

Quality Labeling Standard for Fresh Foods

(Notification No. 514 of the Ministry of Agriculture, Forestry and Fisheries
of March 31, 2000)
(Unofficial Translation¹)

Revisions made after the establishment:

- 1) Notification No. 1706 of September 14, 2004; and
- 2) Notification No. 210 of February 28, 2006

Note: Proposed revisions are highlighted with underlines.

Chapter I. General principles

(Scope of application)

Article 1. This standard shall apply to fresh foods.

(Definitions of terms)

Article 2. Terms in this standard are defined as below.

| Term | Definition |
|--|---|
| Fresh foods | Those listed in Attached Table as foods other than processed foods. Processed foods are those provided by article 2 of the Quality Labeling Standard for Processed Foods (Notification No. 513 of the Ministry of Agriculture, Forestry and Fisheries of March 31, 2000). |
| <u>Fresh foods for institutional use</u> | <u>Those which are used as ingredients for processed foods sold to general consumers</u> |
| Retailers | Distributors who sell fresh foods to general consumers |

Chapter II. Labeling of fresh foods

Article 3. Quality labeling of fresh foods (other than those for institutional use; hereinafter the same in this chapter and Chapter IX) shall follow as provided by the next paragraph through paragraph 3.

¹ The legally binding text is Japanese only. This unofficial translation serves as a reference material to understand the Japanese regulation. The Ministry of Agriculture, Forestry and Fisheries of Japan is not responsible for the accuracy, reliability or currency of this translation, or for any consequence resulting from use of the information in it. For all purposes of interpreting and applying the regulation to any legal issue or dispute, users should consult the original Japanese text published in the Official Gazette.

2. Distributors and packers, etc. who conduct labeling (hereinafter referred to as the “distributors”) shall label the following items for fresh foods below. Where distributors produce, collect or catch fresh foods and directly sell them to general consumers at the spot or offer them for eating and drinking at facilities, those fresh foods need not be labeled.

(1) Name of the food

(2) Place of origin

3. With regard to the specified products provided by article 5 of the Cabinet Order for the Measurement Concerning Sale of Specified Commodities (Cabinet Order No. 249 of 1993) which are tightly sealed as defined by article 13, paragraph 1 of the Measurement Law (Law No. 51 of 1992), distributors shall label net contents, names or trade names and addresses of distributors on the containers or packages, in addition to those provided by each item of the preceding paragraph.

Chapter III. Labeling of fresh foods for institutional use

Article 3-2. Quality labeling of fresh foods for institutional use shall follow as provided by the next paragraph through paragraph 4.

2. Distributors shall label the items as provided by paragraph 2 of the preceding article for fresh foods for institutional use. Where fresh foods are used for ingredients for processed foods: which are manufactured or processed and sold to general consumers at the spot by distributors; or which are offered for eating or drinking at facilities, those fresh foods need not be labeled.

3. Notwithstanding the provision of the preceding paragraph, labeling of item 2 in paragraph 2 of the preceding article may be omitted, where fresh foods for institutional use are not used for processed foods under the coverage provided by article 3, paragraph 6 of the Quality Labeling Standard for Processed Foods.

4. The provision of paragraph 3 of the preceding article shall apply mutatis mutandis for fresh foods for institutional use.

Chapter IX. Method of labeling of fresh foods

Article 4. The method of quality labeling of fresh foods shall follow as provided by the next paragraph through paragraph 5.

2. Distributors shall comply with the following provisions for labeling of the matters provided

by article 3, paragraph 2, items 1 and 2 and net contents provided by paragraph 3 of the mentioned article.

(1) Name of the food

The name shall be labeled with a generic name expressing its content.

(2) Place of origin

The place of origin shall be labeled as provided below based on the facts. Where fresh foods of the same kind and of multiple origins are mixed, the place of origin of each of the mentioned fresh food shall be labeled in the descending order by weight, and where fresh foods of different kinds and of multiple origins are assorted, the place of origin of each fresh food shall be labeled in addition to the corresponding names of them.

a) Agricultural products

The name of prefecture shall be labeled on domestic products, while the country of origin shall be labeled on imports. The use of the name of city, town, village or other generally known name of place is permitted for domestic products, and the use of the generally known name of the place is permitted for imports. In those cases, labeling of a prefecture or country of origin may be omitted.

