

Japan's

Act on Ensuring the Proper Domestic
Distribution and Importation of Specified
Aquatic Animals and Plants

September 2024

Fisheries Agency of Japan



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1. Japan's actions against IUU

Measures against IUU fishing in RFMOs

- Fishing vessel registration
- IUU vessel list
- High seas boarding inspections (NPFC)



Port State Measures (PSM) Agreement

- A member of PSMA since 2017
- Japan implements the agreement under the Act on Regulation of Fishing Operation by Foreign Nationals.

Catch Documentation Scheme

- Started catch documentation scheme, based on the legislation

2. Background and Objective of Japan's scheme

- Illegal, Unreported, and Unregulated (IUU) fishing is a serious threat to sustainable use of fishery resources.
- Preventing IUU catches from entering big seafood supply chains is an effective measure against IUU fishing

Japan's legislation, **Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants** aims to stop the flow of IUU catches into one of the largest seafood market, and thereby to contribute to the prevention of illegal fishing and the sustainable use of fishery resources.

It entered into force on **1st December 2022**.

2. Background and Objective of Japan's scheme

The Act stipulates two separate measures against IUU fishing.

- Regulation on a Japanese domestic market (for Class I species)

* The domestic measure does not require foreign countries to take any additional procedures.

- Regulation on imports (Catch Documentation Scheme for Class II species)

3. Regulation on a Japanese domestic market

Class I Fish Species / Class I Fishery Products

Class I fish species

Sea cucumber, Abalone, Glass eel *



*Glass eel is scheduled to be applied from 2025 as Class I

Class I fishery products

Fishery products that are or made of / from above fish species

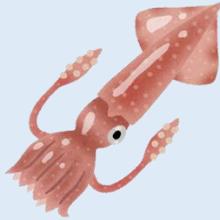


* The domestic measure does not require foreign countries to take any additional procedures.

4. Regulation on Imports (Japan CDS) Class II Fish Species / Class II Fishery Products

Class II fish species

**Squid & cuttle fish, Pacific saury (*Cololabis spp.*),
Mackerel (*Scomber spp.*), Sardine (*Sardinops spp.*)**



Class II fishery products

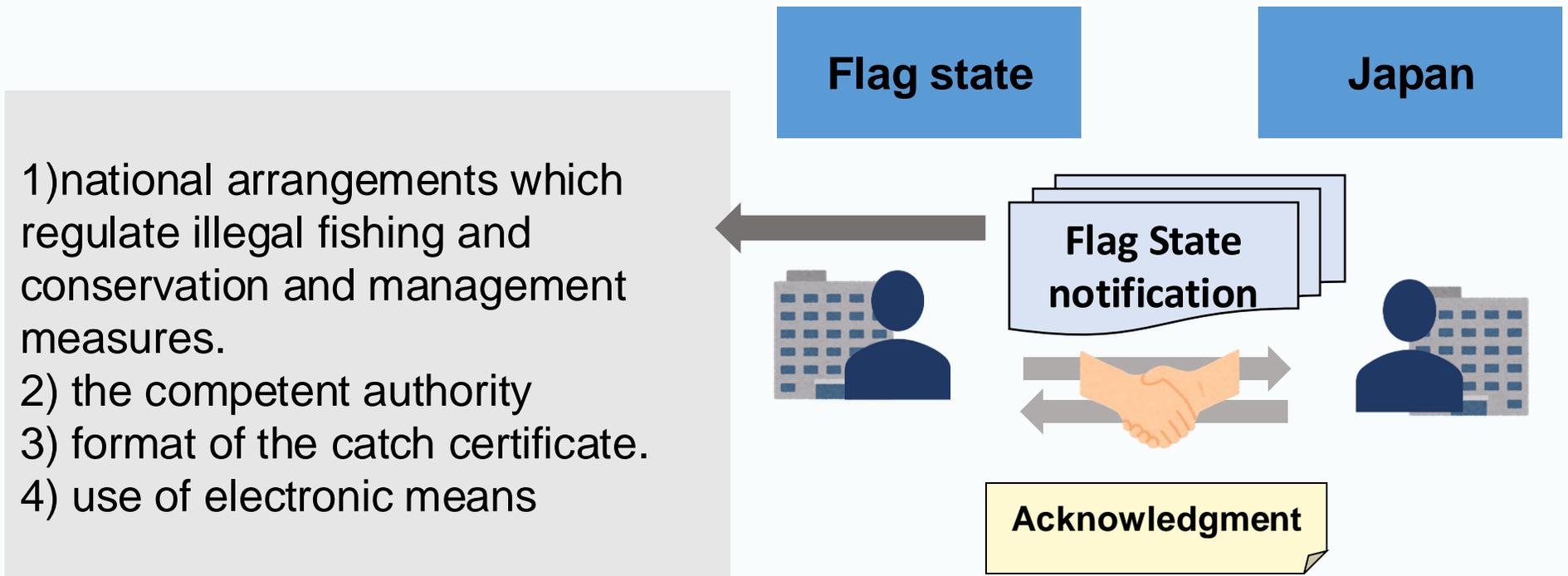
Fishery products that are or made of / from above fish species



