

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

RESTRICTED

MTN/3E/DOC/9/Add.9/Corr.3  
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Multilateral Trade Negotiations

GROUP 3(e) - BASIC DOCUMENTATION

Inventory of Sanitary and Phytosanitary Regulations Notified

JAPAN

Corrigendum

BTN 08.06, Apples, pears and quinces, fresh

The attached sheets replace pages 2 and 3 of document MTN/3E/DOC/9/Add.9.

Import Restrictions

Product: (BTN)	Country or group maintaining measures:	Countries indicating an interest:
Apples, pears and quinces, fresh (08.06)	Japan	Canada New Zealand

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(a) Description:

HS

(b) Comments by other countries:

Canada

Canada now has developed a satisfactory treatment for codling moth and feels that its apples (BTN 08.06) should be accepted without further delay.

New Zealand

Entry of New Zealand fresh apples and pears into Japan is banned under the Japanese plant quarantine and food sanitation laws.

Spray programmes adopted by commercial orchardists in New Zealand achieve a high level of disease and pest control. Fruit is packed in growers' sheds or co-operative packing houses and, before export, is inspected by Ministry of Agriculture and Fisheries inspectors to ensure that the fruit meets the grading requirements and health regulations of importing countries.

New Zealand is confident that, with present export procedures, any fruit exported to Japan would not be responsible for the introduction of codling moth into Japan and therefore would not endanger the Japanese domestic industry.

New Zealand spray chemicals are designed to meet the food sanitation requirements of importing countries which now total thirty-five throughout the world.

It is therefore considered that the Japanese ban on New Zealand apples and pears is unjustified on plant protection or health grounds.

(c) Comments by country maintaining the measures:

1. The prohibition on the imports of apples, pears and quinces from Canada and New Zealand aims at preventing entrance of codling moth into Japan. This measure could be justified for the following reasons:

- (i) Codling moth exists in the territory of Canada and New Zealand, while it does not exist in the territory of Japan.
- (ii) If codling moth enters into the territory of Japan, it would cause a serious damage to Japanese fruits such as apple, pear and cherry and it would require vast cost and many years to exterminate them.

Also, this provision does not purport to prohibit imports even in cases where sufficient measures to prevent transmission of codling moth are taken in accordance with the spirit of the "International Plant Protection Convention". On the contrary, it is the basic policy of the Japanese authority to admit import if a method of disinfection which is regarded effective by experts is established and applied.

2. As to this regulation on apples of which Canada has export interest, the consultation between Canada and Japan has been already held twice at experts level and the following conclusions were agreed:

- (i) At the first stage, Canada would develop the method of disinfection.
- (ii) Having received the data on the results of applications of the method, Japanese experts would examine that data and then Japanese authority would decide its position as to whether imports from Canada be admitted or not.

According to this agreement, the data was sent to the Japanese Government, in April 1974, and now Japanese experts are examining that data.

This question is approaching a solution through the above bilateral consultation and further consultation at experts level will be held, if necessary. Therefore, in the view of the Japanese Government, the notification by the Canadian authority might be withdrawn.

3. With regard to the request made by the Government of New Zealand in December 1969 concerning the importation of apples, Japan explained that the Japanese regulations require the establishment of an extermination method sufficient to prevent the introduction of codling moths (including their eggs)

into Japan and asked the authorities of New Zealand to give the necessary data on their extermination methods which would ensure that apples exported from New Zealand to Japan will be free from codling moths (including their eggs). In June 1970, New Zealand informed Japan that it had begun testing methods for exterminating codling moths in fruit. But so far Japan has not received any technical details about the results of the test.