

Fertilizer Control Act

(Act No. 127 of May 1, 1950)

(Purpose)

Article 1 The purpose of this Act is to sustain the quality, etc. of fertilizers and to ensure fair trade of fertilizers and their safe application, by establishing official specifications and application standards for fertilizers and by registering fertilizers, and conducting fertilizer analysis, etc., thereby contributing to maintaining and increasing agricultural productivity, as well as helping to protect the health of the people .

(Definitions)

- Article 2 (1) The term a "fertilizer" as used in this Act means a substance applied to the ground for the purpose of bringing about a chemical change in the soil to supply nutrients to plants or help plants to grow, or a substance applied to a plant for the purpose of feeding plants.
- (2) The term a "special-purpose fertilizer" as used in this Act means rice bran, compost, or other fertilizers designated by the Minister of Agriculture, Forestry and Fisheries, and a "general-purpose fertilizer" means a fertilizer other than a special-purpose fertilizer.
- (3) The term "guaranteed amount of components" in this Act means the minimum amount of main components (meaning main components of each type of fertilizer specified by Cabinet Order; the same applies hereinafter) to be included in general-purpose fertilizer that is expressed as a percentage thereof, which is guaranteed by the manufacturer, importer, or seller who produces, imports, or sells a general-purpose fertilizer.
- (4) The term "manufacturer" as used in this Act means a person who produces a fertilizer (including formulation, processing, or collecting process of fertilizer; the same applies hereinafter) in the course of trade, and the term "importer" means a person who imports fertilizer in the course of trade, and the term "seller" means a person other than a manufacturer or importer, who sells fertilizer in the course of trade.

(Official Specifications)

- Article 3 (1) The Minister of Agriculture, Forestry and Fisheries establishes specifications for the particulars specified in each of the following items in accordance with the types of general-purpose fertilizers set forth in the relevant items (hereinafter referred to as the "official specifications").
- (i) general-purpose fertilizers set forth in items (i), (ii), (iv), (vi), and (vii) of

paragraph (1) of the following Article: the minimum and maximum amount of main components that must be included therein, the maximum amount of components harmful to plants that may be contained therein, and other necessary particulars;

(ii) general-purpose fertilizers set forth in items (iii) and (v) of paragraph (1) of the following Article: the maximum amount of components harmful to plants that may be contained therein, and other necessary particulars.

(2) If the Minister of Agriculture, Forestry and Fisheries intends to establish, change, or repeal the official specifications, the minister must issue public notice of this, at least 30 days prior to that date.

(Obligation to Register Fertilizers)

Article 4 (1) A person who intends to produce a general-purpose fertilizer in the course of trade must have the fertilizer set forth in items (i) through (vi) registered by the Minister of Agriculture, Forestry and Fisheries, and the fertilizer set forth in item (vii) by the prefectural governor who has jurisdiction over the location of the place of business where the fertilizer is produced, according to the following types; provided, however, that this does not apply to a general-purpose fertilizer for which official specifications have not been established or a general-purpose fertilizer including the raw material as components that is exclusively registered as a general-purpose fertilizer (excluding a general-purpose fertilizer set forth in items (iii) through (v)), which is specified by Order of the Ministry of Agriculture, Forestry and Fisheries (hereinafter referred to as a "designated blended fertilizer").

(i) a general-purpose fertilizer produced by a chemical process (excluding those set forth in items (iii) through (v) and a calcareous fertilizer);

(ii) a general-purpose fertilizer produced by a process other than a chemical process which is guaranteed to mainly include components other than nitrogen, phosphoric acid, potassium carbonate, lime, or magnesium (excluding those set forth in item (iv));

(iii) a general-purpose fertilizer made from sludge as a raw material and other general-purpose fertilizer whose main components vary significantly from brand to brand in terms of the characteristics of their raw materials, which is designated by Order of the Ministry of Agriculture, Forestry and Fisheries as those which are likely to contain components harmful to plants (excluding those listed in item (v));

(iv) a general-purpose fertilizer specified by Cabinet Order as a fertilizer whose component that is a substance contained in the fertilizer, could remain in plants (hereinafter referred to as "components of residue"), is likely to produce an agricultural product that can cause harm to humans or animals, depending on the application method (referred to as a "specified general-

- purpose fertilizer"; excluding a fertilizer set forth in the following item);
- (v) a specified general-purpose fertilizer that falls under the category of a general-purpose fertilizer specified by Order of the Ministry of Agriculture, Forestry and Fisheries referred to in item (iii);
 - (vi) a blended general-purpose fertilizer made by mixing one or more types of general-purpose fertilizers set forth in the preceding items as the raw material (excluding fertilizers set forth in the preceding three items);
 - (vii) a general-purpose fertilizer other than those set forth in the preceding items (including calcareous fertilizer).
- (2) If an agricultural cooperative covering the area within the prefectural area or any other person specified by Cabinet Order (hereinafter referred to as an "agricultural cooperative, etc.") intends to produce a general-purpose fertilizer set forth in item (vi) of the preceding paragraph for which official specifications have been established (excluding a blended fertilizer made by blending one or more types of general-purpose fertilizers set forth in items (iii) through (v) of that paragraph as the raw material) in the course of trade, it must be registered by the prefectural governor who has jurisdiction over the location of the place of business where the fertilizer is produced, notwithstanding the provisions of that paragraph.
- (3) A person who intends to import a general-purpose fertilizer in the course of trade must have each fertilizer brand registered by the Minister of Agriculture, Forestry and Fisheries; provided, however, that this does not apply to a general-purpose fertilizer for which official specifications have not been established, a designated blended fertilizer, and a general-purpose fertilizer which has been registered pursuant to the provisions of paragraph (1) of Article 33-2.

(Obligation to Provisionally Register Fertilizers)

Article 5 A person who intends to produce or import a general-purpose fertilizer for which official specifications have not been established (excluding a designated blended fertilizer and a general-purpose fertilizer which has been provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2) in the course of trade, must have each fertilizer band provisionally registered by the Minister of Agriculture, Forestry and Fisheries

(Application for Registration and Provisional Registration of Fertilizers)

Article 6 (1) A person intending to register or provisionally register a fertilizer must submit a written application providing the following particulars, along with a fertilizer sample for which registration or provisional registration is applied, to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor, in accordance with the procedures prescribed by Order of

the Ministry of Agriculture, Forestry and Land:

- (i) the name and address of the person (or in case of a juridical person; the name, the name of the representative, and the location of principal place of business);
 - (ii) the type and name of the fertilizer (or in case of provisional registration; the name of the fertilizer);
 - (iii) the guaranteed amount of components and other specifications (in case of a fertilizer set forth in items (iii) through (v) of paragraph (1) of Article 4; the maximum amount of components harmful to plants that may be contained therein and other specifications; the same applies in item (v) of Article 10 and item (iii) of paragraph (1) of Article 16);
 - (iv) the name and location of the place of business where the fertilizer is produced, in the case of the producer;
 - (v) the location of the facility where the fertilizer is stored;
 - (vi) the results of plant growth tests measuring the harm to plants, if the application for registration of a fertilizer designated by Order of the Ministry of Agriculture, Forestry and Fisheries for which the plant growth test is particularly necessary, judging from the raw materials, or production method, etc. of the fertilizer, in order to prove that the fertilizer is not harmful to plants and the registration of a fertilizer set forth in items (iii) and (v) of paragraph (1) of Article 4 is filed;
 - (vii) the list of applicable plants, if the application for registration of specified general-purpose fertilizer is filed;
 - (viii) the application method and the results of plant growth tests measuring the components of residue, if the application for registration of specified general-purpose fertilizer, that is applied to an agricultural product included in the list of applicable plants, is registered;
 - (ix) the application method and the results of plant growth tests, if the application for a provisional registration is filed;
 - (x) the list of applicable plants, if the application for the provisional registration of the specified general-purpose fertilizer is filed;
 - (xi) other particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries
- (2) A person who applies for registration or provisional registration with the Minister of Agriculture, Forestry and Fisheries must pay the amount of fee specified by Cabinet Order in consideration of the actual costs to examine the application.

(Registration)

Article 7 (1) When an application for registration is filed pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Agriculture,

Forestry and Fisheries must have the Food and Agricultural Materials Inspection Center (hereinafter referred to as the "Center"), or the prefectural governor must have their staff, examine the particulars provided in the written application and the fertilizer sample, and then must register the fertilizer if the minister or governor confirmed that the fertilizer meets the official specifications and that the name of the fertilizer does not violate the provisions of paragraph (2) of Article 26; provided, however, that this does not apply if, as a result of the examination, it is found that fertilizer designated by Ordinance of the Ministry of Agriculture, Forestry and Fisheries referred to in item (vi) of the preceding Article or fertilizer set forth in items (iii) through (v) of paragraph (1) of Article 4, is harmful to plants when it is applied to plants by using a regular application method, or if it is found that an agricultural product that may cause harm to humans or animals when it is applied to the agriculture product according to the list of applicable plants and the method provided in the written application.

- (2) Examination items, examination methods, and other particulars necessary for the implementation of the examination referred to in the preceding paragraph are prescribed by an Order of the Ministry of Agriculture, Forestry and Fisheries.
- (3) The Minister of Agriculture, Forestry and Fisheries must consult the Minister of Health, Labour and Welfare and the Minister of Environment when the Minister of Agriculture, Forestry and Fisheries intends to register a specified general-purpose fertilizer pursuant to the provisions of paragraph (1).

(Provisional Registration)

Article 8 (1) When an application for provisional registration is filed pursuant to the provisions of paragraph (1) of Article 6, the Minister of Agriculture, Forestry and Fisheries must have the Center examine the particulars provided in the written application and the fertilizer sample; provided, however, that the minister may reject the application without having the Center perform an examination if the provisional registration of the fertilizer for which the application was filed has been revoked pursuant to the provisions of paragraph (3) of the following Article.

- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the examination referred to in the preceding paragraph.
- (3) When, as a result of the examination pursuant to the provisions of paragraph (1), when the amount of the main components, the effectiveness, and the quality of the fertilizer are found to be equivalent to those of a fertilizer similar to that for which official specifications have been established, and the Minister of Agriculture, Forestry and Fisheries confirms that the name of the fertilizer does not violate the provisions of paragraph (2) of Article 26, the minister must

provisionally register the fertilizer; provided, however, that this does not apply if the fertilizer is found to be harmful to plants when it is applied to the plants according to the application method provided in the written application, or if it is apparent that an agricultural product that may cause harm to humans and animals will be produced when a specified general-purpose fertilizer is applied to the agricultural product included in the list of applicable plants according to the method provided in the written application.

- (4) The provisions of paragraph (3) of the preceding Article apply *mutatis mutandis* to the provisional registration of a specified general-purpose fertilizer under the provisions of the preceding paragraph.

Article 9 (1) If the Minister of Agriculture, Forestry and Fisheries finds that the results of the plant growth test provided in a written application are trustworthy after having had the Center test the effectiveness of the provisionally registered fertilizer on plants, the minister must establish official specifications pursuant to the provisions of Article 3 without delay, and must register the fertilizer.

- (2) The provisions of paragraph (2) of Article 7 apply *mutatis mutandis* to the fertilizer effectiveness test referred to in the preceding paragraph.
- (3) If the Minister of Agriculture, Forestry and Fisheries finds the results of the plant growth test provided in a written application are not trustworthy as a result of the testing referred to in paragraph (1), the Minister must revoke the provisional registration of the fertilizer, even if the provisional registration is currently valid.
- (4) A person who has had their provisional registration revoked pursuant to the provisions of the preceding paragraph must return the provisional registration certificate to the Minister of Agriculture, Forestry and Fisheries without delay.

