other appropriate methods.

2 前項の公示に関し必要な事項は、農林水産省令で定める。

(2) The necessary matters concerning the public notice set forth in the preceding paragraph are provided by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(報告及び立入検査)

(Report and On-Site Inspection)

第二十四条 農林水産大臣は、この法律の施行に必要な限度において、登録生産者団体、生産業者その他の関係者に対し、その業務に関し必要な報告を求め、又はその職員に、これらの者の事務所、事業所、倉庫、ほ場、工場その他の場所に立ち入り、業務の状況若しくは農林水産物等、その原料、帳簿、書類その他の物件を検査させることができる。

Article 24 (1) The Minister of Agriculture, Forestry and Fisheries may, to the extent necessary for the enforcement of this Act, request a Registered Group of Producers, Producers and other persons concerned to make a necessary report on its business or have officials of the Minister enter the offices, local offices, warehouses, farms, factories or any other place of the group, manufacturer or persons and have them inspect the situation of the business or Agricultural, Forestry and Fishery Products and Foodstuffs and their ingredients, books, documents and other articles.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人にこれを提示しなければならない。

(2) An official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry a document that identifies the official and show it to the people concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(3) The authority to conduct on-site inspection pursuant to the provisions of paragraph (1) must not be construed as being granted for criminal investigations.

(農林水産大臣に対する申出)

(Report to the Minister of Agriculture, Forestry and Fisheries)

第二十五条 何人も、第三条第二項又は第四条の規定に違反する事実があると思料する場合には、農林水産省令で定める手続に従い、その旨を農林水産大臣に申し出て適切な措置をとるべきことを求めることができる。

Article 25 (1) Any person who considers that a fact involving violation of the provisions of Article 3, paragraph (2) or Article 4 exists, may report to the

Minister of Agriculture, Forestry and Fisheries the same, and request to take appropriate measures, in accordance with the procedures as prescribed in Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

2 農林水産大臣は、前項の規定による申出があつたときは、必要な調査を行い、その申出の内容が事実であると認めるときは、第五条又は第二十一条に規定する措置その他の適切な措置をとらなければならない。

(2) When a report has been filed pursuant to the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries must conduct necessary investigation, and when the Minister has found the contents of such report to be true, the Minister must take the measures prescribed in Article 5 or 21 and other appropriate measures.

(権限の委任)

(Delegation of Authority)

第二十六条 この法律に規定する農林水産大臣の権限は、農林水産省令で定めるところにより、その一部を地方支分部局の長に委任することができる。

Article 26 The authority of the Minister of Agriculture, Forestry and Fisheries provided for in this Act may be delegated in part to chiefs of local administrative offices pursuant to the provisions of Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(農林水産省令への委任)

(Delegation to Ordinance of the Ministry of Agriculture, Forestry and Fisheries)

第二十七条 この法律に定めるもののほか、この法律の実施のための手続その他この法律の施行に関し必要な事項は、農林水産省令で定める。

Article 27 In addition to what is provided in this Act, procedures and other matters required for the implementation of this Act are specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

第五章 罰則

Chapter V Penal Provisions

第二十八条 第五条（第一号に係る部分に限る。）の規定による命令に違反した者は、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 28 Any person who has violated the order under the provisions of Article 5 (limited to the part pertaining to item (i)) is punished by imprisonment with work for not more than 5 years or a fine of not more than 5 million yen, or both.

第二十九条 第五条（第一号に係る部分を除く。）の規定による命令に違反した者は、三年以下の懲役又は三百万円以下の罰金に処する。

Article 29 Any person who has violated the order under the provisions of Article 5 (excluding the part pertaining to item (i)) is punished by imprisonment with work for not more than 3 years or a fine of not more than 3 million yen.

第三十条 第十一条第四項（第十五条第二項、第十六条第三項及び第二十二条第二項において準用する場合を含む。）の規定に違反した者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 30 Any person who has violated the order under the provisions of Article 11, paragraph (4) (including cases where applied mutatis mutandis pursuant to Article 15, paragraph (2), Article 16, paragraph (3), and Article 22, paragraph (2)) is punished by imprisonment with work for not more than 6 months or a fine of not more than 500,000 yen.

第三十一条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 31 Any person who falls under any of the following items is punished by a fine of not more than 300,000 yen:

一 第十七条第一項又は第二十条第二項の規定による届出をせず、又は虚偽の届出をした者

(i) a person who has failed to submit a notification under the provisions of Article 17, paragraph (1) or Article 20, paragraph (2), or made false notification;

二 第十八条の規定による届出をせず、又は虚偽の届出をして生産行程管理業務規程の変更をした者

(ii) a person who has made a change to the Production Process Management Rules without making notification under the provisions of Article 18, or making a false notification;

三 第十九条の規定による届出をせず、又は虚偽の届出をして生産行程管理業務の休止をした者

(iii) a person who has suspended the Production Process Management without making notification under the provisions of Article 19, or making a false notification; or

四 第二十四条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者

(iv) a person who has not filed reports under the provisions of Article 24, paragraph (1) or filed a false report, or refused, interfered with or avoided inspections under the provisions of said paragraph.