4. Regulation on Imports (Japan CDS) Bilateral Consultation & Flag State Notification

Bilateral Consultation

Confirming content of a flag State notification including a format of catch certificate between a flag State and Japan



4. Regulation on Imports (Japan CDS) Catch Certificate (sample model)

Sample

Catch Certificate for Class II Aquatic Animals and Plants under Article 11 of Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants

(a) Validating authority					
Document number:			Name of validating authority		
Name and title of official:		Address of the authority:		Tel./Fax	
(b) Fishing vessel information					
Fishing vessel name:		Flag - Home port and registration number:	Call sign:	IMO/Lloyd's number/Unique Vessel Identifier (if issued):	
Fishing license No - Valid to			Inmarsat No/Fax No/Telephone No/E-mail address (if issued):		
(c) Product information				(d) Resource management	
Description of product:		Type of processing authorized on board:		Reference of applicable conservation and management measures:	
Species:	JPN Import statistical code:	Catch dates:	Estimated live weight (kg):	Estimated weight to be landed (kg):	Verified weight landed (kg) where appropriate:
Catch area : Put a check mark to the appropriate box.					
FAO Code:		<input type="checkbox"/> 47 (Atlantic, Southeast) <input type="checkbox"/> 48 (Atlantic, Antarctic) <input type="checkbox"/> 51 (Indian Ocean, Western) <input type="checkbox"/> 57 (Indian Ocean, Eastern) <input type="checkbox"/> 58 (Indian Ocean, Antarctic) <input type="checkbox"/> 61 (Pacific, Northwest) <input type="checkbox"/> 67 (Pacific, Northeast) <input type="checkbox"/> 71 (Pacific, Western Central)		<input type="checkbox"/> 77 (Pacific, Eastern Central) <input type="checkbox"/> 81 (Pacific, Southwest) <input type="checkbox"/> 87 (Pacific, Southeast) <input type="checkbox"/> 88 (Pacific, Antarctic) Applicable RFMOs, if any	
(e) Master of fishing vessel					
Name of master of fishing vessel - Signature - Seal:					

(f) Declaration of transshipment at sea				
Name of master of fishing vessel:	Signature and date:	Transshipment date/area/position:	Estimated weight (kg):	
Master of receiving vessel:	Signature:	Vessel name:	Call sign:	IMO/Lloyd's number (if issued):
(g) Transshipment authorization within a port area				
Name and title of official:	Name of authority:	Signature:	Address of authority:	Tel.:
Port of landing:		Date of landing:		Seal (stamp):
(h) Exporter:				
Name and address of exporter:	Signature:	Date:	Seal (stamp):	
(i) Flag State authority validation				
Name/Title:	Signature:	Date:	Seal (stamp):	
(j) Transport details (see Annex)				
(k) Importer declaration				
Name and address of importer:	Signature:	Date:	Seal:	JPN Import statistical code:
Documents required for import via a third country:				
(l) Import control authority				

4. Regulation on Imports (Japan CDS)

TECHNICAL NOTE

June 17, 2022

TECHNICAL NOTE on Class II Aquatic Animals and Plants Ver 2.0

1. Introduction

Illegal, unreported, and unregulated (IUU) fishing constitutes one of the most serious threats to the sustainable use of fishery resources. Preventing IUU catches from entering domestic supply chains is recognized as an effective measure to combat IUU fishing. To combat IUU fishing, the European Union (EU) and the United States (US) have legislations to prevent the import of IUU catches. In order to fulfill Japan's responsibility as one of the world's largest importers of fishery products along with the EU and the US, Japan will introduce a legislation, Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants (the Act), to prevent the import of IUU catches into Japan, aiming at contributing to global efforts to eliminate IUU fishing. The Act is scheduled to enter into force on December 1 2022 and consists of two separate measures to regulate IUU catches: Regulation on Japanese domestic market and Import regulation.