(Registration Certificate and Provisional Registration Certificate)

Article 10 When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor registers or provisionally registers a fertilizer, the minister or the governor must issue a registration certificate or provisional registration certificate providing the following particulars to the person whose fertilizer is registered or provisionally registered:

- (i) the registration number and registration date (or the provisional registration number and provisional registration date, if the application for provisional registration is filed);
- (ii) the registration expiration date or provisional registration expiration date;
- (iii) the name and the address of the applicant;
- (iv) the type and name of the fertilizer (or the name of the fertilizer, if an application for provisional registration is filed);

- (v) the guaranteed amount of components and other specifications;
- (vi) the list of applicable plants, if the application for registration certificate for the specified general-purpose fertilizer is filed;
- (vii) the application method, if the application for registration certificate is filed for a specified general-purpose fertilizer applied to the agricultural product which is included in the list of applicable plants.

Article 11 A person whose fertilizer has been registered or provisionally registered must keep the registration certificate or provisional registration certificate in the principal office and a manufacturer must keep a copy thereof in the place of business where the fertilizer is produced.

(Valid Period of Registration and Provisional Registration)

Article 12 (1) The valid period of registration of a fertilizer is three years (or six years, in the case of a general-purpose fertilizer whose type is specified by Order of the Ministry of Agriculture, Forestry and Fisheries) and the valid period of provisional registration thereof is one year.

- (2) The valid period of registration of fertilizer referred to in the preceding paragraph may be renewed by filing an application; provided, however, that this does not apply to a general-purpose fertilizer that no longer meets the official specifications due to a change in the specifications or to a general-purpose fertilizer for which official specifications of the relevant type thereof do not exist due to the discontinuation of the official specifications.
- (3) The valid period of provisional registration referred to in paragraph (1) may be renewed by filing an application, only if the effectiveness of the fertilizer cannot be determined based on the fertilizer effectiveness test referred to in paragraph (1) of Article 9 during the valid period thereof.
- (4) A person who intends to renew their registration or provisional registration must submit a written application providing the particulars set forth in items (i) through (v) and item (xi) of paragraph (1) of Article 6, along with the registration certificate or provisional registration certificate, to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor according to the procedure specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (5) A person who intends to renew the registration or provisional registration by the Minister of Agriculture, Forestry and Fisheries must pay the amount of fee specified by Cabinet Order in consideration of the actual costs to examine the application.

(Obligation of Persons for Whom Fertilizers Have Been Registered or Provisionally Registered to Notify Changes)

Article 13 (1) If any of the following particulars changes, the person for whom a fertilizer has been registered or provisionally registered must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of the particular that has changed and the date of the change according to the procedures prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries within two weeks from that date, and if the particular that has changed is the particular provided in the registration certificate or the provisional registration certificate, the person must apply for a revised registration or provisional registration certificate:

- (i) the name or address of the person (or in the case of a juridical person; their name, the name of the representative, or the location of principal office);
 - (ii) the name or location of the place of business where the fertilizer is produced, if the person is the manufacturer;
 - (iii) the location of the facility where the fertilizer is stored;
- (2) A person who is a successor to the person for whom a fertilizer has been registered or provisionally registered, by inheritance or in the merger or splitting of a juridical person, must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this in accordance with the procedures prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries, within two weeks from that date, and apply for a revised registration certificate or provisional registration certificate (a person who has inherited a general-purpose fertilizer manufacturing business or a part of the business importing general-purpose fertilizers due to the split-up of a juridical person must apply for the relevant registration or provisional registration certificate).
- (3) A person who has lost their registration certificate or provisional registration certificate or damaged/soiled them must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this according to the procedures prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries, and apply for replacement thereof.
- (4) If a manufacturer or importer whose general-purpose fertilizer has been registered or provisionally registered intends to change the name thereof, the manufacturer or importer must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this according to the procedures prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries and apply for a revised registration certificate or provisional registration certificate.

(Filing Applications for Registration or Provisional Registration of Changes in the List of Applicable Plants)

Article 13-2 (1) A person for whom a specified general-purpose fertilizer has been registered or provisionally registered may file an application for register

or provisionally register the change, if it is necessary to change the list of applicable plants or the application method related to the registration or provisional registration, by submitting a written application providing the particulars prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries, the registration certificate or provisional registration certificate, and the specified general-purpose fertilizer sample to the Minister of Agriculture, Forestry and Fisheries.

- (2) When the Minister of Agriculture, Forestry and Fisheries receives a written application pursuant to the provisions of the preceding paragraph, the minister must have the Center examine the particulars provided in the written application and the specified general-purpose fertilizer sample, and as a result of the examination, if the specified general-purpose fertilizer will be applied to the plants included in the list of applicable plants according to the list of applicable plants and the application method related to the application, the minister must register or provisionally register the change without delay and issue a revised registration certificate or provisional registration certificate, unless it is apparent that an agricultural product that may cause harm to humans or animals could be produced.
- (3) The provisions of paragraph (2) of Article 6 apply mutatis mutandis to a person who applies for the registration or provisional registration of a change pursuant to the provisions of paragraph (1), and the provisions of paragraph (2) of Article 7 apply mutatis mutandis to the examination referred to in the preceding paragraph, and the provisions of paragraph (3) of Article 7 apply mutatis mutandis to the registration or provisional registration of a change pursuant to the provisions of the preceding paragraph.

(Registration or Provisional Registration of Changes in Application Methods and Revocation of Registration or Provisional Registration by Virtue of the Authority)

- Article 13-3 (1) When a registered or provisionally registered specified general-purpose fertilizer is applied in accordance with the list of applicable plants and the application method related to the registration or provisional registration, and if an agricultural product that may cause harm to humans or animals could be produced, the Minister of Agriculture, Forestry and Fisheries may register or provisionally register a change in the application method related to the registration or provisional registration or may revoke the registration or provisional registration of the specific general-purpose fertilizer, if it is necessary to prevent this situation from occurring.
- (2) The provisions of paragraph (3) of Article 7 apply mutatis mutandis to the registration or provisional registration of a change or the revocation of registration or provisional registration pursuant to the provisions of the

preceding paragraph.

- (3) When the Minister of Agriculture, Forestry and Fisheries registers or provisionally registers a change or revokes a registration or provisional registration pursuant to the provisions of paragraph (1), the Minister must notify the party against which the disposition is imposed of this and of the reasons therefor without delay, and if a change has been registered or provisionally registered, the Minister must issue a registration certificate or provisional registration certificate providing the application method that has been changed.

(Expiration of Registration or Provisional Registration)

Article 14 If the registration or provisional registration falls under any of the following items, it expires:

- (i) if the juridical person whose fertilizer has been registered or provisionally registered has dissolved, and the liquidation process has completed;
- (ii) if the person for whom a fertilizer has been registered or provisionally registered discontinues their fertilizer manufacturing business or business importing the fertilizer;
- (iii) if a manufacturer registered by the prefectural governor relocates the place of business where the fertilizer is produced to another prefecture;
- (iv) if the guaranteed amount of components of the fertilizer or any other specification provided in the registration certificate or provisional registration certificate has changed;
- (v) when the fertilizer is newly classified as a specified general-purpose fertilizer, due to the amendment to a Cabinet Order pursuant to the provisions of item (iv) of paragraph (1) of Article 4.

(Notification of Expiration of Registration or Provisional Registration)

- Article 15 (1) When the valid period of registration or provisional registration has expired or a registration or provisional registration has expired pursuant to the provisions of the preceding Article (excluding item (v)), the person whose fertilizer had been registered or provisionally registered (or the liquidator in a case referred to in item (i) of that Article) must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of the reason for the expiration and the expiration date without delay, together with the registration certificate or provisional registration certificate.
- (2) In the cases referred to in the following items, the person specified in the relevant item must return the registration certificate or provisional registration certificate (or if the person falls under item (i), the registration certificate or provisional registration certificate providing the application method before it has been changed) to the Minister of Agriculture, Forestry

and Fisheries or a prefectural governor without delay:

- (i) if a change has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 13-3: the person for whom the change in the application method has been registered or provisionally registered;
- (ii) if the registration or provisional registration is revoked pursuant to the provisions of paragraph (1) of Article 13-3: the person for whom the registration or provisional registration of revocation has been registered;
- (iii) if a registration or provisional registration expires pursuant to the provisions of item (v) of the preceding Article: the person for whom the registration or provisional registration of expiration has been registered.

(Public notice of a registration or provisional registration)

Article 16 (1) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor registers or provisionally registers a fertilizer, renews the valid period of registration or provisional registration, revokes the provisional registration pursuant to the provisions of paragraph (3) of Article 9, revokes the registration or provisional registration pursuant to the provisions of paragraph (1) of Article 13-3 or paragraphs (1) through (3) of Article 31, or when the registration or provisional registration expires pursuant to the provisions of Article 14, the minister or governor must publicize the following particulars:

- (i) the registration number or provisional registration number;
 - (ii) the type and name of the fertilizer (or the name of the fertilizer, in case of provisional registration);
 - (iii) the guaranteed amount of components and other specifications;
 - (iv) the list of applicable plants, in case of the specified general-purpose fertilizer;
 - (v) the application method, in case of the specified general-purpose fertilizer whose list of applicable plants includes the agricultural product;
 - (vi) the name and address of the manufacturer or importer.
- (2) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor receives notice of change in the name of a fertilizer referred to in item (ii) of the preceding paragraph or in the particulars referred to in item (vi) of that paragraph pursuant to the provisions of paragraph (1) or (4) of Article 13, the minister or the governor must publicize the particulars that have been changed.
- (3) When the Minister of Agriculture, Forestry and Fisheries registers or provisionally registers a change pursuant to the provisions of paragraph (2) of Article 13-2 or paragraph (1) of Article 13-3, the minister must publicize the particulars that have been changed.
- (4) A prefectural governor must notify the Minister of Agriculture, Forestry and

Fisheries and all other prefectural governors of the particulars publicized by the governor immediately.

(Notification by Manufacturer and Importer of Designated Blended Fertilizers)

- Article 16-2 (1) An importer of a designated blended fertilizer and a manufacturer of a designated blended fertilizer made by blending one or more types of general-purpose fertilizers referred to in item (i) or (ii) of paragraph (1) of Article 4 as the raw material must notify the Minister of Agriculture, Forestry and Fisheries, and other manufacturers thereof must notify the prefectural governor who has jurisdiction over the location of the place of business where the designated blended fertilizer is produced, of the following particulars, at least two weeks before the manufacturer or importer of the designated blended fertilizers start their business:
- (i) the name and address of the person (or in the case of a juridical person, its name, the name of its representative, and the location of its principal office);
 - (ii) the name of the fertilizer;
 - (iii) the name and location of the place of business where the fertilizer is produced, if the person is a manufacturer;
 - (iv) the location of the facility where the fertilizer is stored.
- (2) If the agricultural cooperative, etc. is the manufacturer of a designated blended fertilizer made by blending one or more types of general-purpose fertilizers referred to in item (i) or (ii) of paragraph (1) of Article 4 as the raw material, the manufacturer must notify the prefectural governor who has jurisdiction over the location of the place of business where the fertilizer is produced, of the particulars set forth in the respective items of that paragraph, notwithstanding the provisions of the preceding paragraph.
- (3) If any of the particulars to be notified referred to in paragraph (1) has changed, the manufacturer or importer of the designated blended fertilizer must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this within two weeks from the date on which the change occurred. The same applies when the manufacturer or importer discontinues their business.

