



Japan Overseas Market Access Requirements

Amendment 6

19 September 2023

TITLE

Organic Export Requirement: Japan Overseas Market Access Requirements

COMMENCEMENT

This Organic Export Requirement is effective from 19 September 2023.

REPLACEMENT

This Organic Export Requirement replaces the Organic Export Requirement: Japan Overseas Market Access Requirements, dated 26 May 2021.

ISSUING BODY

This Organic Export Requirement is issued by the Ministry for Primary Industries in relation to the Official Organic Assurance Programme.

Dated at Wellington, 19 September 2023

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Introduction

This introduction is not part of the Organic Export Requirement, but is intended to indicate its general effect.

Purpose

This Organic Export Requirement (OER) outlines the specific overseas market access requirements that must be met to export, or supply for export, organic products produced in compliance with the Official Organic Assurance Programme (OOAP) to Japan.

Background

Japan recognises the OOAP as delivering equivalent outcomes to their Japan Agricultural Standards (JAS) for organic plants and organic processed foods of plant origin.

The Organic Export Requirement: Overseas Market Access Requirements (OER: OMAR) are an essential part of the Ministry for Primary Industries (MPI) system for official assurances for organic products.

Official Organic Assurances only attest to compliance with the importing markets organic regulatory requirements. Exporters are responsible for ensuring their consignments comply with all other relevant regulatory requirements of the importing market. Exporters are recommended to refer to the [MPI website on Exporting](#) for further information.

MPI issued OER: OMARs override any advice your importer may have, but where MPI has no advice on a specific topic, your importer can also be an important source of information on the regulatory requirements of their markets.

Who should read this Organic Export Requirement?

OER: Japan OMAR should be read by:

- (1) operators producing, processing or handling products under the OOAP for export to Japan; and
- (2) exporters exporting organic products under the OOAP to Japan; and
- (3) agencies and persons recognised by MPI to provide services under the OOAP.

Why is this important?

OER: Japan OMAR sets out the requirements that must be met for MPI to certify that the organic product meets the requirements New Zealand has negotiated with the government of Japan. It should be noted that although product may comply with these requirements and be given an official assurance (where relevant, by way of an export certificate); the importing country ultimately retains control over what product it clears for entry.

Document History

Version	Version Date	Section Changed	Change(s) Description
1	23 January 2011		New.
2	23 June 2011	- -	<ul style="list-style-type: none">• New template.• Branding changed from NZFSA to MAF.

Version	Version Date	Section Changed	Change(s) Description
		1.2 1.3.3	<ul style="list-style-type: none"> Relevant version of the OOAP technical Rules updated. New section on restricted and prohibited inputs added
3	27 April 2012	1.3.3	<ul style="list-style-type: none"> Prohibited inputs revised to remove Spinosad
4	2 May 2014	- 1.3.1 1.5	<ul style="list-style-type: none"> Branding changed from MAF to MPI. Rules on application of the organic JAS-logo updated. New section providing links to other relevant OMARs added.
5	26 May 2021	All sections	<ul style="list-style-type: none"> New template. Clarification added on what products are not included. Clarification added on imported ingredients. Incorporating necessary changes resulting from publishing amended OOAP Requirements. Amendments necessary to bridge between the old OOAP standard and the new OOAP requirements.
6	18 September 2023	1.1(2)d) 1.1(3)a)	<ul style="list-style-type: none"> vegetative propagating material and seed for cultivation are not eligible for export to Japan
		1.3	<ul style="list-style-type: none"> Previously 1.4 Removed transitional administrative requirements for operators
		1.3.3	<ul style="list-style-type: none"> Previously 1.4.3 Clarified requirements for official organic assurances
		1.4.2	<ul style="list-style-type: none"> Previously 1.5.2 Renamed the section on processed products: Product processing and handling
		1.4.2(3)c)	<ul style="list-style-type: none"> Clarified and added requirements for using imported ingredients that are certified to the Japan Agricultural Standards for organics.
		1.5	<ul style="list-style-type: none"> Previously 1.3 Clarified requirements for certain recognised persons.