The former regulation is on Japanese domestic market to address the issue of IUU fishing properly in Japan. To prevent IUU catches taken in Japan from being distributed in Japan or exported outside of Japan, the regulation requires that Class I Aquatic Animals and Plants, which is defined as a group of aquatic animals and plants designated to be particularly vulnerable to IUU fishing in Japan and in need for conservation and management measures, shall not be distributed in Japan without a catch number and transaction records or exported outside of Japan without a legal harvest certificate. *This measure does not require foreign governments to take any additional procedures.*

The latter regulation is a catch documentation scheme developed based on the EU catch certification scheme. It requires that Class II Aquatic Animals and Plants (Class II), which is defined as a group of aquatic animals and plants designated to be particularly vulnerable to IUU fishing by foreign flagged vessels under foreign laws or international conservation and management measures, shall not be imported into Japan without a catch certificate issued by the flag State of the vessel catching Class II to validate that such catches have been made in accordance with applicable laws, regulations, and international conservation and management measures.

This TECHNICAL NOTE aims to provide details on the import regulation, Japan's catch documentation scheme under the Act: the catch certificate issued by foreign governments and other document(s) provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries stipulated in Article 11 of the Act as well as implementation of the scheme under the same Article.

Contents of Japan CDS (import regulation) are covered by the **TECHNICAL NOTE** on Class II Aquatic Animals and Plants.

TECHNICAL NOTE is posted on Fisheries Agency of Japan's website.
<https://www.jfa.maff.go.jp/220614.html>

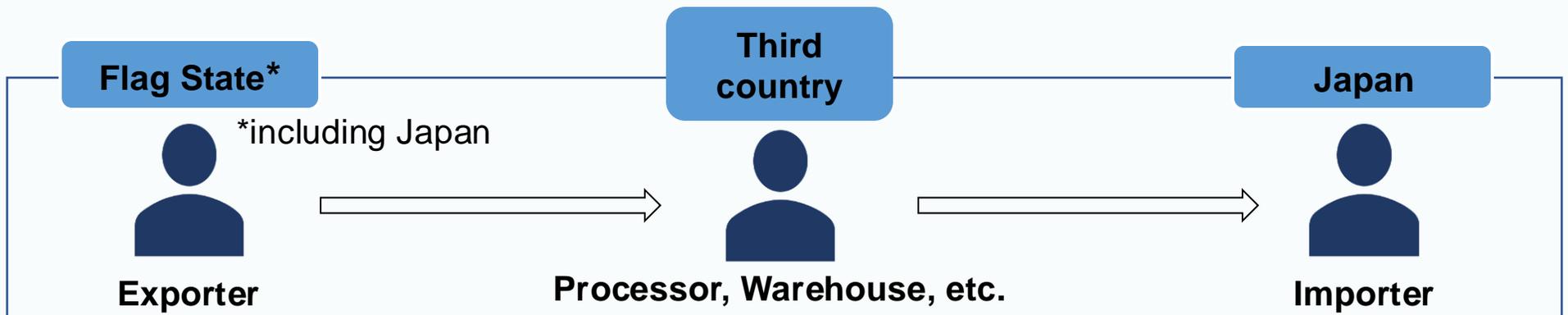
4. Regulation on Imports (Japan CDS)

