

## Draft Revision of Labelling Standard for Genetically Modified Foods

(Notification No. 517 of the Ministry of Agriculture, Forestry and Fisheries  
of March 31, 2000)

(UNOFFICIAL TRANSLATION)

(Scope of Application)

**Article 1.** This standard shall apply to processed foods and to perishable foods.

(Definitions)

**Article 2.** In this standard, the definition of terms in the left column of the following table shall be as given in corresponding space of the right column.

| Term  | Definition  |
|---|---|
| Designated agricultural products                        | Agricultural products which have some crops developed by recombinant DNA techniques in their category and are listed in Attached Table 1. (Recombinant DNA techniques is a technological method of dividing DNA and recombining them using enzymes, etc., and transplanting the recombinant DNA into live cells for propagation. The same applies hereinafter.) |
| Genetically modified agricultural products              | Designated agricultural products obtained through recombinant DNA techniques.   |
| Non-GM agricultural products                            | Designated agricultural products that belong to the category of designated agricultural products but are not genetically modified agricultural products themselves.   |
| Specific genetically modified agricultural products     | Designated agricultural products obtained through recombinant DNA techniques that differ significantly in composition, nutritional value, etc. from the corresponding existing agricultural products.   |
| Non specific genetically modified agricultural products | Designated agricultural products that belong to the category of designated agricultural products but are not specific genetically modified agricultural products themselves.  |
| Identity preserved handling (IP handling)               | Management method in which segregation between genetically modified agricultural products and non-GM agricultural products is accomplished, under the care of a good manager at each stage of production, distribution and processing. Further, it must be verified by using documents clearly indicating that segregation has been made.                       |
| Specific identity                                       | Management method in which segregation between specific   |

|                    |   |
|--------------------|---|
| preserved handling | genetically modified agricultural products and non specific genetically modified agricultural products is accomplished, under the care of a good manager at each stage of production, distribution and processing. Further, it must be verified by using documents clearly indicating that segregation has been made. |
| Main ingredients   | Ingredients that are ranked within the top three constituents in terms of the ratio of weight they occupy, and the weight ratios of which account for five or more percent of the total.  |

(Labelling method)

**Article 3.** As for the labelling of foods processed from designated agricultural products (including foods subsequently processed from such foods) provided in each of the following Items, manufacturers, processor/packers or importers (distributors if the distributors are in a position to make the quality labelling on behalf of the manufacturers or processor/packers with the latter's agreement to it. Referred to as the "manufacturer, etc." hereinafter) shall indicate the matters provided in each of the following Items on the container or package of the designated agricultural products as well as the matters required by Article 4 of the Quality Labelling Standard for Processed Foods. However, this may not be applied when the labelling space of the containers or packages of the products is 30cm<sup>2</sup> or less in size:

(1) Processed foods listed in the left column of Attached Table 2 as those in which recombinant DNA or the resulting protein still exists even after processing (except those provided in the next Item)

a. In the event that a ingredient is a genetically modified agricultural product listed in the right column of Attached Table 2 as the designated agricultural product and it is confirmed that it has been treated under a identity preserved handling: Regardless of the provision of Article 3, Paragraph 6 of the Quality Labelling Standard for Processed Foods, it shall be declared that the ingredient is a genetically modified agricultural product which has been treated under a identity preserved handling by printing in parentheses words representing "GM segregated from non-GM", "genetically modified", etc. following the name of the ingredient.

b. In the event that a ingredient is a designated agricultural product listed in the right column of Attached Table 2 and the product has been produced, distributed, or processed without segregation between genetically modified agricultural products and non-GM agricultural products: Regardless of the provision of Article 3, Paragraph 6 of

the Quality Labelling Standard for Processed Foods, it shall be declared that such segregation has not been made for the ingredient by printing in parentheses words representing “GM not segregated”, etc. following the name of the ingredient.

c. In the event that a ingredient is a non-GM agricultural product listed in the right column of Attached Table 2 as the designated agricultural product and it is confirmed that it has been treated under a identity preserved handling:

- The name of the said ingredient shall be declared;
- In the case that it is made of only one ingredient, the name of the said ingredient should be omitted with respect to the provision of Article 3, Paragraph 6 of the Quality Labelling Standard for Processed Foods; or
- It may be declared that the ingredient is a non-GM agricultural product treated under a identity preserved handling by printing in parentheses words representing “non-GM segregated from GM”, “not genetically modified”, etc. following the name of the said ingredient.

