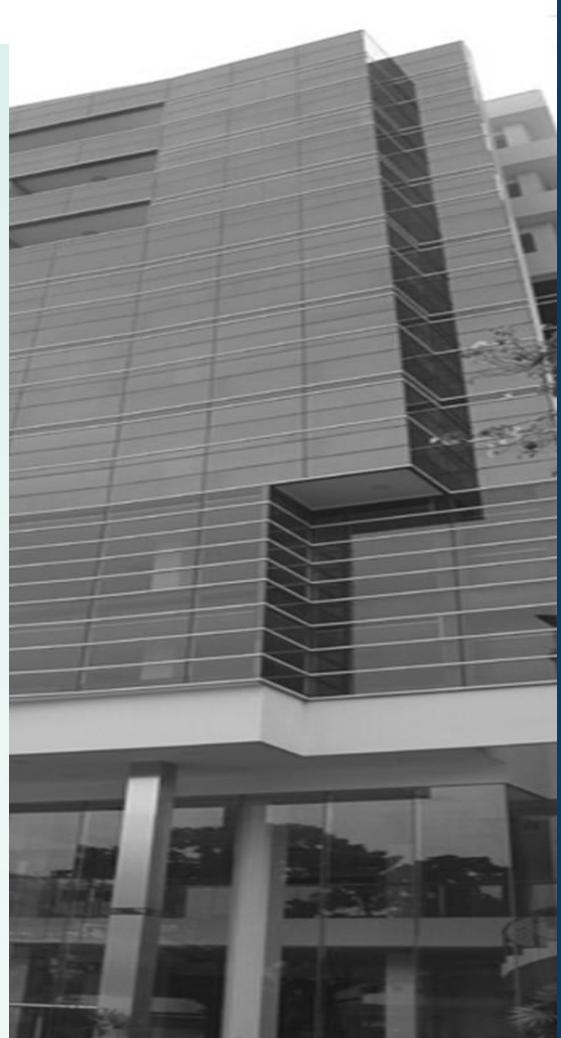




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## **Introduction to Laws and Regulations Related to Labeling of Health Foods in Japan**

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## **Introduction to Laws and Regulations Related to Labelling of Health Foods in Japan**

### **Introduction**

Japanese consumers have become more health conscious, demanding food products that contain natural ingredients, minimize food additives and sweeteners, and support health, dietary, and functional needs. Further, the growth of the Japanese market for health and functional foods can be attributed to a number of key demographic trends, including a rapidly aging society, an increase in lifestyle-related health problems, and a strong interest in health and beauty. Major contributors to this recent market growth include products for intestine regulation, lifestyle disease prevention, nutritional value, bone and joint support, dietary management, skin and beauty enhancement, and those labeled with Food for Specified Health Use (FOSHU).

Labeling of health foods is subject to regulations under the FOOD labeling Act similar to normal food. There are other laws and regulations that stipulate rules on labeling, Sri Lankan exporters and their buyers need to check the outline of their regulations and need to pay attention to careful planning and consideration on how to label and advertise healthy foods in the food markets in Japan while complying with regulations on food labeling.

### **Food Labeling Act**

“Food” covered by the Food Labeling Act includes all kinds of food and drinks (including additives) excluding pharmaceuticals and quasi-pharmaceutical products, etc. Liquor specified by the Liquor Tax Law is also included. Concrete labeling rules are specified in the Food Labeling Standards and any food that is not labeled in accordance with said standards may not be marketed.

When marketing “processed foods placed in a container or packaging for general consumers, labeling must be in Japanese using proper and easy-to-understand terms, and item name, names of raw materials, additives, net content and other information must be displayed in a prescribed format at a location easily visible without opening the container or packaging.

### **What are Health Foods?**

In Japan, there is no specific legislative definition for health foods. Generally, the term “health foods” is used to refer to “any products that are sold and used as foods that broadly contribute to maintaining and promoting health.” Among health foods, food products for which labeling of their functions is permitted in accordance with the standards on the safety and functions determined by the national government are called “foods with health claims.” Meanwhile, some food products are not allowed to have function claims referred to as “other health foods”. As such, health foods can be divided into two, namely, foods with health claims and other health foods, by whether functions can be labeled on the food product or not. The “other health foods” include supplements, nutrition supplements, health supplements, and natural foods. However, there is no legislative definition for these names in Japan.

