

Ordinance for Enforcement of the Plant Variety Protection and Seed Act

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Ordinance for Enforcement of the Plant Variety Protection and Seed Act

[Extra edition Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 83 of December 3, 1998]

[Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 17 of December 22, 1978 (Ordinance for Enforcement of the Plant Variety Protection and Seed Act), fully revised]

Ministerial Ordinance for a full revision of the Ordinance for Enforcement of the Plant Variety Protection and Seed Act (Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 17 of December 22, 1978) shall be prescribed as set forth hereunder, pursuant to and for the enforcement of the following Articles of the Plant Variety Protection and Seed Act (Act No. 83 of 1998): Article 2 paragraph (6) [currently Article 2 paragraph (7), as revised by Act No. 59 of June 2005], Article 4 paragraph (2), Article 5 paragraphs (1) and (2), Article 6 paragraph (1), Article 7 paragraphs (2) and (3), Article 11 paragraph (1), Article 18 paragraph (3), item (i) of Article 20 paragraph (2), Article 21 paragraph (3), Article 22 paragraph (2), Article 38 [currently Article 45, as revised by Act No. 49 of May 2007] paragraph (1), Article 46 [currently Article 53 paragraph (1), as revised by Act No. 43 of May 1999 and Act No. 49 of May 2007], Article 47 [currently Article 54, as revised by Act No. 49 of May 2007] paragraph (1), Article 49 [currently Article 58, as revised by Act No. 49 of May 2007] paragraph (1), and Article 50 [currently Article 59 of May 2007, as revised by Act No. 49 of May 2007] paragraph (1) item (vi).

Ordinance for Enforcement of the Plant Variety Protection and Seed Act

(Classification of agricultural, forestry, or aquatic plants)

Article 1 Classification specified in the Ministerial Ordinance as of Article 2 paragraph (7) of the Plant Variety Protection and Seed Act (hereinafter, the “Act”) shall be as set forth on the left column of the attached list No. 1. The agricultural, forestry, or aquatic plants that belong to each classification shall be as set forth in each relevant column.

(Varieties of Perennial plants)

Article 2 Varieties of agricultural, forestry, or aquatic plants specified in the Ministerial Ordinance, as of Article 4 paragraph (2) of the Act, shall be tree plants.

(Languages for the documents)

Article 3 Documents relating to Application for Variety Registration shall, precluding the specified matters in the following paragraph and paragraph (3), be written in Japanese. However, the names

and domicile or residence of the applicant or the breeder of applied variety, and the name of such applied variety may be written in Romaji (the Roman alphabet).

2 With regard to technical names of agricultural, forestry, or aquatic plant varieties in the documents relating to Application for Variety Registration, such names shall be written in Romaji (the Roman alphabet).

3 Documents such as letter of attorney that are written in foreign languages shall have their translations attached.

(Procedure for Filing of Application for Variety Registration)

Article 4 Applicants who intend to file for Application for Variety Registration on varieties that are of seeds or mushroom spawns shall submit the seeds or mushroom spawns of the concerned variety upon application.

(Items to be included in the Application)

Article 5 With regard to an agricultural, forestry, or aquatic plant variety as of Article 5 paragraph (1) item (ii) of the Act, the technical name and Japanese name of variety or genus to which the applied variety belongs set forth in attached list No. 2 shall be written. However, if such variety or genus of the applied variety is not on the list, the technical name or Japanese name by which it may be specified shall be written.

2 Matters specified in Ministerial Ordinance as of Article 5 paragraph (1) item (v) of the Act shall be as set forth below:

(i) if the applied variety is also applied in a foreign country in an application system equivalent to the domestic Application for Variety Registration, the name of the country of such application and the title of such application

(ii) if the applicant wishes to claim for a right of priority specified in Article 11 paragraph (1) of the Act, an expression of intention of such claim, and the name of the country where the first application in the State Party took place (or name of the organization, if such State Party is an inter-governmental organization) and the date of application of a State Party; or, the name of the country where the first application in Designated States took place (application in the Designated State where he/she belongs, if the applicant belongs to one of the Designated States; hereinafter, “application in the concerned Designated States”) and the date of application in the Designated State

(iii) if the seed or crops of the applied variety had been transferred in the course of business prior to the date of application (precluding cases of transfer for examination or research use, or transfer against the will of the breeder), the date of first transfer of such incident within Japan, the date of first transfer of such incident in a foreign country, and the name of the concerned country

