

Food, Agriculture and Rural Areas Basic Act

(Act No. 106 of July 16, 1999)

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Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to stabilize and improve the life of the citizens and to develop the national economy through comprehensive and systematic implementation of the policies on food, agriculture and rural areas by means of establishing basic principles and basic matters for their realization and clarifying the responsibilities of the national and local governments.

(Securing of Stable Food Supply)

Article 2 (1) In consideration of the fact that food is indispensable in maintaining human life and important as a basis for healthy and fulfilling life, the stable supply of high quality food at reasonable price shall be secured into the future.

(2) In consideration of the fact that the world's food supply and demand and trade have some uncertainties, stable food supply to the citizens shall be secured by increased domestic agricultural production as a base together with appropriate combination of import and reserve.

(3) Food supply shall be managed through improvement of agricultural productivity and comprehensive promotion of sound development of agriculture and food industry in response to the more sophisticated and diversified public needs.

(4) Even in the case when the domestic food supply and demand get stringent or likely to be so for a considerable period of time due to poor harvest or interrupted imports, the minimum food supply shall be secured so that no significant adverse effect is generated to the stable life of the citizens and smooth operation of national economy.

(Fulfillment of Multifunctional Role)

Article 3 In consideration of the importance of maintaining the stable life of the citizens and the national economy, multiple roles that agriculture plays through stable production in rural areas including conservation of national land, water resources, natural environment, formation of good landscape and respect for the cultural tradition in addition to its conventional role as a primary food supplier (hereinafter referred to as 'multifunctional role'), shall be fully fulfilled for the future.

(Sustainable Agricultural Development)

Article 4 In consideration of importance of its conventional role as a primary food supplier and its multifunctional role, sustainable development of agriculture shall be promoted by securing agricultural facilities including necessary farmlands, water for agricultural use, other agricultural resources and workforce; establishing a desirable agricultural structure with an effective combination of aforementioned elements based on regional characteristics; maintaining and improving natural cyclical function of agriculture. (This term means the function of agriculture in stimulating biological and physical cycle in nature while being strongly influenced by the cycle. This definition shall be referred to hereinafter.)

(Development of Rural Areas)

Article 5 In consideration of the fact that rural areas play an important role as the base for the sustainable agricultural development through agricultural activities taken in the communities including farmers, rural areas shall be developed by improving agricultural production conditions and rural welfare including living environment so that the conventional role as a primary food supplier and the multifunctional role can be fulfilled fully.

(Proper Consideration to Fisheries and Forestry Industries)

Article 6 In taking measures for food, agriculture and rural areas, necessary consideration shall be given to the fisheries and forestry industries in view of their close relationship with agriculture.

(Responsibility of the National Government)

Article 7 (1) The national government is responsible for formulating and implementing comprehensive policies for food, agriculture and rural areas, pursuant to the basic principles of the policies for food, agriculture and rural areas prescribed in Articles 2 to 5 (hereinafter referred to as the "basic principles".)

(2) The national government shall endeavor to enhance the citizens' better understanding of the basic principles by providing relevant information on food, agriculture and rural areas.

(Responsibility of Local Governments)

Article 8 Local governments are responsible, pursuant to the basic principles, and based on an appropriate sharing of roles with the national government, for formulating and implementing policies for food, agriculture and rural areas that suit their natural and socioeconomic characteristics of the area.

(Efforts of Farmers)

Article 9 Farmers and farmers' organizations shall endeavor proactively to realize the basic principles in operating farming and other relevant activities.

(Efforts of Business Operators)

Article 10 Business operators in food industry shall endeavor in operating their business, pursuant to the basic principles, to secure the food supply to the citizens.

(Support Provided to the Efforts of Farmers)

Article 11 In taking measures for food, agriculture and rural areas, the national and local governments shall aim at providing support to the proactive efforts of farmers, farmers' organizations and business operators in food industry.

(Consumer's Role)

Article 12 Consumers shall be encouraged to gain better understanding of food, agriculture and rural areas and be positive to improve their dietary patterns.

