Review of retained Regulation 2016/6 on importing food from Japan following the Fukushima nuclear accident: summary of stakeholder responses

This consultation was launched on 10 December 2021 and closed on 11 February 2022. This report is a summary of the consultation survey results and the main themes identified from written feedback.

Introduction

This consultation was issued on 10 December 2021 and closed on 11 February 2022.

The purpose of the consultation was to seek comments from industry, enforcement authorities, consumers and other interested stakeholders on our risk management options to retain, amend or revoke retained Commission Implementing Regulation (EU) 2016/6. The consultation was published on the Food Standards Agency (FSA) website, social media channels and emails sent to organisations representing food businesses in the UK including retailers, restaurants and importers who specialise in Japanese food.

The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the group responding.
The key proposal on which the consultation sought views was:

- to revoke retained Commission Implementing Regulation (EU) 2016/6 and thereby remove the enhanced controls relating to radioactive contamination in food following the Fukushima nuclear accident (Option 2 in the consultation).

The FSAs considered responses to stakeholders' comments are given in the last column of the table. These responses have been used as part of the overall evidence base to support the decision of ministers on whether to accept the FSA's recommended approach.

A list of stakeholders who responded can be found at the end of the document.

Summary of substantive comments

Port Health Authorities

1. Respondent: Suffolk Coastal Port Health Authority

Comment

Based on the information we have, there appears little or no risk and so we would support option 2 if the wider evidence and risk base confirms this.

Response

Comment noted.

Food business operators: importers of food from Japan

Do you agree that Option 2 to remove these enhanced controls on food from Japan, as outlined above, should be adopted?

1. Respondent: JFC (UK) Ltd

Comment

Yes. We believe the removal plan is fully supported by the impact assessment conducted by the UK government. With the removal, many UK consumers will regain access to much wider range of Japanese foods. It will also expand our business, further contributing to the international exchange of UK and Japan.

Response

Comment noted.

2. Japan Food Express Ltd

Comment

We strongly support Option 2 to remove Fukushima import controls, which is firmly based on the impact assessment by FSA. Adoption of Option 2 would enable us to contribute cultural and economical exchange more positively through smoother customs procedures.

Response

Comment noted.

3. Japan Centre Group Ltd

Comment

We welcome the deregulation on import of products from Fukushima from its commercial point of view, however it is important health risks needs to be assessed by the experts.

As our business deals with processed products that contain material with multiple origins, with varying contained amount, it has been very complex to manage imports under the strict regulation. Examples of products subject to regulation were, rice, beans, edible plants. Within our import product range, number of products subject to regulation is decreasing. As a company and business that provides Japanese products to the consumer market, we welcome the deregulation of import ban and restrictions.

Response

Comment noted.

Do you have any evidence of any of the listed foods from Japan being imported into Great Britain (England, Wales or Scotland) for onward sale in Northern Ireland?

1. JFC (UK) Ltd

Comment

No we do not.

Response

Comment noted.

2. Japan Food Express Ltd

Comment

As far as we know, there is little evidence of the listed foods from Japan being imported to Great Britain for onward sale in Northern Ireland.

Response

Comment noted.

3. Japan Centre Group Ltd

Comment

No.

Response

Comment noted.

Do you have any evidence of any of the listed foods from Japan being imported into Great Britain (England, Wales or Scotland) for onward sale in the European Union?

1. JFC (UK) Ltd

Comment

No we do not.

Response

Comment noted.

2. Japan Food Express Ltd

Comment

As far as we know, there is little evidence of the listed foods from Japan being imported to Great Britain for onward sale in the European Union.

Response

Comment noted.

Do you have any additional comments on the proposed options or additional relevant evidence which should be considered?

1. JFC (UK) Ltd

Comment

We are thankful for this opportunity to deliver this public comment. We wish to continue to supply the UK consumers with a wider variety of Japanese foodstuffs, thus contributing to the mutual cultural and economical partnership of UK and Japan.

Response

Comment noted

2. Japan Food Express Ltd

Comment

We welcome this chance to submit our response to the review of Fukushima import controls. We intend to keep supplying variety of Japanese foods and drinks to the UK consumer.

Response

Comment noted.

Members of the public

Respondent: Member of the public 1

Comment

At present gallons of water each day is collected at the melted down plant and is stored waiting for approval to release into the sea. It would also be unwise to allow fish to be imported before it is known what will happen to the waste water and how that affects stocks in a real world setting.

Response

We are aware that the Japanese government have announced plans for a controlled release of treated water from the Fukushima site. This water has been used to cool the damaged nuclear reactors and has since been stored in tanks on the Fukushima site. The water has been treated to remove as much radioactivity as possible and will be released in a controlled manner over several years. The International Atomic Energy Agency (IAEA) will work closely with Japan before, during and after the release of the water. This will help build confidence that the water disposal is carried out without an adverse impact on human health and the environment. The UK is a member state of the IAEA and several UK experts have worked with the IAEA on its missions to Japan to observe and provide recommendations on the recovery actions being undertaken.

