

# Fertilizer Regulation Act

(Act No. 127 of May 1, 1950)

## (Purpose)

Article 1 The purpose of this Act is to preserve the quality, etc. of fertilizers and to ensure fair trade in fertilizers and their safe application, by creating official specifications and application standards for fertilizers and by undertaking registration, inspections, etc., in order to contribute to maintaining and increasing agricultural productivity, as well as helping to protect the health of the people .

## (Definitions)

Article 2 (1) In this Act, "fertilizer" means a substance applied to the ground for the purpose of bringing about a chemical change in the soil to provide plants with nutrition or contribute to their cultivation, or a substance applied to a plant for the purpose of providing it with nutrition.

(2) In this Act, "special fertilizer" means rice bran, compost, or another fertilizer designated by the Minister of Agriculture, Forestry and Fisheries, and "normal fertilizer" means a fertilizer other than a special fertilizer.

(3) In this Act, "guaranteed component amount" means the minimum amount of a major component (meaning a main component specified by Cabinet Order for each type of fertilizer, the same applies hereinafter) that the producer, importer, or seller who manufactures, imports, or sells a normal fertilizer guarantees the fertilizer to contain, expressed as a percentage.

(4) In this Act, "producer" means a person who produces fertilizer (including a person who formulates, processes, or extracts fertilizer; the same applies hereinafter) in the course of business, "importer" means a person who imports fertilizer in the course of business, and "seller" means a person other than a producer or importer, who sells fertilizer in the course of business.

## (Official Specifications)

Article 3 (1) The Minister of Agriculture, Forestry and Fisheries establishes specifications for the particulars set forth in each of the following items in accordance with the category listed in the relevant item for each type of normal fertilizer (hereinafter referred to as "official specifications").

(i) normal fertilizers listed in items (i), (ii), (iv), (vi), and (vii) of paragraph (1) of the following Article: the minimum and maximum amount of major components that the fertilizer must contain, the maximum amount of components harmful to plants that the fertilizer is permitted to contain, and

other necessary particulars;

- (ii) normal fertilizers listed in items (iii) and (v) of paragraph (1) of the following Article: the maximum amount of components harmful to plants that the fertilizer is permitted to contain, and other necessary particulars.
- (2) If the Minister of Agriculture, Forestry and Fisheries intends to establish, change, or abolish official specifications, he/she shall issue public notice of this by at least 30 days prior to that date.

(Obligation to Register)

Article 4 (1) A person who produces normal fertilizer in the course of business must have registration for each fertilizer brand by the Minister of Agriculture, Forestry and Fisheries, if the fertilizer is categorized in the following list in items (i) through (vi) or by the prefectural governor who has jurisdiction over the location of the workplace where the fertilizer is produced, if the fertilizer is categorized in the list in item (vii); provided, however, that this does not apply to a normal fertilizer for which official specifications have not been established or a normal fertilizer that exclusively uses a registered normal fertilizer (excluding a normal fertilizer listed in items (iii) through (v)) as the raw material with which it is combined, and which is specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries (hereinafter referred to as a "designated combined fertilizer").

- (i) a normal fertilizer produced through a chemical process (excluding those listed in items (iii) through (v) and calcareous fertilizer);
- (ii) a normal fertilizer produced through a process that is other than chemical and for which a component other than nitrogen, phosphoric acid, potassium carbonate, lime, or magnesium is guaranteed as a major component (excluding those listed in item (iv));
- (iii) a normal fertilizer produced using sludge as a raw material and other normal fertilizer whose principal components differ significantly by brand in terms of the characteristics of their raw materials, which is designated by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as highly likely to contain components harmful to plants (excluding those listed in item (v));
- (iv) a normal fertilizer specified by Cabinet Order as one that, because a component substance contained in the fertilizer remains in plants (hereinafter referred to as being "residual"), produces an agricultural product that poses a risk of harming humans or animals, depending on the application method (referred to as a "specified normal fertilizer"; excluding fertilizer listed in the following item);
- (v) a specified normal fertilizer that falls under the category of a normal fertilizer specified by Ordinance of the Ministry of Agriculture, Forestry and

- Fisheries in item (iii);
- (vi) a normal fertilizer that uses one or more types of normal fertilizer listed in the preceding items as the raw material with which it is combined (excluding fertilizers listed in the preceding three items);
  - (vii) a normal fertilizer other than those listed in the preceding items (including calcareous fertilizer).
- (2) If an agricultural cooperative whose territorial district does not exceed the districts of a prefecture or any other person specified by Cabinet Order (hereinafter referred to as an "agricultural cooperative, etc.") seeks to produce normal fertilizer listed in item (vi) of the preceding paragraph for which official specifications have been established (excluding one that uses one or more types of normal fertilizer listed in items (iii) through (v) of the same paragraph as the raw material with which it is combined) in the course of business, it must be registered by the prefectural governor who has jurisdiction over the location of the workplace where the fertilizer is produced, notwithstanding the provisions of the same paragraph.
- (3) A person who seeks to import normal fertilizer in the course of business must have registration for each fertilizer brand by the Minister of Agriculture, Forestry and Fisheries ; provided, however, that this does not apply to normal fertilizer for which official specifications have not been established, designated combined fertilizer, and normal fertilizer for which the person has had registration pursuant to the provisions of paragraph (1) of Article 33-2.

(Obligation to be provisionally registered)

Article 5 A person who produces or imports normal fertilizer for which official specifications have not been established (excluding designated combined fertilizer and normal fertilizer for which the person has had provisional registration pursuant to the provisions of paragraph (1) of Article 33-2) must have provisional registration for each fertilizer brand by the Minister of Agriculture, Forestry and Fisheries

(Application for registration and provisional registration)

Article 6 (1) A person seeking registration or provisional registration must submit a written application detailing the following particulars, along with a sample of the fertilizer for which the person seeks registration or provisional registration, to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor, in accordance with the procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Land:

- (i) the person's name and address (or for a juridical person, its name, the name of its representative, and the location of its principal office);
- (ii) the type and name of the fertilizer (or just the name of the fertilizer, if the

- person is applying for a provisional registration);
- (iii) the guaranteed component amount and other specifications (for a fertilizer listed in items (iii) through (v) of paragraph (1) of Article 4, the maximum amount of components harmful to plants that the person permits the fertilizer to contain and other standards, the same applies in item (v) of Article 10 and item (iii) of paragraph (1) of Article 16);
  - (iv) the name and location of the workplace where the fertilizer is produced, if the person is a producer;
  - (v) the location of the storage facilities;
  - (vi) the results of cultivation tests for toxicity to plants , if the registration is for fertilizer designated by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as one for which, because of the raw materials, production method, etc. of the fertilizer, such results are particularly necessary for clarifying that the fertilizer is not harmful to plants or if the registration is for fertilizer listed in items (iii) and (v) of paragraph (1) of Article 4;
  - (vii) the range of applicable plants, if the registration is for specified normal fertilizer;
  - (viii) the application method and the results of cultivation tests for residuals, if the registration is for specified normal fertilizer and an agricultural product is included in the range of applicable plants;
  - (ix) the application method and the results of cultivation tests, if the person is applying for a provisional registration;
  - (x) the range of applicable plants, if the person is applying for the provisional registration of a specified normal fertilizer;
  - (xi) other particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries
- (2) A person who applies for registration or provisional registration with the Minister of Agriculture, Forestry and Fisheries must pay a fee specified by Cabinet Order in consideration of the actual costs required to examine that application.

(Registration)

Article 7 (1) When a person has applied for registration pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Agriculture, Forestry and Fisheries shall have the Food and Agricultural Materials Inspection Center (hereinafter referred to as "the Center"), or the prefectural governor shall have his/her staff, examine the particulars detailed in the written application and samples of the fertilizer, and shall register the fertilizer if he/she confirms that it conforms to official specifications and that the name of the fertilizer does not violate the provisions of paragraph (2) of

Article 26; provided, however, that this does not apply if, as a result of the examination, it is found that fertilizer designated by Ordinance of the Ministry of Agriculture, Forestry and Fisheries which is referred to in item (vi) of the preceding Article or fertilizer listed in items (iii) through (v) of paragraph (1) of Article 4, is harmful to plants when applied using a regular application method, or if, as a result of the examination, it is found that specified normal fertilizer whose range of applicable plants includes an agricultural product, produces an agricultural product that poses a risk of harming humans or animals when applied to the range of applicable plants detailed in the written application by the application method detailed therein.

- (2) Examination items, examination methods, and other particulars required for the implementation of the examination referred to in the preceding paragraph are prescribed by an Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (3) The Minister of Agriculture, Forestry and Fisheries shall consult the Minister of Health, Labour and Welfare and the Minister of Environment if he/she intends to register a specified normal fertilizer pursuant to the provisions of paragraph (1).

(Provisional registration)

Article 8 (1) When a person has applied for provisional registration pursuant to the provisions of paragraph (1) of Article 6, the Minister of Agriculture, Forestry and Fisheries shall have the Center examine the particulars detailed in the written application and samples of the fertilizer; provided, however, that the Minister may reject the application without having the Center make an examination if the provisional registration of the fertilizer for which the application was filed has been revoked pursuant to the provisions of paragraph (3) of the following Article.

- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the examination referred to in the preceding paragraph.
- (3) When, as a result of the examination pursuant to the provisions of paragraph (1), the amount of the main components of the relevant fertilizer, its effectiveness, and other aspects of its quality are found to be equivalent to those of a similar type of fertilizer for which official specifications have been established, and the Minister of Agriculture, Forestry and Fisheries confirms that the name of the fertilizer does not violate the provisions of paragraph (2) of Article 26 the Minister shall provisionally register the fertilizer; provided, however, that this does not apply if the fertilizer is found to be hazardous to plants when applied in accordance with the application method detailed in the written application, or if it is a specified normal fertilizer whose range of applicable plants includes an agricultural product, and is found to produce an

agricultural product that poses a risk of harming humans or animals when applied to the range of applicable plants detailed in the written application by the application method detailed therein.

- (4) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the provisional registration of specified normal fertilizer pursuant to the provisions of the preceding paragraph.

Article 9 (1) If the Minister of Agriculture, Forestry and Fisheries finds the results of the cultivation test that are detailed in a written application to be genuine as a result of having had the Center test the efficiency of a provisionally registered fertilizer, the Minister shall establish official specifications pursuant to the provisions of Article 3 without delay, as well as registering the fertilizer.

- (2) The provisions of paragraph (2) of Article 7 apply mutatis mutandis to the test for fertilizer efficiency referred to in the preceding paragraph.
- (3) If the Minister of Agriculture, Forestry and Fisheries finds the results of the cultivation test that are detailed in a written application not to be genuine as a result of the testing referred to in paragraph (1), the Minister shall revoke the fertilizer's provisional registration, even if it is currently valid.
- (4) A person who has had a provisional registration revoked pursuant to the provisions of the preceding paragraph shall return the provisional registration certificate without delay to the Minister of Agriculture, Forestry and Fisheries.

(Registration certificate and provisional registration certificate)

Article 10 When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor has registered or provisionally registered a fertilizer, he/she shall issue a registration certificate or provisional registration certificate that details the following particulars to the person to whom the registration or provisional registration was granted:

- (i) the registration number and registration date (or the provisional registration number and provisional registration date, for a provisional registration);
- (ii) the expiration date of the registration or provisional registration;
- (iii) the name and the address of the person to whom the certificate is issued;
- (iv) the type and name of the fertilizer (or the name of the fertilizer, for a provisional registration);
- (v) the guaranteed component amounts and other specifications;
- (vi) the range of applicable plants, if the certificate is for a specified normal fertilizer;
- (vii) the application method, if the certificate is for a specified normal fertilizer whose range of applicable plants includes an agricultural product.

Article 11 A person who has been granted a registration or provisional registration must retain the registration certificate or provisional registration certificate in his/her principal office and a producer must retain a copy of it in the workplace where the fertilizer is produced.

