

<p>The Law Concerning Standardization, etc. of Agricultural and Forestry Products (Law No. 175 of 1950) (Provisional Translation)</p>	<p>Enforcement Ordinance of the Law Concerning Standardization, etc. of Agricultural and Forestry Products (Government Ordinance No. 291 of 1951) (Provisional Translation)</p>	<p>Enforcement Regulations for the Law Concerning Standardization, etc. of Agricultural and Forestry Products (Ministerial Ordinance of No.62 of 1950) (Provisional Translation)</p>
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of agricultural and forestry products other than foods and drinks by enacting and disseminating appropriate and rational standards for the products, and to help consumers choose products by enforcing proper quality labeling of them, in conjunction with measures by the Food Labeling Act (Act No.70 of 2013), thereby contributing to their smooth production and distribution, promotion of agricultural production based on consumer demand, and protection of the interests of consumers.

(Definitions, etc.)

Article 2 For the purpose of this Law, the term "agricultural and forestry product" shall mean the product which fall under any of the following items, with the exception of liquors and drugs, quasi-drugs and cosmetics as provided in the Pharmaceutical Affairs Act (Law No. 145 of 1960) :

[1] Foods and drinks, oils and fats; and

[2] Agricultural, forestry, livestock and fishery products as well as products manufactured or processed using such products as materials or ingredients (except those listed in the preceding item), and specified by Cabinet Order.

2. For the purpose of this Law, the term "standard" shall mean the quality standard for agricultural and forestry products (including the condition of the products, such as their shape, size, quantity, packing and packaging; the same shall apply hereinafter) and for the quality labeling thereof (including labeling of the name and source of origin but excluding nutritional composition labeling; the same shall apply hereinafter).

3. For the purpose of this Law, the term "Japanese

(Agricultural and Forestry Products except for Drinks, Foods, Oils and Fats)

Article 1 The products provided in this Government Ordinance pursuant to Article 2, Paragraph 1, Item [2] of the Law Concerning Standardization, etc. of Agricultural and Forestry Products (Law No. 175 of 1950. hereinafter referred to as "the Law") shall be products made from igusa, raw silk, general timber, balk lumber, board with wane, electric utility poles, railroad ties, plywood (except those for airplanes) , flooring, charcoals and feeds made from agricultural products or livestock products as their raw materials or ingredients.

"Agricultural Standard" shall mean the standard enacted pursuant to the provisions of Article 7 that contain the following quality criteria for agricultural and forestry products:

[1] Standards for quality, such as grade, composition and performance (except those listed in the next item and item [3]);

[2] Standards for the method of production; and

[3] Standards for the method of distribution

4. Japanese Agricultural Standards pertaining to the standards listed in item [2] or item [3] of the preceding paragraph may be enacted for agricultural and forestry products whose value is found to increase because of the distinctive characteristics of their production or distribution processes.

5. For the purpose of this Law, the term "Registered Certifying Body" or "Registered Overseas Certifying Body" shall mean the juridical person that has been accredited as such by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph 1 of Article 17-2 or these provisions as applied mutatis mutandis to Article 19-10, respectively.

Chapter II Deleted

Articles 3 to 6: Deleted.

Chapter III Enactment of Japanese Agricultural Standards

(Enactment of Japanese Agricultural Standards)

Article 7 Where the Minister of Agriculture, Forestry and Fisheries finds that Japanese Agricultural Standards should be enacted to attain the purposes prescribed in Article 1, he/she shall designate a type of agricultural and forestry product and enact a standard thereon.

2. Where a standard as set forth in the preceding paragraph is enacted, the current situation and outlook on the quality, production, transactions in, and use or consumption of the agricultural and forestry product to

(Planning Concerning Establishment, etc. of Japan Agricultural Standards)

Article 1 The Minister of Agriculture, Forestry and Fisheries shall each fiscal year act in accordance with the stipulations of the Law concerning the Standardization, etc. of Agricultural and Forestry Products (Law No. 175 of 1950. hereinafter referred to as "the Law"), Article 7 (including cases when applied mutatis mutandis under Article 9 of the Law) in preparing a plan for establishment of standards and the confirmation, amendment and abolishment (hereinafter referred to collectively as "Confirmation, etc.") of Japanese Agricultural Standards (hereinafter referred to as the "Plan Concerning Establishment, etc. of Japanese Agricultural Standards").

which the standard pertains as well as trends in international standardization shall be considered, the intent of persons having a substantial interest shall be reflected, and any parties being under similar conditions shall not be unfairly discriminated against in its application.

3. When the Minister of Agriculture, Forestry and Fisheries enacts a standard pursuant to the provisions of paragraph 1 for a food or drink or an agricultural and forestry product prescribed in paragraph 1 of Article 19-13 of said Article, he/she shall not enact a standard in labeling of its quality (except those which have distinctive features in the method of production or distribution and thereby their value are found to be increased). However, this shall not apply in the case where a standard in quality labeling is enacted for other items than those prescribed in food labeling standard prescribed in paragraphs 6 of Article 4 of Food Labeling Act and paragraphs 1 of Article 19-13.

4. When the Minister of Agriculture, Forestry and Fisheries enacts a standard pursuant to the provisions of paragraph 1 for an agricultural and forestry product whose quality may be easily discerned by users upon the purchase, he/she shall not be required to enact a standard in quality labeling therefore.

5. When the Minister of Agriculture, Forestry and Fisheries intends to enact a standard pursuant to the provisions of paragraph 1, he/she shall, in advance, go through the resolution process of the Council, etc. (the organ prescribed in Article 8 of the National Government Organization Act (Law No. 120 of 1948)) for which is provided by Cabinet Order (hereinafter referred to as the "Council").

(Councils, etc. to be specified by the Government Ordinance)

Article 2 The council, etc. to be specified by the Government Ordinance under Article 7, Paragraph 5 of the Law shall be the Council for the Standards for Agricultural and Forestry Products.

2. The Plan Concerning Establishment, etc. of Japanese Agricultural Standards shall determine with regard to the matters listed below.

[1] Matters Concerning Establishment of Japanese Agricultural Standards

- (a) The types and purposes of the agricultural and forest products targeted under the Japanese Agricultural Standards for which efforts are being made to establish.
- (b) Matters pertaining to investigations concerning the quality, production, transactions, use, present consumption conditions, future projections and trends in international standards of the mentioned agricultural and forest products (hereinafter referred to as "Standards Investigations").
- (c) Matters pertaining to the preparation of original proposals for establishment of the mentioned Japanese Agricultural Standards.
- (d) Matters pertaining to procedures seeking to obtain a broad range of general opinions regarding original proposals for establishment of the Japanese Agricultural Standards prepared pursuant to the mentioned original proposals (hereinafter referred to simply as "Proposal for Establishment") and the original proposals concerning requests stipulated pursuant to Article 8, Paragraph 1 of the Law.
- (e) Matters pertaining to deliberations by the Council for the Standards for Agricultural and Forestry Products.

[2] Matters Concerning Confirmation, etc. of Japanese Agricultural Standards

- (a) The names of Japanese Agricultural Standards for which efforts are being made to obtain Confirmation, etc.
- (b) Matters pertaining to Standards Investigations of Japanese Agricultural Standards for which efforts are being made to achieve the mentioned Confirmation, etc.
- (c) Matters pertaining to preparation of original proposals for Confirmation, etc. of the mentioned Japanese Agricultural Standards.
- (d) Matters pertaining to procedures seeking to obtain a broad range of general opinions regarding proposals for Confirmation, etc. of the Japanese Agricultural Standards prepared pursuant to the mentioned original proposals (hereinafter referred to simply as "Proposal for Confirmation, etc.") and the original proposals concerning requests stipulated pursuant to Article 8, Paragraph 1 of the Law as applied mutatis mutandis in Article 9 of the Law.
- (e) Matters pertaining to deliberations by the Council for the

Standards for Agricultural and Forestry Products.

3. When having prepared Plans Concerning Establishment, etc. of Japanese Agricultural Standards stipulated pursuant to Paragraph 1, the Minister of Agriculture, Forestry and Fisheries shall promptly make use of the Internet or other means to announce the plans.

4. The stipulations in the preceding Paragraph shall be applied mutatis mutandis to changes in Plans Concerning Establishment, etc. of Japanese Agricultural Standards.

(Investigation Implementing Corporations)

Article 2 The Minister of Agriculture, Forestry and Fisheries shall be able to direct corporate entities recognized as corresponding to the requirements listed below to conduct Standards Investigations (hereinafter referred to “Investigation Implementing Corporations”).

[1] Possession of knowledge pertaining to the establishment or confirmation, etc. of Japanese Agricultural Standards.

[2] Possession of knowledge pertaining to Standards Investigations.

[3] Possession of the accounting basics and technical competence required to conduct Standards Investigations.

[4] Preparation of implementation guidelines specifically determining methods for the proper handling of personal information and other methods for the proper and reliable implementation of Standards Inspections.

2. Investigation Implementing Corporations shall conduct Standards Inspections pursuant to Plans Concerning Establishment, etc. of Japanese Agricultural Standards.

3. Investigation Implementing Corporations shall promptly prepare written reports upon completion of Standards Investigations, and submit the mentioned reports to the Minister of Agriculture, Forestry and Fisheries.

(Original Proposal Preparation Bodies)

Article 3 The Minister of Agriculture, Forestry and Fisheries shall be able to direct consultative bodies recognized as corresponding to the requirements listed below to prepare original proposals for the establishment or confirmation, etc. of Japanese Agricultural Standards (hereinafter referred to as “Original Proposal Preparation Bodies”).

[1] Members of consultative bodies possess knowledge pertaining to the establishment or confirmation, etc. of Japanese Agricultural Standards.

[2] The makeup of the membership of consultative bodies has been

arranged with consideration to properly reflect the diversified views of persons possessing vested interests.

[3] Determination in the meeting rules of the Original Proposal Preparation Bodies of the granting of opportunities to persons with vested interests other than members of consultative bodies to express their opinions at meetings of the bodies, the holding of such meetings and the devising of measures necessary to reflect the opinions of other persons with vested interests.

2. Original Proposal Preparation Bodies shall act in accordance with Plans Concerning Establishment, etc. of Japanese Agricultural Standards in the preparation of original proposals for the establishment or confirmation, etc. of Japanese Agricultural Standards pursuant to scientific knowledge and so as to conform with the stipulations of Article 7, Paragraph 2 and Paragraph 3 of the Law.

3. Upon preparation of original proposals for the establishment or confirmation, etc. of Japanese Agricultural Standards, Original Proposal Preparation Bodies shall promptly submit to the Minister of Agriculture, Forestry and Fisheries the mentioned original proposals, the essentials and results of the course of the proceedings of the mentioned meeting, and the documents submitted to the mentioned meeting (referred to hereinafter in Paragraph 2, Item [2] of the following Article as the "Meeting Reports"). Notwithstanding, in cases of confirmation or abolition of Japanese Agricultural Standards, the Japanese Agricultural Standards for which efforts are being made to confirm or abolish shall be considered to be the original proposals of the Japanese Agricultural Standards.

(Consultation with the Council for the Standards for Agricultural and Forestry Products)

Article 4 After conducting procedures seeking a broad range of general opinions regarding Proposal for Establishment or Proposal for Confirmation, etc., the Minister of Agriculture, Forestry and Fisheries shall refer the proposals for deliberation by the Council for the Standards for Agricultural and Forestry Products.

2. When referring Proposal for Establishment or Proposal for Confirmation, etc. for deliberation by the Council for the Standards for Agricultural and Forestry Products, the Minister of Agriculture, Forestry and Fisheries shall attach the documents listed below.

[1] The results of Standards Investigations of Japanese Agricultural Standards for which efforts are being made to gain establishment or confirmation, etc. as determined in Plans Concerning Establishment, etc.

Article 8 A prefecture or interested person may, in accordance with the procedure as provided for by the Ministerial Ordinance, designate a type of agricultural and forestry product and propose to the Minister of Agriculture, Forestry and Fisheries a Japanese Agricultural Standard should be enacted, accompanied by an original bill therefore.

of Japanese Agricultural Standards.

[2] Meeting Reports submitted pursuant to the preceding Article, Paragraph 3.

[3] Results of procedures seeking a broad range of general opinions pursuant to the preceding Paragraph.

3. The provisions of the preceding Paragraph 2 shall apply mutatis mutandis to original proposals pertaining to requests stipulated pursuant to Article 8, Paragraph 1 of the Law (including cases when applied mutatis mutandis in Article 9 of the Law; the same shall apply to Article 14). In this case, "Paragraph 3 of the preceding Article" within the preceding Paragraph Item [2] shall be read as "Article 14," while "Meeting Reports" shall be read as "The essentials and results of the course of the proceedings of meetings in Article 13, Paragraph 2 held during the process of preparing original proposals, and the materials submitted to the mentioned meetings."

Article 5	Deleted
Article 6	Deleted
Article 7	Deleted
Article 8	Deleted
Article 9	Deleted
Article 10	Deleted
Article 11	Deleted
Article 12	Deleted

Article 13 Persons seeking to conduct requests stipulated pursuant to Article 8, Paragraph 1 of the Law shall consider the quality, production, transactions, use, present consumption conditions, future projections and trends in international standards of the agricultural and forest products pertaining to the original proposals in the mentioned Paragraph, as well as prepare the mentioned original proposals so as to effectively reflect the intentions of persons possessing vested interests, and ensure that there is no unfair discrimination toward persons under the same conditions in the course of the mentioned application.

2. Upon preparation of original proposals in the preceding Paragraph, persons seeking to conduct requests stipulated pursuant to Article 8, Paragraph 1 of the Law shall hold meetings comprised of persons possessing vested interests and seek the opinions of the mentioned persons.

3. Persons seeking to conduct requests stipulated pursuant to

2. In the case where the Minister of Agriculture, Forestry and Fisheries receives such a proposal pursuant to the provisions of the preceding paragraph, and finds that a Japanese Agricultural Standard should be enacted concerning the agricultural and forestry product set forth in such proposal, he/she shall submit the original bill prescribed in said paragraph to the Council for deliberation, but if he/she determines that enactment of the proposed Japanese Agricultural Standard is not necessary, then he/she shall notify the proposing party of such determination, together with the reason therefore.

3. In the case where the Minister of Agriculture, Forestry and Fisheries intends to give a notification as specified in the preceding paragraph, he/she shall gather the opinion

Article 8, Paragraph 1 of the Law shall conduct Standards Investigations of the mentioned original proposals in advance, and report upon the results of the mentioned investigations to the meetings stipulated in the preceding Paragraph.

(Requests for Establishment, Confirmation, etc. of Japanese Agricultural Standards)

Article 14 Requests stipulated pursuant to Article 8, Paragraph 1 of the Law shall be made by documents with the matters below in triplicate, with the Japanese Agricultural Standard of which the confirmation or abolition is requested as the original proposal in the case of requests for confirmation or abolition:

[1] Name, address, type and details of business engaged in by requesters;

[2] Types of agricultural and forestry products for which establishment or confirmation, etc. is being sought, intention to establish, confirm, amend or abolish;

[3] Reasons for establishment, confirmation, amendment or abolition;

[4] Results of Standards Inspections of original proposals related to the mentioned request;

[5] When requesting establishment or amendment, the essentials and results of the course of the proceedings of the meetings in the Preceding Article, Paragraph 2 held during the process of preparing original proposals related to the mentioned request, and the documents submitted to the mentioned meetings.”

of the Council in advance.

(Confirmation, Amendment and Abolishment of Japanese Agricultural Standards)

Article 9 The provisions of the preceding two Articles shall apply mutatis mutandis to the confirmation, amendment or abolishment of a Japanese Agricultural Standard.

Article 10 By no later than the day which is five (5) years from the date of the enactment, confirmation, or amendment of a Japanese Agricultural Standard that was enacted, confirmed or amended pursuant to the provisions of Article 7 (including the cases where applied mutatis mutandis pursuant to the preceding Article), the Minister of Agriculture, Forestry and Fisheries shall have such Japanese Agricultural Standard deliberated by the Council as to whether or not it still remains appropriate, and shall promptly confirm that it is or, if it determined necessary, amend or abolish the same.

(Public Announcement)

Article 11 The enactment, amendment or abolition of Japanese Agricultural Standards shall be carried out by public notification at least thirty (30) days in advance to the specified enforcement date.

2. The confirmation of Japanese Agricultural Standards shall be carried out by public notification.

(Proclamation of Establishment, etc., of Japanese Agricultural Standards)

Article 15 Proclamations stipulated pursuant to Article 11, Paragraph 1 of the Law shall be made by publishing the matters listed below in Official Gazettes; while when proclaiming establishment or amendment, the mentioned Japanese Agricultural Standards shall be made available for public inspection to the Labelling and Standards Division of the Food Safety and Consumer Affairs Bureau of the Ministry of Agriculture, Forestry and Fisheries; Regional Agricultural Administration Offices and Regional Agricultural Administrative Office Area Centers; the Hokkaido District Agricultural Office and Hokkaido District Agricultural Office Area Center; Okinawa Central Bureau; and prefectural offices.

[1] Types of agricultural and forestry products;

[2] Public notification number of the mentioned Japanese Agricultural Standard;

[3] Intention to establish, confirm, amend or abolish; and

[4] Date of enforcement.

2. The proclamation stipulated under Article 11, Paragraph 2 of the Law shall be made by publishing the following matters in Official Gazettes:

(Prohibition of Reference to the Japanese Agricultural Standards)

Article 12 No person shall refer to anything that is not a Japanese Agricultural Standard as a Japanese Agricultural Standard or any other name that might be confused therewith.

(Public Hearings)

Article 13 The Minister of Agriculture, Forestry and Fisheries may hold a public hearing to hear the opinions of interested persons as to whether a Japanese Agricultural Standard should be enacted, or on a draft of such Japanese Agricultural Standard to be enacted whenever he/she deems it necessary.

2. Any persons having a substantial interest in a Japanese Agricultural Standard may request the Minister of Agriculture, Forestry and Fisheries to hold a public hearing concerning whether or not such Japanese Agricultural Standard reflects the intent of all persons having a substantial interest and does not unfairly discriminate in its application against any parties being under similar conditions.

3. Upon receipt of a request as specified in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall hold such public hearing.

4. The Minister of Agriculture, Forestry and Fisheries shall investigate facts made clear at such public hearings and if he/she deems it necessary to amend the relevant Japanese Agricultural Standard, he/she shall submit the matter to the Council to have the amendment appropriately deliberated thereof.

5. In addition to the matters specified in the preceding paragraphs, matters required in respect to public hearings shall be provided for in the Ministerial Ordinance.

- [1] Type of agricultural and forestry products;
- [2] Public notification number of the mentioned Japanese Agricultural Standard; and
- [3] The fact that the mentioned Japanese Agricultural Standard has been confirmed.

