

The Food Safety Basic Law (Tentative Translation)

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Contents

- Chapter I General Provisions (Articles 1-10)
- Chapter II Basic Direction for Policy Formulation (Articles 11-21)
- Chapter III Food Safety Commission (Articles 22-38)

Chapter I General Provisions

(Purpose)

Article 1 In consideration of the vital importance of precise responses to the development of science and technology, and to the progress of internationalization and other changes in the environment surrounding Japan's dietary habits, the purpose of this Law is to comprehensively promote policies to ensure food safety by establishing basic principles, by clarifying the responsibilities of the state, local governments, and food-related business operators and the roles of consumers, and establishing a basic direction for policy formulation, in order to ensure food safety.

(Definition)

Article 2 "Food" as used in this Law shall mean all food and drink (excluding drugs and quasi-drugs provided by the Pharmaceutical Affairs Law (Law No. 145 of 1960)).

(Basic recognition in taking measures for ensuring food safety)

Article 3 Food safety shall be ensured by taking the necessary measures based on the simple recognition that the protection of the health of our citizens is a top priority.

(Appropriate measures at each stage of the food supply process)

Article 4 Food safety may be affected by every element in a series of internal and external food supply processes, from the production of agricultural, forestry, and fishery products to food sales (hereinafter referred to as "food supply process"); it thus shall be ensured by taking the necessary measures appropriately at each stage of the food supply process.

(Prevention of adverse effects on the health of citizens)

Article 5 Food safety shall be ensured by taking the necessary measures on the basis of scientific knowledge and in sufficient consideration of international trends and the opinions of citizens with respect to ensuring food safety, for the purpose of preventing adverse effects on the health of citizens due caused by food.

(Responsibilities of the state)

Article 6 The state shall be responsible for comprehensively formulating and implementing policies to ensure food safety on the code of basic principles for ensuring food safety, provided in the preceding three articles (hereinafter referred to as the "basic principles").

(Responsibilities of the local governments)

Article 7 Local governments shall be responsible for formulating and implementing policies to ensure food safety that corresponds to the natural, economic, and social conditions of the area under their jurisdiction, on the code of the basic principles and on the basis of an appropriate sharing of roles with the state.

(Responsibility of food-related business operators)

Article 8 Business operators that produce, import, sell, or conduct other business for fertilizers, agricultural chemicals, feed, feed additives, veterinary medicines and other production materials for agriculture, forestry, or fishery that may have an effect on food safety, food (including agricultural, forestry, and fishery products used as raw materials or materials), additives (those provided in Article 2, paragraph 2 of the Food Sanitation Law (Law No. 233 of 1947)), apparatuses (those provided in Article 2, paragraph 4 of the said Law) or containers and packages (those provided in Article 2, paragraph 5 of the said Law) (hereinafter referred to as "food-related business operators") shall be responsible for appropriately taking the necessary measures to ensure food safety at each stage of the food supply process. This will be done according to the code of the basic principles and on the basis of the recognition that they bear the primary responsibility for ensuring food safety when conducting their business activities.

2. In addition to the provisions of the preceding paragraph, food-related business operators shall, in conducting their business activities, make efforts to provide accurate and appropriate information concerning food and other articles related to their own business activities on the code of the basic principles.

3. In addition to the provisions of the preceding two paragraphs, food-related business operators shall be responsible for cooperating in policies that are implemented by the state or the local governments, on the code of the basic principles, to ensure food safety.

(Roles of consumers)

Article 9 Consumers shall play an active role in ensuring food safety by endeavoring to improve their own knowledge and understanding of food safety and by making efforts to express their opinions about policies to ensure food safety.

(Legislative measures, etc.)

Article 10 The government shall take legislative or financial measures and other necessary measures to implement policies to ensure food safety.

Chapter II Basic Directions for Policy Formulation

(Implementation of assessment of the effect of food on health)

Article 11 In formulating policies to ensure food safety, assessment (hereinafter referred to as the "assessment of the effect of food on health") shall be made for each policy on the effects that potentially harmful biological, chemical, or physical agents in food or the condition of food have on human health, through the ingestion of the food, provided that this shall not apply to the following cases:

- (1) where the assessment of the effect of food on health is explicitly unnecessary in consideration of the contents of the measure;
- (2) where the contents and degree of adverse effects on human health are clear;
- (3) where there is no time to conduct an assessment of the effects of food on health in advance in cases where the measure is urgently necessary to prevent or control an adverse effect on human health.

2. In cases as cited in (3) of the preceding paragraph, the assessment of the effect of food on health shall be conducted subsequently and without delay.

3. The assessment of the effect of food on health provided in the preceding two paragraphs shall be conducted in an objective, neutral, and fair manner on the basis of the state-of-the-art scientific knowledge of the time.

(Formulation of policies on the basis of the results of the assessment of the effect of food on health in consideration of the conditions of nationals' dietary habits and other circumstances)

Article 12 In formulating policies to ensure food safety, it shall be conducted for the purpose of preventing and restraining the adverse effect of food ingestion on human health, in consideration of the dietary habits of citizens and other circumstances, and on the basis of the results of the assessment of effect of food on health if conducted in accordance with the provisions of paragraph 1 or 2 of the preceding article.

(Promotion of exchanges of information and opinions)

Article 13 In formulating policies to ensure food safety, necessary measures for promoting the mutual exchange of information and opinions among persons or parties concerned, such as provision of information concerning the policies and the granting of opportunities to comment on those policies, shall be taken to reflect public opinion in the formulation of the policies and to ensure the transparency and fairness of the process.

(Establishment of a system to cope with emergency and other situations)

Article 14 In formulating policies to ensure food safety, necessary measures, such as establishment of a system to cope with or prevent emergency situations that cause or are liable to cause serious damage to human health by food ingestion, shall be taken to prevent such damage.

(Close and mutual cooperation among related administrative bodies)

Article 15 In formulating policies to ensure food safety, close and mutual cooperation among related administrative bodies shall be made to create the necessary measures for ensuring food safety to be appropriately taken at each stage of the food supply process.

(Establishment of research and other systems)

Article 16 In formulating policies to ensure food safety, necessary measures, such as establishment of research systems, promotion of research and development, dissemination of results thereof and training of researchers, shall be taken in consideration that efforts to improve scientific knowledge are important for ensuring food safety.

(Collection, arrangement, and utilization of internal and external information)

Article 17 In formulating policies to ensure food safety, necessary measures such as the collection, arrangement, and utilization of internal and external information about ensuring food safety, shall be taken to appropriately and effectively implement the necessary measures for ensuring food safety in response to changes in the environment surrounding Japanese dietary habits.

(Ensuring appropriate labeling)

Article 18 In formulating policies to ensure food safety, necessary measures for accurately conveying the information on food, such as ensuring the appropriate operation of a food labeling system, shall be taken in consideration that food labeling plays an important role in ensuring food safety.