(Valid period of registration and provisional registration)

Article 12 (1) The valid period of registration is three years (or six years, if the registration is for a type of normal fertilizer prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries) and the valid period of provisional registration is one year.

(2) The valid period of registration referred to in the preceding paragraph may be renewed by application; provided, however, that this does not apply with regard to a normal fertilizer that no longer conforms to official specifications due to a change therein or to a normal fertilizer for which official specifications are no longer established due to the discontinuation of official specifications for that type of fertilizer.

(3) The valid period of provisional registration referred to in paragraph (1) may be renewed by application, but only if a judgment on the effectiveness of the fertilizer cannot be made based on the effectiveness testing for the fertilizer which is referred to in paragraph (1) of Article 9 during the valid period.

(4) A person who seeks to have the valid period of registration or provisional registration renewed must submit a written application detailing the particulars listed in items (i) through (v) and item (□) of paragraph (1) of Article 6, along with the registration certificate or provisional registration certificate, to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor.

(5) A person who seeks to have the valid period of a registration or provisional registration by the Minister of Agriculture, Forestry and Fisheries renewed must pay a fee prescribed by Cabinet Order in consideration of the actual costs required to examine the application.

(Obligation of the person who has been granted registration or provisional registration to submit notifications)

Article 13 (1) If any of the following particulars changes, the person who has been granted the registration or provisional registration must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of the particular that has changed and the date of the change in accordance with procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries within two weeks from the date of the change, and if the particular that has changed is one of the particulars detailed on the

registration certificate or the provisional registration certificate, the person must apply for a revised certificate to be issued:

- (i) the person's name or address (or, for a juridical person, its name, the name of its representative, or the location of its principal office);
  - (ii) the name or location of the workplace where the fertilizer is produced, if the person is a producer;
  - (iii) the location of the storage facilities;
- (2) A person who has succeeded to the status of a person who has been granted a registration or provisional registration, by inheritance or in the merger or splitting of a juridical person, shall notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this in accordance with procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, within two weeks from the date of succession, and apply for a revised registration certificate or provisional registration certificate to be delivered (a person who has succeeded to a portion of a business involving the production or import of normal fertilizers in the splitting of a juridical person shall apply for the relevant certificate to be issued).
- (3) A person whose registration certificate or provisional registration certificate has been lost or damaged shall notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this in accordance with procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, and apply for its reissuance.
- (4) If a producer or importer who has been granted a registration or provisional registration seeks to change the name of the normal fertilizer, he/she shall notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor in accordance with procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and apply for a revised registration certificate or provisional registration certificate to be issued.

(Registration or provisional registration of a change in the range of applicable plants, etc. by application)

Article 13-2 (1) A person who has been granted a registration or provisional registration for any specified normal fertilizer may apply to register or provisionally register, if it is necessary to change the range of applicable plants or the application method for which the specified normal fertilizer has been registered or provisionally registered, by submitting a written application detailing the particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, the registration certificate or provisional registration certificate, and a sample of the specified normal fertilizer to the Minister of Agriculture, Forestry and Fisheries.

(2) When the Minister of Agriculture, Forestry and Fisheries has received a



written application pursuant to the provisions of the preceding paragraph, he/she shall have the Center examine the particulars detailed in the written application and the sample of the specified normal fertilizer, and if, as a result of the examination, the specified normal fertilizer will be applied to the range of applicable plants for which the application is filed by the application method for which it is filed, the Minister shall register or provisionally register the change without delay and issue a revised registration certificate or provisional registration certificate, unless the specified normal fertilizer is found to produce an agricultural product that poses a risk of harming humans or animals.

- (3) The provisions of paragraph (2) of Article 6 apply mutatis mutandis to a person who applies for the registration or provisional registration of a change pursuant to the provisions of paragraph (1), the provisions of paragraph (2) of Article 7 apply mutatis mutandis to the examination referred to in the preceding paragraph, and the provisions of paragraph (3) of Article 7 apply mutatis mutandis to the registration or provisional registration of a change pursuant to the provisions of the preceding paragraph.

(Registration or provisional registration of a change in application method and revocation of a registration or provisional registration by virtue of official authority)

Article 13-3 (1) If a registered or provisionally registered specified normal fertilizer is applied in accordance with the range of applicable plants for which it has been registered or provisionally registered by the application method for which it has been registered or provisionally registered and it comes to be found that the specified normal fertilizer produces an agricultural product that poses a risk of harming humans or animals, the Minister of Agriculture, Forestry and Fisheries may register or provisionally register a change in the application method for which the specified normal fertilizer is registered or provisionally registered or revoke the specific normal fertilizer's registration or provisional registration, if it is necessary to prevent such a situation from occurring.

- (2) The provisions of paragraph (3) of Article 7 apply mutatis mutandis to the registration or provisional registration of a change or the revocation of a registration or provisional registration pursuant to the provisions of the preceding paragraph.
- (3) When the Minister of Agriculture, Forestry and Fisheries has registered or provisionally registered a change pursuant to the provisions of paragraph (1) or revoked a registration or provisional registration, the Minister shall notify the party to the disposition of this and of the reasons therefor without delay, and if a change has been registered or provisionally registered, the Minister

shall issue a registration certificate or provisional registration certificate detailing the application method after the change.

(Invalidity of a registration or provisional registration)

Article 14 If a registration or provisional registration falls under any of the following items, it becomes invalid:

- (i) if the juridical person who has been granted the registration or provisional registration has dissolved, and the liquidation has been completed;
- (ii) if the person who has been granted the registration or provisional registration has discontinued business for producing or importing the fertilizer;
- (iii) if a producer registered by the prefectural governor has transferred the workplace where the fertilizer is produced to another prefecture;
- (iv) if the guaranteed component amount of the fertilizer or any other specification detailed in the registration certificate or provisional registration certificate has changed;
- (v) when the fertilizer has newly come to be a specified normal fertilizer, by the revision of a Cabinet Order based on the provisions of item (iv) of paragraph (1) of Article 4.

(Notification of the invalidity of a registration or provisional registration)

Article 15 (1) When the valid period of a registration or provisional registration has expired or a registration or provisional registration has become invalid pursuant to the provisions of the preceding Article (excluding item (v)), the person who had been granted the registration or provisional registration (or the liquidator in a case under item (i) of the same Article) shall notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of the reason it has become invalid and the date on which this happened without delay, appending the registration certificate or provisional registration certificate.

(2) In a case listed in the following items, the person prescribed in the relevant item shall return the registration certificate or provisional registration certificate (or in the case under item (i), the registration certificate or provisional registration certificate detailing the application method before the change) without delay to the Minister of Agriculture, Forestry and Fisheries or a prefectural governor:

- (i) if a change has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 13-3: the person who had been granted the registration or provisional registration to which the change has been registered;
- (ii) if a registration or provisional registration has been revoked pursuant to

the provisions of paragraph (1) of Article 13-3: a person who had been granted the registration or provisional registration that has been revoked;  
(iii) if a registration or provisional registration has become invalid pursuant to the provisions of item (v) of the preceding Article: the person who had been granted the registration or provisional registration that has become invalid.

(Public notice of a registration or provisional registration)

- Article 16 (1) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor has issued a registration or provisional registration, renewed the valid period of a registration or provisional registration, revoked a provisional registration pursuant to the provisions of paragraph (3) of Article 9, revoked a registration or provisional registration pursuant to paragraph (1) of Article 13-3 or paragraphs (1) through (3) of Article 31, or when a registration or provisional registration has become invalid pursuant to the provisions of Article 14, the Minister or governor shall publicize the following particulars:
- (i) the registration number or provisional registration number;
  - (ii) the type and name of the fertilizer (or just the name of the fertilizer, for a provisional registration);
  - (iii) the guaranteed component amounts and other specifications;
  - (iv) the range of applicable plants, if registration or provisional registration is for a specified normal fertilizer;
  - (v) the application method, if the registration or provisional registration is for a specified normal fertilizer whose range of applicable plants includes an agricultural product;
  - (vi) the name and address of the producer or importer.
- (2) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor has been notified of a change in the name of a fertilizer in item (ii) of the preceding paragraph or in a particular under item (vi) of the same paragraph pursuant to the provisions of paragraph (1) or (4) of Article 13, the Minister or the governor shall publicize the particulars of the change.
- (3) When the Minister of Agriculture, Forestry and Fisheries has registered or provisionally registered a change pursuant to the provisions of paragraph (2) of Article 13-2 or paragraph (1) of Article 13-3, the Minister shall publicize the particulars of the change.
- (4) A prefectural governor shall notify the Minister of Agriculture, Forestry and Fisheries and all prefectural governors of the particulars the governor has publicized immediately.

(Notification by the producer and importer of a designated combined fertilizer)

- Article 16-2 (1) An importer of a designated combined fertilizer or a producer of a designated combined fertilizer that uses one or more type of normal fertilizer

under item (i) or (ii) of paragraph (1) of Article 4 as the raw material with which it is combined must notify the Minister of Agriculture, Forestry and Fisheries, and a producer of any other designated combined fertilizer must notify the prefectural governor who has jurisdiction over the location of the workplace where the designated combined fertilizer is produced, of the following particulars, by two weeks prior to the start of business:

- (i) the person's name and address (or for a juridical person, its name, the name of its representative, and the location of its principal office);
  - (ii) the name of the fertilizer;
  - (iii) the name and location of the workplace where the fertilizer is produced, if the person is a producer;
  - (iv) the location of the storage facilities.
- (2) If an agricultural cooperative, etc. is the producer of a designated combined fertilizer that uses one or more type of normal fertilizer under item (i) or (ii) of paragraph (1) of Article 4 as the raw material with which it is combined, it must notify the prefectural governor who has jurisdiction over the location of the workplace where the fertilizer is produced of the particulars listed in the items of the same paragraph, notwithstanding the provisions of the preceding paragraph.
- (3) If a particular requiring notification which is provided for in paragraph (1) changes, the producer or importer of the designated combined fertilizer must notify the Minister of Agriculture, Forestry and Fisheries or the prefectural governor of this within two weeks from the date on which the change occurred. The same applies when the person has discontinued business.

(Producers' assurance labels and importers' assurance labels)

- Article 17 (1) When a producer or importer has produced or imported a normal fertilizer, a producer's assurance label or an importer's assurance label including or detailing the following particulars must be affixed to the exterior of the fertilizer's container or packaging (or to each shipment or piece, if a container or packaging is not used for the fertilizer, the same applies hereinafter) without delay, pursuant to Ordinance of the Ministry of Agriculture, Forestry and Fisheries. The same applies if the label has been lost or the particulars included or detailed therein have become illegible during the time that the fertilizer is in the person's possession or under the person's management; provided, however, that this does not apply if the importer has imported a normal fertilizer for which registration or provisional registration has been granted pursuant to the provisions of paragraph (1) of Article 33-2:
- (i) the words "producer's assurance label" or "importer's assurance label";
  - (ii) the type and name of the fertilizer (or just the name of the fertilizer, if the fertilizer has been provisionally registered or is a designated combined

- fertilizer);
- (iii) the guaranteed component amount (or the content of the major components prescribed by the Minister of Agriculture, Forestry and Fisheries, for each type of normal fertilizer listed in items (iii) and (v) of paragraph (1) of Article 4)
  - (iv) the name and address of the producer or importer;
  - (v) the year and month of production or import;
  - (vi) the name and location of the workplace where the fertilizer was produced, if the person is a producer;
  - (vii) the net weight;
  - (viii) the registration number or provisional registration number, if the fertilizer is not a designated combined fertilizer;
  - (ix) the range of applicable plants and application method for which the fertilizer has been registered or provisionally registered, if the certificate is for a specified normal fertilizer;
  - (x) if a foreign substance has been incorporated into the fertilizer pursuant to the provisions of the proviso to Article 25, the name of the foreign substance and the ratio of its incorporation;
  - (xi) an indication that the fertilizer is a provisionally-registered fertilizer or a designated combined fertilizer, if this is the case;
  - (xii) other particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (2) An importer of a normal fertilizer who has been granted a registration or provisional registration pursuant to the provisions of paragraph (1) of Article 33-2 must affix an importer's assurance label including or detailing the following particulars, to the exterior of the fertilizer's container or packaging without delay, pursuant to Ordinance of the Ministry of Agriculture, Forestry and Fisheries if the importer opens or changes the container or packaging or puts a fertilizer without a container or packaging into a container or packaging. The same applies if an importer has imported a fertilizer to which a producer's assurance label has not been affixed or if the particulars included or detailed therein are illegible, or if the producer's assurance label has been lost or the particulars included or detailed therein have become illegible during the time that the imported fertilizer is in the importer's possession or under the importer's management:
- (i) the words "importer's assurance label";
  - (ii) the name and address of the importer;
  - (iii) the year and month of import;
  - (iv) the particulars listed in items (ii) and (iii), items (vii) through (x) and item (xii) of the preceding Article;
  - (v) the name and address of the producer;

- (vi) the year and month of production;
  - (vii) the name and location of the workplace where the fertilizer was produced;
  - (viii) an indication that the fertilizer is a normal fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2.
- (3) The particulars under items (v) through (vii) of the preceding paragraph and other particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries need not be detailed in an importer's assurance label under the same paragraph if the importer referred to in that paragraph does not know them.