Main patterns of export

i) Direct Export from a Flag State to Japan

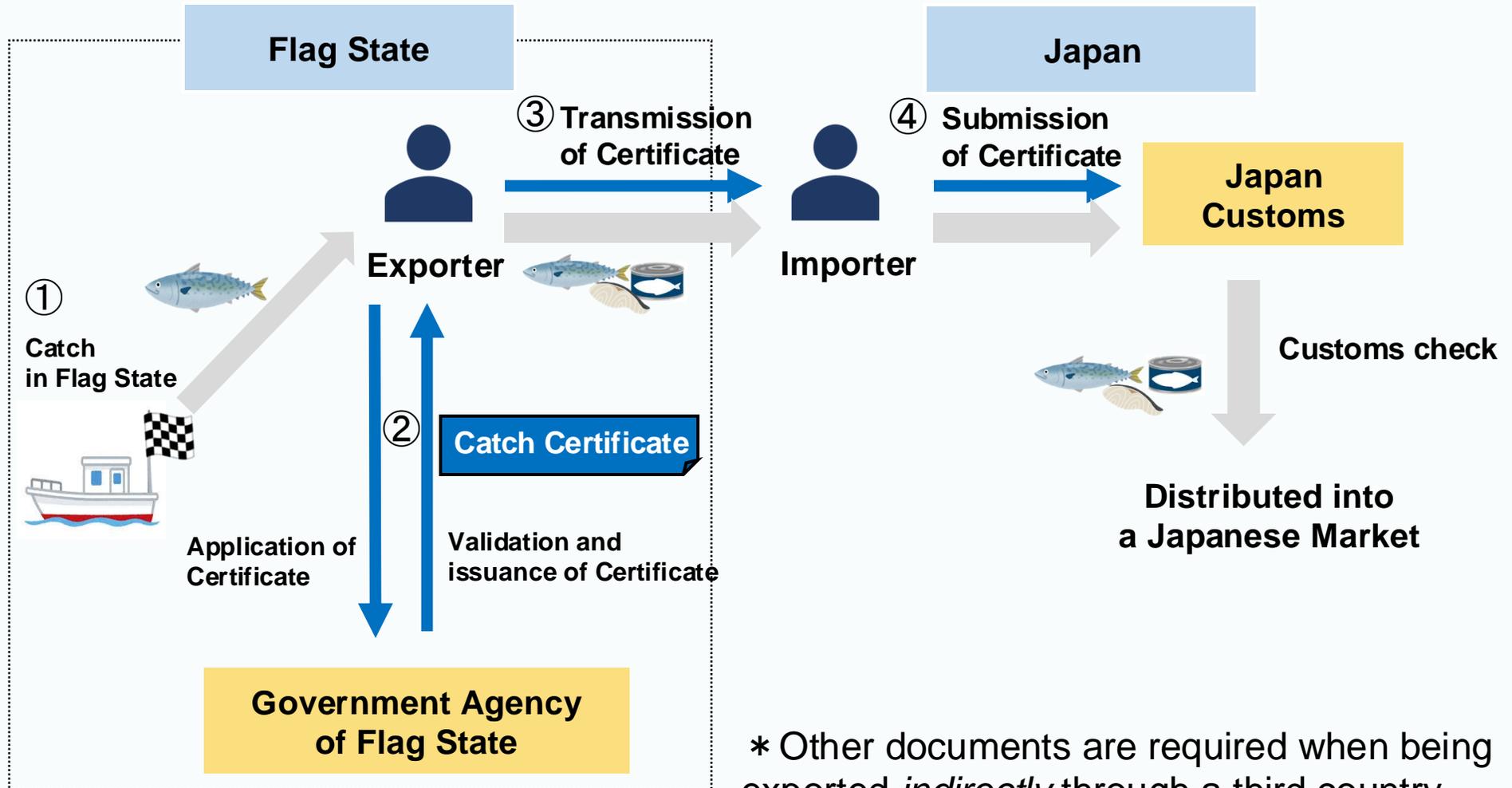


ii) Indirect Export via a third country to Japan



4. Regulation on Imports (Japan CDS)

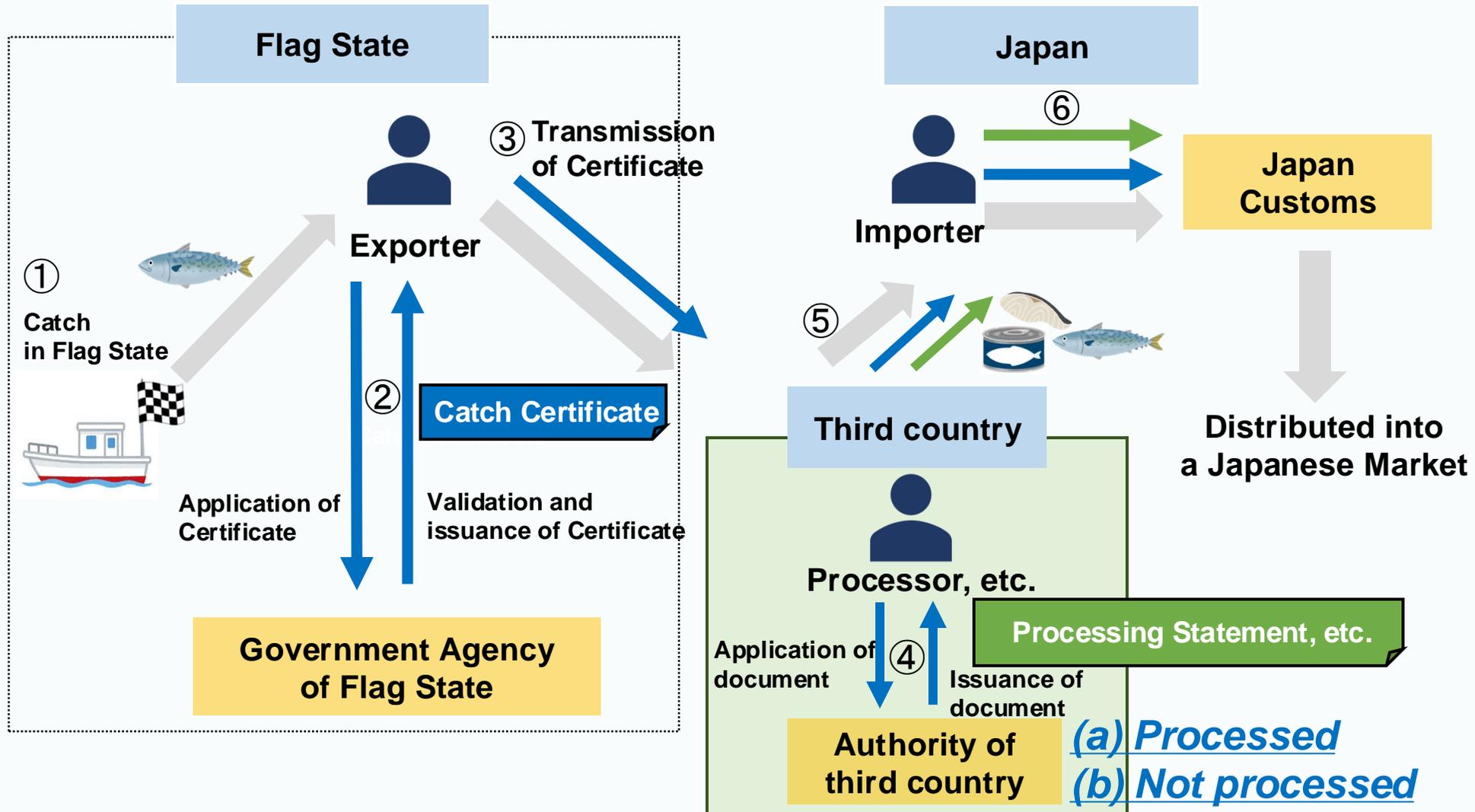
i) Direct Export from a Flag State to Japan



* Other documents are required when being exported *indirectly* through a third country.

4. Regulation on Imports (Japan CDS)

ii) Indirect Export via a third country to Japan



4. Regulation on Imports (Japan CDS) Required Documents for Indirect Export

(a) ***Processed*** in a third country, then imported into Japan

Catch Certificate

and

Processing Statement

1. CC number, vessel name & flag state, validation date, catch description, total landed weight (kg), catch processed (kg), processed fishery product (kg)
2. Name & address of processing plant (PP)
3. Name & address of exporter (if different from PP)
4. Responsible person of PP, signature, date, place
5. Endorsement by Competent Authority, name of official, signature, date, and other information

(b) ***Not processed*** in a third country, then imported into Japan

Catch Certificate

and

Document

- Document indicating transportation route of the products from a flag State to a third country or
- Document issued by an authority in a third country which provides details of the fishery products concerned, dates of unloading and reloading, names of the vessels or other means of transport, and conditions of the products in a third country

5. Important points in implementing CDS