(Public Hearing)

Article 16 Any person who requests to hold a public hearing pursuant to Article 13, Paragraph 2 of the Law shall provide to the Minister of Agriculture, Forestry and Fisheries a written request to hold a public hearing carrying the matters described as below in triplicate:

- [1] Name and address of the person who requests a public hearing;
- [2] Matters on which the person requests a public hearing;
- [3] Reasons for requesting a public hearing; and
- [4] Opinion.

Article 17 When the Minister of Agriculture, Forestry and Fisheries is to hold a public hearing, the Minister shall proclaim the date and venue of the public hearing and the matters for hearing no less than 10 days prior to the date.

Article 18 Any person who is to state his or her opinion at the public hearing shall notify in writing the pro or con of the mentioned matter and its reason to the Minister of Agriculture, Forestry and Fisheries in advance.

Article 19 The Minister of Agriculture, Forestry and Fisheries shall select stakeholders whose opinions to be stated at the public hearing (hereinafter referred to as “witnesses”) from among those who have notified under the preceding article or others and notify the persons to that effect.

2. If there are pros and cons of the mentioned matter among those who have notified in advance, witnesses shall be selected from both sides.

Article 20 The Minister of Agriculture, Forestry and Fisheries or a designated official of the Ministry of Agriculture, Forestry and Fisheries shall preside over the public hearing as a chairman.

Article 21 The chairman may designate committee members or expert members who attend the public hearing and state their opinions at appropriate occasions.

Article 22 Any observations of witnesses shall not go beyond the mentioned matter.

2. If there are any observations of witnesses beyond the mentioned matter or any inappropriate statements and actions by the witnesses, the chairman may prohibit them from speaking or order them to leave the public hearing.

Article 23 The committee members or expert members appointed pursuant to Article 21 may ask the witnesses questions.

2. The witnesses shall not ask questions to the committee members or expert members.

Article 24 The witnesses may present their opinions in writing or make their agents state their opinions subject to the chairman’ s approval.

(Grading by Manufacturer, etc.)

Article 14 A manufacturer, processor (including preparation and sorting; the same shall apply hereinafter), importer or distributor of agricultural and forestry products (hereinafter referred to as the "Manufacturer, etc.") may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body for each factory or place of business and each type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix to the relevant product, its package, container or invoice, a special label in accordance with the method specified in the Ministerial Ordinance indicating said product's conformity with the Japanese Agricultural Standard (hereinafter referred to as the "Grade Label").

2. A manager or controller for a production process of agricultural and forestry products such as producers, who is specified by the Ministerial Ordinance (hereinafter referred to as the "Production Process Manager") may, as provided for by the Ministerial Ordinance, having

(Applications for Certification of Manufacturers, etc.)

Article 25 Applications for the certification in Article 14, Paragraph 1 of the Law shall be made by providing a document stating the matters listed below (excluding Item [4] in the case of applications for certification under Article 46, Paragraph 2) to Registered Certifying Bodies (hereafter referred to as RCBs):

- [1] Name and address of the applicant;
- [2] Type of agricultural and forestry products to be graded;
- [3] Names and locations of factories or places of business where the mentioned agricultural and forestry products are manufactured or processed;
- [4] Items listed in Article 29, Paragraph 1; and
- [5] Other matters for reference.

(Grading labels)

Article 26 The method to be provided by this Ordinance of the Ministry of Agriculture, Forestry and Fisheries (hereinafter referred to as "the Ministerial Ordinance") pursuant to Article 14, Paragraph 1 of the Law shall be as follows:

- [1] The labeling matters shall be in principle as described below, and the form thereof shall be provided by public notifications of the Minister of Agriculture, Forestry and Fisheries for each agricultural and forestry product:
 - (a) Characters " Japanese Agricultural Standard" or their abbreviation;
 - (b) Name of the mentioned agricultural and forestry product;
 - (c) Corresponding grade in the relevant Japanese Agricultural Standard;
 - (d) Name of the RCB that has certified the mentioned products; and
 - (e) Date of labeling.
- [2] The labeling method shall be provided by public notifications of the Minister of Agriculture, Forestry and Fisheries for each agricultural and forestry product.

(Production Process Managers)

Article 27 The persons to be provided by the Ministerial Ordinance as those who manage or control the production processes of agricultural and forestry products under Article 14, Paragraph 2 of the Law shall be the following:

- [1] Producers of the mentioned agricultural and forestry products;

obtained a certification from a Registered Certifying Body for each farm or place of business and each type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix a Grade Label (limited to the one pertaining to the standard listed in item [2] of paragraph 3 of Article 2) to the relevant product, its package, container or invoice.

3. A manager or controller for a distribution process of agricultural and forestry products such as distributors, who is specified by the Ministerial Ordinance (hereinafter referred to as the "Distribution Process Manager") may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body for each distribution process and type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix a Grade Label (limited to the one pertaining to the standard listed in item [3] of paragraph 3 of Article 2) to the relevant product, its package, container or invoice.

[2] Legal persons consisting of the producers of the mentioned agricultural and forestry products (including nonlegal associations or foundations with their company rules to have a representative or manager) which manage or control the production processes of the mentioned agricultural and forestry products; and

[3] Distributors of the mentioned agricultural and forestry products who manage or control the production processes of such agricultural and forestry products.

(Applications for Certification of Production Process Managers)

Article 28 Applications for the certification in Article 14, Paragraph 2 of the Law shall be made by providing a document with the matters listed below to RCBs:

[1] Name and address of the applicant;

[2] Type of agricultural and forestry products to be graded;

[3] Names and locations of fields or places of business where the mentioned agricultural and forestry products are produced;

[4] Matters listed in all numbered items of Article 29, Paragraph 2);
and

[5] Other matters for reference.

(Distribution Process Managers)

Article 28-2 The persons to be provided by the Ministerial Ordinance as those who manage or control the distribution process of agricultural and forestry products under Article 14, Paragraph 3 of the Law shall be the following:

[1] Producers of the mentioned agricultural and forestry products who manage or control the distribution process of the mentioned agricultural and forestry products;

[2] Manufacturers of the mentioned agricultural and forestry products who manage or control the distribution process of the mentioned agricultural and forestry products;

[3] Importers of the mentioned agricultural and forestry products who manage or control the distribution process of the mentioned agricultural and forestry products;

[4] Carriers of the mentioned agricultural and forestry products who manage or control the distribution process of the mentioned agricultural and forestry products;

[5] Distributors of the mentioned agricultural and forestry products who manage or control the distribution process of the mentioned

4. The grading under the preceding three paragraphs shall be carried out based on the inspection listed in each of the following items for each respective standard:

[1] For the standard listed in Article 2, paragraph 3, item [1]: The inspection of the agricultural and forestry product in accordance with the Ministerial Ordinance

[2] For the standard listed in Article 2, paragraph 3, item [2]: The inspection of the production process of the agricultural and forestry product in accordance with the Ministerial Ordinance

[3] For the standard listed in Article 2, paragraph 3, item [3]: The inspection of the distribution process of the agricultural and forestry product in accordance with the Ministerial Ordinance

5. The Manufacturer, etc., Production Process Manager or Distribution Process Manager of agricultural and forestry products who has obtained the certification listed

agricultural and forestry products; and

[6] Legal persons consisting of the producers, manufacturers, importers, carriers and distributors of the mentioned agricultural and forestry products (including nonlegal associations or foundations with their company rules to have a representative or manager) which manage or control the distribution process of the mentioned agricultural and forestry products.

(Applications for Certification of Distribution Process Managers)

Article 28-3 Applications for the certification under Article 14, Paragraph 3 of the Law shall be made by providing a document with the matters listed below to RCBs:

[1] Name and address of the applicant;

[2] Types of agricultural and forestry products to be graded;

[3] Distribution processes for the mentioned agricultural and forestry products;

[4] Names and locations of the producers, manufacturers, exporters, importers, carriers and distributors (hereinafter referred to as “Producers, etc.”);

[5] Matters listed in all numbered items of the following Article, Paragraph 3; and

[6] Other matters for reference.

in paragraphs 1 to 3 may, when deemed particularly necessary for efficient labeling, affix to the relevant agricultural and forestry product, its package, container or invoice, the Grade Label to which the certification pertains prior to the grading pursuant to the provisions of said paragraphs.

6. The agricultural and forestry product, its package, container or invoice on which the Grade Label is affixed pursuant to the provisions of the preceding paragraph shall not be transferred, consigned for transfer or displayed for transfer before the grading is carried out pursuant to the provisions of paragraphs 1 to 3.

7. The Manufacturer, etc., Production Process Manager or Distribution Process Manager of the agricultural and forestry product on which, its package, container or invoice the Grade Label is affixed pursuant to the provisions of paragraph 5 shall, when it is proved that such label does not conform to the result of the grading pursuant to the provisions of paragraphs 1 to 3 pertaining to said agricultural and forestry product, remove or delete the label without delay.

8. The technical standard for the certification listed in paragraphs 1 to 3 shall be prescribed by the Ministerial Ordinance.

(Technical Criteria for the Certification of Manufacturers, etc.)

Article 29 The technical criteria for certification under Article 14, Paragraph 1 of the Law shall be stipulated by the Minister of Agriculture, Forestry and Fisheries for each type of agricultural and forestry product with regard to those listed in any or all of the following items:

- [1] Facilities for production or processing, storage, quality control and grading;
- [2] Method of implementation of quality control;
- [3] Qualifications and number of the personnel in charge of quality control;
- [4] Organizations and method of implementation of grading; and
- [5] Qualifications and number of the personnel in charge of grading.

2. The technical criteria for certification made under Article 14, Paragraph 2 of the Law shall be stipulated by the Minister of Agriculture, Forestry and Fisheries for each type of agricultural and forestry products with regard to those listed in the following items:

- [1] Facilities for manufacture and storage;
- [2] Method of implementation of management or control of production processes;
- [3] Qualifications and number of the personnel in charge of

- management or control of production processes;
 - [4] Method of implementation of grading; and
 - [5] Qualifications and number of the personnel in charge of grading.
3. The technical criteria for certification under Article 14, Paragraph 3 of the Law shall be stipulated by the Minister of Agriculture, Forestry and Fisheries for each type of agricultural and forestry product with regard to the matters listed below:
- [1] Facilities for distribution;
 - [2] Method of implementation of management or control of distribution processes;
 - [3] Qualifications and number of the personnel in charge of management or control of distribution processes;
 - [4] Method of implementation of grading; and
 - [5] Qualifications and number of personnel in charge of grading.

(Inspection Method for Agricultural and Forestry Products)

Article 30 The inspection for agricultural and forestry products in Article 14, Paragraph 4, Item [1] of the Law shall be made as described below:

- [1] Inspection shall be made for each product, or for randomized products, as stipulated by the Minister of Agriculture, Forestry and Fisheries; and
- [2] The ratio of sampling, in the case of inspection based on random sampling, and criteria for grading relating to inspection shall be as stipulated by the Minister of Agriculture, Forestry and Fisheries in separate public notifications for each type of agricultural and forestry product.

(Inspection Method for Production Processes of Agricultural and Forestry Products)

Article 31 The inspection concerning production processes of agricultural and forestry products in Article 14, Paragraph 4, Item [2] of the Law shall be carried out on the basis of records concerning production that are prepared by the producer of the mentioned agricultural and forestry products, and the results of on-site inspections of fields or places of business, or other inspections, as stipulated by the Minister of Agriculture, Forestry and Fisheries in public notifications for each type of agricultural and forestry products.

(Inspection Method for Agricultural and Forestry Product Distribution

(Grade Labeling by Re-packer)

Article 15 An operator who subdivides consignments of agricultural and forestry products (including the one who subdivides and sells them by himself/herself; hereinafter referred to as the "Re-packer") may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body for each place of business and type of agricultural and forestry product, affix the same Grade Label (limited to that pertaining to the standard listed in item [2] of paragraph 3 of Article 2; the same shall apply in this paragraph and Article 19-4) as has been affixed on the agricultural and forestry product (including that carries the label on its package, container or invoice; the same shall apply in said Article) to the relevant product, its package, container or invoice after the subdivision of the consignment.

2. The provisions of paragraph 8 of the preceding Article shall apply mutatis mutandis to the certification of the provisions of the preceding paragraph.

(Grade Labeling by Importers)

Processes)

Article 31-2 The inspection concerning distribution processes of agricultural and forestry products in Article 14, Paragraph 4, Item [3] of the Law shall be carried out on the basis of records concerning distribution that are prepared by the producers of the mentioned agricultural and forestry products, and the results of on-site inspections of facilities related to distribution, as stipulated by the Minister of Agriculture, Forestry and Fisheries in public notifications for each type of agricultural and forestry product.

(Applications for Certification of Re-packers)

Article 32 Applications for the certification in Article 15, Paragraph 1 of the Law shall be made by providing a document with the matters listed below to RCBs:

- [1] Name and address of the applicant;
- [2] Type of agricultural and forestry products on which the grading labels are attached;
- [3] Names and locations of places of business where the mentioned agricultural and forestry products are re-packed;
- [4] Matters described in each item of Article 33; and
- [5] Other matters for reference.

(Technical Criteria for the Certification of Re-packers)

Article 33 The technical criteria for certification under Article 15, Paragraph 1 of the Law shall be stipulated by the Minister of Agriculture, Forestry and Fisheries for each type of agricultural and forestry products with regard to the matters listed in the following items:

- [1] Facilities for re-packing and attaching the grading label;
- [2] Method of implementation of re-packing;
- [3] Qualifications and number of the personnel in charge of re-packing;
- [4] Organizations and method of implementation of attaching the grading label; and
- [5] Qualifications and number of the personnel in charge of attaching the grading label.

(Applications for Certification of Importers)

Article 15-2 The importer of the specified agricultural and forestry product prescribed in paragraph 1 of Article 19-15 (hereinafter referred to as the "Specified Agricultural and Forestry Product" in this Article, item [5] of paragraph 1 of Article 18 and Article 19-2) may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body for each place of business and type of Specified Agricultural and Forestry Product, affix a Grade Label to the relevant Specified Agricultural and Forestry Product, its package, container or invoice to which a certificate or its copy for matters specified by the Ministerial Ordinance is attached upon the import.

Article 34 Applications for certification pursuant to Article 15-2, Paragraph 1 of the Law shall be made by providing a document with the matters below to RCBs:

- [1] Name and address of the applicant;
- [2] Type of the Specified Agricultural and Forestry Products on which the grading labels are attached;
- [3] Names and locations of places of business which import the mentioned Specified Agricultural and Forestry products;
- [4] Matters described in each item of Article 36; and
- [5] Other matters for reference.

(Matters to be Stated in the Certificate)

Article 35 The matters to be provided by the Ministerial Ordinance pursuant to Article 15-2, Paragraph 1 of the Law shall be the following:

- [1] Name and address of the entity who has issued the certificate;
- [2] Issuing date of the certificate;
- [3] Type and quantity of the Specified Agricultural and Forestry Products to be certificated;
- [4] Name and address of the overseas organization which has performed the equivalent service to the certification of the Production Process Manager (the Production Process Manager pursuant to Article 14, Paragraph 2 of the Law; hereinafter the same) of the mentioned Specified Agricultural and Forestry products; and
- [5] Statement to the effect that the grading has been conducted on the mentioned Specified Agricultural and Forestry Products.

(Technical Criteria for Certification of Importers)

Article 36 The technical criteria for certification under Article 15-2, Paragraph 1 of the Law shall be stipulated by the Minister of Agriculture, Forestry and Fisheries for each type of Specified Agricultural and Forestry products with regard to those listed below:

- [1] Facilities for receiving and storing the imported products;
- [2] Method of implementation of receiving and storing the imported products;
- [3] Qualifications and number of the personnel in charge of receiving and storing the imported products;
- [4] Organizations and implementation method for attaching the

2. The certificate prescribed in the preceding paragraph is limited to the one issued by the governmental organizations, including bodies recognized as equivalent to such organizations by the Minister of Agriculture, Forestry and Fisheries, of overseas countries which are designated by the Ministerial Ordinance as those have an equivalent grading system to the grading system under the Japanese Agricultural Standard concerning the Specified Agricultural and Forestry Product.

3. Upon the designation set forth in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall publicly notify without delay the name and other matters of the bodies recognized as equivalent to governmental organizations as provided for by the Ministerial Ordinance.

4. The provisions of paragraph 8 of Article 14 shall apply mutatis mutandis to the certification of the provisions of paragraph 1.

Section 2 Registered Certifying Body

(Accreditation of Registered Certifying Body)

Article 16 A person who seeks to be accredited as a Registered Certifying Body (hereinafter in this Section referred to simply as the "Accreditation") (except the one who is to perform the certification set forth in paragraphs 1 to 3 of Article 14, paragraph 1 of

(Registration Fees of Registered Certifying Bodies (hereinafter referred to as RCBs))

Article 3 The amount to be provided by the Government Ordinance under the provisions of Article 16, Paragraph 1 of the Law shall be provided in the following items, depending on the correspondences of the types

grading labels; and
[5] Qualifications and number of the personnel in charge of attaching the grading label.

(Country with a Grading System Equivalent to the Grading System under Japanese Agricultural Standards Concerning Specified Agricultural and Forestry Products)

Article 37 With respect to organic plants and organic processed foods of plant origin pursuant to Article 40, Item (4), the countries to be provided by the Ministerial Ordinance pursuant to Article 15-2, Paragraph 2 of the Law shall be the United States of America, Argentina, Australia, Canada, Switzerland, New Zealand and member states of the European Union.

(Proclamation of Organizations Designated as Quasi-Governmental Organizations by the Minister of Agriculture, Forestry and Fisheries)

Article 38 The matters to be provided by the Ministerial Ordinance under Article 15-2, Paragraph 3 of the Law shall be as listed below, and the proclamation provided under the mentioned Paragraph shall be made in Official Gazettes:

[1] Name and address of the quasi-governmental overseas organization; and

[2] Type of the Specified Agricultural and Forestry Product relating to the certificate issued by the quasi-governmental overseas organization.

(Registration for RCBs)

Article 39 When applying for a registration pursuant to Article 16, Paragraph 1 of the Law, a revenue stamp with a value equivalent to the fee payable shall be enclosed with a written application in accordance with Attached Form No.1, which shall be provided to the Minister of Agriculture, Forestry and Fisheries. Nonetheless, when making an

Article 15, paragraph 1 of the preceding Article, Article 19-3 or Article 19-4 at offices located in a overseas country (hereinafter in this Section, paragraph 1 of Article 20 and paragraph 1 of Article 20-2 referred to simply as the "Certification")) shall make an application for Accreditation to the Minister of Agriculture, Forestry and Fisheries, in accordance with the procedure as provided for by the Ministerial Ordinance, for each division as specified in the Ministerial Ordinance, by paying an application fee in the amount specified in Cabinet Order which shall take into consideration of the actual expenses.

provided by the Ordinance of the Ministry of Agriculture, Forestry and Fisheries (hereinafter "the Ministerial Ordinance") as referred to in the same Paragraph to the types below:

- [1] Type including agricultural and forestry products for which Japanese Agricultural Standards described in Article 2, Paragraph 3, Item [1] of the Law are stipulated: 128,600 yen (in the case of an electronic application (meaning an application made with a computer information processing system provided for in Article 3, Paragraph 1 of the Act Concerning Utilization of Information Communication Technology in Administrative Procedures and Other Procedures (Law No. 151 of 2002); hereinafter the same), 128,300 yen); and
- [2] Type other than those provided for in the preceding Item: 105,700 yen (in the case of an electronic application, 105,400 yen).

electronic application pursuant to Article 3, Paragraph 1 of the Act Concerning Utilization of Information Communication Technology in Administrative Procedures and Other Procedures (Law No. 151 of 2002) pursuant to the mentioned Paragraph, the fee shall be paid in cash based on the payment information obtained by means of the mentioned application, etc.