(Sellers' assurance labels)

Article 18 (1) If a seller opens or changes the container or packaging of a normal fertilizer or puts a normal fertilizer without a container or packaging into a container or packaging, the seller must affix a seller's assurance label including or detailing the following particulars, to the exterior of the fertilizer's container or packaging without delay, as prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries. The same applies if the seller has been delivered a normal fertilizer to which a producer's assurance label, importer's assurance label, or seller's assurance label (hereinafter referred to as an "assurance label") has not been affixed or if the particulars included or detailed therein are illegible, or if an assurance label has been lost or the or the particulars included or detailed therein have become illegible during the time that the normal fertilizer that has been delivered to the seller is in the seller's possession or under the seller's management.

- (i) the words "seller's assurance label";
  - (ii) the name and address of the seller;
  - (iii) the particulars listed in items (ii) and (iii), items (v) through (vii) and items (ix) thorough (xii) of the preceding Article;
  - (iv) the year and month in which the seller's assurance label is affixed;
  - (v) the name and address of the producer or importer (or those of the person who produced the fertilizer, if it is a normal fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2);
  - (vi) an indication that the fertilizer is a normal fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2, if this is the case.
- (2) The particulars referred to in items (v) and (vi) of paragraph (1) of the preceding Article and in item (v) of the preceding paragraph and other particulars prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries need not be detailed in a seller's assurance label under the same

paragraph if the seller referred to in the same paragraph does not know them.

(Restriction on or prohibition of transfer, etc.)

Article 19 (1) No producer, importer, or seller may transfer a normal fertilizer (except for a designated combined fertilizer) unless the producer, importer, or seller has been granted a registration or provisional registration and an assurance label has been affixed to it, and nor may a producer, importer, or seller transfer a designated combined fertilizer unless an assurance label has been affixed to it.

(2) Notwithstanding the provisions of the preceding paragraph, a producer, importer, or seller may transfer a normal fertilizer if the producer, importer, or seller has been granted permission by the Minister of Agriculture, Forestry and Fisheries or the prefectural governor, pursuant to the provisions of an order, if the fertilizer has come to no longer conform to the specifications detailed in the registration certificate or provisional registration certificate due to a natural disaster, and a compelling reason prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries has occurred.

(3) If a change has been made to a registration or provisional registration or a registration or provisional registration has been rescinded pursuant to the provisions of paragraph (1) of Article 13-3 (including when these apply mutatis mutandis to paragraph (6) of Article 33-2) or in any other case, if it is necessary for preventing a situation in which the application of a specified normal fertilizer would produce an agricultural product that posed a risk of harming humans or animals, the Minister of Agriculture, Forestry and Fisheries may prohibit a producer, importer, or seller from transferring or delivering a specific normal fertilizer unless the details on the assurance label are changed, impose another restriction on the transfer or delivery of the fertilizer, or prohibit the producer, importer, or seller from transferring or delivering the fertilizer.

(Restriction on the particulars detailed in an assurance label)

Article 20 An assurance label must not include particulars other than those listed in the items of paragraph (1) or (2) of Article 17 or the items of paragraph (1) of Article 18, and the trademarks and trade name, and, if it is a producer's assurance label or an importer's assurance label, the shipment number and the year and month of the shipment, and must not include any false information.

(Order to indicate an application warning, etc.)

Article 21 If the Minister of Agriculture, Forestry and Fisheries or the prefectural governor finds it to be necessary, he/she may order the producer or

importer of a normal fertilizer that has been registered or provisionally registered or of a designated combined fertilizer for which a notification has been accepted, to indicate any particulars that are necessary in order to clearly warn people about some aspect of the application or management of the fertilizer or in order to clarify the ratio of raw materials that are used in the fertilizer or its quality or effectiveness, on the exterior of the fertilizer's container or packaging.

(Restriction on a fertilizer's application)

Article 21-2 A person applying fertilizer may not apply a specified normal fertilizer unless it has an assurance label affixed to it (except a specified normal fertilizer if its transfer or delivery is prohibited pursuant to the provisions of paragraph (3) of Article 19); provided, however, that this does not apply if the application is for testing and research purposes and in other cases prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(Restriction on the application of a specified normal fertilizer)

Article 21-3 (1) For each type of specified normal fertilizer that is specified pursuant to the provisions of item (iv) of paragraph (1) of Article 4, the Minister of Agriculture, Forestry and Fisheries shall, by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, establish standards with regard to the application period, application method, and other particulars, with which a person who applies the specified normal fertilizer must comply.

(2) The Minister of Agriculture, Forestry and Fisheries may change the standards referred to in the preceding paragraph when this is found to be necessary.

(3) A specified normal fertilizers must not be applied in violation of the standards referred to in paragraph (1) (or if the standards have been changed pursuant to the provisions of the preceding paragraph, the changed standards).

(4) If the Minister of Agriculture, Forestry and Fisheries seeks to establish, revise, or abolish the Ordinance of the Ministry of Agriculture, Forestry and Fisheries referred to in paragraph (1), he/she shall hear the opinions of the Minister of Health, Labour and Welfare and the Minister of the Environment before doing so.

(Notification by a producer or importer of a special fertilizer)

Article 22 (1) A producer or importer of a special fertilizer must notify the prefectural governor who has jurisdiction over the location of the workplace where the fertilizer is produced or the place where it is imported of the following particulars by two weeks prior to the start of business:

(i) the person's name and address (or for a juridical person, its name, the name



- of its representative, and the location of its principal office);
  - (ii) the name of the fertilizer;
  - (iii) the name and location of the workplace where the fertilizer is produced, if the person is a producer;
  - (iv) the location of the storage facilities.
- (2) When a particular requiring notification which is provided for in the preceding paragraph has changed, the producer or importer of the special fertilizer must notify the relevant prefectural governor of this no later than two weeks from the day of the change. The same applies when said the producer or importer has discontinued business.

(Standards for labeling on special fertilizers)

- Article 22-2 (1) The Minister of Agriculture, Forestry and Fisheries shall establish the particulars of labeling standards with regard to the following particulars, for each type of special fertilizer prescribed by Cabinet Order as necessitating proper quality labeling due to it being significantly difficult for consumers to discern differences in quality at the time of purchase and due to it being particularly necessary for differences in quality to be discernable for application purposes, and the Minister shall issue public notice of the standards:
- (i) the content of the major components, raw materials, and other particulars of the special fertilizer's quality that must be labeled;
  - (ii) the way of labeling the special fertilizer and other particulars with which a producer, importer, or seller must comply in the labeling of the particulars set forth in the preceding item.
- (2) A prefectural governor may indicate to the Minister of Agriculture, Forestry and Fisheries a type of special fertilizer and suggest a particular that should be established as a labeling standard referred to in the preceding paragraph for it.

(Instructions, etc.)

- Article 22-3 (1) If a producer, importer, or seller does not label a particular referred to in item (i) of paragraph (1) of the preceding Article for which public notice has been issued pursuant to the provisions of the same paragraph (hereinafter referred to as a "particular that must be labeled") or does not comply with a particular referred to in item (ii) of the same paragraph for which public notice has been issued pursuant to the provisions of the same paragraph (hereinafter referred to as a "particular that must be complied with"), the Minister of Agriculture, Forestry and Fisheries may instruct the producer, importer, or seller to label the particular that must be labeled or to comply with the particular that must be complied with.

(2) If a producer, importer, or seller does not comply with the instructions referred to in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries publicize this.

(Notification of sales activities)

Article 23 (1) A producer, importer, or seller must notify the prefectural governor who has jurisdiction over the location of its workplace of the following particulars for each workplace from which it sells fertilizer no later than two weeks after it has begun to sell fertilizer from that workplace:

- (i) the person's name and address (or for a juridical person, its name, the name of its representative, and the location of its principal office);
- (ii) the location of the workplace from which it sells fertilizer;
- (iii) the location of storage facilities that are within the prefectural district.

(2) If a particular requiring notification which is provided for in the preceding paragraph changes, the producer, importer, or seller must notify the relevant prefectural governor of this within two weeks from the day of the change. The same applies if the producer, importer, or seller has discontinued fertilizer sales.

(Prohibition against unauthorized use, etc.)

Article 24 (1) It is prohibited for a person to counterfeit, alter, or use without authorization an assurance label, or to affix a counterfeited or altered assurance label or any thing misleadingly similar to an assurance label to a fertilizer that the person sells or to its container or packaging.

(2) No person may use a container or packaging labeled with the name, trademark, or trade name of an unrelated producer, importer, or seller, or labeled with the name or components of an unrelated fertilizer, as the container or packaging for a fertilizer the person sells, without erasing the labeling.

(Prohibition against incorporation of a foreign substance)

Article 25 A producer, importer, or seller must not incorporate into a fertilizer it produces, imports, or sells a foreign substance that reduces the quality of the fertilizer; provided, however, that this does not apply if the producer of a type of normal fertilizer prescribed by Cabinet Order incorporates an agricultural chemical or any other substance prescribed by official specifications into a normal fertilizer, pursuant to official specifications.

(Prohibition against false advertising, etc.)

Article 26 (1) A producer, importer, or seller must not falsely advertise the amount of main components in, or the effectiveness of, a fertilizer it produces,

imports, or sells.

- (2) A producer, importer, or seller must not use a name that is likely to cause a misapprehension of the components or effectiveness of a fertilizer it produces, imports, or sells.

(Bookkeeping)

Article 27 (1) The producer of a fertilizer must keep books for each workplace where fertilizer is produced, in which the name and quantity of fertilizer is entered every day that it has been produced.

- (2) The producer, importer, or seller of a fertilizer must keep books for each workplace where it produces, imports, or sells fertilizer, in which the name and quantity of fertilizer, the date, and the name of the other party are entered for every purchase or import or for every sale of fertilizer to another producer, importer, or seller.

- (3) The books referred to in the preceding two paragraphs must be preserved for two years.

Article 28 Deleted

(Collection of reports)

Article 29 (1) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor finds it to be necessary in order to achieve the purpose of this Act, he/she may collect a business report or a report on the application of fertilizers from a producer, importer, transporter, forwarding agent, or warehouse of fertilizers, or from a person who applies them.

- (2) The Minister of Agriculture, Forestry and Fisheries may collect a business report from a seller within the limits necessary for the enforcement of the provisions of paragraph (3) of Article 19, Article 22-3 and paragraph (4) of Article 31 or Article 31-2.

- (3) A prefectural governor may collect a business report from a seller if the governor finds it to be necessary in order to achieve the purpose of this Act.