Respondent: Member of the public 2

Comment

In February 2021 the IAEA reported, “The IAEA notes that the tanks storing ALPS treated water are designed and placed in order to maximize their resistance to earthquakes. Consequently, the earthquake that occurred on 13 February 2021 did not affect the tanks storing ALPS treated water and did not impair decommissioning operations. The IAEA acknowledges that enhanced monitoring of plant parameters for Unit 1 and Unit 3 has been implemented in response to this event. Sea area monitoring results. Based on the information provided by Japan, while noting the detection of levels of radiocaesium elevated as compared to Japan’s national standard limit in two marine fish samples”. This highlights that we should still be monitoring products because a) there are still decommissioning works occurring b) there is still a lot of stored radioactive materials / products there and if is an active earthquake zone.

Response

The respondent quoted from the February 2021 Fukushima status update by the IAEA.

The comment only partially quoted the IAEA status update – the full quote continued "the IAEA acknowledges that no significant changes were observed in the monitoring results for seawater, sediment and marine biota, including fishery products, during the period covered by this report. The levels measured by Japan in the marine environment are low and relatively stable."

The FSA's quantitative risk assessment takes into account that a very small number of food samples exceed the 100 Bq/kg level and still indicates that exposures from these would lead to a negligible increase in dose and associated risk to consumers.

Should the situation change (for example as the result of a future earthquake event), the UK government and devolved authorities in Great Britain retain the powers to implement new emergency import controls similar to those introduced following the initial accident.

Respondent: Member of the public 3

Comment

… the Japanese government has very recently (as of 21/12/2021) approved the release of radioactive water from the Fukushima plant.”
The risks from the ocean dumping are severalfold. I imagine the FSA can anticipate seafood being impacted, however, because of tidal currents, a lot of the material will wash back up on various parts of the shoreline with the waves, and it’s unclear, what, if any, filtering systems Japan has inplace for tap water – given that radioactive material isn’t typically a factor considered in water treatment facilities.
… the anticipation is the dumping of the various radioactive waste materials will take decades,

and the claims they will ‘dilute’ radiation is mildly amusing given that it’s well known radiation bioaccumulates, and it’s not specified what ‘treatment’ the radiation will undergo given the materials present.
As a result, China and South Korea are both protesting the release of water, and it would be sensible for the UK to be equally as wary given the risks involved.

Response

Should this activity proceed, the IAEA will work closely with Japan before, during and after the discharge of the water. It is not anticipated that this release of treated water would significantly increase levels of radiocaesium in the environment as the majority of the radionuclides, including radiocaesium, will be removed from the water through the treatment process prior to the controlled release.

Details of the proposed water treatment are available in reports and status updates from the IAEA and Japanese government. As noted, the UK is a member state of the IAEA and several UK experts have worked with the IAEA on its missions to Japan to observe and provide recommendations on the recovery actions being undertaken and we have confidence in the oversight of these proposals.

Respondent: Member of the public 1

Comment

The IAEA failed for decades to force the nuclear plant to abide by international rules, it allowed falsification of documents and bribery to go unpunished. Even after the tsunami the IAEA did not admit to the failings of the past. Accompanied to that are the ongoing failures in nuclear plants across Japan. Niigata had no safety control and junior unqualified staff were using other peoples security passes to enter restricted areas.
It would be unwise to trust anything about safety unless someone from the UK government went and inspected it for themselves.

Response

The IAEA Integrated Regulatory Review Service (IRRS) helps countries strengthen and enhance the effectiveness of their regulatory infrastructure for nuclear, radiation, radioactive waste and transport safety. It undertakes this role by organising missions to the country to inspect their regulatory regime and provide recommendations and identify best practice which can be shared with other countries.
The IRRS Team carried out a mission to Japan in 2016 with a follow up mission in 2020. In 2020, the IRRS team noted that the Nuclear Regulation Authority of Japan had considered the recommendations and suggestions made by the 2016 mission and significant improvements have been made in many areas.

The UK provided experts from the Office for Nuclear Regulation to both the 2016 and 2020 IRRS mission teams and we have confidence in the oversight of Japan’s regulatory framework. The IRRS reports are published on the IAEA website.

Respondent: Member of the public 2

Comment

It was thought necessary to put these import controls in place, and the reason they were put in place has not gone away, nor has the continued risk of further micro releases or major releases. The fact that there are products that were not required to be tested is not a reason to stop testing - quite the reverse.

Response

The FSA's risk assessment suggests that the need for these controls has indeed decreased due to the low number of foodstuffs exceeding the 100 Bq/kg limit and removing the controls would lead to a negligible increase in dose and associated risk to UK consumers.

Respondent: Member of the public 3

Comment

Whilst the Food Standards Agency have noted that the becquerels have not exceeded the, in my opinion, rather generous margins granted, the Agency's anticipation it will remain that way relies on the assumption that the situation in Fukushima will not changed.

Response

For the majority of foods, a maximum level of 100 becquerels per kilogram (Bq/kg) applies. This level was set by the Japanese authorities in 2012 to provide reassurance to Japanese consumers, reduced from the previous national level of 500 Bq/kg. It was adopted by the EU to maintain consistency with the action levels applied within Japan. The levels are more restrictive by a factor of 12 than the maximum levels which would apply in the event of a nuclear accident in the UK or EU as set in retained Council Regulation (Euratom) 2016/52.