b). Livestock products

- i) Labeling as domestic shall be made for domestic products other than those from livestock which has been slaughtered in Japan after raised in Japan with a shorter period than in overseas countries, while country of origin shall be labeled on imports. Where the livestock was raised in no less than two countries, the country of origin is the country with a longer raising period. Any domestic product may be labeled with the name of prefecture, city, town, village or other generally known name of its main growing location as the place of origin, with the omission of labeling as “domestic.”
- ii) Where any name of place other than the name of main growing location is labeled, the labeling shall be accompanied with the name of prefecture, city, town, village or other generally known name of its growing location as its place of origin.

c). Marine products

- i) Labeling of the name of water area where the product has been produced (referred to as “name of water area” hereinafter) or the name of district (the name of prefecture to which the main fish farm belongs) shall be made for domestic products, while labeling of the country of origin shall be made for imports. Where labeling of the name of water

area is difficult, the name of the port where the marine product has been landed or the name of the prefecture to which such port belongs may be labeled.

ii) Notwithstanding the provision of i) above, any domestic product may be labeled with the name of port where the marine product has been landed or the name of the prefecture to which such port belongs in addition to the name of water area, and any imported product may be labeled with the name of water area in addition to the country of origin.

(3) Net contents

Net contents shall be labeled in accordance with the examples provided by the Measuring Law (Law No. 51 of 1992).

3. Regarding matters provided by article 3, paragraph 2, distributors other than retailers shall label at a conspicuous place of the container or package, in the invoices or in the delivery statement. Retailers shall label at a conspicuous place of the container or package or at a signboard in close proximity to the product or the other conspicuous place.

4. Labeling of matters provided by article 3, paragraph 3 shall be made at a conspicuous place of the container or package.

5. Letters used for labeling on the containers or packages shall be in a uniform-sized printing type and a size of no less than 8 point as provided by the Japanese Industrial Standards (JIS) Z8305 (1962).

Chapter X. Method of labeling of fresh foods for institutional use

Article 4-2. The method of quality labeling of fresh foods for institutional use shall follow as provided by the next paragraph through paragraph 5.

2. Distributors shall comply with the items 1 and 3 in paragraph 2 of the preceding article, regarding labeling of name by article 3, paragraph 2, item 1 in accordance with article 3-2, paragraph 2; and net content by article 3, paragraph 3 applied mutatis mutandis by article 3-2, paragraph 4.

3. Distributors shall follow as provided below regarding labeling place of origin.

a). “Domestically produced” shall be labeled on domestic products, while the country of

origin shall be labeled on imports. The following names of places may be substituted for labeling as “domestic”:

(i) For Agricultural products, name of prefecture or other generally known place;

(ii) For livestock products, name of prefecture or other generally known place of its main growing location; and

(iii) For marine products, name of water area where the product has been produced, collected or caught; name of port where the product has been landed; or name of prefecture or other generally known place to which the port or main fish farm belongs.

b). Imported marine products may be labeled with the name of water area in addition to the country of origin.

c). Where there are no less than two places of origin, the names of places shall be labeled in the descending order by weight in the total ingredients.

d). Where fresh foods are used for ingredients for processed foods which may be labeled as “others” in accordance with article 4, paragraph 2, item 8 of the Quality Labeling Standards for Processed Foods, those fresh foods may be labeled as “others”.

4. Distributors other than retailers shall be label matters provided by article 3, paragraph 2 at a conspicuous place of the container or package, invoices, delivery statement (limited to those attached to products) or specifications. Specifications are limited to those not attached to products and must be identified as such by the containers, packages, invoices or delivery statements.

5. The provision of paragraph 4 of the preceding article shall apply mutatis mutandis for fresh foods for institutional use.

Chapter XI. Miscellaneous provisions

(Other matters to be labeled and method of labeling)

Article 5. Other than those provided by article 3, the products which are kept in containers or packages and have been treated with ionizing radiation shall carry a written statement indicating that treatment at a conspicuous place of the containers or packages.

(Prohibited labeling)

Article 6. Labeling of the following matters shall be prohibited:

(1) Any terms which may mislead consumers that the product is extremely more excellent or advantageous than it really is;

- (2) Any terms which contradict items to be labeled in accordance with the provisions of article 3; and
- (3) Any letters, pictures, photographs or other labeling which may mislead consumers about the quality of the product.

(Other criteria of quality labeling of fresh foods)

Article 7. Other than those provided by article 3 through the preceding article, distributors shall label the quality of fresh foods as otherwise provided by the Minister for Agriculture, Forestry and Fisheries.