- (4) If a report has been collected pursuant to the provisions of paragraph (1) or the preceding paragraph and it is ascertained that a producer, importer, or seller is not labeling a particular that must be labeled or is not complying with particular that must be complied with, or that a producer, importer, or seller is transferring or delivering fertilizers in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of Article 31 the prefectural governor shall report this to the Minister of Agriculture, Forestry and Fisheries.

(On-site inspections, etc.)

Article 30 (1) If the Minister of Agriculture, Forestry and Fisheries or a

prefectural governor finds it to be necessary in order to regulate a fertilizer, he/she may have his/her officials enter the workplace, warehouse, vehicle, field, or any other place of the fertilizer's producer, importer, transporter, forwarding agent, or warehouser, or of a person who applies the fertilizer, that is connected with the production, import, sale, transportation, storage, or application of the fertilizer, inspect the books and documents and other necessary materials in connection with the fertilizer and its raw materials or the business status or conditions under which the fertilizer is applied, or question the relevant persons, or may have the officials remove the fertilizer or its raw materials without compensation, but only the minimum amount that is necessary for an inspection.

- (2) The Minister of Agriculture, Forestry and Fisheries may have his/her officials enter a workplace, warehouse, or any other place connected with the sale of a fertilizer, inspect the books and documents about the fertilizer or business activities (including electromagnetic records (meaning records prepared in an electronic form, magnetic form, or any other form that cannot be discerned by human perception, and that is used in computerized information processing) if electromagnetic records have been prepared, kept, and preserved instead of books and documents); the same applies in paragraphs (1) and (2) of Article 33-3 and item (vi) of paragraph (1) of Article 33 of the following paragraph), or question the relevant persons, within the limits necessary for the enforcement of the provisions of paragraph (3) of Article 19, Article 22-3, paragraph (4) of Article 31 or Article 31-2.
- (3) If a prefectural governor finds it to be necessary in order to regulate a fertilizer, he/she may have his/her officials enter a seller's workplace, warehouse, or any other place connected with the sale of fertilizer, inspect the books and documents about the fertilizer or the seller's business activities, or question the relevant persons, and may have the officials remove a fertilizer without compensation, but only the minimum amount necessary for an inspection.
- (4) If an on-site inspection has been made or questioning has been carried out pursuant to the provisions of paragraph (1) or the preceding paragraph, and it is ascertained that a producer, importer, or seller is not labeling a particular that must be labeled or is not complying with a particular that must be complied with, or that a producer, importer, or seller is transferring or delivering fertilizers in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of Article 31 the prefectural governor shall report this to the Minister of Agriculture, Forestry and Fisheries.
- (5) The authority for on-site inspections, questioning, and removal under the provisions in paragraphs (1) through (3) may not be interpreted as having been granted for the purpose of a criminal investigation.

- (6) In a case referred to in paragraphs (1) through (3), a Ministry of Agriculture, Forestry and Fisheries official or prefectural official who carries out the duties must carry identification card and produce it at the request of the relevant persons.
- (7) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor has caused a fertilizer or its raw materials to be removed pursuant to the provisions of paragraph (1) or (3), an outline of the results of the inspection of the fertilizer or raw materials are publicized in a newspaper or by other means.

(On-site inspections, etc. by the Center)

- Article 30-2 (1) If the Minister of Agriculture, Forestry and Fisheries finds it to be necessary in a case referred to in paragraph (1) or (2) of the preceding Article, he/she may have the Center enter a person provided for in paragraph (1) of the same Article's or a seller's workplace, warehouse, vehicle, field, or any other place connected with the production, import, sale, storage, or application of a fertilizer, inspect the books and documents and other necessary materials in connection with the fertilizer and its raw materials or the business status or conditions under which the fertilizer is applied, or question the relevant persons, or may have the Center remove a fertilizer or its raw materials without compensation, but only the minimum amount necessary for inspection.
- (2) If the Minister of Agriculture, Forestry and Fisheries has the Center carry out an on-site inspection, questioning, or the removal of a fertilizer (hereinafter referred to as "on-site inspection, etc.") pursuant to the provisions of the preceding paragraph, he/she shall indicate the date, place, and other necessary particulars of the on-site inspection, etc. in directing the Center to do so.
- (3) When the Center has carried out an on-site inspection, etc. referred to in paragraph (1) in accordance with the directions referred to in the preceding paragraph, the Center must report the results to the Minister of Agriculture, Forestry and Fisheries as provided for by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (4) The provisions of paragraphs (5) and (6) of the preceding Article apply mutatis mutandis to an on-site inspection, etc. pursuant to the provisions of paragraph (1), and the provisions of paragraph (7) of the same Article apply mutatis mutandis to the removal of a fertilizer pursuant to the provisions of paragraph (1).

(Administrative dispositions)

- Article 31 (1) If the producer or importer of a normal fertilizer that was

registered or provisionally registered by the Minister of Agriculture, Forestry and Fisheries or the producer or importer of a designated combined fertilizer of which the Minister has been notified, has violated the provisions of this Act or an order based on this Act, the Minister may restrict or prohibit the person from transferring or delivering the fertilizer or may revoke the fertilizer's registration or provisional registration.

- (2) If a seller that has notified the prefectural governor, the producer of a normal fertilizer that the governor has registered or a designated combined fertilizer of which the governor has been notified, or the producer or importer of a special fertilizer of which the governor has been notified, has violated the provisions of this Act or an order based on this Act (excluding when the person does not label a particular that must be labeled or does not comply with a particular that must be complied with), the prefectural governor may restrict or prohibit the person from transferring or delivering the fertilizer, or may revoke the fertilizer's registration.
- (3) If it has come to be found that a registered or provisionally-registered normal fertilizer, a designated combined fertilizer, or a special fertilizer is harmful to plants when applied using the regular application method the Minister of Agriculture, Forestry and Fisheries may restrict or prohibit the producer or importer of a fertilizer provided for in paragraph (1) from transferring or delivering the fertilizer or may revoke the fertilizer's registration or provisional registration, and the prefectural governor may do the same with respect to the producer, importer, or seller of a fertilizer provided for in the preceding paragraph, if this it is necessary in order to prevent such harm from occurring.
- (4) If as a result of the Minister of Agriculture, Forestry and Fisheries' having the Center inspect a fertilizer in accordance with the inspection methods the Minister specifies, it has come to be found that a fertilizer produces an agricultural product that poses a risk of harming humans or animals because the quality of the fertilizer has grown inferior, the Minister may restrict or prohibit the transfer, delivery or application of the fertilizer, if this is necessary in order to prevent such a situation from occurring.
- (5) If a seller is selling a fertilizer that has been found to be harmful to plants because a foreign substance has been incorporated into it in violation of the provisions of Article 25 or is selling a fertilizer that has been found to be harmful to plants when applied using the regular application method, the Minister of Agriculture, Forestry and Fisheries may instruct the prefectural governor who has jurisdiction over the workplace from which the seller sells the fertilizer to issue a disposition under the provisions of paragraphs (2) and (3) against the seller, if this is necessary in order to prevent such harm from occurring over a wider area.

(6) A person whose registration or provisional registration has been rescinded pursuant to the provisions of paragraphs (1) through (3) must return the registration certificate or provisional registration certificate to the Minister of Agriculture, Forestry and Fisheries or to the prefectural governor without delay.

(7) If a disposition referred to in paragraphs (1) through (4) has been issued (excluding the rescission of a registration or provisional registration), when issued by the Minister of Agriculture, Forestry and Fisheries, the Minister shall promptly notify all of the prefectural governors of this, and when issued by a prefectural governor, the governor shall promptly notify the Minister of Agriculture, Forestry and Fisheries and all of the prefectural governors of this.

(Order for recall, etc.)

Article 31-2 If a producer, importer, or seller has transferred or delivered a fertilizer in violation of the provisions of paragraph (1) or (3) of Article 19 or paragraph (4) of the preceding Article, the Minister of Agriculture, Forestry and Fisheries may order the person to recall the fertilizer and to take any other necessary measures, if this is necessary in order to prevent the application of the fertilizer from producing an agricultural product that poses a risk of harming humans or animals.

(Restrictions on registration and provisional registration)

Article 32 A person whose registration or provisional registration has been rescinded pursuant to the provisions of paragraphs (1) through (3) of Article 31 may not obtain registration or provisional registration for the normal fertilizer again during the one-year period after the date of rescission.

(Special provisions on hearings)

Article 33 (1) If the Minister of Agriculture, Forestry and Fisheries or a prefectural governor seeks to register or provisionally register a change pursuant to the provisions of paragraph (1) of Article 13-3, to restrict or prohibit the transfer or delivery of a fertilizer pursuant to the provisions of paragraph (3) of Article 31, or to issue a disposition restricting or prohibiting the transfer, delivery, or application of a fertilizer pursuant to the provisions of paragraph (4) of Article 31, he/she shall conduct a hearing before doing so, irrespective of the categories of procedures for statements of opinion under the provisions of paragraph (1) of Article 13 of the Administrative Procedure Act (Act No. 88 of 1993).

(2) The proceedings on the date of a hearing on the rescission of a registration or provisional registration pursuant to the provisions of paragraph (3) of Article 9, paragraph (1) of Article 13-3 or the provisions of paragraphs (1) through (3) of

Article 31, a hearing on the registration or provisional registration of a change pursuant to the provisions of paragraph (1) of Article 13-3, a hearing on the restriction or prohibition of the transfer or delivery of a fertilizer pursuant to the provisions of paragraph (3) of Article 31, or a hearing on a disposition restricting or prohibiting the transfer, delivery, or application of a fertilizer pursuant to the provisions of paragraph (4) of the same Article must be open to the public.

(Registration and provisional registration of fertilizers produced overseas)

Article 33-2 (1) A person who, in the course of trade, produces a normal fertilizer in a foreign country which is exported to Japan (excluding a designated combined fertilizer) may be granted registration by the Minister of Agriculture, Forestry and Fisheries for each brand of normal fertilizer for which official specifications have been established or may be granted provisional registration by the Minister of Agriculture, Forestry and Fisheries for each brand of normal fertilizer for which official specifications have not been established.

- (2) A person who seeks registration or provisional registration pursuant to the provisions of the preceding paragraph must, at the time the person applies for the registration or provisional registration, appoint a person with an address in Japan (including the representative of the Japanese office of a foreign juridical person, if such person has an office in Japan) whom the person will have adopt the necessary measures to prevent the distribution of poor-quality fertilizers in Japan.
- (3) If the person appointed pursuant to the provisions of the preceding paragraph (hereinafter referred to as "domestic administrator") changes or the name or address of the domestic administrator changes, a person who has been granted registration or provisional registration pursuant to the provisions of paragraph (1) must notify the Minister of Agriculture, Forestry and Fisheries of this in accordance with the procedures prescribed by Ordinance of the Ministry of Agriculture, Forestry and Fisheries within thirty days from the date of the change.
- (4) A registered overseas producer must keep books for each workplace where it produces or sells fertilizer, in which the name and quantity of normal fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) and that the producer exports to Japan are entered every day such fertilizer is produced, and in which the name and quantity of the fertilizer, the date, and the name of the other party are entered for every sale of the fertilizer, and the producer must notify the domestic administrator of the particulars entered in the books and preserve the books for two years.
- (5) A domestic administrator shall keep the books at his/her domicile or principal office, enter in them the particulars of which he/she has been notified pursuant



to the provisions of the preceding paragraph, and preserve the books for two years.