(Legislative Measures)

Article 13 The Government shall take legislative, fiscal and financial measures required to implement policies concerning food, agriculture and rural areas.

(Annual Report)

Article 14 (1) The Government shall annually submit to the Diet a report on the trend of food, agriculture and rural areas and on the policies implemented concerning food, agriculture and rural areas.

- (2) The Government shall annually prepare and submit to the Diet a document explaining policies the Government is going to implement in consideration of the trend of food, agriculture and rural areas described in the report of the preceding paragraph.
- (3) The Government shall seek opinions from the Council of Food, Agriculture and Rural Area Policies, in preparing a document explaining the policies the Government is going to implement as referred to in the preceding paragraph.

Chapter II Basic Policies

Section 1 Basic Plan for Food, Agriculture and Rural Areas

- Article 15 (1) The Government shall establish a basic plan for food, agriculture and rural areas (hereinafter referred to as the 'basic plan') for the promotion of a comprehensive and systematic implementation of the policies on food, agriculture and rural areas.
- (2) The basic plan shall set forth the following matters:
 - (i) Basic direction of the policies on food, agriculture and rural areas.
 - (ii) Target rate of food self-sufficiency
 - (iii) Policies that the Government shall implement comprehensively and systematically for food, agriculture and rural areas.
 - (iv) In addition to what is listed above, matters required to be promoted for the comprehensive and systematic implementation of the policies for food, agriculture and rural areas.
 - (3) Target rate of food self-sufficiency as referred to in the second item of the preceding paragraph shall be established in view of improving the rate and as a guideline for domestic agricultural production and food consumption, while identifying issues that farmers and relevant persons should address.
 - (4) Policies of the basic plan which are relevant to rural areas shall be developed in harmony with the national plan of comprehensive use, development and conservation of national land.
 - (5) The Government shall seek opinions from the Council of Food, Agriculture and Rural Area Policies in establishing the basic plan under the provision of paragraph 1.
 - (6) The Government shall, without delay, submit to the Diet and publicize the basic plan when established under the provision of paragraph 1.
 - (7) The Government shall revise the basic act approximately every 5 years, by taking into consideration of the changes in circumstances surrounding food, agriculture and rural areas and also the result of policy effectiveness evaluation on food, agriculture and rural areas.
 - (8) Provisions of paragraphs 5 and 6 shall apply mutatis mutandis to the changes of the basic plan.

Section 2 Policies for Securing Stable Food Supply

(Improvement of Food Consumption Policies)

Article 16 (1) The State shall take necessary measures such as improving food hygiene and quality management and proper food labeling, in order to secure food safety, improve food quality, and contribute to the consumers' reasonable selection.

(2) The State shall take necessary measures such as developing healthy dietary guidelines, broadening the citizens' knowledge of food consumption and providing relevant information, in order to contribute to the improvement of food consumption and effective use of agricultural resources.

(Sound Development of Food Industry)

Article 17 The State shall take necessary measures such as enhancing business base, encouraging closer cooperation with agriculture, streamlining its distribution system, in order to promote the sound development of food industry in view of an importance of its role in stable food supply with proper consideration to the reduction of adverse effects to be caused by the business operation on the environment and ensuring effective use of the resources.

(Measures for Imports and Exports of Agricultural Products)

Article 18 (1) The State shall take necessary measures for securing import of agricultural products for which domestic production cannot meet the demand; and shall take necessary measures such as tariff rate adjustments and import restrictions, where urgently required, when certain imports have or are likely to have serious adverse effect on the production of domestic agricultural products that compete against imports.

(2) The State shall take necessary measures such as strengthening the competitiveness of domestic agricultural products, promoting market research, providing information and encouraging dissemination activities, in order to promote exports.

(Food Security in Emergencies)

Article 19 The State shall take necessary measures such as increasing food production and restricting distribution in order to secure the minimum food required by the citizens in the events prescribed in paragraph 4 of Article 2.

(Promotion of International Cooperation)

Article 20 The State shall endeavor to promote international cooperation including technical and financial cooperation for the development of

agriculture and rural areas as well as food aid to the developing regions, in order to contribute to the long-term stability of the world's food supply and demand.

