

**Voluntary Report** – Voluntary - Public Distribution

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**Report Name:** Japanese Import Regulations for Industrial Hemp Products

**Country:** Japan

**Post:** Tokyo

**Report Category:** Exporter Guide, FAIRS Subject Report, Sanitary/Phytosanitary/Food Safety

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**Report Highlights:**

This report summarizes Japan's import requirements for industrial hemp products. U.S. exporters should ensure that all necessary custom clearance requirements have been verified with local authorities through foreign importers before the sales conditions are finalized.

## General

In accordance with the [Cannabis Control Act \(CCA\)](#) and the [Narcotics and Psychotropics Control Act \(NPCA\)](#), Japan's Ministry of Health, Labour and Welfare (MHLW), the competent authority for food safety, has oversight over imported *Cannabis* plants. The CCA defines *Cannabis sativa L.* and its products as its regulatory target. However, the CCA also states that the following plant products are outside of CCA's scope: (i) the "grown stalk of cannabis"<sup>1</sup>, (ii) seeds of cannabis and (iii) processed products made of these plant tissues, except resins. In this report, "cannabis" is used to refer to CCA-regulated tissues of *Cannabis sativa L.* such as leaves and flowers; while "hemp" refers to *Cannabis sativa L.* tissues not regulated by the CCA.

In addition to distinguishing between plant tissues, MHLW's regulations are based on the presence of tetrahydrocannabinol (THC), a primary psychoactive chemical. Although the CCA and the NPCA do not specify naturally-derived THC as a regulated substance<sup>2</sup>, MHLW prohibits any product containing THC when contamination with cannabis cannot be ruled out if THC is detected. Effectively, Japan enforces a policy of prohibiting THC-containing imports.

## Import Regulation

Article 4 of the CCA states that only MHLW-authorized researchers may import and export cannabis products to and from Japan. Article 4 also prohibits production, use and distribution of medicinal products manufactured from cannabis. On the other hand, hemp products are permitted for import to Japan as detailed below.

### 1. CBD oil

Following growing interest in cannabidiol (CBD) oil imports, MHLW developed guidelines for importing hemp-derived CBD oil into Japan. In accordance with [Japan's Customs Act](#) (Article 70) and other relevant laws, the following documents, provided by manufacturers via contracted importers, are required to import hemp-derived CBD oil to Japan:

- A) Certificate of ingredients – declaration that in accordance with Japanese regulations the imported CBD oil is made only from hemp stalk and/or hemp seeds. The certificate should contain:

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<sup>1</sup> The CCA does not explicitly define "grown stalk of cannabis." However, based on the judicial precedent, MHLW interprets "grown stalk of cannabis" as "stalks of cannabis plants which have reached a state suitable for obtaining hemp as a textile product, have been separated from the cannabis plants, and have shapes suitable for it".

<sup>2</sup> Only artificially synthesized THC is regulated under the NPCA.

- The date the document was issued
- Name, title and signature of the manufacturer’s certifying employee.
- A statement declaring that imported products were made only from hemp stalk and/or hemp seeds

B) Results of compositional analysis, including:

- Concentrations of THC and CBD
- Date of compositional analysis
- Identification numbers of imported products (e.g. lot number) to which analysis results can be linked
- Name, title and signature of the responsible individual in the laboratory conducting the analysis
- The method of analysis and the relevant limit of detection (LOD) for both THC and CBD

C) Photographs of ingredients and manufacturing processes<sup>3</sup>

- Photographs of the relevant hemp ingredients (i.e. hemp stalk and/or hemp seeds), from which the imported CBD oil was derived. The photographs need to capture the whole hemp product to confirm that no CCA-regulated plant parts were utilized.
- Photographs of the manufacturing process, such as placement of raw hemp materials into an extracting apparatus, to confirm compliance with Japanese regulations. Resolution must be sufficient to allow identification of ingredients.

## 2. Hemp seeds

Based on Article 52 of the [Foreign Exchange and Foreign Trade Act](#), imports of hemp seeds regardless of end use need to be accompanied by an attestation certifying that the seeds were subjected to treatment (e.g., heat) that rendered them incapable of germination. The treatment needs to be performed prior to export. Although MHLW does not specify the required treatment for the hemp seeds, MHLW’s Narcotics Control Department (NCD) indicated that hemp seeds need to be subjected to (i) 90 degrees Celsius (194 degrees Fahrenheit) for an hour or (ii) an equivalent treatment. Upon arrival of hemp seeds

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<sup>3</sup> In case of concerns about sharing proprietary information, contracted importers can consult directly with MHLW using the contact information at the end of the report.

to Japan, importer needs to submit the attestation of acceptable treatment, including explanation of the process, prepared by the exporter. After NCD concludes germination tests, NCD issues an attestation required to import hemp seeds. Inadvertent presence of hemp seeds in a consignment will result in a rejection if there is no attestation of prior treatment, as described above.

The CCA prohibits import of hemp seeds for cultivation, other than by MHLW-authorized cultivators and researchers.

### **3. Other food products containing hemp**

In 1999, MHLW released guidelines for imports of food products containing hemp (e.g. hemp candy, wine and beer):

- a. Imports will be permitted if product label clearly shows ingredients are solely hemp “grown stalks” and/or seeds. Japan does not permit import of products/ingredients derived from prohibited cannabis plant tissues, such as leaves, under any circumstances.
- b. For products that contain hemp ingredients, but no label that clearly identifies plant tissues used, imports will be permitted only if compliant with the CCA as confirmed through certificates or equivalent.
- c. No product containing CCA-regulated cannabis tissue will be allowed entry to Japan, regardless of processing methods or content.

Article 4 of the CCA prohibits cannabis exports from Japan. Therefore, rejected shipments containing cannabis ingredients cannot be shipped back to the country of origin or diverted to a third country. Rejected shipments will be destroyed.

### **4. Hemp Cake/Meal for Livestock Feed**

Japan’s Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF), the competent authority for livestock feed, has not approved the use of hemp cake/meal for livestock feed in Japan.

### **5. Hemp Fiber**

Imports of hemp fibers or products made of hemp fibers are permitted as long as the raw ingredients do not contain cannabis. Inadvertent contamination of a shipment of raw hemp stalks with hemp seeds may

result in Japan's rejection of the shipment, unless the seeds are completely removed from the stalks in bonded area before custom clearance. The seeds will then be discarded, regardless of prior treatment.

### **Organic Equivalency Arrangement for Plant and Plant-based Processed Products**

Since 2014, under the U.S.-Japan organic equivalency arrangement for plants and plant products, Japan has recognized USDA organic certification. MAFF, the competent authority for organic standards in Japan, confirmed that organic hemp products certified by the USDA National Organic Program (NOP) and compliant with Japanese regulations, such as the CCA, can be imported as organic under the terms of [the U.S.-Japan Organic Equivalence Arrangement](#). The Arrangement does not cover hemp fiber for non-food use.

### **Contact Information**

NCD can provide further information about Japan's import requirement for products containing *Cannabis sativa L.* to contracted importers in Japan.

Kanto-Shin'etsu Narcotics Control Department

<https://www.ncd.mhlw.go.jp/en/index.html> (available in English)

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### **Attachments:**

No Attachments.