Other information

Compliance with other regulations

All products within the scope of the OOAP must first meet relevant New Zealand legislation, including but not limited to the following Acts, Codes, including secondary legislation such as regulations, notices, and standards:

- Agricultural Compounds and Veterinary Medicines Act 1997;
- Animal Products Act 1999;
 - including Overseas Market Access Requirements (OMARs) issued under the Animal Products Act (as relevant);
- Animal Welfare Act 1999;
 - including Codes of Welfare issued under the Animal Welfare Act (as relevant);

- Australia New Zealand Food Standard Code;
- Biosecurity Act 1993;
- Fisheries Act 1996;
- Food Act 2014;
- National Animal Identification and Tracing Act 2012;
- Wine Act 2003;
 - including Overseas Market Access Requirements (OMARs) issued under the Wine Act (as relevant); and
- Other legislative requirements not administered by MPI, as relevant, including but not limited to the Hazardous Substances and New Organisms Act 1996 and Resource Management Act 1991.

In addition, plant products within the framework of the OOAP will need to meet the relevant phytosanitary certification requirements as stipulated in the Importing Countries Phytosanitary Requirement (ICPR).

- Refer to the [OMAR search function](#) on the MPI website to find all relevant Notices for animal products, including dairy products; and
- Refer to the [ICPR search function](#) on the MPI website to find all relevant Standards for plant products.

It is beyond the scope of OER: Japan OMAR to provide organic operators (including organic exporters) with advice on all the relevant legislative and regulatory requirements for their product type.

MPI contacts for further information include:

- Exporter Regulatory Advice Service (exporterhelp@mpi.govt.nz);
- Market Access (market.access@mpi.govt.nz);

Exporters should consult with their importer or agent in Japan on Japan's import related requirements.

Guidance versus Requirements

The information contained within a border under the heading 'Guidance' throughout OER: Japan OMAR (example below) is for guidance only and is not part of the requirements.

Guidance

- This is an example of a guidance box.

Guidance may include:

- interpretative material or further explanation;
- help for where the reader can find more information (e.g. hyperlinks); or
- examples or indications of preferred ways of doing things.

Operators do not have to show that they have followed guidance and agencies do not need to check that guidance has been followed by operator.

Requirements of OER: Japan OMAR are presented as numbered clauses. Requirements are mandatory. They present:

- requirements that must be met;
- prohibitions that must be met; or
- allowances/approvals that may be approved, provided set conditions are met.

Useful reference information

The current versions of the following documents should be read along with OER: Japan OMAR (as published on the [MPI website](#)):

- [Organic Export Requirement: Recognised Agencies and Persons](#) (OER: RAP); and
[Organic Export Requirement: Organic Production Rules](#) (OER: OPR).

Part 1: Requirements

1.1 Application

- (1) OER: Japan OMAR applies to:
 - a) operators participating in the Official Organic Assurance Programme (OOAP) that produce, process, handle, supply for export, or export eligible products to Japan with an official organic assurance (organic export certificate); and
 - b) agencies and persons recognised by MPI to provide services under the OOAP.
- (2) The following categories of products may be exported to Japan under OER: Japan OMAR:
 - a) unprocessed horticultural products for human consumption;
 - b) mushrooms;
 - c) unprocessed products from wild harvest; and
 - d) processed products for human consumption from ingredients in subclause (2)a) to c).
- (3) Organic products in the following categories are not eligible for export to Japan under OER: Japan OMAR:
 - a) vegetative propagating material and seed for cultivation;
 - b) animal products for human consumption from bovine, porcine, ovine, caprine, cervine, equine, avian, ratite species, bivalve molluscan shellfish species and *Apis mellifera*;
 - c) live animals from the same species as listed in subclause (3)a);
 - d) unprocessed or processed algae products;
 - e) wine;
 - f) yeast;
 - g) processed agricultural products for animal consumption.

1.2 Definitions

- (1) In OER: Japan OMAR:

consigning contract means an agreement between the New Zealand exporter and an organic JAS certified Japanese importer concerning the application of the organic JAS-logo in New Zealand.

