

# **Act on Countermeasures for Difficult Food Supply Situations**

(Act No. 61 of June 21, 2024)

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## **Chapter I General Provisions**

### **(Purpose)**

Article 1 The purpose of this Act is to contribute to ensuring food security and thereby contribute to ensuring the stability of the lives of the people and the smooth operation of the national economy, in order to respond to difficult food supply situations by taking into account of the fact that the supply and demand and trade of the world's food have become unstable due to the increase in the world population, climate change, the outbreak and spread of infectious diseases of plants and animals, and livestock, which are harmful to plants, through providing for the formulation of basic policies on the implementation of countermeasures for difficult food supply situations, establishment of headquarters of countermeasures for difficult food supply situations, and measures, etc. for ensuring a stable supply of specified food.

### **(Definitions)**

Article 2 In this Act, the meanings of the terms stated in the following items are as prescribed respectively in those items:

- (i) the term "specified food" means rice, wheat, soybeans, and other agricultural, forestry, and fishery products that are consumed by the people on a daily basis and other things that are of importance in terms of dietary

- habits for the people, or things that occupy an important position as raw material in businesses that manufacture or process food (meaning all foods and drinks other than pharmaceuticals defined in Article 2, paragraph (1) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960), quasi-pharmaceutical products defined in paragraph (2) of that Article, and regenerative medical products defined in paragraph (9) of that Article; the same applies below in this item) or provides meals, or that are specified by Cabinet Order as being important for the national economy (including food manufactured or processed by using the agricultural, forestry, and fishery products as raw materials which are specified by Cabinet Order);
- (ii) the term "specified materials" means materials specified by Cabinet Order as being indispensable for the production of specified food (including their raw materials);
- (iii) the term "food supply difficulty indication" means a situation found that it will be difficult to prevent the occurrence of a difficult food supply situation unless measures to secure a stable supply of specified food are taken, because the supply of specified food is or is likely to be substantially insufficient due to disasters caused by drought, cold weather, or other meteorological reasons, outbreak or spread of infectious diseases of plants and animals that are harmful to plants, or occurrence of other events;
- (iv) the term "difficult food supply situation" means a situation found that the stability of the lives of the people or the smooth operation of the national economy has been hindered, due to a substantial shortage of the supply of specified food, or its shortage is highly likely to occur;
- (v) the term "countermeasures for a difficult food supply situation" means measures implemented by the national government based on the provisions of this Act and the basic policy prescribed in paragraph (1) of the following Article, during the period extending from the time when the headquarters prescribed in Article 6, paragraph (1) are established pursuant to the provisions of that paragraph until the time when the headquarters are abolished pursuant to the provisions of Article 14, paragraph (1) (referred to as the "establishment period of the headquarters" below) for the purpose of preventing the occurrence of a difficult food supply situation or resolving a difficult food supply situation;
- (vi) the term "designated administrative organ" means any of the following organs specified by Cabinet Order:
- (a) Cabinet Office, Imperial Household Agency, organs prescribed in Article 49, paragraphs (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999), Digital Agency, and organs prescribed in Article 3, paragraph (2) of the National Government Organization Act (Act

- No. 120 of 1948);
- (b) organs prescribed in Article 37 and Article 54 of the Act for Establishment of the Cabinet Office, Article 16, paragraph (1) of the Imperial Household Agency Act (Act No. 70 of 1947), and Article 8 of the National Government Organization Act;
  - (c) organs prescribed in Article 39 and Article 55 of the Act for Establishment of the Cabinet Office, in Article 16, paragraph (2) of the Imperial Household Agency Act, and Article 8-2 of the National Government Organization Act;
  - (d) organs prescribed in Article 40 and Article 56 of the Act for Establishment of the Cabinet Office and Article 8-3 of the National Government Organization Act;
  - (vii) the term "designated local administrative organ" means a local branch office of a designated administrative organ (meaning a local branch office referred to in Article 43 and Article 57 of the Act for Establishment of the Cabinet Office (including as applied mutatis mutandis pursuant to Article 18, paragraph (1) of the Imperial Household Agency Act), Article 17, paragraph (1) of the Imperial Household Agency Act, and Article 9 of the National Government Organization Act) and other local administrative organs of the national government specified by Cabinet Order.

