

To: Interested Parties

25 March 2011

Reference: FIN 003/2011

Dear Sir or Madam

**Special conditions governing the import of feed and food originating in or consigned from Japan**

In order to further limit possible risks to the safety of its Food Chain, the European Union decided on 24 March to reinforce controls on imports of food and feed from certain regions of Japan, where production could be affected by the accident at the Fukushima Daiichi nuclear power plant. Member States endorsed, at a meeting of the Standing Committee on the Food Chain and Animal Health (SCoFCAH), a Commission proposal to impose special import conditions.

The measures apply to all feed and food originating in or consigned from 12 prefectures of Japan<sup>1</sup>, including the four most affected by the accident. All products from these prefectures have to be tested before leaving Japan and will be subject to random testing in the EU. Feed and food products from the remaining 35 prefectures will have to be accompanied by a declaration stating the prefecture of origin and will be randomly tested upon arrival in the EU. The Commission will review these measures every month.

The main requirements of the regulation state that:-

- Each consignment of food or feed from the 12 prefectures has to be accompanied by a declaration – to be provided by the Japanese authorities – attesting that the product does not contain levels of radionuclides that exceed the EU's maximum permitted levels. Radionuclides are radioactive elements and the Commission regulation makes specific reference to *iodine-131*, *caesium-134* and *caesium-137*.
- Importers are required to notify the BIP or DPE at the port of entry two days before the arrival of each consignment of food and feed from Japan.

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<sup>1</sup> Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamagata, Niigata, Nagano, Yamanashi, Saitama, Tokyo and Chiba

Food and feed products that were harvested or processed before 11 March 2011 are not affected by the provisions of this regulation. Nevertheless, products from all of Japan's territory would have to be accompanied by a declaration stating clearly that they were harvested/processed before 11 March 2011.

As regards food and feed harvested/produced after 11 March 2011, the measures provide that:

- Upon arrival in the EU, the competent authorities of the Border Inspection Posts (BIPs) for products of animal origin or Designated Point of Entry (DPE)\* for products of non-animal origin will carry out documentary and identity checks on all food and feed consignments from Japan. Consignments must be accompanied by the declaration and from the specified prefectures, the results of analysis;
- Each consignment should be identified by a code on the declaration, analytical report, the sanitary (health) certificate and on any commercial documents accompanying the consignment;
- Physical checks, including laboratory analysis, will be carried out on at least 10% of the consignments of food or feed coming from the 12 prefectures mentioned above. Physical checks will also be carried out on at least 20% of the consignments coming from the remaining 35 prefectures;
- Pending the availability of the test results, products shall be kept under official control for a maximum of five working days. The consignments will be released for free circulation when the importer presents to the custom authorities the declaration endorsed by the BIP or DPE showing the outcome of the controls on the consignments, including the results of analysis, were satisfactory;
- Products that are found to exceed the maximum permitted levels shall not be placed on the market and will either be safely disposed of or returned to Japan.

The Commission proposal will be formally adopted on 25 March 2011. The resulting implementing regulation will enter into force one day after its publication in the European Union's Official Journal. It is expected to be published in the OJ on Saturday, 26 March.

We will write again once the Regulation is published.

If you have any enquiries about the introduction of this new legislation please contact [imported.food@foodstandards.gsi.gov.uk](mailto:imported.food@foodstandards.gsi.gov.uk).

Importers may also register for the Agency's on-line Guidance and Regulatory Advice on Import Legislation system (GRAIL) by following this link:  
<https://grail.foodapps.co.uk/grail/general/home.aspx>

Yours sincerely,

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\* A list of the DPEs in the UK is available on the Agency's website at:  
[http://www.food.gov.uk/foodindustry/imports/banned\\_restricted/highrisknonpoao](http://www.food.gov.uk/foodindustry/imports/banned_restricted/highrisknonpoao)