

# Regulations for Enforcement of the Act on Countermeasures for Difficult Food Supply Situations

(Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of Economy, Trade and Industry No.2 of February 28, 2025)

Pursuant to the provisions of Article 15, paragraphs (2) and (3) (including as applied mutatis mutandis pursuant to Article 16, paragraph (2), Article 17, paragraph (2), and Article 18, paragraph (2) of the Act on Countermeasures for Difficult Food Supply Situations (Act No. 61 of 2024) following the deemed replacement of terms), Article 17, paragraphs (1) and (3), and Article 18, paragraph (3) of the same Act, the Regulations for Enforcement of the Act on Countermeasures for Difficult Food Supply Situations are established as follows.

Regulations for Enforcement of the Act on Countermeasures for Difficult Food Supply Situations

(Matters to Be Included in Plans for Shipment or Sale)

Article 1 The plan for shipment or sale referred to in Article 15, paragraph (2) of the Act on Countermeasures for Difficult Food Supply Situations (referred to below as the "Act") must include the following matters:

- (i) matters concerning the results of shipment or sales of the specified food and specified materials subject to measures;
- (ii) matters concerning the outlook of shipment or sale of the specified food and specified materials subject to measures;
- (iii) matters that hinder the shipper or seller from coordinating the shipment or sale of the specified food and specified materials subject to measures based on the outlook referred to in the preceding item; and
- (iv) other necessary matters.

(Notification of Changes to Shipment and Sales Plans)

Article 2 The notification under the provisions of Article 15, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2), Article 17, paragraph (2), and Article 18, paragraph (2) of the Act following the deemed replacement of terms) is to be made by notifying the competent minister of the following matters:

- (i) the content of the change; and
- (ii) the reason for the change.

(Matters to Be Stated in Import Plans)

Article 3 The import plan referred to in Article 15, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act following the deemed replacement of terms must include the following matters:

- (i) matters concerning the results of imports of the specified food and specified materials subject to measures;
- (ii) matters concerning the outlook for the import of the specified food and specified materials subject to measures;
- (iii) matters that hinder importers from promoting the import of the specified food and specified materials subject to measures based on the outlook referred to in the preceding item; and
- (iv) other necessary matters.

(Requirements for Producers Capable of Producing Agricultural, Forestry, and Fishery Products)

Article 4 The requirements specified by order of the competent ministry as referred to in Article 17, paragraph (1) of the Act are to be a person who conducts the business of producing agricultural, forestry and fishery products other than the specified food and specified materials subject to measures (meaning the specified food and specified materials subject to measures prescribed in Article 17, paragraph (1) of the Act; the same applies below in this Article through Article 6), and who is found to be capable of producing the specified food and specified materials subject to measures by utilizing the currently available land, facilities, equipment, machinery, technology and other management resources in consideration of meteorological conditions, geographical conditions and other natural conditions.

(Matters to Be Stated in Production Plans)

Article 5 The production plan referred to in Article 15, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 17, paragraph (2) of the Act following the deemed replacement of terms must include the following matters:

- (i) matters concerning the results of production of specified food and specified materials subject to measures;
- (ii) matters concerning the outlook for production of the specified food and specified materials subject to measures;
- (iii) matters that hinder agricultural, forestry, and fishery product producers, etc. from promoting the production of specified food and specified materials subject to measures based on the outlook referred to in the preceding item; and
- (iv) other necessary matters.

(Persons Specified by Order of the Competent Ministry Referred to in Article 17, Paragraph (3) of the Act)

Article 6 The person specified by order of the competent ministry as referred to in Article 17, paragraph (3) of the Act is a person that falls under any of the following items:

- (i) a person who is capable of producing the specified food and specified materials subject to measures during a period other than the period during which the agricultural, forestry, and fishery products that the person produces are normally produced;
- (ii) a person who is actually producing the specified food and specified materials subject to measures and who is capable of increasing the production volume of the specified food and specified materials subject to measures by changing the variety or production method;
- (iii) a person who is actually producing the specified food and specified materials subject to measures and who is capable of expanding the production area of the specified food and specified materials subject to measures by weeding, cultivating, or doing any other work equivalent to these activities; and
- (iv) any other person equivalent to those stated in the preceding three items.

(Matters to Be Stated in Manufacturing Plans)

Article 7 The manufacturing plan referred to in Article 15, paragraph (2) of the Act as applied *mutatis mutandis* pursuant to Article 18, paragraph (2) of the Act following the deemed replacement of terms must include the following matters:

- (i) matters concerning the results of manufacturing of the specified food and specified materials subject to measures (meaning the specified food and specified materials subject to measures prescribed in Article 18, paragraph (1) of the Act; the same applies below in this Article and the following Article);
- (ii) matters concerning the outlook of manufacture of specified food and specified materials subject to measures;
- (iii) matters that hinder a manufacturer of processed products, etc. from promoting the manufacture of the specified food and specified materials subject to measures based on the outlook stated in the preceding item; and
- (iv) other necessary matters.

(Requirements for Manufacturers Capable of Manufacturing Processed Products)

Article 8 The requirements specified by order of the competent ministry as referred to in Article 18, paragraph (3) of the Act are to be a person who is found to be actually manufacturing products with a manufacturing method similar to those of the specified food and specified materials subject to measures and who is found to be capable of manufacturing the specified food and specified materials subject to measures without renovating or making other changes to their manufacturing equipment or by making minor changes.

### **Supplementary Provisions**

This Ministerial Order comes into effect on the date on which the Act comes into effect (April 1, 2025).