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Japan

Food and Agricultural Import Regulations and Standards

JAS Law System to be Revised in 2005

2005

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Report Highlights:

JAS (Japanese Agricultural Standards) Law is on the verge of going through a major revision and Registered Foreign Certification Organizations (RFCOs) will be affected.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Tokyo [JA1]
[JA]

In line with the current administration's reform policy calling for a smaller government, Japanese Agricultural Standards (JAS) Law is on the verge of going through a major revision. JAS Law governs Japan's national standards for agricultural, forestry and fishery products and includes the JAS certification and JAS-mark labeling programs.

According to MAFF (Ministry of Agriculture, Forestry & Fisheries), a new bill governing this change will most likely be adopted by June 2005. The bill is intended to reduce the central government's involvement in the administration of JAS program by transferring its monitoring and management authority from the MAFF Minister to certified and pre-accredited Registered Certification Organizations in Japan (RCO) and Registered Foreign Certification Organizations overseas (RFCO). This should streamline some of the administrative and procedural requirements imposed by MAFF on RCO/RFCOs. To this end, JAS Law will be revised to incorporate ISO/IEC-65 guide criteria as the basis for the new law. The function of monitoring industry compliance with JAS product quality standards and labeling requirements, traditionally assumed by MAFF, will be performed by MAFF-authorized RCO/RFCOs and the Ministry will take action against legal violations as needed.

The following is a summary of key information regarding these upcoming revisions:

1) New JAS Standards:

Whereas existing JAS law deals only with generic product quality and production methods, the new JAS standard will be able to deal with more sophisticated products and technologies.

2) Registered & Foreign Certification Organization Program (RCO/ RFCO):

- Certification function to be performed by only private sector institutions. (MAFF Minister's certification program to be abolished.)
- Qualification criteria for RCO/RFCOs, based on ISO/IEC-65 guide, will be written into the JAS law. (Stipulated currently by ministry orders, separately.)
- "Country Equivalency" and its associated requirements to qualify foreign organizations for RFCOs to be abolished. (These requirements are currently a prerequisite.)
- Certification fees charged by RCO/RFCOs to their clients to be simply reported to MAFF. (Prior MAFF approval and registration are currently required.)

3) Registered Grading Organization (RGO) Program:

-RGO program to be abolished entirely. (MAFF-authorized JAS product manufacturers to confine activities strictly to the function of JAS-mark labeling.)

4) Scope of JAS-mark Labeling Privileges:

-Distributors, importers and sales agents, if capable of managing the production process for the products will be able to qualify as JAS-marked RCO/RFCOs. (This privilege is currently available only to manufacturers.)

5) Center for Food Quality, Labeling and Consumer Services:

-This agency, formerly a division of MAFF but now an independent administrative agency funded by the government, will be empowered to conduct research and investigations of intelligence submitted by RCO/RFCOs, including but not limited to an investigation of suspected cases of legal violation or criminal offense under the new JAS Law. (This organization's current function is part of the Registered Grading Organization to be abolished.)

Important Dates:**Sept. 1, 2005:**

Starting on this date, new applications for RCO/RFCO certification under the new JAS Law will be accepted by MAFF. Approximately 3 months required for internal review and response.

Feb. 28, 2006:

Last day that existing RCO/RFCOs can operate under the old JAS Law.

March 1, 2006:

New JAS law implemented. Former RCO's/RFCO's may no longer operate unless re-approved under the new law. (Manufacturers certified by existing RFCOs before this date, however, will be allowed to do business under the old JAS Law until March 1, 2009.)

Mar. 1, 2009:

Last day for JAS-product manufacturers to operate if certified only by older RCO/RFCO as well as last day of operation of Registered Grading Organizations.

Registration Fee:

Registration fee of 150,000 Japanese Yen (Approx. \$1,500) to be collected for the initial registration by the Center for Food Quality, Labeling and Consumer Services. No registration fee will be required for future renewals.

Resource Reference:

Useful websites for generic information on the current status of JAS Program administered by MAFF

(In Japanese) <http://www.maff.go.jp/soshiki/syokuhin/heyajasindex.htm>

(In English) http://www.maff.go.jp/soshiki/syokuhin/hinshitu/e_label/index.htm

End of Report