(iv) list of submitted materials and attached documents

(v) with regard to cases of applying the provisions in Article 13 paragraph (1) of the Act on

Utilization Promotion of Agricultural, Forest and Marine Organic Resources as Raw Materials for Bio Fuel (Act No. 45 of 2008), an expression of intention of such application and the number on the confirmation form specified in Article 10 of the Ordinance for Enforcement of the Act on Utilization Promotion of Agricultural, Forest and Marine Organic Resources as Raw Materials for Bio Fuel (Ministerial Ordinance No. 1 of the Ministry of Agriculture, Forestry, and Fisheries/ the Ministry of Economy, Trade, and Industry/ the Ministry of the Environment)

- (vi) with regard to cases of applying the provisions in Article 12 paragraph (1) of the Act on Utilization Promotion of Rice for Innovative Use (Act No. 25 of April 2009), an expression of intention of such application and the number on the confirmation form specified in Article 14 of Ordinance for Enforcement of the Act on Utilization Promotion of Rice for Innovative Use (The Ministry of Agriculture, Forestry, and Fisheries Ordinance No. 41 of 2009)
- (vii) with regard to cases of applying the provisions in Article 17 paragraph (1) Act on Creation of New Businesses in the Fields of Agriculture, Forestry, and Fishery using Regional Resources, and Utilization Promotion of Regional Agricultural, Forest, and Marine Products (Act No. 67 of December 2010), an expression of intention of such application and the number on the confirmation form specified in Article 16 of the Ordinance for Enforcement of Act on Creation of New Businesses in the Fields of Agriculture, Forestry, and Fishery using Regional Resources, and Utilization Promotion of Regional Agricultural, Forest, and Marine Products (The Ministry of Agriculture, Forestry, and Fisheries Ordinance No. 7 of 2011)
- (viii) with regard to cases of applying the provisions in Article 65 paragraph (2) of the Act on Special Measure for the Rebirth of Fukushima (Act No. 25 of March 2012), an expression of intention of such application and the number on the confirmation form specified in Article 4 of the Ordinance for Enforcement of the Act on Special Measure for the Rebirth of Fukushima related to the Ministry of Agriculture, Forestry, and Fisheries (The Ministry of Agriculture, Forestry, and Fisheries Ordinance No. 33 of 2012)
- (ix) with regard to cases of applying the provisions in Article 13 paragraph (1) of the Ornamental Plants Promotion Act (Act No. 102 of June 2014), an expression of intention of such application and the number on the confirmation form specified in Article 6 of the Ordinance for Enforcement of the Ornamental Plants Promotion Act (The Ministry of Agriculture, Forestry, and Fisheries Ordinance No. 64 of 2014)

3 Application form shall be prepared in the appended form No. 1.

(Documents to be attached to the Application form)

Article 6 Documents as set forth below shall be attached to the application form as of Article 5 paragraph (1). However, document specified in item (iv) below may, if it cannot be attached upon application, be submitted within three (3) months from the day after the application date.

- (i) if all or some of the applicants are not the breeders themselves of an applied variety, a document to prove that they are the successors of breeders of the applied variety
- (ii) if a representative is to file for application, a document to prove his/her authority
- (iii) if the applicant is an alien, a document to prove his/her nationality or any one of the documents set forth below:
 - A. if the applicant has domicile or residence within Japan (or office, if the applicant is a corporate body), a document to prove such state
 - B. if the applicant has domicile or residence within the contracting countries or alliance countries outside Japan (or office, if the applicant is a corporate body), a document to prove such state
 - C. if the country to which the applicant belongs (precluding the contracting country and alliance country) approves of protection pursuant to the same terms and conditions of their country as to breeding of varieties for the Japanese, or if such country approves of such protection on

condition that Japan approves of right of the breeders and other rights relating to right of the breeders for the people of such country, a document to prove such state and a document to prove that the concerned country approves of protection relating to breeding of the applied variety
(iv) if the applicant wishes to claim the right of priority provided in Article 11 paragraph (1) of the Act, a document to prove the first application of a State Party or first application of a Designated Party
(Matters to be stated in written explanation)

Article 7 Matters specified in the Ministerial Ordinance as of Article 5 paragraph (2) of the Act shall be as set forth below:

- (i) characteristics of the applied variety as a plant and characteristics that clearly distinguish such variety from other plants
- (ii) breeding and propagating method of the applied variety
- (iii) for varieties that have no seeds or mushroom spawns, preservation conditions of the plant status of the applied variety
- (iv) main use of the applied variety and notices for cultivation

2 Written explanation shall be prepared with the appended form No. 2.

3 Photographs of the plant as specified in Article 5 paragraph (2) of the Act shall be taken in such way that the characteristics of the plant of applied variety (precluding plants for which photographs cannot be taken in) are clearly shown to distinguish such plants from other plants.

