

Regulations for Enforcement of the Act on Japanese Agricultural Standards

(Order of the Ministry of Finance and the Ministry of Agriculture, Forestry and Fisheries No. 3 of September 7, 2022)

In connection with the enforcement of the Act Partially Amending the Act on Facilitating the Export of Agricultural, Forestry, and Fishery Products and Food (Act No. 49 of 2022), and in accordance with the provisions of the Act on Japanese Agricultural Standards (Act No. 175 of 1950) and the Enforcement Order of the Act on Japanese Agricultural Standards (Cabinet Order No. 291 of 1951) and to enforce the Act, the Regulations for Enforcement of the Act on Japanese Agricultural Standards are provided as follows.

(Matters Equivalent to the Quality of Agricultural and Forestry Products)

Article 1 The matters provided by order of the competent ministry referred to in Article 2, paragraph (2), item (iv) of the Act on Japanese Agricultural Standards (referred to below as the "Act") are terms concerning agricultural and forestry products, the handling, etc. of agricultural and forestry products (meaning the handling, etc. of agricultural and forestry products prescribed in item (ii) of the same paragraph; the same applies below), or testing, etc. (meaning the testing, etc. prescribed in item (iii) of the same paragraph; the same applies below).

(Public Announcement of Information on the Progress of Procedures)

Article 2 The competent minister is to make public information on the progress of procedures for the enactment of a standard, and the confirmation, amendment and abolishment of Japanese Agricultural Standards (collectively referred to below as "confirmation, etc.") under Article 3 of the Act (including as applied mutatis mutandis pursuant to Article 5 of the Act) by using the internet or other means.

(Consultation with the Council for the Japanese Agricultural Standards)

Article 3 (1) The competent minister is to carry out procedures for seeking the opinions of the public on the draft of Japanese Agricultural Standards, and then have this deliberated on by the Council for the Japanese Agricultural Standards.

(2) When referring the draft of Japanese Agricultural Standards for deliberation to the Council for the Japanese Agricultural Standards, the competent minister must attach the following documents to the draft:

- (i) the results of research on the current situation and outlook on the quality or production, sale, or other handling of agricultural and forestry products relating to the draft of Japanese Agricultural Standards, or transactions of the agricultural and forestry products, and on trends in international standardization; and
- (ii) the results of procedures for seeking the opinions of the public under the provisions of the preceding paragraph.

(Proposal for Enactment or Confirmation, etc. of Japanese Agricultural Standards)

Article 4 A person that intends to make the proposal under Article 4, paragraph (1) of the Act must prepare the original bill in which the current situation and outlook on the quality or production, sale, or other handling of agricultural and forestry products relating to that bill referred to in the same paragraph, or transactions of the agricultural and forestry products, and trends in international standardization are considered, while the intent of persons with significant interest is to be reflected, and any parties under similar conditions are not to be unfairly discriminated against in its application.

Article 5 The proposal under Article 4, paragraph (1) of the Act (including as applied *mutatis mutandis* pursuant to Article 5 of the Act) must be made in writing stating the following matters; provided, however, that when the confirmation or abolishment of a Japanese Agricultural Standard is proposed, that standard is deemed to be the original bill:

- (i) the name and address of the proposing party, and the type and details of the business in which the proposing party is engaged;
- (ii) the type of agricultural and forestry product in relation to the Japanese Agricultural Standard intended to be enacted or confirmed, etc., or the division of the method of handling, etc. of agricultural and forestry products, the method of testing, etc. or the matters stated in Article 2, paragraph (2), item (iv) of the Act, and information as to whether the distinction between enactment, confirmation, amendment, or abolishment;
- (iii) the reason for the enactment, confirmation, amendment or abolishment;
- (iv) the outline of the results of research of the current situation and outlook on the quality or production, sale, or other handling of agricultural and forestry products relating to the original bill subject to the proposal, or transactions in the agricultural and forestry products, and of trends in international standardization; and
- (v) if the proposal is for enactment or amendment, an outline of the opinions of persons with significant interest in the original bill relating to the proposal.

(Public Notification of the Enactment of Japanese Agricultural Standards)

Article 6 (1) The public notification prescribed in Article 7, paragraph (1) of the Act is given by publishing the following matters in the Official Gazette:

- (i) the type of agricultural and forestry product, or the division of the method of handling, etc. of agricultural and forestry products or the method of testing, etc., or the matters stated in Article 2, paragraph (2), item (iv) of the Act;
- (ii) the number of the relevant Japanese Agricultural Standard;
- (iii) information as to the distinction between enactment, amendment, or abolishment; and
- (iv) the effective date.

(2) The public notification prescribed in Article 7, paragraph (2) of the Act is given by publishing the following matters in the Official Gazette:

- (i) the type of agricultural and forestry product, or the division of the method of handling, etc. of agricultural and forestry products, the method of testing, etc. or the matters stated in Article 2, paragraph (2), item (iv) of the Act;
- (ii) the number of the relevant Japanese Agricultural Standard; and
- (iii) an indication that the relevant Japanese Agricultural Standard has been confirmed.

(3) When issuing the public notification under Article 7, paragraph (1) or (2) of the Act, the competent minister is to make public the date and details of that public notification by using the internet or other means.

(Public Hearings)

Article 7 A person requesting a public hearing pursuant to the provisions of Article 9, paragraph (2) of the Act must submit a written request to hold a public hearing, stating the following matters to the competent minister:

- (i) the name and address of the requester;
- (ii) the matters to be requested;
- (iii) the reason for the request; and
- (iv) the opinion.

Article 8 When intending to hold a public hearing, the competent minister must give public notification of the date, time, place, and matters on which opinions are to be heard at the public hearing at least ten days before the hearing.

Article 9 Persons that intend to attend a public hearing and state their opinions must report to the competent minister on their position either for or against the relevant matters and the reasons in writing in advance.

Article 10 (1) The competent minister designates interested persons whose opinions are to be heard at a public hearing (referred to below as "speakers at

public hearings") among the persons who have reported in advance pursuant to the preceding Article along with other persons, and the competent minister notifies the persons to that effect.

- (2) If there are both persons for and against the relevant matters among those who have reported in advance, the speakers at the public hearings must be selected from both sides.

Article 11 Public hearings are chaired by the competent minister or an employee of the Ministry of Finance or the Ministry of Agriculture, Forestry and Fisheries designated by the minister.

Article 12 When finding it necessary, a chairperson may have persons with relevant expertise, employees of relevant administrative organs, and other relevant persons of reference attend and state their opinions at public hearings.

Article 13 (1) Speakers at public hearings must not speak on topics beyond those relevant.

- (2) When speakers at public hearings speak on topics beyond those relevant or act inappropriately, a chairperson may prohibit them from speaking or order them to leave the room.

Article 14 (1) Relevant persons of reference who attend public hearings pursuant to the provisions of Article 12 may question speakers at a public hearing.

- (2) Speakers at public hearings may not question the relevant persons of reference mentioned in the preceding paragraph.

Article 15 When having obtained the chairperson's approval, speakers at public hearings may present their opinions in writing or have a representative state their opinions on their behalf.

(Applications for Certification of Product Handlers)

Article 16 Application for the certification referred to in Article 10, paragraph (1) of the Act must be made by submitting to an accredited certification body a document stating the following matters (in cases of application for the certification made as provided by the competent minister referred to in Article 48, paragraph (2), excluding item (iv)):

- (i) the name and address;
- (ii) the type of agricultural and forestry product intended to be graded;
- (iii) the name and location of the farm, factory, or business establishment where the relevant agricultural and forestry products are produced, sold, or otherwise handled;

- (iv) the matters showing that the technical criteria for the certification referred to in Article 10, paragraph (1) of the Act are complied with; and
- (v) other matters for reference.

(Grade Labeling)

Article 17 The method provided in order of the competent ministry referred to in Article 10, paragraph (1) of the Act is as follows:

- (i) the matters to be indicated are mainly as follows, and the format is provided for each type of agricultural and forestry product by the competent minister in public notice:
 - (a) the matters referring to Japanese Agricultural Standard;
 - (b) the name of the accredited certification body performing the certification;
 - (c) the content of the Japanese Agricultural Standard relating to the grading; and
 - (d) the number assigned by the accredited certification body or accredited overseas certification body for each certification (referred to below as the "certification number");
- (ii) the method of labeling is provided for each type of agricultural and forestry product by the competent minister in public notice.

(Production Process Manager)

Article 18 Persons that manage or control the production process of agricultural and forestry products as provided by order of the competent ministry referred to in Article 10, paragraph (2) of the Act are as follows:

- (i) product handlers of the relevant agricultural and forestry products (meaning the product handler prescribed in Article 10, paragraph (1) of the Act; the same applies below) that are also the persons that manage or control the production process of the agricultural and forestry products; or
- (ii) corporations composed of product handlers of the relevant agricultural and forestry products (including an association or foundation without legal personality which has a designated representative or custodian) that are also the persons that manage or control the production process of the agricultural and forestry products.

(Applications for Certification of Production Process Managers)

Article 19 The application for the certification referred to in Article 10, paragraph (2) of the Act must be made by submitting a document stating the following matters to an accredited certification body:

- (i) the name and address;
- (ii) the type of agricultural and forestry product intended to be graded (including alcohol beverages, if their grading is to be conducted);

- (iii) the name and location of the farm, factory, or business establishment where the relevant agricultural and forestry products are produced;
- (iv) the matters showing that the technical criteria for the certification referred to in Article 10, paragraph (2) of the Act are complied with; and
- (v) other matters for reference.

(Distribution Process Managers)

Article 20 Persons that manage or control the distribution process of agricultural and forestry products as provided by order of the competent ministry referred to in Article 10, paragraph (3) of the Act are as follows:

- (i) product handlers of the relevant agricultural and forestry products that are also the persons that manage or control the distribution process of agricultural and forestry products; or
- (ii) corporations composed of product handlers of the relevant agricultural and forestry products (including an association or foundation without legal personality which has a designated representative or custodian) that are also the persons that manage or control the distribution process of the agricultural and forestry products.

(Applications for Certification of Distribution Process Managers)

Article 21 Applications for the certification referred to in Article 10, paragraph (3) of the Act must be made by submitting a document stating the following matters to an accredited certification body:

- (i) the name and address;
- (ii) the type of agricultural and forestry product sought to be graded;
- (iii) the distribution process of the relevant agricultural and forestry products;
- (iv) the name and address of the product handler in the relevant distribution process;
- (v) the matters showing that the technical criteria for the certification referred to in Article 10, paragraph (3) of the Act are complied with; and
- (vi) other matters for reference.

(Method of Inspecting Agricultural and Forestry Products)

Article 22 The inspection of the agricultural and forestry products referred to in Article 10, paragraph (4), item (i) of the Act is to be conducted as stated below:

- (i) the inspection is to be conducted individually or by sampling as provided by the competent minister; and
- (ii) the percentage of sampling in the cases of sampling inspections and the grading criteria are to be as provided for each type of agricultural and forestry product by the competent minister.

(Method of Inspecting the Production Process of Agricultural and Forestry Products)

Article 23 The inspection of the production process of the agricultural and forestry products referred to in Article 10, paragraph (4), item (ii) of the Act is to be conducted, as provided for each type of agricultural and forestry product by the competent minister, based on the records of production prepared by the product handler of the relevant agricultural and forestry product and the results of site investigation of the farm, factory, or business establishment, and other investigations.