(Written Guarantee by Manufacturers and Written Guarantee by Importers)

- Article 17 (1) When a manufacturer or importer produces or imports a general-purpose fertilizer, a written guarantee by manufacturer or a written guarantee by importer including the following particulars must be applied on the container of the fertilizer or package thereof (or applied to each fertilizer to be shipped or a fertilizer in bulk or in bags, if a container or package of fertilizer is not used, the same applies hereinafter) without delay, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries. The

same applies if the written guarantee has been lost or the particulars included therein is totally illegible during the time when the fertilizer is being possessed or managed by the manufacturer or importer themselves; provided, however, that this does not apply if the importer imports a general-purpose fertilizer which has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2:

- (i) the characters "written guarantee by manufacturer" or "written guarantee by importer";
 - (ii) the type and name of the fertilizer (or the name of the fertilizer, in the case of provisional registration thereof or the designated blended fertilizer);
 - (iii) the guaranteed amount of components (or the amount of main components by type specified by the Minister of Agriculture, Forestry and Fisheries, in the case of general-purpose fertilizer set forth in items (iii) and (v) of paragraph (1) of Article 4)
 - (iv) the name and address of the manufacturer or importer;
 - (v) the year and month of manufacture or import;
 - (vi) the name and location of the place of business where the fertilizer was produced, in the case of a manufacturer;
 - (vii) the net weight;
 - (viii) the registration number or provisional registration number, if the fertilizer is not a designated blended fertilizer;
 - (ix) the list of applicable plants and application method for which the fertilizer has been registered or provisionally registered, if the certificate is for a specified normal fertilizer;
 - (x) if a foreign substance was mixed into the fertilizer pursuant to the provisions of the proviso to Article 25, the name of the foreign substance and the mixing ratio;
 - (xi) in the case of the fertilizer that has been provisionally registered or the designated blended fertilizer, a statement to that effect;
 - (xii) other particulars prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (2) An importer of a general-purpose fertilizer which has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2, a written guarantee by importer including the following particulars must be affixed on the container or package of the fertilizer without delay, pursuant to Order of the Ministry of Agriculture, Forestry and Fisheries, if the importer opens or changes the container or package of the fertilizer or puts a fertilizer without a container or package into a container or package. The same applies if an importer imports a fertilizer on which a written guarantee by manufacturer is not affixed or the fertilizer whose particulars included therein are illegible, or if the written guarantee by manufacture has been lost or the particulars

included therein are illegible during the time when the imported fertilizer is being possessed or managed by the importer themselves:

- (i) the characters "written guarantee by importer";
 - (ii) the name and address of the importer;
 - (iii) the year and month of import;
 - (iv) the particulars set forth in items (ii) and (iii), items (vii) through (x) and item (xii) of the preceding Article;
 - (v) the name and address of the manufacturer;
 - (vi) the year and month of manufacture;
 - (vii) the name and location of the place of business where the fertilizer was produced;
 - (viii) a statement that the fertilizer is a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2.
- (3) The particulars referred to in items (v) through (vii) of the preceding paragraph and other particulars prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries need not be provided in a written guarantee by importer referred to in that paragraph, if the importer referred to in that paragraph does not know the particulars.

(Sellers' assurance labels)

Article 18 (1) If a seller opens or changes the container or package of a general-purpose fertilizer or puts a general-purpose fertilizer without a container or packaging into a container or package, the seller must apply a written guarantee by seller including the following particulars, on the container or package of the fertilizer without delay, as prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries. The same applies if the seller receives a general-purpose fertilizer on which a written guarantee by manufacturer, a written guarantee by importer, or a written guarantee by seller (hereinafter referred to as a "written guarantee") is not affixed or if the particulars included therein are illegible, or if a written guarantee has been lost or the particulars included therein are illegible during the time when the general-purpose fertilizer is being possessed or managed by the seller themselves.

- (i) the characters "written guarantee by seller";
- (ii) the name and address of the seller;
- (iii) the particulars set forth in items (ii) and (iii), items (v) through (vii) and items (ix) thorough (xii) of the preceding Article;
- (iv) the year and month in which the written guarantee by seller is affixed;
- (v) the name and address of the manufacturer or importer (or the person who produced the fertilizer, in the case of a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of

- paragraph (1) of Article 33-2);
- (vi) in case of a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2, a statement to that effect.
- (2) The particulars referred to in items (v) and (vi) of paragraph (1) of the preceding Article and in item (v) of the preceding paragraph and other particulars prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries need not be provided in a written guarantee by seller referred to in that paragraph, if the seller does not know the particulars.

(Restriction or Prohibition on Distributing Fertilizers to Others)

- Article 19 (1) No manufacturer, importer, or seller may distribute a general-purpose fertilizer (except for a designated blended fertilizer) to others unless the general-purpose fertilizer has been registered or provisionally registered and a written guarantee is affixed to it, nor may a manufacturer, importer, or seller distribute a designated blended fertilizer unless a written guarantee is affixed to it.
- (2) Notwithstanding the provisions of the preceding paragraph, a manufacturer, importer, or seller may distribute a general-purpose fertilizer to others if the manufacturer, importer, or seller has obtain the permission from the Minister of Agriculture, Forestry and Fisheries or the prefectural governor, pursuant to the provisions of an order, if the fertilizer no longer meets the specifications provided in the registration certificate or provisional registration certificate due to a natural disaster, and if a compelling reason specified by Order of the Ministry of Agriculture, Forestry and Fisheries has occurred.
- (3) If a change in the application method related to registration or provisional registration or the registration or provisional registration has been revoked pursuant to the provisions of paragraph (1) of Article 13-3 (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2) or in any other case, if it is necessary to prevent a situation in which an agricultural product that may cause harm to humans or animals could be produced by applying the specified general-purpose fertilizer to it, the Minister of Agriculture, Forestry and Fisheries may inform a manufacturer, importer, or seller that they are not allowed to distribute or deliver a specified general-purpose fertilizer unless the details of the written guarantee are changed, and the minister may restrict the manufacturer, importer or seller from distributing or delivering the fertilizer, or prohibit them from distributing or delivering the fertilizer.

(Restriction on Particulars Provided in Written Guarantees)

- Article 20 A written guarantee must not include particulars other than those set forth in the items of paragraph (1) or (2) of Article 17 or the items of paragraph

(1) of Article 18 or any false information, and a trademark and a trade name, and a written guarantee by manufacture or a written guarantee by importer must not include particulars other than the shipping number and shipping date, and must not include any false information.

(Order to Indicate Fertilizer Application Caution Sign)

Article 21 If the Minister of Agriculture, Forestry and Fisheries or the prefectural governor may order the manufacturer or importer of a general-purpose fertilizer that has been registered or provisionally registered or those of a designated blended fertilizer of which notification has been accepted by the minister or the prefectural governor, to indicate a caution sign for the fertilizer to apply or store, or blending ratio of raw materials, and any particulars necessary to clearly specify the quality and effectiveness, on the container or package of the fertilizer.

(Restriction on Fertilizer Application)

Article 21-2 A person applying a fertilizer may not apply any specified general-purpose fertilizer unless a written guarantee is affixed to it (except a specified general-purpose fertilizer if of which distribution or delivery is prohibited pursuant to the provisions of paragraph (3) of Article 19); provided, however, that this does not apply if the specified general-purpose fertilizer is applied for testing and research purposes and in other cases prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Restrictions on Application of Specified General-purpose Fertilizers)

Article 21-3 (1) When the specified general-purpose fertilizer is established pursuant to the provisions of item (iv) of paragraph (1) of Article 4, the Ministry of Agriculture, Forestry and Fisheries must specify the time to apply, method to apply the specified general-purpose fertilizer and establish the standards for each type of specified general-purpose fertilizer, by issuing Order of the Ministry of Agriculture, Forestry and Fisheries, which must be complied with by the person who applies the specified general purpose-fertilizer.

(2) The Minister of Agriculture, Forestry and Fisheries may change the standards referred to in the preceding paragraph if the minister finds it necessary.

(3) A specified general-purpose fertilizer must not be applied in violation of the standards referred to in paragraph (1) (or if the standards have been changed pursuant to the provisions of the preceding paragraph, the revised standards).

(4) If the Minister of Agriculture, Forestry and Fisheries intends to enact, amend, or repeal the Order of the Ministry of Agriculture, Forestry and Fisheries referred to in paragraph (1), the minister must hear the opinions of the

Minister of Health, Labour and Welfare and the Minister of the Environment before doing so.

(Notification by Manufacturer or Importer of Special-purpose Fertilizers)

Article 22 (1) A manufacturer or importer of a special fertilizer must notify the prefectural governor who has jurisdiction over the location of the place of business where the fertilizer is produced or the place where it is imported of the following particulars by two weeks prior to the start of business:

- (i) the person's name and address (or for a juridical person, its name, the name of its representative, and the location of its principal office);
- (ii) the name of the fertilizer;
- (iii) the name and location of the place of business where the fertilizer is produced, in case of a manufacturer;
- (iv) the location of the facility where the fertilizer is stored.

(2) When any of the particular to be notified referred to in the preceding paragraph has changed, the manufacturer or importer of the special-purpose fertilizer must notify the relevant prefectural governor of this no later than two weeks from the date on which the change occurred. The same applies when the manufacturer or importer discontinues the business.

(Labeling Standards for Special-purpose Fertilizers)

Article 22-2 (1) The Minister of Agriculture, Forestry and Fisheries is to prescribe the particulars of labeling standards regarding the following particulars, for each type of special-purpose fertilizer prescribed by Cabinet Order as those for which proper labeling of fertilizer quality needs to be enforced, due to the fact that it is very difficult for consumers to discern the quality when purchasing the special-purpose fertilizer and it is particularly necessary for the consumers to discern the quality for the purpose of fertilizer application, and is to issue public notice of particulars concerning the labeling standards:

- (i) the amount of the main components, raw materials, and other particulars concerning the quality that must be indicated;
- (ii) the method of labeling and other particulars which must be complied with by a manufacturer, importer, or seller when indicating the particulars set forth in the preceding item.

(2) A prefectural governor may suggest that the Minister of Agriculture, Forestry and Fisheries should prescribe the details of requirements that should be used as the labeling standard referred to in the preceding paragraph, by providing the types of special-purpose fertilizers.

(Instructions)

Article 22-3 (1) If any of the manufacturers, importers, or sellers does not indicate the particulars set forth in item (i) of paragraph (1) of the preceding Article which was publicized pursuant to the provisions of that paragraph (hereinafter referred to as the "particulars to be indicated") or does not comply with the requirements referred to in item (ii) of that paragraph that have been publicized pursuant to the provisions of that paragraph (hereinafter referred to as the "particulars to be followed"), the Minister of Agriculture, Forestry and Fisheries may provide the details of requirements to the manufacturer, importer, or seller, or provide instructions for them to comply with the requirements to be followed.

(2) If any of the manufacturer, importer, or seller does not comply with the instructions referred to in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries publicize the fact.

(Notification of Sale of Fertilizers)

Article 23 (1) A manufacturer, importer, or seller must notify the prefectural governor who has jurisdiction over the location of its place of business of the following particulars for each place of business that sells fertilizer, no later than two weeks from the date on which the place of business started to sell fertilizer:

(i) the name and address of the manufacturer, importer or seller (or in case of a juridical person, its name, the name of its representative, and the location of its principal office);

(ii) the location of the place of business that sells fertilizer;

(iii) the location of storage facility that is located in the prefectural area.

(2) If any of the particulars to be notified referred to in the preceding paragraph has changed, the manufacturer, importer, or seller must notify the relevant prefectural governor of this within two weeks from the date on which the change has occurred. The same applies if the manufacturer, importer, or seller discontinues the sale of fertilizer.

(Prohibition of Unauthorized Use of Written Guarantee)

Article 24 (1) It is prohibited for any person to counterfeit, alter, or improperly use a written guarantee, or to affix a forged or altered written guarantee or any thing similar to a written guarantee which is likely to mislead consumer, to a fertilizer sold by the person or to its container or package.

(2) It is prohibited for any person to use a container or package labeled with the name, trademark, or trade name of any other manufacturer, importer, or seller, or labeled with the name or components of any other fertilizer, as the container or package of a fertilizer sold by the person, unless the indications are erased.

(Prohibition of Mixing Foreign Substances into Fertilizers)

Article 25 A manufacturer, importer, or seller must not mix any foreign substance into a fertilizer produced, imported, or sold by them, that may result in reduced quality of the fertilizer; provided, however, that this does not apply if the manufacturer of a general-purpose fertilizer of which type is specified by Cabinet Order mixes an agricultural chemical or any other substance specified by the official specifications into a general-purpose fertilizer, according to the official specifications.