## **Chapter II Basic Policy on the Implementation of Countermeasures for Difficult Food Supply Situations**

Article 3 (1) In order to comprehensively and integrally implement countermeasures for difficult food supply situations, the government is to establish a basic policy on the implementation of countermeasures for difficult food supply situations (referred to as the "basic policy" below in this Article and Article 9, paragraph (1)).

- (2) The basic policy is to prescribe the following matters:
- (i) the basic direction for the implementation of countermeasures for difficult food supply situations;
  - (ii) matters concerning the criteria for determining whether the situation falls under a food supply difficulty indication or a difficult food supply situation;
  - (iii) matters concerning the following measures to be taken by the national government:
    - (a) comprehensive promotion of measures to be implemented during a period other than the establishment period of the headquarters;
    - (b) collection of information on the status and trend of food supply difficulty indications or the occurrence of difficult food supply situations;
    - (c) comprehensive promotion of countermeasures for a difficult food supply

- situation to be implemented at the food supply difficulty indication for preventing the occurrence of a difficult food supply situation;
- (d) comprehensive promotion of countermeasures for difficult food supply situations to be implemented in a difficult food supply situation, in order to resolve a difficult food supply situation ;
  - (iv) matters concerning the system for implementing countermeasures for difficult food supply situations; and
  - (v) beyond what is stated in the preceding items, necessary matters for implementing countermeasures for difficult food supply situations.
- (3) The basic policy is to be established for each of the three stages which are the stage before the occurrence of a food supply difficulty indication, the stage at which a food supply difficulty indication has emerged, and the stage at which a difficult food supply situation has occurred.
- (4) The Minister of Agriculture, Forestry and Fisheries must prepare a draft of the basic policy and seek a Cabinet decision.
- (5) When the Cabinet decision referred to in the preceding paragraph has been made, the Minister of Agriculture, Forestry and Fisheries must report the basic policy to the Diet without delay and issue a public notice to that effect.
- (6) The provisions of the preceding three paragraphs apply mutatis mutandis to changes made to the basic policy.

### **Chapter III Collection of Reports on the Supply and Demand Situation of Specified Food or Specified Materials**

- Article 4 (1) In order to understand the supply and demand situation of specified food or specified materials in Japan, the competent minister may request persons conducting the business of shipping, selling, importing, producing, or manufacturing specified food or specified materials, a group organized by those persons, or other relevant persons to report on the situation of shipping, selling, importing, producing, or manufacturing specified food or specified materials.
- (2) A person who has been requested to make a report pursuant to the provisions of the preceding paragraph must endeavor to respond to the request.

### **Chapter IV Headquarters of Countermeasures for Difficult Food Supply Situations**

(Report on Emergence of Food Supply Difficulty Indications)

- Article 5 When the Minister of Agriculture, Forestry and Fisheries finds that a food supply difficulty indication has emerged, the Minister must report the outlook for the supply and demand of specified food whose supply is or is likely to be significantly insufficient and other necessary information, to the Prime

Minister.

(Establishment of Headquarters)

Article 6 (1) When a report referred to in the preceding Article has been made, and the Prime Minister finds it necessary to prevent the occurrence of a difficult food supply situation, the Prime Minister is to deliberate the matter at a Cabinet meeting, and temporarily establish a headquarters of countermeasure for difficult food supply situations (referred to as the "headquarters" below), notwithstanding the provisions of Article 12, paragraph (4) of the Cabinet Act (Act No. 5 of 1947).

(2) When the Prime Minister establishes the headquarters, the Prime Minister must report the name, location, and period of establishing the headquarters to the Diet, and issue public notice of the name, location, and period of establishing the headquarters.