(Method of Inspecting the Distribution Process of Agricultural and Forestry Products)

Article 24 The inspection of the distribution process of the agricultural and forestry products referred to in Article 10, paragraph (4), item (iii) of the Act is to be conducted, as provided for each type of agricultural and forestry product by the competent minister, based on the records of distribution prepared by the product handler of the relevant agricultural and forestry product and the results of site investigation of the facilities relating to the distribution and other investigations.

(Technical Criteria for the Certification of Product Handlers Conducting Grading)

Article 25 The technical criteria for the certification referred to in Article 10, paragraphs (1) through (3) of the Act are to be specified by the competent minister for each type of agricultural and forestry product concerning the following matters:

- (i) the organization necessary for the business of producing, selling, or otherwise handling agricultural and forestry products subject to certification, or for the business of managing or controlling a production or distribution process of the agricultural and forestry products, and the matters concerning the administration and operation of that business; and
- (ii) the organization conducting grading, and method of carrying out grading, such as affixing the grade label, and preparing and keeping records of grading.

(Applications for the Certification of Re-packers)

Article 26 Application for the certification referred to in Article 11, paragraph (1) of the Act must be made by submitting a document stating the following matters to an accredited certification body:

- (i) the name and address;
- (ii) the type of agricultural and forestry product to which a grade label is

- sought to be affixed (including alcohol beverages, if a grade label is to be affixed to them);
- (iii) the name and location of the business establishment where the relevant agricultural and forestry products are subdivided;
 - (iv) the matters showing that the technical criteria for the certification referred to in Article 11, paragraph (1) of the Act are complied with; and
 - (v) other matters for reference.

(Technical Criteria for the Certification of Re-packers)

Article 27 The technical criteria for the certification referred to in Article 11, paragraph (1) of the Act are to be specified by the competent minister for each type of agricultural and forestry product concerning the following matters:

- (i) the organization necessary for the business of subdivision, and matters concerning the administration and operation of that business; and
- (ii) the organization that affixes grade labels, and method of carrying out grade labeling, such as affixing the grade label, and preparing and keeping records of grade labeling.

(Applications for the Certification of Importers)

Article 28 Application for the certification referred to in Article 12, paragraph (1) of the Act must be made by submitting a document stating the following matters to an accredited certification body:

- (i) the name and address;
- (ii) the type of agricultural and forestry product to which a grade label is to be affixed (including alcohol beverages, if a grade label is to be affixed to the product);
- (iii) the name and location of the business establishment where the import of the relevant agricultural and forestry product is conducted;
- (iv) the matters showing that the technical criteria for the certification referred to in Article 12, paragraph (1) of the Act are complied with; and
- (v) other matters for reference.

(Matters to be Stated in Certificates)

Article 29 The matters provided by order of the competent ministry referred to in Article 12, paragraph (1) of the Act are as follows:

- (i) the name and address of the organization which has issued the certificate;
- (ii) the issuance date of the certificate;
- (iii) the type and quantity of agricultural and forestry products relating to the certification;
- (iv) the name and address of the overseas organization which has performed an act equivalent to the certification of the product handler, production process

manager (meaning the production process manager prescribed in Article 10, paragraph (2) of the Act; the same applies below), distribution process manager (meaning the distribution process manager prescribed in paragraph (3) of the same Article; the same applies below), or re-packer (meaning the re-packer prescribed in Article 11, paragraph (1) of the Act; the same applies below) relating to the relevant agricultural and forestry product; and
(v) an indication that the relevant agricultural and forestry product has been graded.

(Overseas Countries That Have a Grading System Equivalent to That of The Japanese Agricultural Standards Concerning Agricultural and Forestry Products)

Article 30 The countries designated by order of the competent ministry referred to in Article 12, paragraph (2) of the Act are as follows:

- (i) for those that are produced or processed exclusively from the organic plant products as raw materials or ingredients, among the organic products of plant origin (meaning the plant products prescribed in Article 2, paragraph (1) of the Enforcement Order of the Act on Japanese Agricultural Standards (referred to below as the "Order"); the same applies below) and organic processed food (meaning those food and drinks that are produced or processed exclusively from the organic plant products or organic livestock products (limited only to those in compliance with the standards provided by the competent minister, as prescribed in Article 18, item (iii) of the Order; the same applies below)) as raw material or ingredients: Canada; and
- (ii) for organic plant products and organic processed foods (meaning those specified in the preceding paragraph of this Article, excluding alcohol beverages): United States of America, Argentina, United Kingdom, Australia, Switzerland, and New Zealand, and the member states of the European Union; and
- (iii) for organic livestock and organic processed foods (excluding those specified in the paragraph (1) of this Article): Canada; and
- (iv) for organic livestock and organic processed food (excluding those prescribed in the paragraph (1) of this Article and alcohol beverages): United States of America, Australia and Switzerland.

(Public Notification of Foreign Bodies Equivalent to Governmental Organizations Designated by the Competent Minister)

Article 31 The matters as provided for by order of the competent ministry referred to in Article 12, paragraph (3) of the Act are as stated below:

- (i) the name and address of the foreign body equivalent to a governmental organization; and

- (ii) the type of agricultural and forestry products relating to the certificate issued by the foreign body equivalent to a governmental organization.

(Technical Criteria for the Certification of Importers)

Article 32 The technical criteria for the certification referred to in Article 12, paragraph (1) of the Act are to be specified by the competent minister for each type of agricultural and forestry product concerning the following matters:

- (i) the organization necessary for the business of accepting and keeping imports, and matters concerning the administration and operation of that business; and
- (ii) the organization that affixes grade labels, and method of carrying out grade labeling, such as affixing the grade label, and preparing and keeping records of grade labeling.

(Application for the Certification of a Foreign Grade Labeling Operators)

Article 33 An application for certification referred to in Article 12-2, paragraph (1) of the Act must be made by submitting a document stating the following items to the accredited certification body:

- (i) the name and address;
- (ii) the type of agricultural and forestry product to which a foreign grade label is to be affixed (including alcohol beverages, if foreign grade label is to be affixed to the products);
- (iii) the name and location of the business establishment, where foreign grade label is to be affixed to the relevant agricultural and forestry product;
- (iv) matters indicating that the technical criteria for the certification referred to in Article 12-2, paragraph (1) of the Act are complied with; and
- (v) other matters for reference.

(Foreign Grade Label)

Article 34 Such labeling as specified by the order of the competent ministry pursuant to Article 12-2, paragraph (1) of the Act is to indicate that the relevant grading of the agricultural and forestry products for each country stated in the right column of the following table has been conducted in accordance with the grading system of the relevant foreign countries stated in the left column of the same table.

Country	Agricultural and forestry products
United States of America	Organic products of plant origin, organic livestock products, and organic processed foods (excluding alcohol beverages)
Canada	Organic products of plant origin, organic livestock products, and organic processed foods

Member states of the European Union	Organic products of plant origin, and organic processed foods (excluding alcohol beverages) that are manufactured or processed by using exclusively organic products of plant origin as raw materials or ingredients.
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(Technical Criteria for the Certification of Foreign Grade Labeling Operators)

Article 35 The technical criteria for the certification referred to in Article 12-2, paragraph (1) of the Act are to be specified by the competent minister for each type of agricultural and forestry product concerning the following matters:

- (i) the organization necessary for the business activities for receiving and storing the agricultural and forestry products to which foreign grade labels are to be affixed, and the matters concerning the administration and management of the relevant business activities; and
- (ii) the organization that affixes foreign grade labels, and the methods of carrying out foreign grade labeling, such as affixing foreign grade labels, and preparing and keeping records of foreign grade labeling.

(Applications for Certification of a Product Handler to Affix Compliance Label)

Article 36 The application for the certification referred to in Article 13, paragraph (1) of the Act must be made by submitting a document stating the following matters to an accredited certification body:

- (i) the name and address;
- (ii) the division of the method of handling, etc. of agricultural and forestry products for which the certification is sought;
- (iii) the matters showing that the technical criteria for the certification referred to in Article 13, paragraph (1) of the Act are complied with; and
- (iv) other matters for reference.

(Advertisement Concerning the Handling of Agricultural and Forestry Products)

Article 37 The matters provided for by order of the competent ministry referred to in Article 13, paragraph (1) of the Act are as follows:

- (i) the advertisements concerning the handling, etc. of the agricultural and forestry products;
- (ii) the advertisements concerning product handlers; and
- (iii) the matters provided by the competent minister as equivalents to those stated in the preceding two items.

(Compliance Label)

Article 38 The method provided by order of the competent ministry referred to in Article 13, paragraph (1) of the Act is as follows:

- (i) the matters to be indicated are mainly as follows, and the format is provided for each division of the method of handling, etc. of agricultural and forestry products by the competent minister in public notice:
 - (a) the matter referring to Japanese Agricultural Standard;
 - (b) the name of the accredited certification body performing the certification; and
 - (c) the content of the Japanese Agricultural Standard relating to the compliance.
- (ii) the method of labeling is provided for each division of the method of handling, etc. of agricultural and forestry products by the competent minister in public notice.

(Technical Criteria for Certification of a Product Handler to Affix Compliance Label)

Article 39 The technical criteria for the certification referred to in Article 13, paragraph (1) of the Act are to be specified by the competent minister for each type of agricultural and forestry product concerning the following matters (for a division of the method of handling, etc. of agricultural and forestry products for which no effective period of certification is prescribed, excluding the matter stated in item (iii)):

- (i) the organization necessary for the business for the method of handling, etc. of agricultural and forestry products, and matters concerning the administration and operation of that business;
- (ii) the organization that affixes compliance labels, and the method of carrying out compliance labeling, such as affixing compliance label, and preparing and keeping records of compliance labeling; and
- (iii) the effective period of certification.

(Accreditation of an Accredited Certification Body)

Article 40 (1) Application for the accreditation referred to in Article 14, paragraph (1) of the Act must be made by submitting a written application using Appended Form 1 to which revenue stamps for an amount corresponding to the amount of the application fee are affixed to the competent minister.

(2) The following documents must be attached to the written application referred to in the preceding paragraph:

- (i) a certificate of registered information (if the applicant is a corporation incorporated under foreign laws and regulations, a document equivalent to the certificate);
- (ii) a document stating the following matters:
 - (a) the matters concerning the organization that performs certification operations;

- (b) beyond what is stated in (a), matters concerning the method of undertaking certification; and
- (c) if operations other than those regarding certification are performed, matters concerning the type and outline of the operations and the entire organization.
- (iii) a document stating the composition of major shareholders (if there is any person equivalent to the certified business operator prescribed in Article 16, paragraph (1), item (ii) of the Act among them, including that fact); and
- (iv) a document stating the names and brief biographical outlines of officers and the scope of their duties.

(Division of Accreditation of an Accredited Certification Body)

Article 41 Each division as provided in order of the competent ministry referred to in Article 14, paragraph (1) of the Act is as follows:

- (i) Japanese Agricultural Standards that are the criteria for the matters stated in Article 2, paragraph (2), item (i), (a) of the Act (limited to those for food and drinks, including foreign grade labeling for the relevant Japanese Agricultural Standard);
- (ii) Japanese Agricultural Standards that are the criteria for the matters stated in Article 2, paragraph (2), item (i), (a) of the Act (limited to those for timber or bamboo materials, including foreign grade labeling for the relevant Japanese Agricultural Standard);
- (iii) Japanese Agricultural Standards that are the criteria for the matters stated in Article 2, paragraph (2), item (i), (a) of the Act (including foreign grade labeling for the relevant Japanese Agricultural Standard and excluding those stated in the preceding two items);
- (iv) Japanese Agricultural Standards that are the criteria for the matters stated in Article 2, paragraph (2), item (ii) of the Act (limited to those for capabilities of individuals); and
- (v) Japanese Agricultural Standards other than those stated in each of the preceding items (including foreign grade labeling for the relevant Japanese Agricultural Standard).