2. The written application in the preceding Paragraph shall be accompanied by documents with the matters listed below:

- [1] Articles of association and certificate of registered matters (if the applicant is a corporation established pursuant to overseas laws, documents corresponding to these items);
- [2] Documents including the following items;
 - (a) Matters concerning the RCB department conducting certification operations;
 - (b) Names, brief resumes and scope of operations in charge of staffers, external committee members commissioned by the RCB and other persons engaged in certification operations;
 - (c) Matters concerning the methods used to conduct certification operations, in addition to the matters mentioned in (a) and (b) above;
 - (d) When engaging in operations other than certification operations matters concerning the type, profile and the overall organization of the mentioned operations; and
 - (e) Mention of the achievements in certification operations or operations comparable with certification, if any.
- [3] Most recent property inventory list or balance sheet;
- [4] Documents pertaining to the business plan and income/expenditures budget for the business year containing the date of application;
- [5] Documents recording the composition of major shareholders (In cases where the mentioned shareholders are the Certified Business Entities provided for in Article 17-2, Paragraph 1, Item [2] of the Law, include mention to that effect.); and
- [6] Documents recording names, brief resumes and scope of operations of executive officers.

(Types of Registration for RCBs)

Article 40 The types to be provided by the Ministerial Ordinance under Article 16, Paragraph 1 of the Law shall be as follows:

- [1] Beverages and foods (with the exception of matters listed in

2. In the cases where an application has been made pursuant to the provisions of the preceding paragraph and when the Minister of Agriculture, Forestry and Fisheries deems it necessary, he/she may have the Food and Agricultural Materials Inspection Center (hereinafter referred to as the "Center") conduct the necessary investigations with regard to whether said application complies with each of the items of paragraph 1 of Article 17-2.

- Item [4] through [6]);
- [2] Tatami facing and raw silk;
 - [3] General timber, balk lumber, board with wane, plywood (except for the use of airplanes) and flooring;
 - [4] Naturally grown chickens (Jidoriniku), organic plants, organic processed foods, organic feeds and organic livestock products;
 - Organic plants shall be limited to those which comply with the standards stipulated by the Minister of Agriculture, Forestry and Fisheries and be harvested in the fields, including those where chemically synthesized pesticides, fertilizers and soil amendments (except those specified by the Minister of Agriculture, Forestry and Fisheries as the use of which is inevitable; referred to as "chemical pesticides, etc." in this item) have not been used for the period beginning one year before the harvesting of the mentioned agricultural products and ending at the harvest time, and also no use of chemical pesticides is expected to continue without fail after the harvesting of the mentioned agricultural products, where chemical pesticides, etc. are not used for the period beginning two years (in the case of harvests from perennial plants, three years from their harvest) before seeding or planting of the seeds and seedlings used for the production of the mentioned agricultural products and ending at the harvest time of the mentioned agricultural products; hereinafter the same.
 - Organic processed foods shall be organic processed foods of plant origin (beverages and foods manufactured or processed with organic plants as raw materials or ingredients and comply with the standards stipulated by the Minister of Agriculture, Forestry and Fisheries), organic processed foods of animal origin and organic processed foods of plant and animal origin; hereinafter the same.
 - [5] Beef, pork, agricultural products, processed foods and farm-raised fish with production information; and
 - [6] Processed foods distributed under constant temperature control.

(Disqualification Clause)

Article 17 Any juridical person who falls under any of the following items may not be accredited:

- [1] A juridical person or whose executive officer, who was sentenced to the penalty of a fine or heavier pursuant to the provisions of this Law and for whom one year has not elapsed since the date when the execution of the sentence was completed or the date when he/she ceased be amenable to the execution of the sentence;
- [2] A juridical person whose Accreditation was cancelled pursuant to the provisions of paragraphs 1 to 3 of Article 17-12 or paragraphs 1 to 3 of Article 19-9 and for whom one year has not elapsed since the date of cancellation; or
- [3] A juridical person any of whose executive officers was executing the business of the juridical person pertaining to the cancellation of Accreditation within thirty (30) days prior to the date of cancellation pursuant to the provisions of paragraphs 1 to 3 of Article 17-12 or paragraphs 1 to 3 of Article 19-9 and for whom one year has not elapsed since the date of cancellation.

(Criteria for Accreditation)

Article 17-2 In the case where a person that has applied for the Accreditation pursuant to the provisions of paragraph 1 of Article 16 (hereinafter referred to as the "Accreditation Applicant") complies with all of the following requirements, the Minister of Agriculture, Forestry and Fisheries shall accredit such Accreditation Applicant. In this case, the necessary procedures related to the Accreditation shall be provided for in the Ministerial Ordinance.

- [1] The Accreditation Applicant is a juridical person who complies with the standards related to the organizations that perform the Certification specified in the International Organization for Standardization and the International Electrotechnical Commission.

(Entry in the Register)

Article 41 The registration under Article 17-2, Paragraph 1 of the Law shall be made by an entry in the register in accordance with Attached Form No.2.

(Overseas Production Process Managers)

[2] The Accreditation Applicant does not fall under any of the following as an entity controlled by a Manufacturer, etc., Production Process Manager, Distribution Process Manager, Re-packer, overseas Manufacturer, etc. (one who manufactures or processes agricultural and forestry products to be exported to Japan in an overseas country, or exports them to Japan; the same shall apply hereinafter), overseas Production Process Manager (specified by the Ministerial Ordinance as a producer or other entity who manages or controls a production process in an overseas country for the agricultural and forestry product to be exported to Japan; the same shall apply hereinafter), overseas Distribution Process Manager (specified by the Ministerial Ordinance as an exporter or other entity who manages or controls a distribution process in an overseas country for the agricultural and forestry product to be exported to Japan in an overseas country; the same shall apply hereinafter) or overseas Re-packer (one who subdivides consignments of agricultural and forestry products to be exported to Japan in an overseas country (including the one who subdivides the consignments and sells them by himself/herself), the same shall apply hereinafter) of the agricultural and forestry product pertaining to said application (hereinafter referred to as the "Certified Business Operator").

(a) If the Accreditation Applicant is a corporation, the Certified Business Operator is its parent company (the term "parent company" as specified in paragraph 1 of Article 879 of the Companies Act (Law No. 86 of 2005)).

(b) The proportion of officers or employees of the Certified Business Operator (including those who have been officers or employees of the Certified Business Operator within past two years) to officers of the Accreditation Applicant is over one-half.

(c) An officer having the right to represent the Accreditation Applicant is an officer or employee of the Certified Business Operator (or has been an

Article 42 Article 27 shall apply mutatis mutandis to persons provided by the Ministerial Ordinance as persons who manage or control the production processes of agricultural and forestry products in Article 17-2, Paragraph 1, Item [2] of the Law.

(Overseas Distribution Process Managers)

Article 42-2 Article 28-2 shall apply mutatis mutandis to persons provided by the Ministerial Ordinance as persons who manage or control the distribution processes of agricultural and forestry products in Article 17-2, Paragraph 1, Item [2] of the Law. In this case, "importers" in Article 28-2 Item [3] and Item [6] shall be read as "exporters."

officer or employee of the Certified Business Operator within the past two years)

2. The Accreditation shall record the following items in the Accreditation Directory:

[1] Date of Accreditation and Accreditation No.;

[2] Name and address of the Registered Certifying Body;

[3] Division of agricultural and forestry product that the Registered Certifying Body is to perform the Certification;

[4] Area, and address of the office, in which the Registered Certifying Body is to perform the Certification.

3. Upon the Accreditation set forth in paragraph 1, the Minister of Agriculture, Forestry and Fisheries shall publicly notify without delay the matters listed in the preceding paragraph.

(Renewal of the Accreditation)

Article 17-3 An Accreditation shall expire by lapse of time unless it is renewed within each of the periods of not less than three years specified in Cabinet Order.

2. The provisions of the preceding three Articles shall apply mutatis mutandis to the renewal of the Accreditation in the preceding paragraph.

(Effective Registration Period of RCBs)

Article 4 The period provided in the Government Ordinance pursuant to Article 17-3, Paragraph 1 of the Law shall be 4 years.

(Fees for the Renewal of RCB Registration)

Article 5 The amount to be provided by the Government Ordinance pursuant to Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law shall be provided in the following items, depending on the correspondences of the types provided by the Ministerial Ordinance as referred to in the same Paragraph to the types below:

[1] Type including agricultural and forestry products for which Japanese Agricultural Standards described in Article 2, Paragraph 3, Item [1] of the Law are stipulated: 103,400 yen (in the case of an electronic application, 103,100 yen); and

[2] Type other than those provided for in

(Mutatis Mutandis Application of Provisions Concerning Renewal of RCBs)

Article 43 Article 39 shall apply mutatis mutandis to applications for registration renewal pursuant to Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law, Article 40 shall apply mutatis mutandis to the types to be provided by the Ministerial Ordinance under Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law, and Article 41 shall apply mutatis mutandis to the renewal of registration pursuant to Article 17-2, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law, respectively. In such cases, "Article 17-2, Paragraph 1, Item [2]" in Article 39, Paragraph 2, Item [5] shall be read as "Article 17-2, Paragraph 1, Item [2] of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2" .

3. In the case where an application for renewal of Accreditation is made pursuant to paragraph 1, if the disposition for such application are not completed by the expiration date of the period in the same paragraph (hereinafter referred to as the "Effective Period of Accreditation"), the previous Accreditation shall be effective after the expiration of the Effective Period of Accreditation until said disposition is completed.

4. In the case of the preceding paragraph, when the Accreditation is renewed, the Effective Period of Accreditation shall be calculated from the day following the date of expiration of the Effective Period of the previous Accreditation.

5. When an application for renewal of Accreditation pursuant to the provisions of paragraph 1 is not made no later than six months prior to the expiration date of the Effective Period of Accreditation or an Accreditation expires pursuant to the provisions of the same paragraph, the Minister of Agriculture, Forestry and Fisheries shall publicly notify the same without delay.

(Succession)

Article 17-4 In the case where a Registered Certifying Body has assigned all of its business pertaining to said Accreditation or a merger or split of a Registered Certifying Body (limited cases where all of the business related to the relevant Accreditation is being succeeded to) has occurred, the juridical person assigned all of such business, the judicial person surviving the merger, the judicial person founded after the merger, or the juridical person which has succeeded all of its

the preceding Item: 88,100 yen (in the case of an electronic application, 87,800 yen).

(Notification of Changes in Matters provided in Attached Documents to Application Forms for RCBs)

Article 44 When there is a change in the matters described in Article 39, Paragraph 2, Item [2] (except (e)), Item [5] or Item [6] (including cases when the provisions of these are applied mutatis mutandis in the preceding Article), RCBs shall provide a notification in accordance with Attached Form No. 3 to the Minister of Agriculture, Forestry and Fisheries without delay.

business due to the split shall succeeds to the position of the Registered Certifying Body.

2. The judicial person that has succeeded to the position of the Registered Certifying Body pursuant to the provisions of the preceding paragraph shall notify the Minister of Agriculture, Forestry and Fisheries without delay attaching written verification of those facts.

(Performance of the Certification Operations)

Article 17-5 When a Registered Certifying Body has been requested to undertake a Certification, it shall conduct an examination for the Certification without delay unless it has a justifiable reason.

2. A Registered Certifying Body shall undertake Certification, cancellation and other Certification operations fairly and in the method that complies with the criteria specified by the Ministerial Ordinance.

(Notification of Succeeding to RCBs Status)

Article 45 Corporations to make a notification under Article 17-4, Paragraph 2 of the Law shall provide both a document which provides that they have succeeded to the status of RCBs and a notification form in accordance with Attached Form No. 4 to the Minister of Agriculture, Forestry and Fisheries.

(Criteria for Methods of Business for Certification of RCBs)

Article 46 The Criteria to be provided by the Ministerial Ordinance under Article 17-5, Paragraph 2 of the Law shall be as follows;

[1] Criteria concerning methods of implementing certification in Article 14, Paragraph 1 through Paragraph 3, Article 15, Paragraph 1, Article 15-2, Paragraph 1, Article 19-3 and Article 19-4 of the Law:

(a) When wishing to implement certification, a RCB shall confirm by the documentary examination and on-site inspection that the matters described in each of the respective items of Article 29, Paragraph 1, Paragraph 2 or Paragraph 3 (including cases in which the provisions of these are applied mutatis mutandis in Article 55), each item of Article 33 (including cases in which the provisions of these are applied mutatis mutandis in Article 56), or each item of Article 36 (hereinafter referred to as "Certification Matters" in this Paragraph) for factories, fields, places of business or distribution processes relating to the application for the mentioned certification comply with the technical criteria for certification stipulated by the Minister of Agriculture, Forestry and Fisheries (hereinafter referred to as "Technical criteria for Certification" in this Paragraph) pursuant to Article 29 (including cases applied mutatis mutandis in Article 55), Article 33 (including cases applied mutatis mutandis in Article 56), or Article 36 relating to the person who made the mentioned application (hereinafter referred to as "Applicant" in this Item);

(b) When the Applicant is a Manufacturer, etc. (a Manufacturer, etc., in Article 14, Paragraph 1 of the Law; hereinafter the same) or an Overseas Manufacturer, etc. (an Overseas Manufacturer, etc., in Article 17-2, Paragraph 1 item [2] of the Law; hereinafter the same)

of agricultural and forestry products (limited to those for which Japanese Agricultural Standards relating to the criteria described in Article 2, Paragraph 3, Item [1] of the Law are stipulated), a RCB shall confirm, in accordance with a method of measurement stipulated in the relevant Japanese Agricultural Standard, that the agricultural and forestry products which the mentioned Applicant wishes to manufacture, import or sell and which are representative of the production processes for agricultural and forestry products of the type relating to the mentioned application (limited to those selected at random) comply with the Japanese Agricultural Standard relating to the mentioned type of agricultural and forestry product, and, based on the results thereof, the confirmation in (a) above or other measures shall be taken whenever necessary;

(c) If the Applicant (in the case of a legal persons the applicant or the officer who carries out the business thereof, or, in the case of an unincorporated association or foundation which has a rule for representative or manager, the applicant or the mentioned representative or manager) falls under any of the following, certification shall not be made:

(1) A person who has violated Article 14, Paragraph 6 or 7 (including cases in which the provisions of these are applied mutatis mutandis in Article 19-6, Paragraph 1 of the Law), Article 18 or Article 19 of the Law, violated an order to remove or delete grading labels pursuant to Article 19-2 of the Law, failed to submit a report or materials under the Article 20, Paragraph 2 of the Law or submitted a false report or false materials, or refused, impeded or avoid an inspection pursuant to the mentioned Paragraph or Article 20-2, Paragraph 2 of the Law or failed to answer or answered a false answer to the question based on these provisions, and has consequently been punished with a fine or more severe penalty, when 1 year has not yet passed since the end of execution thereof or the date on which the mentioned execution has ceased to be applied;

(2) A person whose certification in Article 14, Paragraph 1 through Paragraph 3, Article 15, Paragraph 1, Article 15-2, Paragraph 1, Article 19-3 or Article 19-4 of the Law has been cancelled, when 1 year has not yet passed since the date of the mentioned cancellation;

(3) A person who, within 30 days before the cancellation of certification in Article 14, Paragraph 1 through Paragraph 3,

Article 15, Paragraph 1, Article 15-2, Paragraph 1, Article 19-3 or Article 19-4 of the Law, was an officer (or, in the case of an unincorporated association or foundation which has a rule for representative or manager, the mentioned representative or manager) who carried out the business of the person (limited to a legal person or unincorporated association or foundation which has a rule for representative or manager) relating to the mentioned cancellation, when 1 year has not yet passed since the date of the mentioned cancellation.