(Organization of the Headquarters)

Article 7 (1) The head of the headquarters are to be the chief of headquarters of countermeasure for difficult food supply situations (referred to as the "chief" below), and the Prime Minister (when the Prime Minister is unavailable, a Minister of State designated by the Prime Minister in advance) serves in this capacity.

(2) The chief takes overall control of the affairs of the headquarters and directs and supervises the officials of the headquarters.

(3) The headquarters is to have a vice chief of the headquarters of countermeasures for difficult food supply situations (referred to as a "vice chief" below in this Article and Article 11, paragraph (3)), headquarters members of the countermeasures headquarters for difficult food supply situations (referred to as "headquarters members" below in this Article), and other officials.

(4) The Chief Cabinet Secretary and the Minister of Agriculture, Forestry and Fisheries serve as vice chiefs.

(5) The vice chiefs assist the chief and, when the chief is unavailable, one of the vice chiefs performs the duties of the chief in the order determined by the chief in advance.

(6) All Ministers of State other than the chief and vice chiefs serve as the headquarters members. In such a case, a Senior Vice-Minister who has been designated in advance by the Minister of State may perform the duties of the headquarters members in the absence of a Minister of State.

(7) The officials of the headquarters other than the vice chiefs and headquarters members are appointed by the Prime Minister from among the officials of the Cabinet Secretariat, the heads (excluding the Ministers of State) and other

officials of designated administrative organs, or the heads and other officials of the related designated local administrative organs.

(Affairs Under the Jurisdiction of the Headquarters)

Article 8 The headquarters takes charge of the following affairs:

- (i) the affairs concerning the comprehensive promotion of countermeasures for a difficult food supply situation which are implemented by designated administrative organs based on the implementation policy prescribed in paragraph (1) of the following Article;
- (ii) the affairs that are under the authority of the chief pursuant to the provisions of Article 11, paragraphs (1) and (2), and Article 13; and
- (iii) beyond what is stated in the preceding two items, the affairs that are under the authority of the headquarters pursuant to the provisions of laws and regulations.

(Implementation Policy)

Article 9 (1) The headquarters is to formulate a policy on the implementation of countermeasures for a difficult food supply situation (referred to as the "implementation policy" below) based on the basic policy.

(2) The implementation policy is to specify the following matters:

- (i) specified food whose supply should be secured and specified materials related to the specified food (referred to as "specified food and specified materials subject to measures");
  - (ii) the target supply quantity by period of specified food and specified materials subject to measures;
  - (iii) the general policy on the implementation of countermeasures for difficult food supply situations; and
  - (iv) important matters concerning the implementation of countermeasures for difficult food supply situations.
- (3) When the chief establishes an implementation policy, they must immediately issue a public notice of the implementation policy and make the policy widely known.
- (4) The provisions of the preceding paragraph apply mutatis mutandis to changes made to the implementation policy.

(Delegation of Authority of the Head of Designated Administrative Organs)

Article 10 (1) When the headquarters is established, the head of a designated administrative organ (if the designated administrative organ is based on a council system, the designated administrative organ; the same applies below) may delegate all or part of the authority necessary for implementing countermeasures for difficult food supply situations to the officials of the

designated administrative organ who are officials of the headquarters, or to the head or officials of the designated local administrative organ.

- (2) When the head of a designated administrative organ has delegated the authority under the provisions of the preceding paragraph, they must immediately issue a public notice to that effect.

(Comprehensive Coordination Carried Out by the Chief)

Article 11 (1) When the chief finds it necessary for accurately and promptly implementing countermeasures for difficult food supply situations, they may carry out comprehensive coordination on countermeasures for difficult food supply situations to be implemented by a designated administrative organ for the head of the designated administrative organ and the head of the designated local administrative organ, and the officials of the designated administrative organ and the officials of the designated local administrative organ to whom the authority has been delegated pursuant to the provisions of paragraph (1) of the preceding Article, based on the implementation policy.