(Recording in the Accreditation Directory of Accredited Certification Bodies)

Article 42 The accreditation referred to in Article 16, paragraph (1) of the Act is implemented by recording in the accreditation directory of accredited certification bodies in accordance with Appended Form 2.

(Overseas Production Process Managers)

Article 43 The provisions of Article 18 apply mutatis mutandis to persons provided by order of the competent ministry as those who manage or control

the production process for agricultural and forestry products referred to in Article 16, paragraph (1), item (ii) of the Act in overseas countries.

(Overseas Distribution Process Managers)

Article 44 The provisions of Article 20 apply mutatis mutandis to persons provided by order of the competent ministry as those who manage or control the distribution process for the agricultural and forestry products referred to in Article 16, paragraph (1), item (ii) of the Act in overseas countries.

(Mutatis Mutandis Application to Renewal of Accreditation of an Accredited Certification Body)

Article 45 The provisions of Article 40 apply mutatis mutandis to the application for renewal of the accreditation referred to in Article 14, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, and the provisions of Article 41 apply mutatis mutandis to the divisions as provided in order of the competent ministry referred to in Article 14, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, and the provisions of Article 42 apply mutatis mutandis to the renewal of the accreditation referred to in Article 16, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act. In this case, the term "Article 16, paragraph (1), item (ii)" in Article 40, paragraph (2), item (iii) is deemed to be replaced with "Article 16, paragraph (1), item (ii) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2)."

(Notification of Changes in Matters Stated in Documents Attached to Written Applications of an Accredited Certification Body)

Article 46 When there is any change in the matters stated in Article 40, paragraph (2), items (ii) through (iv) (including if they are applied mutatis mutandis pursuant to the preceding Article), an accredited certification body must submit a written notification using Appended Form 3 to the competent minister without delay.

(Notification of Succession to the Position of the Accredited Certification Body)

Article 47 A person who intends to file a notification under Article 18, paragraph (2) of the Act must submit a written notification using Appended Form 4 and attaching a certificate of registered information or any other document proving the succession to the position of the accredited certification body, to the competent minister.

(Criteria for Methods of Certification of an Accredited Certification Body)

Article 48 (1) The criteria provided by order of the competent ministry referred to in Article 19, paragraph (2) of the Act are as follows:

(i) criteria for the method of undertaking the certification referred to in Article 10, paragraphs (1) through (3), Article 11, paragraph (1), Article 12, paragraph (1), Article 12-2, paragraph (1), Article 13, paragraph (1), Article 30, paragraphs (1) through (3), Article 31, paragraph (1), and Article 33, paragraph (1) of the Act:

(a) when performing the certification, the following matters are to be confirmed by carrying out an examination of documents and a site inspection (if capabilities of individuals are to be certified, an examination of documents and test of capabilities), and observing the results on whether the matters stated in the respective items of Article 25 (including as applied *mutatis mutandis* pursuant to Article 59), the respective items of Article 27 (including as applied *mutatis mutandis* pursuant to Article 61), the respective items of Article 32, of Article 35 or of Article 39 (including as applied *mutatis mutandis* pursuant to Article 64) related to the application for the certification (referred to below as the "certification matters" in this paragraph) comply with the technical criteria for the certification provided by the competent minister pursuant to the provisions of Article 25 (including as applied *mutatis mutandis* pursuant to Article 59), Article 27 (including as applied *mutatis mutandis* pursuant to Article 61), Article 32, Article 35 or Article 39 (including as applied *mutatis mutandis* pursuant to Article 64) that relate to the person who submitted that application (referred to below as the "applicant" in this item) (simply referred to below as the "technical criteria for certification" in this paragraph);

(b) if the applicant is a product handler or an overseas product handler (meaning the overseas product handler prescribed in Article 16, paragraph (1), item (ii) of the Act; the same applies below) of agricultural and forestry products (limited to those for which Japanese Agricultural Standards relating to the criteria stated in Article 2, paragraph (2), item (i), (a) of the Act have been prescribed), it is confirmed that an agricultural and forestry product which that applicant intends to handle and which represents the manufacturing process of the type of agricultural and forestry product relating to the relevant application (limited to that randomly chosen) complies with the Japanese Agricultural Standard relating to that type of agricultural and forestry product, using the method of testing, etc. provided in the Japanese Agricultural Standard, and based on the results, necessary measures, such as carrying out the confirmation referred to in (a) again, are to be taken;

(c) an applicant (for a corporation, the applicant or its executive officers; and

for an association or foundation without legal personality which has a designated representative or custodian, the applicant or its representative or custodian) is not to be certified if falling under any of the following cases:

1. a person that has been sentenced to a fine or heavier punishment for violating the provisions of Article 10, paragraph (6) or (7) of the Act (including as applied *mutatis mutandis* pursuant to Article 30, paragraph (5) of the Act), Article 12-2, paragraph (3) or (4) or Article 37 or Article 38 of the Act, violating the order to remove or delete a grade label, an foreign grade label, or a compliance label under Article 39 of the Act, or failing to report or submit materials under Article 65, paragraph (2) of the Act, or making a false report or submitting false materials, or refusing, interfering with, or evading the inspection under the same paragraph or Article 66, paragraph (2) of the Act, or failing to answer or giving a false answer to the inquiry under those provisions, and one year has not passed since the day on which that person finished serving the sentence or ceased to be subject to its enforcement;
 2. a person whose certification referred to in Article 10, paragraphs (1) through (3), Article 11, paragraph (1), Article 12, paragraph (1), Article 12-2, paragraph (1), Article 13, paragraph (1), Article 30, paragraphs (1) through (3), Article 31, paragraph (1), or Article 33, paragraph (1) of the Act has been cancelled, and one year has not passed since the date of the cancellation; or
 3. a person who was an executive officer (for an association or foundation without legal personality which has a designated representative or custodian, its representative or custodian) of the person (limited to a corporation, or an association or foundation without legal personality which has a designated representative or custodian) relating to the cancellation of the certification referred to in Article 10, paragraphs (1) through (3), Article 11, paragraph (1), Article 12, paragraph (1), Article 12-2, paragraph (1), Article 13, paragraph (1), Article 30, paragraphs (1) through (3), Article 31, paragraph (1), or Article 33, paragraph (1) of the Act within thirty days before the date of cancellation, and one year has not passed since the date of cancellation;
- (d) when the certification is performed, appropriate conditions, including the following matters, are to be attached:
1. the certified business operator (meaning a certified quality product handler (meaning the certified quality product handler prescribed in Article 10, paragraph (5) of the Act; the same applies below), certified production process manager (meaning the certified production process

manager prescribed in the same paragraph; the same applies below), certified distribution process manager (meaning the certified distribution process manager prescribed in the same paragraph; the same applies below), certified re-packer (meaning the certified re-packer prescribed in Article 37, paragraph (1), item (iv) of the Act; the same applies below), certified importer (meaning the certified importer prescribed in Article 37, paragraph (1), item (v) of the Act; the same applies below), certified foreign grade labeling operator (meaning the certified foreign grade labeling operator prescribed in Article 12-2, paragraph (2), of the Act; the same applies below), certified method product handler (meaning the certified method product handler prescribed in Article 38, paragraph (1), item (i) of the Act; the same applies below), certified quality overseas product handler (meaning the certified quality overseas product handler prescribed in Article 30, paragraph (5) of the Act; the same applies below), certified overseas production process manager (meaning the certified overseas production process manager prescribed in Article 30, paragraph (5) of the Act; the same applies below), certified overseas distribution process manager (meaning the certified overseas distribution process manager prescribed in Article 30, paragraph (4) of the Act; the same applies below), certified overseas re-packer (meaning the certified overseas re-packer prescribed in Article 32 of the Act; the same applies below), or certified method overseas product handler (meaning the certified method overseas product handler prescribed in Article 38, paragraph (1), item (ii) of the Act; the same applies below); the same applies below in this paragraph) is to maintain the certification matters to ensure that they comply with the technical criteria for the certification;

2. the certified business operator is to comply with the provisions of Article 10, paragraphs (6) and (7), Article 12-2, paragraphs (3) and (4), Article 37, and Article 38 of the Act;
3. the certified business operator must not violate the order of the competent minister under Article 39 of the Act, or fail to report or submit materials under Article 65, paragraph (2) of the Act, or make a false report or submit false materials, refuse, interfere with, or evade the inspection under the same paragraph or Article 66, paragraph (2) of the Act, or fail to answer or give a false answer to the inquiry under those provisions;
4. if the certified business operator intends to change its name, address or certification matters, or to discontinue the operations regarding grading (grade labeling activities for certified re-packers, certified

importers, or certified overseas re-packers, and foreign grade labeling activities for a certified foreign grade labeling operators,; the same applies below in this paragraph and paragraph (3) of the following Article) or the operations regarding compliance labeling, the business operator is to notify the accredited certification body to that effect in advance;

5. if the certified business operator provides other persons with information that it has obtained certification, it is to avoid the risk of causing a misunderstanding that it has obtained a certification as an accredited certification body for an agricultural and forestry product or for the method of handling, etc. of agricultural and forestry products other than the type of agricultural and forestry product relating to the relevant certification or the division of the method of handling, etc. of agricultural and forestry products relating to the certification, or of causing a misunderstanding of the content of evaluation for the certification performed by the accredited certification body or those of other certification operations;
6. if the certified business operator provides other persons with information that it has obtained certification, it must not do so for any purpose other than to indicate the type of agricultural and forestry product relating to the relevant certification or the division of the method of handling, etc. of agricultural and forestry products relating to the certification complies with the Japanese Agricultural Standards for that type of agricultural and forestry product or that division of method of handling, etc. of agricultural and forestry products;
7. if the accredited certification body finds that the certified business operator is violating the condition referred to in 5 or 6, and demands it to improve the means of providing information or discontinue the provision of information, the certified business operator is to meet the demand;
8. beyond what is provided for in 5 and 6, if the certified business operator provides other persons with information on its certification, or grading, grade labeling, foreign grade labeling, or compliance labeling, it is to endeavor to avoid the risk of causing a misunderstanding that it has obtained a certification of an accredited certification body for an agricultural and forestry product other than the type of agricultural and forestry product relating to the certification or for method of handling, etc. of agricultural and forestry products other than the division of method relating to the certification, or of causing a misunderstanding of the content of evaluation for the certification performed by the accredited certification body or those of other

certification operations;

