

24食産第1078号
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各都道府県担当部長 殿

農林水産省食料産業局総務課長
農林水産省食料産業局輸出促進グループ長

EU向けに輸出される食品等に関する輸入規制の変更について

EU向けに輸出される食品等につきましては、「EU向けに輸出される食品等に関する証明書の発行について」（平成23年3月27日付22国際第1144号）及び「海外向けに輸出される農林水産物及び食品等に関する証明書の発行について」（平成23年4月21日付23国際第83号）等により、輸入規制措置の内容をお知らせしておりますが、今般、EU政府は、輸入規制措置を下記のとおり変更しましたので、お知らせいたします。

また、欧州自由連合（EFTA）加盟国である、スイス、リヒテンシュタイン、ノルウェー及びアイスランド並びにクロアチアについても、EUの規定が適用されます。なお、セルビアについては輸入規制措置が解除されておりますので、併せてお知らせいたします。

記

1. 変更された点

- ① 制限対象地域（放射性物質検査証明が必要な地域）に「岩手県」を追加。
- ② 証明書様式を改訂（別紙証明書様式参照）。

（参考）輸入規制変更の経緯

欧州委員会は、岩手県産の「原木しいたけ」から基準値を超える放射性物質が検出されたこと等を理由に、今般、EU実施規則第284/2012号を改正（別紙参照）。その結果、制限対象県が11都県から12都県に増加。

2. 改正規則の適用開始日及び経過措置

平成24年7月1日から適用。

但し、以下の貨物に限り、経過措置として旧様式の証明書が認められる。

- ① 平成24年6月30日までに出港した貨物。
- ② 平成24年6月30日までに発行された証明書をもって、平成24年7月13日までに再出港する貨物。

3. EU向けに輸出される食品に関する輸入規制（新旧対照表）

（変更後）

	対象	証明すべき内容
1	3月11日より前に生産、加工した食品等	生産、加工の時期
2	<u>12</u> 都県（福島、群馬、茨城、栃木、宮城、山梨、埼玉、東京、千葉、神奈川、静岡、 岩手 ）で産出した食品等	EUの放射性物質基準に適合することの証明（※）
3	<u>12</u> 都県以外で産出した食品等	産出した道府県

※放射性セシウム134及び137のみ（放射性ヨウ素131にかかる証明は不要）。

（変更前）

	対象	証明すべき内容
1	3月11日より前に生産、加工した食品等	生産、加工の時期
2	<u>11</u> 都県（福島、群馬、茨城、栃木、宮城、山梨、埼玉、東京、千葉、神奈川、静岡）で産出した食品等	EUの放射性物質基準に適合することの証明（※）
3	<u>11</u> 都県以外で産出した食品等	産出した道府県

※放射性セシウム134及び137のみ（放射性ヨウ素131にかかる証明は不要）。

COMMISSION IMPLEMENTING REGULATION (EU) No 561/2012**of 27 June 2012****amending Implementing Regulation (EU) No 284/2012 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1)(b)(ii) thereof,

Whereas:

- (1) Article 53 of Regulation (EC) No 178/2002 provides for the possibility to adopt appropriate Union emergency measures for food and feed imported from a third country in order to protect public health, animal health or the environment, where the risk cannot be contained satisfactorily by means of measures taken by the Member States individually.
- (2) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the action levels in food applicable in Japan. Such contamination may constitute a threat to public and animal health in the Union and therefore Commission Implementing Regulation (EU) No 297/2011 of 25 March 2011 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station ⁽²⁾ was adopted. That Regulation was replaced by Commission Implementing Regulation (EU) No 961/2011 ⁽³⁾ which was later replaced by Commission Implementing Regulation (EU) No 284/2012 ⁽⁴⁾.
- (3) The Japanese authorities have recently reported frequent non-compliance of log-grown shiitake originating in the prefecture of Iwate. The levels of the sum of caesium-134 and caesium-137 found in log-grown shiitake were exceeding the stricter maximum level of 100 Becquerel/kg, in application in Japan since 1 April 2012. Also in a significant number of samples, the levels found were higher than the maximum level applicable before 1 April 2012 (500 Becquerel/kg). In addition, non compliance was reported on a few samples of fern and fish originating in Iwate. The prefecture of Iwate is not among the prefectures of the affected zone, where a testing of all

feed and food originating from those prefectures is required before export to the Union. Given these recent findings it is appropriate to add Iwate prefecture to the affected zone.