Should the situation change, the devolved authorities in Great Britain retain the powers to implement new emergency import controls similar to those introduced following the initial accident. However, our risk assessment suggests there is negligible risk and so there is no justification for retaining controls.

Respondent: Member of the public 3

Comment

The disaster produced a variety of radioactive materials. Cesium-137 has a half-life of 30 years, which decays to Barium-137m, which given the disaster was 10 years ago, is still very much present.

Iodine-129 has a half life of 15.7 million years, and although it's dosage is low, it's particular danger is that it supplants iodine in the thyroid, given 90% of all iodine in the body ends up in the thyroid, and thus the radioactive material will block normal iodine given it's long half-life, and cause both hypothyroidism by preventing normal iodine uptake, and cause thyroid cancer.

An increase in thyroid cancer post-Fukushima was detected in children (the most vulnerable to bioaccumulation given ratio-to-weight).

Response

The FSA's risk assessment has considered the levels of caesium-134 and caesium-137 contamination in food as these are the radionuclides subject to the requirements of testing and certification in the enhanced import controls.

The FSA's risk assessment suggests that removing the controls would lead to a negligible increase in dose and associated risk to UK consumers.
Other organisations, such as the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) have considered the overall effects of radiation exposure due to the Fukushima nuclear accident which supports the FSA's opinion that the risks are negligible.

Respondent: Member of the public 3

Comment

I would therefore strongly urge the FSA to keep checks in-place, and perhaps expand them to seafood, whilst Japan undergoes its dumping period. I would also advise increasing checks on foods that typically absorb or grow in a lot of water in the region – such as rice.
The FSA may wish to adopt a scaling test system where, post-release of contaminated products, they intensify testing, and if no violations are found in a given year, keep reducing the testing requirements yearly, unless a contamination issue is found, at which point it increases, etc until testing falls to zero.

Response

The controls which were introduced shortly after the Fukushima nuclear accident in 2011 required pre-export testing and certification of most foods from Japan. As suggested by the respondent, the testing and certification requirements have been regularly reviewed and gradually relaxed based on the evidence of levels of contamination in food. Foods have been removed from the requirement for controls as the evidence has shown they no longer present a risk. Based on the FSA's risk assessment, the proposal is that we are now in a position where the final remaining enhanced controls can be safely removed.

Respondent: Member of the public 3

Comment

At the very minimum, country, and preferably, region of origin labelling should be required so consumers may make informed choices on the particular risks they wish to undertake.

Response

Based on the outcome of the FSA's risk assessment that removing the enhanced controls would lead to a negligible risk to UK consumers, the FSA does not consider that additional origin labelling is justified.

Respondent: Member of the public 4

Comment

I have great concern that the contamination of Fukushima which is known to bind to clay and mobile in loam soils will be reanimated as the farmland is worked. Foraging another issue in high risk contamination areas. Many studies of Chernobyl conclusions the same, European Geosciences Union research article.

Response

As noted in the consultation, levels of contamination in food are low and have decreased year-on-year since the accident. There is no evidence that radiocaesium will become more readily available for uptake into plants or that this trend of reducing levels will be reversed. The article referenced by the respondent does not support the claim made by this respondent.

Respondent: Member of the public 4

Comment

Local financial pressures, pressure for cheaper products will allow high risk pathway of cheap food items from unscrupulous vendors as seen post Chernobyl fruit and berries labelled from different regions causing scares in 1990's across Europe. Cheap is king.

If monitoring is prohibitively expensive, just have a block ban on what is a minority food source. There are plenty of other less contaminated sources of food markets.

Response

The outcome of the FSA's risk assessment is that removing the enhanced controls would lead to a negligible risk to UK consumers. As a result, food which is imported from Japan will be safe to eat and not represent a health risk to those consuming it.

Respondent: Member of the public 4

Comment

Total derestricting of Japanese food stuffs -merely moves any illness, fatal and non fatal cancers etc into a latency period. Ukrainian contaminated food ill health effects well documented. Why do we need to import potential poison and pay for health care for anyone affected after latency period when a simple ban will solve testing costs and any latent health costs.

Response

The outcome of the FSA's risk assessment is that removing the enhanced controls would lead to a negligible risk to UK consumers. As a result, food which is imported from Japan will be safe to eat and not represent a health risk to those consuming it.

Actions to be implemented

- the FSA will continue to work with BEIS to consider the impacts of the proposed controlled release of cooling water from the Fukushima nuclear site
- the FSA considers that revoking retained Commission Implementing Regulation (EU) 2016/6 and thereby remove the enhanced controls relating to radioactive contamination in food following the Fukushima nuclear accident (Option 2 in the consultation) remains the preferred option

List of respondents

1. Suffolk Coastal Port Health Authority
2. JFC (UK) Ltd
3. Japan Food Express Ltd
4. Japan Centre Group Ltd
5. Member of the public 1 (Resident of Japan)

6. Member of the public 2 (No address provided)
7. Member of the public 3 (Resident of England)
8. Member of the public 4 (No address provided)