

European Business Council (EBC)

Retail, Wholesale and Distribution Committee

Position Paper

Request for changes the regulation in regards to import of tableware

February 14, 2005

Summary of the EBC Position

The EBC requests the Government of Japan to adjust the current regulations governing the import of the tableware under the Food Sanitation Law to be more in line with similar regulations in the EU and in other areas of the world.

Today, the routines and procedures surrounding the import of tableware requires considerable paperwork, time and money for testing, which the EBC believes are not necessary and which gives the importer of tableware an unreasonable handicap compared to the domestic manufacturer of tableware. EBC calls for a simpler import and testing procedure. This includes:

- (A) Revision of the category system for sizes and shapes;
- (B) Revision of category system for material and color; and
- (C) A change in the Import Approval Term from 1 year to 5 years.

One of the main purposes of the Food Sanitation Law is to protect the Japanese end consumer from using tableware that may in some way or another be harmful to the health of the consumer. However, the EBC believes that it is possible to ease the current regulations and procedures, and still keep the same level of protection of the end user.

Detailed requests:

The procedure for the import of tableware can be divided into (1) The Approval Process and (2) The Inspection Testing Process. Below the specific requests in regards to both are explained.

1. Simplification of Approval Process

Today, prior to import of tableware into Japan it is necessary, in effect, for the importing company to submit separate Application Forms for each different item. Separate Application Forms must be submitted if they come from different manufacturers, are made of different material, are in different colors or if they fall into different size categories. Due to the size category

requirements, cases appear where products – for example a cup and a saucer - manufactured in the same factory in the same color and material, still require separate Import Application Forms and later on separate samples for inspection prior to import.

Once a product has been approved the approval is only valid for one year. If imported more than one year later in principle it is necessary again to go through the same application process.

The EBC proposal:

- A: Depending on the size and shape of the products, currently separate application forms must be used. The EBC suggests that the applications should not be made according to shapes and sizes, but according to material. The current size categories have no relation to food sanitation, and should be abandoned.
- B: The grouping of applications depending on the color and material of the products should be simplified, so that certain colors or certain materials which are in general understood as safe, should be exempt from the Food Sanitation Law.
- C: The 1 year approval period should be prolonged to 5 years.

By simplifying the approval categories, the volume of paper work connected to the import of tableware could be reduced considerably without adding risks.

2. Simplification of the Import Inspection Test Procedures

Tableware products falling into different size, material or color categories must in principle each be submitted for Import Inspection Testing. Depending on the place and product, inspection tests can usually be carried out within around 5 working days. Inspection Test costs are paid according to the material of the product, and an Inspection Test fee is paid typically ranging from 10.000 Yen to 40.000 Yen per product.

By simplifying the categories – as mentioned above – by abandoning the size category, and simplify the color and material category, it will be possible to reduce the number of products that require Inspection Tests, which will result in reduced workload and costs for the importer, without added risk to the end consumer.