9. the certified business operator is to cooperate in the inspection that the accredited certification body carries out on a regular or as-needed basis to verify compliance with the condition referred to in 1;
10. by the end of June of each year, the certified business operator is to report its grading results (grade labeling results for certified re-packers, certified importers or certified overseas re-packers, and foreign grade labeling results for certified foreign grade labeling operators and grading results and the area of the farm relating to the certification for certified production process managers or certified overseas production process managers of organic products of plant origin, organic feeds, or organic livestock products) or results of compliance labeling for the previous fiscal year to the accredited certification body;
11. the certified business operator is to keep records of grading (grade labeling for certified re-packers, certified importers or certified overseas re-packers; and foreign grade labeling for certified foreign grade labeling operators; the same applies below in this paragraph 11) it has conducted for the period provided in the following sub-items in accordance with the cases stated respectively in those items:
 - i. if the period from the grading date of the agricultural and forestry product relating to the grading to its expiration date (meaning the expiration date prescribed in Article 2, item (vii) of the Food Labeling Standards (Cabinet Office Order No. 10 of 2015); the same applies below in this i and ii) or best before date (meaning the best before date prescribed in Article 2, item (viii) of the Food Labeling Standards; the same applies below in this i and ii) (if no expiration date or best before date is provided for that agricultural and forestry product, the period normally expected to be required from its shipment to its consumption; the same applies below in ii) is one year or more (excluding cases falling under the case stated in iii): the period from the grading date of that agricultural and forestry product to its expiration date or best before date (if no expiration date or best before date is provided for that agricultural and forestry product, three years from the date of its shipment);
 - ii. if the period from the grading date of agricultural and forestry product to its expiration date or best before date is less than one year (excluding cases falling under the case stated in iii): one year from the grading date of that agricultural and forestry product (if no expiration date or best before date is provided for that agricultural and forestry product, one year from the date of its shipment); or

- iii. if the grading is carried out for beef with production details, pork with production details, agricultural products with production details, cultivated fish with production details, or aquaculture products by artificial seedling production techniques: the period separately provided by the competent minister;
- 12. if it is necessary to confirm whether the certified business operator complies with the conditions stated in 1 through 11, the accredited certification body is to be able to have the certified business operator submit necessary reports or books, documents, or other materials on its operations, or have employees of the accredited certification body enter the farm, factory, office, business establishment, warehouse, or other relevant places and inspect the grading, the grade labeling, the foreign grade labeling or the compliance labeling, the advertisements or indications regarding the agricultural and forestry products, the agricultural and forestry products, their ingredients, its books, documents, and other materials, or question workers or other relevant persons;
- 13. if the certified business operator violates any of the conditions stated in 1 through 11, or fails to make a report referred to in 12 or makes a false report, or refuses, interferes with, or evades the inspection referred to in 12, the accredited certification body is to be able to cancel the certification, or demand that the certified business operator suspend its operations regarding grading or compliance labeling, shipment of the agricultural and forestry products to which the grade labels or the foreign grade labels are affixed, or use of the advertisement, etc. (meaning the advertisement, etc. prescribed in Article 13, paragraph (1) of the Act; the same applies below) to which the compliance label is affixed, or remove or delete the grade labels, the foreign grade labels, or the compliance labels that the accredited certification body finds to be inappropriate;
- 14. if the certified business operator fails to meet the demand under 13, the accredited certification body is to cancel the certification;
- 15. the accredited certification body is to make public the name and address of the certified business operator, the type of agricultural and forestry product or the division of method of handling, etc. of agricultural and forestry products relating to the certification, the name and location of the farm, factory, or business establishment, or the distribution process relating to the certification, and the name and address of the product handler in that distribution process, and the date of the certification, and, if it makes the demand under 13 or cancels the certification, the date of that demand or cancellation and

- the reason for it, and, if operations regarding grading or compliance labeling are discontinued, the date of discontinuation;
16. if its certification is cancelled, the certified business operator is to suspend shipment of the agricultural and forestry product to which the grade labels or the foreign grade labels related to the certification are affixed or use of the advertisement, etc. to which the compliance labels are affixed, and is to remove or delete the grade labels, the foreign grade labels, or the compliance labels that the accredited certification body finds to be inappropriate; and
 17. if the certified business operator fails to suspend shipment of the agricultural and forestry product to which the grade labels or the foreign grade labels regarding the relevant certification are affixed or use of the advertisement, etc. to which the compliance labels are affixed, and to remove or delete the grade labels, the foreign grade labels, or the compliance labels that the accredited certification body finds to be inappropriate even after a reasonable period of time has passed from the date of cancellation of the certification, the accredited certification body is to make that fact public;
- (e) beyond what is provided for in (a) through (d), certification is to be performed through methods that comply with the criteria for organizations that perform certification, which are provided by the International Organization for Standardization and the International Electrotechnical Commission prescribed in Article 16, paragraph (1), item (i) of the Act and are provided for each type of agricultural and forestry product or for each division of method of handling, etc. of agricultural and forestry products by the competent minister;
- (ii) criteria for the confirmation of certification matters:
- (a) confirming, without delay, that the certification matters after the change comply with the technical criteria for the certification if a notice that a certified business operator intends to change any of the certification matters is received,;
 - (b) in addition to (a) above, confirming, without delay, that the certification matters after the change comply with the technical criteria for the certification if any change in the certification matters is recognized;
 - (c) confirming that the certification matters of a certified business operator comply with the technical criteria for the certification within the period provided for each type of agricultural and forestry product or for each division of method of handling, etc. agricultural and forestry products by the competent minister from the date of the certification of that certified business operator or the day on which it is confirmed that the certification matters of that certified business operator comply with the technical

- criteria for the certification (excluding the day on which the confirmation referred to in (a), (b) or (e) is made);
- (d) the confirmation provided in (c) is to be made by giving prior notice to certified business operators, and in other cases, without giving prior notice to all or some of the certified business operators that have been certified by the relevant accredited certification body;
 - (e) beyond what is provided for in (a) through (d) above, confirming without delay, that the certification matters of that business operator comply with the technical criteria for it, if the fact that the certification matters of a certified business operator are not likely to comply with the technical criteria for the certification becomes known,;
 - (f) the confirmation referred to in (a) through (e) are to be made by methods that comply with the criteria referred to in (a) and (b) of the preceding item; provided, however, that, as for the confirmation referred to in (a) or (b), if it is found that the certification matters of the relevant business operator comply with the technical criteria for the certification as a result of the documentary examination referred to in (a) of the same item, the site inspection (when capabilities of individuals are sought to be certified, the test of capabilities) referred to in (a) of the same item and the confirmation referred to in (b) of the same item may be omitted; and
 - (g) beyond what is provided for in (a) through (f) above, confirming the certification matters by methods that comply with the criteria for organizations that perform certification, which are provided by the International Organization for Standardization and the International Electrotechnical Commission prescribed in Article 16, paragraph (1), item (i) of the Act and are provided for each type of agricultural and forestry product or for each division of method of handling, etc. of agricultural and forestry products by the competent minister;
- (iii) criteria for the method of effecting cancellation of the certification of a certified business operator and of undertaking other measures:
- (a) demanding that the certified business operator take necessary measures to ensure compliance with the technical criteria for certification if the certification matters of a certified business operator no longer comply with the technical criteria for the certification (excluding cases falling under (e), 1), or when it is highly likely that the matters will no longer comply with the criteria;
 - (b) demanding that the certified business operator suspend its operations regarding grading or compliance labeling and shipment of the agricultural and forestry product to which the grade labels or the foreign grade labels are affixed or use of the advertisement, etc. to which the compliance labels are affixed, remove or delete the grade labels, the foreign grade labels, or

the compliance labels, and take necessary measures to improve the operations regarding grading or compliance labeling, if a certified business operator violates the provisions of Article 10, paragraph (6) or (7), Article 12-2, paragraph (3) or (4), Article 37, or Article 38 of the Act (excluding cases falling under (e), 2);

- (c) demanding that the certified business operator improve the means of providing information or discontinue the provision of information if a certified business operator violates the condition referred to in item (i), (d), 5 or 6;
- (d) demanding that the certified business operator suspend its operations regarding grading or compliance labeling (limited to those relating to that demand), and shipment of the agricultural and forestry product to which the grade labels or the foreign grade labels are affixed (limited to the type of agricultural and forestry product relating to that demand), or use of the advertisement, etc. to which the compliance labels are affixed, until the certified business operator takes the relevant measures, if a demand under (a) or (c) is made of a certified business operator, and the certified business operator is not likely to promptly take measures relating to that demand;
- (e) the certification of a certified business operator is to be cancelled if the certified business operator falls under any of the following items:
 - 1. the certification matters of a certified business operator no longer comply with the technical criteria for the certification, and are not likely to comply with the criteria in the future;
 - 2. the certified business operator violates the provisions of Article 10, paragraph (6) or (7), Article 12-2, paragraph (3) or (4), Article 37, or Article 38 of the Act (excluding cases of minor violations), and that violation is caused by intentional or gross negligence by the certified business operator;
 - 3. it is expected that the period required for the certified business operator to take measures relating to the demand under (a) or (c) will exceed one year;
 - 4. the certified business operator fails to meet the demands under (b) or (d) without justifiable cause;
 - 5. the certified business operator fails to report or submit materials referred to in item (i), (d), 12 or makes a false report or submits false materials, or refuses, interferes with, or evades the inspection referred to in (d), 12 of the same item, or fails to give or falsifies an answer to the inquiry referred to in (d), 12 of the same item, or refuses, interferes with, or evades a documentary examination, site inspection, or evaluation of capabilities for the confirmation referred to in (a) through (e) of the preceding item without justifiable cause; or

6. the competent minister demands that the accredited certification body cancel the certification of the certified business operator on the grounds that the certified business operator has violated the order under Article 39, paragraphs (1) through (3) of the Act, or failed to report or submit materials under Article 65, paragraph (2) of the Act or made a false report or submitted false materials, or refused, interfered with, or evaded the inspection under the same paragraph or Article 66, paragraph (2) of the Act, or failed to answer or gave a false answer to the inquiry under those provisions without justifiable cause for doing so;
- (f) beyond what is provided for in (a) through (d), if a certified business operator violates any of the conditions attached to its certification, the certified business operator is to be provided with appropriate guidance and, if failing to follow that guidance, cancellation of the certification or other appropriate measures are to be taken;
- (g) if cancellation of the certification of a certified business operator is intended, the certified business operator is to be notified of the intention one week in advance and an opportunity to explain is to be provided; and
- (h) beyond what is provided for in (a) through (g), the cancellation of the certification of a certified business operator and other measures are to be undertaken by the method that complies with the criteria for organizations that perform certification, that are provided by the International Organization for Standardization and the International Electrotechnical Commission prescribed in Article 16, paragraph (1), item (i) of the Act and are provided for each type of agricultural and forestry product or for each division of method of handling, etc. of agricultural and forestry products by the competent minister;
- (iv) criteria for public announcement of the certification etc. of a certified business operator:
- (a) if a business operator is certified as a certified business operator, the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in 3) (if there are any changes to these matters, the changed matters) are to be made available for public inspection at the office, and these matters (if there are any changes to these matters, the changed matters) are also to be made available by using the internet or other appropriate means without delay:
1. the name and address of the certified person;
 2. the type of agricultural and forestry product or division of the method of handling, etc. of agricultural and forestry products relating to the certification;
 3. the name and location of the farm, factory, or business establishment, or