(d) When conducting certification, appropriate conditions including the following matters shall be applied:

(1) Manufacturers, etc., Production Process Managers, Distribution Process Managers (Distribution Process Managers as described in Article 14, Paragraph 3 of the Law; hereinafter the same), Re-packers (Re-packers as described in Article 15, Paragraph 1 of the Law; hereinafter the same), Overseas Manufacturers, etc., Overseas Production Process Managers (Overseas Production Process Managers as described in Article 17-2, Paragraph 1, Item [2] of the Law; hereinafter the same), Overseas Distribution Process Managers (Overseas Distribution Process Managers as described in Article 17-2, Paragraph 1, Item [2] of the Law; hereinafter the same) or Overseas Re-packers (meaning Overseas Re-packers as described in Article 17-2, Paragraph 1, Item [2] of the Law; hereinafter the same) relating to certification (hereinafter referred to collectively as “Certified Business Entity” in this Paragraph) shall maintain their compliance with technical criteria for certification;

(2) The Certified Business Entity shall observe the provisions of Article 14, Paragraphs 6 and 7, Article 18 and Article 19 of the Law;

(3) The Certified Business Entity shall not violate an order of the Minister of Agriculture, Forestry and Fisheries pursuant to Article 19-2 of the Law, fail to submit a report or materials pursuant to Article 20, Paragraph 2 of the Law or submit a false report or false materials, or refuse, impede or avoid an inspection pursuant to the mentioned Paragraph or Article 20-2, Paragraph 2 of the Law or failed to answer or answered a false answer to the question based on these provisions;

(4) The Certified Business Entity shall, when changing its name, address or certified matters, or to discontinue business related to

- grading (or, in the case of Re-packers, Importers of Specified Agricultural and Forestry Products (limited to persons who have been certified under Article 15-2, Paragraph 1 of the Law; hereinafter the same in (10) and Article 47, Paragraph 1, Item [2]), or Overseas Re-packers, business related to grading labels; hereafter the same in this Paragraph and in Article 47, Paragraph 3), notify the RCB to that effect in advance;
- (5) The Certified Business Entity shall, when advertising or labeling that it have been certified, ensure not to mislead that it have been certified by the RCB for products other than the agricultural and forestry products relating to the mentioned certification, or not to mislead concerning the content of inspection for certification by the RCB, or the content of other business related to certification;
- (6) The Certified Business Entity shall not, when advertising or labeling that it have been certified, do so with any other purpose other than that of indicating that the types of agricultural and forestry products relating to the certification have complied with the Japanese Agricultural Standards relating to the mentioned types of agricultural and forestry products;
- (7) The Certified Business Entity shall, when the RCB judges that (5) or (6) has been violated and requests that the Certified Business Entity improves its method of advertising or labeling, or ceases advertising or labeling, comply with the mentioned request;
- (8) The Certified Business Entity shall, when providing information concerning its certification, grading, or labels of grading to third parties, make efforts to ensure that it does not cause misunderstanding that it have been certified from the RCB for products other than the type of agricultural and forestry products relating to the mentioned certification, or cause misunderstanding concerning the content of the examination for certification by a RCB, or the content of other business related to certification, besides those stipulated in (5) and (6) above;
- (9) The Certified Business Entity shall cooperate with inspection conducted by the RCB periodically or whenever necessary to confirm that the conditions in (1) are observed;
- (10) The results of grading in the preceding business year (or, in case of Re-packers, Importers of Specified Agricultural and Forestry Products, and Overseas Re-packers, the results of labels of grading) shall be reported to the RCB by the last day of June every year;

- (11) The RCB may, when necessary in order to confirm that the business related to grading undertaken by the Certified Business Entity is being conducted properly, or to confirm that the conditions in (5), (6) or (8) are observed, request to submit necessary reports or materials concerning the business of Certified Business Entity, or step in factories, fields, offices, places of business, warehouses or other places relating to the certification, and have its employees inspect grading or labels of grading, advertising or labeling relating to agricultural and forestry products, its raw materials, books, documents and other properties or ask its employee or other related people questions;
 - (12) The RCB may, when Certified Business Entity has violated the conditions described in (1) to (10) above, failed to make the report in (11) above or made a false report, or refused, impeded or avoided an inspection in (11) above, cancel its certification, or request that the mentioned Certified Business Entity discontinues the business related to grading as well as shipments of agricultural and forestry products to which labels of grading are attached;
 - (13) The RCB shall, when Certified Business Entity fails to comply with the request in (12) above, cancel its certification; and
 - (14) Public announcement shall be made of name and address of the Certified Business Entity, the types of agricultural and forestry products relating to certification, the names and locations of factories, fields or places of business relating to certification, or, the distribution process and the name and address of the Producer, etc. in the mentioned distribution process and the date of that certification, and, in cases when a request has been made pursuant to “(12)” above or when that certification has been cancelled, the date of the mentioned request or cancellation and the reason for the mentioned request or cancellation, or, upon discontinuation of business related to the grading, the date of the mentioned discontinuation.
- (e) Besides those stipulated in (a) to (d) above, the certification business shall be conducted in accordance with a method that complies with criteria concerning organizations that certify products stipulated by the International Organization for Standardization and the International Electrotechnical Commission.
- [2] Criteria concerning the confirmation of certified matters
- (a) When notified by a Certified Business Entity that it wishes to change the certified matters, the RCB shall confirm without delay

that the certified matters after the mentioned change comply with the technical criteria for certification;

- (b) Besides the case in (a) above, when the RCB knows that a Certified Business Entity has changed the certified matters, it shall confirm without delay that the certified matters after the mentioned change comply with the technical criteria for certification;
- (c) that the RCB shall confirm, within a period provided by a public notification of the Minister of Agriculture, Forestry and Fisheries for each type of agricultural and forestry products starting from the date on which the Certified Business Entity was certified or the date on which it was confirmed that the certified matters relating to the mentioned Certified Business Entity complies with the technical criteria for certification (except the day on which the confirmation in (a), (b) or (d) was made), that the certified matters relating to the mentioned Certified Business Entity complies with the technical criteria for certification.
- (d) Besides those stipulated in (a) to (c) above, the RCB shall confirm without delay, if the certified matters relating to the Certified Business Entity may not comply with the technical criteria for certification, that the certified matters relating to the mentioned Certified Business Entity complies with the technical criteria for certification.
- (e) The confirmation in (a) to (d) above shall be made in accordance with a method that complies with the criteria in (a) and (b) of the preceding Item, except for the confirmation in (a) or (b), it may be possible to omit the on-site inspection in (a) of the mentioned Item and the confirmation in (b) of the mentioned Item when, as a result of the documentary examination in (a) of the mentioned Item, it is judged that the certified matters relating to the mentioned Certified Business Entity complies with the technical criteria for certification;
- (f) Besides those stipulated in (a) to (e) above, confirmation of certified matters shall be made in accordance with a method that complies with criteria concerning organizations that certify products stipulated by the International Organization for Standardization and the International Electrotechnical Commission.

[3] Criteria for the method of canceling the certification of a Certified Business Entity and implementing other measures:

- (a) When the certified matters relating to a Certified Business Entity no longer comply with the technical criteria for certification (except

when falling under (f) (1) above), or it is judged that it will be highly likely cease to comply with the same, the mentioned Certified Business Entity shall be requested to take necessary measures to comply with the mentioned technical criteria for certification;

- (b) When a Certified Business Entity has violated the provisions of Article 14, Paragraph 6 or 7, Article 18 or Article 19 of the Law (except when falling under (f) (2) above), the mentioned Certified Business Entity shall be requested to take necessary measures improve of its grading business;
- (c) When a Certified Business Entity has violated the conditions in Item [1] (d) (5) or (6) above, the mentioned Certified Business Entity shall be requested to improve its method of advertising or labeling, or cease advertising or labeling.
- (d) When making a request to a Certified Business Entity pursuant to (a) to (c) above, and when it is anticipated that the mentioned Certified Business Entity will require a considerable period of time to take the measures relating to the mentioned request, the mentioned Certified Business Entity shall be requested to discontinue the business related to grading (limited to that relating to the mentioned request) as well as shipments of agricultural and forestry products to which grading labels are attached (limited to types of agricultural and forestry products relating to the mentioned request) during the time until the mentioned Certified Business Entity takes the measures relating to the mentioned request, except that when it is anticipated that the mentioned Certified Business Entity will require more than 1 year to take the measures relating to the request under the provisions of (a) to (c) above, its certification may be cancelled irrespective of the provisions of (a) to (c) above.
- (e) When a Certified Business Entity has, without justifiable reasons, failed to submit the report or materials in Item [1] (d) (11) or submitted a false report or false materials, or refused, impeded or avoided the inspection in (d) (11) of the mentioned Item or failed to answer or answered a false answer to the question in (d) (11) of the mentioned Item, the mentioned Certified Business Entity shall be requested to discontinue the grading business, as well as shipments of agricultural and forestry products to which grading labels are attached, during the time until the mentioned Certified Business Entity make accurate reports, or the mentioned Certified Business Entity comply with the mentioned inspection and the mentioned inspection is complete.

(f) When a Certified Business Entity falls under any of the following, its certification shall be cancelled:

(1) When the certified matters relating to the Certified Business Entity no longer comply with the technical criteria for certification, and when it cannot be it will be likely to comply with the mentioned technical criteria for certification;

(2) When the Certified Business Entity has violated the provisions of Article 14, Paragraph 6 or 7, Article 18 or Article 19 of the Law, and when the mentioned violation is due to the willful intent or gross negligence of the mentioned Certified Business Entity;

(3) When the Minister of Agriculture, Forestry and Fisheries has requested that a RCB cancels the certification of a Certified Business Entity certified by the mentioned RCB, on grounds that the mentioned Certified Business Entity has without justifiable reason, violated an order pursuant to Article 19-2 of the Law, failed to submit a report or materials pursuant to Article 20, Paragraph 2 of the Law or submitted a false report or false materials, or refused, impeded or avoided an inspection under the provisions of the mentioned Paragraph or Article 20-2, Paragraph 2 of the Law or failed to answer or answered a false answer to the question based on these provisions;

(4) When the Certified Business Entity has without justifiable reason, refused to comply with a request pursuant to (d) or (e) above.

(g) Besides those stipulated in (a) to (e) above, when Certified Business Entity has violated the conditions for certification and, despite receiving appropriate guidance, fails to comply with the mentioned guidance, the certification shall be cancelled or other appropriate measures shall be taken;

(h) When canceling the certification of the Certified Business, the mentioned Certified Business Entity shall be notified no less than 1 week in advance, and shall have an opportunity to explain;

(i) Besides those stipulated in (a) to (h) above, the certification of Certified Businesses Entity shall be cancelled and other measures shall be taken in accordance with a method that complies with criteria concerning organizations that certify products stipulated by the International Organization for Standardization and the International Electrotechnical Commission.

[4] Criteria concerning a public announcement relating to the certification of Certified Business Entity, etc.

- (a) When a Business Entity has been certified, the following matters (or, when these matters have been changed, the matters following the change) shall be available to the public in its office without delay, and these matters (or, when these matters have been changed, the matters following the change) shall also be provided by the Internet or other appropriate methods:
- (1) Name and address of the person who has been certified;
 - (2) Type of agricultural and forestry products relating to the certification;
 - (3) Names and locations of factories, fields or places of business relating to the certification, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process; and
 - (4) Date of the certification.
- (b) When a Certified Business Entity is requested pursuant to (d) or (e) of the preceding Item, the following matters shall be available to the public in its office without delay, and these matters shall also be provided using the Internet or other appropriate methods:
- (1) Name and address of the Certified Business Entity relating to the request;
 - (2) Type of agricultural and forestry products relating to the request (or, when the request relates to all agricultural and forestry products relating to the certification of the mentioned Certified Business Entity, that fact), and the fact that it has requested to discontinue the business related to grading as well as shipments of agricultural and forestry products to which labels of grading are attached;
 - (3) Names and locations of factories, fields or places of business relating to the request, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process;
 - (4) Date of the request; and
 - (5) Reasons for the request.
- (c) When a Certified Business Entity has discontinued the grading business, the following matters shall be available to the public in its offices without delay, and these matters shall also be provided using the Internet or other appropriate methods:
- (1) Name and address of the Certified Business Entity relating to the discontinuation;
 - (2) Type of agricultural and forestry products relating to the

- discontinuation;
 - (3) Names and locations of factories, fields or places of business relating to the discontinuation, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process; and
 - (4) Date of the discontinuation.
 - (d) When a certification has been cancelled, the following matters shall be available to the public in its office without delay, and these matters shall also be provided by the Internet or other appropriate methods:
 - (1) Name and address of the Certified Business Entity relating to the cancellation;
 - (2) Type of agricultural and forestry products relating to the cancelled certification;
 - (3) Names and locations of factories, fields or places of business relating to the cancellation, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process;
 - (4) Date of the cancellation; and
 - (5) Reasons for the cancellation.
 - (e) The disclosure of information listed in (a) to (d) above shall be made for the periods of time stipulated in accordance with the categories listed below:
 - (1) Disclosure of information described in (a)

The period from the date of certification until the date of discontinuation of business related to grading by the Certified Business Entities relating to the mentioned certification, or the date of cancellation of certification of the Certified Business Entities relating to the mentioned certification;
 - (2) Disclosure of information described in (b)

The period of discontinuation of the business related to grading, and of shipments of agricultural and forestry products to which labels of grading are attached, pursuant to (d) or (e) of the preceding Item; and
 - (3) Disclosure of information described in (c) or (d)

A period of one-year from the date of discontinuation of business related to grading by the Certified Business Entity, or the date of cancellation of certification.
2. RCBs may, when conducting certification of Manufacturers, etc., or Overseas Manufacturers, etc., of agricultural and forestry products for

3. A Registered Certifying Body shall report to the Minister of Agriculture, Forestry and Fisheries the names, addresses and other data required by the Ministerial Ordinance of the Certified Business Operators pursuant to the provisions of the Ministerial Ordinance.

which methods of inspection are stipulated in Article 30 (including cases applied mutatis mutandis in Article 57) and for which the mentioned inspection is conducting individually (limited to those stipulated by the Minister of Agriculture, Forestry and Fisheries), or other business related to certification, conduct business related to the mentioned certification as stipulated by the Minister of Agriculture, Forestry and Fisheries in separate public notification for each type of agricultural and forestry product, irrespective of the provisions of Item [1] (a), (b) and (d), Item [2] (a) to (e), Item [3] (a) to (f), and Item [4] of the preceding Paragraph.

(Reports of Certification, etc., by RCB)

Article 47 When a RCB has certified under Paragraph 14, Paragraph 1 through Paragraph 3, Article 15, Paragraph 1, Article 15-2, Paragraph 1, Article 19-3 or Article 19-4 of the Law (except certification carried out under a public notification in Paragraph 2 of the preceding Article; hereinafter the same in Paragraph 3 below), it shall provide a report in accordance with Attached Form No. 5, stating the matters listed below, to the Minister of Agriculture, Forestry and Fisheries without delay:

[1] Names and addresses of persons relating to the mentioned certification;

[2] Whether the person relating to the mentioned certification is a Manufacturer, etc. (limited to persons relating to certification in Article 14, Paragraph 1 of the Law), Production Process Manager, Distribution Process Manager, Re-packer, Importer of Specified Agricultural and Forestry Products, Overseas Manufacturers, etc., Overseas Production Process Manager, Overseas Distribution Process Manager or Overseas Re-packer;

[3] Type of agricultural and forestry products relating to the mentioned certification;

[4] Names and locations of factories, fields or places of business relating to the mentioned certification, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process; and

[5] Date of the mentioned certification.

2. When a RCB has made a request pursuant to Paragraph 1, Item [3] (d) or (e) of the preceding Article, it shall provide a report in accordance with Attached Form No. 6, stating the matters listed below, to the Minister of Agriculture, Forestry and Fisheries without delay:

[1] Names and addresses of persons relating to the mentioned request;

[2] Type of agricultural and forestry products relating to the mentioned request;

[3] Names and locations of factories, fields or places of business relating to the mentioned request, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process;

[4] Date of the mentioned request; and

[5] Reason for the mentioned request.

3. A RCB shall, when a Manufacturer, etc., Production Process Manager, Distribution Process Manager, Re-packer, Overseas Manufacturer, etc., Overseas Production Process Manager or Overseas Re-packer relating to certification by it (referred to collectively as “Certified Business Entity” in the following Paragraph) has discontinued business related to grading, provide a report in accordance with Attached Form No. 7, stating the matters listed below to the Minister of Agriculture, Forestry and Fisheries without delay:

[1] Names and addresses of persons relating to the mentioned discontinuation;

[2] Type of agricultural and forestry products relating to the mentioned discontinuation;

[3] Names and locations of factories, fields or places of business relating to the mentioned discontinuation, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process; and

[4] Date of the mentioned discontinuation.

4. When a RCB has cancelled the certification of a Certified Business Entity, the RCB shall provide a report in accordance with Attached Form No. 8, stating the matters listed below to the Minister of Agriculture, Forestry and Fisheries without delay:

[1] Names and addresses of persons relating to the mentioned cancellation;

[2] Type of agricultural and forestry products relating to the mentioned cancellation;

[3] Names and locations of factories, fields or places of business relating to the mentioned cancellation, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process;

[4] Date of the mentioned cancellation; and

(Notification of the Change of Place of Business)

Article 17-6 In the case where a Registered Certifying Body intends to change the location of its office in which it performs the Certification operations, it shall notify the Minister of Agriculture, Forestry and Fisheries no later than two weeks prior to the date on which it is to change the same.

2. Upon the receipt of notification set forth in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall publicly notify the same without delay.

(Business Operating Rules)

Article 17-7 A Registered Certifying Body shall enact its rules for Certification operations (hereinafter referred to as the "Business Operating Rules") and notify the same with the Minister of Agriculture, Forestry and Fisheries prior to the commencement of its Certification operations. The same shall apply when it intends to change its Business Operating Rules.

2. The Business Operating Rules shall include the method of undertaking the Certification, the method of calculating charges and fees related to the Certification and other matters as specified in the Ministerial Ordinance.

[5] Reason for the mentioned cancellation.

5. Reports to the Minister of Agriculture, Forestry and Fisheries of the names, addresses and other matters of persons who have been certified, carried out as provided by a public notification in Paragraph 2 of the preceding Article, shall be made in the manner separately stipulated by the Minister of Agriculture, Forestry and Fisheries.

(Notification of Change of Place of Business of RCB)

Article 48 When making a notification pursuant to Article 17-6, Paragraph 1 of the Law, the RCB shall provide a notification in accordance with Attached Form No. 9 to the Minister of Agriculture, Forestry and Fisheries.

(Business Operating Rules of RCB)

Article 49 When making a notification of Business Operating Rules under the provisions of the former part of Article 17-7, Paragraph 1 of the Law, the RCB shall provide original and duplicate notifications in accordance with Attached Form No. 10 to the Minister of Agriculture, Forestry and Fisheries.

2. The provisions of the preceding Paragraph shall apply mutatis mutandis to the notification of changes in the Business Operating Rules pursuant to the latter part of Article 17-7, Paragraph 1 of the Law.

3. The matters to be provided by the Ministerial Ordinance under Article 17-7, Paragraph 2 of the Law shall be as follows:

[1] Matters relating to the location of the place of business, and the area where business related to certification is carried out at the place of business;

[2] Type of agricultural and forestry products to be covered by the certification (or, if the certification covers only some of the agricultural and forestry products included in the mentioned type, the kind of agricultural and forestry products);

[3] Matters relating to the hours in which the certification business is conducted, and holidays;

[4] Matters relating to the method of implementing certification, the

(Suspension or Abolition of Operations)

Article 17-8 In the case where a Registered Certifying Body intends to abolish, or suspend all or part of its Certification operations, it shall notify the fact to the Minister of Agriculture, Forestry and Fisheries no later than six months prior to the date on which it is to suspend or abolish the Certification operations as provided for by the Ministerial Ordinance.

2. Upon the receipt of notification set forth in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall publicly notify the same without delay.

(Keeping and Inspecting of Financial Statements, etc.)

Article 17-9 A Registered Certifying Body shall, within three months after the end of each business year, prepare a list of property or a balance sheet, a profit and loss statement or a settlement of accounts, and a business report (in the case where these documents are prepared as electromagnetic records (meaning records produced by an electronic device, magnetic device or any other device not recognizable to human sense, which are used for data processing by a computer; the same shall apply hereinafter), or electromagnetic records are prepared instead of preparing the documents, such electromagnetic records shall be included; these documents shall hereinafter be referred to as the "Financial Statements, etc.") and keep them in its office for five years.

2. The Certified Business Operator and other interested

method of implementing cancellation of certification, and methods of implementing other business related to certification;

[5] Matters relating to the calculation of fees related to certification;

[6] Matters relating to organizations that conduct certification business;

[7] Matters relating to the duties of persons who conduct certification business;

[8] Matters necessary for fair implementation of certification business; and

[9] Other necessary matters relating to certification business.