Cooperation and understanding by all stakeholders is essential for proper implementation of the Act.

Various information from many stakeholders, including fishers, distributors, trade business operators, and governments is necessary.

Information dissemination is important.

Japan looks forward to your continued support in our fight against IUU fishing.

6. Updates in 2024 (Only Class I species are affected)

The Act has been amended in June 2024.

It aims to **strengthen the transactions of each fish*** in the domestic market.

*Large size of Pacific Bluefin tuna will be discussed to be designated in the Ministerial Order.



Information can also be transmitted through the use of physical tools, such as tags or QR codes.

The amended Act requires:

- to transmit information such as names of vessels and weight of each fish, etc. at every step of transactions
- to create and store transaction records
- to attach a legal catch certificate when exporting

The major provisions will come into effect within two years.

* The domestic measure does not require foreign countries to take any additional procedures.

Japan continues to make great efforts to fight against IUU Fishing and looks forward to your continued support.

7. Contact Information and Resources

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General Information on Japan's CDS : <https://www.jfa.maff.go.jp/220614.html>

Class II Information (TECHNICAL NOTE) :

<https://www.jfa.maff.go.jp/attach/pdf/220614-3.pdf>

The Act updated in June 2024 (Class I) :

<https://www.japaneselawtranslation.go.jp/ja/outlines/view/130>