(2) Processed foods (including foods subsequently processed from such foods) listed in the middle column of Attached Table 3 whose ingredient is the designated agricultural product listed in the right column of the same Table including specific genetically modified agricultural products which have a characteristic listed in the left column of the same Table

a. In the event that a ingredient is a specific genetically modified agricultural product listed in the right column of Attached Table 3 as the designated agricultural product and it is confirmed that it has been treated under a specific identity preserved handling: Regardless of the provision of Article 3, Paragraph 6 of the Quality Labelling Standard for Processed Foods, it shall be declared that the ingredient is a specific genetically modified agricultural product which have been treated under a specific identity preserved handling by printing in parentheses words representing “○○○ GM segregated from non-GM”, “○○○ genetically modified”, etc. (○○○ is a characteristic listed in the left column of the same Table) following the name of the ingredient.

b. In the event that a ingredient is a designated agricultural product listed in the right column of Attached Table 3 and it is an intentional mixture of specific genetically modified agricultural products and non specific genetically modified agricultural products: Regardless of the provision of Article 3, Paragraph 6 of the Quality Labelling Standard for Processed Foods, it shall be declared that the ingredient is an intentional

mixture of specific genetically modified agricultural products and non specific genetically modified agricultural products by printing in parentheses words representing “○○○ GM mixed”, etc. (○○○ is a characteristic listed in the left column of the same Table) following the name of the ingredient. In this case, weight percentage of the said specific genetically modified agricultural product in the designated agricultural product which belongs to the same category may be indicated in parentheses following the representation such as “○○○ GM mixed”, etc.

2. As for the labelling of designated agricultural products, following declarations are required for the distributors in addition to the matters required by Articles 4 of the Quality Labelling Standard for Perishable Foods:

(1) Designated agricultural products other than those provided in the next item

a. In the event that a designated agricultural product is a genetically modified agricultural product and it is confirmed that it has been treated under a identity preserved handling: It shall be declared that the designated agricultural product is a genetically modified agricultural product which has been treated under a identity preserved handling by printing in parentheses words representing “GM segregated”, “genetically modified”, etc. following the name of the said designated agricultural product.

b. In the event that a designated agricultural product has been produced or distributed without segregation between genetically modified agricultural products and non-GM agricultural products: It shall be declared that segregation has not been made by printing in parentheses words representing “GM not segregated”, etc. following the name of the said designated agricultural product.

c. In the event that a designated agricultural product is a non-GM agricultural product and it is confirmed that it has been treated under a identity preserved handling:

- The name of the said designated agricultural product shall be declared; or
- It may be declared that the said designated agricultural product is a non-GM agricultural product which has been treated under a identity preserved handling by printing in parentheses words representing “non-GM segregated from GM”, “not genetically modified”, etc. following the name of the said designated agricultural product.

(2) Designated agricultural product listed in the right column of Attached Table 3 including a specific genetically modified agricultural product which has a characteristic listed in the left column of the same Table

a. In the event that a designated agricultural product listed in the right column of Attached Table 3 is a specific genetically modified agricultural product and it is confirmed that it has been treated under a specific identity preserved handling: It shall be declared that the designated agricultural product is a specific genetically modified agricultural product which has been treated under a specific identity preserved handling by printing in parentheses words representing “○○○ genetically modified and segregated”, “○○○ genetically modified”, etc. (○○○ is a characteristic listed in the left column of the same Table) following the name of the said designated agricultural product.

b. In the event that a designated agricultural product listed in the right column of Attached Table 3 is an intentional mixture of specific genetically modified agricultural products and non specific genetically modified agricultural products: It shall be declared that the ingredient is an intentional mixture of specific genetically modified agricultural products and non specific genetically modified agricultural products by printing in parentheses words representing “○○○ GM mixed”, etc. (○○○ is a characteristic listed in the left column of the same Table) following the name of the said designated agricultural product. In this case, weight percentage of the said specific genetically modified agricultural product in the designated agricultural product which belongs to the same category may be indicated in parentheses following the representation such as “○○○ GM mixed”, etc.

