

3 October 2019

(19-6387)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	<p>Notifying Member: <u>JAPAN</u></p> <p>If applicable, name of local government involved:</p>
2.	<p>Agency responsible: Ministry of Agriculture, Forestry and Fisheries (MAFF)</p>
3.	<p>Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Plants and plant products</p>
4.	<p>Regions or countries likely to be affected, to the extent relevant or practicable:</p> <p><input checked="" type="checkbox"/> All trading partners</p> <p><input type="checkbox"/> Specific regions or countries:</p>
5.	<p>Title of the notified document: Proposed revision of the Ordinance for Enforcement of the Plant Protection Act about Phytosanitary Certificate. Language(s): English. Number of pages: 3</p> <p>https://members.wto.org/crnattachments/2019/SPS/JPN/19_5390_00_e.pdf</p>
6.	<p>Description of content: Japan prohibits the import of any plants which are not accompanied by Phytosanitary Certificate (PC) issued by the National Plant Protection Organization (NPPO) of exporting countries based on Article 6 of the Japanese Plant Protection Act (Act No. 151 of 1950) except for plants specified in the Ordinance for Enforcement of the Plant Protection Act (Ordinance No. 73 of the Ministry of Agriculture and Forestry, 1950).</p> <p>The recently conducted risk assessment showed that plants which have undergone certain processing such as drying and shredding etc. have a low risk of attaching quarantine pests.</p> <p>Therefore, Japan has determined to specify some plants which are unnecessary to be accompanied by PC in the amended Ordinance for Enforcement of the Plant Protection Act (please check the notified document).</p> <p>In addition, as a pragmatic approach, Japan has exceptionally inspected some plants not specified in the Ordinance imported by freight which are not accompanied by PC, and accepted to import if those plants pass the inspection. However, considering the recent reports that some serious quarantine pests have entered into Japan such as White Potato Cyst Nematode (<i>Globodera pallida</i>) and Plum Pox Virus, Japan has decided to stop the above mentioned exception in order to reduce the entry risks of such pests.</p> <p>Japan would request NPPO of WTO Members to inform those who have an intention to export plants to Japan after June 2020 (six months after the amended Ordinance comes into force) that it will be necessary to accompany PC for plants that are not specified in the amended Ordinance.</p>

7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	<p>Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (<i>e.g. title or serial number of Codex standard or related text</i>):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>):</p> <p><input checked="" type="checkbox"/> International Plant Protection Convention (<i>e.g. ISPM number</i>): IPPC Paragraph 2(a) of Articles 5 and 7, and ISPM N° 7 and 12</p> <p><input type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	<p>Other relevant documents and language(s) in which these are available:</p> <p>The legal basis of the Ordinance is derived from the Plant Protection Act. This revision will be published in "Kampo" (Official Government Gazette), available in Japanese. The relevant information is available in English from Japan's Plant Protection Station website at: http://www.pps.go.jp/english/index.html.</p>
10.	<p>Proposed date of adoption (<i>dd/mm/yy</i>): As soon as possible after the final date for the comment period.</p> <p>Proposed date of publication (<i>dd/mm/yy</i>): As soon as possible after the final date for the comment period.</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (<i>dd/mm/yy</i>): The amended Ordinance will come into force right after the date of adoption (December 2019).</p> <p>After six months from the entry into force of the amended Ordinance, Japanese NPPO will prohibit importation of any plants which are not accompanied by PC, unless not specified in the amended Ordinance.</p> <p><input type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (<i>dd/mm/yy</i>): 2 December 2019</p> <p>Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>International Trade Division Economic Affairs Bureau Ministry of Foreign Affairs 2-2-1 Kasumigaseki, Chiyoda-ku Tokyo 100-8919, Japan Fax: +(81 3) 5501 8343 E-mail: enquiry@mofa.go.jp</p>

13. Text(s) available from: National Notification Authority, National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

International Trade Division
Economic Affairs Bureau
Ministry of Foreign Affairs
2-2-1 Kasumigaseki, Chiyoda-ku
Tokyo 100-8919, Japan
Fax: +(81 3) 5501 8343
E-mail: enquiry@mofa.go.jp

The proposed revision of Article 5.3 of the Ordinance for Enforcement of the Plant Protection Act (Plants need not to be accompanied by Phytosanitary Certificate):

