

(Provisional Translation)

Standard Evaluation Procedure under Plant Quarantine for the Request for Lifting a Ban on Plant Imports

The standard evaluation procedure for the request for lifting a ban on plant imports to Japan, based on the provision of Article 7.1 of Plant Protection Law (Law No. 151 1950, hereinafter referred to as "the Law"), shall be stipulated as follows.

Shoichi Nakagawa, Minister
Ministry of Agriculture, Forestry and Fisheries
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I Evaluation for the request by exporting countries for lifting a ban on plant imports (Bilateral Procedure)

1. Request for lifting a ban on plant imports

- (1) Any country hoping to export plants that Japan prohibits being imported under the provision of Article 7.1 of the Law, (hereinafter referred to as "the Requesting Country" may submit a paper regarding the request for lifting the ban to the Plant Protection Authority of the Ministry of Agriculture, Forestry and Fisheries (hereinafter referred to as "Plant Protection Authority"). The request may contain a plan of the test or survey specified in section 2.
- (2) The Plant Protection Authority, when it receives the request from the Requesting Country, shall notify the Requesting Country, in writing, that it must submit the plan of the test or survey specified in section 2; and furthermore, the Plant Protection Authority shall announce the name of the Requesting Country, the date of the request, the name of the requested plant, the name of the target quarantine pests (hereinafter referred to as "target pests"), and expected procedure in the future in the bulletin of the Japan External Trade Organization (hereinafter referred to as "JETRO Daily").

2. Plan of the test or survey

2.1. Submission of the plan of the test or survey

- (1) The Requesting Country shall submit a plan of the test or survey that identifies the name of the requested plant and the target pests to the Plant Protection Authority.

- (2) In case of (1), the Plant Protection Authority may indicate guidelines for the plan of the test or survey. Technical discussions may be held between experts of both countries prior to initiation of the plan, if necessary. The Plant Protection Authority may request the Requesting Country to revise the content of the submitted plan.

2.2. Announcement of the plan of the test or survey

Plant Protection Authorities shall announce the summary of the plan of the test or survey and expected procedure in the future in JETRO Daily.

3. Evaluation of the result of the test or survey

3.1. Implementation of the test or survey and submission of the data obtained

- (1) The Requesting Country shall conduct the test or survey based on the plan, and shall finally submit the data to the Plant Protection Authority.
- (2) The Requesting country shall clarify the following points:
 - (a) The test data shall show the complete disinfestation or disinfection of the target pests by the methods specified in the plan.
 - (b) The survey data shall show the absence of the target pests in the area specified in the plan.

3.2. Evaluation of the test or survey data

- (1) The Plant Protection Authority shall examine whether the test or survey data is obtained from an adequate test or survey from technical and scientific viewpoints.
- (2) The Plant Protection Authority shall notify the Requesting Country in writing of the result of the examination of the test or survey data.

3.3 Announcement of the summary of the results of the tests or surveys

The Plant Protection Authority shall announce the summary of the results of the test or survey and expected procedure in the future in JETRO Daily.

4. Plan of on-site confirmatory test or survey

4.1. Submission of plan of on-site confirmatory test or survey

The Requesting Country, when it receives notification that the PRA has confirmed that the

submitted data is appropriate from technical and scientific viewpoints, shall submit the plan which clarifies how, when, and where the on-site confirmatory test or survey is implemented.

The Plant Protection Authority may request the Requesting Country to revise the submitted plan of the on-site confirmatory tests or survey.

4.2. Announcement of plan of on-site confirmatory test or survey

The Plant Protection Authority shall announce the summary of the plan of the on-site confirmatory test or survey and expected procedure in the future in JETRO Daily.

5. Confirmation of results of the on-site confirmatory test or survey

5.1. Implementation of the on-site confirmatory test or survey and submission of the data obtained from the test or survey

- (1) The Requesting Country shall conduct the on-site confirmatory test or survey, under the attendance of the expert delegated from the Plant Protection Authority, based on the plan of the on-site confirmatory test or survey, and shall submit the data obtained from the test or survey to the Plant Protection Authority.
- (2) The submitted data of the on-site confirmatory test or survey shall meet the following requirements:
 - (a) The test data shall show the complete disinfestation or disinfection of target pests by the methods specified in the plan.
 - (b) The survey data shall show the absence of the presence of target pests in the area specified in the plan.

5.2. Evaluation of on-site confirmatory test data or survey data.

- (1) The Plant Protection Authority shall confirm that the submitted on-site confirmatory test data or survey data is obtained from an adequate on-site confirmatory test or survey from technical and scientific viewpoints.
- (2) The Plant Protection Authority shall notify, in writing, the Requesting Country of the result of the examination against the on-site confirmatory test data or survey data.

5.3. Announcement of the summary of the results of the on-site confirmatory test or survey

The Plant Protection Authority shall announce the summary of the results of the confirmation of the on-site confirmatory test data or survey data and expected procedures in the future in JETRO Daily.

II Evaluation of request of exporting countries for lifting a ban on plant imports
(Domestic Procedure)

1. The Plant Protection Authority shall examine the validity of lifting a ban on plant imports based on the result of the test or survey and the validity of the on-site confirmatory test or survey.
2. The Plant Protection Authority shall gather opinions, in conducting the examination of section 1 above, in accordance with the following methods:
 - (1) Gathering opinions by a public hearing held in accordance with paragraph 2 of Article 5.2 of the Law applied under paragraph 4 of Article 7 of the Law.
 - (2) Gathering opinions from the public
3. The Plant Protection Authority shall conduct the examination of section 1 above based on the opinions gathered in section 2 above and, if the Plant Protection Authority decides it is appropriate, the Plant Protection Authority shall amend such relevant regulations as a ministerial ordinance.