- distribution process relating to the certification, and the name and address of the product handler in that distribution process;
 4. the certification number related to the certification; and
 5. the date of the certification;
- (b) if the demand under (b) or (d) of the preceding item is made of a certified business operator, the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in 3) (if there are any changes to these matters, the changed matters) are to be made available for public inspection at the office, and these matters (if there are any changes to these matters, the changed matters) are also made available by using the internet or other appropriate means without delay:
1. the name and address of the certified business operator relating to the demand;
 2. the type of agricultural and forestry product and division of the method of handling, etc. of agricultural and forestry products relating to the demand (if the demand relates to all of the agricultural and forestry products or the methods of handling, etc. of agricultural and forestry products relating to the certification of the relevant certified business operator, that fact), and the fact of demanding the suspension of operations regarding grading or compliance labeling, the shipment of the agricultural and forestry products to which the grade labels or the foreign grade labels are affixed, or use of the advertisement, etc. to which the compliance labels are affixed, or the removal or deletion of the grade labels, the foreign grade labels, or the compliance labels that the accredited certification body finds to be inappropriate;
 3. the name and location of the farm, factory, or business establishment, or distribution process relating to the demand, and the name and address of the product handler in that distribution process;
 4. the certification number related to the type of agricultural and forestry product or the division of the method of handling, etc. of agricultural and forestry products relating to the demand;
 5. the date of the demand; and
 6. the reason for the demand;
- (c) if a certified business operator discontinues operations of grading or compliance labeling, the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in 3) are to be made available for public inspection at the office, and these matters are also to be made available by using the internet or other appropriate means without delay:
1. the name and address of the certified business operator relevant to the

- discontinuation;
 - 2. the type of agricultural and forestry product or the division of the method of handling, etc. of agricultural and forestry products relevant to the discontinuation;
 - 3. the name and location of the farm, factory, or business establishment, or distribution process relevant to the discontinuation, and the name and address of the product handler in that distribution process;
 - 4. the certification number related to the certified business operator relevant to the discontinuation; and
 - 5. the date of the discontinuation;
- (d) regarding a certification for the division of the method of handling, etc. of agricultural and forestry products for which an effective period of the certification is provided, when that effective period expires (excluding when the relevant certified business operator obtains a certification relating to that division again by the expiration date of that effective period), the following matters relating to the relevant certification are to be made available for public inspection at the office, and these matters are also to be made available by using the internet or other appropriate means without delay:
- 1. the name and address of the certified business operator;
 - 2. the division of the method of handling, etc. of agricultural and forestry products;
 - 3. the certification number related to the certified business operator; and
 - 4. the date of expiration of the effective period;
- (e) if certification is cancelled, the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in 3) are to be made available for public inspection at the office, and these matters are also to be made available by using the internet or other appropriate means without delay:
- 1. the name and address of the certified business operator relevant to the cancellation;
 - 2. the type of agricultural and forestry product or the division of the method of handling, etc. of agricultural and forestry products relevant to the cancelled certification;
 - 3. the name and location of the farm, factory, or business establishment, or distribution process relevant to the cancelled certification, and the name and address of the product handler in that distribution process;
 - 4. the certification number related to the cancelled certification;
 - 5. the date of the cancellation; and
 - 6. the reason for the cancellation;
- (f) if a certified business operator relevant to cancellation fails to suspend

shipment of the agricultural and forestry product to which the grade labels or the foreign grade labels regarding the relevant certification are affixed or use of the advertisement, etc. to which the compliance labels are affixed, and to remove or delete the grade labels, the foreign grade labels, or the compliance labels that the accredited certification body finds to be inappropriate even after a reasonable period of time has passed from the date of cancellation of the certification, that fact is to be made available for public inspection at the office, and is also to be made available by using the internet or other appropriate means;

(g) the inspection and disclosure of the matters stated in (a) through (f) is to be carried out during the period provided in the following in accordance with the divisions respectively stated in it:

1. the inspection and disclosure of the matters stated in (a): the period from the date of certification to the date the certified business operator discontinues its operations regarding grading or compliance labeling, the date the effective period of the certification related to the certified business operator expires, or the date the certification of the certified business operator relating to the certification is cancelled;
 2. the inspection and disclosure of the matters stated in (b): the period of suspension of operations regarding grading, shipment of the agricultural and forestry product to which the grade label or the foreign grade label is affixed, or use of the advertisement, etc. to which the compliance label is affixed as prescribed in (b) or (d) of the preceding item, or the period from the date of the demand for removal or deletion of the grade label, the foreign grade label, or the compliance label that the accredited certification body finds to be inappropriate to the date the removal or deletion was finished;
 3. the inspection and disclosure of the matters stated in (c) through (e): the period from the date the certified business operator discontinues its operations regarding grading or compliance labeling, the date the effective period of the certification expires, or the date the certification is cancelled to the day on which one year has passed from the date of discontinuation, expiration, or cancellation; and
 4. the inspection and disclosure of the matters stated in (f): the period from the date the inspection and disclosure of the relevant matters are commenced to the day on which one year has passed from the date of commencement.
- (v) if an accredited certification body is to issue a document proving that the grading pursuant to the Japanese Agricultural Standards has been carried out on an agricultural and forestry product in response to a request from a certified business operator or other persons who intend to export the

agricultural and forestry product from Japan, the accredited certification body is to conduct the necessary evaluation related to the issuance.

- (2) Notwithstanding the provisions of item (i), (a), (b), and (d), item (ii), (a) through (f), item (iii), (a) through (g), and item (iv) of the preceding paragraph, when performing certification or other certification operations related to product handlers or overseas product handlers of the agricultural and forestry products for which the method of inspection referred to in Article 22 (including as applied *mutatis mutandis* pursuant to Article 60) is provided and whose inspection is conducted individually (limited to that provided by the competent minister), an accredited certification body may perform the certification operations as provided for each type of agricultural and forestry product by the competent minister.

(Reports on Certification by an Accredited Certification Body)

Article 49 (1) When performing the certification referred to in Article 10, paragraphs (1) through (3), Article 11, paragraph (1), Article 12, paragraph (1), Article 12-2, paragraph (1), Article 13, paragraph (1), Article 30, paragraphs (1) through (3), Article 31, paragraph (1), or Article 33, paragraph (1) of the Act (excluding the certification performed as provided by the competent minister referred to in paragraph (2) of the preceding Article; the same applies in paragraph (3)), an accredited certification body must submit a written report using Appended Form 5 and stating the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in item (iv)) to the competent minister without delay. The same applies when there are any changes to the matters reported.

- (i) the name and address of the person relating to the certification;
- (ii) information as to whether the person relating to the certification is a certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler;
- (iii) the type of agricultural and forestry product (including alcohol beverages, if such certification were carried out) or the division of the method of handling, etc. of agricultural and forestry products relating to the certification;
- (iv) the name and location of the farm, factory, or business establishment, or distribution process relating to the certification, and the name and address of the product handler in that distribution process;
- (v) the certification number related to the certification; and

- (vi) the date of the certification.
- (2) When making the demand under paragraph (1), item (iii), (b) or (d) of the preceding Article, an accredited certification body must submit a written report using Appended Form 6 and stating the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in item (iii)) to the competent minister without delay. The same applies when there are any changes to the matters reported.
- (i) the name and address of the person relevant to that demand;
 - (ii) the type of agricultural and forestry product (including alcohol beverages, if such demand were made) or division of the method of handling, etc. of agricultural and forestry products relevant to that demand;
 - (iii) the name and location of the farm, factory, or business establishment, or distribution process relevant to that demand, and the name and address of the product handler in that distribution process;
 - (iv) the certification number related to the type of agricultural and forestry product or the division of the method of handling, etc. of agricultural and forestry products relevant to that demand;
 - (v) the date of that demand; and
 - (vi) the reason for that demand.
- (3) When a certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler (collectively referred to below as "certified business operators" in this Article) that has obtained the certification from an accredited certification body discontinues operations regarding grading or compliance labeling, the accredited certification body must submit a written report using Appended Form 7 and stating the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in item (iii)) to the competent minister without delay:
- (i) the name and address of the person relevant to the discontinuation;
 - (ii) the type of agricultural and forestry products (including alcohol beverages, if such products were discontinued) or division of the method of handling, etc. of agricultural and forestry products relevant to the discontinuation;
 - (iii) the name and location of the farm, factory, or business establishment, or distribution process relevant to the discontinuation, and the name and address of the product handler in that distribution process;
 - (iv) the certification number related to the certified business operator relevant to the discontinuation; and

- (v) the date of the discontinuation.
- (4) Regarding a certification for the division of the method of handling, etc. of agricultural and forestry products for which an effective period of the certification is provided, when that effective period expires (excluding when the certified business operator obtains a certification for that division again by the expiration date of that effective period), the accredited certification body must submit a written report using Appended Form 8 and stating the following matters to the competent minister without delay:
- (i) the name and address of the person relating to the certification whose effective period has expired;
 - (ii) the division of the method of handling, etc. of agricultural and forestry products relating to the certification whose effective period has expired;
 - (iii) the certification number related to the certification whose effective period has expired; and
 - (iv) the date of expiration of that effective period.
- (5) When cancelling the certification of a certified business operator, an accredited certification body must submit a written report using Appended Form 9 and stating the following matters (for a certified method product handler or a certified method overseas product handler, excluding those stated in item (iii)) to the competent minister without delay:
- (i) the name and address of the person relevant to the cancellation;
 - (ii) the type of agricultural and forestry products (including alcohol beverages, if such products certification were withdrawn) or division of the method of handling, etc. of agricultural and forestry products relevant to the cancelled certification;
 - (iii) the name and location of the farm, factory, or business establishment, or distribution process relevant to the cancelled certification, and the name and address of the product handler in that distribution process;
 - (iv) the certification number related to the cancelled certification;
 - (v) the date of the cancellation; and
 - (vi) the reason for the cancellation.
- (6) The name, address or other matters of a person who obtains the certification performed as provided by the competent minister referred to in paragraph (2) of the preceding Article are to be reported to the competent minister as separately provided by the competent minister.
- (7) In the cases stated in the respective items of Article 69, paragraph (1) of the Act, the accredited certification body is to report to that effect to the competent minister without delay.

(Range of Necessary Information to be provided to the Accredited Certification Bodies from Other Accredited Certification Bodies)

Article 50 Range of information specified by order of the competent ministry referred to in Article 19, paragraph (4) of the Act, which are the information possessed by other accredited certification bodies with reference to the product handlers, production process managers, and distribution process managers of which an accredited certification bodies are certifying or have certified, are stated in the following items:

- (i) confirmation results pursuant to the provisions of Article 48, paragraph (1), item (i), (a) and (b) and the basis for judgment as to whether or not the certification should be granted;
- (ii) matters notified pursuant to the provisions of Article 48, paragraph (1), item (i), (d), 4.;
- (iii) reasons for the demand and matters demanded under Article 48, paragraph (1), item (i), (d), 7. And 13. and item (iii), (a), (b), and (d) of the same paragraph, and the responses to the relevant demand;
- (iv) findings of inspection under Article 48, paragraph (1), item (i), (d), 9. and basis for judgment as to whether or not the compliance requirements are satisfied;
- (v) past grading results, which were reported pursuant to the provisions of Article 48, paragraph (1), item (i), (d), 10.;
- (vi) matters reported and materials submitted, and matters confirmed through the on-site inspection and inquiries conducted by the inspection staff pursuant to the provisions of Article 48, paragraph (1), item (i), (d), 12.;
- (vii) results of verification under Article 48, paragraph (1), item (ii), (a), (b), (c), and (e) and basis for judgment as to whether or not the conformity criteria are satisfied;
- (viii) rationale and details of such guidance under Article 48, paragraph (1), item (iii), (f) and the details of any actions taken if the certification was cancelled or any other actions were taken;
- (ix) results of evaluation under Article 48, paragraph (1), item (v) and the basis for the judgment as to whether or not the documents should be issued; and
- (x) matters reported pursuant to the provisions of paragraph (7) of the preceding Article.

