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Food and Agricultural Import Regulations and

Standards

Food Safety Basic Law and Food Safety Commission

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Report Highlights:

In December 2002, the Government of Japan presented draft frameworks for the revised Food Safety Basic Law and an outline of the proposed Food Safety Commission. Based on the new law, the commission shall perform risk assessment and communication, while the existing ministries shall be responsible for risk management. Although the FSC is expected to be a scientifically objective risk assessment organization, the framework draft also mandates that the Commission take into consideration consumers' attitudes and activities.

Food Safety Basic Law and Food Safety Commission Draft Law Released

Provide below is an explanation of the newly released draft law as well as an informal translation of a news article on the announcement.

Draft Law

In December 2002, the Cabinet Office announced a first draft of the Food Safety Basic Law and the framework of the Food Safety Commission. The GOJ aims to establish the law and the Commission within the next fiscal year (starting April 2003). Under the Food Safety Basic Law, the Food Safety Commission (FSC) shall perform risk assessment and risk communication, while the Ministries of Health, Labor and Welfare (MHLW) and Agriculture, Forestry and Fisheries (MAFF) will be responsible for risk management activities based on the risk assessments. Although the FSC is expected to be a scientifically objective risk assessment organization, the framework draft also mandates that the Commission take into consideration consumers' attitudes and activities.

Draft for the Food Safety Basic Law

The Food Safety Basic Law (FSBL) will be based on three principles; ensuring human health; safety assurance of foods, measures to be taken within the food supply chain, and necessary measures based on science as well as those reflecting international trends and public opinion.

Based on these principles, the central government shall plan and implement measures to secure food safety with local governments performing food safety measures in cooperation with the central government. The food industry, as the primary entity in ensuring food safety, shall provide accurate and appropriate information to the consumer and governments, as well as to cooperate with governments' measures. Consumers shall be expected to become better informed about food safety and play a major role in the process by expressing their opinions on the government measures.

As part of the risk assessment process performed by the FSC, scientifically sound and objective "food health influence" evaluations will be made. These evaluations include biological, chemical and physical risk assessments of the effects of consumption of certain food products on human health. Assessments of risk will be made based on these evaluations as well as by taking into consideration food consumption patterns. Communication among the involved parties shall be promoted through information disclosure and comment periods. Upon completion of the assessment, the FSC will report the results to the relative Ministers. The FSC will also carry out emergency investigations as needed. Temporary measures may be taken in case of emergency, followed by an immediate food health influence evaluation.

Structure of Food Safety Commission

The FSC itself will be made up of seven specialists (four full-time and three part-time) to be appointed by the Prime Minister with a term of three years. The specialists will come from the following fields:

Toxicology
Microbiology
Organic chemistry (chemicals)
Public health
Food production and distribution system
Consumer attitudes and activities
Information exchange

The FSC shall be supported by "Expert Investigation Panels" made up of appropriately 200 personnel. The Expert Investigation Panel shall consist of Planning, Risk Communication, Crisis Management (for food accident, etc.) sections, and 13 Evaluation Teams.

The Evaluation Teams shall be divided into three Assessment Groups (Chemicals Assessment Group, Biological Assessment Group, and New Foods etc. Assessment Group).

Chemicals Assessment Group
Food Additives
Agricultural Chemicals
Animal Drugs
Packaging and Apparatus
Chemical Compounds
Contaminants, etc.

Biological Assessment Group
Microorganisms
Virus
Fungal Toxins and Natural Toxins, etc.
Prions (BSE, etc.)

New Foods etc. Assessment Group
Biotechnology Foods
Newly Developed Foods
Feed and Fertilizer, etc.

Budget Request for the Food Safety Commission for FY2003

1. Committee and Expert Panel meeting: 1263 million yen (\$152 million)
- 2-1. Information collection and information exchange with foreign countries: 98 million yen (\$820,000)
- 2-2. Risk assessment and monitoring: 502 million yen (\$4 million)

Toxicological tests necessary for risk assessment of chemical compounds
- Collection of necessary toxicological data for risk assessment initiated independently by

FSC, based on opinions and information from consumers, etc.

Monitoring of proper risk management

- Monitoring on proper risk management through random sampling and testing

Research and development of risk assessment methods

- Accumulation of scientific knowledge necessary for food safety evaluation such as toxicity mechanisms

2-3. Risk communication: 200 million yen (\$1.6 million)

Information and opinion collection from the public

- Information dissemination through internet, etc., and collection of opinions using food safety monitors

Risk communication

- Public meeting for explanation and opinion exchanges on risk assessment results around Japan

Development of effective risk communication methods

- Development and study of effective risk communication methods

2-4. Emergency measures for food accidents: 19 million yen (\$160,000)

Information collection, emergency control through risk management organizations and information dissemination, planning and announcement of emergency measures manuals, and evaluation of emergency measures taken

Press Report from Japan Agriculture News (December 18, 2002)

Food Safety Commission To Have 13 Expert Panels To Evaluate Safety of Foods in Seven Areas, Also Considers Influence on Consumption Trends

The Cabinet Office revealed the framework of the Food Safety Commission (tentative name) on December 17, 2002. It shall consist of seven experts in seven areas to scientifically assess food safety. Under the Commission, Expert Investigation Panels, composed of 13 assessment teams, with a total of 200 officials, will perform the research and development necessary.

The Food Safety Commission (FSC) will be operated by experts in toxicology, microbiology, chemical compounds, public health, food production and distribution system, consumer attitudes and activities, and information exchange. The FSC is to be an independent organization, separate from MAFF and MHLW.

Based on the Expert Investigation Panels' report, the FSC alone will perform food risk assessments.

Consideration will be given not only to human health influences but also to attitudes toward and influence on consumption, like those on BSE and dioxin scandals. The FSC will recommend to the appropriate government ministries, without delay, revisions of standards on pesticide residues and food additives, and necessary measures on food related accidents. The FSC will also take a role as a monitoring organization for the proper implementation of the risk management measures by the ministries.

For pesticides, the MHLW currently determines standards for ADI (allowable daily intake) on each pesticide based on its toxicity, and then determines the food residue standard. From next fiscal year, those two will be separated. The FSC will determine the ADI and the MHLW will establish standards that do not exceed the ADI.

Expert Investigation Panels that provide research and investigations that will contribute to the assessments will consist of 13 assessment teams on pesticides, food additives, virus, biotechnology foods, etc.

The Expert Investigation Panels will also formulate annual plans for assessment, collect information on hazardous foods, and study countermeasures on food-related accidents.