3. Where there is a possibility that a certain amount of adventitious commingling of genetically modified agricultural products or non-GM agricultural products though a identity preserved handling has been performed, the product shall be regarded as treated under a identity preserved handling for the application of Paragraph 1 or 2 of this Article as far as the confirmation procedures provided in a. or c. of Paragraph 1, Item 1 or a. or c. of Paragraph 2, Item 1 of this Article have been properly followed.

4. Where there is a possibility that a certain amount of adventitious commingling of specific genetically modified agricultural products or non specific genetically modified agricultural products though a specific identity preserved handling has been performed, the product shall be regarded as treated under a specific identity preserved handling for the application

of Paragraph 1 or 2 of this Article as far as the confirmation procedures provided in Paragraph 1, Item 1, a. or Paragraph 2, Item 2, a. of this Article have been properly followed.

(Processed Foods Not requiring Labelling)

**Article 4.** For, of ingredients of processed foods listed in Attached Table 2 and 3, designated agricultural products or processed foods which contain designated agricultural products but are not main ingredients, the following labelling (referred to as the “labelling concerning GM” hereinafter) is not necessary. However, the provisions of Paragraph 1, 3 and 4 of Article 3 shall be applied to these ingredients, if the products carry the labelling concerning GM:

- labelling to the effect that it is a genetically modified agricultural product which has been treated under a identity preserved handling;
- labelling to the effect that it is a non-GM agricultural product which has been treated under a identity preserved handling;
- labelling to the effect that segregation between genetically modified agricultural products and non-GM agricultural products has not been made;
- labelling to the effect that it is a specific genetically modified agricultural product which has been treated under a specific identity preserved handling; or
- labelling to the effect that it is an intentional mixture of specific genetically modified agricultural products and non specific genetically modified agricultural products.

2. For designated agricultural products that are ingredients of processed foods not listed in Attached Table 2 and 3, the labelling concerning GM is not necessary. However, the provisions of Paragraph 1 and 3 of Article 3 shall be applied to the said ingredients, if the products carry the labelling concerning GM.

(Labelling Prohibitions)

**Article 5.** Article 6 of the Quality Labelling Standard for Processed Foods and of the Quality Labelling Standard for Perishable Foods provide for the words that must not be labelled for processed foods and perishable foods, respectively. In addition, no words representing non-GM shall appear either on agricultural products which have no agricultural products developed by recombinant DNA techniques in their category, or on foods processed from such products.

**Attached Table 1** (Related to Article 2)

1. Soybean (including green soybeans and soybean sprouts)
2. Corn
3. Potato
4. Rapeseed
5. Cottonseed
6. Alfalfa\*

**Attached Table 2** (Related to Article 3)

| Items subject to labelling  | Ingredient to be labelled |
|---|---------------------------|
| 1. <i>Tofu</i> (soybean curd) and fried <i>tofu</i>                     | Soybean                   |
| 2. Dried soybean curd, soybean refuse, <i>yuba</i>                      | Soybean                   |
| 3. <i>Natto</i> (fermented soybean)                                     | Soybean                   |
| 4. <i>To-nyu</i> (soy milk)   | Soybean                   |
| 5. <i>Miso</i> (soybean paste)  | Soybean                   |
| 6. Cooked soybean   | Soybean                   |
| 7. Canned or bottled soybean  | Soybean                   |
| 8. <i>Kinako</i> (roasted soybean flour)                                | Soybean                   |
| 9. Roasted soybean  | Soybean                   |
| 10. Item containing food of items 1 to 9 as a main ingredient           | Soybean                   |
| 11. Item containing soybeans (for cooking) as a main ingredient         | Soybean                   |
| 12. Item containing soybean flour as a main ingredient                  | Soybean                   |
| 13. Item containing soybean protein as a main ingredient                | Soybean                   |
| 14. Item containing <i>edamame</i> (green soybean) as a main ingredient | <i>Edamame</i>            |
| 15. Item containing soybean sprouts as a main ingredient                | Soybean sprouts           |
| 16. Corn snacks   | Corn                      |
| 17. Corn starch   | Corn                      |
| 18. Popcorn   | Corn                      |
| 19. Frozen corn   | Corn                      |
| 20. Canned or bottled corn  | Corn                      |
| 21. Item containing corn flour as a main ingredient                     | Corn                      |