Section 3 Policy on Sustainable Agricultural Development

(Establishment of Desirable Agriculture)

Article 21 The State shall take necessary measures for the promotion of improvement of agricultural production base, expansion of farm management scale and enhancement of farm management infrastructure according to the type of management and regional characteristics, in order to develop efficient and stable farm management and to establish agricultural structure that can play considerable part in the agricultural production.

(Development of Farm Management by Full-time Farmers)

Article 22 In view of the importance of enabling full-time farmers and other motivated farmers to develop originality and creativity in their farm management, the State shall take necessary measures for the revitalization of family farming by means of improving conditions for the rational management and smooth business succession, and the promotion of incorporation of farm management.

(Securing of Farmland and Its Effective Use)

Article 23 The State shall take necessary measures such as securing agricultural use of land suitable for farming, promoting an intensive use of farmland by those farmers whose management is efficient and stable, and promoting effective use of farmland in order to secure and effectively use the farmland for the domestic agricultural production.

(Improvement of Agricultural Production Base)

Article 24 The State shall take necessary measures for agricultural production base including farmland partition enlargement, creation of multipurpose paddy fields, maintenance of better functions of irrigation and drainage facilities, according to the regional characteristics, in consideration of harmony with the environment, and with the view of efficient operation, in order to encourage the improvement of agricultural productivity by securing farmland with good farming conditions and agricultural water facilities and promotion of their effective use.

(Development and Securing of Human Resources)

Article 25 (1) The State shall take necessary measures such as improving

technical and management skills of farmers, and encouraging those to be engaging in farming to acquire agricultural technologies and management methods, in order to develop and secure human resources who play a major role in efficient and stable farm management.

(2) The State shall take necessary measures such as the promotion of agricultural education so as to obtain better understanding and interest of the citizens in agriculture.

(Promotion of Women's Participation in Agriculture)

Article 26 In view of an importance of both men and women to secure opportunities in participating all kinds of activities as equal members of the society, the State shall promote the creation of an environment in which women's role in farm management is fairly assessed and women can be provided with opportunities to get participated in farm management and other relevant activities on voluntary basis.

(Promotion of Activities by Elderly Farmers)

Article 27 The State shall create an environment in which elderly farmers can be satisfied with their activities relevant to farming in accordance with their roles in local farming and their skills and capabilities for the improvement of their welfare.

(Promotion of Activities of Agricultural Production Organizations)

Article 28 The State shall take necessary measures for promoting agricultural activities by cooperative organizations including those based in rural communities and organizations which operate commissioned farming, in order to contribute to secure efficient agricultural production in the local agriculture.

(Development and Dissemination of Technology)

Article 29 The State shall take necessary measures such as setting specific goals for the research and development of technology, encouraging closer cooperation among national and local research institutes, universities and private bodies, and promoting the dissemination of agricultural technologies that suit the regional characteristics, in order to effectively promote research and development and dissemination of such technologies in the area of agriculture, food processing and distribution.

(Pricing of Agricultural Products and Stabilization of Farm Management)

Article 30 (1) The State shall take necessary measures for allowing the prices of agricultural products be set appropriately reflecting supply and demand situation and quality evaluation, in order to promote agricultural production

that meets the consumers demand.

- (2) The State shall take necessary measures for mitigating adverse effects of significant price changes of agricultural products on farm management which should be encouraged.

(Agricultural Disaster Compensation)

Article 31 The State shall take necessary measures such as reasonable compensation for disaster losses in order to prevent any possible impediment to agricultural reproduction by disasters and help the stabilization of farm management.

(Maintenance and Promotion of the Cyclical Function of Nature)

Article 32 The State shall take necessary measures such as securing the proper use of agricultural chemicals and fertilizers and improving soil fertility through effective use of livestock manure, in order to maintain and promote the cyclical function of nature.

(Rationalization of Production and Distribution of Agricultural Materials)

Article 33 The State shall take necessary measures such as encouraging rationalized production and distribution systems of agricultural materials, in order to contribute to the cost reduction of agricultural materials in farm management.