2. If otherwise provided by the standard of quality labeling established by the Minister for Agriculture, Forestry and Fisheries in accordance with article 19-8, paragraph 2 of the Law Concerning Standardization and Proper Labeling of Agricultural and Forestry Products (Law No. 175 of 1950) other than those provided by article 3 through the preceding article and the preceding paragraph, such provisions shall apply.

(Mandated target for distributors to endeavor)

Article 8. Distributors shall make every effort to provide documents containing the information on the fresh foods which they sell to others and which are sold to themselves, and retain them to the minimum necessary for ensuring appropriate labeling of processed foods.

Attached Table (regarding article 2)

1. Agricultural products, including mushrooms, wild vegetables and bamboo shoots

(1) Rice (including those obtained through preparation, sorting and washing after harvesting, and merely cut, and mixed with polished barley and miscellaneous cereals)

Brown rice and polished rice

(2) Wheat and barleys (including those obtained through preparation, sorting and washing after harvesting and merely cut)

Barley, naked barley, wheat, rye

(3) Other cereals (including those obtained through preparation, sorting and washing after harvesting, and merely cut)

Corn, foxtail millet, barnyard millet, buck wheat, proso millet, grain sorghum, job'stear, and other miscellaneous cereals

(4) Pulses (including those obtained through preparation, sorting and washing after harvesting, and merely cut, and excluding immature ones)

Soybeans, red beans, kidney beans, peas, cowpeas, broad beans, mung beans, peanuts and other pulses

(5) Vegetables (including those obtained through preparation, sorting and washing after harvesting, merely cut and frozen only)

Root vegetables, leaf and stem vegetables, fruit vegetables, savory herbs and garnishes, mushrooms, “*sansai*” group (wild vegetables), fruity vegetables and other vegetables

(6) Fruits (including those obtained through preparation, sorting and washing after harvesting, and cut only, and frozen only)

Citrus fruits, kernel fruits, stone fruits, berries, edible nuts, tropical and sub-tropical fruits, and other fruits

(7) Other crops

Sugar crops, alimentary konjac roots, unprocessed crops for drinks, ingredients for spices, other fresh crops

2. Livestock products

(1) Meats (including those cut and sliced only, and chilled and frozen only)

Beef and veal, pork and boar meat, horse meat, mutton and lamb, goat and kid meat, rabbit meat, poultry meat and other meats

(2) Milk

Raw cow milk, raw goat milk, other milks

(3) Market poultry eggs (limited to those with shells)

Chicken eggs, duck eggs, quail eggs and other market poultry eggs

(4) Other fresh livestock products

3. Marine products (including those which are round, semi-dressed, dressed, fillet, cut, slices of raw fish (excluding those assorted), shucked shellfishes, and frozen and defrosted only, and live products)

(1) Fishes

Freshwater fishes, salmons and trouts (anadromous type), herrings and sardines, skipjacks, tunas and mackerels, jacks, yellow tails and dolphinfishes, cods, teleosteam flat fishes, sea basses, sea breams and croakers and other fishes

(2) Shelled molluscas

Fresh water clams and flesh water snails, oysters, scallops, ark shells, hard clams and little neck clams, surf or hen clams, abalones, top shells and other shelled molluscas

(3) Aquatic animals

Cuttle fishes, octopus, shrimps and prawns, lobsters, horse-shoe crabs and cray-fishes, crabs, other crustaceas, sea urchins and sea cucumbers, turtles and other aquatic animals

(4) Marine mammals

Whales, porpoise and other marine mammals

(5) Seaweeds

Tangles, “*wakame*,” lavers, perforated sea lettuces, seaweeds of a kind used for manufacturing agar-agar and other sea weeds

Supplementary Provisions

1. This notification shall take effect on the date of enforcement of the Law Revising Part of the Law Concerning Standardization and Proper Labeling of Agricultural and Forestry Products.
2. With respect to the fresh foods other than broccolis, taros, garlics, gingers, “*Shiitake*” mushrooms, edible burdocks, asparaguses, peas (green pod) and onion, this standard shall apply to those which are sold on and after July 1, 2000.

Supplementary Provisions (Notification No. 1706 of the Ministry of Agriculture, Forestry and Fisheries of September 14, 2004)

1. This notification shall take effect on the date of promulgation.
(Interim measure)
2. The fresh foods which have been sold to general consumers before October 1, 2005 may be labeled in accordance with the provisions of the former Quality Labeling Standard for Fresh Foods.

Supplementary Provisions (Notification No. 210 of the Ministry of Agriculture, Forestry and Fisheries of February 28, 2006)

1. This notification shall take effect on March 1, 2006.