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\* addition to Table 1

|   |                |
|---|----------------|
| 22.Item containing corn grits as a main ingredient (except corn flakes) | Corn           |
| 23.Item containing corn (for cooking) as a main ingredient              | Corn           |
| 24.Item containing food of items 16 to 20 as a main ingredient          | Corn           |
| 25.Frozen potato  | Potato         |
| 26.Dried potato   | Potato         |
| 27.Potato starch  | Potato         |
| 28.Potato snacks  | Potato         |
| 29. Item containing food of items 25 to 28 as a main ingredient         | Potato         |
| 30. Item containing potatoes (for cooking) as a main ingredient         | Potato         |
| <u>31. Item containing alfalfa as a main ingredient*</u>                | <u>Alfalfa</u> |

**Attached Table 3** (Related to Article 3)

| Characteristic  | Items subject to labelling   | Ingredient to be labelled |
|-----------------|--|---------------------------|
| High oleic acid | <ol style="list-style-type: none"> <li>1. Item containing soybean as a main ingredient (except those lose a characteristic listed in the left column as the result of defatting)</li> <li>2. Item containing food of Item1 as a main ingredient</li> </ol> | Soybean                   |

**Supplementary Provisions 1**

(Notification No. 517 of the Ministry of Agriculture, Forestry and Fisheries of March 31, 2000)

1. This notification shall come into force on the date of enforcement of the Law Revising Part of the Law Concerning Standardization and Proper Labelling of Agricultural and Forestry Products (Law No.108 of 1999) and shall apply to the processed foods manufactured, processed or imported, and to the perishable foods sold after April 1, 2001.

2. The list of designated agricultural products in Attached Table 1 and 3 and the list of

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\* addition to Table 2



processed foods in Attached Table 2 and 3 shall be updated every year taking into considerations the following: commercialization of new genetically modified agricultural products; actual situation concerning the distribution and use as raw materials of genetically modified agricultural products; actual situation concerning the removal and dissolution of the recombinant DNA and the resulting protein; new findings about progress in detection methods; and consumers concerns.

3. This notification shall be reviewed taking into considerations the following, in addition to the items mentioned above in Paragraph 2: the actual situation concerning the treatment of genetically modified agricultural products and processed foods which were made of them at their production, manufacturing, distribution and processing sites of perishable foods and processed foods; and advancements in international standard elaborations.

### **Supplementary Provisions 2**

(Notification No. 1335 of the Ministry of Agriculture, Forestry and Fisheries of September 28, 2001)

1. This notification shall come into force on the date of its promulgation.
2. As for labelling of processed foods which are manufactured, processed or imported before December 31, 2001 and perishable foods sold before the same date, the former legislation may be followed.

### **Supplementary Provisions 3**

(Notification No. 334 of the Ministry of Agriculture, Forestry and Fisheries of February 22, 2002)

1. This notification shall come into force on the date of its promulgation.
2. As for labelling of processed foods which are manufactured, processed or imported before December 31, 2002, the former legislation may be followed.

### **Supplementary Provisions 3**

(Notification No.○ of the Ministry of Agriculture, Forestry and Fisheries of 年月日)

2. This notification shall come into force on the date of its promulgation.

NOTE: In labelling according to this standard, all the matters shall be stated in Japanese because the purpose of the quality labelling standards is to help general consumers choice (Article 19-8, Paragraph 1 of the Law).