The following communication has been received from the delegation of Japan.

In accordance with Article 15.7 of the Agreement on Technical Barriers to Trade, I have the honour to inform you of Japan's recent measures regarding further simplification of certification procedures, enclosed herewith.
Further Simplification of Certification Procedures

Acceptance of Foreign Test Data

1. On 18 May 1983, in a move that substantially improved foreign access to the Japanese market, the Government of Japan carried out an across-the-board revision of sixteen laws relating to standards and certification systems. These changes made it possible for foreign enterprises to apply directly to government agencies in Japan.

Now, foreign firms will find it even easier to deal with Japan's standards and certification systems owing to a new revision of Cabinet Orders allowing the acceptance of test data produced by authorized foreign testing laboratories, as mentioned below. The use of foreign test data had already been permitted for certain laws in response to specific individual requests.

The acceptance of foreign test data will contribute to significant simplification of the procedures required of overseas companies involved in exporting such products as home electric and gas appliances to Japan.

{[Certification procedures improved on 15 February 1984]}

- Electrical appliance and Material Control Law (registration)
- Law Concerning the Securing of Safety and the Optimization of Transaction of Liquefied Petroleum Gas (registration and type approval)
- Gas Utility Industry Law (registration and type approval)

2. The substance of the measure is as follows.


(1) Upon receiving a request from a foreign testing laboratory, the Minister of International Trade and Industry shall, according to guidelines, make an on-site investigation of that laboratory when necessary. If the results of the investigation are judged to be adequate, the Minister shall give the laboratory in question the title of an "authorized foreign testing laboratory" qualified to provide test data in regard to each specified item for acceptance by Ministry of International Trade and Industry (hereinafter referred to as "MITI").
(2) Upon request by a manufacturer seeking factory registration, an authorized foreign testing laboratory will investigate whether the manufacturing and inspection facilities of the manufacturer in question accord with standards set down by MITI.

(3) The manufacturer will attach test data produced by the authorized foreign testing laboratory to the application for registration. The test data attached to the application will be examined by the Minister and accepted if found to be reliable.

(4) Foreign manufacturers will now be able to include the results of examinations made by authorized foreign testing laboratories along with their applications for factory registration. If these results are accepted by the Minister, the cost of sending staff members overseas to make on-site investigations will be eliminated. Therefore, a sum equivalent to the amount of such expenses will be subtracted from the registration fee charged to manufacturers who take advantage of this revision.

II. Type approval (Law Concerning the Securing of Safety and the Optimization of Transaction of Liquefied Petroleum Gas, Gas Utility Industry Law).

(1) Upon request by a foreign testing laboratory, the Minister of International Trade and Industry will advise a designated Japanese testing laboratory to enter into a contract with the foreign testing laboratory in question providing for mutual acceptance of each other’s test data. Such acceptance will be in accordance with the testing capacities of both testing laboratories.

(2) A designated Japanese testing laboratory so advised will enter into a contract regarding the exchange of test data with the foreign testing laboratory, prescribing the scope of test data to be accepted for each item, commission fees to be charged, and other relevant matters. When necessary, on-site inspections will be carried out prior to conclusion of the contract.

(3) A registered foreign manufacturer applying to a designated Japanese testing laboratory for type approval may attach test data produced by a foreign testing laboratory as mentioned in (2) above, thus enabling the Japanese testing laboratory to simplify the examining procedure.

3. In order to prescribe the amount of commission fees that will be charged to those foreign manufacturers mentioned in 2.1 who request that test data produced by an authorized foreign testing laboratory be used in place of an on-site investigation by the staff of MITI when applying for factory registration, the present measure provides for the revision of certain relevant Cabinet Orders regarding fees for the Law Concerning the Securing of Safety and the Optimization of Transaction of Liquefied Petroleum Gas, the Measurement Law, the Electrical Appliance and Material Control Law, and the Gas Utility Industry Law.