### **Foods Labeled with Certain Nutritional or Health Functions**

Foods for Specified Health Uses (FOSHU) are scientifically recognized as helpful for maintaining and promoting health and are permitted to bear claims such as "Slows cholesterol absorption." The government evaluates the claimed effects and safety, and the Secretary-General of the Consumer Affairs Agency gives approval for the labelling of each food product that satisfies the requirements.

### **Foods with Nutrient Function Claims**

Foods with Nutrient Function Claims (FNFC) can be used to supplement or complement the daily requirement of nutrients (vitamins, minerals, etc.) which tend to be insufficient in everyday diet. Given that the food product contains certain amounts of nutrients whose function has already been substantiated by scientific evidence, it can bear a nutrient function claim prescribed by the Standards without submitting a notification to the government.

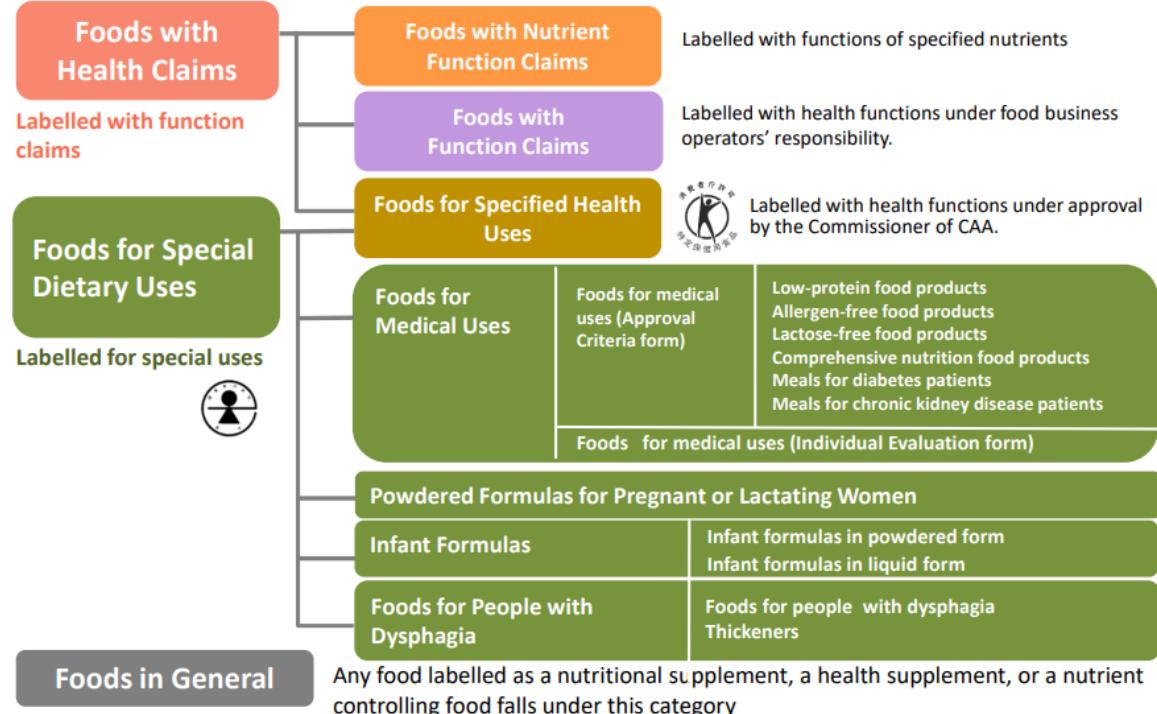
## Outline of Food Labelling Systems for Health and Nutrition



### Nutrient Declaration

Processed foods in a container/package are labelled with Nutrient Declarations. Some of them are also labelled with nutrient content claims or Nutrient Reference Values. The Nutrient Declaration gives information on nutritional characteristics such as energy values and nutrient amounts of the food.

Furthermore, there are systems for food labelling with ingredient functions and for special uses.