- (2) When the chief finds it necessary for accurately and promptly implementing countermeasures for difficult food supply situations, they may request the heads of local governments, groups organized by persons that conduct the business of shipping, selling, importing, producing, or manufacturing of specified food and specified materials subject to measures, and other relevant persons, to provide materials or information, express opinions, or other necessary cooperation.
- (3) The chief may delegate all or part of the authority under the provisions of the preceding two paragraphs to the vice chiefs.
- (4) When the chief has delegated the authority under the provisions of the preceding paragraph, they must immediately issue a public notice to that effect.

(Public Notice of Occurrence of Difficult Food Supply Situations)

Article 12 (1) When the chief finds that a difficult food supply situation has occurred, they are to issue a public notice indicating that a difficult food supply situation has occurred and a public notice on the outline of the difficult food supply situation, and report that fact and the outline to the Diet.

- (2) When the chief finds that it is no longer necessary to implement countermeasures for a difficult food supply situation for resolving the difficult food supply situation after issuing the public notice referred to in the preceding paragraph, the chief is to promptly issue a public notice indicating that the difficult food supply situation has ended and report that fact to the Diet.
- (3) When the chief finds that the minimum food supply required by the people is not secured, or that it is likely that the supply may not be secured in a difficult food supply situation, the chief is to issue a public notice to that effect,

and report that fact to the Diet.

- (4) If the chief finds that there is no longer a risk that the minimum food supply required by the people may not be secured after issuing the public notice referred to in the preceding paragraph, the chief is to promptly issue a public notice to that effect, and report that fact to the Diet.

(Instructions by the Chief)

Article 13 When necessary measures based on the comprehensive coordination referred to in Article 11, paragraph (1) are not implemented in a difficult food supply situation, and the chief finds it particularly necessary for accurately and promptly implementing countermeasures for a difficult food supply situation, they may give necessary instructions to the head of a designated administrative organ and the head of a designated local administrative organ, and the officials of the designated administrative organ and the officials of the designated local administrative organ to whom the authority has been delegated pursuant to the provisions of Article 10, paragraph (1), to the extent necessary. In such a case, the provisions of Article 11, paragraphs (3) and (4) apply *mutatis mutandis*.

(Abolition of the Headquarters)

- Article 14 (1) The headquarters are to be abolished when the chief prevents the occurrence of a difficult food supply situation and finds that it is no longer necessary to implement countermeasures to resolve the difficult food supply situation.
- (2) If the headquarters are abolished, the Prime Minister must report that fact to the Diet and issue a public notice to that effect.

## **Chapter V Countermeasures for Difficult Food Supply Situations**

(Requests for Shipment or Sale)

- Article 15 (1) When the competent minister finds it necessary to coordinate the shipment or sale of specified food and specified materials subject to measures during the establishment period of the headquarters, in order to prevent the occurrence of a difficult food supply situation, or resolve a difficult food supply situation, the competent minister may request the person conducting the business of shipping or selling the specified food and specified materials subject to measures (referred to as a "shipper or seller" below in this Article and Article 19) to coordinate the shipment or sale of the specified food and specified materials subject to measures.
- (2) When the competent minister finds it to be difficult to resolve a difficult food supply situation even after making a request under the provisions of the



preceding paragraph, they may instruct the shipper or seller who has received the request to prepare a plan for shipment or sale of the specified food and specified materials subject to measures (referred to as a "plan for shipment or sale" below in this Article and Article 19, paragraph (2)) and notify the competent minister of that plan, pursuant to the provisions of order of the competent ministry.