(Application Fee)

Article 8 The fee specified in the Ministerial Ordinance as of Article 6 paragraph (1) of the Act shall be forty seven thousand and two hundred (47,200) yen.

2 Application fees shall be paid by revenue stamps put on the application form. However, if the application for variety registration is filed through Application by Electronic Data Processing Systems, pursuant to the provisions in Article 3 paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedure (Act No. 151 of 2002, hereinafter, the “Information and Communication Technologies Usage Act”), such application shall be paid for by an amount of money according to the payment information given by such Application of Variety Registration.

(Notification of transfer of applicant’s title)

Article 9 Notification specified in Article 7 paragraphs (2) and (3) of the Act shall be submitted individually, prepared with appended forms No. 3 and No. 4, respectively, to the Minister of Agriculture, Forestry, and Fisheries.

2 Notification specified in Article 7 paragraph (2) of the Act shall be made jointly by all members of the applicants before transfer of the title of applicant and all members of the successors.

3 If there is any provision as to portions of the right of the breeders which arise from variety registration, or if provisions in Article 23 paragraph (2) are applicable, or if Article 256 paragraph (1) provision clause of the Civil Code applied from Article 264 of the said Code is applicable, such matters shall be stated in the notification form specified in paragraph (1).

4 Notification form specified in paragraph (1) shall be attached with documents to prove that the person to receive transfer of title of the applicant specified in paragraph (2) or the general successor specified in Article 7 paragraph (3) of the Act, is the rightful successor of the applicant.

(Exception of submission of materials relating to application in which the right of priority is claimed)

Article 10 Applicants who have claimed the right of priority pursuant to Article 11 paragraph (1) of the Act shall, upon request to submit materials related to the concerned applicant pursuant to Article 15 paragraph (1) of the Act, submit such materials within three (3) years from the day after the date of application of a State Party or the date of application of a Designated Party, provided, however, that this shall not apply in the case where the first application of a State Party or a Designated Party is rejected, or in the case where the applicant withdraws or waives the first application of a State Party or a Designated Party, or in the case where the Minister of Agriculture, Forestry, and Fisheries has designated a date subsequent to the said three year period.

(Withdrawal of Application of Variety Registration)

Article 11 Withdrawal of an Application of Variety Registration shall be made through appended form No. 5; waiver of an Application of Variety Registration shall be made through appended form No. 6.

(Growing test methods of applied variety)

Article 11-2 The growing tests specified in Article 15 paragraph (2) of the Act shall investigate matters set forth below. Tests shall be carried out by selecting appropriate contrastive variety, setting test plots for the applied variety and the contrastive variety, and comparing such varieties:

- (i) characteristics of the plant of applied variety and contrastive variety
- (ii) requirements relating to applied varieties set forth in Article 3 paragraph (1) of the Act

2 The National Research and Development Agency National Agriculture and Food Research Organization (hereinafter, the "Research Institute") shall promptly notify the Minister of Agriculture, Forestry, and Fisheries of any hindering occurrence for growing test implementation specified in Article 15 paragraph (2), due to circumstances such as weather disasters or pests.

3 The Research Institute shall, upon implementation of growing tests specified in Article 15 paragraph (2) (including cases of such growing tests requested to related administrative agencies, educational institutions, or other relevant organizations, pursuant to provisions in the said Article paragraph (5), report such results to the Minister of Agriculture, Forestry, and Fisheries without delay, prepared with appended form No. 6-2.

(Forms for written opinion)

Article 12 The written opinion specified in Article 17 paragraph (2) of the Act shall be prepared with appended form No. 7.

(Matters to be notified about relating to Variety Registration)

Article 13 Matters specified in the Ministerial Ordinance as of Article 18 paragraph (3) of the Act shall be as follows:

- (i) the registration number and the date of variety registration
- (ii) the genus or species of the agricultural, forestry or aquatic plant to which the variety belongs
- (iii) the name of the registered variety
- (iv) overview of expression of the characteristics of the registered variety
- (v) the duration of the breeder's right
- (vi) the name and domicile or residence of the person obtaining the variety registration

(vii) the name of the breeder of the registered variety

(viii) the date of publication of the application

(Granting of Variety Registration Certificate)

Article 14 The Minister of Agriculture, Forestry, and Fisheries shall, upon completion of variety registration, grant the holder of breeder's right a Variety Registration Certificate attached with documents stating the characteristics of the registered variety.

