

The summary of the amendment to the Cabinet Order and Ordinance for Enforcement of the Food Sanitation Act

The government of Japan is planning to amend the Cabinet Order and Ordinance for Enforcement of the Food Sanitation Act (hereinafter referred to as “the Cabinet Order” and “the Ordinance” respectively) in order to introduce the system only substances evaluated their safety are allowed to be used for utensils, containers and packaging, which established by the amendment to the Food Sanitation Act (hereinafter referred to as “the Act”) promulgated in June 2018.

Background

- The amendment to the Act was established in June 2018 and its summary was previously informed to the WTO as G/TBT/N/JPN/582 in January 2018.
- In response to the amendment to the Act, the system only substances evaluated their safety are allowed to be used for utensils, containers and packaging are established, and the Cabinet Order and the Ordinance will be amended to specify the details.
- Amendment to the Cabinet Order and the Ordinance will be adopted in the summer of 2019 and will entry into force in the summer of 2020.

Outline of the amendment

Improvement of sanitary regulations for utensils, containers and packaging considering international consistency

- The material specified by the Cabinet Order according to paragraph (3) of Article 18 of the Act (The material subject to the Positive List: specifications and standards) is synthetic resin.
- The following issues are established according to the guideline for safety assurance in the manufacture etc. of food utensils, containers and packaging (<https://www.mhlw.go.jp/english/topics/foodsafety/containers/dl/guideline-english.pdf>).
- ✓ The standards specified by the Ordinance according to item (i) of paragraph (1) of Article 52 of the Act (The standards of the prerequisite programs)
- ✓ The standards specified by the Ordinance according to item (ii) of paragraph (1) of Article 52 of the Act (The standards of Good Manufacturing Practice)

- ✓ Matters for information provision specified by the Ordinance according to paragraph (1) and (2) of Article 53 of the Act (Obligation to provide information by the business operators who manufacture and sell utensils, containers, and packaging; and obligation to make effort to provide information by the business operators who manufacture and sell raw materials)

Matters for explanation specified in paragraph (1) and (2) of Article 53 of the Act are as follows:

1. Information confirms the following points: the products using the materials specified by the Cabinet Order according to paragraph (3) of Article 18 of the Act are those specified in item (i) or (ii) of paragraph (1) of Article 53 of the Act, or the raw materials using the materials specified by the Cabinet Order are appropriate as raw materials used for the products satisfy the item (i) or (ii)
 2. Information confirms the subjects of above information 1
- The Positive List (specifications and standards) and the exceptions of regulations by the List (migration levels that are no concern relevant to human health) will be established separately.

(end)