(Notification of Suspension or Abolition of Operations of RCB)

Article 50 When making a notification pursuant to Article 17-8, Paragraph 1 of the Law, the RCB shall provide a notification in accordance with Attached Form No. 11 to the Minister of Agriculture, Forestry and Fisheries.

persons may request items listed as follows at any time during the office hours of a Registered Certifying Body. However, for the request of item [2] or item [4], one shall pay expenses set by the Registered Certifying Body:

[1] Request for browse or photocopying of the Financial Statements, etc., in the case that they are provided in the form of paper

[2] Request for the transcript or extract of documents mentioned in the previous item

[3] When the Financial Statements, etc. are provided electromagnetically, request to browse or photocopy the contents displayed in accordance with the Ministerial Ordinance

[4] Request to obtain the electromagnetically recorded content mentioned in the previous item in an electromagnetic form (using an electronic data processing system or technology for information and communication as specified by the Ministerial Ordinance) or request to obtain said content in paper form

(Conformity Order)

Article 17-10 When the Minister of Agriculture, Forestry and Fisheries recognizes that a Registered Certifying Body has ceased to comply with the standards prescribed in the items under paragraph 1 of Article 17-2, he/she may order the Registered Certifying Body to take necessary measures to conform to said standards.

(Improvement Order)

Article 17-11 When the Minister of Agriculture, Forestry and Fisheries finds that a Registered Certifying Body has violated the provisions of Article 17-5, he/she may order said Registered Certifying Body to carry out the Certification operations or take necessary measures to improve the Certification method or other business

(Methods of Displaying Matters Recorded in Electro-Magnetic Records, etc.)

Article 51 The method to be provided by the Ministerial Ordinance under Article 17-9, Paragraph 2, Item [3] of the Law shall be the method of displaying matters in electro-magnetic records on paper or on the monitor screen of an output device.

2. The electro-magnetic method to be provided by the Ministerial Ordinance under Article 17-9, Paragraph 2, Item [4] of the Law shall be a method stipulated by the RCB from among those listed below:

[1] A method that uses an electronic data processing organization to connect a computer in use by the transmitting party to a computer in use by the receiving party via telecommunication lines, whereby data are transmitted via the mentioned telecommunication lines and are recorded in a file set up on the computer relating to use by the receiving party; and

[2] A method of issuing data recorded on a file prepared using a magnetic disk or other equivalent medium on which a fixed volume of data can be recorded reliably.

methods.

(Cancellation of Accreditation, etc.)

Article 17-12 If a Registered Certifying Body falls under any of the items under Article 17, the Minister of Agriculture, Forestry and Fisheries shall cancel its Accreditation.

2. If a Registered Certifying Body falls under any of the following items, the Minister of Agriculture, Forestry and Fisheries may cancel the Accreditation or order the Registered Certifying Body to suspend all or part of its Certification operations for a fixed period of not more than one year.

[1] When the Registered Certifying Body violates the provisions of Article 17-5, paragraph 1 of Article 17-6, paragraph 1 of Article 17-7, paragraph 1 of Article 17-8, paragraph 1 of Article 17-9 or the Article that follows.

[2] When the Registered Certifying Body refuses requests pursuant to the provisions of the items in paragraph 2 of Article 17-9 without justifiable causes

[3] When the Registered Certifying Body violates an order pursuant to the preceding two Articles

[4] When the Registered Certifying Body was accredited by wrongful means

3. In addition to the cases prescribed in the preceding two paragraphs, when the Registered Certifying Body, without justifiable causes, does not commence its Certification operations pertaining to said Accreditation after the passage of one year from the date of Accreditation or suspends such Certification operations continuously for more than one year, the Minister of Agriculture, Forestry and Fisheries may cancel the relevant Accreditation.

4. In the case where the Minister of Agriculture, Forestry and Fisheries intends to conduct a hearing pertaining to any of the dispositions pursuant to the provisions of the preceding three paragraphs, he/she shall give notice pursuant to the provisions of paragraph 1

of Article 15 of the Administrative Procedure Act (Law No. 88 of 1993) no later than one week prior to the date of hearing and also publicly notify the date and location of hearing.

5. The proceeding at the date of hearing set forth in the preceding paragraph shall be open to the public.

6. Upon the dispositions pursuant to the provisions of paragraphs 1 to 3, the Minister of Agriculture, Forestry and Fisheries shall publicly notify the same without delay.

(Book keeping)

Article 17-13 A Registered Certifying Body shall prepare books and state in such books the matters concerning the Certification operations specified in the Ministerial Ordinance, and keep them pursuant to the provisions of the Ministerial Ordinance.

(Confidentiality Protective Obligation)

Article 17-14 A person who is or used to be an officer or employee of a Registered Certifying Body shall not

(Book keeping of RCB)

Article 52 A RCB shall retain books with the matters in the following paragraph for each kind of agricultural and forestry product.

2. The matters to be provided by the Ministerial Ordinance under Article 17-13 of the Law shall be as follows:

[1] Name and address of the person who has made an application for the certification;

[2] Whether the person who applied for certification is a Manufacturer, etc. (limited to persons who wish to be certified under Article 14, Paragraph 1 of the Law), Production Process Manager, Distribution Process Manager, Re-packer, Importer of Specified Agricultural and Forestry Products (limited to persons who wish to be certified under Article 15-2, Paragraph 1 of the Law), Overseas Manufacturer, etc., Overseas Production Process Manager, Overseas Distribution Process Manager or Overseas Re-packer;

[3] Date of receipt of the application for certification;

[4] Type of agricultural and forestry products relating to the application of certification;

[5] Names and locations of factories, fields or places of business relating to the certification, the distribution process and the names and addresses of the Producers, etc. in the mentioned distribution process;

[6] Date of decision whether to certify or not;

[7] Results of the decision under the preceding item; and

[8] Name of the person engaged in the certification.

3. The books in Paragraph 1 above shall be retained for 5 years from the last date of booking.

divulge any secret which has come to his/her knowledge concerning the Certification operations or use the same for his/her own interest.

(Prohibition of Use of the Name of the Japanese Agricultural Standards Registered Certifying Body)

Article 17-15 Anyone who is not a Registered Certifying Body shall not use the name of the Japanese Agricultural Standards Registered Certifying Body or any other confusing name therewith.

2. A Registered Certifying Body shall not use the name of the Japanese Agricultural Standards Registered Certifying Body or any other confusing name therewith for any agricultural and forestry product other than its Accredited agricultural and forestry product.

Section 3 Protection of Grade Label

(Prohibition of Grade Labeling)

Article 18 No person shall affix a Grade Label to any agricultural and forestry product, its package, container or invoice. However, this shall not apply to the following cases:

[1] In the case where a Manufacturer, etc. of agricultural and forestry products affixes a Grade Label pursuant to the provisions of paragraph 1 or 5 of Article 14 to the agricultural and forestry product which he/she manufactures, processes, imports or distributes, or its package, container or invoice;

[2] In the case where a Production Process Manager of agricultural and forestry products affixes a Grade Label pursuant to the provisions of paragraph 2 or 5 of Article 14 to the agricultural and forestry product, the production process of which he/she manages or controls, or its package, container or invoice;

[3] In the case where a Distribution Process Manager of agricultural and forestry products affixes a Grade Label pursuant to the provisions of paragraph 3 or 5 of Article 14 to the agricultural and forestry

product, the distribution process of which he/she manages or controls, or its package, container or invoice;

[4] In the case where a Re-packer of agricultural and forestry products affixes a Grade Label pursuant to the provisions of paragraph 1 of Article 15 to the subdivided agricultural and forestry product, its package, container or invoice;

[5] In the case where an importer of the Specified Agricultural and Forestry Products affixes a Grade Label pursuant to the provisions of paragraph 1 of Article 15-2 to the Specified Agricultural and Forestry Product which he/she imports, or its package, container or invoice;

[6] In the case where an overseas Manufacturer, etc. affixes a Grade Label pursuant to the provisions of paragraph 5 of Article 14 as applied mutatis mutandis in paragraph 1 of Article 19-3 or paragraph 1 of Article 19-6 to the agricultural and forestry product which he/she manufactures, processes or exports, or its package, container or invoice;

[7] In the case where an overseas Production Process Manager affixes a Grade Label pursuant to the provisions of paragraph 5 of Article 14 as applied mutatis mutandis in paragraph 2 of Article 19-3 or paragraph 1 of Article 19-6 to the agricultural and forestry product, the production process of which he/she manages or controls, or its package, container or invoice;

[8] In the case where an overseas Distribution Process Manager affixes a Grade Label pursuant to the provisions of paragraph 5 of Article 14 as applied mutatis mutandis in paragraph 3 of Article 19-3 or paragraph 1 of Article 19-6 to the agricultural and forestry product, the distribution process of which he/she manages or controls, or its package, container or invoice;

[9] In the case where an overseas Re-packer affixes a Grade Label pursuant to the provisions of Article 19-4 to the subdivided agricultural and forestry product, its

package, container or invoice.

2. No person shall affix any confusing label with a Grade Label to any agricultural and forestry product, its package, container or invoice.

(Restriction on Reuse of Packing Materials, etc.)

Article 19 The packing material or container to which a Grade Label has been affixed shall not be reused as a packing material or container for an agricultural and forestry product before such label is removed or deleted.

(Improvement Order, etc.)

Article 19-2 When the Minister of Agriculture, Forestry and Fisheries finds that the grading carried out by a Manufacturer, etc. of agricultural and forestry products certified pursuant to the provisions of paragraph 1 of Article 14 (hereinafter referred to as the "Certified Manufacturer, etc."), a Production Process Manager of agricultural and forestry products certified pursuant to the provisions of paragraph 2 of the same Article (hereinafter referred to as the "Certified Production Process Manager") or a Distribution Process Manager of agricultural and forestry products certified pursuant to the provisions of paragraph 3 of the same Article (hereinafter referred to as the "Certified Distribution Process Manager") pursuant to the provisions of paragraphs 1 to 3 of the same Article (including the Grade Label affixed by a Certified Manufacturer, etc., Certified Production Process Manager or Certified Distribution Process Manager pursuant to the provisions of paragraphs 1 to 3 or paragraph 5 of the same Article), the Grade Label affixed by a Re-packer of agricultural and forestry products certified pursuant to the provisions of paragraph 1 of Article 15 (hereinafter referred to as the "Certified Re-packer") pursuant to the provisions of the same paragraph, or the Grade Label affixed by an importer of Specified Agricultural and Forestry Products certified pursuant to the provisions of paragraph 1 of Article 15-2 (hereinafter referred to as the "Certified Importer") pursuant to the provisions of

the same paragraph is inappropriate, he/she may order such Certified Manufacturer, etc., Certified Production Process Manager, Certified Distribution Process Manager, Certified Re-packer or Certified Importer to improve the same within a fixed period, or to remove or delete the Grade Label.

Section 4 Grading in Overseas Countries

(Grading by Overseas Manufacturer, etc.)

Article 19-3 An overseas Manufacturer, etc. may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body or Registered Overseas Certifying Body for each factory or place of business in an overseas country and each type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix a Grade Label to the relevant product, its package, container or invoice.

2. An overseas Production Process Manager may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body or Registered Overseas Certifying Body for each farm or place of business in an overseas country and each type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix a Grade Label (limited to the one pertaining to the standard listed in item [2] of paragraph 3 of Article 2) to the relevant product, its package, container or invoice.

3. An overseas Distribution Process Manager may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body or Registered Overseas Certifying Body for each distribution process and type of agricultural and forestry product, evaluate whether or not his/her products pertaining to said certification complies with the relevant Japanese Agricultural Standard and affix a Grade Label

(Application for Certification by Overseas Manufacturers, etc.)

Article 53 Article 25 shall apply mutatis mutandis to the application for certification under Article 19-3, Paragraph 1 of the Law. In this case, “RCB” in Article 25 shall be read as “RCB or Registered Overseas Certifying Body (hereinafter referred to as ROCB)”, and “each item of Article 29, Paragraph 1” in Item [4] of the mentioned Article shall be read as “each item of Article 29, Paragraph 1 as applied mutatis mutandis in Article 55.”

(Application for Certification of Overseas Production Process Managers)

Article 54 Article 28 shall apply mutatis mutandis to the application for certification under Article 19-3, Paragraph 2 of the Law. In this case, “RCB” in Article 28 shall be read as “RCB or ROCB”, and “each item of Article 29, Paragraph 2” in Item [4] of the mentioned Article shall be read as “each item of Article 29, Paragraph 2 as applied mutatis mutandis in Article 55” .

(Application for Certification of Overseas Distribution Process Managers)

Article 54-2 Article 28-3 shall apply mutatis mutandis to the application for certification under Article 19-3, Paragraph 3 of the Law. In this case, the “RCB” in Article 28-3 shall be read as “RCB or ROCB”, and “each item of Article 29, Paragraph 3” in Item [5] of the mentioned Article shall be read as “each item of Article 29, Paragraph 3 as applied mutatis mutandis in Article 55” .

(limited to the one pertaining to the standard listed in item [3] of paragraph 3 of Article 2) to the relevant product, its package, container or invoice.

(Grade labeling by Overseas Re-packer)

Article 19-4 An overseas Re-packer may, as provided for by the Ministerial Ordinance, having obtained a certification from a Registered Certifying Body or Registered Overseas Certifying Body for each place of business in an overseas country and each type of agricultural and forestry product, affix the same Grade Label as has been affixed on the agricultural and forestry product, its package, container or invoice to the relevant product, its package, container or invoice after the subdivision of the consignment.

(Prohibition of Grade Labeling)

Article 19-5 An overseas Manufacturer, etc. certified pursuant to paragraph 1 of Article 19-3 (hereinafter referred to as the "Certified Overseas Manufacturer, etc."), overseas Production Process Manager certified pursuant to paragraph 2 of the same Article (hereinafter referred to as the "Certified Overseas Production Process Manager"), overseas Distribution Process Manager certified pursuant to paragraph 3 of the same Article (hereinafter referred to as the "Certified Overseas Distribution Process Manager") or overseas Re-packer certified pursuant to the preceding Article (hereinafter referred to as the "Certified Overseas Re-packer") shall not affix a Grade Label or any other confusing label therewith to any agricultural and forestry product exported to Japan, or its package, container or invoice, except in the cases listed in items [6] to [9] of paragraph 1 of Article 18.

(Application, Mutatis Mutandis)

(Technical Criteria for Certification of Overseas Manufacturers, etc.)

Article 55 Article 29 shall apply mutatis mutandis to certification under Article 19-3 of the Law.

(Mutatis Mutandis Application Relating to Certification of Overseas Re-packers)

Article 56 Article 32 and Article 33 shall apply mutatis mutandis to certification under Article 19-4 of the Law. In this case, "RCB" in Article 32 shall be read as "RCB or ROCB", and "each item of Article 33" in Item [4] of the mentioned Article shall be read as "each item of Article 33 as applied mutatis mutandis in Article 56" .

(Mutatis Mutandis Application Relating to the Method of Inspection of Agricultural and Forestry Products Carried Out by Overseas Manufacturers, etc.)

Article 19-6 The provisions of paragraphs 4 to 7 of Article 14 shall apply mutatis mutandis to a Certified Overseas Manufacturer, etc., Certified Overseas Production Process Manager or Certified Overseas Distribution Process Manager. In this case, the term "the preceding three paragraphs" which appears in paragraph 4 of the same Article and "paragraphs 1 to 3" which appears in paragraphs 5 to 7 of the same Article shall be replaced with "Article 19-3."

2. The provisions of paragraph 8 of Article 14 shall apply mutatis mutandis to the certification of Article 19-3 or Article 19-4.

3. The provisions of Article 19 and Article 19-2 shall apply mutatis mutandis to a Certified Overseas Manufacturer, etc., Certified Overseas Production Process Manager, Certified Overseas Distribution Process Manager or Certified Overseas Re-packer. In this case, the term "an agricultural and forestry product" which appears in Article 19 shall be replaced with "an agricultural and forestry product exported to Japan", the term "carried out by a Manufacturer, etc. of agricultural and forestry products certified pursuant to the provisions of paragraph 1 of Article 14 (hereinafter referred to as the "Certified Manufacturer, etc."), a Production Process Manager of agricultural and forestry products certified pursuant to the provisions of paragraph 2 of the same Article (hereinafter referred to as the "Certified Production Process Manager") or a Distribution Process Manager of agricultural and forestry products certified pursuant to the provisions of paragraph 3 of the same Article (hereinafter referred to as the "Certified Distribution Process Manager") pursuant to the provisions of paragraphs 1 to 3 of the same Article" in Article 19-2 with "carried out by a Certified Overseas Manufacturer, etc., Certified Overseas Production Process Manager or Certified Overseas Distribution Process Manager pursuant to the provisions of Article 19-3", the term "affixed by a Certified Manufacturer, etc., Certified Production Process Manager or Certified Distribution Process Manager pursuant to the

Article 57 Article 30 shall apply mutatis mutandis to the inspections in Article 14, Paragraph 4, Item [1] of the Law applied mutatis mutandis to Article 19-6, Paragraph 1 of the Law; Article 31 shall apply mutatis mutandis to the inspections in Article 14, Paragraph 4, Item [2] of the Law applied mutatis mutandis to Article 19-6, Paragraph 1 of the Law; and Article 31-2 shall apply mutatis mutandis to the inspections in Article 14, Paragraph 4, Item [3] of the Law applied mutatis mutandis to Article 19-6, Paragraph 1 of the Law.

provisions of paragraphs 1 to 3 or paragraph 5 of the same Article" in the same Article with "affixed by a Certified Overseas Manufacturer, etc., Certified Overseas Production Process Manager or Certified Overseas Distribution Process Manager pursuant to the provisions of paragraph 5 of Article 14 as applied mutatis mutandis in Article 19-2 or paragraph 1 of Article 19-6", the term "affixed by a Re-packer of agricultural and forestry products certified pursuant to the provisions of paragraph 1 of Article 15 (hereinafter referred to as the "Certified Re-packer")" in the same Article with "affixed by a Certified Overseas Re-packer pursuant to the provisions of Article 19-4", and "order" in the same Article with "demand."

(Public Announcement of Overseas Manufacturer, etc.)

Article 19-7 Upon receipt of a report pursuant to the provisions of paragraph 3 of Article 17-5 (including the cases to apply mutatis mutandis in Article 19-10), the Minister of Agriculture, Forestry and Fisheries shall publicly notify without delay the matters specified by the Ministerial Ordinance such as name or address of the Overseas Manufacturer, etc., Overseas Production Process Manager, Overseas Distribution Process Manager or Overseas Re-packer pertaining to said report.

(Proclamation of Overseas Manufacturers, etc.)

Article 58 On receiving a report pursuant to Article 47, Paragraph 1 (including cases applied mutatis mutandis in Article 66), the Minister of Agriculture, Forestry and Fisheries shall proclaim in Official Gazettes the matters described in Items [1] and [3] to [5] of the mentioned Paragraph relating to Overseas Manufacturers, etc., Overseas Production Process Managers, Overseas Distribution Process Manager or Overseas Re-packers relating to the mentioned report.