2 The Variety Registration Certificate in the paragraph above shall be prepared with appended form No. 8.

(Method for breeding subordinate varieties)

Article 15 Methods specified in Ministerial Ordinance as of Article 20 paragraph (1) of the Act shall be as follows:

(i) selection of a mutant

(ii) backcrossing

(iii) transformation by genetic engineering

(iv) cell fusion (limited to asymmetric cell fusion)

(Effective Nutrient propagation plants as to the right of breeder for farmers' propagation)

Article 16 Plants designated by the Ordinance of the Ministry of Agriculture, Forestry and Fisheries as being propagated vegetatively as of Article 21 paragraph (3) of the Act, shall be plants belonging in genus or species set forth in the attached list No. 3.

(Genus or species of similar agricultural, forestry, or aquatic plants)

Article 17 Genus or species of agricultural, forestry, or aquatic plants specified in Ministerial Ordinance as of Article 22 paragraph (2) of the Act shall be genus or species of agricultural, forestry, or aquatic plants other than that to which the registered variety belongs. However, if the genus or species of agricultural, forestry, or aquatic plants to which the registered variety belongs is any of the kind set forth in attached list No. 4, such genus or species shall be deemed as in the same name examination classification as the concerned agricultural, forestry, or aquatic plants.

(Arbitration Application Form)

Article 18 Application for arbitration specified in Article 28 paragraph (2) of the Act shall be conducted by submitting an application to the Minister of Agriculture, Forestry, and Fisheries prepared with appended form No. 9.

(Registration Fee)

Article 19 The fees specified in Ministerial Ordinance as of Article 45 paragraph (1) of the Act shall be amounts as in the chart below, pursuant to the classification at the top of the chart.

Classification of years	Amount
From 1 st year to 3 rd year	Per year 6,000 yen
From 4 th year to 6 th year	Per year 9,000 yen
From 7 th year to 9 th year	Per year 18,000 yen

From 10 th year to 30 th year	Per year	36,000 yen
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2 Registration fees (including registration surcharge specified in Article 45 paragraph (8) of the Act) shall be paid by revenue stamps, put on the designated variety registration payment form of appended form No. 10. However, if the application for variety registration is filed through Application by Electronic Data Processing Systems, pursuant to the provisions in Article 3 paragraph (1) (of the Information and Communication Technologies Usage Act”), such application shall be paid for by an amount of money according to the payment information given by such Application of Variety Registration.

(Notification of transfer of applicant’s title)

3 With regard to cases of applying provisions in Article 13 paragraph (2) of the Act on Utilization Promotion of Agricultural, Forest and Marine Organic Resources as Raw Materials for Bio Fuel, an expression of intention of such application and the number on the confirmation form specified in Article 10 of the Ordinance for Enforcement of the Act on Utilization Promotion of Agricultural, Forest and Marine Organic Resources as Raw Materials for Bio Fuel shall be written on the registration fee payment notice specified in the above paragraph.

4 With regard to cases of applying the provisions in Article 12 paragraph (2) of the Act on Utilization Promotion of Rice for Innovative Use, an expression of intention of such application and the number on the confirmation form specified in Article 14 of the Ordinance for Enforcement of the Act on Utilization Promotion of Rice for Innovative Use shall be written on the registration fee payment notice specified in paragraph (2).

5 With regard to cases of applying the provisions in Article 17 paragraph (2) of the Act on Creation of New Businesses in the Fields of Agriculture, Forestry, and Fishery using Regional Resources, and Utilization Promotion of Regional Agricultural, Forest, and Marine Products, an expression of intention of such application and the number on the confirmation form specified in Article 16 of the Ordinance for Enforcement of the Act on Creation of New Businesses in the Fields of Agriculture, Forestry, and Fishery using Regional Resources, and Utilization Promotion of Regional Agricultural, Forest, and Marine Products shall be written on the registration fee payment notice specified in paragraph (2).

6 With regard to cases of applying the provisions in Article 65 paragraph (3) of the Act on Special Measure for the Rebirth of Fukushima, an expression of intention of such application and the number on the confirmation form specified in Article 4 of the Ordinance for Enforcement of the Act on Special Measure for the Rebirth of Fukushima relating to the Ministry of Agriculture, Forestry, and Fisheries shall be written on the registration fee payment notice specified in paragraph (2).