(Notification of Change of Business Establishment of an Accredited Certification Body)

Article 51 An accredited certification body that intends to make notification under Article 20, paragraph (1) of the Act must submit a written notification using Appended Form 10 to the competent minister.

(Business Operating Rules of an Accredited Certification Body)

Article 52 (1) An accredited certification body that intends to make notification

of business operating rules under the first sentence of Article 21, paragraph (1) of the Act must submit a written notification using Appended Form 11 and attaching the business operating rules, to the competent minister.

(2) The provisions of the preceding paragraph apply *mutatis mutandis* to the notification of change of business operating rules under the second sentence of Article 21, paragraph (1) of the Act.

(3) The matters as provided in order of the competent ministry referred to in Article 21, paragraph (2) of the Act are as follows:

- (i) the matters concerning the location of the business establishment and the area within the location in which certification operations are performed;
- (ii) the type of agricultural and forestry product (including alcohol beverages if such certification is to be carried out) or division of the method of handling, etc. of agricultural and forestry products for which certification is performed;
- (iii) the matters concerning the hours during which certification operations are performed and the non-business days;
- (iv) the matters concerning the methods of undertaking certification, the cancellation of certification, and other certification operations;
- (v) the matters concerning the method of calculating charges and fees related to certification;
- (vi) the matters concerning the organization that performs certification operations;
- (vii) the matters concerning the duties and necessary capabilities of persons that perform certification operations;
- (viii) the matters necessary for the fair undertaking of certification operations; and
- (ix) other matters necessary for certification operations.

(Notification of Suspension or Discontinuation of Operations of an Accredited Certification Body)

Article 53 An accredited certification body that intends to make notification under Article 22, paragraph (1) of the Act must submit a written notification using Appended Form 12 to the competent minister.

(Means of Indicating Matters Recorded in Electronic or Magnetic Records)

Article 54 (1) The means provided by order of the competent ministry referred to in Article 23, paragraph (2), item (iii) of the Act is that of indicating the matters recorded in electronic or magnetic records on paper or the screen of an output device.

(2) The electronic or magnetic means as provided by order of the competent ministry referred to in Article 23, paragraph (2), item (iv) of the Act is either of the following means which the accredited certification body is to specify:

- (i) means of using an electronic data processing system that links the computer used by the sender and the computer used by the recipient via a telecommunications line and in which the information transmitted over the telecommunications line is recorded in a file that has been prepared on the computer used by the recipient; or
- (ii) means of delivering the information recorded on a file prepared using a magnetic disk or any other equivalent medium on which certain information can be securely recorded.

(Books of Accredited Certification Bodies)

- Article 55 (1) An accredited certification body must keep books stating the matters stated in the following paragraph for each type of agricultural and forestry product or for each division of the method of handling, etc. of agricultural and forestry products.
- (2) The matters provided in order of the competent ministry referred to in Article 27 of the Act are as follows (for a certified method product handler or a certified method overseas product handler, excluding those stated in item (v)):
- (i) the name and address of a person that has applied for certification;
 - (ii) information as to whether the person that has applied for certification is a product handler, production process manager, distribution process manager, re-packer, importer (meaning the importer prescribed in Article 12, paragraph (1) of the Act), overseas product handler, overseas production process manager, overseas distribution process manager, or overseas re-packer (product handlers, production process managers or distribution process managers are to be included, if they are applying for the certification and seeking to affix a foreign grade label);
 - (iii) the date of acceptance of the application for certification;
 - (iv) the type of agricultural and forestry product (including alcohol beverages, if such application for certification is to be made) or division of the method of handling, etc. of agricultural and forestry products relating to the application for certification;
 - (v) the name and location of the farm, factory, or business establishment, or distribution process relating to the application for certification, and the name and address of the product handler in that distribution process;
 - (vi) the date of decision on whether to grant the certification;
 - (vii) the results of the decision referred to in the preceding item;
 - (viii) if a decision to grant certification is made, the certification number related to the certification; and
 - (ix) the name of the person engaged in the certification.
- (3) The books referred to in paragraph (1) must be kept for five years from the date on which the final entry was made.

(Application for Certification of an Overseas Product Handler Conducting Grading)

Article 56 The provisions of Article 16 apply mutatis mutandis to the application for the certification referred to in Article 30, paragraph (1) of the Act. In this case, the term "accredited certification body" in Article 16 is deemed to be replaced with "accredited certification body or accredited overseas certification body."

(Application for Certification of an Overseas Production Process Manager)

Article 57 The provisions of Article 19 apply mutatis mutandis to the application for the certification referred to in Article 30, paragraph (2) of the Act. In this case, the term "accredited certification body" in Article 19 is deemed to be replaced with "accredited certification body or accredited overseas certification body."

(Application for Certification of an Overseas Distribution Process Manager)

Article 58 The provisions of Article 21 apply mutatis mutandis to the application for the certification referred to in Article 30, paragraph (3) of the Act. In this case, the term "accredited certification body" in Article 21 is deemed to be replaced with "accredited certification body or accredited overseas certification body."

(Technical Criteria for Certification of Overseas Product Handlers etc., who Conduct Grading)

Article 59 The provisions of Article 25 apply mutatis mutandis to the certification referred to in Article 30, paragraphs (1) through (3) of the Act.

(Mutatis Mutandis Application to Method of Inspection of Agricultural and Forestry Products by an Overseas Product Handlers etc., who Conduct Grading)

Article 60 The provisions of Article 22 apply mutatis mutandis to the inspection referred to in Article 10, paragraph (4), item (i) of the Act as applied mutatis mutandis pursuant to Article 30, paragraph (5) of the Act, the provisions of Article 23 apply mutatis mutandis to the inspection referred to in Article 10, paragraph (4), item (ii) of the Act as applied mutatis mutandis pursuant to Article 30, paragraph (5) of the Act, and the provisions of Article 24 apply mutatis mutandis to the inspection referred to in Article 10, paragraph (4), item (iii) of the Act as applied mutatis mutandis pursuant to Article 30, paragraph (5) of the Act, respectively.

(Mutatis Mutandis Application to Certification of an Overseas Re-packer)

Article 61 The provisions of Articles 26 and 27 apply mutatis mutandis to the certification referred to in Article 31 of the Act. In this case, the term "accredited certification body" in Article 26 is deemed to be replaced with "accredited certification body or accredited overseas certification body."

(Public Notification of a Certified Quality Overseas Product Handler)

- Article 62 (1) When receiving a report pursuant to Article 49, paragraph (1) (including as applied mutatis mutandis pursuant to Article 72), the competent minister must give public notification of the matters stated in item (i) and items (iii) through (vi) of the same paragraph regarding the certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler relating to that report.
- (2) When receiving a report under Article 49, paragraph (2) (including as applied mutatis mutandis pursuant to Article 72), the competent minister must give public notification of the matters stated in the respective items of the same paragraph regarding the certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler relating to that report.
- (3) When receiving a report under Article 49, paragraph (3) (including as applied mutatis mutandis pursuant to Article 72), the competent minister must give public notification of the matters stated in the respective items of the same paragraph regarding the certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler relating to that report.
- (4) When receiving a report pursuant to Article 49, paragraph (4) (including as applied mutatis mutandis pursuant to Article 72), the competent minister must give public notification of the matters stated in the respective items of the same paragraph regarding the certified method overseas product handler relating to that report.
- (5) When receiving a report pursuant to Article 49, paragraph (5) (including as applied mutatis mutandis pursuant to Article 72), the competent minister must give public notification of the matters stated in the respective items of the same paragraph regarding the certified quality overseas product handler, certified overseas production process manager, certified overseas distribution process manager, certified overseas re-packer, or certified method overseas product handler relating to that report.
- (6) The public notification of matters regarding the report under Article 49,

paragraph (6) (including as applied mutatis mutandis pursuant to Article 72) is to be as separately provided by the competent minister.

(Application for Certification of an Overseas Product Handler to Affix Compliance Label)

Article 63 The provisions of Article 36 apply mutatis mutandis to the application for the certification referred to in Article 33, paragraph (1) of the Act. In this case, the term "accredited certification body" in Article 36 is deemed to be replaced with "accredited certification body or accredited overseas certification body."

(Technical Criteria for Certification of an Overseas Product Handler to Affix Compliance Label)

Article 64 The provisions of Article 39 apply mutatis mutandis to the certification referred to in Article 33, paragraph (1) of the Act.

(Mutatis Mutandis Application to Accreditation of Accredited Overseas Certification Body)

Article 65 The provisions of Article 40 apply mutatis mutandis to the application for accreditation referred to in Article 34 of the Act, the provisions of Article 41 apply mutatis mutandis to the division as provided in order of the competent ministry referred to in Article 34 of the Act, and the provisions of Article 42 apply mutatis mutandis to the accreditation referred to in Article 16, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 36 of the Act, respectively. In this case, the term "Article 16, paragraph (1), item (ii)" in Article 40, paragraph (2), item (iii) is deemed to be replaced with "Article 16, paragraph (1), item (ii) of the Act as applied mutatis mutandis pursuant to Article 36."

(Details for Calculating the Amount of Travel Expenses for Accreditation of an Accredited Overseas Certification Body)

Article 66 The calculation of the amount of travel expenses under Article 7, paragraph (5) of the Order is to be as stated below:

- (i) the location of the office where the official who makes a business trip for the purpose of conducting an evaluation for the accreditation referred to in Article 2, paragraph (1), item (vi) of the Act on Travel Expenses of National Public Officers, etc. (Act No. 114 of 1950; referred to below as the "Travel Expenses Act") is to be 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo, Japan;
- (ii) the preparation fee referred to in Article 6, paragraph (1) of the Travel Expenses Act is not to be included in the amount equivalent to travel expenses;

- (iii) the number of days during which an investigation for the accreditation is conducted is the number of days which the competent minister finds necessary within a period not exceeding five days;
- (iv) the travel miscellaneous expenses referred to in Article 6, paragraph (1) of the Travel Expenses Act are to be 10,000 yen; and
- (v) if the competent minister makes the adjustment of travel expenses under Article 46, paragraph (1) of the Travel Expenses Act, the amount equivalent to the portion not paid as a result of that adjustment is not to be included.

(Details for Calculating the Amount of Travel Expenses for Inspections at
Offices of an Accredited Overseas Certification Body)

Article 67 The provisions of the preceding Article apply mutatis mutandis to the calculation of the amount of travel expenses under Article 8 of the Order. In this case, the term "an evaluation for the accreditation" in item (i) of the preceding Article is deemed to be replaced with "the inspection", and the term "an evaluation for the accreditation" in item (iii) of the same Article is deemed to be replaced with "the inspection."

(Mutatis Mutandis Application to Renewal of Accreditation of an Accredited
Overseas Certification Body)

Article 68 The provisions of Article 40 apply mutatis mutandis to the application for renewal of the accreditation referred to in Article 14, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 36 of the Act; the provisions of Article 41 apply mutatis mutandis to the division as provided in order of the competent ministry referred to in Article 14, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 36 of the Act; the provisions of Article 42 apply mutatis mutandis to the renewal of the accreditation referred to in Article 16, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 36 of the Act; and the provisions of Article 66 apply mutatis mutandis to the calculation of the amount of travel expenses referred to in Article 7, paragraph (5) of the Order as applied mutatis mutandis pursuant to Article 10, paragraph (4) of the Order; respectively. In this case, the term "Article 16, paragraph (1), item (ii)" in Article 40, paragraph (2), item (iii) is deemed to be replaced with "Article 16, paragraph (1), item (ii) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 36," and the term "accreditation" in Article 66, items (i) and (iii) is deemed to be replaced with "renewal of the accreditation."

