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**Japan:**

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Report Highlights: Japanese seed imports in 2001 totaled \$141,683,000 on a Japanese customs clearance basis, up slightly from \$139,715,000 the previous year. The U.S. captured 31.6% on a dollar value basis, exporting \$44,733,000 worth of seeds to Japan. The value of seed exports from Japan decreased 12.3% from the previous year to \$81,110,000 in 2001. Despite consumer concerns about the safety of farm products developed through the use of biotechnology and the stagnating Japanese economy, the U.S. was still the dominant player, with the share of Japanese seeds imports at 39% for vegetable seeds, 99% for sweet corn seeds, 47% for forage crop seeds, 79% for pea/bean seeds and 34% for other miscellaneous crop seeds, in 2001.

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Includes Trade Matrix: No  
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## I. Executive Summary

Report Highlights: Japanese seed imports in 2001 totaled \$141,683,000 on a Japanese customs clearance basis, up slightly from \$139,715,000 the previous year. The U.S. captured 31.6% on a dollar value basis, exporting \$44,733,000 worth of seeds to Japan. The value of seed exports from Japan decreased 12.3% from the previous year to \$81,110,000 in 2001. Despite consumer concerns about the safety of farm products developed through the use of biotechnology and the stagnating Japanese economy, the U.S. was still the dominant player, with the share of Japanese seeds imports at 39% for vegetable seeds, 99% for sweet corn seeds, 47% for forage crop seeds, 79% for pea/bean seeds and 34% for other miscellaneous crop seeds, in 2001.

Phytosanitary barriers are not a significant impediment to the import of seeds to Japan. Japan subscribes to the International Convention on the Protection of New Plant Varieties and registered breeds are protected. Reflecting a worldwide trend, both new seed variety applications, to the Ministry of Agriculture, Forestry and Fisheries, and new varieties registered increased, to 23% to 1,157 and 34% to 1,210, respectively, in Japan's fiscal year 2001.

## II. Production

- With Japan's domestic farm sector production stagnant, the focus for Japanese seed companies has been on export marketing and international operations, including those pursued offshore.

## III. Trade

### 1) Imports

- Japanese planting seed imports totaled \$141,683,000 in 2001, up slightly from \$139,715,000 in 2000. In quantity, however, imports dropped slightly from 102,531 metric tons in 2000 to 101,468 tons in 2001. Herbaceous plant seed imports grew 28.5% and vegetable seed imports grew 2.2%, respectively, but the imports of all other miscellaneous planting seeds dropped in quantity from the previous year.
- Japan's total sweet corn seed imports declined almost 30% in quantity and 13% in dollar value in 2001, from the previous year, due to continued market concerns about biotech. Although imports from the U.S. alone dropped 25% in quantity and 15% in value from the previous year, the U.S. retained a dominant 93% share of the market.

Japanese Seed Imports from the World

Seed Group	Quantity (Metric Tons)		Value (US \$000 ) 1/	
	2000	2001	2000	2001
Vegetable Seeds	6,184	6,323	62,932	62,082
Sugar Beet Seeds	86	73	3,796	3,405
Forage Crop Seeds	91,202	89,791	36,433	37,723
Herbaceous Plant Seeds	656	844	19,178	20,890
Pea/Bean Seeds	1,087	1,070	3,396	3,350
Sweet Corn Seeds	433	304	3,837	3,339
Other Planting Seeds	2,883	3,063	10,143	10,894
<b>Total</b>	<b>102,531</b>	<b>101,468</b>	<b>139,715</b>	<b>141,683</b>

(Source: Ministry of Finance Customs Data)

Note: 1/ Based on Japanese customs dollar value, CIF/ Japanese ports of entry.

Japanese Seed Imports from the U.S.				
Seed Group	Quantity (Metric Tons)		Value (US \$000 ) 1/	
	2000	2001	2000	2001
Vegetable Seeds	1,950	1,782	18,662	16,914
Sugar Beet Seeds	2	3	11	99
Forage Crop Seeds	9,352	8,995	17,581	16,256
Herbaceous Plant Seeds	103	113	1,930	2,460
Pea/Bean Seeds	764	698	1,845	1,804
Sweet Corn Seeds	379	284	3,582	3,055
Other Planting Seeds	1,284	1,165	4,319	4,145
<b>Total</b>	<b>13,834</b>	<b>13,031</b>	<b>47,930</b>	<b>44,733</b>

(Source: Ministry of Finance Customs Data)

Note: 1/ Based on Japanese customs dollar value, CIF/ Japanese ports of entry.