(6) The provisions of Articles 6 through 8, paragraphs (1) through (3) of Article 9, Article 10, Article 12, Article 14 (excluding item (iii)), and paragraphs (1) through (3) of Article 16 apply mutatis mutandis to registration or provisional registration pursuant to the provisions of paragraph (1); the provisions of paragraph (4) of Article 9, Articles 11, 13, 13-2, and 15, paragraph (1) of Article 17 (excluding the proviso), Articles 20, 21, and 25 apply mutatis mutandis to a registered overseas producer; the provisions of Article 13-3 apply mutatis mutandis to specified normal fertilizer that has been granted registration or provisional registration pursuant to the provisions of paragraph (1); the provisions of Article 26 apply mutatis mutandis to a registered overseas producer and its domestic administrator; and the provisions of paragraph (1) of Article 29 apply mutatis mutandis to a domestic administrator. In this, the phrase "the Minister of Agriculture, Forestry and Fisheries or a prefectural governor" in these provisions is deemed to be replaced with "the Minister of Agriculture, Forestry and Fisheries"; the phrase "the person's name and address" in item (i) of paragraph (1) of Article 6 is deemed to be replaced with "the name and address of the person seeking registration or provisional registration pursuant the provisions of paragraph (1) of Article 33-2 and the name and address of the person appointed thereby pursuant to the provisions of paragraph (2) of the same Article"; the phrase "is produced, if the person is a producer" in item (iv) of the same paragraph is deemed to be replaced with "is produced"; the phrase "a producer must retain a copy of it" in Article 11 is deemed to be replaced with "must retain a copy of it"; the phrase "two weeks" in paragraph (1) of Article 13 is deemed to be replaced with "thirty days"; the phrase "is produced, if the person is a producer" in item (ii) of the same paragraph is deemed to be replaced with "is produced"; the phrase "two weeks" in paragraph (2) of the same Article is deemed to be replaced with "thirty days"; the phrase "producing or importing" in item (ii) of Article 14 is deemed to be replaced with "producing"; the phrase "paragraphs (1) through (3) of Article 31" in paragraph (1) of Article 16 is deemed to be replaced with "paragraph (1) of Article 33-5"; the phrase "producer or importer" in item (vi) of the same paragraph is deemed to be replaced with "person who has been granted registration or provisional registration pursuant to the provisions of paragraph (1) of Article 33-2 and the person appointed thereby pursuant to the provisions of paragraph (2) of the same Article"; the phrase "paragraph (1) or (4) of Article 13" in paragraph (2) of the same Article is deemed to be replaced with "paragraph (1) or (4) of Article 13 or paragraph (3) of Article 33-2"; the phrases "has produced or imported a normal fertilizer" and "producer's assurance label or importer's assurance label" in paragraph (1) of Article 17

are deemed to be replaced with "has produced a normal fertilizer that has been registered or provisionally-registered pursuant to the provisions of paragraph (1) of Article 33-2 and that is exported to Japan" and "producer's assurance label," respectively; the phrase "production or import" in item (v) of the same paragraph is deemed to be replaced with "production"; the phrase "is produced, if the person is a producer" in item (vi) of the same paragraph is deemed to be replaced with "is produced"; the phrase "an indication that the fertilizer is a provisionally-registered fertilizer or a designated combined fertilizer, if this is the case" in item (xi) of the same paragraph is deemed to be replaced with "an indication that it is a normal fertilizer that has been granted registration or provisional registration pursuant to the provisions of paragraph (1) of Article 33-2"; the phrases "the items of paragraph (1) or (2) of Article 17 or the items of paragraph (1) of Article 18" and "and, if it is a producer's assurance label or an importer's assurance label," in Article 20 are deemed to be replaced with "the items of paragraph (1) of Article 17" and "and" respectively; the phrase "order" in Article 21 is deemed to be replaced with "request"; and the phrase "a fertilizer it produces, imports, or sells" in Articles 25 and 26 is deemed to be replaced with "a normal fertilizer that has been registered or provisionally registered pursuant to the provisions of paragraph (1) of Article 33-2 and that is exported to Japan."

(On-site inspections, etc. involving domestic administrators)

Article 33-3 (1) If the Minister of Agriculture, Forestry and Fisheries finds it to be necessary for the purpose of regulating a fertilizer, the Minister may have the Minister officials enter a domestic administrator's office or any other place connected with the domestic administrator's business, inspect the books and documents about the domestic administrator's business activities, and question the relevant persons.

(2) If the Minister of Agriculture, Forestry and Fisheries finds it to be necessary in the case provided for in the preceding paragraph, the Minister may have the Center enter a domestic administrator's office or any other place connected with the domestic administrator's business, inspect the books and documents about the domestic administrator's business activities, and question the relevant persons.

(3) The provisions of paragraphs (5) and (6) of Article 30 apply mutatis mutandis to an on-site inspection or questioning pursuant to the provisions of paragraph (1), and the provisions of paragraphs (2) through (4) of Article 30-2 apply mutatis mutandis to an on-site inspection or questioning pursuant to the provisions of paragraph (2).

(Import of a fertilizer produced overseas)

Article 33-4 (1) The importer of a normal fertilizer that has been granted registration or provisional registration pursuant to the provisions of paragraph (1) of Article 33-2 must notify the Minister of Agriculture, Forestry and Fisheries of the following particulars by two weeks prior to the start of business; provided, however, that this does not apply if the importer is the registered overseas producer of the fertilizer or the domestic administrator of the fertilizer.

- (i) the person's name and address (or for a juridical person, its name, the name of its representative, and the location of its principal office);
  - (ii) the registration number or provisional registration number of the fertilizer the importer will import;
  - (iii) the location of the storage facilities.
- (2) If a particular requiring notification which is provided for in the preceding paragraph changes, the importer who submitted the notification pursuant to the provisions of the preceding paragraph must notify the Minister of Agriculture, Forestry and Fisheries of this. The same applies when the importer has discontinued business.
- (3) An importer must not transfer an imported fertilizer bearing an assurance label that has been used without authorization, counterfeited, or altered, or bearing anything that is otherwise misleadingly similar to an assurance label (including a fertilizer whose container or packaging bears such a label).
- (4) An importer must not transfer an imported fertilizer whose container or packaging is labeled with the name, trademark, or trade name of an unrelated person, or labeled with the name or components of an unrelated fertilizer, without erasing the labeling.

(Rescission, etc. of the registration of a fertilizer produced overseas)

Article 33-5 (1) If any of the following items applies, the Minister of Agriculture, Forestry and Fisheries may rescind a registered overseas producer's registration or provisional registration:

- (i) if the registered overseas producer has transferred a normal fertilizer that has been granted registration or provisional registration pursuant to the provisions of paragraph (1) of Article 33-2 (limited to a fertilizer that is exported to Japan) but which does not bear a producer's assurance label;
- (ii) if the registered overseas producer has failed to respond to a request under the provisions of Article 21 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2;
- (iii) if the registered overseas producer has counterfeited, altered, or illegally used the assurance label for a normal fertilizer that is exported to Japan which has been granted registration or provisional registration under the provisions of paragraph (1) of Article 33-2, or affixed a counterfeited or

- altered assurance label or anything else misleadingly similar thereto to such a fertilizer or its container or packaging;
- (iv) if the registered overseas producer has used a container or packaging labeled with the name, trademark, or trade name of an unrelated person or labeled with the name or components of an unrelated fertilizer as the container or packaging for a normal fertilizer that is exported to Japan which has been granted registration or provisional registration under the provisions of paragraph (1) of Article 33-2 without erasing the label;
  - (v) if the Minister of Agriculture, Forestry and Fisheries finds it to be necessary in order to achieve the purpose of this Act and requests a business report from the registered overseas producer, but the registered overseas producer does not submit a report or submits a false report;
  - (vi) if the Minister of Agriculture, Forestry and Fisheries has found it to be necessary for the purpose of regulating a fertilizer and has sought to have his/her officials or the Center inspect the books and documents in connection with the relevant fertilizer, its raw materials, or the registered overseas producer's business, at the registered overseas producer's workplace, warehouse, or any other place related to the production or sale a normal fertilizer that is exported to Japan which has been granted registration or provisional registration under the provisions of paragraph (1) of Article 33-2, or if the Minister has sought to have his/her officials or the Center question the relevant persons or request the registered overseas producer to provide the minimum amount of fertilizer or raw materials necessary for the inspection without compensation, and the registered overseas producer has refused, obstructed, or evaded the inspection or request, has failed to answer a question, or has given a false answer;
  - (vii) if the situation is found to be equivalent to the case provided for in paragraph (3) of Article 31;
  - (viii) if, as a result of the Minister of Agriculture, Forestry and Fisheries' having had the Center inspect a normal fertilizer that has been granted registration or provisional registration under the provisions of paragraph (1) of Article 33-2 in accordance with the inspection method provided for in paragraph (4) of Article 31, it has come to be found that the normal fertilizer produces an agricultural product that poses a risk of harming humans or animals, because the quality of the fertilizer has grown inferior, and the Minister has requested the registered overseas producer to restrict or suspend the transfer or delivery of the fertilizer in order to prevent such a situation from occurring, but the registered overseas producer has failed to heed this request;
  - (ix) if the registered overseas producer has committed any unlawful act in being granted the registration or provisional registration under the

- provisions of paragraph (1) of Article 33-2;
- (x) if the position of domestic administrator has become vacant and the registered overseas producer has not appointed a new domestic administrator;
  - (xi) if the registered overseas producer or its domestic administrator has violated the provisions of this Act or of an order based on this Act.
- (2) A person whose registration or provisional registration has been rescinded pursuant to the provisions of the preceding paragraph must return the registration certificate or provisional registration certificate to the Minister of Agriculture, Forestry and Fisheries without delay.
- (3) A person whose registration or provisional registration has been rescinded pursuant to the provisions of paragraph (1) may not have the relevant normal fertilizer registered or provisionally registered again for one year from the day of the rescission.
- (4) The provisions of paragraph (1) of Article 33 apply mutatis mutandis to a disposition to register or provisionally register a change under the provisions of paragraph (1) of Article 13 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2, the provisions of paragraph (2) of Article 33 apply mutatis mutandis to the rescission of a registration or provisional registration under paragraph (3) of Article 9 or paragraph (1) of Article 13-3 or under the provisions of paragraph (1) as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2, or to a hearing for a disposition to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2, and the provisions of paragraph (2) of Article 34 apply mutatis mutandis to the disposition on an application to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2 as applied mutatis mutandis pursuant to paragraph (6) of Article 33-2.

(Orders issued to the Center)

Article 33-6 If the Minister of Agriculture, Forestry and Fisheries finds it to be necessary in order to ensure the proper implementation of work related to an examination referred to in paragraph (1) of Article 7, paragraph (1) of Article 8 or paragraph (2) of Article 13-2 (including when these provisions apply mutatis mutandis pursuant to paragraph (6) of Article 33-2), the test for fertilizer efficiency which is referred to in paragraph (1) of Article 9 (including when it applies mutatis mutandis pursuant to paragraph (6) of Article 33-2), an on-site inspection, etc. referred to in paragraph (1) of Article 30-2, an inspection referred to in paragraph (4) of Article 31, or on-site inspection and questioning referred to in paragraph (2) of Article 33-3, the Minister may issue the necessary orders to the Center about that work.

(Appeal)

Article 34 (1) If a prefectural governor has not issued a disposition within fifty days from the day on which a person has applied to be registered by the prefectural governor pursuant to the provisions of paragraph (1) of Article 6, the prefectural governor may be deemed to have dismissed the request and the person who has applied for the registration may request an administrative review.

(2) When the Minister of Agriculture, Forestry and Fisheries has received a request for an administrative review or an appeal involving the disposition on an application for registration or provisional registration, the disposition on an application to register or provisionally register a change under the provisions of paragraph (1) of Article 13-2, a disposition restricting or prohibiting the transfer or delivery of a fertilizer under the provisions of paragraph (1) or (2) of Article 31 (excluding a disposition involving a seller under the provisions of paragraph (2) of Article 31) or a disposition to issue an order under the provisions of Article 31-2, the Minister shall notify the person who requested the administrative review or the appellant of the date and place in advance, and hold a public hearing of opinions.

(3) When a prefectural governor has received an appeal against a disposition to restrict or prohibit the transfer or delivery of a fertilizer under the provisions of paragraph (2) of Article 31, the governor shall notify the appellant of the date and place in advance, and hold a public hearing of opinions.