Section 4 Policies for Development of Rural Areas

(Comprehensive Development of Rural Areas)

Article 34 (1) The State shall systematically promote measures for the comprehensive development of rural areas including agricultural development, with proper consideration to the coordination of land use for agriculture and other purposes.

- (2) The State shall take necessary measures for the comprehensive promotion of improvements of agricultural production bases and rural welfare including living infrastructure such as transportation, telecommunications, public health, education and culture that suit the regional characteristics, in order to promote the sound development of regional agriculture and create pleasant and comfortable rural areas with beautiful landscape.

(Development of Hilly and Mountainous Areas)

Article 35 (1) The State shall take necessary measures, for the areas with poor geographical conditions and disadvantages to agricultural production including mountainous areas and their surrounding areas (hereinafter referred to as

"hilly and mountainous areas"), such as increasing job opportunities by promoting agriculture and other industries through introduction of new crops and production and distribution of local specialty products, taking such regional characteristics into consideration and promoting the settlement of the people through improved living environment.

- (2) The State shall take specific measures for the fulfillment of multifunctional role of agriculture in hilly and mountainous areas, by providing support to compensate disadvantages in agricultural production conditions so that such areas can maintain adequate agricultural production activities.

(Exchange between Urban Areas and Rural Areas)

Article 36 (1) The State shall take necessary measures such as encouraging exchanges between urban and rural areas, and promoting improvement of allotment gardens, in order to enhance public understanding and awareness of agriculture and rural areas and to contribute to healthy and comfortable life.

- (2) The State shall take necessary measures so that agriculture in and around urban areas can operate production activities that meet the demand of urban residents, making use of advantages of proximity to the consumers.

Chapter III Administrative Organs and Relevant Organizations

(Restructuring of Administrative Organs)

Article 37 The State and local governments shall endeavor to cooperate in taking measures on food, agriculture and rural areas, and to restructure administrative organs as well as to improve their efficiency and transparency in administrative management.

(Reorganization and Restructuring of Relevant Bodies)

Article 38 The State shall take necessary measures for efficient restructuring of the bodies relevant to food, agriculture and rural areas, which contribute to the realization of the basic principles.

Chapter IV The Council of Food, Agriculture and Rural Area Policies

(Establishment)

Article 39 The Council of Food, Agriculture and Rural Area Policies (hereinafter referred to as the "Council") in the Ministry of Agriculture, Forestry and Fisheries is hereby established.

(Authority)

Article 40 (1) The Council shall study and deliberate important matters for

implementing this Act, in response to the consultations by the Minister of Agriculture, Forestry and Fisheries or other ministers concerned, in addition to deal with the tasks authorized under this Act.

- (2) The Council may submit its opinions to the Minister of Agriculture, Forestry and Fisheries or other ministers concerned, with regard to the matters provided in the preceding paragraph.
- (3) In addition to the matters provided for in the preceding two paragraphs, The Council shall deal with the tasks authorized under the following acts: Land Improvement Act (Act No.195 of 1949), Act for Improvement and Increased Production of Livestock (Act No.209 of 1950), Animal Infectious Diseases Control Act (Act No.160 of 1951), Feed Supply and Demand Stabilization Act (Act No.356 of 1952), Act Concerning Dairy and Beef Cattle Production Promotion (Act No.182 of 1954), Fruit-growing Industry Promotion Special Measures Act (Act No.15 of 1961), Act Concerning the Stabilization of Livestock Products (Act No.183 of 1961), Sugar Price Adjustment Act (Act No.109 of 1965), Temporary Act for Compensation Price for Producers of Milk for Manufacturing Use (Act No.112 of 1965), Act Concerning Establishment of Agricultural Promotion Areas (Act No.58 of 1969), Wholesale Market Act (Act No.35 of 1971), Special Measures Act for Beef Calf Production Stabilization (Act No.98 of 1988), Act Concerning of the Food Marketing Structure (Act No.59 of 1991), Act for Stabilization of Supply, Demand and Prices of Staple Food (Act No.113 of 1994), Food Recycling Act (Act No.116 of 2000)