- Japanese year-to-date seed imports through the end of April 2002 totaled \$52,405,000, with the U.S. share accounting for 38.7% of total imports. This was up from 34.3% in 2000 and 31.6% in 2001. Despite declines in imports, the U.S. remains the dominant exporter of key seed crops to Japan, as shown below.

Vegetable Seeds - Top 5 Exporters to Japan (\$Value- \$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	22,720	100%	20,474	100%
1) U.S.A.	9,284	40.8%	8,006	39.1%
2) Italy	3,525	15.5%	4,062	19.8%
3) China	1,254	5.5%	1,468	7.2%
4) France	570	2.5%	1,182	5.8%
5) Netherlands	1,239	5.4%	1,007	4.9%

( Source: Japanese Customs Data )

Sweet Corn Seeds - Top 3 Exporters to Japan (\$ Value-\$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	1,571	100%	1,735	100%
1) U.S.A.	1,474	93.8%	1,725	99.4%
2) Chile	93	5.9%	11	0.6%
3) Hungary	3	0.2%	0	0%

( Source: Japanese Customs Data )

Forage Crop Seeds - Top 5 Exporters to Japan (\$ Value- \$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	20,079	100%	17,635	100%
1) U.S.A.	9,335	46.5%	8,223	46.6%
2) Australia	4,541	22.6%	4,819	27.3%
3) France	2,158	10.8%	1,153	6.5%
4) Austria	585	2.9%	1,080	6.1%
5) Canada	1,124	5.6%	363	2.1%

( Source: Japanese Customs Data )

Herbaceous Seeds - Top 5 Exporters to Japan (\$ Value- \$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	8,180	100%	8,453	100%
1) Chile	3,676	44.9%	5,170	61.2%
2) China	606	7.4%	647	7.7%
3) Netherlands	908	11.1%	626	7.4%
4) U.S.A.	833	10.2%	585	6.9%
5) Costa Rica	159	1.9%	274	3.2%

( Source: Japanese Customs Data )

Pea/Bean Seeds - Top 5 Exporters to Japan (\$ Value- \$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	1,235	100%	721	100%
1) U.S.A.	982	79.5%	573	79.4%
2) China	36	2.9%	28	3.9%
3) Thailand	37	2.9%	26	3.6%
4) India	0	0	23	3.1%
5) Italy	44	3.5%	22	3.1%

( Source: Japanese Customs Data )

Other Misc. Plant Seeds - Top 5 Exporters to Japan (\$ Value- \$000, CIF-Japan)				
Japanese Imports From	2001 (Jan.-Apr.)		2002 (Jan.-Apr.)	
	Total \$ Value	% Share	Total \$ Value	% Share
The World	4,870	100%	3,387	100%
1) China	1,246	25.6%	1,216	35.9%
2) U.S.A.	2,042	41.9%	1,161	34.3%

3) Korea (South)	554	11.4%	385	11.4%
4) New Zealand	164	3.4%	142	4.2%
5) Netherlands	42	0.9%	140	4.1%

( Source: Japanese Customs Data )

## 2) Exports

- Japanese seed exports in 2001 dropped 8% in quantity and 12.3% in dollar value from the previous year, as shown below.

Japanese Seed Exports to the World				
Seed Group	Quantity (Metric Tons)		Value (US\$ 000 ) 1/	
	2000	2001	2000	2001
Vegetable Seeds	1,483	1,418	62,912	57,702
Forage Crop Seeds	34	62	147	311
Herbaceous Plant Seeds	38	51	25,908	20,469
Other Planting Seeds	415	282	3,523	2,628
<b>Total:</b>	<b>1,970</b>	<b>1,813</b>	<b>92,490</b>	<b>81,110</b>

(Source: Ministry of Finance Customs Data.)

Note: 1/ Based on Japanese customs dollar value, FOB/Japanese ports of export.

- Japanese seed exports to the U.S., declined 12% in value, from the previous year, although vegetable seed exports increased 15.7% by value and 6% by volume, as shown below.