2. On receiving a report pursuant to Article 47, Paragraph 2 (including cases applied mutatis mutandis in Article 66), the Minister of Agriculture, Forestry and Fisheries shall proclaim in Official Gazettes the matters described in each item of the mentioned Paragraph relating to Overseas Manufacturers, etc., Overseas Production Process Managers, Overseas Distribution Process Manager or Overseas Re-packers relating to the mentioned report.

3. On receiving a report pursuant to Article 47, Paragraph 3 (including cases applied mutatis mutandis in Article 66), the Minister of Agriculture, Forestry and Fisheries shall proclaim in Official Gazettes the matters described in each item of the mentioned Paragraph relating to Overseas Manufacturers, etc., Overseas Production Process Managers, Overseas Distribution Process Manager or Overseas Re-packers relating to mentioned report.

4. On receiving a report pursuant to Article 47, Paragraph 4 (including cases applied mutatis mutandis in Article 66), the Minister of Agriculture, Forestry and Fisheries shall proclaim in Official Gazettes the

<p>Section 5 Registered Overseas Certifying Body</p> <p>(Accreditation of Registered Overseas Certifying Body)</p> <p>Article 19-8 A person who seeks to be accredited as a Registered Overseas Certifying Body (hereinafter in this Section referred to simply as the "Accreditation") (limited to the one who is to perform the certification set forth in Article 19-3 or Article 19-4 at offices located in an overseas country (hereinafter in this Section referred to simply as the "Certification")) shall make an application for Accreditation to the Minister of Agriculture, Forestry and Fisheries in accordance with the procedure as provided for by the Ministerial Ordinance, for each division as specified in the Ministerial Ordinance, by paying an application fee in the amount specified in Cabinet Order which shall take into consideration of the actual expenses.</p>	<p>(Fees for the Registration of Registered Overseas Certifying Bodies (hereinafter ROCBs)</p> <p>Article 6 The amount to be provided by the Government Ordinance pursuant to Article 19-8 of the Law shall be provided in the following items, depending on the types provided by the Ministerial Ordinance as referred to in the same Paragraph to the types below, in addition to an equivalent amount that would be paid under the provisions of the Law concerning the Traveling Expenses of National Public Employees (Law No. 114 of 1950; hereinafter referred to as “ the Traveling Expense Law”) as the traveling expenses of two officials who travel to the place of business related to the registration inspection referred to in the same Article for the purpose of the mentioned inspection:</p> <p>[1] Type including agricultural and forestry products for which Japanese Agricultural Standards described in Article 2, Paragraph 3, Item [1] of the Law are stipulated: 84,800 yen (in the case of an electronic application, 84,500 yen); and</p> <p>[2] Type other than those provided for in the preceding Item: 61,900 yen (in the case of an electronic application, 61,600 yen).</p> <p>2. In the case of the preceding Paragraph, the traveling expenses shall be calculated on the assumption that the officials who travel fall under Class 4 in Schedule (1)</p>	<p>matters described in each item of the mentioned Paragraph relating to Overseas Manufacturers, etc., Overseas Production Process Managers, Overseas Distribution Process Manager or Overseas Re-packers relating to the mentioned report.</p> <p>5. Proclamation of matters relating to reports pursuant to Article 47, Paragraph 5 (including cases applied mutatis mutandis in Article 66) shall be made in a manner stipulated separately by the Minister of Agriculture, Forestry and Fisheries.</p> <p>(Mutatis Mutandis Application Relating to the ROCB Registration)</p> <p>Article 59 Article 39 shall apply mutatis mutandis to the application for registration under Article 19-8 of the Law, Article 40 shall apply mutatis mutandis to the type to be provided by a Ministerial Ordinance under Article 19-8 of the Law, and Article 41 shall apply mutatis mutandis to the registration under Article 17-2, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law, respectively. In these cases, “Article 17-2, Paragraph 1, Item [2]” in Article 39, Paragraph 2, Item [5] shall be read as “Article 17-2, Paragraph 1, Item [2] of the Law as applied mutatis mutandis in Article 19-10.”</p> <p>(Details of Calculation of the Traveling Expenses Relating to the ROCB Registration)</p> <p>Article 60 The traveling expenses pursuant to Article 6, Paragraph 2 of the Enforcement for the Law Concerning Standardization, etc. of Agricultural and Forestry Products (Government Ordinance No. 291 of 1951; hereinafter referred to as “the Government Ordinance”)</p>
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(Cancellation of Accreditation, etc.)

Article 19-9 If a Registered Overseas Certifying Body falls under any of the items under Article 17 as applied mutatis mutandis in the following Article, the Minister of Agriculture, Forestry and Fisheries shall cancel its Accreditation.

2. If a Registered Overseas Certifying Body falls under any of the following items, the Minister of Agriculture, Forestry and Fisheries may cancel the Accreditation or demand that the Registered Overseas Certifying Body suspend all or part of its Certification operations for a fixed period of not more than one year:

[1] When the Registered Overseas Certifying Body violates the provisions of Article 17-5, paragraph 1 of Article 17-6, paragraph 1 of Article 17-7, paragraph 1 of Article 17-8, paragraph 1 of Article 17-9 or Article 17-13 as applied mutatis mutandis in the following Article;

[2] When the Registered Overseas Certifying Body refuses requests pursuant to the provisions of the items in paragraph 2 of Article 17-9, as applied mutatis

for the Salaries of Administrative Government Employees set forth under the provisions of Article 6, Paragraph 1, Item [1] (a) of the Law concerning the Salaries of Regular Government Services (Law No. 95 of 1950), and that the amount of sundry travel expenses and other details necessary for calculating traveling expenses shall be provided by the Ministerial Ordinance.

shall be calculated from the details concerning the following items:

[1] The location of the office from which officials travel to the site in question for inspection of registration, as pursuant to Article 2, Paragraph 1, Item [6] of the Law Concerning Traveling Expenses of National Public Employees (Law No. 114 of 1950; hereinafter referred to as “the Traveling Expense Law”), shall be 2-1, Kasumigaseki 1-chome, Chiyoda-ku, Tokyo;

[2] The preparation allowance in Article 6, Paragraph 1 of the Traveling Expense Law shall not be included in the amount of traveling expenses;

[3] The number of days on which the inspection for registration is conducted shall be calculated as 1 day;

[4] The traveling sundry expenses under Article 6, Paragraph 1 of the Traveling Expense Law shall be 10,000 yen; and

[5] When the Minister of Agriculture, Forestry and Fisheries has adjusted traveling expenses pursuant to Article 46, Paragraph 1 of the Traveling Expense Law, the amount equivalent to parts that are unpaid following the mentioned adjustment shall not be included.

mutandis in the following Article, without justifiable causes;

[3] When the Registered Overseas Certifying Body resists a demand pursuant to the provisions of Article 17-10 or Article 17-11 as applied mutatis mutandis in the following Article;

[4] When the Registered Overseas Certifying Body was accredited by wrongful means;

[5] When the Registered Overseas Certifying Body fails to submit a report or materials, or submits a false report or false materials in response to a request for a necessary report, books, documents or other materials on its Certification operations by the Minister of Agriculture, Forestry and Fisheries which is within the limits necessary to enforce this Law;

[6] When the Registered Overseas Certifying Body refuses, interferes with or evades an inspection of the conditions of the Registered Overseas Certifying Body's operations, its books, documents or other materials or fail to answer or answers a false answer to the question for representative, agent, worker or other employees of the Registered Overseas Certifying Body within the limits necessary to enforce this Law concerning the Certification ordered by the Minister of Agriculture, Forestry and Fisheries carried out by MAFF's officials or the Center, at the Registered Overseas Certifying Body's office, place of business or warehouse; or

[7] When the Registered Overseas Certifying Body fails to bear the cost pursuant to paragraph 4.

3. In addition to the cases prescribed in the preceding two paragraphs, when the Registered Overseas Certifying Body falls under any of the following items, the Minister of Agriculture, Forestry and Fisheries may cancel the relevant Accreditation.

[1] When the Registered Overseas Certifying Body, without justifiable causes, does not commence its Certification operations pertaining to said Accreditation after the passage of one year from the date of Accreditation or suspends such Certification operations

<p>continuously for more than one year; or [2] When the Registered Overseas Certifying Body resists a demand in the case where the Minister of Agriculture, Forestry and Fisheries demanded pursuant to the provisions of the preceding paragraph that the Registered Overseas Certifying Body suspend all or part of its Certification operations for a fixed period of not more than one year.</p> <p>4. The cost required for the inspection as specified in item [6] of paragraph 2 of this Article (limited to those specified in Cabinet Order) shall be borne by the Registered Overseas Certifying Body subject to said inspection.</p>	<p>(Burden of Costs Necessary for Inspections of ROCB Offices, etc.)</p> <p>Article 7 The costs to be provided by the Government Ordinance pursuant to Article 19-9, Paragraph 4 of the Law shall be the costs equivalent to the amount of traveling expenses necessary for officials of the Ministry of Agriculture, Forestry and Fisheries or the Food and Agricultural Materials Inspection Center to travel for inspection under Paragraph 2, Item [6] of the same Article to offices, places of business or warehouses related to the mentioned inspection. In this case, the traveling expenses shall be calculated on the assumption that the officials who travel are two in number, and fall under Class 4 in Schedule (1) for the Salaries of Administrative Government Employees set forth under the provisions of Article 6, Paragraph 1, Item [1] (a) of the Law concerning the Salaries of Regular Government Services, in accordance with the examples provided in the Traveling Expense Law, and that the amount of sundry travel expenses and other details necessary for calculating traveling expenses shall be provided by the Ministerial Ordinance.</p>	<p>(Details of Calculation of the Traveling Expenses Relating to Inspection at the Offices, etc., of ROCB)</p> <p>Article 61 The preceding Article shall apply mutatis mutandis to the calculation of the amount of traveling expenses pursuant to Article 7 of the Government Ordinance. In this case, “the inspection for registration” in Item [1] of the preceding Article shall be read as “inspection”, “inspection of registration” in Item [3] of the mentioned Article shall be read as “inspection”, and “1 day” in the mentioned Item shall be read as “3 days” .</p>
<p>(Application, Mutatis Mutandis)</p> <p>Article 19-10 The provisions of paragraph 2 of Article 16, Article 17 to Article 17-11, paragraphs 4 to 6 of Article 17-12 and Article 17-13 shall apply mutatis mutandis to a Registered Overseas Certifying Body. In this case, the term "the preceding paragraph"</p>	<p>(Effective Period of the ROCB Registration)</p> <p>Article 8 The period to be provided by the Government Ordinance pursuant to Article 17-3, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law shall be 4 years.</p>	<p>(Mutatis Mutandis Application Relating to the Renewal of ROCB)</p> <p>Article 62 Article 39 shall apply mutatis mutandis to the application for renewal of registration under Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law, Article 40 shall apply mutatis mutandis to the type to be provided by a Ministerial</p>

which appears in paragraph 2 of Article 16 shall be replaced with "Article 19-8", the term "each of the items of paragraph 1 of Article 17-2" in the same paragraph with "each of the items of paragraph 1 of Article 17-2 as applied mutatis mutandis in Article 19-10", the term "paragraph 1 of Article 16" which appears in paragraph 1 of Article 17-2 shall be replaced with "Article 19-8", the term "each item of paragraph 1 of Article 17-2" which appears in Article 17-10 shall be replaced with "each item of paragraph 1 of Article 17-2 as applied mutatis mutandis in Article 19-10", the term "order" in the same Article with "demand", the term "Article 17-5" which appears in Article 17-11 shall be replaced with "Article 17-5 as applied mutatis mutandis in Article 19-10", the term "order" in the same Article with "demand", the term "the preceding three paragraphs" which appears in paragraph 4 of Article 17-12 shall be replaced with "paragraphs 1 to 3 of Article 19-9", the term "one week prior to the date" in the same paragraph with "two weeks prior to the date" and the term "paragraphs 1 to 3" which appears in paragraph 6 of the same Article shall be replaced with "paragraphs 1 to 3 of Article 19-9".

(Fees for the ROCB Registration Renewal)
Article 9 The amount to be provided by the Government Ordinance pursuant to Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law shall be provided in the following items, depending on the correspondences of the types provided by the Ministerial Ordinance as referred to in the same Paragraph to the types below, in addition to an equivalent amount that would be paid under the provisions of the Traveling Expense Law as the traveling expenses of two officials who travel to the places of business related to the inspection of registration renewal referred to in Article 17-3, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law for the purpose of the mentioned inspection:

[1] Types including agricultural and forestry products for which Japanese Agricultural Standards described in Article 2, Paragraph 3, Item [1] of the Law are stipulated: 59,600 yen (in the case of an electronic application, 59,300 yen); and

[2] Types other than those provided for in the preceding Item: 44,300 yen (in the case of an electronic application, 44,000 yen).

2. The provisions of Article 6, Paragraph 2 shall apply mutatis mutandis to the calculation of the amount of traveling expenses provided in the preceding Paragraph.

Ordinance under Article 16, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law, Article 41 shall apply mutatis mutandis to the renewal of registration provided under Article 17-2, Paragraph 1 of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law, and Article 60 shall apply mutatis mutandis to the calculation of the amount of traveling expenses pursuant to Article 6, Paragraph 2 of the Government Ordinance as applied mutatis mutandis in Article 9, Paragraph 2 of the Government Ordinance, respectively. In these cases, "Article 17-2, Paragraph 1, Item [2]" in Article 39, Paragraph 2, Item [5] shall be read as "Article 17-2, Paragraph 1, Item [2] of the Law as applied mutatis mutandis in Article 17-3, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10", and "registration" in Article 60, Items [1] and [3] shall be read as "registration renewal".

(Notification of Changes in Matters Stated in Documents Attached to Application Forms for ROCB)

Article 63 Article 44 shall apply mutatis mutandis to changes in the matters stated in the documents attached to application forms for ROCBs. In this case, "Article 39, Paragraph 2, Item [2]" in the

mentioned Article shall be read as “Article 39, Paragraph 2, Item [2] as applied mutatis mutandis in Article 59” , and “or Item [6] (including cases when the provisions of these are applied mutatis mutandis in the preceding Article)” in the mentioned Article shall be read as “or Item [6], or Article 39, Paragraph 2, Item [2] (except (e), Item [5] or Item [6] as applied mutatis mutandis in Article 62” .

(Notification of Succession to Status of a ROCB)

Article 64 Article 45 shall apply mutatis mutandis to a notification pursuant to Article 17-4, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law.

(Criteria Concerning Methods of Business Related to the Certification of ROCB)

Article 65 Article 46 shall apply mutatis mutandis to the criteria to be provided by a Ministerial Ordinance under Article 17-5, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law. In this case, “Article 14, Paragraph 1 through Paragraph 3, Article 15, Paragraph 1, Article 15-2, Paragraph 1, Article 19-3” in Article 46, Paragraphs 1, Item [1] shall be read as “Article 19-3” , “and Article 19” in (d) (2) of the mentioned Item shall be read as “Article 19 and Article 19-5 of the Law, Article 14, Paragraphs 6 and 7 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 1 of the Law, and Article 19 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 3” , “Article 19-2” in (d) (3) of the mentioned Item shall be read as “Article 19-2 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 3” , “violate an order of the Minister of Agriculture, Forestry and Fisheries pursuant to Article 19-2 of the Law, fail to submit a report or materials pursuant to Article 20, Paragraph 2 of the Law or submit a false report or false materials, or refuse, impede or avoid an inspection pursuant to the mentioned Paragraph or Article 20-2, Paragraph 2 or failed to answer or answered a false answer to the question based on these provisions” in (d) (2) of the mentioned Item shall be read as “refuse a request of the Minister of Agriculture, Forestry and Fisheries pursuant to Article 19-2” , “or Article 19” in Item [3] (b) and (f) (2) of the mentioned Paragraph shall be read as “, Article 19 or Article 19-5 of the Law, Article 14, Paragraph 6 or 7 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 1 of the Law, or Article 19 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 3” , and “violated an order pursuant to Article 19-2 of the Law, failed to submit a

report or materials pursuant to Article 20, Paragraph 2 of the Law or submitted a false report or false materials, or refused, impeded or avoided an inspection pursuant to mentioned Paragraph or Article 20-2, Paragraph 2 or failed to answer or answered a false answer to the question based on these provisions” in (f) (3) of the mentioned Item shall be read as “failed to comply with a request pursuant to Article 19-2 of the Law as applied mutatis mutandis in Article 19-6, Paragraph 3” .

(Report of Certification, etc., by ROCB)

Article 66 Article 47 shall apply mutatis mutandis to reports pursuant to Article 17-5, Paragraph 3 of the Law as applied mutatis mutandis in Article 19-10 of the Law. In this case, “Paragraph 2 of the preceding Article” in Article 47, Paragraph 1 shall be read as “Article 46, Paragraph 2 as applied mutatis mutandis in Article 65”, “Paragraph 1, Item [3] (d) of the preceding Article” in Paragraph 2 of the mentioned Article shall be read as “Article 46, Paragraph 1, Item [3] (d) as applied mutatis mutandis in Article 65” , and “Paragraph 2 of the preceding Article” in Paragraph 5 of the mentioned Article shall be read as “Article 46, Paragraph 2 as applied mutatis mutandis in Article 65” .

(Notification of Change of ROCB Office)

Article 67 Article 48 shall apply mutatis mutandis to notifications pursuant to Article 17-6, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law.

(Business Operating Rules of ROCB)

Article 68 Article 49, Paragraphs 1 and 2 shall apply mutatis mutandis to notifications pursuant to Article 17-7, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law, and Article 49, Paragraph 3 shall apply mutatis mutandis to the matters to be provided by the Ministerial Ordinance under Article 17-7, Paragraph 2 of the Law as applied mutatis mutandis in Article 19-10 of the Law, respectively.

(Notification of Suspension or Discontinuation of Business of ROCB)

Article 69 Article 50 shall apply mutatis mutandis to a notification pursuant to Article 17-8, Paragraph 1 of the Law as applied mutatis mutandis in Article 19-10 of the Law.

(Methods of Indicating Matters Recorded in Electro-Magnetic Records, etc.)

Section 6 Imports of Grade Labeled Agricultural and Forestry Products, etc.