(Prohibition of False Advertising)

Article 26 (1) A manufacturer, importer, or seller must not falsely advertise the amount of main components, or the effectiveness of a fertilizer produced, imported, or sold by them.

(2) A manufacturer, importer, or seller must not use a name that is likely to mislead consumer about the components or effectiveness of a fertilizer produced, imported, or sold by them.

(Maintenance of Books of Accounts)

Article 27 (1) The manufacturer of a fertilizer must maintain the books of accounts at each place of business that produces fertilizer, and must include the name and quantity of fertilizer in the books of accounts each day, when it is produced.

(2) The manufacturer, importer, or seller of a fertilizer must maintain the books of accounts at each place of business at which the fertilizer is produced, imported, or sold, and the name and quantity of the fertilizer, the date, and the name of the other party must be entered in the books of accounts each time the manufacturer, importer or seller purchases or imports or sells the fertilizer to any other manufacturer, importer, or seller.

(3) The books of accounts referred to in the preceding two paragraphs must be preserved for two years.

Article 28 Deleted

(Collection of Reports)

Article 29 (1) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor finds it necessary to achieve the purpose of this Act, the minister or the prefectural governor may collect a report on the business or the application of fertilizers from a manufacturer, importer, transport service provider, forwarding agent, or warehousing service providers of fertilizers, or from a person who applies the fertilizer.

- (2) The Minister of Agriculture, Forestry and Fisheries may collect a report on the business from a seller to the extent necessary for the enforcement of the provisions of paragraph (3) of Article 19, Article 22-3 and paragraph (4) of Article 31 or Article 31-2.
- (3) A prefectural governor may collect a report on the business from a seller if the governor finds it necessary to achieve the purpose of this Act.
- (4) When the prefectural governor collects a report under the provisions of paragraph (1) or the preceding paragraph and it is apparent that a manufacturer, importer, or seller fails to indicate the particulars to be indicated or fails to comply with the requirements to be followed, or that a manufacturer, importer, or seller has distributed or delivered the fertilizers in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of Article 31, the prefectural governor must report this to the Minister of Agriculture, Forestry and Fisheries.

(On-site Inspections)

Article 30 (1) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor finds it necessary to regulate fertilizers, the minister or the prefectural governor may have their officials enter the place of work, warehouse, vehicle, farm, or any other place related to the service to store the fertilizer or where the fertilizer is applied, of the manufacturer, importer, transport service provider, forwarding agent, or warehousing service provider, or a person who applies the fertilizer, and have them inspect the fertilizer, its raw materials, or books of accounts and documents and other necessary items related to the conditions of business or the application of the fertilizer, or question the relevant persons, or may have the officials take a sample of the fertilizer or its raw materials without any charge, but only the minimum amount needed for an analysis.

- (2) The Minister of Agriculture, Forestry and Fisheries may have their officials enter a place of work, warehouse, or any other place of the seller, inspect the books of accounts and documents related to the fertilizer or the business (including electronic or magnetic records (meaning records used in computer data processing which are prepared in an electronic form, magnetic form, or any other form that cannot be perceived by human senses) if electronic or magnetic records have been prepared, maintained, and preserved instead of books of accounts and documents); the same applies in paragraphs (1) and (2) of Article 33-3 and item (vi) of paragraph (1) of Article 33 of the following paragraph), or question the relevant persons, to the extent necessary for the enforcement of the provisions of paragraph (3) of Article 19, Article 22-3, paragraph (4) of Article 31 or Article 31-2.
- (3) If a prefectural governor finds it necessary to regulate a fertilizer, the

prefectural governor may have their officials enter a place of work, warehouse of the seller, or any other place related to the sale of the fertilizer, inspect the books of accounts and documents related to the fertilizer or the business, or question the relevant persons, and may have the officials take a sample of the fertilizer without charge, but only the minimum amount needed for an analysis.

- (4) If an on-site inspection or questioning has been carried out pursuant to the provisions of paragraph (1) or the preceding paragraph, and it is apparent that a manufacturer, importer, or seller fails to indicate the particulars to be indicated or fails to comply with the particulars to be followed, or that a manufacturer, importer, or seller distributes or delivers fertilizers in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of Article 31, the relevant prefectural governor must report this to the Minister of Agriculture, Forestry and Fisheries.
- (5) The authority for on-site inspections, questioning, and sample taking under the provisions of paragraphs (1) through (3) may not be interpreted as having been granted for the purpose of criminal investigation.
- (6) In the cases referred to in paragraphs (1) through (3), an official of the Ministry of Agriculture, Forestry and Fisheries or prefecture who performs the duties must carry an identification card and present it when the official is requested to do so by the relevant persons.
- (7) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor has had their official taken a sample of fertilizer or its raw materials pursuant to the provisions of paragraph (1) or (3), a summary of the analysis results of the fertilizer or raw materials are publicized in a newspaper or by other means.

(On-site inspections by the Center)

- Article 30-2 (1) If the Minister of Agriculture, Forestry and Fisheries finds it necessary in a case referred to in paragraph (1) or (2) of the preceding Article, the minister may have the Center enter the place of work, warehouse, vehicle, farm, or any other place related to the manufacture, import or sale of a fertilizer or place related to the service to store the fertilizer or where the fertilizer is applied, of the person or a seller specified in paragraph (1) of that Article, and have the Center analyze the fertilizer, its raw materials, or inspect the books of accounts and documents and other necessary items related to the conditions of business and the application of the fertilizer, or question the relevant persons, or may have the Center take a sample of a fertilizer or its raw materials without charge, but only the minimum amount needed for analysis.
- (2) If the Minister of Agriculture, Forestry and Fisheries has the Center carry out an on-site inspection, questioning, or taking a sample of a fertilizer

(hereinafter referred to as "on-site inspection, etc.") pursuant to the provisions of the preceding paragraph, the minister is to provide the date, place, and other necessary particulars regarding the on-site inspection, etc. and give instruction to the Center to implement the on-site inspection.

- (3) When the Center carries out an on-site inspection, etc. referred to in paragraph (1) in accordance with the instructions referred to in the preceding paragraph, the Center must report the results to the Minister of Agriculture, Forestry and Fisheries as provided for by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (4) The provisions of paragraphs (5) and (6) of the preceding Article apply *mutatis mutandis* to an on-site inspection, etc. under the provisions of paragraph (1), and the provisions of paragraph (7) of that Article apply *mutatis mutandis* to taking a sample of a fertilizer under the provisions of paragraph (1).

(Administrative Dispositions)

Article 31 (1) If the manufacturer or importer of a general-purpose fertilizer that has been registered or provisionally registered by the Minister of Agriculture, Forestry and Fisheries or the manufacturer or importer of a designated blended fertilizer related to the notification, violates the provisions of this Act or an order under this Act, the minister may restrict or prohibit the person from distributing or delivering the fertilizer or may revoke the registration or provisional registration of the fertilizer.

- (2) If a seller related to the notification, the manufacture of a general-purpose fertilizer registered or a designated blended fertilizer related to the notification, or the manufacturer or importer of a special-purpose fertilizer related to the notification, violates the provisions of this Act or an order under this Act (excluding when the person fails to indicate the particular to be indicated or fails to comply with the particulars that must be followed), the prefectural governor may restrict or prohibit the person from distributing or delivering the fertilizer, or may revoke the registration of the fertilizer.
- (3) If it is apparent that a registered or provisionally-registered general-purpose fertilizer, a designated blended fertilizer, or a special-purpose fertilizer cause harm to plants when applied according to the normal application method, the Minister of Agriculture, Forestry and Fisheries may restrict or prohibit the manufacturer or importer of a fertilizer specified in paragraph (1) from distributing or delivering the fertilizer or may revoke the registered or provisional registered fertilizer, and the prefectural governor may restrict or prohibit the manufacturer, importer, or seller of a fertilizer specified in the preceding paragraph from distributing or delivering the fertilizer or may revoke the registered or provisional registered fertilizer, if it is necessary to

prevent the harm from occurring.

- (4) If the quality of a fertilizer is turned out to be poor as a result of the analysis conducted by the Center according to the inspection method specified by the Minister of Agriculture, Forestry and Fisheries, the Minister may restrict or prohibit the distribution, delivery or application of the fertilizer, if it is necessary to prevent such a situation from occurring.
- (5) If a seller is selling a fertilizer that is apparently harmful to plants because a foreign substance was mixed into it in violation of the provisions of Article 25 or is selling a fertilizer that is apparently harmful to plants when applied according to the normal application method, the Minister of Agriculture, Forestry and Fisheries may give instructions to the prefectural governor who has jurisdiction over the place of business that the governor should implement a disposition against the seller under the provisions of paragraphs (2) and (3), if it is necessary to prevent the wide spread of the harm.
- (6) A person whose registered or provisionally registered fertilizer has been revoked pursuant to the provisions of paragraphs (1) through (3) must return the registration certificate or provisional registration certificate to the Minister of Agriculture, Forestry and Fisheries or to the prefectural governor without delay.
- (7) If a disposition referred to in paragraphs (1) through (4) is implemented (excluding the revocation of a registration or provisional registration), the Minister of Agriculture, Forestry and Fisheries must promptly notify all prefectural governors of this, if it is implemented by the minister, and the governor must promptly notify the Minister of Agriculture, Forestry and Fisheries and all other prefectural governors of this, if it is implemented by the governor.

(Order to Recall Fertilizer)

Article 31-2 If a manufacturer, importer, or seller distributes or delivers a fertilizer in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of the preceding Article, and it is necessary to prevent the situation in which an agricultural product could be produced that may cause harm to humans or animals due to the fertilizer application, the Minister of Agriculture, Forestry and Fisheries may order the person to recall the fertilizer and to take any other necessary measures.

(Restrictions on Registration and Provisional Registration)

Article 32 A person whose registered or provisionally registered fertilizer has been revoked pursuant to the provisions of paragraphs (1) through (3) of Article 31 may not apply for registration or provisional registration of the general-purpose fertilizer for the second time during the one-year period after

the revocation date.

(Special Provisions for Hearings)

Article 33 (1) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor intends to register or provisionally register a change pursuant to the provisions of paragraph (1) of Article 13-3, to restrict or prohibit the distribution or delivery of a fertilizer pursuant to the provisions of paragraph (3) of Article 31, or to implement a disposition so that the minister or prefectural governor may restrict or prohibit the distribution, delivery, or application of a fertilizer under the provisions of paragraph (4) of Article 31, the minister or prefectural governor must conduct a hearing, regardless of the categories of procedures for statement of opinions under the provisions of paragraph (1) of Article 13 of the Administrative Procedure Act (Act No. 88 of 1993).

(2) The proceedings on the hearing date for the revocation of registration or provisional registration under the provisions of paragraph (3) of Article 9, paragraph (1) of Article 13-3 or the provisions of paragraphs (1) through (3) of Article 31, for registration or provisional registration of a change under the provisions of paragraph (1) of Article 13-3, for the restriction or prohibition of the distribution or delivery of a fertilizer under the provisions of paragraph (3) of Article 31, or for a disposition implemented to restrict or prohibit the distribution, delivery, or application of a fertilizer under the provisions of paragraph (4) of that Article must be open to the public.

(Registration and Provisional Registration of Fertilizers Produced Overseas)

Article 33-2 (1) A person who, in the course of trade, produces a general-purpose fertilizer in a foreign country exported to Japan (excluding a designated blended fertilizer) may have the each general-purpose fertilizer brand registered by the Minister of Agriculture, Forestry and Fisheries for which official specifications have been established or may have each general-purpose fertilizer brand for which official specifications have not been established provisionally registered by the Minister of Agriculture, Forestry and Fisheries .

(2) A person who intends to register or provisionally register a fertilizer pursuant to the provisions of the preceding paragraph, when applying for the registration or provisional registration, must appoint a person who takes necessary measures to prevent the distribution of poor-quality fertilizers in Japan, from among persons whose address is registered in Japan (including the representative of the office of a foreign juridical person having the office in Japan).