(Exclusion from application)

Article 35 (1) If a fertilizer is produced, imported, transferred, transported, or held for export, or if a fertilizer designated by the Minister of Agriculture, Forestry and Fisheries is produced, imported, transferred, transported, or held for industrial use or for use as feed, this Act does not apply, pursuant to the Ordinance of the Ministry of Agriculture, Forestry and Fisheries. The same applies if a fertilizer designated by a prefectural governor is produced, imported, transferred, transported, or held within the districts of the prefecture for industrial use or for use as feed.

(2) In order to make a designation under the preceding paragraph, the prefectural governor shall consult the Minister of Agriculture, Forestry and Fisheries in advance.

(Delegation of authority)

Article 35-2 Part of the authority of the Minister of Agriculture, Forestry and Fisheries as provided for in this Act may be delegated to the director of a regional agricultural administration office, pursuant to Ordinance of the

Ministry of Agriculture, Forestry and Fisheries.

(Classification of administrative functions)

Article 35-3 Among the administrative functions that are to be handled by the prefecture pursuant to the provisions of this Act, the following are Type 1 statutorily entrusted functions provided for in item (i) of paragraph (9) of Article 2 of the Local Autonomy Act (Act No. 67 of 1947):

- (i) administrative functions that are to be handled by a prefecture pursuant to the provisions of paragraphs (1) and (2) of Article 4; paragraph (1) of Article 6; paragraph (1) of Article 7; Article 10; paragraph (4) of Article 12; Article 13; Article 15; paragraphs (1), (2), and (4) of Article 16; Article 16-2; Article 22; paragraph (1) of Article 29; and paragraph (1) of Article 30;
- (ii) administrative functions that are to be handled by a prefecture pursuant to the provisions of paragraph (4) of Article 29; paragraphs (4) and (7) of Article 30; paragraph (3) of Article 31; and paragraph (1) of Article 33 (excluding those involving sellers);
- (iii) administrative functions that are to be handled by a prefecture pursuant to the provisions of paragraph (2) of Article 31, other than the following:
  - (a) an order based on paragraph (2) of Article 19 or the provisions of the same paragraph or a disposition concerning a violation of the provisions of Article 21;
  - (b) a disposition issued to a seller in connection with a notification (excluding a disposition in (a)).
- (iv) acceptance of a registration certificate returned pursuant to the provisions of paragraph (6) of Article 31 (excluding acceptance following a disposition listed in (a) of the preceding item);
- (v) notification pursuant to the provisions of paragraph (7) of Article 31 (excluding notification regarding a disposition listed in (a) or (b) of item (iii)).

(Transitional measures)

Article 35-4 If an order is established or revised or abolished based on this Act, the order may prescribe the required transitional measures (including transitional measures related to penal provisions) within the scope judged to be reasonably necessary in conjunction with the establishment or revision or abolition.

(Penal provisions)

Article 36 A person who falls under any of the following items shall be punished by imprisonment with work for up to three years, a fine of up to one million yen, or both:

- (i) a person who has produced or imported a normal fertilizer in the course of

- trade without being granted the registration or provisional registration under the provisions of Article 4 or Article 5, or a person who has committed an unlawful act in being granted the registration or provisional registration under the provisions of Article 4, Article 5 or paragraph (1) of Article 33-2;
- (ii) a person who has violated the provisions of paragraph (1) of Article 19; Article 21-2; paragraph (3) of Article 21-3; Article 25; or paragraph (3) of Article 33-4;
  - (iii) a person who has violated the restriction or prohibition pursuant to the provisions of Ordinance of the Ministry of Agriculture, Forestry and Fisheries which is referred to in paragraph (3) of Article 19;
  - (iv) a person who has made a false statement on an assurance label, in violation of the provisions of Article 20;
  - (v) a person who has used an assurance label illegally or affixed something misleadingly similar to an assurance label to a fertilizer the person sells or to its container or packaging, in violation of the provision of paragraph (1) of Article 24
  - (vi) a person who has violated a restriction or prohibition on the transfer, delivery, or application of a fertilizer under the provisions of paragraph (3) or (4) of Article 31;
  - (vii) a person who has violated an order pursuant to the provisions of Article 31-2.

Article 37 A person who falls under any of the following items shall be punished by imprisonment with work for up to one year, a fine of up to 500,000 yen, or both:

- (i) a person who has failed to submit a notification under Article 16-2, Article 22, Article 23, or paragraph (1) or (2) of Article 33-4, or a person who has submitted a false notification;
- (ii) a person who has violated the provisions of paragraph (2) of Article 24, Article 26 (including when it is applied *mutatis mutandis* in paragraph (6) of Article 33-2), or paragraph (4) of Article 33-4.

Article 38 A person who falls under any of the following items shall be punished by a fine of up to 500,000 yen:

- (i) a person who has failed to submit a notification or application under the provisions of paragraph (1), (2) or (4) of Article 13, or a person who has failed to submit a notification or has submitted a false notification under the provisions of paragraph (1) of Article 15;
- (ii) a person who has violated the provisions of paragraph (1) or (2) of Article 17 or paragraph (1) of Article 18;
- (iii) a person who has entered particulars other than the statutory particulars



on an assurance label, in violation of the provisions of Article 20.

Article 39 A person who falls under any of the following items shall be punished by a fine of up to 300,000 yen.

- (i) a person who has violated the provisions of Article 11;
- (ii) a person who has failed to submit a notification or application under the provisions of paragraph (3) of Article 13 or who has submitted a false notification;
- (iii) a person who has violated an order under the provisions of Article 21;
- (iv) a person who has failed to keep the books, failed to make entries therein, or made a false entry, in violation of the provisions of paragraph (1) or (2) of Article 27;
- (v) a person who has failed to submit a report or who has submitted a false report against an order pursuant to the provisions of paragraph (1), (2) or (3) of Article 29 (including the case applied mutatis mutandis in paragraph (6) of Article 33-2);
- (vi) a person who has refused, obstructed, or evaded an entry, inspection, or removal pursuant to the provisions of paragraph (1) or (3) of Article 30 or paragraph (1) of Article 30-2, who has failed to answer questions pursuant to these provisions, or who has given false answers to such questions;
- (vii) a person who has refused, obstructed, or evaded an entry or inspection pursuant to the provisions of paragraph (2) of Article 30 or paragraph (1) or (2) of Article 33-3, has failed to answer questions pursuant to these provisions, or has given false answers to such questions.

Article 40 If the representative of a juridical person or the agent, worker, or any other employee of a juridical person or individual has committed an act of violation listed in Article 36 through the preceding Article in connection with the business of the juridical person or individual, in addition to the offender shall be punished but also, the juridical person or individual shall be punished by the fine prescribed in the relevant of either of the following items, and the individual shall be punished by the fine prescribed in the relevant Article:

- (i) Article 36, items (i), (ii) (limited to the part involving paragraph (1) of Article 19), (iii), (iv), and (vii): a fine of up to 100 million yen;
- (ii) Article 36 (excluding the part involving the preceding item) and Articles 37 through 39: the fine prescribed in the relevant Article.

Article 41 If an order under the provisions of Article 33-6 has been violated, the officer of the Center who has committed the violation shall be punished with a non-criminal fine of up to 200,000 yen.

Article 42 A person who has violated the provisions of paragraph (4) of Article 9; paragraph (2) of Article 15; paragraph (3) of Article 27; paragraph (6) of Article 31; or paragraph (5) of Article 33-2 shall be punished by a non-criminal fine of up to 100,000 yen.

**Supplementary Provisions [Extract]**

(Effective date)

- (1) The effective date of this Act is prescribed by Cabinet Order within a period not exceeding sixty days from the day of its promulgation; provided, however, that the effective date of the provisions of Article 4 and 5, Articles 17 through 20, and Articles 27 and 28 is August 1, 1950.
- (3) The Fertilizer Regulation Act (Act No. 51 of 1908, hereinafter referred to as "the Former Act") is hereby abolished.

**Supplementary Provisions [Act No. 75 of April 26, 1954] [Extract]**

- (1) This Act comes into force on the day on which thirty days have elapsed from the day of its promulgation.

**Supplementary Provisions [Act No. 145 of June 11, 1956]**

- (1) This Act comes into force on October 1, 1956.
- (2) With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 161 of October 26, 1961]**

- (1) This Act comes into force on the day on which thirty days have elapsed from the day of its promulgation.
- (2) With regard to substances applied to plants for the purpose of providing them with nutrition, the provisions of Articles 4, 5, 17 thorough 20, and 27 of the Fertilizer Regulation Act are not applicable until the day on which sixty days have elapsed from the day of the promulgation of this Act.

**Supplementary Provisions [Act No. 161 of September 15, 1957] [Extract]**

- (1) This Act comes into force on October 1, 1957.
- (2) Except when otherwise provided for in these Supplementary Provisions, the provisions after their revision by this Act also apply to a disposition by an administrative agency prior to the enforcement of this Act, inactions by an

administrative agency in connection with an application filed prior to the enforcement of this Act, or other particulars that have arisen prior to the enforcement of this Act; provided, however, that these provisions do not obstruct the effect that has arisen pursuant to the provisions prior to their revision by this Act.

- (3) The provisions then in force remain applicable for a petition, application for examination, objection, and any other appeal (hereinafter referred to as a "petition, etc.") filed before the enforcement of this Act. The same applies for a determination, decision, or other disposition on a petition, etc. that was reached before the enforcement of the Act (hereinafter referred to as "determinations etc.") and to a determination, etc. that was reached after the enforcement of this Act on a petition, etc. filed before the enforcement of this Act, if the person who filed the petition, etc. has a further objection.
- (4) A petition, etc. provided for in the preceding paragraph that involves a disposition against which an appeal may be filed pursuant to the Administrative Appeal Act after the enforcement of this Act is, with regard to the application of Acts other than that Act, deemed to be an appeal filed under the Administrative Appeal Act.
- (5) No appeal pursuant to the Administrative Appeal Act may be entered against a determination, etc. about an application for examination, objection, or other appeal filed after the enforcement of this Act pursuant to the provisions of paragraph (3).
- (6) With regard to a disposition reached by an administrative agency prior to the enforcement of this Act, against which a petition, etc. may be filed pursuant to provisions prior to their revision by this Act, and for which the period for filing has not been set, the period for filing an appeal pursuant to the Administrative Appeal Act is counted from the date of enforcement of this Act.
- (8) With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.
- (9) Beyond what is prescribed in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

### **Supplementary Provisions [Act No. 27 of April 24, 1978] [Extract]**

(Effective date)

- (1) This Act comes into force on the day of its promulgation; provided, however, that the provisions of Article 1 revising paragraph (1) of Article 11 of the Act on Real Estate Appraisal; the provisions of Articles 2, 3, 5, and 6, the provisions of Article 19 revising paragraph (1) of Article 107 of the Patent Act; the provisions of Article 20 revising paragraph (1) of Article 31 of the Utility

Model Act; the provisions of Article 21 revising paragraphs (1) and (2) of Article 42 of the Design Act; the provisions of Article 22 revising paragraphs (1) and (2) of Article 40 of the Trademark Act; the provisions of Article 28 revising paragraph (2) of Article 5 of the Interpreter Guide Act; and the provisions of Articles 29 and 30 come into force on May 1, 1978.

**Supplementary Provisions [Act No. 87 of July 5, 1978] [Extract]**

(Effective date)

Article 1 This Act comes into force on the day of its promulgation; provided, however, that the provisions listed in the following items come into force on the day prescribed in the relevant item:

- (i) the revisionary provisions of paragraph (1) of Article 64-4; Article 66; Article 67; paragraphs (1), (2), and (4) of Article 68; Article 69; and paragraph (2) of Article 69-2; the revisionary provisions that add one Article after Article 69-3; the revisionary provisions of paragraphs (1) and (3) of Article 70; the revisionary provisions that change the same Article to Article 71; and the revisionary provisions that delete Article 72 and change Article 71 to Article 72: January 1, 1979;
- (ii) the revisionary provisions that revise Article 18-8; paragraph (2) of Article 22; and paragraph (2) of Article 22-3; the revisionary provisions that delete item (vi) of Article 78; the revisionary provisions of item (i) of Article 80 and Article 81; the revisionary provisions in the table of paragraph (2) of Article 82 (limited to the part that deletes the paragraph on the Freshwater Fisheries Research Laboratory); the revisionary provisions of Article 83; the revisionary provisions that add one Article after the same Article; and the revisionary provisions of Article 87: the date prescribed by Cabinet Order for the relevant provisions within the period until March 31, 1979;
- (iii) the revisionary provisions of paragraph (3) of Article 18; paragraph (2) of Article 18-3; and paragraph (2) of Article 21: the date prescribed by Cabinet Order for the relevant provisions within the period until March 31, 1980.