(Imports of Grade Labeled Agricultural and Forestry Products)

Article 19-11 An importer of agricultural and forestry products shall not transfer, consign for transfer or display for transfer any agricultural and forestry product on which a Grade Label or a confusingly similar label is affixed (including said agricultural and forestry product in the case where said label is affixed to its package, container or invoice; hereinafter the same shall apply in this Article) pertaining to such importation. However, this shall not apply in the following cases:

- [1] In the case where such label is affixed by a Certified Overseas Manufacturer, etc. to the agricultural and forestry product pertaining to said Certification;
- [2] In the case where such label is affixed by a Certified Overseas Production Process Manager to the agricultural and forestry product pertaining to said Certification;
- [3] In the case where such label is affixed by a Certified Overseas Distribution Process Manager to the agricultural and forestry product pertaining to said Certification;
- [4] In the case where such label is affixed by a

Article 70 Article 51, Paragraph 1 shall apply mutatis mutandis to the method to be provided by the Ministerial Ordinance under Article 17-9, Paragraph 2, Item [3] of the Law as applied mutatis mutandis in Article 19-10 of the Law, and Article 51, Paragraph 2 shall apply mutatis mutandis to the electro-magnetic method to be provided by the Ministerial Ordinance of the Ministry of Agriculture, Forestry and Fisheries under Article 17-9, Paragraph 2, Item [4] of the Law as applied mutatis mutandis in Article 19-10 of the Law, respectively.

(Book Keeping of ROCB)

Article 71 Article 52 shall apply mutatis mutandis to the entry of books pursuant to Article 17-13 of the Law as applied mutatis mutandis in Article 19-10 of the Law.

Certified Overseas Re-packer to the agricultural and forestry product pertaining to said Certification.

(Removal of Grade Label, etc.)

Article 19-12 When a cause, specified by the Ministerial Ordinance as that an agricultural and forestry product (limited to the agricultural and forestry product for which the Japanese Agricultural Standard pertaining to the standards listed in item [2] or [3] of paragraph 3 of Article 2 is enacted and which is specified by the Ministerial Ordinance) on which a Grade Label is affixed (including said agricultural and forestry product in the case where said label is affixed to its package, container or invoice) is certainly non-compliant with the relevant Japanese Agricultural Standard, is found, the producer or distributor who possesses said product shall remove or delete said label without delay.

(Agricultural and Forestry Products Subject to Removal of Grading Labels, etc.)

Article 72 The agricultural and forestry products to be provided by the Ministerial Ordinance under Article 19-12 of the Law shall be those listed in the left columns of the Table below, and the reasons to be provided by the Ministerial Ordinance under the same Article corresponding to the mentioned agricultural and forestry products shall be those described in the right hand columns of the mentioned Table.

Organic plants	<ol style="list-style-type: none"> 1. The chemicals, additives or other substances other than provided by the Minister of Agriculture, Forestry and Fisheries are used or mixed in the agricultural and forestry product 2. Mixture with the agricultural and forestry products other than described in the left column
Organic processed foods of plant origin	<ol style="list-style-type: none"> 1. The chemicals, additives or other substances other than provided by the Minister of Agriculture, Forestry and Fisheries are used or mixed in the agricultural and forestry product. 2. Mixture with the agricultural and forestry products other than described in the left column
Organic feeds	<ol style="list-style-type: none"> 1. The chemicals, additives or other substances other than provided by the Minister of Agriculture, Forestry and Fisheries are used or mixed in the agricultural and forestry product. 2. Mixture with the agricultural and forestry products other than described in the left column
Organic livestock products	<ol style="list-style-type: none"> 1. The chemicals, additives or other substances other than provided by the Minister of Agriculture, Forestry and Fisheries are used or mixed in the agricultural and forestry product. 2. Mixture with the agricultural and forestry

	products other than described in the left column
Beef with the production information	<ol style="list-style-type: none"> 1. Termination of providing the production information 2. The information provided for the mentioned beef proved to be unfounded 3. The information provided for the mentioned beef revealed to be untrue to the fact 4. Mixture with the agricultural and forestry products other than described in the left column
Pork with the production information	<ol style="list-style-type: none"> 1. Termination of providing the production information 2. The information provided for the mentioned pork proved to be unfounded 3. The information provided for the mentioned pork revealed to be untrue to the fact 4. Mixture with the agricultural and forestry products other than described in the left column
Agricultural products with the production information	<ol style="list-style-type: none"> 1. Termination of providing the production information (proportion of reducing chemically synthesized pesticide, in case of agricultural product with information for proportion of reducing fertilizer either proportion of reducing chemically synthesized pesticide or chemically synthesized fertilizer shall be provided together with production information, the same shall apply in this paragraph) 2. The information provided for the mentioned agricultural products proved to be unfounded 3. The information provided for the mentioned agricultural products revealed to be untrue to the fact 4. Mixture with the agricultural and forestry products other than described in the left column
Processed foods with the production information	<ol style="list-style-type: none"> 1. Termination of providing the production information 2. The information provided for the mentioned

Chapter V Proper Quality Labeling, etc.

(Labeling Standards to be Observed by Manufacturer, etc.)

Article 19-13 With regard to agricultural and forestry products other than foods and drinks (except those which have distinctive features in the method of production or distribution and thereby their value are found to be increased) whose quality is found to be particularly distinguished by consumers upon the purchase of them and are designated by Cabinet Order as products whose quality labeling should be appropriate to protect economic interests of consumers, the Prime Minister shall, promptly after the designation, enact a standard for quality labeling, with which the Manufacturer, etc. should comply.

2. The Prime Minister shall publicly notify the enactment of a standard for quality labeling pursuant to the provisions of the preceding three paragraphs without

	<p>processed foods proved to be unfounded</p> <p>3. The information provided for the mentioned processed foods revealed to be untrue to the fact</p> <p>4. Mixture with the agricultural and forestry products other than described in the left column</p>
Farm-raised fish with the production information	<p>1. Termination of providing the production information</p> <p>2. The information provided for the mentioned farm-raised fish proved to be unfounded.</p> <p>3. The information provided for the mentioned farm-raised fish revealed to be untrue to the fact</p> <p>4. Mixture with the agricultural and forestry products other than described in the left column</p>
Processed foods distributed under constant temperature control	<p>1. It proved that constant temperature control was not exercised over the distribution process</p> <p>2. Mixture with the agricultural and forestry products other than described in the left column</p>

delay.

3. When the Prime Minister intends to enact a standard for quality labeling pursuant to the provisions of paragraphs 1 to 3, he/she shall consult the Minister of Agriculture, Forestry and Fisheries and request the opinion of the Consumer Commission in advance.

4. When the Minister of Agriculture, Forestry and Fisheries finds that the enactment of a standard for quality labeling pursuant to the provisions of paragraphs 1 to 3 improves the production or distribution of the agricultural and forestry product to which it pertains, he/she may request that the Prime Minister establish said standard by providing him/her with a draft thereof.

5. The provisions of paragraph 2 of Article 7 and paragraphs 1, 4 and 5 of Article 13 shall apply mutatis mutandis to the cases set forth in paragraphs 1 to 3 and the provisions of paragraphs 2 to 5 of the same Article shall apply mutatis mutandis to the standard for quality labeling provided for pursuant to the provisions of paragraphs 1 to 3. In this case, the term "the Minister of Agriculture, Forestry and Fisheries" in the provisions of paragraphs 1 to 4 of the same Article shall be replaced with "the Prime Minister", the term "submit the matter to the Council to have the amendment appropriately deliberated thereof" which appears in the same paragraph shall be replaced with "so amend," and the term "the Ministerial Ordinance" which appears in paragraph 5 of the same Article shall be replaced with "Cabinet Office Ordinance."

(Compliance with Standards for Quality Labeling)

Article 19-13-2 Manufacturer, etc. shall label the quality of agricultural and forestry products other than foods and drinks in accordance with the standard for quality labeling provided for pursuant to the provisions of paragraphs 1 the preceding Article.

(Instruction as to Labeling, etc.)

Article 19-14

When a Manufacturer, etc. does not comply with the

standard for quality labeling provided for pursuant to the provisions of paragraph 3 of Article 19-13, the Prime Minister or the Minister of Agriculture, Forestry and Fisheries (the Prime Minister with regard to the labeling method specified in Cabinet Office Ordinance and the Ministerial Ordinance) may instruct such Manufacturer, etc. to comply with such standard.

2. When the Minister listed in each of the following items intends to unilaterally instruct as specified in the preceding paragraph (in the case of the Minister listed in item 1, except labeling method specified in Cabinet Office Ordinance and the Ministerial Ordinance in the same item), he/she shall notify its contents to the Minister listed in the relative item in advance.

[1] Prime Minister; Minister of Agriculture, Forestry and Fisheries

[2] Minister of Agriculture, Forestry and Fisheries; Prime Minister

3. When a Manufacturer, etc. who was instructed as provided for by the provisions of paragraph 1 does not take the measures pertaining to such instruction without justifiable causes, the Prime Minister may order such Manufacturer, etc. to take the measures pertaining to such instruction.

4. When a Manufacturer, etc. who was instructed as provided for by the provisions of paragraph 1 does not take the measures pertaining to such instruction without justifiable causes, the Minister of Agriculture, Forestry and Fisheries may request the Prime Minister to order such Manufacturer, etc. to take the measures pertaining to such instruction pursuant to the provisions of the preceding paragraph.

Article 19-14-2 When an instruction or an order is made pursuant to the provisions of the preceding Article, such instruction or order shall be publicly announced.

(Indication of Name pertaining to Specified Agricultural and Forestry Products)

Article 19-15 With regard to any agricultural and

(Agricultural and Forestry Products Requiring Proper Labeling of Name)

Article 10 The agricultural and

forestry products for which the Japanese Agricultural Standards were enacted pertaining to the standard listed in item [2] of paragraph 3 of Article 2, and are designated by Cabinet Order as the product whose name is especially necessary to be properly labeled since the name provided for in such Japanese Agricultural Standards is also being used for other agricultural and forestry products produced by a method other than that provided for by such Japanese Agricultural Standards and when left as it is, this would be extremely detrimental to the consumers' choice (hereinafter referred to as the "Specified Agricultural and Forestry Products"), no person shall indicate the name provided for by such Japanese Agricultural Standards or a confusingly similar name on any such Specified Agriculture and Forestry Product or its package, container or invoice when the Grade Label under such Japanese Agricultural Standards was not affixed to the same.

forestry products to be specified by the Government Ordinance pursuant to Article 19-15, Paragraph 1 of the Law shall be foods and beverages comply with the following criteria:

[1] Such agricultural and forest products (limited to those which conform to the standards stipulated by the Minister for Agriculture, Forestry and Fisheries) as are harvested in the fields (including those where chemically synthesized pesticides, fertilizers and soil improvement substances (except as specified by the Minister for Agriculture, Forestry and Fisheries as those the use of which is inevitable; referred to as "chemical pesticides, etc." in this paragraph) have not been used for the period beginning one year before the harvesting of the mentioned agricultural and forest products and ending at the harvest time, and also no use of chemical pesticides, etc. is expected to continue without fail after the harvesting of the mentioned agricultural and forest products) where chemical pesticides, etc. are not used for the period beginning two years (in the case of harvests from perennial plants, three years before their harvest) before seeding or planting of the seeds and seedlings used for the production of the mentioned agricultural and forest products and ending at the harvest time of the mentioned agricultural and forest products; and

[2] Foods and beverages (limited to those which conform to the standards stipulated by the Minister for Agriculture, Forestry and Fisheries) as are manufactured or processed with the agricultural and forest products described in

2. No person shall affix the label of the name provided for by the Japanese Agricultural Standards pertaining to the Specified Agricultural and Forestry Products or a confusingly similar label to any agricultural and forestry products other than the Specified Agricultural and Forestry Products.

3. No importer of agricultural and forestry products shall sell, consign for sale or display for sale his/her imported agricultural and forestry product to which the Grade Label under the Japanese Agricultural Standards pertaining to the Specified Agricultural and Forestry Products was not affixed to such agricultural and forestry product, its package, container or invoice and the indication of name under such Japanese Agricultural Standards or a confusing similar name was labeled (including such agricultural and forestry product when such label was affixed to its package, container or invoice).

(Order to Remove Indication of Name, etc.)

Article 19-16 The Minister of Agriculture, Forestry and Fisheries may order a person who violated the provisions of the preceding Article to remove or delete the indication of name pertaining to the Specified Agricultural and Forestry Product provided by the Japanese Agricultural Standard or a confusingly similar indication, or prohibit him/her from selling, consigning for sale or displaying for sale of the Specified Agricultural and Forestry Products.

Chapter VI Miscellaneous Provisions

(On-Site Inspections, etc.)

Article 20 The Minister of Agriculture, Forestry and Fisheries may, within the limit necessary to enforce this Law, have the Registered Certifying Body or its operationally related operators submit necessary reports, books, documents or other materials on its Certification

the preceding item as raw materials or ingredients.

operations, or have his/her officials enter their office, place of business, warehouse or other locations and inspect the conditions of the operations or books, documents and other materials concerning the Certification or ask its employee or other related people questions.

2. The Minister of Agriculture, Forestry and Fisheries may, within the limit necessary to enforce this Law, have the Certified Manufacturer, etc., Certified Production Process Manager, Certified Distribution Process Manager, Certified Re-packer, Certified Importer or a producer, distributor or importer of Specified Agricultural and Forestry Products or their operationally related operators submit necessary reports, books, documents or other materials on grading (including the Grade Label; hereinafter the same shall apply in this paragraph and paragraph 2 of the next Article) or the indication of name pertaining to the Specified Agricultural and Forestry Products, or have his/her officials enter its factory, field, shop, office, place of business, warehouse or other locations and inspect the conditions of the grading or the indication of name pertaining to the Specified Agricultural and Forestry Products, or the agricultural and forestry products, their ingredients, its books, documents and other materials or ask its employee or other related people questions.

3. The Prime Minister or the Minister of Agriculture, Forestry and Fisheries (the Prime Minister for matters pertaining to the method of labeling pursuant to the provisions of paragraph 1 of Article 19-14 of Cabinet Office Ordinance and the Ministerial Ordinance) may, within the limit necessary to enforce this Law, have the Manufacturer, etc. or its operationally related operators of the agricultural and forestry products which are subject to the standards for quality labeling pursuant to the provisions of paragraph 1 Article 19-13 submit necessary reports, books, documents or other materials on the quality labeling, or have his/her officials enter the Manufacturer, etc.'s factory, field, shop, office, place of business, warehouse or other locations and inspect the

quality labeling conditions, the agricultural and forestry products and their ingredients, its books, documents and other materials or ask its employee or other related people questions.

4. Officials who conduct on-site inspections or ask questions pursuant to the provisions of the preceding three paragraphs shall possess cards identifying them as inspectors and present the same to the people concerned.

5. The authority to conduct on-site inspections or to ask questions pursuant to the provisions of paragraphs 1 to 3 shall not be construed as permission to pursue criminal investigations.

6. When the Minister listed in each of the following items unilaterally exercises authority pursuant to the provisions of paragraph 3, he/she shall promptly notify the Minister listed in the respective item of the result.

[1] Prime Minister; Minister of Agriculture, Forestry and Fisheries

[2] Minister of Agriculture, Forestry and Fisheries; Prime Minister

(On-Site Inspection by the Center, etc.)

Article 20-2 The Minister of Agriculture, Forestry and Fisheries may, when deeming it necessary in the case prescribed in paragraph 1 of the preceding Article, have the Center enter the Registered Certifying Body's or its operationally related operator's office, place of business, warehouse or other locations and inspect the conditions of its operations or books, documents and other materials concerning the Certification or ask its employee or other related people questions.

2. The Minister of Agriculture, Forestry and Fisheries may, when deeming it necessary in the case prescribed in paragraph 2 of the preceding Article, have the Center enter the factory, field, shop, office, place of business, warehouse or other locations of those provided for in the same paragraph and inspect the conditions of the grading or the indication of name pertaining to the Specified Agricultural and Forestry Products, or the agricultural

(Certification indicating Identity of Staffers Performing On-Site Inspections and Asking Questions Pursuant to Article 20, Paragraph 1 through Paragraph 3 of the Law)

Article 73 The certification in Article 20, Paragraph 4 of the Law shall be made in accordance with Attached Form No. 12.

and forestry products, their ingredients, its books, documents and other materials or ask its employee or other related people questions.

3. The Minister of Agriculture, Forestry and Fisheries may, when deeming it necessary in the case where it is possible to have his/her officials conduct an on-site inspection or ask questions pursuant to the provisions of paragraph 3 of the preceding Article, have the Center enter the factory, field, shop, office, place of business, warehouse or other locations of those provided for in the same paragraph and inspect the conditions of the quality labeling or the agricultural and forestry products, their ingredients, its books, documents and other materials or ask its employee or other related people questions.

4. In the case where the Minister of Agriculture, Forestry and Fisheries is to have the Center conduct an on-site inspection or ask questions pursuant to the provisions of the preceding three paragraphs, he/she shall provide the Center with the date, location and other necessary information of the on-site inspection or question and give it an instruction that the inspection should be conducted.

5. When the Center conducted an on-site inspection or asked questions specified in paragraphs 1 to 3 in accordance with the instruction mentioned in the preceding paragraph, it shall report the result thereof to the Minister of Agriculture, Forestry and Fisheries as provided for by the Ministerial Ordinance.

(Reports on the Results of the On-Site Inspections and Questions Carried Out by the Center)

Article 74 Reports pursuant to Article 20-2, Paragraph 5 of the Law shall be made without delay by providing documents stating the following matters:

[1] The names and addresses of RCBs conducting the on-site inspections or asking questions, Certified Manufacturers, etc. (referring to Certified Manufacturers, etc. in Article 19-2 of the Law), Certified Production Process Managers (referring to Certified Production Process Managers in the mentioned Article), Certified Distribution Process Managers (referring to Certified Distribution Process Managers in the mentioned Article), Certified Re-packers (referring to Certified Re-packers in the mentioned Article), Certified Importers (referring to Certified Importers in the mentioned Article), manufacturers of agricultural and forestry products for which criteria pertaining to standards for labeling related to quality are established pursuant to Article 19-13, Paragraph 1 of the Law, or, producers, distributors or importers of Specified Agricultural and Forestry Products.

[2] Date when the on-site inspection or the question has been carried out;

6. When the Minister of Agriculture, Forestry and Fisheries received the report pursuant to the provisions of the preceding paragraph on the on-site inspection or questions pursuant to the provisions of paragraph 3, he/she shall promptly notify the Prime Minister of the contents thereof.

7. The provisions of paragraphs 4 and 5 of the preceding Article shall apply mutatis mutandis to the on-site inspection or questions pursuant to the provisions of paragraphs 1 to 3.

(Order to the Center)

Article 20-3 When the Minister of Agriculture, Forestry and Fisheries deems it necessary to ensure the appropriate conduct of the business of the on-site inspection or questions pursuant to the provisions of paragraphs 1 to 3 of the preceding Article, he/she may make a necessary order to the Center with regard to such business.

(Report to the Minister of Agriculture, Forestry and Fisheries)

Article 21 In the case listed in the following, any person may report the Minister of Agriculture, Forestry and Fisheries such case and request to take appropriate measures, in accordance with the procedures as prescribed in the Ministerial Ordinance:

[1] When such person finds that the agricultural and forestry product to which the Grade Label was affixed is not conforming to the Japanese Agricultural Standards; or

[2] When such person finds that interest of consumers is harmed owing to inappropriate labeling of the name pertaining to the Specified Agricultural and Forestry

[3] Place where the on-site inspection or the question has been carried out;

[4] Type of agricultural and forestry products relevant to the on-site inspection or the question;

[5] Result of the on-site inspection or the question; and

[6] Other matters for reference.