7 With regard to cases of applying the provisions in Article 13 paragraph (2) of the Ornamental Plants Promotion Act, an expression of intention of such application and the number on the confirmation form specified in Article 6 of the Ordinance for Enforcement of the Ornamental Plants Promotion Act shall be written on the registration fee payment notice specified in paragraph (2).

(Methods of growing tests of the Registered Variety)

Article 19-2 With regard to growing tests specified in Article 47 paragraph (2) of the Act, provisions in Article 11-2 shall be applied. Upon such application, the term “applied variety” in the said Article

paragraph (1) shall mean “registered variety”, the term “Article 15 paragraph (5)” in the said Article paragraph (3) shall mean “Article 15 paragraph (3) applied in Article 47 paragraph (3)”, the term “appended form No. 6-2” shall mean “appended form No. 10-2”.

(Procedures for Request for Certification)

Article 20 Under provisions in Article 53 paragraph (1) of the Act, requesters for issues of transcript or extract of the Certificate or Registry of Plant Varieties, and requesters for inspection or transcript of documents, shall submit the request form filled with the following matters to the Minister of Agriculture, Forestry, and Fisheries:

- (i) as to applied varieties, the application number of variety registration and the name of the applied variety
- (ii) as to registered varieties, registered number of the variety registration and the name of the registered variety
- (iii) name and resident or domicile of the requester
- (iv) requested subject

(Fees)

Article 21 Amounts of fees specified in the Ministerial Ordinance as of Article 54 paragraph (1) of the Act shall be as follows:

	Persons responsible for paying the fee	Amount
1	Requester of certification under provision in Article 53 paragraph (1) item (i) of the Act	1500 yen per case
2	Requester of issue of transcript or extract of the Registry of Plant Varieties under provision in Article 53 paragraph (1) item (ii) of the Act	350 yen per case
3	Requester of inspection or copying of the Registry of Plant Varieties under provision in Article 53 paragraph (1) item (iii) of the Act	220 yen per case
4	Requester of inspection or copying of application or photographs or other materials attached thereto under	1100 yen per case

	provision in Article 53 paragraph (1) item (iii) of the Act	
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2 The fees shall be paid by revenue stamps put on the request form. However, if the request as of Article 53 paragraph (1) and subsequent items is filed through Application by Electronic Data Processing Systems, pursuant to the provisions in Article 3 paragraph (1) (of the Information and Communication Technologies Usage Act”), such request shall be paid for by an amount of money according to the payment information given by such request.

(Mark of Registered Variety)

Article 21-2 Mark of Registered Variety specified in Article 55 of the Act shall fall under either of the items set forth below:

(i) the word “Registered Variety”

(ii) the word “Variety registered” and designated number of the registered variety

(Notification by Seed Dealers)

Article 22 Notification specified in Article 58 paragraph (1) of the Act shall be conducted by submitting the notification to the Minister of Agriculture, Forestry, and Fisheries prepared with the appended form No. 11

2 Seed Dealers specified in the Ministerial Ordinance as of Article 58 paragraph (1) proviso clause shall be prefectures and/or entities that sell designated seeds to customers mostly other than seed dealers in the course of their business.

3 Matters specified in the Ministerial Ordinance as of Article 58 paragraph (1) item (iii) of the Act shall be the location of offices.

(Indication of Designated Seeds)

Article 23 the germination percentage as of Article 59 paragraph (1) item (iv) of the Act shall be indicated as set forth in the items below:

(i) in the cases where notification must be made of the production date specified in Article 59 paragraph (1) item (iv), either the germination percentage according to the provisions of the said item, or the lowest percentage during the years indicated on the voucher shall be indicated, and the indication shall be “Germination percentage above ///%, as of mm/dd/yy”

(ii) in the cases where notification must be made of the time limit of validity specified in Article 59 paragraph (1) item (iv), and, where notification must be made according to the said provision or where notification must be made of the lowest percentage during the years indicated on the voucher as germination percentage of the said item, the indication shall be “germination percentage above ///%, as of mm/dd/yy”

(iii) in the cases where notification must be made of the time limit of validity specified in Article 59 paragraph (1) item (iv) of the Act, and notification must be made of the germination percentage of the said item using the guaranteed germination percentage through such time limit of validity, the indication shall be “germination percentage above ///%”

2 Germination percentage specified in Article 59 paragraph (1) item (iv) of home gardening seeds

(seeds that are mainly sold for home gardening use) that are designated by the Minister of Agriculture, Forestry, and Fisheries are, notwithstanding the preceding clause, indicated by other methods provided by the Minister of Agriculture, Forestry, and Fisheries.