- (3) When the shipper or seller who has made a notification by following the instructions under the provisions of the preceding paragraph changes the plan for shipment or sale related to the notification, the shipper or seller must notify the competent minister of the matters changed, pursuant to the provisions of order of the competent ministry.
- (4) When the competent minister finds that it is difficult to resolve the difficult food supply situation even if the shipment or sale of the specified food and specified materials subject to measures is made in line with all of the plans for shipment or sale for which notification has been given by following the instructions under the provisions of paragraph (2), the competent minister may instruct the shipper or seller who has given the notification and who the competent minister finds to be able to adjust the shipment or sale of the specified food and specified materials subject to measures by taking into consideration the content of the plan for shipment or sale related to the notification and other circumstances on the shipment or sale of the specified food and specified materials subject to measures, to change the plan for shipment or sale.
- (5) The shipper or seller who has filed a notification by following the instructions under the provisions of paragraph (2) must ship or sell the specified food and specified materials subject to measures related to the plan for shipment or sale related to the notification in line with the plan for shipment or sale concerning the notification (when a notification of change under the provisions of paragraph (3) has been filed, the plan after the change; the same applies in the following paragraph).
- (6) When the shipper or seller who has received the instruction under the provisions of paragraph (4) fails to follow the instruction without legitimate grounds, or when the competent minister finds that the shipper or seller prescribed in the preceding paragraph has failed to ship or sell specified food and specified materials subject to measures related to the plan for shipment or sale related to the notification in line with the plan for shipment or sale related to the notification without legitimate grounds, the competent minister may publicize that fact.

(Request Concerning Imports)

Article 16 (1) When the competent minister finds it necessary to promote the

import of specified food and specified materials subject to measures during the establishment period of the headquarters, in order to prevent the occurrence of a difficult food supply situation or resolve a difficult food supply situation, the competent minister may request a person conducting the business of importing the specified food and specified materials subject to measures (referred to as an "importer" in the following paragraph and Article 19) to promote the import of the specified food and specified materials subject to measures.

- (2) The provisions of paragraphs (2) through (6) of the preceding Article apply *mutatis mutandis* to the importer subject to the request under the provisions of the preceding paragraph. In such a case, the term "plan for shipment and sale" in the provisions of paragraphs (2) through (6) of that Article is deemed to be replaced with "import plan"; the term "shipment or sale" in paragraphs (2) and (5) of that Article is deemed to be replaced with "import"; the terms "shipment or sale", "circumstances of shipment or sale", and "adjust the shipment or sale" in paragraph (4) of that Article are deemed to be replaced with "import", "circumstances of import", and "import", respectively; and the term "ship or sell" in paragraph (6) of that Article is deemed to be replaced with "import".

(Requests on the Production of Agricultural, Forestry, and Fishery Products)

- Article 17 (1) When the competent minister finds it necessary to promote the production of specified food and specified materials subject to measures (limited to agricultural, forestry, and fishery products among specified food and specified materials; the same applies below in this Article) in order to prevent the occurrence of a difficult food supply situation or resolve a difficult food supply situation during the establishment period of the headquarters, the competent minister may request a person conducting the business of producing the specified food and specified materials subject to measures (referred to as an "agricultural, forestry and fishery product producer" below in this Article) to promote the production of the specified food and specified materials subject to measures, or may request a person other than an agricultural, forestry, and fishery product producer who satisfies the requirements specified by order of the competent ministry as one who is expected to be able to produce the specified food and specified materials subject to measures (referred to as a "producer capable of producing agricultural, forestry, and fishery products" in the following paragraph and Article 21, paragraph (1)) to cooperate in the production of the specified food and specified materials subject to measures.
- (2) The provisions of Article 15, paragraphs (2) and (3) apply *mutatis mutandis* to an agricultural, forestry, and fishery product producer, etc. (meaning an agricultural, forestry and fishery product producer and a producer capable of producing agricultural, forestry, and fishery products; the same applies below in this Article and Article 19) related to the request under the provisions of the

