Food Labeling System in Japan

October 29 2013
Consumer Affairs Agency, Food Labeling Division
Consumer Affairs Agency (CAA)

- An external organ of the Cabinet Office
- Established on September 1, 2009
Contents

Ⅰ. Overview of the Food Labeling System

Ⅱ. Main Items in Current Food Label

Ⅲ. Perspective of a new Food Labeling Law
I. Overview of the Food Labeling System
Currents Acts Concerning Food Labeling in Japan

- **Food Sanitation Act** prevents health harms caused by food insanitation.
- **JAS** provides proper labeling on ingredients, origin and quality to consumers.
- **Health Promotion Act** promotes the health of Japanese through improving nutrition intake, etc.

### An Example of Food Label

- **Name**: Snack
- **Ingredients**: potato (non GM), plant fat and oil, salt, dextrin, lactose, protein hydrolysate (including wheat), powdered yeast extract, powdered soy sauce, powdered fish extract (including crab and shrimp), flavors, seasoning (amino acid, etc.), egg shell calcium
- **Content**: 81g
- **Expiration date**: Best-before date
- **Storage method**: Labeling on the right side
- **Instructions on keeping**: Keep away from direct sunlight, heat and moisture.
- **GMO**: No
- **Country/Place of origin**: 39
- **Distributor**

Main Nutritional Components per bag (81g) (private analysis)

- **Energy**: 483 kcal
- **Protein**: 3.8 g
- **Fat**: 35.3 g
- **Carbohydrate**: 37.6 g
- **Sodium**: 330 mg
- **Salt equivalence**: 0.8 g

*nutritional labeling is voluntary.

*39 refers to unique processing facility code
**Food Labeling Standard**

**JAS**
- Establish quality labeling standards of all food and beverages to be observed by manufacturers, etc.

**Quality labeling standard for perishable food**
- Food that are not processed such as agricultural products (vegetables, fruits), livestock products (meat, eggs), marine products (fish, shell).

**Quality labeling standard for processed food**
- Foods that are altered from fresh foods through manufacturing process.

**Quality labeling standard for GM food**
- "GMO" needs to be indicated for every processed food or agricultural product such as soybean and corn that have been genetically modified.

**Health Promotion Act**
- Establish labeling standards of special use and nutrition facts for comprehensive promotion of citizens' health.

**Label of Food for Special Dietary Uses**
- Food for Specified Health Uses (Individual Approval Type)
  - Need to indicate the health uses
- Food for Special Dietary Uses
  - Need to indicate the special uses

**Nutrition Labeling**
- Voluntary labeling
  - (energy + major nutrients + others)
- Nutrient Function Claims (Standard Type)
  - (12 Vitamins, 5 minerals)

**Food Sanitation Act**
- Provide standards of labeling of food and additives supplied for sales.

**Items subject to the Act**
- Margarine, soft drinks, meat products
- Fish ham, fish sausages, whale bacon, frozen foods
- Retort pouch foods
- Meat, raw sliced or stripped seafood
- Packaged processed foods
- Unpackaged raw meat
- Milk and such dairy products as butter, cheese, and ice cream etc.
CAA is responsible for all kinds of administrative work regarding labeling regulation regarding JAS, Food Sanitation Act, and Health Promotion Act.

CAA is also mandated to draft and introduce legislation regarding labeling standards.

CAA has fine collaboration with other relevant ministries and a commission for the enforcement.

Current Food Labeling System

CAA

Legislation

Request

Consult

Inquire

○ Draft and introduce legislation regarding labeling standards

Enforcement

○ On-site inspection, Advise

○ Commandment to operators

Approval of Foods for Special Dietary Uses

Consumers Commission

○ Provide advice before promulgation of a new standard.

○ Inspect and deliberate about function and safety of foods for special dietary uses

Ministry of Labor, Health and Welfare

Ministry of Agriculture, Forestry, and Fisheries
Ⅱ．Main Items in Current Food Label
### Labeling Information of Perishable Food

<table>
<thead>
<tr>
<th>Name</th>
<th>General name of the food</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agricultural Foods</strong></td>
<td>Domestic products: name of prefecture</td>
</tr>
<tr>
<td></td>
<td>Import product: name of export country</td>
</tr>
<tr>
<td><strong>Livestock Foods</strong></td>
<td>Domestic products: indicate that it is domestic</td>
</tr>
<tr>
<td></td>
<td>Import product: name of export country</td>
</tr>
<tr>
<td><strong>Marine Foods</strong></td>
<td>Domestic products: indicate the region or area of the sea that it has been produced</td>
</tr>
<tr>
<td></td>
<td>(in case that it is difficult to indicate the area of sea, it is allowed to use the name of prefecture that it has been unloaded)</td>
</tr>
<tr>
<td></td>
<td>Import product: name of export country</td>
</tr>
</tbody>
</table>

