

# Order for Enforcement of the Agricultural Chemicals Regulation Act

(Cabinet Order No. 56 of March 30, 1971)

The Cabinet hereby enacts this Cabinet Order entirely amending the Order for Enforcement of the Agricultural Chemicals Regulation Act (Cabinet Order No. 154 of 1963) pursuant to the provisions of Article 12-2, paragraph (1), Article 12-3, paragraph (1), Article 12-4, paragraphs (1) and (2), and Article 13, paragraph (3) of the Agricultural Chemicals Regulation Act (Act No. 82 of 1948).

## (Fees)

- Article 1 (1) The amount of the fees that must be paid pursuant to the provisions of Article 3, paragraph (8) of the Agricultural Chemicals Regulation Act (hereinafter referred to as the "Act") (including as applied mutatis mutandis pursuant to Article 34, paragraph (6) of the Act) is 719,300 yen.
- (2) The amount of the fees that must be paid pursuant to the provisions of Article 5, paragraph (4) of the Act (including as applied mutatis mutandis pursuant to Article 6, paragraph (4) (including as applied mutatis mutandis pursuant to Article 34, paragraph (6) of the Act) and Article 34, paragraph (6) of the Act) is 2,400 yen.
- (3) The amount of the fees that must be paid pursuant to the provisions of Article 7, paragraph (6) of the Act (including as applied mutatis mutandis pursuant to Article 34, paragraph (6) of the Act) is 251,700 yen.
- (4) The amount of the fees that must be paid pursuant to the provisions of Article 8, paragraph (7) of the Act (including as applied mutatis mutandis pursuant to Article 34, paragraph (6) of the Act; the same applies in the following paragraph) is 350,000 yen.
- (5) Notwithstanding the provisions of the preceding paragraph, if a person that has paid the fees in the amount specified in the preceding paragraph and has undergone reevaluations, intends to undergo reevaluations for the relevant reevaluated agricultural chemicals within the period specified by Order of the Ministry of Agriculture, Forestry and Fisheries referred to in Article 8, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 34, paragraph (6) of the Act) from the date of payment of the fees, the amount of the fees that must be paid pursuant to the provisions of Article 8, paragraph (7) of the Act is 129,500 yen.

## (Water Polluting Agricultural Chemicals)

Article 2 Water polluting agricultural chemicals under Article 26, paragraph (1)

of the Act are chemicals used for weeding that contain 2-chloro-4,6-bis(ethylamino)-s-triazine (also known as simazine) as the active ingredient.

(Areas Where the Use of Water Polluting Agricultural Chemicals may be Regulated)

Article 3 The area where it may be prescribed pursuant to the provisions of Article 26, paragraph (2) of the Act that a permission is required to be obtained in order to use agricultural chemicals that fall under the category of water polluting agricultural chemicals (or that a consultation is required to be held in order to use those agricultural chemicals, if a national government organ is to do so) is limited to be within the water catchment area of a river (including drainage channels) flowing into an area of public water where there is a risk of water pollution occurring that is found to be associated with the use of those agricultural chemicals and that would cause extreme damage to flora and fauna in the human living environment, or that would cause damage to humans or animals due to the use of the polluted water; and that is also within an area where it is found appropriate to regulate the use of those agricultural chemicals in consideration of the geography, distance to these areas of public water and other natural conditions as well as the status of the use of the agricultural chemicals.

(Administrative Functions to be Handled by Prefectures)

- Article 4 (1) Among the administrative functions that fall under the authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of the Environment under Article 29, paragraph (1) of the Act, those that fall under the authority to order users of agricultural chemicals to report on their use, and under the authority to have relevant employees collect agricultural chemicals in quantities necessary for an inspection from those aforementioned persons, or have the employees enter the necessary sites and inspect the use of agricultural chemicals, books, documents or other necessary items, are performed by the prefectural governor; provided, however, that this does not preclude the Minister of Agriculture, Forestry and Fisheries or the Minister of the Environment from performing administrative functions that fall under their authority if it is necessary for preventing the spread of damage to crops, flora and fauna in the human living environment, or humans or animals due to the use of agricultural chemicals.
- (2) The provisions of the main clause of the preceding paragraph apply mutatis mutandis to the functions that fall under the authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of the Environment as provided for in Article 29, paragraph (3) of the Act.
- (3) The administrative functions that fall under the authority of the Minister of

Agriculture, Forestry and Fisheries as provided for in Article 31, paragraph (2) of the Act are performed by the prefectural governor; provided, however, that this does not preclude the Minister of Agriculture, Forestry and Fisheries from performing the administrative functions that fall under their authority if it is necessary for preventing the spread of damage to crops, flora and fauna in the human living environment, or humans or animals due to the sale of agricultural chemicals.

- (4) In the case referred to in the main clause of paragraph (1) (including as applied *mutatis mutandis* pursuant to paragraph (2)) and the preceding paragraph, the provisions of the Act relating to the Minister of Agriculture, Forestry and Fisheries or the Minister of the Environment in terms of the administrative functions specified in these provisions are to apply to the prefectural governor as provisions relating to the prefectural governor.
- (5) If the prefectural governor has ordered a report or carried out collection or inspection pursuant to the provisions of Article 29, paragraph (1) of the Act based on the main clause of paragraph (1), the prefectural governor must report the results to the Minister of Agriculture, Forestry and Fisheries or the Minister of the Environment, as prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.
- (6) If the prefectural governor has restricted or prohibited the sale of agricultural chemicals pursuant to the provisions of Article 31, paragraph (2) of the Act based on paragraph (3), the prefectural governor must report it to the Minister of Agriculture, Forestry and Fisheries, as prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Classification of Administrative Functions)

Article 5 The administrative functions to be handled by prefectures pursuant to the provisions of paragraphs (1), (3), (5), and (6) of the preceding Article are regarded as type 1 statutory entrusted functions provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

### **Supplementary Provisions**

This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Agricultural Chemicals Regulation Act (Act No. 1 of 1971) comes into effect (April 1, 1971); provided, however, that the provisions of Articles 1 through 3 of the amended Order for Enforcement of the Agricultural Chemicals Regulation Act come into effect as of May 1, 1971.