**Supplementary Provisions [Act No. 69 of July 23, 1982] [Extract]**

(Effective date, etc.)

(1) This Act comes into force on the day of its promulgation.

**Supplementary Provisions [Act No. 40 of May 17, 1983]**

(Effective date)

Article 1 This Act comes into force on the day prescribed by Cabinet Order

within a period not exceeding one year from the day of its promulgation.

(Transitional measures)

Article 2 With regard to the processing of an application for registration or provisional registration or an application for renewal of the valid period of a registration or provisional registration that was filed prior to the effective date of this Act (hereinafter referred to as "the effective date") based on the Fertilizer Regulation Act prior to its revision by this Act (hereinafter referred to as "the Former Act") (excluding processing involving the issuance of a registration certificate or provisional registration certificate under Article 10 of the Former Act or involving public notice of a registration or provisional registration under Article 16, paragraph (1) of the Former Act), in connection with which the registration or provisional registration or the renewal of the valid period of the registration or provisional registration has not been carried out and the registration or provisional registration or the renewal of the valid period of the registration or provisional registration has not been denied as of the time this Act comes into force, the provisions then in force remain applicable.

Article 3 (1) A still-valid registration that an agricultural cooperative provided for in paragraph (2) of Article 4 (excluding an agricultural cooperatives whose territory does not extend past the districts of a municipality; hereinafter simply referred to as an "agricultural cooperative") of the Fertilizer Regulation Act after its revision by this Act (hereinafter referred to as "the New Act") has been granted by the Minister of Agriculture, Forestry and Fisheries as of the time of enforcement of this Act for a fertilizer provided for in item (iii) of paragraph (1) of Article 4 of the Former Act, and a still-valid registration or renewed valid period for a registration that an agricultural cooperative has been granted by the Minister of Agriculture, Forestry and Fisheries after the effective date, based on the provisions of the preceding Article, for a fertilizer under the same item, is deemed to be a registration that was made or a valid period for a registration that was renewed by the prefectural governor based on the New Act.

(2) A registration certificate that has been issued to an agricultural cooperative for a fertilizer provided for in item (iii) of paragraph (1) of Article 4 of the Former Act as of the time of the enforcement of this Act is deemed to be a registration certificate issued by the prefectural governor based on the New Act.

Article 4 If a container or packaging used for a normal fertilizer to which a producer's assurance label, importer's assurance label or seller's assurance

label conforming to the Former Act is affixed as of the time of the enforcement of this Act is used as the container or packaging for a normal fertilizer (limited to a normal fertilizer that has been granted registration or provisional registration as of the time of the enforcement of this Act) within one year after the effective date, a producer's assurance label, importer's assurance label, or seller's assurance label conforming to the New Act is deemed to have been affixed.

Article 5 (1) The producer of a normal fertilizer who has been granted registration by the prefectural governor as of the time of the enforcement of this Act is deemed to have submitted a notification of sales activities to the prefectural governor based on the New Act on the effective date, and the producer of a normal fertilizer that has been granted registration by the prefectural governor or had the valid period of the registration renewed after the effective date pursuant to the provisions of Article 2 of the Supplementary Provisions is deemed to have submitted a notification of sales activities to the prefectural governor based on the New Act on the date of the registration or the date that the valid period of the registration is renewed.

(2) A producer or importer that has submitted a producer's or importer's notification for a special fertilizer to the prefectural governor based on the Former Act as of the time of the enforcement of this Act is deemed to have submitted a notification of sales activities to the prefectural governor on the effective date.

Article 6 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act and after the enforcement of this Act in cases to which the provisions previously in force remain applicable pursuant to the Supplementary Provisions of this Act, the provisions previously in force remain applicable.

(Delegation to Cabinet Order)

Article 7 Beyond what is prescribed in the provisions of Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

### **Supplementary Provisions [Act No. 57 of May 25, 1983] [Extract]**

(Effective date)

Article 1 This Act comes into force on a day prescribed by Cabinet Order within a period not exceeding three months from the day of its promulgation; provided, however, that the provisions of Article 8 come into force on the day prescribed

by Cabinet Order in Article 1 of the Supplementary Provisions of the Act Partially Revising the Fertilizer Regulation Act (Act No. 40 of 1983).

**Supplementary Provisions [Act No. 78 of December 2, 1983] [Extract]**

(1) This Act (excluding Article 1) comes into force on July 1, 1984.

**Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]**

(Effective date)

Article 1 This Act comes into force on the day of promulgation of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional measures for adverse dispositions regarding which a consultation, etc. has been made)

Article 2 Notwithstanding the provisions of the relevant Acts after their revision by this Act, if, prior to the enforcement of this Act, a council or any other deliberative panel has been consulted or otherwise requested, based on laws and regulations, for its opinion about whether procedures equivalent to those for holding a hearing, granting a person an opportunity for explanation, or otherwise hearing statements of opinion as referred to in Article 13 of the Administrative Procedure Act should be taken, the provisions that were then in force remain applicable with regard to procedures for an adverse disposition which result from that consultation or other request.

(Transitional measures for penal provisions)

Article 13 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

(Transitional measures accompanying the arrangement of provisions related to hearings)

Article 14 A hearing or questioning or hearing session (excluding those in connection with an adverse disposition) that has been held pursuant to the provision of an Act prior to the enforcement of this Act, and the procedures therefor, are deemed to have been carried out pursuant to the corresponding provisions of the relevant Acts after their revision by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond what is prescribed in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the

enforcement of this Act are prescribed by Cabinet Order.

**Supplementary Provisions [At No. 97 of November 11, 1994] [Extract]**

(Effective date)

Article 1 This Act comes into force on the day of its promulgation.

(Transitional measures accompanying the partial revision of the Fertilizer Regulation Act)

Article 11 With regard to the dissolution of a juridical person that has been granted registration or provisional registration, the discontinuation of the production or import of a fertilizer by a person that has been granted registration or provisional registration, the dissolution of a juridical person that is a registered overseas producer (meaning a registered overseas producer as prescribed in paragraph (3) of Article 33-2 of the Fertilizer Regulation Act, the same applies hereinafter), or the discontinuation of the production of a fertilizer by a registered overseas producer, which took place prior to the enforcement the provisions of Article 13, the provisions then in force remain applicable.

(Transitional measures for penal provisions)

Article 20 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act (or prior to the enforcement of the provisions listed in the items of Article 1 of the Supplementary Provisions, with regard to those provisions) and acts engaged in after the enforcement of the provisions of Articles 1, 4, 8, 9, 13, 27, 28, and 30 if the provisions previously in force are to remain applicable pursuant to the provisions of Article 2; Article 4; paragraph (2) of Article 7; Article 8; Article 11; paragraph (2) of Article 12; Article 13; and paragraph (4) of Article 15 of the Supplementary Provisions, the provisions previously in force remain applicable.

(Delegation to Cabinet Order)

Article 21 Beyond what is prescribed in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures for penal provisions) are prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]**

(Effective date)

Article 1 This Act comes into force on April 1, 2000; provided however, that the



provisions listed in the following items come into force on the day prescribed in each of those items.

- (i) the revisionary provisions of Article 1 that add five Articles, a section heading, and two subsections and subsection headings after Article 250 of the Local Autonomy Act ((limited to the portion involving paragraph (1) of Article 250-9 of the same Act (limited to the portion involving obtaining the consent of both Houses)); the provisions of Article 40 that revise paragraphs (9) and (10) of the Natural Parks Act Supplementary Provisions (limited to the portion involving paragraph (10) of the same Supplementary Provisions); the revisionary provisions of Article 244 (excluding the portion involving the provisions of Article 14-3 of the Agricultural Improvement and Promotion Act); and the provisions of Article 472 (excluding the portion involving the provisions that revise Articles 6, 8, and 17 of the Act on Special Provisions Concerning the Merger of Municipalities); and Articles 7, 10, and 12; the proviso to Article 59; paragraphs (4) and (5) of Article 60; Articles 73 and 77; paragraphs (4) through (6) of Article 157; Articles 160, 163, 164, and 202 of the Supplementary Provisions: the day of promulgation.

(Transitional measures accompanying the partial revision of the Fertilizer Regulation Act)

- Article 82 (1) If a prefectural governor has collected a report pursuant to the provisions of Article 29 of the Fertilizer Regulation Act prior to its revision pursuant to the provisions of Article 252 (hereinafter in this Article referred to as "the Former Fertilizer Regulation Act") before the effective date, the provisions of paragraph (4) of Article 29 of the Fertilizer Regulation Act after its revision pursuant to the provisions of Article 252 (hereinafter in this Article referred to as "the New Fertilizer Regulation Act") do not apply.
- (2) If a prefectural governor has carried out an on-site inspection or questioning pursuant to the provisions of paragraph (1) of Article 30 of the Former Fertilizer Regulation Act before the effective date, the provisions of paragraph (4) of Article 30 of the New Fertilizer Regulation Act do not apply.
  - (3) A designation under paragraph (1) of Article 35 that has been approved under the provisions of paragraph (2) of the same Article of the Former Fertilizer Regulation Act before the effective date is deemed to be a designation under paragraph (1) of the same Article for which a consultation under the provisions of paragraph (2) of Article 35 of the New Fertilizer Regulation Act has taken place.
  - (4) An application for approval that has actually been filed pursuant to the provisions of paragraph (2) of Article 35 of the Former Fertilizer Regulation Act as of the time of the enforcement of this Act is deemed to be an application for a consultation filed pursuant to the provisions of paragraph (2) of Article 35

of the New Fertilizer Regulation Act.

(Transitional measures for appeals)

Article 102 With regard to an application for examination when the provisions of the Administrative Appeal Act apply by deeming there to be a higher administrative agent pursuant to the provisions of paragraph (1) of Article 161 of the Supplementary Provisions, the provisions of paragraph (2) of Article 34 of the Fertilizer Regulation Act prior to its revision pursuant to the provisions of Article 252, the provisions of Article 27 of the Fishing Boat Act prior to its revision pursuant to Article 257, the provisions in the second sentence of paragraph (1) of Article 10-11-5, paragraph (3) of Article 10-11(6), and paragraphs (3) and (4) of Article 190 of the Forest Act prior to its revision pursuant to the provisions of Article 262, the provisions of Article 15 of the Act Concerning Dairy and Beef Cattle Production Promotion prior to its revision pursuant to the provisions of Article 273, and the provisions of paragraphs (1) and (3) of Article 31 of the Livestock Market Act prior to its revision pursuant to the provisions of Article 276 remain in force after the effective date.

(Administrative functions of the State, etc.)

Article 159 In addition to what is provided for in the relevant Acts prior to their revision by this Act, administrative functions of the State, of another local government, or of any other public body that a local government agency is to manage or perform pursuant to the relevant Acts or Cabinet Orders based on those Acts (hereinafter referred to as "administrative functions of the State, etc." in Article 161 of the Supplementary Provisions) must be handled by the local government as its own administrative functions pursuant to the relevant Acts or Cabinet Orders based on those Acts after the enforcement of this Act.

(Transitional measures for dispositions, applications, etc.)

