

**EXPERIENCE OF EQUIVALENCE IN THE AREA OF SANITARY  
AND PHYTOSANITARY MEASURES**

Submission by Japan

**Introduction**

1. In addition to the relevant international standards, guidelines and recommendations, a sense of economy and efficiency are factors that are taken into consideration in determining sanitary and phytosanitary measures by each Member. Excluding the cases where "same measure" has to be taken consequently, we think that the difference of factors related to economy or efficiency among Members, such as processing methods or techniques and labour costs could allow them to adopt alternative methods by which the same level of protection can be achieved, what is called "equivalence". We would like to introduce Japan's experience of equivalence in the area of SPS as follows, to help the development of discussion about equivalence among Members.

**Experience in the area of animal health**

2. Japan prohibits the import of meat and viscera derived from cloven-hoofed animals and meat products made from the said meat and viscera exported from countries/regions which are infected with foot-and-mouth disease (FMD) or which are free from FMD but vaccination is practiced, according to Article 36 of Domestic Animal Infectious Disease Control Law. At the same time, Japan allows the import of specific products from these countries/regions if they meet the requirements described below, based on the judgement that these products can achieve the same level of protection as those from FMD free countries/regions without vaccination by the sterilization of pathogens; processed in the factories which has permission of the Ministry of Agriculture, Forestry and Fisheries, heat treated according to the standards, and accompanied by an inspection certificate or its copy issued by the government authorities of the exporting country assuring or crediting the fact above.

3. Chinese snacks including jiaozi (dumpling with minced pork and vegetable stuffing), hams and sausages are the major heat-treated meat products, and are imported mainly from China, Thailand, Brazil, Uruguay and Argentina. The amount of import of these products is increasing in recent years, and this suggests that the benefit of export exceeds the cost for heat-treatment, since C.I.F. of these heat-treated meats is generally higher than that of raw meats. The standard established by the Ministry of Agriculture, Forestry and Fisheries requires that the products should be sterilized by keeping the temperature of the center of products at 70° for more than 30 minutes in hot water or by some other means. We think that, since Chinese snacks include the steaming treatment in their production process, it is easier to meet the requirement by the Ministry.

4. In addition to the case of heat-treated meats, we accept the equivalence of measures for processed meats including unheated ham and so on, based on the information that long maturation treatment can achieve the same level of protection with that by sterilization in hot water.

5. Japan is providing technical assistance to one of the developing countries at bilateral level through Japan International Cooperation Agency programme with a view to prove that the processing method of frying in oil can achieve the same level of protection of those established by the government of Japan, based on the request from the government of the country.

#### **Experiences in the area of food safety**

6. Under Japan's Food Sanitation Law, article 7, it is prescribed that the Ministry of Health, Labour and Welfare, from the viewpoint of public health, may establish specifications and standards for food or additives intended for sale, and any person shall be prohibited from importing, selling any food or additives not complying with the established specifications and standards. Based on the provision of this law, specifications and standards for food or additives are established.

7. As for some food (items) for which sterilization requirements are established as a standard for manufacturing method, equivalency of measures might be assessed. For example, under the standards of manufacturing method of heated meat products, it is prescribed that the method for sterilization must be "heating the central part at 63° for 30 minutes, or treating by an equivalent or more effective method". There was a case that a pork Vienna sausage which was heated at 71.7° for 38 seconds was regarded to be sterilized by an equivalent or more effective method, and permitted to import.

#### **Conclusion**

8. These experiences show that the variety of dietary form may expand the way of achieving the equivalence, and it can contribute to the facilitation of world trade. And we believe technical assistance in proving the equivalence can not only help exporting countries to achieve the obligation under the SPS agreement but also to facilitate the world trade by improving their ability to prove equivalence.

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