TO THE U.S. - BY SEED GROUP				
Seed Group	Quantity (Metric Tons)		Value (US\$ 000 ) 1/	
	2000	2001	2000	2001
Vegetable Seeds	34	36	3,030	3,506
Forage Crop Seeds	30	19	98	235
Herbaceous Seeds	7	4	12,738	10,203
Other Planting Seeds	14	5	250	258
<b>Total:</b>	<b>85</b>	<b>64</b>	<b>16,116</b>	<b>14,202</b>

(Source: Ministry of Finance Customs Data.)

Note: 1/ Based on Japanese customs dollar value, FOB/Japanese ports of export.

Reference: HS (Harmonized System) tariff codes, used in statistical tabulation for each seed grouping		
Seed Group	Imports	Exports
Vegetable Seeds	1209.91-010; 1209.91-090	1209.91-000
Sugar Beet Seeds	1209.11-000; 1209.19-000	None



Forage Crop Seeds	1209.21-000; 1209.22-000; 1209.23-000; 1209.24-000; 1209.25-000; 1209.26-000; 1209.29-000; 1002.00-010; 1004.00-010; 1005.10-010; 1007.00-010; 1008.10-010; 1008.90-010;	1209.21-000; 1209.22-000; 1209.23-000; 1209.24-000; 1209.25-000; 1209.26-000; 1209.29-000;
Herbaceous Seeds	1209.30-000	1209.30-000
Pea / bean Seeds	0713.10-010; 0713.10-211; 0713.20-010; 0713.33-010; 0713.33-210; 0713.39-010; 0713.39-210; 0713.40-010; 0713.50-010; 0713.50-210; 0713.90-010; 0713.90-210	None
Sweet Corn Seeds	0712.90-031	None
Other Planting Seeds	1209.99-000	1209.99-000

### 3) Tariffs

- With the exception of the seeds listed below, there are no tariffs on imported planting seeds.

Crop	HS Code (Harmonized System)	Tariff Rates ( WTO )
Pea Seeds	0713.10.211	6.0 %
Kidney Bean Seeds	0713.33.210	6.0 %
Broad Bean Seeds	0713.50.210	6.0 %
Other Seeds	0713.39.210	6.0 %
Other Seeds	0713.90.210	6.0 %
(Source: Customs Tariff Schedule of Japan - 2002)		

## IV. Policy

- The planting seed industry in Japan is regulated under the Seeds and Seedlings Act and the Plant Health Protection Act. As a result of a 1991 revision of the International Convention for the Protection of New Plant Varieties (UPOV), to which Japan is a signatory, the most recent changes in the Japanese Seed and Seedlings Act were implemented in December 1998. The Plant Health Protection Act, originally enacted in 1950, was most recently amended in 1996 to cover planting seeds as well as other plants.

### 1) Plant Health Regulations

- Phytosanitary barriers are not a significant impediment to importing seeds into Japan. Products must be free of quarantine diseases and uncontaminated by pests or noxious weeds. Import regulations are covered in the Plant Protection Law and Regulations, available from the Ministry of Agriculture, Forestry and Fisheries's Agricultural Products Bureau, Plant Protection Division. Except for the following five seed products, seed importers are only required to present a phytosanitary certificate for inspection at the time of customs clearance in Japan. Under Japan's Plant Health Protection Act, the following planting seeds are listed as items subject to growing site inspection in exporting countries by quarantine officials before they can be exported to Japan.

Seed Type	Disease of concern
Pea seeds	Wilt ( <i>Fusarium oxysporum</i> f. sp. <i>pisi</i> )
Kidney bean seeds	Bacterial wilt of beans. ( <i>Curtobacterium flaccumfaciens</i> pv. <i>flaccumfaciens</i> )
Watermelon seeds	Bacterial fruit blotch of watermelon. ( <i>Acidovorax avenae</i> subsp. <i>citrulli</i> )
Corn seeds	Stewartii's disease ( <i>Erwinia stewartii</i> ) and Goss's bacterial wilt and blight ( <i>Clavibacter michiganensis</i> subsp. <i>nebraskensis</i> )

- A 1996 a booklet by the Japan Plant Quarantine Association entitled "Japan's Import Plant Quarantine" includes Q&A's addressing frequently asked quarantine questions for seed and plant importers. The document notes that seed imports are initially inspected at the warehouse for pests. Samples are then drawn and inspected at Plant Quarantine Bureau laboratories for seed-borne diseases. At least 6 days are normally required to clear quarantine. While there are no required treatments for importing seeds into Japan, alerting quarantine officials of any treatments may expedite the quarantine process. Likewise, if the seeds are coated, alerting quarantine authorities is recommended to facilitate the customs clearance process.