Article 160 (1) With respect to the application of the relevant revised Acts after the date of enforcement of this Act, excluding those specified in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in provisions on transitional measures in the relevant Acts after their revision (including Orders pursuant thereto), dispositions reached about permission, etc. and other actions taken before the enforcement of this Act (or before the enforcement of the provisions listed in the items of Article 1 of the Supplementary Provisions, with respect to those provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of the relevant Acts prior to their revision (hereinafter referred to as "dispositions and other actions" in this Article) and applications for permission, etc. filed and other actions taken as of the time of

the enforcement of this Act pursuant to the provisions of the relevant Acts prior to their revision (hereinafter referred to as "applications and other actions" in this Article), for which the person that is to perform the administrative functions differs on the date of enforcement of this Act, are deemed to be dispositions and other actions, or applications and other actions, taken pursuant to the corresponding provisions of the relevant Acts after their revision.

- (2) With respect to particulars for which a report, notification, or submission must be made, or for which other procedures must be followed, with an organ of the State or a local government prior to the enforcement of this Act pursuant to the relevant Acts prior to their revision, but for which such procedures have not yet been followed prior to the date of enforcement of this Act, excluding those which are otherwise provided for in this Act or Cabinet Order pursuant to this Act, the procedures are deemed not to have been followed with respect to particulars for which a report, notification, or submission must be made, or for which other procedures must be followed, with the relevant State or local government agency pursuant to the relevant provisions of each of the revised Acts, and the provisions of the relevant Acts revised by this Act apply.

(Transitional measures for appeals)

Article 161 (1) With regard to an appeal under the Administrative Appeals Act involving a disposition connected with an administrative function of the national government, etc. which has been filed before the effective date, and for which a higher administrative agency provided for in the same Act (hereinafter referred to as the "higher administrative agency" in this Article) existed above the administrative agency that reached the disposition (hereinafter referred to as the "disposing agency" in this Article) before the effective date, a higher administrative agency is deemed to exist above the disposing agency even after the effective date, and the provisions of the Administrative Appeals Act apply. In this, the administrative agency deemed to be the higher administrative agency of the disposing agency is the administrative agency that was the higher administrative agency of the disposing agency before the effective date.

- (2) In a case under the preceding paragraph, when the administrative agency that is deemed to be the higher government agency is a local government agency, the administrative functions that are to be handled in accordance with the provisions of the Administrative Appeal Act are the type 1 statutorily entrusted functions defined in item (i) of paragraph (2) of Article 2 of the new Local Government Act.

(Transitional measures for fees)

Article 162 With regard to a fee that was to have been paid pursuant to the

provisions of the relevant Acts (including Orders based on these Acts) prior to their revision by this Act before the date of enforcement, the provisions then in force remain applicable, except as otherwise specified in this Act or by Cabinet Order based on this Act.

(Transitional measures for penal provisions)

Article 163 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation of other transitional measures to Cabinet Order)

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures for penal provisions) are prescribed by Cabinet Order.  
(2) Necessary particulars involved in the application of the provisions of Articles 18, 51 and 184 of the Supplementary Provisions are prescribed by Cabinet Order.

(Review)

Article 250 As well as ensuring that, to the greatest extent possible, no additional type 1 statutorily entrusted functions as described in item (i) of paragraph (9) of Article 2 of the new Local Autonomy Act are newly created, what is listed in Appended Table 1 of the same Act and what is provided by Cabinet Order pursuant to the new Local Autonomy Act must be examined from the perspective of promoting decentralization, and be periodically reviewed as appropriate.

Article 251 To enable local governments to execute their administrative functions and services autonomously and independently, the national government must review ways of securing adequate sources of local tax revenue based on role sharing between the State and local governments, taking into consideration the prevailing economic trends, and must take the necessary measures based on the results of this review.

Article 252 With a view to securing convenience for insured persons and others and to increasing the efficiency of administrative processing, etc., the government must review the administrative processing systems for social insurance, the working conditions of officials working in the social insurance system, and other particulars, in line with reforms in the medical insurance system, pension system and others, and take the necessary measures based on the results of this review when it finds it to be necessary.

## Supplementary Provisions [Act No. 111 of July 28, 1999]

(Effective date)

Article 1 This Act comes into force on October 1, 2000; provided, however, that the revisionary provisions that add two Articles after Article 22, the revisionary provisions of paragraph (2) of Article 31 and the revisionary provisions of Article 40, and the provisions of the following Article through Article 4 of the Supplementary Provisions and Article 7 of the Supplementary Provisions come into force on the day of its promulgation.

(Transitional measures for official specifications)

Article 2 The Minister of Agriculture, Forestry and Fisheries shall prescribe official specifications for the fertilizers prescribed by Ministerial Ordinance as falling under the category of normal fertilizers listed in item (iii) of paragraph (1) of Article 4 of the Fertilizer Regulation Act after its revision (hereinafter referred to as "the New Act") in accordance with the provisions of Article 3 of the New Act, and shall issue public notice within six months from the day of promulgation.

(Transitional measures for applications for registration)

Article 3 A producer or importer may apply to be registered by the Minister of Agriculture, Forestry and Fisheries for a fertilizer prescribed by Ministerial Ordinance which is referred to in the preceding Article, in accordance with the provisions of Article 6 of the New Act, beginning from the day on which seven months have elapsed since the day of its promulgation.

(Transitional measures for registration)

Article 4 The registration of a fertilizer when an application for registration has been filed pursuant to the provisions of the preceding Article must be in accordance with the provisions of Article 7 of the New Act. In this, if a registration has been granted in accordance with the provisions of the same Article, it is deemed to have been granted by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of the same Article as of the day of promulgation of this Act.

(Transitional measures for dispositions about special fertilizers)

Article 5 A disposition reached by a prefectural governor pursuant to the provisions of paragraph (2) or (3) of Article 31 of the Fertilizer Regulation Act prior to the enforcement of this Act for a producer, importer, or seller, with regard to a special fertilizer that has a name listed in item (ii) of paragraph (1)

for which notification has been submitted pursuant to the provisions of the same paragraph of Article 22 and which falls under item (iii) of paragraph (1) of Article 4 of the New Act is deemed to be a disposition reached by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) or (3) of Article 31 of the New Act.

(Transitional measures for penal provisions)

Article 6 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 7 Beyond what is prescribed in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

#### **Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(Effective date)

Article 1 This Act (excluding Articles 2 and 3) comes into force on January 6, 2001.

#### **Supplementary Provisions [Act No. 186 of December 22, 1999] [Extract]**

(Effective date)

Article 1 This Act comes into force on January 6, 2001; provided, however, that the provisions of paragraph (2) of Article 10 and Articles 8 through 14 of the Supplementary Provisions come into force on a day prescribed by Cabinet Order within a period not exceeding six month from that date.

(Transitional measures accompanying the partial revision of the Fertilizer Regulation Act)

Article 9 (1) An examination that an official of the Ministry of Agriculture, Forestry and Fisheries is being made to carry out pursuant to the provisions of Article 7 or paragraph (1) of Article 8 of the Fertilizer Regulation Act prior to its revision (hereinafter referred to as "the Former Fertilizer Regulation Act") (including when these provisions apply mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the Former Fertilizer Regulation Act) pursuant to the provisions of the same Article at the time of the enforcement of the provisions of the preceding Article, is deemed to be an examination that an inspection station is being made to carry out pursuant to the provisions of

paragraph (1) of Article 7 or paragraph (1) of Article 8 of the Fertilizer Regulation Act before its revision pursuant to the provisions of the preceding Article (hereinafter referred to as "the New Fertilizer Regulation Act") (including when these provisions apply mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the New Fertilizer Regulation Act).

- (2) An examination that an official of the Ministry of Agriculture, Forestry and Fisheries has been made to carry out pursuant to the provisions of Article 7 or paragraph (1) of Article 8 of the Former Fertilizer Regulation Act prior to the day of enforcement of the provisions of the preceding Article is deemed to be an examination that an inspection station has been made to carry out pursuant to the provisions of paragraph (1) of Article 7 or paragraph (1) of Article 8 of the New Fertilizer Regulation Act.

Article 10 (1) Effectiveness testing for a fertilizer that is being carried out by the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) of Article 9 of the Former Fertilizer Regulation Act at the time of enforcement of the provisions of Article 8 of the Supplementary Provisions (including when these apply mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the Former Fertilizer Regulation Act, the same applies hereinafter) is deemed to be effectiveness testing for a fertilizer that is being carried out by an inspection station pursuant to paragraph (1) of Article 9 of the New Fertilizer Regulation Act (including when it applies mutatis mutandis pursuant to paragraph (6) of Article 33-2 of the New Fertilizer Regulation Act).

- (2) Effectiveness testing for a fertilizer that has been carried out by the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of paragraph (1) of Article 9 of the Former Fertilizer Regulation Act prior to the day of enforcement of the provisions of Article 8 of the Supplementary Provisions is deemed to be effectiveness testing for a fertilizer that has been carried out by an inspection station pursuant to the provisions of paragraph (1) of Article 9 of the New Fertilizer Regulation Act.

### **Supplementary Provisions [Act No. 91 of May 31, 2000]**

(Effective date)

- (1) This Act comes into force on the day of enforcement of the Act Partially Revising the Commercial Code, etc. (Act No. 90 of 2000).

(Transitional measures)

- (2) If the effective date of this Act falls before the effective date of the provisions of Article 8 of the Supplementary Provisions to the Act on the Center for Food Quality, Labeling and Consumer Services (Act No. 183 of 1999), among the

provisions of Article 31, the phrase "Article 27" in the revisionary provisions of Article 19-5-2; item (iv) of paragraph (1) of Article 19-6; and Article 27 of the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products is deemed to be replaced with "Article 26."

**Supplementary Provisions [Act No. 73 of June 11, 2003] [Extract]**

(Effective date)

Article 1 This Act comes into force on a day prescribed by Cabinet Order within a period not exceeding three months from the day of its promulgation.

(Review)

Article 2 The government must, when five years have passed since the enforcement of this Act, conduct a review of the status of enforcement of provisions after their revision pursuant to the provisions of Article 1 through 5, and other particulars, and, if it finds it to be necessary, must take the requisite measures based on the results of this review.

(Transitional measures for the application of penal provisions)

Article 4 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 5 Beyond what is prescribed in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 150 of December 1, 2004] [Extract]**

(Effective date)

Article 1 This Act comes into force on April 1, 2005.

(Transitional measures for penal provisions)

Article 4 With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 8 of March 30, 2007] [Extract]**

(Effective date)



Article 1 This Act comes into force on April 1, 2007; provided, however, that the provisions of paragraphs (2) and (3) of Article 4, Article 5, paragraph (2) of Article 7 and Article 22 of the Supplementary Provisions come into force on the day of its promulgation.

(Transitional measures accompanying the partial revision of the Fertilizer Regulation Act)

Article 13 (1) An examination or action carried out by a fertilizers and feed inspection station pursuant to the provisions of the Fertilizer Regulation Act prior to its revision pursuant to the provisions of the preceding Article prior to the date of enforcement (in the following paragraph referred to as "the Former Fertilizer Regulation Act") is deemed to be an examination or action carried out by the Food and Agricultural Materials Inspection Center based on the corresponding provisions of the Fertilizer Regulation Act after its revision pursuant to the provisions of the same Article (in the following paragraph referred to as "the New Fertilizer Regulation Act").

(2) An action falling under item (vi) of paragraph (1) of Article 33-5 of the Former Fertilizer Regulation Act that a person engaged in against a fertilizers and feed inspection station prior to the date of enforcement, is deemed to be an action falling under item (vi) of paragraph (1) of Article 33-5 of the New Fertilizer Regulation Act, the provisions of the same paragraph apply.

(Transitional measures for penal provisions)

Article 21 With regard to the application of penal provisions to acts engaged in prior to the date of enforcement and acts engaged in after the date of enforcement if the provisions previously in force are to remain applicable pursuant to the Supplementary Provisions, the provisions previously in force remain applicable.

(Delegation to Cabinet Order)

Article 22 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are prescribed by Cabinet Order.