- preceding paragraph. In such a case, the terms "specified food and specified materials subject to measures" and "shipment or sale" in Article 15, paragraph (2) are deemed to be replaced with "specified food and specified materials subject to measures prescribed in Article 17, paragraph (1)" and "production", respectively; and the term "plan for shipment or sale" in that paragraph and paragraph (3) of that Article is deemed to be replaced with "production plan".
- (3) When the competent minister finds it difficult to resolve a difficult food supply situation even if the specified food and specified materials subject to measures are produced in line with all of the production plans for which notification has been given by following the instructions under the provisions of Article 15, paragraph (2) as applied *mutatis mutandis* pursuant to the preceding paragraph following the deemed replacement of terms (meaning the production plan prescribed in paragraph (2) of that Article as applied *mutatis mutandis* pursuant to the preceding paragraph following the deemed replacement of terms; the same applies below in this Article and Article 19, paragraph (2)), the competent minister may instruct the agricultural, forestry, and fishery product producer, etc. who has given the notification (limited to a person who is capable of producing the specified food and specified materials subject to measures during a period other than the period in which the agricultural, forestry, and fishery products that the person produces are normally produced and other persons specified by order of the competent ministry), who is found to be able to produce the specified food and specified materials subject to measures by taking into consideration the content of the production plan related to the notification and other circumstances on the production of the specified food and specified materials subject to measures, to change the production plan.
- (4) When a public notice referred to in Article 12, paragraph (3) has been given, and the competent minister finds that it is still difficult to secure the minimum food supply necessary for the people even after giving instructions under the provisions of the preceding paragraph, the competent minister may instruct the agricultural, forestry, and fishery product producer, etc. that has given a notification by following the instructions under the provisions of Article 15, paragraph (2) as applied *mutatis mutandis* pursuant to paragraph (2) following the deemed replacement of terms, and is found to be capable of producing the specified food and specified materials subject to measures by taking into consideration the content of the production plan related to the notification and other circumstances on the production of the specified food and specified materials subject to measures, to change the production plan.
- (5) The provisions of Article 15, paragraphs (5) and (6) apply *mutatis mutandis* to the agricultural, forestry, and fishery product producer, etc. that has given a notification by following the instruction under the provisions of the paragraph

(2) of that Article as applied mutatis mutandis pursuant to paragraph (2) following the deemed replacement of terms. In such a case, the terms "plan for shipment or sale" and "specified food and specified materials subject to measures" in paragraphs (5) and (6) of that Article are deemed to be replaced with "production plan" and "specified food and specified materials subject to measures prescribed in paragraph (1) of that Article", respectively; the terms "paragraph (3)" and "ship or sell" in paragraph (5) of that Article are deemed to be replaced with "paragraph (3) as applied mutatis mutandis pursuant to Article 17, paragraph (2) following the deemed replacement of terms" and "produce", respectively; and the terms "paragraph (4)" and "ship or sale" in paragraph (6) of that Article are deemed to be replaced with "Article 17, paragraph (3) or (4)" and "produce", respectively.

(Requests for the Manufacture of Processed Products)

Article 18 (1) When the competent minister finds it necessary to promote the production of specified food and specified materials subject to measures (limited to specified food and specified materials other than agricultural, forestry, and fishery products; the same applies in paragraph (3)) during the establishment period of the headquarters, in order to prevent the occurrence of a difficult food supply situation or resolve a difficult food supply situation, the competent minister may request a person conducting the business of producing the specified food and specified materials subject to measures (referred to as a "manufacturer of processed products, etc." below in this Article and the following Article) to promote the production of the specified food and specified materials subject to measures.

(2) The provisions of Article 15, paragraphs (2) through (6) apply mutatis mutandis to manufacturers of processed products, etc. related to the request under the provisions of the preceding paragraph. In such a case, the term "plan for shipment and sale" in paragraphs (2) through (6) of that Article is deemed to be replaced with "manufacturing plan"; the term "specified food and specified materials subject to measures" in paragraph (2) of that Article is deemed to be replaced with "specified food and specified materials subject to measures prescribed in Article 18, paragraph (1) (simply referred to as "specified food and specified materials subject to measures" below in this Article)"; the term "shipment or sale" in that paragraph and paragraph (5) of that Article is deemed to be replaced with "manufacturing"; the terms "shipment or sale", "circumstances on shipment or sale", and "adjust the shipment or sale" in paragraph (4) of that Article are deemed to be replaced with "manufacturing", "circumstances on manufacturing", and "manufacture", respectively; and the term "ship or sell" in paragraph (6) of that Article is deemed to be replaced with "manufacture".