3 Matters specified in the Ministerial Ordinance as of Article 59 paragraph (1) item (vi) of the Act shall be as follows:

- (i) seeds of agricultural, forestry, or aquatic plants for edible use and forage crops (precluding fruit trees; hereinafter, “edible agricultural, forestry, or aquatic plants”) that have used agricultural chemicals (referring to agricultural chemicals set forth in Ministerial Ordinance on Specifying Agricultural Chemicals by the Ministry of Agriculture, Forestry, and Fisheries and the Ministry of the Environment as of Article 12 paragraph (1) of the Agricultural Chemical Control Act (Ministerial Ordinance No. 4 of 2013 by the Ministry of Agriculture, Forestry, and Fisheries and the Ministry of the Environment); (the same applies hereinafter)), report of such use and the types of pharmaceutical ingredients and the number of times used for each of such ingredients referring to the number of times used (if the container or wrappings of the chemical states the total usage according to using periods or using status specified in the said item (v), the usage for the concerned class) during the breeding period specified in Article 7 paragraph (2) item (iv) of the Ordinance for Enforcement of the Agricultural Chemical Control Act (Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 21 of 1951)
- (ii) seeds of agricultural, forestry, or aquatic plants other than for edible purposes that have been pest controlled shall bear notice of such use and types of such pharmaceutical ingredients
- (iii) as to mushroom spawns, the date of production and status of harmful fungi designated by the Minister of Agriculture, Forestry, and Fisheries
(Certificate of identification)

Article 24 The Certificate specified in Article 62 paragraph (2) of the Act shall be prepared with appended form No. 12.

2 The Certificate specified in Article 63 paragraph (4) of the Act shall be prepared with appended form No. 13.

(Classification of collection of designated seeds)

Article 25 Upon appointment of the Minister of Agriculture, Forestry, and Fisheries to the Research Institute or NLBC for collection of designated seeds from Seed Dealers, classification for obtaining the necessary amount and variety of the designated seeds shall be as set forth below, pursuant to provisions in Article 63 paragraph (1) :

Classification of Designated Seeds	Incorporated administrative agencies for the collection
Grains, beans, potatoes, industrial crops, vegetables, fruit trees, ornamental plants, and grass	Research Institutes
Forage crops	Incorporated administrative agency

	National Livestock Breeding Center (NLBC)
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(Report on test results)

Article 26 Results of the tests provided in Article 63 paragraph (3) of the Act shall, upon conclusion of the test, be reported to the Minister of Agriculture, Forestry, and Fisheries without delay, prepared with report form of appended form No. 14.

(Report)

Article 27 Report provided in Article 6 paragraph (4) of the Order for Enforcement of the Plant Variety Protection and Seed Act (Cabinet Order No. 368 of November 20, 1998) shall be filed, without delay, by written document on: (A) matters set forth in item (i) in the cases of collection of designated seeds, and, (B) matters set forth in item (ii) in the cases of order for a report, and (C) matters set forth in item (iii) in the cases of order for submission of documents.

(i) name and domicile or residence of the Seed Dealer that has collected the designated seeds, the date and place of such collection, and content and result of the concerned test

(ii) name and domicile or residence of the Seed Dealer that has been ordered to make a report, and content of such Seed Dealer's report

(iii) name and domicile or residence of the Seed Dealer that has been ordered to submit a document, and the type of the submitted document of such Seed Dealer

(Delegation of authority)

Article 28 With regard to authorities of the Minister of Agriculture, Forestry, and Fisheries provided in Article 59 paragraph (4) and Article 61 paragraph (2), the chief of the relevant regional agricultural administration office shall be assigned authorities relating to Seed Dealers that have offices and sell seeds only in the regional agricultural administration areas of item (i), specified in Article 2 paragraph (2) (precluding such Seed Dealers that have offices only within the prefectures of item (i) and sell rice, barley, rye, wheat, and soy beans). However, the Minister of Agriculture, Forestry, and Fisheries is not precluded from conducting his/her authorities.

2 With regard to authorities of the Minister of Agriculture, Forestry, and Fisheries provided in Article 62 and Article 65 (precluding such authorities relating to Seed Dealers that have offices only within the prefectures of item (i) and sell rice, barley, rye, wheat, and soy beans, provided in Article 2 paragraph (6) of the Act), such authorities shall be assigned to the chief of the relevant regional agricultural administration office. However, the Minister of Agriculture, Forestry, and Fisheries is not precluded from conducting his/her authorities.