Japan MAFF means the Japan Ministry of Agriculture, Forestry and Fisheries.

organic JAS means Japanese agricultural standards for organic products.
- (2) All terms used, but not defined, in OER: Japan OMAR have the same meaning as definitions in the current versions of:
 - a) [Organic Export Requirement: Organic Production Rules](#) (OER: OPR); and
 - b) [Organic Export Requirement: Recognised Agencies and Persons](#) (OER: RAP).

Guidance

- Organic Export Requirements are provided on the MPI website at [Requirement documents for exporting organics | NZ Government \(mpi.govt.nz\)](#)

1.3 Operator Administrative Requirements

1.3.1 All operators

- (1) Operators (including exporters) who produce, handle, supply for export, or export products to Japan must:
 - a) be verified as meeting the requirements of OER: Japan OMAR by a recognised agency that meets the requirements in clause 1.5(1); and
 - b) meet the requirements of [Organic Export Requirement: Organic Production Rules \(OER: OPR\) Part 2 Administrative Requirements](#); and
 - c) ensure that products comply with the product requirements in clause 1.4 of OER: Japan OMAR.
- (2) Operators processing products that contain imported ingredients must have evidence and records to demonstrate compliance with clauses 1.4.2(3)c) and 1.4.2(3)d).

1.3.2 Operators who export products

- (1) In addition to the requirements in clause 1.3.1(1), operators who export products under OER: Japan OMAR must be registered with MPI as an organic exporter, as required by OER: OPR clause 2.1(4)b).

Guidance

- The application form “OP1 Organic exporter registration” for registering as an organic exporter can be obtained from the MPI website at [forms and templates for exporting organics](#).
- The list of MPI registered organic exporters can be obtained from the MPI website at [Organic Exporters \(foodsafety.govt.nz\)](#).
- It is the organic exporters responsibility to:
 - ensure organic exporter registration with MPI remains current; and
 - keep registration contact information up to date to ensure you receive correspondence from MPI.
- To update any registration information, contact the MPI Approvals on approvals@mpi.govt.nz.
- Exporters that allow their MPI organic exporter registration to lapse will not be able to receive official organic assurances until they have renewed their registration.
- Organic exporters are encouraged to:
 - keep the list referred to in OER: RAP clause 2.1(4)c) of designated persons that are authorised to apply for official organic assurances current;
 - use the form “CERT7 Organic exporter form for designating persons that can apply for official organic assurances” for adding (and removing) designated persons, which can be obtained from the MPI website at [forms and templates for exporting organics](#); and
 - save a copy of the updated form in your records. Exporters should be prepared to show a copy of the most recent CERT7 form to the recognised agency.

1.3.3 Product identification and labelling

- (1) All products exported under OER: Japan OMAR must be labelled with the information required by OER: OPR clause 2.8(3).

Guidance

- Operators are reminded that OER: OPR clause 2.8(3) requires, in all cases, organic label claims must clearly identify:
 - the recognised agency of the operator who has carried out the most recent preparation step of the product; and
 - the name or identification number of that operator.
- Products may be labelled with the logo or mark of the recognised agency subject to any conditions or restrictions laid down by the recognised agency.

- Products distributed in Japan as 'organic' need to be labelled with the organic JAS logo. This includes retail and non-retail packages.
- The organic JAS logo may be affixed in Japan by the importer, to products exported under OER: Japan OMAR, provided the importer is authorized ("organic JAS-certified") for this by a Japan MAFF accredited Japanese Certifying Body (organic products).
- A list of organic JAS-certified importers can be obtained from the Japan MAFF website at [List of organic JAS certified importers](#).
- Under certain circumstances, the organic JAS logo may be affixed in New Zealand (see subclause (2)).

- (2) The organic JAS logo may be affixed to products in New Zealand if:
- a) the New Zealand operator has a consigning contract from the organic JAS certified importer in Japan that specifically delegates this task to the New Zealand operator;
 - b) the New Zealand operator that will be carrying out this task complies with the requirements of OER: Japan OMAR; and
 - c) the use of the organic JAS logo conforms with the terms of the consigning contract.