第三十二条 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑

を、その人に対して各本条の罰金刑を科する。

Article 32 (1) When a corporation (including an organization without legal personality with provisions for a representative or an administrator; hereinafter the same applies in this paragraph) or a representative or a manager, or an agent, employee, or other worker of a corporation or individual committed a violation of any of the provisions set forth in the following items with regard to the business of said corporation or individual, not only the offender is punished but also the said corporation is punished by the fine prescribed respectively in those items, and the said individual is punished by the fine prescribed in the respective Articles:

一 第二十八条三億円以下の罰金刑

(i) Article 28: a fine of not more than 300 million yen;

二 第二十九条一億円以下の罰金刑

(ii) Article 29: a fine of not more than 100 million yen; or

三 前条同条の罰金刑

(iii) the preceding Article: a fine set forth in said Article.

2 法人でない団体について前項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につきその法人でない団体を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) When the preceding paragraph applies to an organization without legal personality, the representative or the administrator thereof represents the organization without legal personality in litigation, and the legal provisions concerning cases of criminal litigation in which a corporation is the accused or the suspect apply *mutatis mutandis*.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、附則第六条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as from the date to be provided by a Cabinet Order within a period not exceeding 1 year from the day of promulgation; provided, however, that the provisions of Article 6 of the Supplementary Provisions of this Act come into effect as from the day of promulgation.

(検討)

(Review)

第二条 政府は、この法律の施行後十年以内に、この法律の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 The Government is to review the status of enforcement of this Act within 10 years from the date of its enforcement, and take any necessary measure based upon the results of such review.

(調整規定)

(Adjustment Provisions)

第三条 この法律の施行の日が食品表示法（平成二十五年法律第七十号）の施行の日前である場合には、同日の前日までの間における第三条第二項の規定の適用については、同項中「農林物資の規格化等に関する法律」とあるのは、「農林物資の規格化及び品質表示の適正化に関する法律」とする。

Article 3 If the date on which this Act comes into effect falls before the date on which the Food Labeling Act (Act No. 70 of 2013) comes into effect, for the purpose of applying the provisions of Article 3, paragraph (2) until the day before said date, the term "the Act on Standardization of Commodities concerning Agricultural and Forestry Products" in said paragraph is deemed to be replaced with "the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products."

(商標法の一部改正)

(Partial Amendment to the Trademark Act)

第四条 商標法の一部を次のように改正する。

Article 4 The Trademark Act is partially amended as follows:

第二十六条に次の一項を加える。

The following paragraph is added to Article 26:

3 商標権の効力は、次に掲げる行為には、及ばない。ただし、その行為が不正競争の目的でされない場合に限る。

(3) A trademark right has no effect on any of the following acts; provided, however, that this is limited to cases where such act has not the purpose of unfair competition:

一 特定農林水産物等の名称の保護に関する法律（平成二十六年法律第八十四号。以下この項において「特定農林水産物等名称保護法」という。）第三条第一項の規定により商品又は商品の包装に特定農林水産物等名称保護法第二条第三項に規定する地理的表示（以下この項において「地理的表示」という。）を付する行為
(i) affixing a Geographical Indication (hereinafter referred to as a "Geographical Indication" in this paragraph) as prescribed in Article 2, paragraph (3) of the Act on Protection of the Names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs (Act No. 84 of 2014; hereinafter referred to as the "Specific Agricultural, Forestry and Fishery Product and Foodstuff Name Protection Act" in this paragraph) on goods or their package pursuant to the provisions of Article 3, paragraph (1) of the Specific Agricultural, Forestry and Fishery Product and Foodstuff Name

Protection Act;

二 特定農林水産物等名称保護法第三条第一項の規定により商品又は商品の包装に地理的表示を付したものを譲渡し、引き渡し、譲渡若しくは引渡しのために展示し、輸出し、又は輸入する行為

(ii) assigning, delivering, displaying for the purpose of assignment or delivery, export or import goods or packages of goods to which a Geographical Indication is affixed, pursuant to the provisions of Article 3, paragraph (1) of the Specific Agricultural, Forestry and Fishery Product Name Protection Act; or

三 特定農林水産物等名称保護法第三条第一項の規定により商品に関する送り状に地理的表示を付して展示する行為

(iii) displaying invoices of goods to which a Geographical Indication is affixed, pursuant to the provisions of Article 3, paragraph (1) of the Specific Agricultural, Forestry and Fishery Product and Foodstuff Name Protection Act.

(登録免許税法の一部改正)

(Partial Amendment to Registration and License Tax Act)

第五条 登録免許税法（昭和四十二年法律第三十五号）の一部を次のように改正する。

Article 5 The Registration and License Tax Act (Act No. 35 of 1967) is partially amended as follows:

別表第一第八十七号の次に次のように加える。

The following is added after item (87) of Appended Table 1:

八十七の二 登録生産者団体の登録又は変更の登録		
87-2 Registration of Registered Group of Producers or Registration of Change		
特定農林水産物等の名称の保護に関する法律（平成二十六年法律第 号）第六条（特定農林水産物等の登録）の登録生産者団体の登録又は同法第十五条第一項（生産者団体を追加する変更の登録）の変更の登録 Registration of a Group of Producers registered as prescribed in Article 6 (Registration of Specific Agricultural, Forestry and Fishery Products) of the Act on Protecting the Names of Specific Agricultural, Forestry and Fishery Products (Act No. of 2014) or registration of change as prescribed in Article 15, paragraph (1) of said Article (Registration of Change to Add Group of Producers)	登録件数 Number of registrations	一件につき九万円 90,000 yen per registration

(政令への委任)

(Delegation to Cabinet Orders)

第六条 附則第三条に定めるもののほか、この法律の施行に関し必要な事項は、政令で定める。

Article 6 In addition to what is provided in Article 3 of the Supplementary Provisions, any matter necessary for the enforcement of this Act is provided by Cabinet Order.