At retail stores, name and origin of food should be indicated by either one of the following ways:

- to label on an easy-to-see place of a package
- to post a notice at a place close to the product
- to display elsewhere that is easy to see
Labeling of Processed Foods

<table>
<thead>
<tr>
<th>Name</th>
<th>....</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingredients</td>
<td>....</td>
</tr>
<tr>
<td>Weight</td>
<td>....</td>
</tr>
<tr>
<td>Expiration date</td>
<td>....</td>
</tr>
<tr>
<td>Instructions on keeping</td>
<td>....</td>
</tr>
<tr>
<td>Name and address of manufacturer</td>
<td>....</td>
</tr>
<tr>
<td>Allergy information</td>
<td>....</td>
</tr>
<tr>
<td>Country of origin (imported case)</td>
<td>....</td>
</tr>
<tr>
<td>Origin of raw material</td>
<td>....</td>
</tr>
<tr>
<td>GMO</td>
<td>....</td>
</tr>
<tr>
<td>Nutritional information</td>
<td>....</td>
</tr>
</tbody>
</table>

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Labeling of Food Additives

As a principle, all additives used in the food are listed in “substance name”.

Labeling Examples

Ingredients: flour, sugar, vegetable oil (soybean included), egg, almond, butter, isomerized glucose syrup, powdered skim milk, liqueur, starch, sorbitol, leavening agent, flavor, emulsifier, colorings (caramel, carotene), antioxidants (vitamin E, vitamin C)

Exception for additives information

<table>
<thead>
<tr>
<th>Collective term can be used</th>
<th>Term for the purpose listed together</th>
<th>Labeling exempted</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Food additive often become effective when multiple additives are combined.</td>
<td>- When it is more likely to gain consumers’ understanding by listing purpose of use and effects of additives in which consumers have much interest, they will be listed together.</td>
<td>- Food additives that are not remaining in the final food or that have no effect or are not expected to have effects on the final food as it is in small quantity although it is remaining are exempt from labeling.</td>
</tr>
<tr>
<td>- Thus, use of collective term is accepted as it will achieve the purpose of labeling for additives for which there is little need for listing all substance terms and because they are resident components in food.</td>
<td>E.g.: preservative sorbic acid, sweetener (saccharin sodium)</td>
<td>Preservative, sweetener, coloring, thickener, antioxidant, coloring substance, decolorant, fungicide</td>
</tr>
<tr>
<td>- However, it is limited to the case when additives listed in the notice are used for purposes that meet the provided definition.</td>
<td>E.g.: “gum base” not for swallowing, “flavors” that are usually used in combination and the added amount is very small, and “amino acid” that is a resident component</td>
<td>Processing aids, carryover, nutrition enriching substance</td>
</tr>
</tbody>
</table>

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8 kinds of agricultural products and their processed foods including GMO are required to notify, mandatorily, “GMO” or “GMO is not separated”, and, voluntary, “non-GMO”.

### How to label GMO product

- **MUST**
  - 「Soybean (GMO)」

- **MUST**
  - 「Soybean (GMO is not separated)」

### How to label non-GMO product

- **Optional**
  - 「Soybean (non-GMO)」

  「Soybean (non-GMO is sorted)」

## Examples

<table>
<thead>
<tr>
<th>Name</th>
<th>Tofu</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingredients</td>
<td>Soybean (GMO is not separated), .......</td>
</tr>
<tr>
<td>Weight</td>
<td>......</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Miso (rice)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingredients</td>
<td>Soybean (non-GMO), .......</td>
</tr>
<tr>
<td>Weight</td>
<td>......</td>
</tr>
</tbody>
</table>

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**Labeling of Expiration Date  (Used-by Date • Best Before Date)**

<table>
<thead>
<tr>
<th>Product Examples</th>
<th>Meaning</th>
<th>Product Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Snack, cup ramen, can</td>
<td>Best-to-Eat Period</td>
<td>Lunch box, sandwich, side dish</td>
</tr>
<tr>
<td>Period that the overall expected quality can sufficiently retain if preserved properly.</td>
<td>Should not eat after the period</td>
<td>Period that the food safety, i.e. not rotten nor deteriorate, is guaranteed if preserved properly.</td>
</tr>
<tr>
<td>However, the quality can still retain even after that period.</td>
<td>Still eatable</td>
<td>Should not eat after this period</td>
</tr>
</tbody>
</table>

*Long lasting food*  

*Easily-rotten food*  

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Ⅲ． Perspective of a new Food Labeling Law
How can we make food labels easier to understand?

