



July 14, 2020

SHIOKAWA Shirara
Director-General
Food Industry Bureau
Ministry of Agriculture, Forestry and Fisheries

Dear Mr. SHIOKAWA Shirara,

The United States Department of Agriculture (USDA) has reviewed Japan's Ministry of Agriculture, Forestry and Fisheries (MAFF) Japanese Agricultural Standard (JAS) for Organic Livestock (Notification No.1608 of 2005) and the JAS for Organic Processed Foods (Notification No. 1606 of 2005) (collectively referred as the "Japanese organic livestock program"). Based on that review, pursuant to the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. Sec. 6501 et seq.), under authority delegated to the Secretary of Agriculture, USDA has determined that livestock products and processed food products containing livestock ingredients produced and handled in accordance with the Japanese organic livestock program, as in effect on July 16, 2020, are produced and handled under an organic certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of the OFPA. Recognition of the equivalence of JAS-certified organic plants and organic processed foods of plant origin continues to be covered under the USDA letter of September 20, 2013.

Accordingly, subject to the conditions set forth in Appendix 1 of this letter, livestock products and processed food products containing livestock ingredients produced and handled in conformity with the Japanese organic livestock program, as in effect on July 16, 2020, are deemed by USDA to have been produced and handled in accordance with the OFPA and USDA's organic regulations under the National Organic Program (NOP) (7 CFR part 205). These products may be sold, labeled, or represented in the United States as organically produced, including by display of the USDA organic seal as well as the JAS organic seal, under the conditions set forth in Appendix 1.

The United States is also pleased to acknowledge Japan's recognition of the equivalence of the organic system of the United States for livestock products and processed food products containing livestock ingredients produced and handled in accordance with the OFPA and USDA's organic regulations in its letter of July 14, 2020. USDA's Agricultural Marketing Service (AMS) and Foreign Agricultural Service and the Office of the United States Trade

Representative are committed to working with the MAFF as described in this cover letter and in Appendix 1 and continuing our cooperation with Japan in our joint Organics Working Group.

Sincerely,



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



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

Appendix 1: Japanese Livestock Products

- A. A Japanese livestock product or processed food product containing livestock ingredients may be sold, labeled, and represented as organic in the United States if it is:
 - 1. Certified organic to the Japanese organic livestock program;
 - 2. Either raised in Japan, produced in Japan, or a product for which final processing or packaging has occurred in Japan; and
 - 3. Derived from animals determined “not treated with antibiotics” by the Japanese organic livestock program.

- B. A Japanese organic livestock product or processed food product containing livestock ingredients covered under Paragraph A above and imported into the United States:
 - 1. Is labeled according to USDA NOP labeling requirements as described in the USDA NOP regulations;
 - 2. May display the USDA organic seal if it is compliant with USDA organic labeling requirements or the JAS seal if it is compliant with JAS organic labeling requirements, or both; and
 - 3. Is accompanied by a NOP Import Certificate, Form NOP 2110-1, from MAFF-accredited certification body that attests to compliance with the terms of this Appendix.

- C. The MAFF notifies USDA in writing in a timely manner of any instances of the following:
 - 1. Changes with respect to the accreditation status of MAFF-accredited certification bodies;
 - 2. Issuances of regulations or guidelines, either proposed or final, in Japan that may affect this Appendix; and,
 - 3. Notifications of non-compliances that may affect the organic status of Japanese livestock products covered under Paragraph A above.

- D. Following advance written notice from USDA, the MAFF permits USDA officials to conduct on-site evaluations in Japan to verify that the relevant regulatory authorities and certification bodies of the Japanese organic livestock program are carrying out the requirements of that program. The MAFF is to cooperate with and assist USDA, to the extent permitted, in carrying out these on-site evaluations, which may include visits to offices of relevant regulatory authorities, certification body offices, production facilities, and farms that MAFF-accredited certification bodies have certified in Japan. The MAFF provides a written response in a timely fashion to findings identified by USDA in any

report of an on-site evaluation that USDA submits to the MAFF, including any findings that may affect this Appendix.

E. The MAFF provides to USDA the following documents by March 31 of each calendar year:

1. A report that contains information regarding the types and quantities of Japanese livestock products exported under this Appendix over the prior calendar year;
2. A report that contains the types of non-compliances identified by the MAFF during any oversight reviews or audits, and steps taken by the MAFF to ensure that non-compliances were corrected;
3. A list of certification bodies accredited and supervised by the MAFF within the scope of the Japanese organic livestock program; and
4. A list of organic livestock operations certified according to the Japanese organic livestock program that have exported their products to the United States.