

Regulations for Enforcement of the Act on Special Measures for the Building, Etc. and Use of Livestock Barns, Etc. Related to the Ministry of Agriculture, Forestry and Fisheries

(Order of the Ministry of Agriculture, Forestry and Fisheries No. 69 of 2021)

Pursuant to the provisions of Article 2, paragraphs (1) and (3) and Article 3, paragraph (4), item (ii) of the Act on Special Measures for the Building, Etc. and Use of Livestock Barns, Etc. (Act No. 34 of 2021) (including as applied mutatis mutandis pursuant to Article 4, paragraph (3) and Article 10, paragraph (4) of that act Act), the Regulations for Enforcement of the Act on Special Measures for the Building, Etc. and Use of Livestock Barns, Etc. Related to the Ministry of Agriculture, Forestry and Fisheries are established as follows.

(Facilities Related to Facilities Used for the Care of Livestock)

Article 1 (1) The facility specified by Order of the Ministry of Agriculture, Forestry and Fisheries as the one related to the facility used for the care of livestock under Article 2, paragraph (1) of the Act on Special Measures for the Building, Etc. and Use of Livestock Barns, Etc. (referred to below as the "Act") is the facility stated in item (i) and includes the facility stated in items (ii) through (iv):

(i) a facility attached to the facility used for the care of livestock (meaning a facility that is built, etc. on the site of the facility used for the care of livestock or on a land adjacent to or in the vicinity of the site, and is used integrally with the facility used for the care of the relevant livestock) that is stated in the following (a) through (e):

(a) a milking facility;

(b) a milk collection facility;

(c) a water storage facility, a water purification facility, and other similar facilities that are necessary for livestock farming operations;

(d) a facility used to store feed, bedding materials, and other materials necessary for livestock farming operations; and

(e) a facility used to store agricultural tractors, tractor shovels, and other vehicles necessary for livestock farming operations;

(ii) a gate or fence attached to the facility used for the care of livestock or to the facility stated in the preceding item;

(iii) a room in the facility used for the care of livestock or in the facility stated in item (i), which is used for duties or work related to livestock farming operations (limited to minor duties or work) or other similar purposes;

(iv) a room in the facility used for the care of livestock or in the facility stated in item (i), (a) through (c), which is used to store feed, agricultural tractors, and other materials or vehicles necessary for livestock farming operations (limited to minor ones).

(Facilities Used for Treating or Storing Livestock Manure)

Article 2 (1) The facility specified by Order of the Ministry of Agriculture, Forestry and Fisheries as a facility used for treatment or storage of livestock manure referred to in Article 2, paragraph (1) of the Act is the one stated in items (i) and (ii) among facilities used for treatment or storage of livestock manure, and includes the one stated in items (iii) through (vii):

(i) a facility with roofs and pillars or walls (including one with similar structures);

(ii) a fermenter with a height exceeding eight meters and other similar facility (excluding one stated in the preceding item);

(iii) a facility attached to the facility stated in item (i) (meaning a facility that is built, etc. on the site of the facility stated in that item or on a land adjacent to or in the vicinity of the site, and is used integrally with the relevant facility) that is stated in (a) or (b) below:

(a) a facility used to store rice hulls, sawdust, and other materials necessary for treatment or storage of livestock manure;

(b) a facility used to store agricultural tractors, tractor shovels, and other vehicles necessary for treatment or storage of livestock manure;

(iv) a facility attached to the facility stated in item (ii) that is used to control the facility stated in that item;

(v) a gate or fence attached to the facility used for treatment or storage of livestock manure or to the facility stated in item (iii);

(vi) a room in the facility stated in item (i) or (iii) that is used for duties or work related to treatment or storage of livestock manure (limited to minor duties or work) or other similar purposes;

(vii) a room in the facility stated in item (i) that is used to store materials or vehicles necessary for treatment or storage of livestock manure (limited to minor ones).

(Building Equipment)

Article 3 The equipment specified by Order of the Ministry of Agriculture, Forestry and Fisheries referred to in Article 2, paragraph (3) of the Act refers to the equipment for providing electricity, gas, water supply, drainage, ventilating, heating, cooling, fire extinguishing, smoke exhaust, or waste management installed in a livestock barn, etc.

(Persons Unable to Properly Manage the Care of Livestock or Manage Their Manure)

Article 4 Regarding the management of livestock or their manure, a person specified by Order of the Ministry of Agriculture, Forestry and Fisheries as referred

to in Article 3, paragraph (4), item (ii) of the Act (including as applied mutatis mutandis pursuant to Article 4, paragraph (3) and Article 10, paragraph (4) of the Act) is one who has violated the Act on the Prevention of Infectious Diseases in Livestock (Act No. 166 of 1951), the Act on Waste Management and Public Cleaning (Act No. 137 of 1970), the Water Pollution Prevention Act (Act No. 138 of 1970), the Offensive Odor Control Act (Act No. 91 of 1971), the Act on Special Measures Concerning Conservation of the Environment of the Seto Inland Sea (Act No. 110 of 1973), the Act on Special Measures Concerning Conservation of Lake Water Quality (Act No. 61 of 1984), or the Act on the Proper Management and Promotion of Use of Livestock Manure (Act No. 112 of 1999), or orders or Prefectural or Municipal Ordinance based on these Acts and is deemed unlikely to rectify the violations.

Supplementary Provisions

This Ministerial Order comes into effect on the date on which the Act comes into effect (April 1, 2022).

Supplementary Provisions (Order of the Ministry of Agriculture, Forestry and Fisheries No. 3 of January 31, 2023)

This Ministerial Order comes into effect on April 1, 2023.