## 2) Plant Variety Protection

- In 1991, the International Convention for Protection of New Plant Varieties (UPOV), to which Japan is a signatory, was revised to expand the scope and protection of the rights of new plant variety breeders. Japan revised the Seed and Seedlings Act in conformity with the ICPNV in 1998. This revision was implemented in December, 1998. The following summary outlines key features and procedures for protection of the breeder's rights under the revised Act.

Objective:: To promote new variety breeding and enhance legal protection of the breeders.

Qualifications for Variety Registration:

- Protected plants - All plants and 22 species as stipulated in the December 24, 1998 cabinet order.
- Criteria for variety registration - Distinctness, uniformity, stability, novelty in physical features of the variety and originality in naming of the new variety.

- Eligibility - Any individual or legal person with demonstrated success in the breeding of a new variety or anyone with lawful succession rights to the breeder.

Contact Location for New Variety Registration Applicants:

Ministry of Agriculture, Forestry and Fisheries

Attn: International Department, Seeds and Seedlings Division, Agricultural Production Bureau, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo, Japan. FAX: 813-3502-6572, PHONE: 813-3591-0524. Web site (In Japanese): <<http://www.hinsyu.maff.go.jp/>>

Documentation required: (Note: Translation into Japanese is required.)

- Completed application papers, accompanied by a written explanation, a list of variety characteristics and an application fee of 47,200 Yen (Approx. \$437.00).
- Photographs of the plant variety.
- Samples of the seed or spawn.
- Document certifying legal succession rights to the breeder (e.g., contract)
- Document certifying nationality of applicant.
- Document verifying the first application to a member state of the UPOV, etc, if the right of priority is claimed at the time of application.
- Letter with a Power of Attorney for a Japanese agent, acting on behalf of the applicant.

Public Notice and Provisional Protection:

- Public Notice - Once an application is accepted, it is notified in the Japanese government Gazette and is accessible by Internet.
- Provisional Protection - Once an application is accepted, there is provisional protection during the application process, which normally takes a few years to complete.

Review & Examination:

- Variety characteristics - Originality in Naming of the New Variety, etc.
- The application can be denied by the review board when a variety submitted does not satisfy qualification requirements, an applicant fails to submit complete data or test seeds, or an applicant unjustifiably refuses an on-site inspection. Applicants denied approval have an opportunity rebut the denial or correct any deficiencies in the application.

Variety Approval:

- Registered Breeder's rights - Exclusive right to the variety approved on registration. With limited exceptions, reproduction or marketing of approved seeds is prohibited without explicit consent of the original breeder.
- Duration of legal protection - 20 years for perennial plants, and 25 years for all others from the official registration date.
- Approval may be revoked if the registration fee is not payed or the initial application was not valid.

Exceptions to the Registered Breeder's Exclusive Rights:

- Germination of the registered variety for new variety development.
- Germination of the variety for experimental and research projects.
- Germination of the variety for farmers' own consumption (i.e., use of the variety for crop farming by family or corporate farmers), excluding application to plants of 23 species specifically stipulated for this purpose. (i.e., 19 varieties in herbaceous plants, 3 ornamental plants, 1 mushroom.)
- Registrant's Right- No consent from the registrant is required for secondary resale of the variety, once the right is exercised or sold to a third party in an initial transaction. Consent from the registrant is required, however, if a reproduced seed or seedling is to be exported to a country outside membership of the international convention for protection of new plant varieties (ICPNV).

#### Legal Sanctions against Infringements of the Registrant's Rights:

- Under Civil Law - Suspension of the Act in violation, Claim of Financial Compensation, Claim for Measures to Restore Business Reputation.
- Under Criminal Law - Maximum 3-year imprisonment or a maximum fine of 3 million Yen.

#### Registration Fee Schedule:

Registration fees are due within 30 days after a variety registration for the first year and are payable before the date of official registration each subsequent year.