Guidance

- Contact the organic JAS certified importer in Japan directly for instruction on the organic JAS logo, including:
 - where or how the logo should be placed;
 - the artwork specifications (size, dimensions, colour, fonts, etc.); and
 - any other requirements, such as identifying the certification body.

1.3.4 Official organic assurances

- (1) Organic exporters must ensure that only products that comply with OER: Japan OMAR are exported to Japan with an official organic assurance (organic export certificate).
- (2) Persons designated by registered organic exporters in accordance with OER: OPR clause 2.1(4)c) to apply for official organic assurances must:
 - a) complete an official organic assurance (organic export certificate) application form; and
 - b) email the official organic assurance (organic export certificate) application form to the MPI Certification Audit team on Organic.Certification@mpi.govt.nz.
- (3) Organic exporters must allow sufficient time for the application to be processed, to enable the official organic assurance (organic export certificate) to be available for signing at the same time as any other MPI export assurance or certificate.

Guidance

- The official organic assurance (organic export certificate) application form can be obtained from the MPI website at [Forms and templates for exporting organics](#).
- The application form includes instructions for completing the application.
- It can be useful to copy the application to your recognised agency at the same time you submit the application to MPI. If you do this MPI recommends that you include a note in the email to make sure that it is clear to your recognised agency that this is for their information. Your recognised agency will not process the application until they receive a notification/request directly from MPI.
- MPI recommends you send one application per email.
- Where there are no other MPI export assurances or certificates required, MPI recommends that organic exporters obtain an official organic assurance (organic export certificate) before the product leaves New Zealand.
- MPI may continue to issue official organic assurances (organic export certificates) provided the consignment has not arrived in market, or (as relevant) the container seal that was applied in New Zealand remains intact.

- Exporters that ship product before export eligibility verification is complete assume responsibility for the commercial risks arising from shipping non-eligible product.

1.4 Product Requirements

1.4.1 Unprocessed products

- (1) Products in clause 1.1(2) a) to c) must have been grown or produced in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for each product type are:
 - unprocessed plant products: clauses 3.1 and 3.2;
 - unprocessed wild harvest products: clause 3.1 and 3.3;
 - mushrooms: clauses 3.1 and 3.8.

- (2) Use of the following input is prohibited:
- a) copper octanoate (a plant protection product).
- (3) Use of the following input is restricted:
- a) ethylene unless used for ripening of kiwifruit and bananas.

1.4.2 Product processing and handling

- (1) Processed products in clause 1.1(2) d) must be processed and handled in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for processed products of plant origin are:
 - Processed products, excluding alcoholic beverages: clauses 3.1 and 3.9

- (2) Use of the following inputs are prohibited:
- a) hydroxypropyl methyl cellulose (a food additive);
- b) helium (a food additive).
- (3) Processed products must contain a minimum of 95% of ingredients that have been:
- a) produced according to the requirements in clause 1.4.1; or
- b) processed according to the requirements in subclause (1); or
- c) produced or processed in accordance with relevant Japanese agricultural standards for organic products and certified by a certification body accredited by Japan MAFF. Products in subclause (c) must be imported into New Zealand.
- d) produced or processed in and imported from a New Zealand third country whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP.

Guidance

- The relevant Japanese agricultural standards for organic products can be obtained from the Japan MAFF website, under the heading “Organic Standards” at [Organic JAS : MAFF](#).

- Lists of certification bodies that are accredited by Japan MAFF to apply the Japanese agricultural standards for organic products can be obtained from the Japan MAFF website, under the heading “List of Organic JAS Certification Bodies and Importers” at [Organic JAS : MAFF](#).
- The countries or markets whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP are:
 - Australia;
 - China;
 - European Union;
 - Switzerland;
 - Taiwan;
 - United Kingdom; and
 - United States of America.

- (4) All imported ingredients must meet the following criteria:
- a) the ingredient was securely packaged in the relevant market of export under the supervision of:
 - i) the Japan MAFF accredited certification body, for imported ingredients allowed under subclause (3)c; or
 - ii) an appropriately accredited certification body, for imported ingredients allowed under subclause (3)d); and
 - b) the ingredient has been protected at all times from contamination or substitution between leaving the certified operator in the market of export until delivery to an operator certified to OER: Japan OMAR.