Source: Consumers Affairs Agency Pamphlet - 2020

### Foods with Function Claims

Under the food business operator's own responsibility, Foods with Function Claims can be labeled with function claims based on scientific evidence. Information on the evidence supporting the safety and effectiveness of the product are submitted to the Secretary-General of the Consumer Affairs Agency before the product is marketed. However, unlike FOSHU, the product is not individually pre-approved by the Secretary General of the Consumer Affairs Agency.

### Basic Items on labeling of processed foods for general Consumers

<b>Item name</b>	General name. Not the commodity name.
<b>Names of raw materials</b>	Present the names of raw materials used in the order of high to low weight percentage in the raw materials. Allergens: The 7 items (e.g., egg, wheat) must be labeled. Genetic modification: For the 33 processed foods subject to regulations, label if relevant plants that are genetically modified or not distinguished from genetically modified organisms are contained.
<b>Additives</b>	Present the names of additives used in the order of high to low weight percentage in the additives. They may be presented in the section of names of raw materials clearly separating from raw materials. Allergens: The 7 items (e.g., egg, wheat) must be labeled.
<b>Net content</b>	Weight (g, kg), volume (mL, L), quantity (e.g., number of pieces)

<b>Best-before date</b>	Present in the order of year, month and day. Presenting only year and month is acceptable if the time from manufacturing to expiration date exceeds 3 months.
<b>Preservation method</b>	Present detailed conditions of preservation until the expiration date. No cautions after opening.
<b>Name of country of origin</b>	Must be labeled for imported goods.
<b>Importer</b>	Importer if the importer is the person engaged in food-related business and responsible for the content of labeling. Present the address (business location) and name (person's name for private person or corporate name for corporation; presenting trade name only is not acceptable) of the importer.

The Food Labeling Standards also stipulates labeling rules for nutrients, nutrition emphasis, foods with nutrient function claims, and foods with function claims

### **Labeling for Nutrients**

The Food Labeling Standards under the Food Labeling Act obligate, in principle, labeling the content of five items, namely, energy, protein, fat, carbohydrate, and sodium (in sodium chloride equivalent), for packaged processed foods and additives for general consumers. Nutrients can be voluntarily labeled on perishable food or processed food for business use, but also in this case the labeling must comply with the Food Labeling Standards.

### **Nutrients Subject to Nutrient Labeling**

Other than the obligated five items, recommended labeling and voluntary labeling are specified for some nutrients.

<b>Mandatory labeling</b>	Five elements that must be labeled on processed foods for general consumers	Energy, protein, fat, carbohydrate, sodium (in sodium chloride equivalent)
<b>Recommended labeling</b>	Nutrients recommended to be labeled considering the state of consumption by the Japanese or relation with prevention of lifestyle-related diseases	Saturated fatty acid, dietary fiber
<b>Voluntary labeling</b>	Nutrients other than the five mandatory labeling items among the nutrients and energy in Appended Table 9 of the Food Labeling Standards  When labeling such nutrients on a container or packaging, they shall be shown within a frame in accordance with the method specified by the Standards.	Zinc, potassium, calcium, chromium, selenium, iron, copper, magnesium, manganese, molybdenum, iodine, phosphorus, niacin, pantothenic acid, biotin, vitamin A, B <sub>1</sub> , B <sub>2</sub> , B <sub>6</sub> , B <sub>12</sub> , C, D, E, K, folic acid, n-3 fatty acids, n-6 fatty acids, cholesterol, saccharides and sugars (monosaccharides or disaccharides, and not sugar alcohol)