Supplementary Provision

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of the date of enforcement of the Act (December 24, 1998).

(Transition measures relating to designated seeds)

Article 2 Home gardening seeds that have been already designated by the Minister of Agriculture, Forestry, and Fisheries provided in Article 3 paragraph (2) of the Ordinance for Enforcement of the Plant Variety Protection and Seed Act before the revision (hereinafter, "Old Ordinance") at the time

of enforcement of this Ministerial Ordinance shall be deemed equivalent to home gardening seeds designated by the Minister of Agriculture, Forestry, and Fisheries provided in Article 23 paragraph (2) of the revised Ordinance for Enforcement of the Plant Variety Protection and Seed Act (hereinafter, the “New Ordinance”).

2 The methods that have been already set pursuant to provisions in Article 3 paragraph (2) of the Old Ordinance at the time of enforcement of this Ministerial Ordinance shall be deemed equivalent to methods set pursuant to Article 23 paragraph (2) of the New Ordinance.

Article 3 Harmful fungi that have been already designated by the Minister of Agriculture, Forestry, and Fisheries pursuant to Article 3 paragraph (3) item (ii) of the Old Ordinance at the time of enforcement of this Ministerial Ordinance shall be deemed equivalent to harmful fungi designated by the Minister of Agriculture, Forestry, and Fisheries pursuant to Article 23 paragraph (3) item (ii) of the New Ordinance.

(Partial revision of the Ordinance for Enforcement of the Agricultural Land Act)

Article 4 Ordinance for Enforcement of the Agricultural Land Act (Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 79 of 1952) shall be partially revised as follows:

[omitted]

(Partial revision of Ministerial Ordinance on specification of contracts acceptable as contributing to the smooth running of business by agricultural producers' cooperative corporation)

Article 5 Ministerial Ordinance on specification of contracts acceptable as contributing to the smooth running of business by agricultural producers' cooperative corporation (Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 44 of 1993) shall be partially revised as follows:

[omitted]

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 5 of January 31, 2000 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of April 1, 2000.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 82 of September 1, 2000 (excerpt)]

(Date of Enforcement)

Article 1 This Ministerial Ordinance shall come into effect as of the date of enforcement (January 6, 2001) of the Act on partial revision of the Cabinet Act (Act No. 88 of 1999) [the rest omitted]

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 59 of March 22, 2001 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of April 1, 2001.

(Transitional measures relating to measures and applications)

Article 3 With regard to actions such as measures of approval given under provisions of relevant Ministerial Ordinances prior to revision before the enforcement of this Ministerial Ordinance (hereinafter, “approval actions”), or actions such as applications for approval under provisions of relevant Ministerial Ordinances prior to revision at the time of enforcement of this Ministerial Ordinance (hereinafter, “application actions”), such actions shall be deemed equivalent to approval

actions and application actions under provisions of the revised Ministerial Ordinances of the concerned Ministries, subsequent to the date of enforcement of this Ministerial Ordinance.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 11 of March 8, 2002]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 19 of March 25, 2003 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of the date of enforcement (April 1, 2003) of the Act on Delivery of Letters by Private Businesses [Act No. 99 of July 2002].

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 18 of March 18, 2004]

This Ministerial Ordinance shall come into effect as of March 29, 2004.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 93 of December 10, 2004]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 71 of May 20, 2005]

This Ministerial Ordinance shall come into effect as of June 21, 2005.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 74 of June 17, 2005]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 119 of December 1, 2005]

This Ministerial Ordinance shall come into effect as of the date of enforcement (December 1, 2005) of the Act on Partial Revision of the Plant Variety Protection and Seed Act [Act No. 59 of June 2005].

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 53 of May 30, 2006]

This Ministerial Ordinance shall come into effect as of the date of promulgation. However, revised provisions in Article 3 paragraph (1), revised provisions in Article 4 paragraph (1), revised provisions in appended form No. 1, and revised provisions in appended form No. 2 shall come into effect as of August 1, 2006.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 70 of August 1, 2006]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of August 1, 2007.

