



EBC Comments on the Draft Framework for Review of Food and Sanitation Regulations

The European Business Community in Japan (EBC)

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The European Business Community (EBC) is the trade policy arm of the combined European chambers of commerce in Japan and represents the interests of over 3,000 European firms doing business in Japan. The EBC takes concerns over the safety of the food sold in Japan very seriously. European food producers take great pride in the quality of their products, and recognize the importance of maintaining a safe food supply.

The EBC supports efforts initiated by the Japanese Government to improve the regulatory environment governing the production, distribution and import of food in Japan. The EBC feels strongly that the key to promoting consumer confidence lies in the ability of the authorities to develop a regulatory framework that is not only effective in ensuring food safety, but also ensures an efficient supply of quality food to the Japanese consumer.

It is imperative that all revisions to the regulatory framework governing food safety in Japan, including changes proposed in the Draft Framework, are introduced in a transparent and efficient manner that take into full account the practical considerations of food producers and importers, while at the same time ensuring adequate consumer protection. All new regulatory requirements should be grounded in standards for food safety that are widely accepted by the international community and based on sound scientific principles of regulatory practice. These regulations should apply equally to all products and not unduly discriminate against imports.

Special consideration should be given to the issues outlined below:

1. Residues – The EBC supports the proposal to strengthen the development of residue standards for agricultural chemicals, veterinary drugs and feed additives (cf. Draft Framework Section III. 2 (1)). The development of effective risk-based standards, coupled with an effective enforcement mechanism, has the potential to greatly enhance food safety in Japan. It is absolutely imperative that the specification and application of these standards reflect current international best practice. The current system for setting Maximum Residue Levels (MRL) in Japan is not based on sound scientific criteria, with certain substances controlled too stringently (e.g. “zero-residue” for antimicrobials), while others are reviewed with practically no residue monitoring at all. In the US and in Europe, withdrawal periods for new substances

(including animal drugs) are established when the product is approved for sale based on previously established MRLs. The EBC proposes that a similar system be adopted in Japan as well.

2. Food additives – Recent scandals involving the use of food additives have revealed major problems in the way food additives are regulated in Japan. Of the 828 additives authorized for use in Japan, only 294 are accepted by the Joint FAO/WHO Expert Committee on Food Additives (JEFCA). Over 600 other substances accepted by JEFCA as being safe are not allowed in Japan, including many additives in common use around the world. The EBC is disappointed that the Draft Framework only recognizes the first of these problems (cf. Draft Framework Section III 2 (2)). The EBC feels strongly that the Japanese Government should take a comprehensive approach to modernizing the Japanese food additives list to ensure that Japanese food additive regulations conform completely with scientific standards widely accepted by the international community. A revised list of additives of priority concern to European food producers active in Japan that was first submitted by the EBC to the MHLW on October 10, 2002 is attached to the end of this document.

3. Testing – The EBC supports proposals contained in the Draft Framework (cf. Section III 3 (1)) to improve inspection and testing procedures, including a proposal that would allow for the licensing of commercial third-party testing facilities. Foreign testing facilities should not be excluded from consideration. The EBC also considers mutual recognition between the EU and Japan of testing standards, procedures and certificates an effective means to further facilitate trade.

Appendix – List of food additives of priority concern to European food producers in Japan

Substances that should be added to the Japan's Food Additives List as soon as possible:

SSL

Sodium Aluminium Phosphate (SALP)

Polysorbate 20

Polysorbate 60

Polysorbate 65

Polysorbate 80

Hydroxypropylmethylcellulose

Isopropanol

Acetaldehyde

Calcium Silicate

Natamicyn

Beta apo 8' carotenal

Iodized salt

Synthetic taurine

Glucuronolactone

Nicotinamide adenine dinucleotide (NADH) (also known as Coenzyme 1)

Azorubine

Ammonium phosphatides

Hydroxypropyl cellulose

Potassium aluminium silicate

Glutaraldehyde

Metatartrique acid

Potassium ferrocyanide

Calcium ferrocyanide

Substances whose standards of use should be adapted as soon as possible to conform to common global practice (cf. EU food additive directives):

Sorbic acid

Benzoic Acid

Carboxymethylcellulose

Calcium carbonate

Magnesium oxide

Calcium propionate

Potassium sorbate

Sodium ferrocyanide