



Joint Minutes of the Fifth Meeting of the Committee on Technical Barriers to Trade under the Agreement between the European Union and Japan for an Economic Partnership

Brussels and Tokyo (by video-conference), 28 January 2025

The fifth meeting of the Committee on Technical Barriers to Trade (“TBT”) under the Agreement between the European Union (“EU”) and Japan for an Economic Partnership (“EPA”) took place on 28 January 2025, by video-conference.

On the Japanese side, participants included the representatives of the Ministry of Foreign Affairs, Ministry of Economy, Trade and Industry, Ministry of Agriculture, Forestry and Fishery, Ministry of Finance, National Tax Agency and Mission to the EU. On the EU side, participants included representatives of Directorate-General for Trade, Directorate-General for Climate Action, Directorate-General for Environment and the EU Delegation in Japan.

F-Gas Regulation

Japan reiterated that next generation F-gas, such as HFO refrigerants, should be allowed since it hardly has any impact on the environment, considering the objective of the Regulation and safety concern over propane gas (alternative to F-gas). Japan also pointed out that the Regulation caused an actual discrimination against Japanese industry since using natural refrigerants is technically difficult for split-type air conditioners (mainstream products in Japan). Furthermore, Japan pointed out that the F-gas Regulation should not be discussed together with the PFAS regulation since they had different legal objectives.

The EU replied that it needed to minimise the use of PFAS substances to avoid causing new problems when addressing climate change. The EU also mentioned that the safety exemption had been provided in the Regulation to deal with the safety concern over propane gas. The EU also explained that the prohibition of HFO refrigerants was determined in a highly transparent process, and that discussions had been held mainly with the industrial stakeholders through the European Partnership for Energy and the Environment (EPEE), in which globally active Japanese companies are represented. The EU stressed that the Regulation had a long transition period to give businesses feasibility to catch up with the Regulation.

Japan responded that if F-gas Regulation aimed to restrict chemicals, the EU needed to notify it to the WTO Member States. Both sides concurred to continue the discussion on Japan's concern against the F-gas Regulation.

Packaging and Packaging Waste Regulation (PPWR)

Japan expressed strong concerns over the PPWR for restricting the use of multilayer films. Japan explained that multilayer films were widely used for packaging food products exported from Japan, such as Japanese beef "Wagyu," and the function of the film was enhanced according to the product and intended use (e.g. films containing nylon for large-volume commercial seasonings, and films containing aluminium for green tea).

Japan stated that, if the use of multilayer films were restricted by the delegated acts to be established later, it would damage the shelf life of food products and trading of food products between the EU and Japan or rest of the world. For this reason, Japan strongly requested the EU to provide a sufficient transition period for multilayer films.

In response, the EU explained that the process of establishing design for recycling criteria was currently under discussion with the European Committee for Standardization (CEN), which is mainly led by industries. The Commission would review the work of CEN and draw up the delegated act based on the standard established by CEN. The EU mentioned that Japanese companies could also participate in this process through their business associations. The EU also explained that there is a period of 2 years between the adoption of the delegated acts and the application of the regulation, which the EU believes to be long enough. The EU stated that it would take note of Japan's concern as the EU food industry had the same concern (multilayer films are used also by the EU industry). Japan also requested to participate in the EU consultation process.

Harmonised mandatory front-of pack nutrition labelling (FOPNL)

Japan underlined the concern that the FOPNL would be more trade restrictive than necessary, as it would be a technical regulation of the WTO/TBT agreement when applied to imported food products. Japan also reemphasised that the scope of the FOPNL should be limited to prepared meals for single serving. Seasoning and cooking oil are evaluated unfairly low when they are evaluated simply by the nutrient content per 100g without considering the form of intake or consuming amount.

In response to Japan's comment, the EU explained that the preparatory work of the Commission had confirmed that the Commission would engage with all

stakeholders on a comprehensive approach to address issues, including food reformulation, food information and marketing of unhealthy food. The EU underlined that any future work on food labelling would pay particular attention to minimising related burdens and finding balanced and pragmatic solutions, taking into account stakeholder opinion, including third countries.

Lot codes

In response to the EU's enquiry about the issue of removing lot codes on wine and spirits, Japan explained that National Tax Agency (NTA) had meetings with business organisations in December 2023 and June 2024, and also informed industry groups of this issue by issuing administrative documents. Since no case had been found in the NTA's on-site investigation, the actual situation of this issue was still not clear. Japan requested the EU to provide concrete information about this issue.

The EU explained that it was difficult to attain concrete evidence and that the removal could be done before arriving in Japan. The EU also stated that the European Business Council (EBC) provided samples to the Commission and that EBC's recent research showed the increase of decoding. The EU stated that, as it might cause a problem for consumer safety in Japan as it related to product traceability, the EU proposed a meeting between the EBC liquor committee and Japan's NTA.

Japanese Conformity Assessment Procedures for electrical products (PSE)

The EU thanked Japan for its written engagement on the issue of "the Notification of Product Type" (Katashiki no todoke). Japan explained that these notifications were to check factors such as structure, material and function within the range that is considered to have equivalent properties in ensuring product safety. Therefore, this allows Japan to understand the types of products a manufacturer/importer deals with and if some products do not comply with Japanese technical requirements, Japan can control these particular products such that it does not affect the same manufacturer's/importer's other products that have non-problematic classifications by Katashiki. However, the EU did not understand the value added of these notifications as the products in scope would have to be tested anyway to meet Japan's specific product safety requirements, so this notification only seemed to add to the administrative burden on EU suppliers.

The EU requested a more specific explanation of the purpose and meaning of this notification. Japan responded that a more detailed explanation would be provided in writing later.

The EU and Japan Co-Chairs expressed appreciation for the productive meeting and concurred to continue exchanging information in the TBT area.



Fifth Meeting of the Specialised Committee on Technical Barriers to Trade under the Agreement for an Economic Partnership between Japan and the EU

**28th January 2025 09:00 Brussels time/17:00 Tokyo time
(Video Conference)**

Agenda

- 1. Opening remarks**
- 2. Adoption of the Agenda**
- 3. Information requests on specific technical regulations or conformity assessment procedures**
- 4. Follow-up of the previous Committee meetings**
- 5. A.O.B.**
- 6. Closing session**