- Unify terminologies and simplify labels: 77.1%
- Enlarge the font size. Current one is too small and hard to read: 42.1%
- Put information as much as possible: 34.2%
- Limit information to those that are useful for selection, for currently there are too much information on the food products: 15.2%
- Others: 2.8%

The present food labeling system is regulated by many laws. Issues in…

- Inconsistency of terminologies
- Complication from diversified regulations

lead to

- misunderstandings of consumers
- loading manufactures with additional compliance cost

In September 2009, the Japanese Government established the Consumer Affairs Agency (CAA). CAA is responsible for all laws and regulations regarding food labeling, based on Food Sanitation Act, JAS, and Health Promotion Act.

It enables integrated operations for consumer administration regarding food labeling conducted at different ministries

In July 2011, Consumer Master Plan was promulgated. It attempts to introduce integrated food labeling laws within the fiscal year 2012.
Current Laws regarding Food Labeling

**Food Sanitation Act**

- **Purpose**
  - To prevent the sanitation hazards resulting from eating and drinking
- **Concerning food labeling**
  - Establishment of the necessary criteria for the labeling of food to serve for the purpose of marketing (Article 19)
  - Enforcing the regulations concerning Food and Additives, Apparatus and Containers and Packaging
  - Prohibition of the sales for the products which do not conform to the standards and/or criteria
  - Giving approval to a person who intends to conduct business from the prefectural governor

**Japan Agricultural Standard Act**

- **Purpose**
  - To improve quality of agricultural and forestry products
  - To help consumers choose products by enforcing proper quality labeling of them
- **Concerning food labeling**
  - Enactment of labeling standards to be observed by Manufacturer, etc. (Article 19-13)
  - Compliance with Standards for Quality Labeling (Article 19-13-2)
  - Enactment of Japanese Agricultural Standards
  - Grading in accordance with Japanese Agricultural Standards etc.

**Health Promotion Act**

- **Purpose**
  - To improve nutritional status and promote health
- **Concerning food labeling**
  - Enactment of nutrition labeling standards (Article 31)
  - Compliance with Standards (Article 31-2)

- **Other concerns**
  - Set a general policies
  - Implementation of the national health and nutrition survey
  - Prevention of passive smoking
  - License pertaining to Food for Special Dietary Uses etc.

*Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products

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In order to secure the food safety and ensure general consumers spontaneous and rational food choices, a comprehensive and integrated framework which is to coordinate all regulations regarding food labeling stipulated in Food Sanitation Acts, JAS, and Health Promotion Act is established.

(A mandatory framework of the present voluntary nutrition labeling system is also planned to be established.)

<table>
<thead>
<tr>
<th>Consistent labelling standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easy-to-understand labels both for consumers and manufactures</td>
</tr>
<tr>
<td>Health promotion through daily management of diet and nutrition intakes</td>
</tr>
<tr>
<td>Effective and efficient enforcement of relevant laws</td>
</tr>
</tbody>
</table>
Objectives

○ Objectives (Article 1)
  - Safety of food consumption
  - Guarantee of the opportunity that consumers have in selecting food products independently and rationally

○ Fundamental Rationale (Article 3)
  - Respect of consumers’ rights and support of consumers’ independency
  - Consideration of small enterprises in the food-related industry
Summary of the Food Labelling Act

Food Labelling Standard

(Article 4)

The Prime Minister shall determine the food labeling standard

① Name, allergen, preservation, use by date, ingredients, additives, amount and calories of nutrition, places of origin, and other matters that should be indicated

② The standard that food-related business operators should comply with in labelling the product

Compliance with the Standard

(Article 5)

Food-related business operators shall have an obligation to label food, complying with the standard
Instructions and orders (Articles 6, 7)

- Prime Minister (all kinds), Minister of Agriculture, Forestry, and Fisheries (all kinds other than alcoholic beverages), Minister of Finance (alcoholic beverages)
- An instruction expressing matters that are and are to be indicated shall be issued to an operator who violates the standard
- Prime Minister ~ In the case of non-compliance with the instruction, order
- Prime Minister ~ In the case of urgent necessity, an order of withdrawal of food or termination of business
- Instructions and orders shall be made publicly
On-site Inspection (Articles 8-10)

Where an investigation of violations is necessary, on-site inspection, collection of report, an order of submitting documents, questioning, removal
Report to the Prime Minister

○ Where a food label is inappropriate, violating consumers’ rights, all persons may
  ~ report to the Prime Minister and others
  ⇒ The Prime Ministers and others shall make necessary investigations. Where the report is true, necessary measures shall be taken.

