

# Genetically Modified Food Labeling Standard

Ministry of Agriculture, Forestry and Fisheries

(UNOFFICIAL TRANSLATION)

## Article 1. Scope

This standard applies to processed foods and to perishable foods.

## Article 2. Definitions

Term/definition

**Designated agricultural products:** Agricultural products which have some crops developed by recombinant DNA techniques in their category and are listed in Attached Table 1. (Recombinant DNA techniques is a technological method of dividing DNA and recombining them using enzymes, etc., and transplanting the recombinant DNA into live cells for propagation. Same applies hereinafter.)

**Genetically modified agricultural products:** Agricultural products obtained through recombinant DNA techniques.

**Non-GM agricultural products:** Agricultural products that belong to the category of designated agricultural products but are not genetically modified agricultural products themselves.

**Identity preserved handling:** Management method in which segregation between genetically modified agricultural products and non-GM agricultural products is accomplished, under the care of a good manager at each stage of production, distribution and processing. Further, it must be verified by using documents clearly indicating that segregation has been made.

**Main ingredients:** Ingredients that are ranked within the top three constituents in terms of the ratio of weight they occupy, and the weight ratios of which account for five or more percent of the total.

## Article 3. Labeling method

1. For foods processed from designated agricultural products (including foods subsequently processed from such foods) listed in the left column of Attached Table 2 as the products in which recombinant DNA or the resulting protein still exists even after processing, the following declarations are required:

- Producers, manufacturers, packers or importers (or retailers when retailers are nominated to do the labeling based on the agreement with the producers, manufacturers and packers) must indicate the following information on the container or the package of the designated agricultural products listed in the right column of Attached Table 2 as well as the items required by Article 4 of the Processed Food Quality Labeling Standard.

This obligation, however, may not be applied when the labeling space of the containers or packages of the products is 30cm<sup>2</sup> or less in size.

(1) In the event that a ingredient is a genetically modified agricultural product and it is confirmed that it has been treated under a identity preserved handling: Regardless of the provision of 6 of Article 3 of the Processed Food Quality Labeling Standard, it shall be declared that the ingredient is a genetically modified agricultural product by printing in parentheses words

representing genetically modified following the name of the ingredient.

(2) In the event that a ingredient is a designated agricultural product and if the product has been produced, distributed, or processed without segregation between genetically modified agricultural products and non-GM agricultural products: Regardless of the provision of 6 of Article 3 of the Processed Food Quality Labeling Standard, it shall be declared that such segregation has not been made for the ingredient by printing in parentheses words representing GM not segregated following the name of the ingredient.

(3) In the event that a ingredient is a non-GM agricultural product and it is confirmed that it has been treated under a identity preserved handling:

- The name of the ingredient shall be declared; or
- (In the case that it is made of only one ingredient) the name of the ingredient should be omitted with respect to the provision of 6 of Article 3 of the Processed Food Quality Labeling Standards; or
- It shall be declared that the ingredient is a non-GM agricultural product treated under a identity preserved handling by printing in parentheses words representing non-GM following the name of the ingredient.

2. As for the labeling of designated agricultural products, following declarations are required for the retailers in addition to the items which are required by Articles 4 of the Perishable Food Quality Labeling Standard:

(1) In the event that the genetically modified agricultural product is confirmed that it has been treated under a identity preserved handling: It shall be declared that the designated agricultural product is a genetically modified agricultural product by printing in parentheses words representing genetically modified following the name of the food.

(2) In the event that the perishable food is a designated agricultural product and if the product has been produced or distributed without segregation between genetically modified agricultural and non-GM agricultural products: It shall be declared that segregation has not been made for the perishable food by printing in parentheses words representing GM not segregated following the name of the perishable food.

(3) In the event that the non-GM agricultural product is confirmed that it has been treated under a identity preserved handling:

- The name of the agricultural product shall be declared; or
- It shall be declared that the perishable food is a non-GM agricultural product treated under a identity preserved handling, by printing in parentheses words representing non-GM following the name of the designated agricultural products.

