

Order for Enforcement of the Act on Promotion of Recycling and Related Activities for Treatment of Cyclical Food Resources

(Cabinet Order No. 176 of May 13, 2001)

The Cabinet Office hereby enacts this Cabinet Order pursuant to the provisions of Article 2, paragraph (4), item (ii) and paragraph (5), item (i), Article 3, paragraph (1), Article 9, paragraph (1), Article 18, paragraph (1), and Article 24, paragraph (3) of the Act on Promotion of Recycling and Related Activities for Treatment of Cyclical Food Resources (Act No. 116 of 2000).

(Business Involving Provision of Meals)

Article 1 The business specified by the Cabinet Order referred to in Article 2, paragraph (4), item (ii) of the Act on Promotion of Recycling and Related Activities for Treatment of Cyclical Food Resources (referred to below as “the Act”) are as follows:

- (i) coastwise passenger shipping business;
- (ii) inland water transportation;
- (iii) wedding industry; and
- (iv) hotel business.

(Products Related to Recycling)

Article 2 The products specified by Cabinet Order referred to in Article 2, paragraph (5), item (i) of the Act are as follows:

- (i) solid medium used for the cultivation of mushrooms;
- (ii) fuel and reducing agent manufactured through the carbonization process;
- (iii) oils and fats, and oil products;
- (iv) ethanol; and
- (v) methane.

(Basic Policy)

Article 3 The basic policy referred to in Article 3, paragraph (1) of the Act is to be established approximately every five years for the period until the target year specified by the competent minister.

(Requirements for Generation Amounts Related to Food-Related Business Operators)

Article 4 The requirement specified by Cabinet Order referred to in Article 9, paragraph (1) of the Act is that the amount of food waste, etc. generated in the

fiscal year preceding the relevant fiscal year is to be 100 tons or more.

(Business Cooperatives and Other Corporations Related to Recycling Business Plans)

Article 5 The business cooperatives referred to in Article 19, paragraph (1) of the Act and other corporations specified by Cabinet Order are as follows:

- (i) business cooperatives, small business cooperatives, and federations of cooperatives;
- (ii) cooperative associations, commercial and industrial associations, and federations of commercial and industrial cooperatives;
- (iii) chambers of commerce and industry and The Japan Chamber of Commerce and Industry;
- (iv) commercial and industrial associations and federations of commercial and industrial associations ;
- (v) shopping district promotion cooperatives and federations of shopping district promotion cooperatives;
- (vi) environmental health industry cooperatives, small environmental health industry cooperatives, and federations of environmental health industry cooperatives;
- (vii) federations of consumer cooperatives;
- (viii) federations of agricultural cooperatives;
- (ix) federations of fisheries cooperatives, fishery processing cooperatives, and federations of fishery processing cooperatives;
- (x) federations of forestry cooperatives; and
- (xi) general incorporated associations.

(Agricultural Cooperatives and Other Corporations Related to a Recycling Business Plan)

Article 6 Agricultural cooperatives referred to in Article 19, paragraph (1) of the Act and other corporations specified by Cabinet Order are as follows:

- (i) agricultural cooperatives, federations of agricultural cooperatives, and agricultural producers' cooperative corporations;
- (ii) district tobacco growers' associations, federations of tobacco growers' associations, and Central Union of Tobacco Growers' Associations;
- (iii) fishery cooperatives and federations of fishery cooperatives;
- (iv) forestry cooperatives and federations of forestry cooperatives;
- (v) consumers' cooperative associations and federations of consumer cooperatives;
- (vi) business cooperatives, small business cooperatives, and federations of cooperatives;
- (vii) cooperative associations, commercial and industrial associations, and federations of commercial and industrial associations; and

(viii) general incorporated associations.

(Delegation of Authority)

Article 7 (1) The authority of the Minister of Agriculture, Forestry and Fisheries stated in the following items is to be delegated to the Director-General of a Regional Agricultural Administration Office specified in each of those items or the Director of the Hokkaido District Agriculture Office; provided, however, that this does not preclude the Minister of Agriculture, Forestry and Fisheries from personally exercising the authority:

- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Director-General of a Regional Agricultural Administration Office who has jurisdiction over the location of the principal office of a food-related business operator, or the Director of the Hokkaido District Agriculture Office;
- (ii) the authority under the provisions of Article 11, paragraphs (1) and (2) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2) of the Act; the same applies in item (ii) of the following paragraph and paragraph (5), item (ii)), paragraph (5) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2) of the Act; the same applies in item (ii) of the following paragraph and paragraph (5), item (ii)), and paragraph (6) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2) and Article 17, paragraph (2) of the Act; the same applies in item (ii) of the following paragraph and paragraph (5), item (ii)), Article 15, paragraphs (1) and (2), and Article 17, paragraph (1) of the Act: the Director-General of a Regional Agricultural Administration Office who has jurisdiction over the location of the place of business where the recycling business is conducted, or the Director of the Hokkaido District Agriculture Office;
- (iii) the authority under the provisions of Article 24, paragraphs (1) through (3) of the Act: the Director-General of a Regional Agricultural Administration Office who has jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator, registered recycling business operator, or certified business operator, or the Director of the Hokkaido District Agriculture Office.