○ The rights to demand an injunction where indicated contents are or may be clearly false
  （Qualified consumer organization ~ Similar to Act on Specified Commercial Transactions, Premium Labelling Act）
Penal provisions (Articles 17-23)

Penal provisions in the case of violations of the food labelling standard (indication about safety, places of origin of ingredients and raw materials), violations of orders and other

Supplementary provisions

○ effective date ~ shall be effective no late than two years after the date of promulgation
# Overview of the new Food Labeling Act

<table>
<thead>
<tr>
<th>Food Sanitation Act</th>
<th>JAS</th>
<th>Health Promotion Act</th>
<th>The new Food Labeling Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cabinet Office Ordinance</td>
<td>Quality labeling standards for processed food (notice)</td>
<td>Nutrition labeling standards (notice)</td>
<td>Food labeling standards (Cabinet Office Ordinance)</td>
</tr>
<tr>
<td>· Name</td>
<td>· Name</td>
<td>· Nutritional value labeling</td>
<td>· Name</td>
</tr>
<tr>
<td>· Used–by date, Best before date</td>
<td>· Ingredients</td>
<td>· Nutrition claims</td>
<td>· Origin (perishables)</td>
</tr>
<tr>
<td>· Manufacturer name and address</td>
<td>· Weights</td>
<td></td>
<td>· Ingredients</td>
</tr>
<tr>
<td>· Additives</td>
<td>· Used–by date, Best before date</td>
<td></td>
<td>· Allergen</td>
</tr>
<tr>
<td>· Allergy labeling</td>
<td>· Preservation</td>
<td></td>
<td>· GMO labeling</td>
</tr>
<tr>
<td>· Instruction on keeping</td>
<td>· Place of Origin (import product)</td>
<td></td>
<td>· Additives</td>
</tr>
<tr>
<td>etc.</td>
<td>· Place of Origin of ingredients (required products)</td>
<td>etc.</td>
<td>· Weights</td>
</tr>
<tr>
<td>Quality labeling standards for perishable foods (notice)</td>
<td>· Manufacturer name and address</td>
<td>etc.</td>
<td>· Used–by date, best before date</td>
</tr>
<tr>
<td>· Name</td>
<td>· Font size for labeling etc.</td>
<td></td>
<td>· Instruction on keeping</td>
</tr>
<tr>
<td>· Origin etc.</td>
<td></td>
<td></td>
<td>· Place of Origin (import product)</td>
</tr>
<tr>
<td>Quality labeling standards for GMO products (notice)</td>
<td></td>
<td></td>
<td>· Place of Origin of ingredients</td>
</tr>
<tr>
<td>· labeling required items, how to label etc.</td>
<td></td>
<td></td>
<td>· Manufacturer name and address</td>
</tr>
</tbody>
</table>

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Scheme of the Food Labelling Act

The Prime Minister formulates the standard.

Food-related manufactures have an obligation to comply with the standard.

Violations of the standard

Instructions

Orders

Orders recalling the product

Punishment

Where there is urgent necessity to prevent the harms to life and bodies

- violations of indication about safety
- false indication of the place of origin
Double track in monitoring food labelling

A suit by consumer organization (a demand for injunction)
- Existence of victims who are consumers (violations of the food labelling standard)
- The non-judicial negotiation by qualified consumer organizations
  - Non-judicial reconciliation
  - A written demand to relevant operators by qualified consumer organizations
  - One week of the grace period
  - Filing of a suit by qualified consumer organizations
  - Judgment, judicial reconciliation

The report system
Where a food label is inappropriate, violating consumers’ rights, all persons may report
- An investigation by the Prime Minister and others
  - If the report is true, appropriate measures shall be taken, which include, among others,
    - the instruction indicating rectification to food-related business operators
    - revision of the standard
Timeline for implementation of a new food labelling system (proposal)

The timing of introduction of the mandatory food labelling will be determined based on the progress of the environmental improvement, while aiming to approx. five years after the enforcement of the new law.

Timeline:
- **Food Labelling Act**
  - Deliberation
  - Draft the legislation
  - Introduce the legislation
- **25.6**
  - Promulgation
  - Enforcement
  - Period of transitional measures
  - Completion of transition
- **Until 27.6**
  - Disseminating period
  - 1-2 yrs (P) indicated separately

Further Issues:
- Labelling on ready-to-eat food and in a restaurant (e.g. labelling for food allergy), and in the Internet sales
- Labelling of genetically modified food and food additives
- Labelling of country of origin for the ready-to-eat food
For further Information of the Food Labeling System

CAA Homepage

「食品表示に関する制度」 (Food Labeling System)

http://www.caa.go.jp/foods/index.html

(Mostly Japanese only)
Lastly

THANK YOU

Official mascot of Consumer Affairs Agency

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