



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Voluntary Report - public distribution

Date: 2/2/2004

GAIN Report Number: JA4005

Japan

Sanitary/Phytosanitary/Food Safety

Product Testing and Import Bans

2004

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Report Highlights:

Japan has three levels of regulatory schemes for imported foods: monitoring, testing-by-order and comprehensive ban. Which scheme is applied depends on the number of regulatory violations. In 2004, 76,000 samples will be taken to monitor antimicrobials, residue chemicals, food additives, microorganisms, fungal toxins, and unapproved genetically modified products.

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

Japan's Ministry of Health, Labor and Welfare (MHLW) has three levels of regulation schemes for imported foods, monitoring, testing-by-order and comprehensive ban, each providing an increasing level of regulatory oversight. These at-the-border programs test for antimicrobials, residue chemicals, food additives, microorganisms, fungal toxins and unapproved genetically modified products.

The comprehensive ban authority may be applied to foods where there is a high risk of continued violations and may be invoked where testing-by-order reveals a greater than 5% rate of violation. MHLW may impose the comprehensive ban on countries, regions or companies.

Testing-by-order is imposed after a second violation on a particular product from a single country. Testing-by-order requires importers to pay for the cost of testing 100% of imports. Imports are held at the port pending the results of the tests. Although MHLW reports the tests should only take 3-4 days, importers report that in fact, testing can delay entry 1-3 weeks.

MHLW normally monitors imports for antimicrobials, residue chemicals, food additives, microorganisms, fungal toxins and unapproved genetically modified products at between 3-5%. The annual monitoring plan was announced for the fiscal year 2004 includes testing 76,000 samples for antimicrobials, residue chemicals, food additives, microorganisms, fungal toxins and unapproved genetically modified products.

The Ministry of Health, Labor and Welfare (MHLW) tests imported foods at port quarantine stations. Table 1 shows the number of imported foods, the number of test, and the number of violations for the past five fiscal years (April - March).

Table 1: Food import notifications, tests and violations of imported foods.

Fiscal Year	No. of Import Notifications	Imported Amount (1,000 MT)	Total No. of tests* 1	No. of Tests per Notification (%)	No. of Tests at Testing Labs		No. of Violations
					Government	Designated Labs*2	
1998	1,276,994	29,150	104,918	8.2	48,439	55,911 (34,677)	881
1999	1,404,110	28,928	108,515	7.7	49,289	62,276 (37,013)	948
2000	1,550,925	30,034	112,281	7.2	52,244	63,789 (37,484)	1,037
2001	1,607,011	32,508	109,733	6.8	45,353	66,620 (40,138)	992
2002	1,618,880	33,202	136,087	8.4	63,689	78,327 (47,333)	972

*1: Total numbers do not match with the sums of numbers of tests because of duplicated counts.

*2: Numbers in parentheses represent those for testing-by-order (See No. 2 below).

There are 31 quarantine stations around Japan and six of them have testing facilities. Besides those quarantine stations, there are two imported food testing and inspection centers that have the capability to test. MHLW has designated about 40 testing laboratories to do monitoring tests on behalf of MHLW.

For imported foods, MHLW has three levels of testing and regulating schemes as described below. When MHLW finds violations or problems in a certain imported food, it goes to testing-by-order. If MHLW finds the problem persists, it may implement a comprehensive ban of imports.

(1) Monitoring test

Under the Food Sanitation Law, MHLW samples imported foods at the ports of entry. Its sampling is based on Codex recommendations: 299 samples for each food group, enabling it to find violations of below 1% at 95% level of confidence. MHLW may increase the sampling ratio based on past violation and the significance of the violations. MHLW bears the cost of testing and laboratory tests for monitoring.

Annual monitoring testing plan

Food Sanitation Law requires MHLW to establish a monitoring test plan for each fiscal year. The monitoring plan for fiscal year 2004 (April 2004 to March 2005) is shown in Table 2.

Table 2 Categories of foods and testing items for imported food monitoring

Food category	Test item	No. of tests	Total No. of tests
Livestock (beef, pork, poultry, other meat products)	Antimicrobials	4,600	10,000
	Residue chemicals	4,500	
	Specifications	900	
Processed livestock (cheese and other processed meat)	Antimicrobials	1,000	4,300
	Food additives	1,100	
	Specifications	2,200	
Seafood (shellfish and fish)	Antimicrobials	2,300	3,600
	Food additives	700	
	Specifications	600	
Processed seafood (surimi and other processed seafood)	Antimicrobials	5,700	14,000
	Food additives	2,500	
	Specifications	5,800	
Ag. products (grains, fruits and vegetables)	Chemical residues	17,800	24,200
	Fungal toxins	4,800	
	Unapproved GMOs	1,600	
Processed ag. products (frozen vegetables, spice, noodles)	Chemical residues	3,700	8,100
	Food additives	2,800	
	Specifications	1,200	
	Fungal toxins	300	
	Unapproved GMOs	100	
Other foods (soup, confectionary, etc)	Food additives	3,400	4,100
	Specifications	700	
Drinks (mineral water, alcoholic and non-alcoholic beverages)	Food additives	1,200	1,900
	Specifications	700	
Food additives, apparatus and packaging, toys	Specifications	1,300	1,300
Foods of special emphasis	Antimicrobials, Chemical residues,	4,500	4,500

	Food additives, Specifications, Fungal toxins, Unapproved GMOs		
Total			76,000

Antimicrobials: Antibiotics, residue antimicrobial substances

Specifications: Items listed under specifications and standards for foods, including microorganisms

Foods of special emphasis: The number is set aside for testing foods emerging as human health problems during the fiscal year

(2) Testing-by-order

When monitoring test results reveal a violation, monitoring is increased to 50% of imported foods from the same manufacturer or processor. If the second violation is found under the 50% monitoring program, testing-by-order is triggered for the food product. When a human health-related incident occurs or serious health hazard is strongly suspected from an imported food (such as E. coli O157/H7 in ground meat), one violation under the monitoring program triggers testing-by-order.

Testing-by-order is a mandatory testing program under which each shipment has to be held until the test result shows negative. Tests under testing-by-order are performed at one of the designated domestic laboratories.

MHLW lifts the order of testing when it is confirmed that no violated foods are to be exported due to appropriate measures that prevent the same incident from occurring again in the exporting country, region, manufacturer or processor.

(3) Comprehensive ban of food importation and sales

MHLW has discretion to prohibit the import and sales of certain foods without testing at the port. The comprehensive ban may be considered by MHLW if “there are a considerable number of violations (over 5% violation ratio for the most recent 60 samples under testing-by-order for imported foods) or human health hazard occurrence or situations that have a potential of adulterating foods (e.g., radioactivity contamination by a nuclear plant accident). The ban will only be imposed after an investigation of production or manufacturing finds a potential hazard and the relevant expert committee, the Pharmaceutical and Food Sanitation Committee affirms the ban.