(2) The authority of the Minister of the Environment stated in the following items is to be delegated to the Director of a Regional Environmental Office specified in each of those items; provided, however, that this does not preclude the Minister of the Environment from personally exercising the authority:

- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Director of a Regional Environmental Office who has jurisdiction over the location of the principal office of a food-related business operator;
- (ii) the authority under the provisions of Article 11, paragraph (1), paragraph (2), paragraph (5), and paragraph (6), Article 15, paragraph (1) and paragraph (2),

- and Article 17, paragraph (1) of the Act: the Director of a Regional Environmental Office who has jurisdiction over the location of the place of business where the recycling business is conducted;
- (iii) the authority under the provisions of Article 24, paragraphs (1) through (3) of the Act: the Director of a Regional Environmental Office who has jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator, registered recycling business operator, or certified business operator.
- (3) The authority of the Minister of Finance stated in the following items which is under the jurisdiction of the National Tax Agency is to be delegated to the Regional Commissioner of a Regional Taxation Bureau specified in each of those items (including the Regional Commissioner of the Okinawa Regional Taxation Office; the same applies below in this paragraph), or the District Director of a Tax Office; provided, however, that this does not preclude the Minister of Finance from personally exercising the authority:
- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Regional Commissioner of a Regional Taxation Bureau or District Director of a Tax Office who has jurisdiction over the location of the principal office of a food-related business operator;
- (ii) the authority under the provisions of Article 24, paragraphs (1) and (3) of the Act: the Regional Commissioner of a Regional Taxation Bureau or the District Director of a Tax Office who has jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator or a certified business operator.
- (4) The authority of the Minister of Health, Labour and Welfare which is stated in the following items is to be delegated to the Director-General of a Regional Bureau of Health and Welfare specified in each of those items (for the area under the jurisdiction of the Shikoku Regional Bureau of Health and Welfare, the Director-General of the Shikoku Regional Bureau of Health and Welfare; the same applies below in this paragraph); provided, however, that this does not preclude the Minister of Health, Labour and Welfare from personally exercising the authority:
- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Director-General of a Regional Bureau of Health and Welfare who has jurisdiction over the location of the principal office of a food-related business operator;
- (ii) the authority under the provisions of Article 24, paragraphs (1) and (3) of the Act: the Director-General of a Regional Bureau of Health and Welfare who has jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator or certified business operator.
- (5) The authority of the Minister of Economy, Trade and Industry stated in the

following items is to be delegated to the Director-General of a Regional Bureau of Economy, Trade and Industry specified in each of those items; provided, however, that this does not preclude the Minister of Economy, Trade and Industry from personally exercising the authority:

- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Director-General of a Regional Bureau of Economy, Trade and Industry with jurisdiction over the location of the principal office of a food-related business operator;
 - (ii) the authority under the provisions of Article 11, paragraph (1), paragraph (2), paragraph (5), and paragraph (6), Article 15, paragraph (1) and paragraph (2), and Article 17, paragraph (1) of the Act: the Director-General of a Regional Bureau of Economy, Trade and Industry with jurisdiction over the location of the place of business where the recycling business is conducted;
 - (iii) the authority under the provisions of Article 24, paragraphs (1) through (3) of the Act: the Director-General of a Regional Bureau of Economy, Trade and Industry with jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator, registered recycling business operator, or certified business operator.
- (6) The authority of the Minister of Land, Infrastructure, Transport and Tourism which is stated in the following items is to be delegated to the Director-General of a District Transport Bureau specified in each of those items (including the Director of the Transport Supervision Department for the authority over the affairs stated in Article 4, paragraph (1), item (xv), item (xviii), item (lxxxvi), item (lxxxvii), item (xcii), item (xciii), and item (cxxviii) of the Act for Establishment of the Ministry of Land, Infrastructure, Transport and Tourism (Act No. 100 of 1999), and the authority over the affairs stated in item (xix) and item (xxii) of that paragraph related to the affairs stated in item (lxxxvi) of that paragraph; the same applies below in this paragraph); provided, however, that this does not preclude the Minister of Land, Infrastructure, Transport and Tourism from personally exercising that authority:
- (i) the authority under the provisions of Article 9, paragraph (1) of the Act: the Director-General of a Regional Transport Bureau with jurisdiction over the location of the principal office of a food-related business operator;
 - (ii) the authority under the provisions of Article 24, paragraphs (1) and (3) of the Act: the Director-General of a District Transport Bureau with jurisdiction over the location of the office, factory, place of business, or warehouse of a food-related business operator or certified business operator.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect on the date on which the Act comes into effect (May 1, 2001).