(3) If the person whose fertilizer has been registered or provisionally registered pursuant to the provisions of paragraph (1) (hereinafter referred to as a

"registered foreign manufacturer") changes the person appointed pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "domestic administrator"), or the name or address of the domestic administrator has changed, a person must notify the Minister of Agriculture, Forestry and Fisheries of this in accordance with the procedures prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries within thirty days from the relevant date.

- (4) A registered foreign manufacturer must maintain the books of accounts at each place of business that produces or sells fertilizer, and must enter the name and quantity of general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) therein, each day they produce the general-purpose fertilizer to export from their country to Japan, and must enter the name and quantity of the fertilizer, the date, and the name of the other party therein each time they sell the fertilizer, and must inform the domestic administrator of the particulars entered in the books of accounts which must be preserved for two years.
- (5) A domestic administrator must maintain the books of accounts at their domicile or principal office, and enter the particulars therein which they have been informed of pursuant to the provisions of the preceding paragraph, and preserve the books for two years.
- (6) The provisions of Articles 6 through 8, paragraphs (1) through (3) of Article 9, Article 10, Article 12, Article 14 (excluding item (iii)), and paragraphs (1) through (3) of Article 16 apply mutatis mutandis to registration or provisional registration under the provisions of paragraph (1); the provisions of paragraph (4) of Article 9, Articles 11, 13, 13-2, and 15, paragraph (1) of Article 17 (excluding the proviso), Articles 20, 21, and 25 apply mutatis mutandis to a registered foreign manufacturer; the provisions of Article 13-3 apply mutatis mutandis to specified general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1); the provisions of Article 26 apply mutatis mutandis to a registered foreign manufacturer and their domestic administrator; and the provisions of paragraph (1) of Article 29 apply mutatis mutandis to a domestic administrator. In this case, the phrase the "Minister of Agriculture, Forestry and Fisheries or a prefectural governor" in these provisions is deemed to be replaced with the "Minister of Agriculture, Forestry and Fisheries"; the phrase the "name and address" in item (i) of paragraph (1) of Article 6 is deemed to be replaced with the "name and address of the person intending to file an application for registration or provisional registration under the provisions of paragraph (1) of Article 33-2 and the name and address of the person appointed by the person pursuant to the provisions of paragraph (2) of that Article"; the phrase a "manufacturer that produces" in item (iv) of that paragraph is deemed to be

replaced with "that produces"; the phrase a "copy thereof in case of a manufacturer" in Article 11 is deemed to be replaced with "a copy thereof"; the phrase "two weeks" in paragraph (1) of Article 13 is deemed to be replaced with "thirty days"; the phrase a "manufacturer that produces" in item (ii) of that paragraph is deemed to be replaced with "that produces"; the phrase "two weeks" in paragraph (2) of that Article is deemed to be replaced with "thirty days"; the phrase "manufactuer or import" in item (ii) of Article 14 is deemed to be replaced with "manufacture"; the phrase "paragraphs (1) through (3) of Article 31" in paragraph (1) of Article 16 is deemed to be replaced with "paragraph (1) of Article 33-5"; the phrase a "manufacturer or importer" in item (vi) of that paragraph is deemed to be replaced with "person whose fertilizer has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 and the person appointed by the person pursuant to the provisions of paragraph (2) of that Article"; the phrase "paragraph (1) or (4) of Article 13" in paragraph (2) of that Article is deemed to be replaced with "paragraph (1) or (4) of Article 13 or paragraph (3) of Article 33-2"; the phrases "has produced or imported a general-purpose fertilizer" in paragraph (1) of Article 17 is deemed to be replaced with "has produced a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 to be exported from their country to Japan" and a "written guarantee by manufacturer or a written guarantee by importer," is deemed to be replaced with a "written guarantee by manufacturer" respectively; the phrase "produced or imported" in item (v) of that paragraph is deemed to be replaced with "produced"; the phrase a "manufacturer that produced" in item (vi) of that paragraph is deemed to be replaced with "has produced"; the phrase a "statement indicating that it is a provisionally registered fertilizer or a designated blended fertilizer" in item (xi) of that paragraph is deemed to be replaced with a "statement indicating that it is a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2"; the phrases the "items of paragraph (1) or items of paragraph (2) of Article 17 or the items of paragraph (1) of Article 18" in Article 20 is deemed to be replaced with the "items of paragraph (1) of Article 17" and the term "and in case of a written guaranted by manufacture or a written guarantee by importer" in Article 20 is deemed to be replaced with "and" respectively; the phrase "may order" in Article 21 is deemed to be replaced with "may request"; and the phrase a "fertilizer produced, imported, or sold by" in Articles 25 and 26 is deemed to be replaced with a "general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 and that is to be exported from their country to Japan."

(On-site Inspections of Places Related to Domestic Administrators)

- Article 33-3 (1) If the Minister of Agriculture, Forestry and Fisheries finds it necessary to enforce regulations on a fertilizer, the minister may have their officials enter a domestic administrator's office or any other place related to the business, inspect the books of accounts and documents related to the business, and question the relevant persons.
- (2) If the Minister of Agriculture, Forestry and Fisheries finds it necessary in the case referred to in the preceding paragraph, the minister may have the Center enter a domestic administrator's office or any other place related to the business, inspect the books of accounts and documents related to the business, and question the relevant persons.
- (3) The provisions of paragraphs (5) and (6) of Article 30 apply mutatis mutandis to an on-site inspection or questioning pursuant to the provisions of paragraph (1), and the provisions of paragraphs (2) through (4) of Article 30-2 apply mutatis mutandis to an on-site inspection or questioning pursuant to the provisions of paragraph (2) respectively.

(Import of Fertilizer Produced Overseas to Japan)

- Article 33-4 (1) The importer of a general-purpose fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 must notify the Minister of Agriculture, Forestry and Fisheries of the following particulars at least two weeks before they start the business; provided, however, that this does not apply if the importer is the registered foreign manufacturer or the domestic administrator of the fertilizer.
- (i) the name and address of the importer (or in case of a juridical person, its name, the name of its representative, and the location of its principal office);
- (ii) the registration number or provisional registration number of the fertilizer imported by the importer;
- (iii) the location of the facility where the fertilizer is stored.
- (2) If any of the particulars to be notified referred to in the preceding paragraph has changed, the importer who submitted the notification pursuant to the provisions of the preceding paragraph must notify the Minister of Agriculture, Forestry and Fisheries of this. The same applies when the importer discontinues the business.
- (3) An importer must not distribute any imported fertilizer to which a written guarantee which is wrongfully used, forged, or altered, or anything that is likely to mislead consumers is affixed to any other person (including the fertilizer, if any of these are affixed to its container or package).
- (4) An importer must not distribute an imported fertilizer whose container or package indicating the name, trademark, or trade name, or the components of the imported fertilizer produced by another person to any other person,

without erasing the information on the label .

(Revocation of Registration of Fertilizer Produced Overseas)

Article 33-5 (1) If a registered foreign manufacturer falls under any of the following items, the Minister of Agriculture, Forestry and Fisheries may revoke the registration or provisional registration:

- (i) if the registered foreign manufacturer distributes a general-purpose fertilizer (limited to a fertilizer that is exported from their country to Japan) that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2, to which a written guarantee by manufacturer is not affixed;
- (ii) if the registered foreign manufacturer fails to respond to a request under the provisions of Article 21 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2;
- (iii) if the registered foreign manufacturer forges, alters, or wrongfully uses the written guarantee of a general-purpose fertilizer that is exported from their country to Japan, which has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2, or affixes a forged or altered written guarantee or anything that is likely to mislead consumers to the fertilizer or its container or package;
- (iv) if the registered foreign manufacturer uses a container or package indicating the name, trademark, or trade name or the name or components of the fertilizer manufactured by another person as the container or package of a general-purpose fertilizer that is exported from their country to Japan, which has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 without erasing the information on the label;
- (v) when the Minister of Agriculture, Forestry and Fisheries requests the registered foreign manufacturer to make a report on the business if the minister finds it necessary to achieve the purpose of this Act, the registered foreign manufacturer fails to submit a report or submits a false report;
- (vi) if the Minister of Agriculture, Forestry and Fisheries finds it necessary to enforce regulations on a fertilizer and intends to have their officials or the Center inspect the books of accounts and documents related to the fertilizer, its raw materials, or the business, or have them question the relevant persons or have them request the registered foreign manufacturer to provide a minimum amount of sample of the fertilizer or its raw materials needed for an analysis, without charge at the place of work, warehouse, or any other place related to the production or sale a general-purpose fertilizer that is exported from their country to Japan, which has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article

- 33-2, and when the registered foreign manufacturer refuses, prevents, or evades the analysis or request, or fails to answer a question, or gives a false answer;
- (vii) if the situation apparently falls under the case prescribed in paragraph (3) of Article 31;
 - (viii) if the Minister of Agriculture, Forestry and Fisheries have had the Center analyze a general-purpose fertilizer that has been registered or provisionally registered under the provisions of paragraph (1) of Article 33-2 in accordance with the analysis method specified in paragraph (4) of Article 31, and the quality of fertilizer turned out to be poor as a result of the analysis, and thereby an agricultural product that may cause harm to humans or animals could be produced, and even if the minister has requested the registered foreign manufacturer to restrict or suspend the distribution or delivery of the fertilizer in order to prevent such a situation from occurring, the registered foreign manufacturer fails to respond to this request;
 - (ix) if the registered foreign manufacturer engages in misconduct when filing an application for registration or provisional registration under the provisions of paragraph (1) of Article 33-2;
 - (x) if the registered foreign manufacturer fails to appoint a new domestic administrator when its position is vacant;
 - (xi) if the registered foreign manufacturer or its domestic administrator violates the provisions of this Act or of an order under this Act.
- (2) A person whose registered or provisionally registered fertilizer has been revoked pursuant to the provisions of the preceding paragraph must return the registration certificate or provisional registration certificate to the Minister of Agriculture, Forestry and Fisheries without delay.
- (3) A person whose registered or provisionally registered fertilizer has been revoked pursuant to the provisions of paragraph (1) may not file an application for registration of the general-purpose fertilizer registered or provisionally registered for the second time for one year from the revocation date.
- (4) The provisions of paragraph (1) of Article 33 apply mutatis mutandis to a disposition implemented to register or provisionally register a change under the provisions of paragraph (1) of Article 13 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2; the provisions of paragraph (2) of Article 33 apply mutatis mutandis to the revocation of registration or provisional registration under the provisions of paragraph (3) of Article 9 or paragraph (1) of Article 13-3 or under the provisions of paragraph (1) as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2, or to a hearing regarding a disposition implemented to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2; and the

provisions of paragraph (2) of Article 34 apply mutatis mutandis to the disposition implemented against an application to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2.

(Orders Issued to the Center)

Article 33-6 If the Minister of Agriculture, Forestry and Fisheries finds it necessary to ensure the proper implementation of duties to conduct an examination referred to in paragraph (1) of Article 7, paragraph (1) of Article 8 or paragraph (2) of Article 13-2 (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2), the testing of fertilizer effectiveness referred to in paragraph (1) of Article 9 (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2), an on-site inspection, etc. referred to in paragraph (1) of Article 30-2, an analysis referred to in paragraph (4) of Article 31, or on-site inspection and questioning referred to in paragraph (2) of Article 33-3, the Minister may issue orders to the Center necessary for the duties.

(Appeal)

Article 34 (1) A person who has filed an application for registration by the prefectural governor pursuant to the provisions of paragraph (1) of Article 6 may request for an administrative review, if the prefectural governor fails to implement a disposition regarding the application within fifty days from the date on which the application was filed, and thereby the application is deemed to have been dismissed.