(3) When the competent minister finds that it is still difficult to prevent the occurrence of a difficult food supply situation or resolve a difficult food supply situation even after making the request under the provisions of paragraph (1), the competent minister may request a person other than a manufacturer of processed food, etc. who satisfies the requirements specified by order of the competent ministry as a person who is expected to be able to manufacture the specified food and specified materials subject to measures (referred to as a "manufacturer capable of manufacturing processed products, etc." in paragraph (1) of the following Article) to cooperate in the manufacture of the specified food and specified materials subject to measures.

(Financial Measures and Other Measures)

Article 19 (1) The national government is to take financial measures and other measures necessary to facilitate the adjustment of shipment or sales, import, production, or manufacturing of specified food and specified materials subject to measures for a shipper or seller who adjusts the shipment or sales of specified food and specified materials subject to measures in response to the request under the provisions of Article 15, paragraph (1), an importer who imports specified food and specified materials subject to measures in response to the request under the provisions of Article 16, paragraph (1), an agricultural, forestry, and fishery product producer etc. who produces specified food and specified materials subject to measures prescribed in Article 17, paragraph (1) in response to the request under the provisions of that paragraph, a manufacturer of processed products, etc. who manufactures specified food and specified materials subject to measures prescribed in paragraph (1) of the preceding Article in response to the request under the provisions of that paragraph, and a manufacturer capable of manufacturing processed products, etc. who manufactures specified food and specified materials subject to measures in response to the request under the provisions of paragraph (3) of that Article.

(2) The national government is to take financial measures and other measures necessary for avoiding the impact of adjustment of shipment or sale, import, production, or manufacturing on the management of business conducted by persons that perform these activities, for a shipper or seller who adjusts the shipment or sale of specified food and specified materials subject to measures in line with the plan for shipment or sale which has been changed following the instructions under the provisions of Article 15, paragraph (4), an importer who imports specified food and specified materials subject to measures in line with an import plan (meaning the import plan prescribed in Article 15, paragraph (2) as applied *mutatis mutandis* pursuant to Article 16, paragraph (2) following the deemed replacement of terms) that has been changed by following the

instructions under the provisions of Article 15, paragraph (4) as applied mutatis mutandis pursuant to Article 16, paragraph (2) following the deemed replacement of terms, an agricultural, forestry, and fishery product producer, etc. who produces specified food and specified materials subject to measures prescribed in Article 17, paragraph (1) in line with a production plan which has been changed by following the instructions under the provisions of paragraph (3) or (4) of that Article, and a manufacturer of processed products, etc. who manufactures specified food and specified materials subject to measures prescribed in paragraph (1) of the preceding Article in line with a manufacturing plan (meaning the manufacturing plan prescribed in Article 15, paragraph (2) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article following the deemed replacement of terms) which has been changed by following the instructions under the provisions of Article 15, paragraph (4) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article following the deemed replacement of terms.

(Other Countermeasures for Difficult Food Supply Situations)

- Article 20 (1) When there has been a steep rise in the price of specified food, etc. subject to measures or a shortage of its supply or is likely that the rise or shortage will occur during the establishment period of the headquarters, the head of a designated administrative organ or the head of a designated local administrative organ must take measures based on the provisions of the Customs Tariff Act (Act No. 54 of 1910), Act on Emergency Measures Against Acts of Buying Up or Holding Back Sales of Goods Related to Everyday Life (Act No. 48 of 1973), Act on Emergency Measures for Stabilizing Living Conditions of the Public (Act No. 121 of 1973), Act on Stabilization of Supply, Demand, and Prices of Staple Food (Act No. 113 of 1994), Prices Control Order (Imperial Order No. 118 of 1946), and other laws and regulations, or take other appropriate measures, as provided for by the implementation policy.
- (2) When the public notice referred to in Article 12, paragraph (3) has been issued, the head of a designated administrative organ and the head of a designated local administrative organ must give particular consideration so that the supply of the minimum food necessary for the people is secured and that the people are able to obtain the food by allocating or rationing food based on the provisions of the Act on Emergency Measures for Stabilizing Living Conditions of the Public, Act on Stabilization of Supply, Demand, and Prices of Staple Food, and other laws and regulations, or by taking other appropriate measures, as the measures prescribed in the preceding paragraph.

