



On 23 July 2023, Japan added 23 categories of semiconductor manufacturing equipment and associated technology to its list of export-controlled items. These include devices for the following processes:

- Cleaning
- Deposition
- Annealing
- Lithography
- Etching
- Testing

While the new export controls are not specific to any one country, the changes were made following discussions between Japan, the United States, and the Netherlands to further restrict exports to China.

What this means

These new controls will affect exports of goods meeting specified descriptions, as well as transfers of associated technology that fall within the purview of Japanese export controls. Exporters will be required to obtain a license regardless of destination unless a license exception is available.

Depending on the destination of the exported goods, exporters may be able to use a bulk license (i.e., general or special general license) rather than applying for a license on a per-shipment basis. Bulk licenses are available for Group A countries such as the United States and most European countries. However, for China and many Central Asian and Middle Eastern countries, bulk licenses may not be allowed, which would mean licenses would require an application on a per-shipment basis.

What you should do

Compliance with export controls is critical, as violations may lead to civil and/or criminal penalties. Exporters are encouraged to take the following actions:

- Review the new controls to determine if they apply to your products;
- Establish or update your export compliance program to incorporate effective control practices; and
- Consider automation strategies to reduce manual risk and operating expenses.

Deloitte's Global Trade Advisory practitioners are part of a global network of Deloitte firms and can provide specialized assistance to companies in global trade matters. Deloitte practitioners can help companies seeking to manage the impacts and potential impacts of the developments described above by:

- Reviewing export compliance management strategies to adapt to the new controls;
- Reviewing information security policies for controlled information; and/or
- Designing and implementing automated solutions for export compliance processes.

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