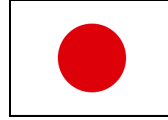


4.11 Japan



4.11.1 Law Concerning the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (Law No. 97 of 2003) (2004)

The Law includes all use, import and export of LMOs including GM food. It aims to secure precise and smooth implementation of The Protocol by taking measures to regulate the use of LMOs for the conservation and sustainable use of biological diversity in cooperation with other nations.

Under the Law, two types of applications can be submitted to the competent minister by applicants based on Type of the LMO:

- (a) Type 1 LMO – (the Use of LMOs without preventive measures against their dispersal into environment)
- (b) Type 2 LMO – (the use of LMOs while taking preventive measures against their dispersal into environment)

This implies that approval is granted for LMOs based on whether,

- (a) Containment measures to be taken are stipulated by the ordinance of the competent ministries
- (b) Containment measures to be taken are not stipulated; take containment measures previously confirmed by the competent ministry.

Other related regulations

4.11.2 Food Sanitation Law in Japan (Law No 233) (1947, last amended in 2005)

The Law deals with the approval of GM plants that are used for food and food safety which is done through a channel of ministries and finally the food safety commission reviews the food safety of the GM products. The food safety commission conducts the scientific review and provides risk assessment conclusions. Similar approvals are also required for GM products that are used as feed based on the review conducted by an Experts Panel on Recombinant DNA Organisms. The feed safety on livestock animals is also evaluated and food safety commission also reviews the possible human health effects from consumption of livestock products from animals fed with GM event under review. Based on all the reviews approval for the feed safety of GM plants is granted.

4.11.3 Labeling Standard for Genetically Modified Foods (Notification No. 517) (2000)

This standard is applicable to processed foods and to perishable foods including both GM and non-GM. The various commodities requiring labeling and the format in which labeling has to be done has been

categorized based on whether the agricultural product has been treated under a "identity preserved handling" system or not. The agricultural products with known commercial cultivation of transgenics require compulsory labeling (soybean including green soybeans and soybean sprouts, corn, potato, rapeseed and cotton seed). The lists of products from these crops mandated for labeling are also given. This standard also details the products not requiring any labeling.

Source:

1. *Standards for the Safety Assessment of Genetically Modified Foods (Seed Plants)*. (Available on http://www.fsc.go.jp/senmon/idensi/gm_kijun_english.pdf; accessed on 11 February 2008)
2. <http://www.bch.biodic.go.jp/english/law.html>; accessed on 3 October 2007)
3. *Regulations related to the Enforcement of the Law concerning the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (Tentative Translation)*. (Available on http://www.bch.biodic.go.jp/download/en_law/en_regulation.doc; accessed on 11 February, 2008)
4. *The Establishment of the Food Safety and Consumer Affairs Bureau: Delivering Food Safety ~The New Role of the Ministry of Agriculture, Forestry and Fisheries: Towards Creating New Industries and Public Confidence Sorimachi Speaks 'THE SHAPE OF JAPAN IN THE 21st CENTURY' SERIES, No. 29*. (Available on http://www.lec-jp.com/speaks/info_029.html; accessed on 16 October 2007)
5. *The Food Sanitation Law in Japan*. (Available on <http://www.jetro.go.jp/en/market/regulations/pdf/food-e.pdf>; accessed on 16 October 2007)
6. *USDA Foreign Agricultural Service, GAIN Report JA7040 Japan Biotechnology Annual Report 2007*. (Available on <http://www.fas.usda.gov/gainfiles/200707/146291858.doc>; accessed on 18 October 2007)
7. *Labelling Standard for Genetically Modified Foods (Notification No. 517 of the Ministry of Agriculture, Forestry and Fisheries of March 31, 2000) (UNOFFICIAL TRANSLATION)*. (Available on http://www.maff.go.jp/soshiki/syokuhin/hinshitu/organic/eng_yuki_gmo.pdf; accessed on 16 October 2007)
8. *Ryoko Sakuramata, Ministry of the Environment Japan, Tokyo*. e-mail bch@env.go.jp, (Personal Communication)