## **Chapter VI Miscellaneous Provisions**

(On-Site Inspections)

- Article 21 (1) The competent minister may have a person conducting the business of shipping, selling, importing, producing, or manufacturing specified food and specified materials subject to measures or a producer capable of producing of agricultural, forestry, and fishery products, report on the status of their operations or accounting, or have officials of the competent ministry enter the business office, office, or other workplaces of that person, and inspect books, documents, or any other articles, to the extent necessary for enforcing the provisions of the preceding Chapter (excluding Article 18, paragraph (3) and the preceding two Articles).
- (2) An official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the persons concerned.
- (3) The authority to conduct an on-site inspection under the provisions of paragraph (1) must not be construed as being granted for a criminal investigation.

(Competent Minister)

- Article 22 (1) The competent minister in this Act is the minister who has jurisdiction over the business of shipping, selling, importing, producing, or manufacturing specified food or specified materials.
- (2) Order of the competent ministry in this Act means an order issued by the competent minister.

## **Chapter VII Penal Provisions**

- Article 23 (1) If a person falls under any of the following items, the person who has committed the violation is punished by a fine of not more than 200,000 yen:
- (i) a person who has failed to file a notification in violation of an instruction under the provisions of Article 15, paragraph (2) (including as applied *mutatis mutandis* pursuant to Article 16, paragraph (2), Article 17, paragraph (2), and Article 18, paragraph (2) following the deemed replacement of terms);
- (ii) a person who has failed to file a notification in violation of the provisions of Article 15, paragraph (3) (including as applied *mutatis mutandis* pursuant to Article 16, paragraph (2), Article 17, paragraph (2), and Article 18, paragraph (2) following the deemed replacement of terms).
- (2) If the representative or administrator of a corporation (including a group without legal personality for which a representative or administrator has been designated; the same applies below in this paragraph), or the agent, employee, or other workers of a corporation or individual commits a violation referred to

in one of the items of the preceding paragraph in association with the business of the corporation or individual, not only the offender, but also the corporation or the individual is subject to the punishment referred to in that paragraph.

- (3) If the provisions of the preceding paragraph apply to a group without legal personality, in addition to its representative or administrator representing the group without legal personality for procedural acts, the provisions of the laws concerning criminal proceedings apply *mutatis mutandis* when a corporation is the defendant or the suspect.

Article 24 A person who has failed to make a report under the provisions of Article 21, paragraph (1) or has made a false report, or has refused, obstructed, or evaded an inspection under the provisions of that paragraph is punished by a civil fine of not more than 200,000 yen.

### **Supplementary Provisions**

(Effective Date)

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

(Review)

Article 2 At an appropriate time after the enforcement of this Act, the government is to review the provisions of this Act and take necessary measures based on the results of the review if the government finds it necessary to do so taking into account of the enforcement status of this Act.

(Partial Amendment of the Act for Establishment of the Reconstruction Agency)

Article 3 The Act for Establishment of the Reconstruction Agency (Act No. 125 of 2011) is partially amended as follows:

The following addition is made to the table of Article 3, paragraph (1) of the Supplementary Provisions.

(Adjustment Provisions)

Article 4 If the date on which this Act comes into effect is before the effective date of the Act on the Development of Relevant Laws in Connection with the Enforcement of the Act on Publication of the Official Gazette (Act No. 86 of 2023), the term "to the table" in the amending provisions that add as follows to the table of Article 3, paragraph (1) of the Supplementary Provisions of the Act for Establishment of the Reconstruction Agency in Article 7 of that Act is deemed to be replaced with "after the row for the Act on Making



Payments That Become Part of the National Revenue by the Method Using Information and Communications Technology (Act No. 39 of 2022) in the table".