(Notification of Changes to Matters Stated in Documents Attached to Written Applications of an Accredited Overseas Certification Body)

Article 69 The provisions of Article 46 apply mutatis mutandis to changes in the matters stated in a document attached to a written application of an accredited overseas certification body. In this case, the term "Article 40, paragraph (2), item (ii)" in the same Article is deemed to be replaced with "Article 40, paragraph (2), item (ii) as applied mutatis mutandis pursuant to Article 65," and the term "(including if they are applied mutatis mutandis pursuant to the preceding Article)" is deemed to be replaced with", or Article 40, paragraph (2), items (ii) through (iv) as applied mutatis mutandis pursuant to Article 68."

(Notification of Succession to the Position of an Accredited Overseas Certification Body)

Article 70 The provisions of Article 47 apply mutatis mutandis to the notification under Article 18, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act.

(Criteria for Method of Certification Operations of an Accredited Overseas Certification Body)

Article 71 The provisions of Article 48 (excluding paragraph (1), item (v)) apply mutatis mutandis to the criteria provided by Order of the competent ministry referred to in Article 19, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act. In this case, the term "Article 10, paragraphs (1) through (3), Article 11, paragraph (1), Article 12, paragraph (1), Article 12-2, paragraph (1), Article 13, paragraph (1), Article 30" in Article 48, paragraph (1), item (i) is deemed to be replaced with "Article 30"; the term ", and Article 38" in (d), 2. of the same item is deemed to be replaced with ", Article 38 of the Act, and the provisions of Article 10, paragraphs (6) and (7) of the Act as applied mutatis mutandis pursuant to Article 30, paragraph (5)"; the term "Article 39" in (d), 3. of the same item is deemed to be replaced with "Article 39, paragraphs (1),(3) or (4) of the Act as applied mutatis mutandis pursuant to Article 39, paragraph (5),"; the term "violate the order (...), or fail to report or submit materials under Article 65, paragraph (2) of the Act, or make a false report or submit false materials, refuse, interfere with, or evade the inspection under the same paragraph or Article 66, paragraph (2) of the Act, or fail to answer or give a false answer to the inquiry under those provisions" is deemed to be replaced with "refuse the demand (...)" ; the term ", or Article 38" in item (iii), (b) and (e), 2. of the same paragraph is deemed to be replaced with ", Article 38, or the provisions of Article 10, paragraph (6) or (7) of the Act, as applied mutatis mutandis pursuant to Article 30, paragraph (5) of the Act";

and the term "violates the order under Article 39, paragraphs (1) through (3) of the Act, or fails to report or submit materials under Article 65, paragraph (2) of the Act or makes a false report or submits false materials, or refuses, interferes with, or evades the inspection under the same paragraph or Article 66, paragraph (2) of the Act, or fails to answer or give a false answer to the inquiry under those provisions" in (e), 6. of the same item is deemed to be replaced with "fails to meet the demand under Article 39, paragraph (1) or (3) of the Act as applied mutatis mutandis pursuant to Article 39, paragraph (5) of the Act."

(Reports on Certification by an Accredited Overseas Certification Body)

Article 72 The provisions of Article 49 apply mutatis mutandis to the report under Article 19, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act. In this case, the term "paragraph (2) of the preceding Article" in Article 49, paragraph (1) is deemed to be replaced with "Article 48, paragraph (2) as applied mutatis mutandis pursuant to Article 71," and the term "paragraph (1), item (iii), (b) of the preceding Article" in paragraph (2) of the same Article is deemed to be replaced with "Article 48, paragraph (1), item (iii), (b) as applied mutatis mutandis pursuant to Article 71," and the term "paragraph (2) of the preceding Article" in paragraph (6) of the same Article is deemed to be replaced with "Article 48, paragraph (2) as applied mutatis mutandis pursuant to Article 71."

(Notification of Changes to the Business Establishment of an Accredited Overseas Certification Body)

Article 73 The provisions of Article 51 apply mutatis mutandis to the notification under Article 20, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act.

(Business Operating Rules of an Accredited Overseas Certification Body)

Article 74 The provisions of Article 52, paragraphs (1) and (2) apply mutatis mutandis to the notification under Article 21, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act, and the provisions of Article 52, paragraph (3) apply mutatis mutandis to the matters as provided by order of the competent ministry under Article 21, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act, respectively.

(Notification of Suspension or Discontinuation of Operations of an Accredited Overseas Certification Body)

Article 75 The provisions of Article 53 apply mutatis mutandis to the notification under Article 22, paragraph (1) of the Act as applied mutatis

mutandis pursuant to Article 36 of the Act.

(Means of Indicating Matters Recorded in Electronic or Magnetic Records)

Article 76 The provisions of Article 54, paragraph (1) apply mutatis mutandis to the means provided by order of the competent ministry referred to in Article 23, paragraph (2), item (iii) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act, and the provisions of Article 54, paragraph (2) apply mutatis mutandis to the electronic or magnetic means as provided by order of the competent ministry referred to in Article 23, paragraph (2), item (iv) of the Act as applied mutatis mutandis pursuant to Article 36 of the Act, respectively.

(Books of Accredited Overseas Certification Bodies)

Article 77 The provisions of Article 55 apply mutatis mutandis to entries in the books under Article 27 of the Act as applied mutatis mutandis pursuant to Article 36 of the Act.

(Agricultural and Forestry Products from Which Grade Labels Are Removed)

Article 78 (1) The agricultural and forestry product provided by Order of Competent Ministry referred to in Article 41, paragraph (1) of the Act is as stated in the left column of the following table, and the grounds provided by order of the competent ministry referred to in the same paragraph is as stated in the right column of the same table for the relevant agricultural and forestry product.

Organic products of plant origin	(i) use or mixing of chemicals, additives, or other substances other than those specified by the competent minister (if the relevant organic product of plant origin is an agricultural and forestry product produced in a foreign country (limited to one to which the certificate or its copy prescribed in Article 12, paragraph (1) of the Act is attached; hereinafter referred to as a "foreign agricultural and forestry product"), those whose use is permitted in the grading system of the foreign country); or
	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Organic processed foods	(i) use or mixing of chemicals, additives, or other substances other than those specified by the competent minister (if the relevant organic processed food is a foreign agricultural and forestry product, those whose use is permitted in the grading system of the foreign country); or
	(ii) mixing with any agricultural and forestry products other than those set forth in the left column.
Organic feeds	(i) use or mixing of chemicals, additives, or other substances other than those specified by the competent minister; or

	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Organic livestock products	(i) use or mixing of chemicals, additives, or other substances other than those specified by the competent minister (if the relevant organic livestock product is a foreign agricultural and forestry product, those whose use is permitted in the grading system of the foreign country); or
	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Organic algae	(i) use or mixing of chemicals, additives, or other substances other than those specified by the competent minister; or
	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Beef with production details	(i) withdrawal of release of production details ;
	(ii) uncertainty as to whether the released production details are those relating to the relevant beef with production details;
	(iii) discrepancy between the released production details and facts; or
	(iv) mixing with any agricultural and forestry products other than those stated in the left column.
Pork with production details	(i) withdrawal of release of production details;
	(ii) uncertainty as to whether the released production details are those relating to the relevant pork with production details;
	(iii) discrepancy between the released production details and facts; or
	(iv) mixing with any agricultural and forestry products other than those stated in the left column.
Agricultural products with production details	(i) withdrawal of release of production details (for an agricultural product with production details for which the reduction ratio of chemically synthesized agricultural chemicals or that of chemical fertilizers calculated as specified by the competent minister is released in addition to the production details, including that reduction ratio of chemically synthesized agricultural chemicals or chemical fertilizers; the same applies below in this paragraph);
	(ii) uncertainty as to whether the released production details are those relating to the relevant agricultural product with production details;
	(iii) discrepancy between the released production details and facts; or
	(iv) mixing with any agricultural and forestry products other than those stated in the left column.

Cultivated fish with production details	(i) withdrawal of release of production details;
	(ii) uncertainty as to whether the released production details are those relating to the relevant cultivated fish with production details;
	(iii) discrepancy between the released production details and facts; or
	(iv) mixing with any agricultural and forestry products other than those stated in the left column.
Aquaculture products by artificial seedling production techniques	(i) loss of traceability of the production history information relating to the relevant agricultural and forestry product; or
	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Foods produced with the participation of persons with disabilities	(i) uncertainty as to the main production processes engaged in by persons with disabilities; or
	(ii) mixing with any agricultural and forestry products other than those stated in the left column.
Agricultural products with food chain information	(i) regarding the relevant agricultural product, failure to perform management in accordance with the management criteria for maintaining the quality of agricultural products at the time of shipment during the distribution process specified by the competent minister in the food chain (meaning a series of distribution process from the shipment of agricultural products by farmers to receipt of the agricultural products by retailers and those who sell the agricultural products; the same applies below);
	(ii) withdrawal of release of information on the history of handling, movement and location of the relevant agricultural product and information on the application of management criteria stated in the preceding item in the food chain (collectively referred to below as "food chain information");
	(iii) uncertainty as to whether the released food chain information are those relating to the relevant agricultural product with food chain information;
	(iv) discrepancy between the released food chain information and facts; or
	(v) mixed with any agricultural and forestry products other than those stated in the left column.

Other agricultural and forestry products	mixing with a different type of agricultural and forestry product other than the relevant agricultural and forestry product that has been graded.
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(2) The agricultural and forestry products specified by order of the competent ministry referred to in Article 41, paragraph (2) of the Act are to mean the agricultural products with food chain information.

(Identification Cards of Employees Who Conduct On-Site Inspections and Make Inquiries under the Provisions of Article 65, Paragraphs (1) Through (5) of the Act)

Article 79 The identification cards referred to in Article 65, paragraph (6) of the Act is to be in accordance with Appended Form 13.

(Procedures for Reporting to the Competent Minister)

Article 80 The report under Article 69, paragraph (1) of the Act must be made through a document stating the following matters:

- (i) the name and address of the reporter;
- (ii) the type of agricultural and forestry product or division of the method of handling, etc. of agricultural and forestry products or testing, etc. relating to the report;
- (iii) the reason for the report;
- (iv) the name and address of the product handler or testing business operator (meaning the testing business operator prescribed in Article 42 of the Act) relating to the report; and
- (v) the location of the agricultural and forestry product relating to the report, and the name of its owner at the time of the report.

