

Contents of Memorandum of Cooperation on Food Safety among the Ministry of Health of the People's Republic of China, the Ministry of Health, Labour and Welfare of Japan, and the Ministry for Health , Welfare and Family Affairs of the Republic of Korea

Basic Concept

(A) Utilizing the existing mechanisms and within the context of the WTO/SPS Agreement and the respective domestic laws and regulations, three sides establish a tripartite food safety consultation mechanism so as to strengthen tripartite exchanges and cooperation in the area of food safety, in line with the context of this Memorandum of Cooperation. All sides intend timely to conduct friendly dialogues and consultations about food safety issues of mutual concerns and use WTO/SPS measures scientifically, transparently and consistently.

(B) All the exchanges and cooperation stated in this Memorandum of Cooperation will not affect current existing relations among other institutions and individuals in three countries. Rather, three sides intend to endeavor to identify new areas for joint activities and to avoid unnecessary duplication of current activities.

Areas of Cooperation

All sides intend to notify and exchange the following information in the area of food safety and inspection in line with the context of this Memorandum of Cooperation:

- (A) Relevant laws, regulations and compulsory standards of each side;
- (B) Inspection procedures, methods and technology of each side;
- (C) Each side's concerns and control measures on harmful organisms, diseases, and toxic and harmful residues, and scientific evidence;
- (D) Other matters, which three sides consent to exchange.

Each side intends to notify timely to the other sides with detected problem as well as measures for prompt and proper handling of the problems.

- (A) the safety and sanitary issues (pathogenic microorganisms, toxic and harmful residues)
- (B) certification

Each side intends to notify timely to the other sides of the specifics of detected problems with food safety, including the causes and measures taken to prevent the recurrence of such problems.

In order to promote coordination and maintain consistency in applying WTO/SPS measures in the food safety area and carrying out the exchange of information, each side intends to mutually send technical experts, and to hold meeting if necessary.

Each side intends to provide appropriate guidance on hygienic regulations of the other sides to manufacturers and distributors of exports in the country in order to further promote exchange and cooperation in the area of food safety.

All activities under this Memorandum of Cooperation are to be conducted in accordance with the respective laws and regulations of the three countries and are subject to the availability of personnel, resources, and appropriated funds. Steps for cooperation under this Memorandum of Cooperation are to be developed through mutual consultations based on mutual priorities following the signature of this Memorandum of Cooperation.

Others

Any disputes concerning the cooperation under this Memorandum of Cooperation will be settled amicably through consultations among each side.

The cooperation under this Memorandum of Cooperation will come into operation on the date of signature. This Cooperation will continue for a period of five (5) years. This Memorandum of Cooperation may be modified with the mutual consent of the each side.

Tokyo, November 23rd, 2009