(2) When a request for an administrative review or an objection against the disposition implemented for an application for registration or provisional registration, the disposition implemented for an application to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2, a disposition implemented to restrict or prohibit the distribution or delivery of a fertilizer under the provisions of paragraph (1) or (2) of Article 31 (excluding a disposition implemented against a seller under the provisions of paragraph (2) of Article 31) or a disposition implemented to issue an order under the provisions of Article 31-2, is filed with the Minister of Agriculture, Forestry and Fisheries, the minister must hear the opinions of the person who requested the administrative review or the person filing the objection in public, by informing them of the date and place in advance.

(3) When an objection for disposition to restrict or prohibit the distribution or delivery of a fertilizer under the provisions of paragraph (2) of Article 31 (limited to a disposition against sellers) is filed with the prefectural governor, the governor must hear the opinions of the person filing the objection in public,

by informing them of the date and place in advance.

(Exclusion from Application)

Article 35 (1) If a fertilizer is produced, imported, distributed, transported, or stored to export to another country, or if a fertilizer designated by the Minister of Agriculture, Forestry and Fisheries is produced, imported, distributed, transported, or stored for industrial use or being used as feed, this Act does not apply to these cases pursuant to the Order of the Ministry of Agriculture, Forestry and Fisheries. The same applies if a fertilizer designated by a prefectural governor is produced, imported, distributed, transported, or stored within the prefectural area for industrial use or being used as feed.

(2) In order to designate a fertilizer pursuant to the provisions of the preceding paragraph, the prefectural governor must consult with the Minister of Agriculture, Forestry and Fisheries in advance.

(Delegation of authority)

Article 35-2 The authority of the Minister of Agriculture, Forestry and Fisheries as provided for in this Act may be partially delegated to the Director of Regional Agricultural Administration Office, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(Types of Administrative Functions)

Article 35-3 The administrative functions set forth in the following items among those that are to be administered by the prefecture pursuant to the provisions of this Act, are Type 1 statutorily entrusted functions specified in item (i) of paragraph (9) of Article 2 of the Local Autonomy Act (Act No. 67 of 1947):

- (i) administrative functions that are to be administered by a prefecture pursuant to the provisions of paragraphs (1) and (2) of Article 4; paragraph (1) of Article 6; paragraph (1) of Article 7; Article 10; paragraph (4) of Article 12; Article 13; Article 15; paragraphs (1), (2), and (4) of Article 16; Article 16-2; Article 22; paragraph (1) of Article 29; and paragraph (1) of Article 30;
- (ii) functions that are to be administered by prefectures pursuant to the provisions of paragraph (4) of Article 29; paragraphs (4) and (7) of Article 30; paragraph (3) of Article 31; and paragraph (1) of Article 33 (excluding those involving sellers);
- (iii) functions that are to be administered by prefectures pursuant to the provisions of paragraph (2) of Article 31, other than the following functions:
 - (a) an order under paragraph (2) of Article 19 or under the provisions of that paragraph or a disposition regarding a violation of the provisions of Article 21;
 - (b) a disposition against a seller related to the notification (excluding a

- disposition set forth in (a)).
- (iv) acceptance of a returned registration certificate under the provisions of paragraph (6) of Article 31 (excluding acceptance of those returned due to a disposition set forth in (a) of the preceding item);
 - (v) notification under the provisions of paragraph (7) of Article 31 (excluding notification regarding a disposition set forth in (a) or (b) of item (iii)).

(Transitional Measures)

Article 35-4 If an order is enacted or amended or repealed pursuant to the provisions of this Act, the order may prescribe any necessary transitional measures (including transitional measures for penal provisions) to the extent considered reasonably necessary for the enactment or amendment to or repeal of the order.

(Penal Provisions)

Article 36 A person who falls under any of the following items is punished by imprisonment with work for up to three years, a fine of up to one million yen, or both:

- (i) a person who produces or imports a general-purpose fertilizer in the course of trade, which has not been registered or provisionally registered pursuant to the provisions of Article 4 or Article 5, or a person who engages in misconduct when filing an application for registration or provisional registration under the provisions of Article 4, Article 5 or paragraph (1) of Article 33-2;
- (ii) a person who violates the provisions of paragraph (1) of Article 19; Article 21-2; paragraph (3) of Article 21-3; Article 25; or paragraph (3) of Article 33-4;
- (iii) a person who violates the restrictions or prohibition under the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries referred to in paragraph (3) of Article 19;
- (iv) a person who provides false information on a written guarantee, in violation of the provisions of Article 20;
- (v) a person who wrongfully uses a written guarantee or affixes anything that is likely to mislead consumer to a fertilizer sold by the person or to its container or package, in violation of the provision of paragraph (1) of Article 24;
- (vi) a person violates restrictions or prohibition on the distribution, delivery, or application of a fertilizer under the provisions of paragraph (3) or (4) of Article 31;
- (vii) a person who violates an order under the provisions of Article 31-2.

Article 37 A person who falls under any of the following items is punished by imprisonment with work for up to one year, a fine of up to 500,000 yen, or both:

- (i) a person who fails to submit a notification under the provisions of Article 16-2, Article 22, Article 23, or paragraph (1) or (2) of Article 33-4, or a person who submits a false notification;
- (ii) a person who violates the provisions of paragraph (2) of Article 24, Article 26 (including as applied *mutatis mutandis* pursuant to paragraph (6) of Article 33-2), or paragraph (4) of Article 33-4.

Article 38 A person who falls under any of the following items is punished by a fine of up to 500,000 yen:

- (i) a person who fails to submit a notification or application under the provisions of paragraph (1), (2) or (4) of Article 13, or a person who fails to submit a notification under the provisions of paragraph (1) of Article 15 or submits a false notification;
- (ii) a person who violates the provisions of paragraph (1) or (2) of Article 17 or paragraph (1) of Article 18;
- (iii) a person who provides particulars other than the particulars prescribed by the Act on a written guarantee, in violation of the provisions of Article 20.

Article 39 A person who falls under any of the following items is punished by a fine of up to 300,000 yen.

- (i) a person who violates the provisions of Article 11;
- (ii) a person who fails to submit a notification or application under the provisions of paragraph (3) of Article 13 or who submits a false notification;
- (iii) a person who violates an order under the provisions of Article 21;
- (iv) a person who fails to maintain the books of accounts, fails to make entries therein, or makes a false entry, in violation of the provisions of paragraph (1) or (2) of Article 27;
- (v) a person who violates an order under the provisions of paragraph (1), (2) or (3) of Article 29 (including the case applied *mutatis mutandis* in paragraph (6) of Article 33-2) and fails to submit a report or submits a false report;
- (vi) a person who refuses, prevents, or evades an entry into their place, analysis, or sample taking under the provisions of paragraph (1) or (3) of Article 30 or paragraph (1) of Article 30-2, or a person who fails to answer questions under these provisions, or who gives false answers;
- (vii) a person who refuses, prevents, or evades an entry into their place or analysis under the provisions of paragraph (2) of Article 30 or paragraph (1) or (2) of Article 33-3, or fails to answer questions under these provisions, or gives false answers.

Article 40 If the representative of a juridical person or the agent, worker, or any other worker of a juridical person or individual commits a violation referred to in Article 36 through the preceding Article in connection with the business of the juridical person or individual, not only the offender is punished but also, the juridical person or individual is punished by the fine prescribed respectively in the following items, and the violator is punished by the fine prescribed in the respective Articles:

- (i) Article 36, items (i), (ii) (limited to the part concerning paragraph (1) of Article 19), (iii), (iv), and (vii): a fine of up to 100 million yen;
- (ii) Article 36 (excluding the part concerning the preceding item) and Articles 37 through 39: the fine prescribed in the respective Articles.

Article 41 If a person violates an order under the provisions of Article 33-6, the officer of the Center who commits the violation is punished with a civil fine of up to 200,000 yen.

Article 42 A person who violates the provisions of paragraph (4) of Article 9; paragraph (2) of Article 15; paragraph (3) of Article 27; paragraph (6) of Article 31; or paragraph (5) of Article 33-2 is punished by a civil fine of up to 100,000 yen.

Supplementary Provisions [Extract]

(Effective Date)

- (1) The effective date of this Act is prescribed by Cabinet Order within a period not exceeding sixty days from the day of its promulgation; provided, however, that the effective date of the provisions of Article 4 and 5, Articles 17 through 20, and Articles 27 and 28 is August 1, 1950.
- (3) The Fertilizer Control Act (Act No. 51 of 1908, hereinafter referred to as the "Former Act") is hereby repealed.

Supplementary Provisions [Act No. 75 of April 26, 1954] [Extract]

- (1) This Act comes into force on the day on which thirty days have elapsed from the date of its promulgation.

Supplementary Provisions [Act No. 145 of June 11, 1956]

- (1) This Act comes into force as of October 1, 1956.
- (2) Prior laws continues to govern the application of penal provisions concerning conduct that a person engages prior to the enforcement of this Act.

Supplementary Provisions [Act No. 161 of October 26, 1961]

- (1) This Act comes into force on the day on which thirty days have elapsed from the date of its promulgation.
- (2) The provisions of Articles 4, 5, 17 thorough 20, and 27 of the Fertilizer Control Act do not apply to substances applied to plants for the purpose of supplying nutrients to plants, until the day on which sixty days have elapsed from the date of the promulgation of this Act.

Supplementary Provisions [Act No. 161 of September 15, 1957] [Extract]

- (1) This Act comes into force on October 1, 1957.
- (2) Except as otherwise provided for in these Supplementary Provisions, the provisions amended by this Act also apply to a disposition implemented by an administrative authority prior to the enforcement of this Act, inactions by an administrative authority in connection with an application filed prior to the enforcement of this Act, or other matters occurred prior to the enforcement of this Act; provided, however, that these provisions do not preclude the effect of the provisions prior to amendment by this Act.
- (3) Prior laws continue to govern the petition, application for examination, objection, and any other appeal (hereinafter referred to as a "petition, etc.") filed before the enforcement of this Act, even after the enforcement of this Act. The same applies to an administrative determination, decision, or other disposition on a petition, etc. made before the enforcement of the Act (hereinafter referred to as an "administrative determination etc.") or to a petition, etc. that is filed by a person who is dissatisfied with the administrative determination, etc. that was made after the enforcement of this Act on a petition, etc. filed before the enforcement of this Act.
- (4) A petition, etc. specified in the preceding paragraph for a disposition against which an appeal may be filed pursuant to the Administrative Appeal Act after the enforcement of this Act is, with regard to the application of Acts other than that Act, deemed to be an appeal filed under the Administrative Appeal Act.
- (5) No appeal under the Administrative Appeal Act may be filed against an administrative determination, etc. about an application for examination, objection, or other appeal filed after the enforcement of this Act pursuant to the provisions of paragraph (3).
- (6) With regard to a disposition implemented by an administrative authority prior to the enforcement of this Act, against which a petition, etc. may be filed pursuant to the provisions prior to amendment by this Act, and for which the period for filing has not been set, the period for filing an appeal under the

Administrative Complaint Review Act is counted from the date on which this Act comes into effect.

- (8) Prior laws continue to govern the application of penal provisions concerning conduct that a person engages prior to the enforcement of this Act.
- (9) Beyond what is prescribed in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

Supplementary Provisions [Act No. 27 of April 24, 1978] [Extract]

(Effective Date)

- (1) This Act comes into force on the day of its promulgation; provided, however, that the provisions for revising paragraph (1) of Article 11 of the Act on Real Estate Appraisal in Article 1; the provisions of Articles 2, 3, 5, and 6; the provisions for revising paragraph (1) of Article 107 of the Patent Act in Article 19; the provisions for revising paragraph (1) of Article 31 of the Utility Model Act in Article 20; the provisions for revising paragraphs (1) and (2) of Article 42 of the Design Act in Article 21; the provisions for revising paragraphs (1) and (2) of Article 40 of the Trademark Act in Article 22; the provisions for revising paragraph (2) of Article 5 of the Interpreter Guide Act in Article 28; and the provisions of Articles 29 and 30 come into force on May 1, 1978.