(Transition measures)

Article 2 With regard to farmers as prescribed by the Cabinet Order as of Article 21 paragraph (2) of the Plant Variety Protection and Seed Act, who, prior to enforcement of this Ministerial Ordinance, have produced crops and have used such crops as seeds and saplings for their farm management, out of the registered varieties that belong to genera or species of plants set forth in attached list No. 4-2

of the Ordinance for Enforcement of the Plant Variety Protection and Seed Act after revision by this Ministerial Ordinance (Registered Variety provided in Article 20 paragraph (1) of the said Act, same shall apply hereinafter); or, variety that is not clearly distinguishable from the concerned registered variety, or seeds of the variety set forth in each of the items in Article 20 Paragraph (2) of the said Act relating to the concerned registered variety, efficacy of the right of the breeders for seeds that have been used after enforcement of this Ministerial Ordinance, and for usage of crops and processed products by such crops, provisions then in force shall remain applicable.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 41 of April 12, 2007]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of the date of promulgation.

(Transition measures)

Article 2 Documents using the Ordinance for Enforcement of the Plant Variety Protection and Seed Act appended form No. 12 and appended form No. 13 upon enforcement of this Ministerial Ordinance (stated as “outdated form” in the items below) prior to this Ministerial Ordinance revision, shall be deemed equivalent to the forms used by the Ministerial Ordinance revision of the Ordinance for Enforcement of the Plant Variety Protection and Seed Act appended form No. 12 and appended form No. 13.

2 The application prepared upon enforcement of this Ministerial Ordinance with the outdated form, may be reused after enforcement of this Ministerial Ordinance, for the meanwhile.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 79 of October 3, 2007]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of December 1, 2007.

(Transition measures)

Article 2 Documents using the Ordinance for Enforcement of the Plant Variety Protection and Seed Act form upon enforcement of this Ministerial Ordinance (stated as “outdated form” in the items below) prior to this Ministerial Ordinance revision, shall be deemed equivalent to the forms used by the Ministerial Ordinance revision of the Ordinance for Enforcement of the Plant Variety Protection and Seed Act appended form.

2 The application prepared upon enforcement of this Ministerial Ordinance with the outdated form, may be reused after enforcement of this Ministerial Ordinance, for the meanwhile.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 25 of April 1, 2008]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 61 of September 30, 2008]

This Ministerial Ordinance shall come into effect as of October 1, 2008.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 10 of March 18, 2009]

This Ministerial Ordinance shall come into effect as of April 1, 2009.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 41 of June 30, 2009 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of the date of enforcement (July 1, 2009) of the Act [Act on Utilization Promotion of Rice for Innovative Use: Act No. 25 of April 2009]

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 25 of March 31, 2010]

This Ministerial Ordinance shall come into effect as of April 1, 2010.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 7 of February 28, 2011 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of the date of enforcement (March 1, 2011) of provision provided in Article 1 proviso clause of the supplementary provision of the Act [Act on Creation of New Businesses in the Fields of Agriculture, Forestry, and Fishery using Regional Resources, and Utilization Promotion of Regional Agricultural, Forest, and Marine Products: Act No. 67 of December 2010]

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 12 of March 25, 2011]

This Ministerial Ordinance shall come into effect as of April 1, 2011.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 9 of March 7, 2012]

This Ministerial Ordinance shall come into effect as of April 1, 2012.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 33 of May 29, 2012 (excerpt)]

(Effective Date)

1 This Ministerial Ordinance shall come into effect as of the date of enforcement (May 31, 2012) of provisions in Article 1 paragraph (1) of the Act [Act on Special Measure for the Rebirth of Fukushima: Act No. 25 of March 2012]

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 10 of March 7, 2013]

This Ministerial Ordinance shall come into effect as of April 1, 2013.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 34 of May 10, 2013]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 19 of March 24, 2014]

This Ministerial Ordinance shall come into effect as of May 1, 2014.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 64 of November 27, 2014 (excerpt)]

(Effective Date)

1 This Ministerial Ordinance shall come into effect as of the date of enforcement (December 1, 2014) of

the Act [Ornamental Plants Promotion Act: Act No. 102 of June 2014].

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 7 of February 18, 2015]

This Ministerial Ordinance shall come into effect as of April 1, 2015.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 51 of May 7, 2015]

This Ministerial Ordinance shall come into effect as of the date of promulgation.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 11 of March 10, 2016]

This Ministerial Ordinance shall come into effect as of April 1, 2016.

Supplementary Provision [Ordinance of the Ministry of Agriculture, Forestry, and Fisheries No. 21 of March 30, 2016 (excerpt)]

(Effective Date)

Article 1 This Ministerial Ordinance shall come into effect as of April 1, 2016.