1.5 Recognised Agency Requirements

- (1) Only agencies and persons recognised by MPI to provide services under OER: RAP and OER: Japan OMAR can verify operator compliance with OER: Japan OMAR.

Guidance

- A list of the agencies recognised by MPI, and their recognised persons, can be obtained from the MPI website at [Organic exports: recognised agencies and persons](#)

1.5.1 OMP evaluators

- (1) In addition to the requirements in OER: RAP clause 3.1.1, when evaluating OMPs for compliance with OER: Japan OMAR, OMP evaluators must evaluate:
- a) inputs with the requirements in clause 1.4;
 - b) product recipes with the requirements in clause 1.4.2; and
 - c) labels for products intended to be exported under OER: Japan OMAR with the requirements in clause 1.3.3.
- (2) OMP evaluators must validate the authenticity, accuracy, and current validity of organic certificates for any imported organic ingredients used in products processed in New Zealand under clauses 1.4.2(3)c) and (d), as part of the product recipe evaluation process.
- (3) Validation exercises must include checking all of the following:
- a) the organic certificate remains current and has not expired; and
 - b) the certification body that issued the organic certificate is appropriately authorised under relevant legislation to certify operators to the organic standard named in the certificate; and
 - c) the operator named in the organic certificate is:
 - i) the last risk incurring operator in the country of export to New Zealand; and

- ii) certified by the named certification body; and
- d) the imported ingredients are covered by the scope of the named organic standard.

Guidance

- Validation exercises for imported ingredients under clause 1.4.2(3)c) and d) should be repeated regularly, MPI suggests that this should be completed at least annually.
- For imported ingredients under clause 1.4.2(3)c), OMP Evaluators can check:
 - that the certification body is accredited by Japan MAFF via the lists of Organic JAS Certification Bodies available on the Japan MAFF website at [Organic JAS : MAFF](#). Remember that any limitations noted against the certification body's entry must be observed.
 - that the last risk incurring operator named in the organic certificate is certified to the Organic JAS by checking the certification body's website, or if necessary, by contacting the certification body directly.
 - that the imported ingredient is covered by the scope of the organic certificate, by checking the certificate, or by checking directly with the certification body that issued the organic certificate.
- For imported ingredients under clause 1.4.2(3)d), OMP Evaluators can find guidance on similar validation exercises as follows:
 - from markets other than Australia, in the OER: OMAR for the relevant market with links to where information on certification bodies may be found. Links to other OER: OMARS can be obtained from the MPI website at [Requirement documents for exporting organics | NZ Government \(mpi.govt.nz\)](#);
 - from Australia, information on Australian organic certification bodies can be obtained from the Australian Government website at [Organic Approved Certifying Bodies \(Export\) - DAFF \(agriculture.gov.au\)](#).
- For validating the integrity of imported organic products, agencies may include additional authenticity checks that the agency deems necessary or appropriate. For example, physical checks that the products imported match the products described in the organic certificate or requesting any additional documentation about the product or the manufacturer, or the like.

1.5.2 OMP verifiers**Guidance**

- There are no additional requirements to those already specified in OER: RAP clause 3.1.2.

1.5.3 OMP certifiers**Guidance**

- There are no additional requirements to those already specified in OER: RAP clause 3.1.3.

1.5.4 Export certificate verifiers

- (1) In addition to the requirements in OER: RAP clause 3.1.4, export certificate verifiers must review Certificates of Inspection against the details listed in the application form described in clause 1.3.4(2)a) for accuracy.

Guidance

- There are no additional requirements to those already specified in OER: RAP clause 3.1.4, however, where the exporter has indicated in the application form referred to in subclause 1.3.4(2)a) that a product in the consignment was made with imported ingredients, MPI encourages export certificate verifiers to check with the OMP certifier that the imported ingredients remain compliant with OER: Japan OMAR.