Supplementary Provisions [Act No. 87 of July 5, 1978] [Extract]

(Effective Date)

- Article 1 This Act comes into effect on the day of its promulgation; provided, however, that the provisions prescribed in the following items come into force on the day prescribed in the relevant item:
- (i) the provisions for revising paragraph (1) of Article 64-4, Article 66, Article 67, paragraphs (1), (2), and (4) of Article 68, Article 69; and the provisions for revising paragraph (2) of Article 69-2; the provisions for adding one Article after Article 69-3; the provisions for revising paragraphs (1) and (3) of Article 70; the provisions for changing that Article to Article 71; and the provisions for deleting Article 72 and changing Article 71 to Article 72: January 1, 1979;
 - (ii) the provisions for revising Article 18-8, paragraph (2) of Article 22 and paragraph (2) of Article 22-3; the provisions for deleting item (vi) of Article 78; the provisions for revising item (i) of Article 80 and Article 81; the provisions for revising the table of paragraph (2) of Article 82 (limited to the part for deleting the paragraph concerning the Freshwater Fisheries Research Laboratory); the provisions for revising Article 83; the provisions for adding one Article after that Article; and the provisions for revising

Article 87: the date prescribed by Cabinet Order for the relevant provisions, which is before March 31, 1979;

(iii) the provisions for revising paragraph (3) of Article 18, paragraph (2) of Article 18-3, and paragraph (2) of Article 21: the date prescribed by Cabinet Order for the relevant provisions, which is before March 31, 1980.

Supplementary Provisions [Act No. 69 of July 23, 1982] [Extract]

(Effective Date)

(1) This Act comes into effect on the day of its promulgation.

Supplementary Provisions [Act No. 40 of May 17, 1983]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the day of its promulgation.

(Transitional Measures)

Article 2 Prior laws continue to govern the treatment of an application for registration or provisional registration or an application for renewal of registration certificate or provisional registration certificate that was filed under the Fertilizer Control Act amended by this Act (hereinafter referred to as the "Former Act") prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date"), specifically the treatment of an application for registration or provisional registration, and an application for renewal of registration certificate or provisional registration certificate, that has not been rejected as of the date on which this Act comes into effect (excluding the issuance of a registration certificate or provisional registration certificate referred to in Article 10 of the Former Act or public notice of registration or provisional registration referred to in Article 16, paragraph (1) of the Former Act).

Article 3 (1) Registration certificate of a fertilizer referred to in Article 4, paragraph (4), item (iii) of the Former Act issued by the Minister of Agriculture, Forestry and Fisheries to an agricultural cooperative specified in paragraph (2) of Article 4 (excluding an agricultural cooperatives covering the area within the municipal area; hereinafter simply referred to as an "agricultural cooperative") of the Fertilizer Control Act amended by this Act (hereinafter referred to as the "New Act") as of the date of enforcement of this Act, and an application for registration certificate or renewal of registration certificate of a fertilizer referred to in that item to be issued by the Minister of Agriculture,

Forestry and Fisheries to an agricultural cooperative after the effective date, pursuant to the provisions of the preceding Article, is deemed to be a fertilizer registered or registration certificate renewed by the prefectural governor under the New Act during the effective period.

- (2) A registration certificate of a fertilizer referred to in Article 4, paragraph (1), item (iii) of the Former Act that has been issued to an agricultural cooperative as of the effective date of this Act is deemed to be a registration certificate issued by the prefectural governor under the New Act.

Article 4 If a container or package being used for a general-purpose fertilizer to which a written guarantee by manufacturer, a written guarantee by importer or a written guarantee by seller conforming to the Former Act is affixed as of the effective date of this Act is used as the container or package of a general-purpose fertilizer (limited to a general-purpose fertilizer that has been registered or provisionally registered as of the effective date of this Act) within one year from the effective date, a written guarantee by manufacturer, a written guarantee by importer, or a written guarantee by seller conforming to the New Act is deemed to have been affixed to the container or package.

Article 5 (1) The manufacturer of a general-purpose fertilizer which has been registered by the prefectural governor as of the effective date of this Act is deemed to have submitted a notification of sale of fertilizer to the prefectural governor under the New Act on the effective date, and the manufacturer of a general-purpose fertilizer who files an application for registration or to file an application for renewal of the registration certificate with the prefectural governor after the effective date pursuant to the provisions of Article 2 of the Supplementary Provisions is deemed to have submitted a notification of sale of fertilizer to the prefectural governor under the New Act on the date on which the fertilizer is registered or the registration certificate is renewed.

- (2) A manufacturer or importer that has submitted a notification by manufacturer or importer of a special-purpose fertilizer to the prefectural governor under the Former Act as of the effective date of this Act is deemed to have submitted a notification of sale of fertilizer to the prefectural governor on the effective date.

Article 6 Prior laws continue to govern the application of penal provisions concerning conduct that a person engages prior to the enforcement of this Act and conduct that a person engages after the enforcement of this Act if the conduct is continued to be governed by prior laws pursuant to the Supplementary Provisions of this Act.

(Provisions Governed by Cabinet Order)

Article 7 Beyond what is set forth in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

Supplementary Provisions [Act No. 57 of May 25, 1983] [Extract]

(Effective Date)

Article 1 This Act comes into effect on a day specified by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions of Article 8 come into effect on the day specified by Cabinet Order referred to in Article 1 of the Supplementary Provisions of the Act Partially Amending the Fertilizer Control Act (Act No. 40 of 1983).

Supplementary Provisions [Act No. 78 of December 2, 1983] [Extract]

(1) This Act (excluding Article 1) comes into effect on July 1, 1984.

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective date)

Article 1 This Act comes into effect on the day on which of the Administrative Procedure Act (Act No. 88 of 1993) comes into effect.

(Transitional Measures for Adverse Dispositions Regarding Which Consultation has been Held)

Article 2 Notwithstanding the provisions of the relevant Acts amended by this Act, prior laws continue to govern the procedure for an adverse disposition related to the consultation or other request if a council or any other organization that reaches agreement by mutual consent is requested to hold a consultation about the procedure for hearing or providing opportunity for explanation specified in Article 13 of the Administrative Procedure Act to be followed, or about the procedure corresponding to the procedure for making a statement of opinions pursuant to the laws and regulations, prior to the enforcement of this Act.

(Transitional Measures for Penal Provisions)

Article 13 Prior laws continue to govern the application of penal provisions concerning conduct that a person engages prior to the enforcement of this Act.

(Transitional Measures for Consolidation of Provisions Concerning Hearings)

Article 14 A hearing or questioning or hearing session (excluding those related to an adverse disposition) that has been held pursuant to the provision of the Act prior to the enforcement of this Act, and the procedures for these, are deemed to have been held pursuant to the corresponding provisions of the relevant Acts amended by this Act.

(Provisions Governed by Cabinet Order)

Article 15 Beyond what is set forth in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

Supplementary Provisions [At No. 97 of November 11, 1994] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of its promulgation.

(Transitional Measures for Partial Amendment to the Fertilizer Control Act)

Article 11 Prior laws continue to govern the dissolution of a juridical person whose fertilizer has been registered or provisionally registered, the discontinuation of the manufacture or import business of the fertilizer operated by a person whose fertilizer has been registered or provisionally registered, and the dissolution of a juridical person that is a registered foreign manufacturer (meaning a registered foreign manufacturer referred to in paragraph (3) of Article 33-2 of the Fertilizer Control Act; hereinafter the same applies in this Article), or the discontinuation of the manufacture business of the fertilizer operated by a registered foreign manufacturer, which took place prior to the enforcement the provisions of Article 13.

(Transitional Measures for Penal Provisions)

Article 20 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the enforcement of this Act (or the respective provisions, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions) and conduct that a person engages after the enforcement of the provisions of Articles 1, 4, 8, 9, 13, 27, 28, and 30 if the conduct is continued to be governed by prior laws pursuant to the provisions of Article 2, Article 4, paragraph (2) of Article 7, Article 8, Article 11, paragraph (2) of Article 12, Article 13 and paragraph (4) of Article 15 of the Supplementary Provisions.

(Provisions Governed by Cabinet Order)

Article 21 Beyond what is prescribed in Article 2 through the preceding Article

of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures for penal provisions) are prescribed by Cabinet Order.

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2000; provided however, that the provisions set forth in the following items come into effect on the day specified in the respective items.

(i) the provisions for adding five Articles, a section title, and two subsections and subsection titles after Article 250 of the Local Autonomy Act in Article 1 ((limited to the part related to paragraph (1) of Article 250-9 of that Act (limited to the part related to obtaining the consent from both Houses)); the provisions for revising paragraphs (9) and (10) of the Natural Parks Act Supplementary Provisions in Article 40 (limited to the part related to paragraph (10) of the Supplementary Provisions of that Act); the provisions of Article 244 (excluding the part related to the provisions for revising Article 14-3 of the Agricultural Improvement and Promotion Act); and the provisions of Article 472 (excluding the parts related to the provisions for revising Articles 6, 8, and 17 of the Act on Special Measures Concerning the Merger of Municipalities); and the provisions of Articles 7, 10, and 12, the proviso to Article 59, paragraphs (4) and (5) of Article 60, Articles 73 and 77, paragraphs (4) through (6) of Article 157, Articles 160, 163, 164, and 202 of the Supplementary Provisions: the date of promulgation.

(Transitional Measures for Partial Amendment to the Fertilizer Control Act)

Article 82 (1) If a prefectural governor collects a report pursuant to the provisions of Article 29 of the Fertilizer Control Act prior to amendment by this Act under the provisions of Article 252 (hereinafter referred to as the "Former Fertilizer Control Act" in this Article) before the effective date, the provisions of paragraph (4) of Article 29 of the Fertilizer Control Act amended by this Act under the provisions of Article 252 (hereinafter referred to as the "New Fertilizer Control Act" in this Article) do not apply.

(2) If a prefectural governor conducts an on-site inspection or questioning pursuant to the provisions of paragraph (1) of Article 30 of the Former Fertilizer Control Act before the effective date, the provisions of paragraph (4) of Article 30 of the New Fertilizer Control Act do not apply.

(3) Designation referred to in paragraph (1) of Article 35 that has been approved pursuant to the provisions of paragraph (2) of that Article of the Former Fertilizer Control Act before the effective date is deemed to be designation

referred to in paragraph (1) of that Article about which a consultation under the provisions of paragraph (2) of Article 35 of the New Fertilizer Control Act has been held.

- (4) A request for approval that has already been filed pursuant to the provisions of paragraph (2) of Article 35 of the Former Fertilizer Control Act as of the effective date of this Act is deemed to be a proposal for a consultation filed pursuant to the provisions of paragraph (2) of Article 35 of the New Fertilizer Control Act.

(Transitional Measures for Appeals)

Article 102 With regard to an request for administrative review to which the provisions of the Administrative Appeal Act is to be applied on the assumption that there is a higher administrative authority pursuant to the provisions of paragraph (1) of Article 161 of the Supplementary Provisions, the provisions of paragraph (2) of Article 34 of the Fertilizer Control Act prior to amendment by this Act under the provisions of Article 252, the provisions of Article 27 of the Fishing Boat Act prior to amendment by this Act under the provisions of Article 257, the provisions of the second sentence of paragraph (1) of Article 10-11-5, paragraph (3) of Article 10-11 (6), and paragraphs (3) and (4) of Article 190 of the Forest Act prior to amendment by this Act under the provisions of Article 262, the provisions of Article 15 of the Act Concerning Dairy and Beef Cattle Production Promotion prior to amendment by this Act under the provisions of Article 273, and the provisions of paragraphs (1) and (3) of Article 31 of the Livestock Market Act prior to amendment by this Act under the provisions of Article 276 remain in force after the effective date.

(Functions Administered by the State)

Article 159 In addition to what is provided for in the relevant Acts prior to amendment by this Act, functions of the State, of other local government, or of any other public organization that is administered by an organ of a local government pursuant to the relevant Acts or Cabinet Orders under those Acts (hereinafter referred to as "functions administered by the State, etc." in Article 161 of the Supplementary Provisions) is to be administered by the local government as the functions pursuant to the relevant Acts or Cabinet Orders under those Acts after the enforcement of this Act.