Variety Registration Fee Schedule	
Years after Registration	Annual Fee (Approx. US \$)
1 - 3 years	6,000 Yen. (\$55.00)
4 - 6 years	9,000 Yen (\$ 83.00)
7 - 9 years	18,000 Yen (\$167.00)
10 - 25 years	36,000 Yen (\$333.00)

### 3) Variety Registrations

- The number of applications accepted by the Ministry of Agriculture, Forestry and Fisheries from private individuals, seed companies, food makers, agricultural co-operatives and institutional entities in farm research, were 1,157 in 2001, up from 942 the previous year, on a Japanese fiscal year basis. (i.e., April-March). The number of official registrations were 1,210, up from 905 the previous fiscal year, as shown below.

Number of Seed Variety Applications & Registrations 2 Yr. Comparison (Japan Fiscal Year: March through April )
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Crops	Applications		New Variety Registrations	
	2000	2001	2000	2001
Edible Crops	47	46	63	45
Vegetables	61	48	46	63
Fruits	40	58	43	29
Forage Crops	10	12	1	24
Herbaceous Plants	557	814	572	771
Ornamental Plants	203	159	153	222
Forest Trees	0	1	7	2
Others	24	19	20	54
<b>Total:</b>	<b>942</b>	<b>1,157</b>	<b>905</b>	<b>1,210</b>

( Source: Ministry of Agriculture, Forestry and Fisheries )

- The increase in seed applications and approval in Japan reflects a worldwide trend, especially in the herbaceous and ornamental plant sector, as shown below.

Planting Seeds, Grown Overseas and Registered in Japan To Date. ( Through the end of March 2002 /Japan Fiscal Year : March through April )								
Country	Applied	Newly Registered	Edible crops	Vegetables	Fruit Trees	Forage Crops	Herbaceous Plants	Ornamental Plants
U.S.A.	509	345	1	16	4	8	203	113
Netherlands	1,565	1,045	-	9	-	-	842	194
Germany	709	485	-	-	-	-	261	224
France	303	235	-	1	5	-	105	124
Israel	235	150	-	-	-	-	127	150
Italy	203	133	-	-	-	-	104	29
U.K.	248	148	-	2	7	-	71	68
Denmark	185	117	-	-	-	-	71	46
New Zealand	67	39	-	-	-	-	7	32
Australia	89	37	-	-	-	-	37	-
Thailand	22	10	-	1	-	-	9	-
China	8	5	5	-	-	-	-	-
Others	73	26	-	2	1	-	39	7

Total to Date:	4,216	2,775	6	31	17	8	1,876	987
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( Source: Ministry of Agriculture, Forestry & Fisheries )

## V. Codex

- The Codex Alimentarius Commission is an intergovernmental agency established to develop international standards, including safety standards, for food products. Japan is the chair of the Ad Hoc Intergovernmental Task Force on Food Derived from Biotechnology. The purpose of the Ad Hoc committed is to develop standards, guidelines or recommendations for food derived from biotechnology. The task force is expected to complete its work by July 2003. Information on the Government of Japan activities in this sector is available on-line from the following websites.

- Useful Web sites for Biotech. Information and Updates in Japan -

For MAFF information: <http://ss.s.affrc.go.jp/docs/sentan/index.htm> (Japanese/English) 1/

For MHLW information: [http://www.mhlw.go.jp/topics/idenshi\\_13/index.html](http://www.mhlw.go.jp/topics/idenshi_13/index.html) (Japanese/English) 2/

For CODEX information and developments: [http://www.mhw.go.jp/english/codex\\_13/sec05.html](http://www.mhw.go.jp/english/codex_13/sec05.html) (English)

1/ Ministry of Agriculture, Forestry and Fisheries.

2/ Ministry of Health, Labor and Welfare.

## VI. Useful contacts for market access

New-to-market U.S. seed growers and exporters seeking market information are encouraged to contact the following trade organizations.

<p><b>(For U.S. Industry Information)</b>  American Seed Trade Association (Washington, D.C., U.S.A.)  FAX: 202-638-3171    PHONE: 202-638-3128  E-MAIL(Web site): <a href="http://www.amseed.com">http://www.amseed.com</a></p>
<p><b>(For Japan's Industry Information)</b>  Japan Seed Trade Association (Tokyo, Japan)  FAX: 813-3818-6039    PHONE: 813-3811-2654</p>
<p><b>(For Information on Japan's Plant Health Regulations)</b>  Japan Plant Quarantine Association (Tokyo, Japan)  FAX: 813-5294-1525    PHONE: 813-5294-1520</p>

End of report.