- (4) Implementing Regulation (EU) No 284/2012 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 284/2012 is amended as follows:

- (1) In Article 5, paragraph 3 is replaced by the following:

"3. The declaration referred to in paragraph 1 shall furthermore certify that:

 - (a) the products have been harvested and/or processed before 11 March 2011; or
 - (b) the products originate in and are consigned from a prefecture other than Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate; or
 - (c) the products are consigned from Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate prefectures, but do not originate in one of those prefectures and have not been exposed to radioactivity during transiting; or
 - (d) where the products originate in Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate prefectures, the products are accompanied by an analytical report containing the results of sampling and analysis."
- (2) Annex I is replaced by the text set out in the Annex to this Regulation.

*Article 2***Transitional measure**

By way of derogation from Article 6(1) of Implementing Regulation (EU) No 284/2012, products referred to in Article 1 of that Regulation may be imported into the Union if they are accompanied by a declaration according to the previous model of declaration set out in Annex I to that Regulation where:

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.⁽²⁾ OJ L 80, 26.3.2011, p. 5.⁽³⁾ OJ L 252, 28.9.2011, p. 10.⁽⁴⁾ OJ L 92, 30.3.2012, p. 16.

- (a) the products left Japan before the entry into force of this Regulation; or
- (b) the declaration was issued before the date of entry into force of this Regulation and the products have left Japan not more than 10 working days after the entry into force of this Regulation.

Article 3

Entry into force

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 June 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

ANNEX I

Declaration for the import into the Union of

..... (Product and country of origin)

Batch identification Code Declaration Number

According to the provisions of the Commission Implementing Regulation (EU) No 284/2012 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station the

..... (authorised representative referred to in Article 6(2) and (3))

DECLARES that the

..... (products referred to in Article 1)

of this consignment composed of:

..... (description of consignment, product, number and type of packages, gross or net weight)

embarked at (embarkation place)

on (date of embarkation)

by (identification of transporter)

going to (place and country of destination)

which comes from the establishment

..... (name and address of establishment)

is compliant with the legislation in force in Japan as regards the maximum levels for the sum of caesium-134 and caesium-137.

DECLARES that the consignment concerns feed or food

☐ **not falling under the transitional measures** provided in the Japanese legislation (see Annex III to Implementing Regulation (EU) No 284/2012) as regards the maximum level for the sum of caesium-134 and caesium-137

☐ **falling under the transitional measures** provided in the Japanese legislation (see Annex III to Implementing Regulation (EU) No 284/2012) as regards the maximum level for the sum of caesium-134 and caesium-137

DECLARES that the consignment concerns feed or food that

☐ has been harvested and/or processed before 11 March 2011.

☐ is originating in and consigned from a prefecture other than Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate.

☐ is consigned from the prefectures Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate, but not originating in one of these prefectures and has not been exposed to radio-activity during transiting.

☐ is originating in the prefectures Fukushima, Gunma, Ibaraki, Tochigi, Miyagi, Yamanashi, Saitama, Tokyo, Chiba, Kanagawa, Shizuoka and Iwate and has been sampled on (date), subjected to laboratory analysis on (date) in the (name of laboratory), to determine the level of the radionuclides, caesium-134 and caesium-137. The analytical report is attached.

Done at on

Stamp and signature of
authorised representative referred to in Article 6(2) and (3)

Part to be completed by the competent authority at the border inspection post (BIP) or designated point of entry (DPE)

- ☐ The consignment has been accepted to be presented to the custom authorities for release for free circulation in the Union
- ☐ The consignment has NOT been accepted to be presented to the custom authorities for release for free circulation in the Union

.....
(Competent authority, Member State)

.....
Date

.....
Stamp

.....
Signature'