(Transitional Measures for Dispositions and Applications)

Article 160 (1) With respect to the application of the respective Acts amended by this Act after the effective date of this Act to a disposition implemented and other action taken (hereinafter referred to as "acts including a disposition") pursuant to the provisions of the respective Acts prior to amendment by this

Act (the respective provisions with respect to the provisions set forth in items of Article 1 of the Supplement Provisions; the same applies in this Article and Article 163 of the Supplementary Provisions) before the effective date of this Act, or the request for permission and other action that has already been filed or taken pursuant to the provisions of the respective Acts prior to amendment by this Act on the effective date of this Act, if different persons perform the administrative functions related to these actions on the date on which this Act comes into effect, excluding the actions specified in the provisions of Article 2 through the preceding Article of the Supplementary Provisions or in the provisions concerning transitional measures referred to in the respective Acts amended by this Act (including Orders under this Act), are deemed to be the actions including dispositions, or the request filed pursuant to the corresponding provisions of the respective Acts amended by this Act.

- (2) With respect to particulars which must be reported, informed, or submitted to an organ of the State or a local government or for which other procedures must be followed by a person prior to the enforcement of this Act pursuant to the respective Acts prior to amendment by this Act, for which such procedures have not yet been followed prior to the enforcement of this Act, except as otherwise provided for in this Act or Cabinet Order under this Act, the procedures are deemed not to have been completed with respect to particulars which must be reported, informed, or submitted, or for which other procedures must be followed, to the organ of the relevant State or local government pursuant to the corresponding provisions of the respective Acts amended by this Act, and the provisions of the respective Acts amended by this Act apply.

(Transitional measures for appeals)

- Article 161 (1) With regard to an appeal under the Administrative Complaint Review Act filed against a disposition related to an administrative function of the national government, etc. which has been implemented by an administrative authority (hereinafter referred to as the "administrative agency reaching the disposition" in this Article) having a higher administrative agency provided for in that Act before the enforcement of this Act, the administrative agency is deemed to have a higher administrative agency after the effective date, and the provisions of the Administrative Complaint Review Act apply. In this case, the administrative agency that is deemed to be the higher administrative agency of the administrative agency reaching the disposition is the administrative agency that was the higher administrative agency of the administrative agency reaching the disposition before the effective date.
- (2) In the case referred to in the preceding paragraph, if the administrative agency that is deemed to be the higher administrative agency is an organ of a local government, the functions to be administered in accordance with the

provisions of the Administrative Complaint Review Act are the type 1 statutorily entrusted functions defined in item (i) of paragraph (2) of Article 2 of the New Local Autonomy Act.

(Transitional Measures for Fees)

Article 162 Prior laws continue to govern a fee that must be paid pursuant to the provisions of the respective Acts (including Orders under these Acts) prior to amendment by this Act before the enforcement of this Act, except as otherwise specified in this Act or by Cabinet Order under this Act.

(Transitional Measures for Penal Provisions)

Article 163 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the enforcement of this Act.

(Other Transitional Measures Governed by Cabinet Order)

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures for penal provisions) are prescribed by Cabinet Order.
(2) Particulars necessary for the application of the provisions of Articles 18, 51 and 184 of the Supplementary Provisions are prescribed by Cabinet Order.

(Reviews)

Article 250 Creating additional type 1 statutorily entrusted functions specified in item (i) of paragraph (9) of Article 2 of the New Local Autonomy Act must be minimized whenever possible, and what is listed in Appended Table 1 of that Act and what is provided for by Cabinet Order under the new Local Autonomy Act is to be examined from the perspective of promoting decentralization, and to be reviewed as appropriate.

Article 251 In order to enable local governments to execute their administrative functions and services autonomously and independently, the national government must examine how to secure adequate sources of local tax revenue according to the sharing of roles between the national government and local governments, taking into account the prevailing economic trends, etc., and must take the necessary measures based on the results of the review.

Article 252 In line with reforms to medical insurance system and the pension system, the government is to review the social insurance processing system for social insurance, the working conditions of officials engaged in the social insurance system from the viewpoint of securing the convenience of the insured, etc., and making the paperwork more efficient, and is to take the necessary

measures based on the results of the review, when the government finds it necessary to do so.

Supplementary Provisions [Act No. 111 of July 28, 1999]

(Effective Date)

Article 1 This Act comes into effect on October 1, 2000; provided, however, that the provisions for adding two Articles after Article 22, the provisions for revising paragraph (2) of Article 31 and Article 40, and the provisions of the following Article through Article 4 of the Supplementary Provisions and Article 7 of the Supplementary Provisions come into effect on the day of its promulgation.

(Transitional Measures for Official Specifications)

Article 2 The Minister of Agriculture, Forestry and Fisheries must establish official specifications for the fertilizers prescribed by Ministerial Order as those falling under the categories of general-purpose fertilizers set forth in item (iii) of paragraph (1) of Article 4 of the Fertilizer Control Act amended by this Act (hereinafter referred to as the "New Act") in accordance with the provisions of Article 3 of the New Act, and must issue public notice within six months from the date of promulgation.

(Transitional Measures for Applications for Registration)

Article 3 A manufacturer or importer may file an application for registration of fertilizers specified by Ministerial Order referred to in the preceding Article with the Minister of Agriculture, Forestry and Fisheries, in accordance with the provisions of Article 6 of the New Act, from the day on which seven months have elapsed from the date of promulgation.

(Transitional Measures for Registration)

Article 4 Registration of the fertilizer is governed by the provisions of Article 7 of the New Act if an application for registration has been filed pursuant to the provisions of the preceding Article. In this case, if the registration thereof is governed by the provisions of that Article, the fertilizer is deemed to have been registered by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of that Article as of the date on which this Act comes into effect.

(Transitional Measures for Dispositions Related to Special-purpose Fertilizers)

Article 5 A disposition implemented by a prefectural governor against a manufacturer, importer or seller in relation to a special-purpose fertilizer whose name is set forth in paragraph (2) of the Fertilizer Control Act, which

has been informed pursuant to the provisions of paragraph (2) or (3) of Article 31 of that Act, which falls under Article 4, paragraph (1), item (iii) of the New Act prior to the enforcement of this Act, is deemed to be a disposition implemented by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) or (3) of Article 31 of the New Act.

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the enforcement of this Act.

(Provisions Governed by Cabinet Order)

Article 7 Beyond what is prescribed in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect on January 6, 2001.

Supplementary Provisions [Act No. 186 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on January 6, 2001; provided, however, that the provisions of paragraph (2) of Article 10 and Articles 8 through 14 of the Supplementary Provisions come into effect on a day prescribed by Cabinet Order within a period not exceeding six month from that date.

(Transitional Measures for Partial Amendment to the Fertilizer Control Act)

Article 9 (1) An investigation that has been already conducted by an official of the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of Article 7 or paragraph (1) of Article 8 of the Fertilizer Control Act prior to amendment by this Act (hereinafter referred to as the "Former Fertilizer Control Act") (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the Former Fertilizer Control Act; the same applies in the following paragraph) under the provisions of that Article on the date on which the provisions of the preceding Article come into effect, is deemed to be an investigation that has been conducted by an inspection station pursuant to the provisions of paragraph (1) of Article 7 or paragraph (1) of Article 8 of the Fertilizer Control Act amended by this Act (including as applied mutatis

mutandis pursuant to Article 33-2, paragraph (6) of the New Fertilizer Control Act; the same applies in the following paragraph) under the provisions of the preceding Article (hereinafter referred to as the "New Fertilizer Control Act") (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the New Fertilizer Control Act).

- (2) An investigation that has been conducted by an official of the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of Article 7 or paragraph (1) of Article 8 of the Former Fertilizer Control Act prior to the date on which the provisions of the preceding Article come into effect, is deemed to be an investigation that has been conducted by an inspection station pursuant to the provisions of paragraph (1) of Article 7 or paragraph (1) of Article 8 of the New Fertilizer Control Act.

Article 10 (1) A test to measure effectiveness of a fertilizer being conducted by the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) of Article 9 of the Former Fertilizer Control Act on the date on which the provisions of Article 8 of the Supplementary Provisions come into effect (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the Former Fertilizer Control Act; hereinafter the same applies in the following paragraph) is deemed to be a test to measure effectiveness of a fertilizer being conducted by an inspection station pursuant to paragraph (1) of Article 9 of the New Fertilizer Control Act (including as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the New Fertilizer Control Act).

- (2) A test to measure effectiveness of a fertilizer that has been conducted by the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) of Article 9 of the Former Fertilizer Control Act prior to the date on which the provisions of Article 8 of the Supplementary Provisions come into effect, is deemed to be a test to measure effectiveness of a fertilizer that has been conducted by an inspection station pursuant to the provisions of paragraph (1) of Article 9 of the New Fertilizer Control Act.

Supplementary Provisions [Act No. 91 of May 31, 2000]

(Effective Date)

- (1) This Act comes into effect on the day on which the Act Partially Amending the Commercial Code (Act No. 90 of 2000) comes into effect.

(Transitional Measures)

- (2) If the effective date of this Act is earlier than the effective date of the provisions of Article 8 of the Supplementary Provisions of the Act on the Food

and Agricultural Materials Inspection Center (Act No. 183 of 1999), the phrase "Article 27" in the provisions for revising Article 19-5-2, item (iv) of paragraph (1) of Article 19-6, and Article 27 referred to in Article 31 of the Act on the Standardization and Proper Quality Labeling of Agricultural and Forestry Products is deemed to be replaced with "Article 26."

Supplementary Provisions [Act No. 73 of June 11, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect on a day specified by Cabinet Order within a period not exceeding three months as of the date of its promulgation.

(Reviews)

Article 2 The government, when five years have passed from the enforcement of this Act, is to conduct a review of the enforcement status of provisions amended by this Act, etc., under the provisions of Article 1 through 5, and is to take necessary measures based on the results of the review, if the government finds it necessary to do so.

(Transitional Measures for Application of Penal Provisions)

Article 4 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the enforcement of this Act.

(Provisions Governed by Cabinet Order)

Article 5 Beyond what is prescribed in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

Supplementary Provisions [Act No. 150 of December 1, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2005.

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the enforcement of this Act.

Supplementary Provisions [Act No. 8 of March 30, 2007] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2007; provided, however, that the

provisions of paragraphs (2) and (3) of Article 4, Article 5, paragraph (2) of Article 7 and Article 22 of the Supplementary Provisions come into effect on the day of its promulgation.

(Transitional Measures for Partial Amendment to the Fertilizer Control Act)

Article 13 (1) An investigation conducted or other action taken by a fertilizer and feed inspection station pursuant to the provisions of the Fertilizer Control Act prior to amendment by this Act (referred to as the "Former Fertilizer Control Act" in the following paragraph) under the provisions of the preceding Article before this Act comes into effect, is deemed to be an investigation conducted or other action taken by the Food and Agricultural Materials Inspection Center under the corresponding provisions of the Fertilizer Control Act amended by this Act under the provisions of that Article (referred to as the "New Fertilizer Control Act" in the following paragraph).

(2) An action falling under item (vi) of paragraph (1) of Article 33-5 of the Former Fertilizer Control Act that a person takes against a fertilizer and feed inspection station before the New Fertilize Regulation Act comes into effect, is deemed to be an action falling under item (vi) of paragraph (1) of Article 33-5 of the New Fertilizer Control Act, and the provisions of that paragraph apply.

(Transitional Measures for Penal Provisions)

Article 21 Prior laws continue to govern the application of penal provisions to conduct that a person engages prior to the effective date and conduct that a person engages after the effective date, which is governed by prior laws pursuant to the provisions of Article 10 of the Supplementary Provisions.

(Provisions Governed by Cabinet Order)

Article 22 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.