**Supplementary Provisions [Cabinet Order No. 219 of June 30, 1971  
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of July 1, 1971.

**Supplementary Provisions [Cabinet Order No. 368 of December 10, 1971]**

This Cabinet Order comes into effect as of December 30, 1971.

**Supplementary Provisions [Cabinet Order No. 282 of July 5, 1978 Extract]  
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date of promulgation.

**Supplementary Provisions [Cabinet Order No. 274 of December 26, 1983]**

This Cabinet Order comes into effect as of March 1, 1984.

**Supplementary Provisions [Cabinet Order No. 142 of May 15, 1984]**

This Cabinet Order comes into effect as of the date on which the Act on the Amendment of the Amount of Fees and the Rationalization of the Provisions (Act No. 23 of 1984) comes into effect (May 21, 1984).

**Supplementary Provisions [Cabinet Order No. 60 of March 25, 1987]**

This Cabinet Order comes into effect as of April 1, 1987.

**Supplementary Provisions [Cabinet Order No. 58 of March 22, 1989]**

This Cabinet Order comes into effect as of April 1, 1989.

**Supplementary Provisions [Cabinet Order No. 40 of March 19, 1991]**

This Cabinet Order comes into effect as of April 1, 1991.

**Supplementary Provisions [Cabinet Order No. 73 of March 24, 1994]**

This Cabinet Order comes into effect as of April 1, 1994.

**Supplementary Provisions [Cabinet Order No. 127 of April 18, 1994]**

This Cabinet Order comes into effect as of July 1, 1994.

**Supplementary Provisions [Cabinet Order No. 76 of March 26, 1997]**

This Cabinet Order comes into effect as of April 1, 1997.

**Supplementary Provisions [Cabinet Order No. 416 of December 22, 1999  
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2000.

(Transitional Measures upon Partial Amendment of the Order for Enforcement of the Agricultural Chemicals Regulation Act)

Article 15 If, before the enforcement of this Cabinet Order, the prefectural governor to whom the authority has been delegated pursuant to the provisions of Article 6, paragraph (2) of the Order for Enforcement of the Agricultural Chemicals Regulation Act prior to amendment by Article 30 has ordered a report or carried out collection or inspection pursuant to the provisions of Article 13, paragraph (1) of the Agricultural Chemicals Regulation Act prior to amendment by Article 243 of the Development Act (Act No. 82 of 1948), the provisions of Article 6, paragraph (5) of the Order for Enforcement of the Agricultural Chemicals Regulation Act amended by Article 30 do not apply.

(Transitional Measures Concerning Penal Provisions)

Article 22 Prior laws continue to govern the applicability of penal provisions to conduct that a person engaged in before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 96 of March 24, 2000]**

This Cabinet Order comes into effect as of April 1, 2000.

**Supplementary Provisions [Cabinet Order No. 310 of June 7, 2000  
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

**Supplementary Provisions [Cabinet Order No. 333 of June 7, 2000  
Extract] [Extract]**

(Effective Date)

- (1) This Cabinet Order (excluding Article 1) comes into effect as of April 1, 2001.

**Supplementary Provisions [Cabinet Order No. 3 of January 8, 2003  
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Agricultural Chemicals Regulation Act comes into effect (March 10, 2003).

**Supplementary Provisions [Cabinet Order No. 37 of March 17, 2004]**

This Cabinet Order comes into effect as of March 29, 2004.

**Supplementary Provisions [Cabinet Order No. 73 of March 24, 2016]**

This Cabinet Order comes into effect as of April 1, 2016.

**Supplementary Provisions [Cabinet Order No. 326 of November 30, 2018  
Extract] [Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Agricultural Chemicals Regulation Act comes into effect (December 1, 2018); provided, however, that in Article 1, the provisions amending Article 3 of the Order for Enforcement of the Agricultural Chemicals Regulation Act (limited to the part amending "water that would have aquatic animals and plants damaged seriously and the damage is found to be associated with the use of those agricultural chemicals, or" to "public water where there is a risk of water pollution occurring that is found to be associated with the use of those agricultural chemicals and"; the part amending "an area of public water where there is a risk of water pollution occurring that is found to be associated with the use of those agricultural chemicals and" to "that would cause extreme damage to flora and fauna in the human living environment, or"; and the part amending "the area of water or the area" to "these areas") and the provisions amending the proviso to paragraph (1) and the proviso to paragraph (3) of Article 4 of the same Order come into effect as

of the date on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the same Act come into effect (April 1, 2020).

**Supplementary Provisions [Cabinet Order No. 168 of November 22, 2019  
Extract] [Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the date on which two months have elapsed from the date of promulgation; provided, however, that the provisions amending paragraph (3) of the Supplementary Provisions and the provisions of paragraph (3) of the Supplementary Provisions come into effect as of the date of promulgation.