

MAFF

Ministry of Agriculture, Forestry and Fisheries

July 14, 2020

Mr. Bruce Summers
Administrator,
Agricultural Marketing Service
U.S. Department of Agriculture

Dr. Julie Callahan
Assistant U.S. Trade Representative
Agricultural Affairs and Commodity Policy
Office of the U.S. Trade Representative

The Ministry of Agriculture, Forestry and Fisheries (MAFF) in Japan has concluded that the system on organic livestock products and organic processed food products containing livestock ingredients ("organic products") in the United States is equivalent to the system under the Act on Japanese Agricultural Standards.

Based on MAFF's review, with a view to ensuring equivalence in the United States and to maintaining the public confidence in organic products, the attached Appendix 1 states conditions and criteria of the equivalence determination, and the effective date will be July 16, 2020. Recognition of the equivalence of the United States Department of Agriculture's (USDA) National Organic Program standards for certified organic plants and organic processed foods of plant origin continues to be covered under MAFF letter of September 20, 2013.

It is a pleasure that the scope of the Japanese organic system's equivalence to the United States has been expanded to include livestock and processed food products containing livestock ingredients. MAFF is committed to working with the United States Department of Agriculture's Agricultural Marketing Service and Foreign Agricultural Service and the United States Trade Representative as described in this letter and the attached Appendix 1 and continuing our cooperation with the United States in our joint Organics Working Group.

Sincerely,



SHIOKAWA Shirara

Director-General

Food Industry Bureau

Ministry of Agriculture, Forestry and Fisheries

Appendix 1: U.S. Livestock Products

- A. This determination is limited to USDA-National Organic Program (NOP) certified organic livestock products and processed food products containing livestock ingredients that are regulated by the Japanese Agricultural Standard (JAS) for Organic Livestock (Notification No.1608 of 2005) and its implementing regulations.¹ A U.S. livestock product or processed food product containing livestock ingredients may be sold, labeled, and represented as organic in Japan if it is:
1. Certified organic to the USDA NOP; and
 2. Either raised in the United States, produced in the United States, or a product for which final processing or packaging has occurred in the United States.
- B. A U.S. organic livestock product or processed food product containing livestock ingredients covered in Paragraph A above and imported into Japan:
1. Is accompanied by a completed USDA Form TM-11;
 2. May display the USDA organic seal if it is compliant with USDA organic labeling requirements; and
 3. Is imported by a JAS-certified importer into Japan, where the JAS seal is applied.
- C. A U.S. organic livestock product or processed food product containing livestock ingredients covered in Paragraph A above and imported into Japan, and produced or handled by a USDA-NOP certified organic operation that has a JAS-labeling contract with a JAS-certified importer, and certified by a USDA-NOP accredited certifier:
1. Is accompanied by a completed USDA Form TM-11;
 2. May display the JAS seal if it is compliant with JAS organic labeling requirements;
 3. May display the USDA organic seal in Japan; and
 4. Is imported into Japan by a JAS-certified importer.
- D. The USDA notifies MAFF in writing in a timely manner of any instances of the following:
1. Changes with respect to the accreditation status of NOP-accredited certification bodies;

¹ Non-regulated organic livestock products and organic processed food products containing non-regulated livestock ingredients certified by a USDA-NOP accredited certifier continue to have access to Japan's market under the conditions of Section II.E, Appendix 1 of the MAFF equivalence letter of September 20, 2013.

2. Issuance of regulations or guidelines, either proposed or final, in the United States that may affect this Appendix; and
 3. Notifications of non-compliances that may affect the organic status of U.S. livestock products covered in Paragraph A above.
- E. Following advance written notice from MAFF, USDA permits MAFF officials to conduct on-site evaluations in the United States to verify that the relevant regulatory authorities and certification bodies of the U.S. organic program are carrying out the requirements of that program. USDA is to cooperate and assist MAFF, to the extent permitted, in carrying out these on-site evaluations, which may include visits to offices of relevant regulatory authorities, certification body offices, production facilities, and farms that USDA-accredited certification bodies have certified in the United States. The USDA provides a written response in a timely fashion to findings identified by MAFF in any report of an on-site evaluation that MAFF submits to the USDA, including any findings that may affect this Appendix.
- F. USDA provides to MAFF the following documents in each calendar year by 31 March:
1. A report that contains information regarding the types and quantities of U.S. livestock products exported under this Appendix over the prior calendar year;
 2. A report that contains the types of non-compliances identified by USDA during any oversight reviews or audits, and steps taken by USDA to ensure that non-compliances were corrected;
 3. A list of certification bodies accredited and supervised by USDA within the scope of the USDA NOP; and
 4. A list of organic livestock operations certified according to the USDA NOP that have exported their products to Japan.