(Certification indicating the Identity of Staffers Performing On-Site Inspections or Asking Questions Pursuant to Article 20-2, Paragraph 1 through Paragraph 3 of the Law)

Article 75 The certification in Article 20, Paragraph 4 of the Law as applied mutatis mutandis in Article 20-2, Paragraph 7 of the Law shall be made in accordance with Attached Form No. 13.

(Procedure for Requests to the Minister of Agriculture, Forestry and Fisheries)

Article 76 Requests pursuant to Article 21, Paragraph 1 of the Law shall be made by means of a document with the following matters in triplicate:

[1] Name and address of the person who makes a request;

[2] Type of agricultural and forestry products relating to the request;

[3] Reasons of the request;

[4] Name and address of the Manufacturer, etc., Production Process Manager, Distribution Process Manager or Re-packer of the agricultural and forestry product relating to the request; and

[5] Location of the agricultural and forestry product relating to the request at the time of the request, and the name of its owner.

Product.

2. Upon the acceptance of the report prescribed in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall conduct necessary investigation and when he/she finds that the contents of such report are true, take measures prescribed in Article 19-2 (including the cases where the same applies mutatis mutandis in paragraph 3 of Article 19-6), Articles 19-15 and Article 19-16 and other appropriate measures.

(Report to the Prime Minister or the Minister of Agriculture, Forestry and Fisheries)

Article 21-2 When any person finds that interest of consumers is harmed owing to inappropriate quality labeling of agricultural and forestry products other than foods and drinks, he/she may report the same and request the Prime Minister or the Minister of Agriculture, Forestry and Fisheries to take appropriate measures (the Prime Minister in the case where inappropriate quality labeling of such agricultural and forestry product pertaining only to the method of labeling pursuant to the provisions of paragraph 1 of Article 19-14 of Cabinet Office Ordinance and the Ministerial Ordinance, the same shall apply in the next paragraph), in accordance with the procedures as prescribed in Cabinet Office Ordinance and the Ministerial Ordinance.

2. Upon the acceptance of the report prescribed in the preceding paragraph, the Prime Minister or the Minister of Agriculture, Forestry and Fisheries shall conduct necessary investigation and when he/she finds that the contents of such report are true, take measures prescribed in Article 19-13 and Articles 19-14 and other appropriate measures.

(Provision of Materials, etc. to the Prime Minister)

Article 21-3 When the Prime Minister deems it necessary for proper quality labeling of agricultural and forestry products other than foods and drinks, he/she may request the Minister of Agriculture, Forestry and Fisheries to provide materials, explanation and other

necessary cooperation.

(Application of the Food Sanitation Act, etc.)

Article 22 The provisions of this Law shall not be construed as excluding the application of the Food Sanitation Act (Law No. 233 of 1947) or the Act against Unjustifiable Premiums and Misleading Representations (Law No. 134 of 1962).

(Delegation of Authority, etc.)

Article 23 The Prime Minister shall delegate the authority pursuant to the provisions of this Law (except those specified in Cabinet Order) to the Minister of Consumer Affairs.

2. The part of affairs vested in the authority of the Minister of Agriculture, Forestry and Fisheries provided for in this Law and the same delegated to the Minister of Consumer Affairs pursuant to the provisions of the preceding paragraph may be delegated by a prefectural governor as prescribed by the stipulations of Cabinet Order.

(Authority not relegated to the Minister of the Consumer Affairs Agency)

Article 11 The authority provided by the Government Ordinance determined under Article 23, Paragraph 1 of the Law shall be the authority stipulated pursuant to Article 19-13, Paragraph 1, Paragraph 3 and Paragraph 4, as well as Article 21-3 of the Law.

(Services to be Dealt with by Prefectures)

Article 12 Of the authority of the Minister of Agriculture, Forestry and Fisheries stipulated under the Law and the matters belonging to the authority delegated to the Minister of the Consumer Affairs Agency stipulated pursuant to Article 23, Paragraph 1 of the Law, the matters listed in the each of the following numbered items shall be dealt with by the governor of the prefecture determined in each of the mentioned numbered items. Notwithstanding, pertaining to the matters mentioned in Item [3] through Item [6] (for the matters mentioned in Item [3] through Item [5], limited to cases recognized as necessary for enforcement of the stipulations in Article 19-14 of the Law), this shall not preclude direct handling of the matters by the Minister of the Consumer Affairs Agency or the Minister of Agriculture, Forestry and Fisheries.

[1] Matters pertaining to indications

stipulated pursuant to Article 19-14, Paragraph 1 of the Law and announcements in accordance with the stipulations in Article 19-14-2 of the Law related to the mentioned indications (in all cases, limited to those pertaining to Manufacturers, etc. (referring to the Manufacturers, etc. stipulated pursuant to Article 14, Paragraph 1 of the Law; hereinafter the same within this Paragraph) whose principal offices, places of business, factories and stores are solely located within the limits of a single prefecture (hereinafter referred to within this Article as “Specified Manufacturers, etc.”)). The governor of the mentioned prefecture.

[2] Matters pertaining to orders stipulated pursuant to Article 19-14, Paragraph 3 of the Law related to indications by the prefectural governor determined in the preceding numbered item stipulated pursuant to Article 19-14, Paragraph 1 of the Law, as well as announcements in accordance with the stipulations of Article-19-14-2 of the Law related to the mentioned orders (in all cases, limited to matters pertaining to Specified Manufacturers, etc.). The governor of the mentioned prefecture.

[3] Matters pertaining to collection of reports and request for materials submission targeting Manufacturers, etc. stipulated pursuant to Article 20, Paragraph 3 of the Law. The prefectural governor holding jurisdiction over the locations of the principal offices of the mentioned Manufacturers, etc.

[4] Matters pertaining to collection of reports and request for materials submission targeting Manufacturers’, etc. operationally

related operators stipulated pursuant to Article 20, Paragraph 3 of the Law. The prefectural governor holding jurisdiction over the locations of the principal offices of the mentioned Manufacturers, etc.

[5] Matters pertaining to on-site inspections or questions concerning Manufacturers, etc. or its operationally related operators stipulated pursuant to Article 20, Paragraph 3 of the Law. The prefectural governor holding jurisdiction over locations related to mentioned on-site inspections or questions.

[6] Matters pertaining to the reception of requests stipulated pursuant to Article 21-2, Paragraph 1 of the Law, as well as inquiries pursuant to Article 21-2, Paragraph 2 of the Law . The prefectural governor holding jurisdiction over the locations of the principal offices of the mentioned Manufacturers, etc targeted by requests..

2. In cases pertaining to the text of the preceding Paragraph, stipulations pertaining to the Prime Minister or the Minister of Agriculture, Forestry and Fisheries concerning matters pursuant to the main text of the same Paragraph within the Law (excluding stipulations pursuant to Article 19-14, Paragraph 2 and Paragraph 4, as well as Article 20, Paragraph 6 of the Law) shall be applied to prefectural governors as stipulations pertaining to prefectural governors.

3. When a prefectural governor has carried out the matters mentioned in Paragraph 1, Item [1] stipulated pursuant to the main text of Paragraph 1, the contents of those actions shall be reported to the Minister of the Consumer Affairs Agency and the Minister of Agriculture, Forestry and Fisheries, as provided by the Cabinet Office

Ordinance and the Ministerial Ordinance.

4. When a prefectural governor has carried out the matters mentioned in Paragraph 1, Item [2] stipulated pursuant to the main text of Paragraph 1, the contents of those actions shall be reported to the Minister of the Consumer Affairs Agency as provided by the Cabinet Office Ordinance.

5. When a prefectural governor has carried out the matters mentioned in Paragraph 1, Item [3] through Item [5] stipulated pursuant to the main text of Paragraph 1 (limited to matters pertaining to Manufacturers other than Specified Manufacturers, etc. and its operationally related operators), the results of those actions shall be reported to the Minister of the Consumer Affairs Agency and the Minister of Agriculture, Forestry and Fisheries as provided by the Cabinet Office Ordinance and the Ministerial Ordinance.

6. Upon supposition by Minister of the Consumer Affairs Agency or the Minister of Agriculture, Forestry and Fisheries that the collection of reports or request for materials submission or the results of the conducting of on-site inspections or asking questions pertaining to Specified Manufacturers, etc. or its operationally related operators stipulated pursuant to Article 20, Paragraph 3 of the Law reveal violations by the mentioned Specified Manufacturers, etc. of the stipulations of Article 19-13-2 of the Law, or, failure to adopt measures pertaining to indications stipulated pursuant to Article 19-14, Paragraph 1 of the Law without justifiable reasons (limited to matters pertaining to indications by prefectural governors as determined in Paragraph 1, Item [1] stipulated pursuant to the main text of

3. The authority of the Minister of Agriculture, Forestry and Fisheries provided for in this Law may be delegated in part by a chief of local administrative offices as prescribed by the stipulations of the Ministerial Ordinance.

Paragraph 1), notification to that effect shall be made to the mentioned prefectural governor.

7. When the conducting of investigations by the Minister of the Consumer Affairs Agency or the Minister of Agriculture, Forestry and Fisheries stipulated pursuant to Article 21-2, Paragraph 2 results in supposition of the need for a prefectural governor to adopt measures stipulated in the mentioned Paragraph, notification of those effects shall be made to the mentioned prefectural governor.

8. Upon the conducting of investigations by a prefectural governor stipulated pursuant to Article 21-2, Paragraph 2 from among the matters listed in Paragraph 1, Item [6] stipulated pursuant to the main text of Paragraph 1, the results of those actions shall be reported to the Minister of the Consumer Affairs Agency and the Minister of Agriculture, Forestry and Fisheries as provided by the Cabinet Office Ordinance and the Ministerial Ordinance.

9. In cases noted in exceptional clause of Paragraph 1, when the Minister of the Consumer Affairs Agency, the Minister of Agriculture, Forestry and Fisheries or a prefectural governor carry out matters mentioned in Item [3] through Item [6] of the same Paragraph, those actions shall be implemented through mutually close collaboration.

(Delegation of Authority)

Article 77 Of the authority of the Minister of Agriculture, Forestry and Fisheries stipulated pursuant to the Law, those listed in the each of the following numbered items shall be delegated to the Director-General of the Regional Agricultural Administration Office listed in each of the mentioned numbered items. Notwithstanding, this shall not preclude direct exercise his/her authority by the Minister of Agriculture,

Forestry and Fisheries.

[1] Indications stipulated pursuant to Article 19-14, Paragraph 1 of the Law, as well as public announcements stipulated pursuant to Article 19-14-2 of the Law relating to the mentioned indications (limited to Manufacturers, etc.(referring to the Manufacturers, etc. stipulated pursuant to Article 14, Paragraph 1 of the Law; hereinafter the same within this Article) for which all of the principal offices, places of business, factories and shops are located solely within the area of jurisdiction of a single Regional Agricultural Administration Office (except matters which shall be dealt with by the governor of the prefecture stipulated pursuant to the main text of in Article 12, Paragraph 1 of the Government Ordinance)). The Chief of the mentioned Regional Agricultural Administration Office.

[2] Collection of reports from RCBs and request of submission of materials against RCBs stipulated pursuant to Article 20, Paragraph 1 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned RCBs.

[3] Collection of reports from RCB's operationally related operators and request of submission of materials against them stipulated pursuant to Article 20, Paragraph 1 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned operators.

[4] On-site inspections and questions pertaining to the RCBs or its operationally related operators stipulated pursuant to Article 20, Paragraph 1 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of mentioned on-site inspections or questions.

[5] Collection of reports from Certified Manufacturers, etc., Certified Production Process Managers, Certified Distribution Process Managers, Certified Re-Packers and Certified Importers, as well as producers, distributors and importers of Specified Agricultural and Forestry Products and request of submission of materials against them stipulated pursuant to Article 20, Paragraph 2 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned Certified Manufacturers, etc., Certified Production Process Managers, Certified Distribution Process Managers, Certified Re-Packers and Certified Importers, as well as producers, distributors and importers of Specified Agricultural and Forestry Products.

- [6] Collection of reports from Certified Manufacturers, etc., Certified Production Process Managers, Certified Distribution Process Managers, Certified Re-Packers and Certified Importers as well as producers, distributors and importers of Specified Agricultural and Forestry Products or its operationally related operators and request of submission of materials against them stipulated pursuant to Article 20, Paragraph 2 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned operators.
- [7] On-site inspections pertaining to Certified Manufacturers, etc., Certified Production Process Managers, Certified Distribution Process Managers, Certified Re-Packers and Certified Importers, as well as producers, distributors and importers of Specified Agricultural and Forestry Products or its operationally related operators stipulated pursuant to Article 20, Paragraph 2 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of mentioned on-site inspections or questions.
- [8] Collection of reports from Manufacturers, etc. request of submission of materials against them stipulated pursuant to Article 20, Paragraph 3 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned Manufacturers, etc.
- [9] Collection of reports from the Manufacturers' , etc. operationally related operators request of submission of materials against them stipulated pursuant to Article 20, Paragraph 3 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned operators.
- [10] On-site inspections or questions of Manufacturers, etc. or its operationally related operators stipulated pursuant to Article 20, Paragraph 3 of the Law. The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of mentioned on-site inspections or questions.
- [11] Acceptance of requests stipulated pursuant to Article 21-2, Paragraph 1 of the Law and inspections stipulated pursuant to Paragraph 2 of the mentioned Article . The Director-General of the Regional Agricultural Administration Office with jurisdiction over the locations of the principal offices of the mentioned Manufacturers, etc. targeted by requests.

Chapter VII Penal Provisions

Article 24 Any person who falls under any of the following items shall be punished with a penal servitude not exceeding one year or a fine not exceeding 1,000,000 yen:

- [1] A person who violates the provisions of Article 12;
- [2] A person who violates the provisions of paragraph 6 or 7 of Article 14;
- [3] A person who violates the provisions of Article 18;
- [4] A person who violates the provisions of Article 19;
- [5] A Certified Overseas Manufacturer, etc., Certified Overseas Production Process Manager or Certified Overseas Distribution Process Manager who violates the provisions of paragraph 6 or 7 of Article 14 as applied mutatis mutandis in paragraph 1 of Article 19-6 in Japan;
- [6] A person who violates the provisions of Article 19-11;
- [7] A person who violates the provisions of Article 19-12; or
- [8] A person who violates an order pursuant to the provisions of paragraph 3 of Article 19-14.

Article 25 In a case where an order pursuant to the provisions of paragraph 2 of Article 17-12 is violated, the representative, agent, worker or other employees of the Registered Certifying Body which has committed said violation shall be punished with a penal servitude not exceeding one year or a fine not exceeding 1,000,000

(Grading Result Reports)

Article 78 RCBs or ROCBs shall compile the results of grading or of grading labels related to the certification by these organizations according to each type of agricultural and forestry product of Manufacturers, etc., Production Process Managers, Distribution Process Managers, Re-Packers, Overseas Manufacturers, etc., Overseas Production Process Managers, Overseas Distribution Process Managers and Overseas Re-Packers for the preceding fiscal year, and report upon those results to the Minister of Agriculture, Forestry and Fisheries by no later than the final day of September each year.

yen.

Article 26 Any person who divulges any secret which came to his/her knowledge concerning the duty or used the same for his/her own benefit, contravening the provisions of Article 17-14, shall be punished with a penal servitude not exceeding one year or a fine not exceeding 500,000 yen.

Article 27 Any person who falls under any of the following items shall be punished with a fine not exceeding 500,000 yen:

- [1] A person who violates the provisions of paragraph 1 of Article 17-15;
- [2] A person who violates the order to remove or delete the Grade Label pursuant to the provisions of Article 19-2;
- [3] A person who violates the disposition pursuant to the provisions of Article 19-16; or
- [4] A person who fails to submit report or materials, or submits a false report or false materials pursuant to the provisions of paragraph 1 or 3 of Article 20, or refuses, interferes with or evades such inspection pursuant to the provisions of paragraph 1 or 3 of the same Article or paragraph 1 or 3 of Article 20-2 or fail to answer or answers a false answer to the question based on these provisions.

Article 28 In the case of any violation listed in the following items, the representative, agent, worker or other employees of the Registered Certifying Body which has committed said violation shall be punished with a fine not exceeding 500,000 yen.

- [1] When the Registered Certifying Body fails to report or makes a false report pursuant to the provisions of paragraph 3 of Article 17-5;
- [2] When the Registered Certifying Body fails to notify or makes a false notification pursuant to the provisions of paragraph 1 of Article 17-8;
- [3] When the Registered Certifying Body fails to make

entries in the books, makes false entries or fails to preserve the books pursuant to the provisions of Article 17-13;

[4] When the Registered Certifying Body violates the provisions of paragraph 2 of Article 17-15; or

Article 29 When the representative or custodian of a juridical person (including an association or foundation without juridical personality which has a rule for a representative or custodian; hereinafter the same shall apply in this paragraph) or the agent, worker or other employees of a juridical person or an individual, with regard to the business of said juridical person or individual, has committed a violation of the provisions listed in the following items, not only the offender shall be punished, but also said juridical person shall be punished with a fine pursuant to the provisions listed in the following items and said individual shall be punished with a fine in accordance with said Articles.

[1] Provision of Article 24 (limited to those pertaining to item [8]); A fine not exceeding 100,000,000 yen;

[2] Provisions of Article 24 (except those pertaining to item [8]), Article 25 or the preceding two Articles; A fine pursuant to the respective Articles.

2. In the case where the provisions of the preceding paragraph is applied to an association or foundation without juridical personality, its representative or custodian shall represent such association or foundation in a procedural act, and the provisions of the Act concerning criminal procedure shall apply mutatis mutandis in cases where a juridical person is accused or suspected.

Article 30 In the case where the order prescribed in Article 20-3 was violated, the officer of the Center, who has committed said violation, shall be punished with a non-penal fine not exceeding 200,000 yen.

Article 31 Any person who falls under any of the

following items shall be punished with a non-penal fine not exceeding 200,000 yen.

[1] A person who fails to submit a notification or submits a false notification pursuant to the provisions of paragraph 2 of Article 17-4;

[2] A person who fails to prepare Financial Statements, etc., fails to record necessary items or makes mendacious records in Financial Statements, etc. contravening the provisions of paragraph 1 of Article 17-9 or a person who refuses the request prescribed in paragraph 2 of the same Article without a justifiable cause.

Supplementary Provisions [Extract]

(1) This Law shall come into force on the day on which 30 days have elapsed from the date of promulgation.

(3) The Act on Inspection of Specified Agricultural and Forestry Products (Law No. 210 of 1948) shall be abolished.