Session 2: Implementation of the transparency provisions
-Member’s experience with SPS/TBT notifications-

Implementation and Handling of SPS and TBT Notifications: Japan’s experience

Mr. Minoru Iijima
Ministry of Foreign Affairs of Japan (MOFA)
Japan’s SPS and TBT Enquiry Point

WTO Secretariat
Publish SPS/TBT notification website (IMS)

Ministry of Foreign Affairs (MOFA)
Japan SPS/TBT enquiry point

Ministries
- MAFF (Ministry of Agriculture, Forestry and Fisheries)
- MHLW (Ministry of Health, Labor and Welfare)
- METI (Ministry of Economy, Trade and Industry), etc

Stakeholders

Japan External Trade Organization (JETRO)
Publish draft notification to collect domestic comments

WTO Members
SPS/TBT enquiry point

Coordinate

WTO Members
Stakeholders

Comment
Reply

Submit

Submit
MAFF’s Organization on SPS/TBT notification

International Economic Affairs Division (SPS/TBT)

Wood Products Trade Office (TBT)

Food Safety and Consumer Affairs Bureau
Food safety policy Division (SPS/TBT)

Fishery Products Trade Office (SPS/TBT)

- Distribute notification from other WTO Members
- Information on relevant regulations to be notified
- Comment to notification from WTO members

Plant protection Division
Animal health Division
Animal products safety Division
Plant products safety Division

Regulatory authorities
◆ Implementation of re-evaluation system

- All pesticides must be re-evaluated periodically
- The registration may be revoked or the Good Agricultural Practice (GAP) can be changed based on the result of periodical re-evaluation

◆ Change Evaluation system

The following assessments are implemented
- Risk assessment for pesticide operator
- Ecological Risk assessment
- Risk assessment for honey bee

G/SPS/N/JPN/593, G/TBT/N/JPN/605, G/SPS/N/JPN/624, G/TBT/N/JPN/623
Revision of the Food Sanitation Act/MHLW

◆ Improvement of sanitary regulations for food utensils and packaging

- Prohibit manufacturing and selling **food utensils and packaging** made of raw materials for which specifications are not established

**SCOPE**

- **SPS**: SPS measures include all relevant laws, including • • • , **packaging** and labelling requirements directly related to food safety. (ANNEX A of the SPS Agreement)

  ➡️ **Food Packaging**

- **TBT**: The provisions of TBT Agreement do **not apply to SPS measures** as defined in Annex A of the SPS Agreement. (Art. 1.5 of the TBT Agreement)

  ➡️ **Food Utensils**

↓ **overlapped scope of SPS/TBT**

Japan notified as **both SPS and TBT notification** with the same content.

(1) G/SPS/N/JPN/552, G/TBT/N/JPN/582
(2) G/SPS/N/JPN/638, G/TBT/N/JPN/625
Adjust from a cross-cutting perspective of SPS and TBT agreements

- Some regulations may have within overlapped scope of SPS/TBT.
- Japan properly notifies and addresses the comments submitted by members within the overlapped scope of SPS/TBT.

Submit SPS/TBT notifications simultaneously

- There is no difference of comment period between SPS/TBT.
- Accommodate comment period (60 days) under SPS/TBT agreements and public comment period for stakeholders.

Transparency

- SPS/TBT notifications within the scope of SPS and TBT agreements will be useful to share widely to other members.