(Organization)

- Article 41 (1) The Council shall be comprised of not more than 30 members.
- (2) The Council members shall be appointed by the Minister of Agriculture, Forestry and Fisheries from person with relevant knowledge and experience with regard to the matters provided for in the first paragraph of the preceding article.
 - (3) The Council members shall serve on a part-time basis.
 - (4) In addition to what is provided for in paragraph 2, the Council staff, as prescribed by the Cabinet Order, shall be appointed by the Minister of Agriculture, Forestry and Fisheries.

(Request of Document Submission and Others)

Article 42 The Council may request the heads of relevant administrative organs to submit appropriate materials, and offer their opinions, explanations and other cooperation as deemed necessary for the execution of their affairs under the jurisdiction.

(Authorization)

Article 43 In addition to what is provided for in this Act, the matters necessary for the organization and administration of the Council shall be prescribed by the Cabinet Order.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act shall enter into force on the day of promulgation.

(Abolition of the Agricultural Basic Act)

Article 2 The Agricultural Basic Act (Act No. 127 of 1961) shall be abolished.

(Transitional Measure)

Article 3 (1) If such a report as referred to under the first paragraph of Article 6 of the Agricultural Basic Act before its abolishment, as prescribed in the preceding article (hereinafter referred to as "old Basic Act"), has not been submitted to the Diet in 1999 prior to the effective date of this Act, the provisions then in force shall remain applicable to the submission of the report to the Diet.

(2) If such a report as referred to in the first paragraph of Article 6 of the old Basic Act was submitted prior to the effective date of this Act, or if such a report as referred to in the first paragraph of Article 6 of the old Basic Act as prescribed in the preceding paragraph was submitted to the Diet, such reports shall be deemed to have been submitted as reports as referred to in the first paragraph of Article 14 under that paragraph.

(3) If such a document as referred to in Article 7 of the old Basic Act has not been submitted to the Diet in 1999 on the effective date of this Act, provisions then in force shall remain applicable to the submission of the report to the Diet.

(4) If such a document as referred to in Article 7 of the old Basic Act was submitted to the Diet prior to the effective date of this Act, or if such a document as referred to in the first paragraph of Article 7 of the old Basic Act to which the provisions then in force still remain applicable, was submitted to the Diet, such documents shall be deemed to have been submitted as documents as referred to in the second paragraph of Article 14 under that paragraph.

Supplementary Provisions [Act No.102 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act shall enter into force on the day of promulgation of the Partial Amendment of the Cabinet Act (Act No. 88 of 1999). However, the following

provisions shall enter into force on the day set forth:

(i) Omitted

(ii) Paragraphs 1 and 5 of Article 10, Paragraph 3 of Article 14, Article 23, Article 28 and Article 30 of the Supplementary Provisions - The day of promulgation.

(Transitional Measures Specified Separately)

Article 30 In addition to the matters provided for in Article 2 to the preceding article, transitional measures required for the implementation of this Act shall be prescribed by act separately.

Supplementary Provisions [Act No.107 of June 2, 2000] [Extract]

(Effective Date)

Article 1 This Act shall enter into force as from October 1, 2000.

Supplementary Provisions [Act No.116 of June 7, 2000] [Extract]

(Effective Date)

Article 1 This Act shall enter into force on the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

Supplementary Provisions [Act No.126 of December 4, 2002] [Extract]

(Effective Date)

Article 1 This Act shall enter into force on April 1, 2003. However, the provisions Article 9 to 18 inclusive, and Article 20 to 25 inclusive of the Supplementary Provisions shall enter into force on October 1, 2003.

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

(Effective Date)

Article 1 This Act shall enter into force on the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

Supplementary Provisions [Act No. 89 of July 29, 2005] [Extract]

(Effective Date)

Article 1 This Act shall enter into force on the date specified by a Cabinet Order within a period not exceeding six months from the day of promulgation (hereinafter referred to as "effective date").