3. Although a identity preserved handling has been performed, there is a possibility that a certain amount of genetically modified agricultural products may be unintentionally commingled into non-GM ones. In this case, as far as the confirmation procedures provided for in 1(1), 1(3), 2(1), and 2(3) of this Article have been properly followed, the products shall be regarded as the products treated under a identity preserved handling for the application of 1 or 2 of this Article.

#### **Article 4. Processed Foods Not requiring Labeling**

For foods listed in Attached Table 2 which contain designated agricultural products but are not main ingredients, the labeling concerning GM is not necessary. However, the provisions of 1 and 3 of this Article 3 can be applied to ingredients that are designated agricultural products or the processed food which is made of designated agricultural products, if the products carry labeling concerning GM.

2. For processed foods not listed in Attached Table 2, the labeling concerning GM is not necessary. However, the provisions of 1 and 3 of Article 3 can be applied to ingredients that are designated agricultural products, if the products carry labeling concerning GM.

## Article 5. Labeling Prohibitions

Article 6 of the Processed Food Quality Labeling Standard and of the Perishable Food Quality Labeling Standard provide for the words that must not be printed on processed foods and perishable foods, respectively. In addition, no words representing non-GM shall appear either on agricultural products that belong to crop items other than those which were developed by recombinant DNA techniques or on foods processed from such products.

Table 1 (Related to Article 2)

1. Soybean (including green soybeans and soybean sprouts)
2. Corn
3. Potato
4. Rapeseed
5. Cottonseed

Table 2 (Related to Article 3)

Items subject to labeling	Ingredient to be labeled
1. Tofu (soybean curd) and fried tofu	Soybean
2. Dried soybean curd, soybean refuse, yuba	Soybean
3. Natto (fermented soybean)	Soybean
4. To-nyu (soy milk)	Soybean
5. Miso (soybean paste)	Soybean
6. Cooked soybean	Soybean
7. Canned soybean, bottled soybean	Soybean
8. Kinako (roasted soybean flour)	Soybean
9. Roasted soybean	Soybean
10. Item containing food of items 1 to 9 as a main ingredient	Soybean
11. Item containing soybean (for cooking) as a main ingredient	Soybean
12. Item containing soybean flour as a main ingredient	Soybean
13. Item containing soybean protein as a main ingredient	Soybean
14. Item containing edamame (green soybean) as a main ingredient	Edamame
15. Item containing soybean sprouts as a main ingredient	Soybean sprouts
16. Corn snacks	Corn
17. Corn starch	Corn
18. Popcorn	Corn
19. Frozen corn	Corn
20. Canned or bottled corn	Corn
21. Item containing corn flour as a main ingredient	Corn
22. Item containing corn grits as a main ingredient	Corn
23. Item containing corn (for processing) as a main ingredient	Corn
24. Item containing food of items 16 to 20 as a main ingredient	Corn

## Implementation of Labeling

1. This public notification shall be enforced on the enforcement day of the Law for the partial modification of the Law Concerning Standardization and Proper Labeling of Agricultural and Forest Products (Law No.108 of 1999) and shall apply to the processed foods manufactured, processed or imported, and to the perishable foods sold after April 1, 2001.
2. The list of designated agricultural products in Attached Table 1 and the list of processed foods in Attached Table 2 shall be updated every year taking into considerations the following: commercialization of new genetically modified agricultural products; actual situation concerning the distribution and use as raw materials of genetically modified agricultural products; actual situation concerning the removal and dissolution of the recombinant DNA and the resulting protein; new findings about progress in detection methods; and consumers concerns.
3. This public notification shall be reviewed taking into considerations the following, in addition to the items mentioned above 2.: the actual situation concerning the treatment of genetically modified agricultural products and processed foods which were made of them at their production, manufacturing, distribution and processing sites of perishable foods and processed foods; and advancements in international standard elaborations.