

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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INFORMATION ON IMPLEMENTATION AND ADMINISTRATION

OF THE AGREEMENT

Addendum

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

1. The measures taken by Japan in this context took, most importantly, the form of a set of amendments to the Industrial Standardisation Law. The amendments were promulgated on 25 April 1980, and their foremost purpose is to give foreign manufacturers access to the Japanese Industrial Standards (hereinafter called "JIS") marking system.*

*The JIS marking system has been established by the Industrial Standardisation Law, whereby manufacturers who are specifically permitted by the competent minister are authorised to stamp a JIS mark on products which meet the JIS. The system is applied to products, of which the dissemination of standards is deemed particularly necessary.

2. A summary of the main points of the amendments is as follows:

(1) The JIS marking system is now applicable to foreign manufacturers and processors under the same procedures and conditions as indicated below:

- (i) A JIS mark may be stamped on a product produced in a foreign factory specifically approved by the minister concerned having competence on that particular product.
 - (ii) In granting such approval, the competent minister shall treat the foreign factory concerned on exactly the same basis as in the case of a domestic factory producing the same product. The minister conducts examination of the foreign factory and may take necessary steps for supervision of its factory approved by him, including on-the-spot inspections if required.
 - (iii) Importers are allowed to sell in the domestic market products bearing JIS marks produced only in factories approved by the respective competent ministers.
- (2) Inspection of approved factories and products may be conducted by the agencies authorised to do so as follows:
- (i) The competent minister will officially announce his intention to carry out inspection of a factory producing a product bearing a JIS mark, when he considers it necessary to ensure the conformity with the JIS prescribed in respect of the product concerned because of a revision of the JIS concerned or in the light of the situation of the quality maintenance of the product. When such an announcement is made, the factory concerned shall be subject to an inspection by an agency authorised by the competent minister, which must be carried out within a prescribed period.
 - (ii) The competent minister may order the carrying out of an on-the-spot investigation of a factory which has refused to receive an inspection, or which is deemed, as a result of an inspection, to be producing the product concerned not in conformity with the JIS required of the product. When, as a result of an investigation, the minister finds it necessary, he may order the factory not to sell the product with the JIS mark during a specified period, 40 days at the longest, within which an appropriate administrative action is to be taken.

(iii) The competence of the minister, described in (i) and (ii) above, is also applicable to any approved foreign factory, except that the limit of a specific period referred to in (ii) above is 80 days.

(3) JIS marks, or any other markings which are liable to be mistaken for a JIS mark, shall not be affixed on the products other than the designated products. This shall be also applicable with regard to products to be imported.

(4) With regard to the frequency of the competent minister referring JIS to the Japanese Industrial Standards Committee for the review of their appropriateness, it is now to be once in every five years, instead of once in every three years as had been the case previously, in line with the corresponding rule of the ISO. This measure has been taken with a view to ensuring a better coordination between JIS and international standards.

3. The steps under (1) and (4) of 2. above were put into effect on 25 April 1980 and those under (2) and (3) of 2. above will be put into effect on 25 October 1980.