(Delegation of Authority of the Minister of Agriculture, Forestry and Fisheries)

Article 81 Among the authorities of the Minister of Agriculture, Forestry and Fisheries prescribed in the Act, the authority stated in the following items is delegated to the person specified in those items; provided, however, that this does not preclude the Minister of Agriculture, Forestry from exercising the authority themselves:

- (i) the instructions under Article 61, paragraph (1) of the Act and public announcement under Article 62 of the Act regarding the instructions (limited to those concerning product handlers whose principal office, business establishment, factory, and shop are located within the jurisdictional district of a single Regional Agricultural Administration Office (excluding those regarding affairs to be carried out by the prefectural governors under the

- main clause of Article 21, paragraph (1) of the Order and the heads of designated cities prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947))) the head of the relevant Regional Agricultural Administration Office;
- (ii) the requests to an accredited certification body for the collection of reports and the submission of materials under Article 65, paragraph (1) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant accredited certification body (including the head of the Hokkaido Regional Agricultural Administration Office; the same applies in the following item through item (x) and items (xiv) through (xvi));
 - (iii) the requests to a business operator having a relationship with an accredited certification body with respect to its operations under Article 65, paragraph (1) of the Act for the collection of reports and the submission of materials: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant business operator;
 - (iv) the on-site inspections and inquiries to an accredited certification body or a business operator having a relationship with the accredited certification body with respect to its operations under Article 65, paragraph (1) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
 - (v) the requests to a certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, or product handler of specified agricultural and forestry products for the collection of reports and the submission of materials under Article 65, paragraph (2) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, or product handler of specified agricultural and forestry products;
 - (vi) the requests to a business operator having a relationship with a certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, or product handler of specified agricultural and forestry products with respect to its operations for the collection of reports and the submission of materials under Article 65, paragraph (2) of the Act: the head of the Regional Agricultural

- Administration Office with jurisdiction over the location of the principal office of the relevant business operator;
- (vii) the on-site inspections and inquiries to a certified quality product handler, certified production process manager, certified distribution process manager, certified re-packer, certified importer, certified foreign grade labeling operator, certified method product handler, or product handler of specified agricultural and forestry products, or a business operator having a relationship with any of those persons with respect to its operations under Article 65, paragraph (2) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
 - (viii) the requests to an accredited testing business operator (meaning the accredited testing business operator prescribed in Article 44, paragraph (2), item (ii) of the Act; the same applies below) for the collection of reports and the submission of materials under Article 65, paragraph (3) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant accredited testing business operator;
 - (ix) the requests to a business operator having a relationship with an accredited testing business operator with respect to its operations for the collection of reports and the submission of materials under Article 65, paragraph (3) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant business operator;
 - (x) the on-site inspections and inquiries to an accredited testing business operator or a business operator having a relationship with the accredited testing business operator with respect to its operations under Article 65, paragraph (3) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
 - (xi) the requests to a product handler for the collection of reports and the submission of materials under Article 65, paragraph (4) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant product handler;
 - (xii) the requests to a business operator having a relationship with a product handler with respect to its operations for the collection of reports and the submission of materials under Article 65, paragraph (4) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant business operator;
 - (xiii) the on-site inspections and inquiries to a product handler or a business operator having a relationship with the product handler with respect to its

- operations under Article 65, paragraph (4) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
- (xiv) the requests to a person who has conducted the labeling referred to in Article 68, paragraph (1) of the Act for the collection of reports and the submission of materials under Article 65, paragraph (5) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant person;
- (xv) the requests to a business operator having a relationship with a person who has conducted the labeling referred to in Article 68, paragraph (1) of the Act with respect to its operations for the collection of reports and the submission of materials under Article 65, paragraph (5) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the relevant business operator;
- (xvi) the on-site inspections and inquiries to a person who has conducted the labeling referred to in Article 68, paragraph (1) of the Act or a business operator having a relationship with the person with respect to its operations under Article 65, paragraph (5) of the Act: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries; and
- (xvii) the receipt of reports under Article 70, paragraph (1) of the Act and the investigations under paragraph (2) of the same Article: the head of the Regional Agricultural Administration Office with jurisdiction over the location of the principal office of the product handler subject to the relevant reports.

(Delegation of Authority of the Commissioner of the National Tax Agency)

Article 82 Among the authorities delegated to the Commissioner of the National Tax Agency pursuant to the provisions of Article 20 of the Order, the authority stated in the following items is delegated to the person specified in those items; provided, however, that this does not preclude the Commissioner of the National Tax Agency from exercising the authority themselves:

- (i) the requests to an accredited certification body for the collection of reports and the submission of materials under the provisions of Article 65, paragraph (1) of the Act: the Regional Commissioner of the Regional Taxation Bureau with jurisdiction over the location of the principal office of the relevant accredited certification body (including the Regional Commissioner of the Okinawa Regional Taxation Office; the same apply below);
- (ii) the requests to a business operator having a relationship with an accredited certification body with respect to its operations for the collection

- of reports and the submission of materials under Article 65, paragraph (1) of the Act: the Regional Commissioner of the Regional Taxation Bureau with jurisdiction over the location of the principal office of the relevant business operator;
- (iii) the on-site inspections and inquiries to an accredited certification body or a business operator having a relationship with the accredited certification body with respect to its operations under Article 65, paragraph (1) of the Act: the Regional Commissioner of the Regional Taxation Bureau with jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
- (iv) the requests to a certified production process manager, certified re-packer, certified importer, certified foreign grade labeling operator, or product handler of specified agricultural and forestry products for the collection of reports and the submission of materials under Article 65, paragraph (2) of the Act: the Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office, who holds jurisdiction over the location of the principal office of the relevant certified production process manager, certified re-packer, certified importer, certified foreign grade labeling operator, or product handler of specified agricultural and forestry products;
- (v) the requests to a business operator having a relationship with a certified production process manager, certified re-packer, certified importer, certified foreign grade labeling operator, or product handler of specified agricultural and forestry products with respect to its operations for the collection of reports and the submission of materials under Article 65, paragraph (2) of the Act: the Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office, who holds jurisdiction over the location of the principal office of the relevant business operator;
- (vi) the on-site inspections and inquiries to a certified production process manager, certified re-packer, certified importer, certified foreign grade labeling operator, or product handler of specified agricultural and forestry products, or a business operator having a relationship with any of those persons with respect to its operations under Article 65, paragraph (2) of the Act: the Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office, who holds jurisdiction over the location of the place of the relevant on-site inspections or inquiries;
- (vii) the requests to a person who made the labeling referred to in Article 68, paragraph (1) of the Act for the collection of reports and the submission of materials under Article 65, paragraph (5) of the Act,: the Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office, who holds jurisdiction over the location of the principal office of the relevant person;

- (viii) the requests to a business operator having its operational relationship with a person who made the labeling referred to in Article 68, paragraph (1) of the Act for the collection of reports and the submission of materials under Article 65, paragraph (5) of the Act; the Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office with jurisdiction over the location of the principal office of the relevant business operator; and
- (ix) the on-site inspections and inquiries to a person who made the labeling referred to in Article 68, paragraph (1) of the Act or a business operator having its operational relationship with the that person under Article 65, paragraph (5) of the Act: Regional Commissioner of the Regional Taxation Bureau or the District Director of the Tax Office with jurisdiction over the location of the place of the relevant on-site inspections or inquiries.

(Omission of Attached Documents)

- Article 83 (1) When filing applications or notifications concurrently under the provisions of two or more laws or this Ministerial Order, or the Regulations for Enforcement of the Act on Japanese Agricultural Standards Related to the Ministry of Agriculture, Forestry and Fisheries (Order of the Ministry of Agriculture and Forestry No. 62 of 1950) (limited to those made by an accredited certification body, accredited overseas certification body, accredited testing business operator, or accredited overseas testing business operator (meaning the accredited overseas testing business operator prescribed in Article 55, paragraph (1) of the Act) or by a person who intends to receive these accreditations; referred to as "application, etc." in the following paragraph), and the contents of the documents to be attached to each of those written applications or notifications are the same, those documents may be attached only to one of the written applications or written notifications, and by stating that fact in other written applications or written notifications, attachment of the documents to those other written applications or written notifications may be omitted .
- (2) If documents with the same content have already been submitted through procedures for other application etc., and the content of the documents have not changed, attachment of those documents to a written application or written notification may be omitted, by stating that fact in the written application or written notification; provided, however, that if the competent minister finds it particularly necessary, the minister may request to submit those documents.

(Reporting Grading Results)

- Article 84 (1) An accredited certification body or an accredited overseas certification body must compile, by the end of September of each year, the

preceding fiscal year's grading results or results of grade labeling for each type of agricultural and forestry product of the certified quality product handlers, certified production process managers, certified distribution process managers, certified re-packers, certified importers, certified quality overseas product handlers, certified overseas production process managers, certified overseas distribution process managers, or certified overseas re-packers that have been certified by that accredited certification body or accredited overseas certification body (for a certified production process manager or certified overseas production process manager of organic products of plant origin, organic feeds or organic livestock products, including the area of its farm relating to the certification), the preceding fiscal year's foreign grade labeling results of the certified foreign grade labeling operators for each type of agricultural and forestry product, and the preceding fiscal year's results of compliance labeling for each division of the method of handling, etc. of agricultural and forestry products of the certified method product handlers or certified method overseas product handlers that have been certified by the body, and then report them to the competent minister.

- (2) An accredited certification body must compile the results of issuing the documents proving that the accredited certification body has conducted the gradings for the previous year by the end of January of each year, and report them to the competent minister.

(Routed Government Agencies)

Article 85 (1) If any documents are to be submitted to the Minister of Finance and the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of the Act or this Ministerial Order, those documents to be submitted to the Minister of Finance must be submitted through the Minister of Agriculture, Forestry and Fisheries.

- (2) In the case referred to in the preceding paragraph, those documents must be submitted in duplicate (one original and one copy of the documents).

- (3) If any documents are to be submitted to the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of the Act or this Ministerial Order, those documents must be submitted through the Food and Agricultural Materials Inspection Center.

(Means of Giving Public Notification)

Article 86 Unless otherwise provided for, the public notifications prescribed in the Act or this Ministerial Order are to be made by using the internet or other appropriate means.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Facilitating the Export of Agricultural, Forestry, and Fishery Products and Food, and Other Acts comes into effect (October 1, 2022).

(Transitional Measures)

Article 2 (1) A document that is used in accordance with Appended Forms 1 through 11 and 18 of the Regulations for Enforcement of the Act on Japanese Agricultural Standards (Order of the Ministry of Agriculture and Forestry No. 62 of 1950) before the amendment by the Ministerial Order Partially Amending the Regulations for Enforcement of the Act on Japanese Agricultural Standards (Order of the Ministry of Agriculture, Forestry and Fisheries No. 50 of 2022) (referred to as the "former format" in the following paragraph) and that exists at the time of enforcement of this Ministerial Order is deemed to be in accordance with Appended Forms 1 through 13 of this Ministerial Order (referred to as the "new format" in the following paragraph).

(2) A form that is in accordance with the former format that exists at the time of enforcement of this Ministerial Order may be used as the new format for the time being by making amendments.

Appended Forms

Form 1 (Re: Article 40, Article 45, Article 65, and Article 68)

Form 2

Form 3 (Re: Article 46 and Article 69)

Form 4 (Re: Article 47 and Article 70)

Form 5 (Re: Article 49, paragraph (1) and Article 72)

Form 6 (Re: Article 49, paragraph (2) and Article 72)

Form 7 (Re: Article 49, paragraph (3) and Article 72)

Form 8 (Re: Article 49, paragraph (4) and Article 72)

Form 9 (Re: Article 49, paragraph (5) and Article 72)

Form 10 (Re: Article 51 and Article 73)

Form 11 (Re: Article 52, paragraph (1) and (2), and Article 74)

Form 12 (Re: Article 53 and Article 75)

Form 13 (Re: Article 79)