**Supplementary Provisions [Cabinet Order No. 200 of June 7, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect on July 1, 2002.

**Supplementary Provisions [Cabinet Order No. 228 of June 29, 2005]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect on October 1, 2005.

(Transitional Measures on Dispositions and Applications)

Article 16 (1) A registration granted or other dispositions rendered, or notices given or other acts performed by the Minister of the Environment pursuant to the provisions of laws before this Cabinet Order comes into effect (limited to those related to the authority delegated to the Director of a Regional Environmental Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order; referred to below as "dispositions, etc."), is deemed to be dispositions, etc. rendered by the Director of the relevant Regional Environmental Office, and an application or a notification filed to the Minister of the Environment and other acts performed, pursuant to the provisions of laws before this Cabinet Order comes into effect (limited to those related to the authority delegated to the Director of a Regional Environmental Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order; referred to below as "applications, etc.") is deemed to be applications, etc. filed with the Director of the relevant Regional Environmental Office.

(2) Regarding the matters that are required to be reported, notified, submitted to, or for which other procedures must be taken with the Minister of the Environment under the provisions of laws before the enforcement of this Cabinet Order (limited to the matters related to the authority delegated to the Director of a Regional Environmental Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order) for which those procedures have not been taken before the enforcement of this Cabinet Order, the provisions of those laws apply by deeming that the procedures have not been taken for the matters that are required to be reported, notified, submitted to, or for which other procedures must be taken with the Director of the Regional Environmental Office pursuant to the provisions of laws.

(Transitional Measures on Penal Provisions)

Article 17 Prior laws and regulations continue to govern the applicability of penal provisions to acts committed before the enforcement of this Cabinet Order.

Supplementary Provisions [Cabinet Order No. 39 of March 2, 2007]

This Cabinet Order comes into effect on the date on which the Act on General Incorporated Associations and General Incorporated Foundations comes into effect.

Supplementary Provisions [Cabinet Order No. 335 of November 16, 2007]

This Cabinet Order comes into effect on the date on which the Act Partially Amending the Act on Promotion of Recycling and Related Activities for Treatment of Cyclical Food Resources comes into effect (December 1, 2007).

**Supplementary Provisions [Cabinet Order No. 319 of September 9, 2015]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect on October 1, 2015.

(Transitional Measures on Dispositions and Applications)

Article 2 (1) A registration granted and other dispositions rendered, or a notice given or other acts performed by the Minister of the Agriculture, Forestry and Fisheries pursuant to the provisions of laws before this Cabinet Order comes into effect (limited to those related to the authority delegated to the Director of the Hokkaido District Agriculture Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order; referred to below in this paragraph as a "disposition, etc.") is deemed to be a disposition, etc. rendered by the Director of the Hokkaido District Agriculture Office, and an application filed with, or other acts directed at the Minister of the Agriculture, Forestry and Fisheries pursuant to the provisions of laws before this Cabinet Order comes into effect (limited to those related to the authority delegated to the Director of the Hokkaido District Agriculture Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order; referred to below in this paragraph as an "application, etc.") is deemed to be an application, etc. filed with the Director of the Hokkaido District Agriculture Office.

(2) Regarding the matters that are required to be reported, notified, submitted to, or for which other procedures are required to be taken with the Minister of the

Agriculture, Forestry and Fisheries pursuant to the provisions of laws before the enforcement of this Cabinet Order (limited to those related to the authority delegated to the Director of the Hokkaido District Agriculture Office pursuant to the provisions of each Cabinet Order amended by this Cabinet Order), for which those procedures have not been taken before the enforcement of this Cabinet Order, the provisions of the relevant laws apply by deeming that the procedures have not been taken for the matters which are required to be reported to, or other procedures are required to be taken with the Director of the Hokkaido District Agriculture Office under the provisions of the relevant laws.

(Transitional Measures on Penal Provisions)

Article 3 Prior laws and regulations continue to govern the applicability of penal provisions to acts committed before the enforcement of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 103 of March 31, 2016]
[Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect on April 1, 2016.

Supplementary Provisions [Cabinet Order No. 54 of July 12, 2019]

This Cabinet Order comes into effect on the date of promulgation.