## Method of Labeling for Nutrients

<p>[When labeling mandatory labeling matters only] (Example of labeling by Form 2 attached to the Standards)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left; padding: 5px;">Nutrition Facts</th> </tr> <tr> <th colspan="2" style="text-align: left; padding: 5px;">Average Quantity per Serving (X g)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Energy</td> <td style="padding: 5px; text-align: right;">X kcal</td> </tr> <tr> <td style="padding: 5px;">Protein</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Fat</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Carbohydrate</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Sodium chloride equivalent</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> </tbody> </table>	Nutrition Facts		Average Quantity per Serving (X g)		Energy	X kcal	Protein	X g	Fat	X g	Carbohydrate	X g	Sodium chloride equivalent	X g	<p>[When labeling voluntary labeling items in addition to mandatory labeling matters] (Example of labeling by Form 3 attached to the Standards)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left; padding: 5px;">Nutrition Facts</th> </tr> <tr> <th colspan="2" style="text-align: left; padding: 5px;">Average Quantity per 100 g</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Energy</td> <td style="padding: 5px; text-align: right;">X kcal</td> </tr> <tr> <td style="padding: 5px;">Protein</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Fat</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- Saturated fatty acids</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- n-3 fatty acids</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- n-6 fatty acids</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Cholesterol</td> <td style="padding: 5px; text-align: right;">X mg</td> </tr> <tr> <td style="padding: 5px;">Collagen</td> <td style="padding: 5px; text-align: right;">400 mg</td> </tr> <tr> <td style="padding: 5px;">β-Carotene</td> <td style="padding: 5px; text-align: right;">300 µg</td> </tr> <tr> <td style="padding: 5px;">Polyphenol</td> <td style="padding: 5px; text-align: right;">50 mg</td> </tr> <tr> <td style="padding: 5px;">Carbohydrate</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- Saccharides</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- Sugars</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">- Dietary fiber</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Sodium chloride equivalent</td> <td style="padding: 5px; text-align: right;">X g</td> </tr> <tr> <td style="padding: 5px;">Calcium</td> <td style="padding: 5px; text-align: right;">X mg</td> </tr> <tr> <td style="padding: 5px;">Vitamin A</td> <td style="padding: 5px; text-align: right;">X µg</td> </tr> </tbody> </table>	Nutrition Facts		Average Quantity per 100 g		Energy	X kcal	Protein	X g	Fat	X g	- Saturated fatty acids	X g	- n-3 fatty acids	X g	- n-6 fatty acids	X g	Cholesterol	X mg	Collagen	400 mg	β-Carotene	300 µg	Polyphenol	50 mg	Carbohydrate	X g	- Saccharides	X g	- Sugars	X g	- Dietary fiber	X g	Sodium chloride equivalent	X g	Calcium	X mg	Vitamin A	X µg
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<p>For food to which sodium salts are added, the quantity of sodium must not be presented on the packaging (Article 9 of the Standards). However, for food or additives to which sodium salts are not added, the quantity of sodium chloride equivalent maybe be presented as "Sodium X mg (sodium chloride equivalent Y g)." </p>	<p>Always start with "Nutrition Facts".</p> <p>Present the quantity per unit, such as 100 g, 100 ml, serving, and sachet. If the unit is serving, also present the quantity of serving.</p> <p>When labeling the content of compositions other than the nutrients specified in Appended Table 9 of the Standards, they shall be separated from the labeling stipulated by the Standards.</p> <p>When labeling the quantity of saccharides or dietary fiber, both the quantity of saccharides and the quantity of dietary fiber must be presented. Only sugars may be presented as breakdown of carbohydrate.</p>																																																				

Source : Consumer Affairs Agency “Nutrient Labeling (Food Labeling Standards)”

Other laws and regulations that set forth labeling rules include the “Pharmaceuticals and Medical Devices Act” which prohibits labeling pertaining to pharmaceutical efficacy or effects on non-pharmaceutical goods, “The measurement Act” which stipulates proper weighing and labeling, “Act on Securing of Liquor Tax and on Liquor Business Associations” that stipulates labeling of liquor ,“Rice Traceability Act” for providing information on places of production for rice, etc., and various local government’s ordinances.

When it comes to labeling of health foods, special attention needs to be paid not to violate provisions of the Health Promotion Act, which prohibits false or exaggerated representations regarding health maintenance and promotion effects, or provisions of the Premiums and Representations Act, which prohibits misrepresentations concerning quality.

## Reference

Website of the Consumer Affairs Agency:“System of Labeling about Health and Nutrition”  
[https://www.caa.go.jp/policies/policy/food\\_labeling/health\\_promotion/](https://www.caa.go.jp/policies/policy/food_labeling/health_promotion/)

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