AFTER AMENDMENT	BEFORE AMENDMENT				
<p>Article 5-3 Plants not used for cultivation under Article 6 (Limitation on Import), Paragraph 1 of the Act and designated by the Order of the Ministry of Agriculture, Forestry and Fisheries as least liable to be infested with quarantine pests are as follows:</p> <p><u>However, this shall not apply to those used for fertilizer, feed and other production materials for agriculture, forestry and fishery, and those plants stipulated in the provision of Appended Table 2, Rows 14 and 15, the Column of Plants of the Ordinance for Enforcement of the Plant Protection Act of the Ministry of Agriculture, Forestry and Fisheries.</u></p> <ol style="list-style-type: none"> <u>1. Dried and compressed plants</u> <u>2. Dried and shredded plants (excluding Senna (Cassia acutifolia) stem, orange (Citrus sinensis) fruits, orange rind, and cassava (Manihot esculenta) root)</u> <u>3. Dried and crushed plants (excluding orange and tamarind (Tamrindus indica) fruits, and cassava root)</u> <u>4. Dried plants that have not been compressed, shredded, crushed or smashed. However, the following parts are excluded for wood and the following plants:</u> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><u>English name/Scientific name</u></td> <td style="width: 50%;"><u>Excluded parts</u></td> </tr> <tr> <td><u><i>Pinus pinea</i></u></td> <td><u>Leaf, branch and bark</u></td> </tr> </table>	<u>English name/Scientific name</u>	<u>Excluded parts</u>	<u><i>Pinus pinea</i></u>	<u>Leaf, branch and bark</u>	<p>Article 5-3 Plants not used for cultivation under Article 6 (Limitation on Import), Paragraph 1 of the Act and designated by the Order of the Ministry of Agriculture, Forestry and Fisheries as least liable to be infested with quarantine pests are as follows:</p> <ol style="list-style-type: none"> 1. Dried plants of turmeric and the genera Eucommia; 2. Dried seeds of almond, cashew, coconut, pepper, pistachio, Persian walnut and macadamia nut.
<u>English name/Scientific name</u>	<u>Excluded parts</u>				
<u><i>Pinus pinea</i></u>	<u>Leaf, branch and bark</u>				

<u><i>Eucalyptus stuartiana</i></u>	<u>Leaf, branch, flower and fruit</u>
<u><i>Eucalyptus viminalis</i></u>	<u>Leaf, branch, flower and fruit</u>
<u><i>Egoma (Perilla ocimoides)</i></u>	<u>Seed</u>
<u><i>Cacao (Theobroma cacao)</i></u>	<u>Seed</u>
<u><i>Castanea crenata</i></u>	<u>Shelled seed</u>
<u><i>Bubinga (Guibourtia pellegriniana)</i></u>	<u>Bark</u>
<u><i>Walnut (Juglans sp.)</i></u>	<u>Shelled walnut</u>
<u><i>Coriander (Coriandrum sativum)</i></u>	<u>Leaf and seed</u>
<u><i>Peruvian pepper (Schinus mole)</i></u>	<u>Leaf, branch, flower and fruit</u>
<u><i>Sesame (Sesamum indicum)</i></u>	<u>Seed</u>
<u><i>Pomegranate (Punica granatum)</i></u>	<u>Fruit</u>
<u><i>Sugar pine (Pinus lambertiana)</i></u>	<u>Leaf, branch and bark</u>
<u><i>Cryptomeria japonica</i></u>	<u>Fruit</u>
<u><i>Rapeseed (Brassica napus ssp. Oleifera)</i></u>	<u>Seed</u>
<u><i>Senna (Cassia acutifolia)</i></u>	<u>Leaf</u>
<u><i>Tamarind (Tamarindus indica)</i></u>	<u>Fruit</u>
<u><i>Castanea mollissima</i></u>	<u>Shelled seed</u>
<u><i>Jatropha curcas</i></u>	<u>Seed</u>
<u><i>Black cumin (Nigella sativa)</i></u>	<u>Seed</u>
<u><i>Cyperus rotundus</i></u>	<u>Leaf and stem</u>
<u><i>Pinus maritima</i></u>	<u>Leaf, branch and bark</u>
<u><i>Caraway (Carum carvi)</i></u>	<u>Seed</u>
<u><i>Brazil nut tree (Bertholletia excelsa)</i></u>	<u>Shelled seed</u>

<u>Carthamus tinctorius</u>	<u>Flower and seed</u>
<u>Ocimum basilicum</u>	<u>Leaf and seed</u>
<u>Terminalia catappa</u>	<u>Leaf, branch and flower</u>
<u>Juniperus communis</u>	<u>Fruit</u>
<u>Common beech (Fagus sylvatica)</u>	<u>Leaf, branch and flower</u>
<u>Horse radish tree (Moringa oleifera)</u>	<u>Leaf and fruit</u>
<u>Chenopodiaceae</u>	<u>Seed</u>
<u>Gramineae</u>	<u>Seed (excluding malt)</u>
<u>Polygonaceae</u>	<u>Seed</u>
<u>Amaranthaceae</u>	<u>Seed</u>
<u>Leguminosae</u>	<u>Seed</u>
<u>5. Frozen plants (excluding shelled walnut)</u>	