

## Trends in Consumer Issues

### ● The Japan Consumers' Association welcomed the 40th anniversary of its foundation.

The JCA was founded in 1961 and the association has been running product tests from a neutral and equitable standpoint on behalf of each consumer to assist them in selecting suitable commodities by publishing test results in the "Monthly Consumer" publication. The JCA also carries out consumer education activities and provides consumers with consultation services to cope with product-related complaints. On the occasion of its 40th anniversary, JCA held a discussion panel entitled "Opinion Concert 21" in the Japan Correspondents Club in Uchisaiwaicho, with 180 attendants consisting of consumers, representatives of various consumer groups and mass media on September 11, 2001. The discussion to "seek a new relationship between consumers and businesses", was held after a keynote speech by Mr. Katsumi Hayakawa, the Chairperson of JCA, and other opening speeches by a number of guests.

### ● IMSN and CCP held

An IMSN (International Marketing Supervision Network) conference, centrally organized by the OECD member countries, was called by the



Presidency of SECO (State Secretariat for Economic Affairs, Switzerland) in Bern, Switzerland over two days, September 13th and 14th. The "eConsumer.gov" Project was carried out with the U.S. Federal Trade Commission taking the lead. Consumers that have any complaints concerning eCommerce transactions can access the Project's web site and write details of his or her complaint. The entered details of such complaints are statistically analyzed, transmitted to the law enforcement agency under the consumer law of the country concerned, and reflected in the country's policy. Although the participation of the delegation from FTC was prevented by the regretful event of terrorism, a number of meaningful actions were taken. These included welcoming Estonia as a new member, the provision of information, and the exchange of opinions on such matters as cross border remedies, eConsumer.gov, Sweep Day, the abuse of Post Boxes, the prospective state of IMSN, common elements of misleading and deceptive practices, and OECD guidelines for consumer protection in the context of electronic Commerce and so forth.

The 61st Committee on Consumer Policy (CCP) was held at the OECD Headquarters on September 17th and 18th in Paris. Chaired by Ms. Jytte Oelgaard of the Danish Consumer Agency, a number of items on the agenda were actively deliberated including an operational plan for 2002, proposals for plans covering the period 2003/2004 (OECD's business will be processed under the biennial programming from 2003), cross border remedies, the state of implementation of the OECD Guidelines for Consumer Protection in the Context of Electronic Commerce to be reported by the respective member countries, and activities related to non-OECD member countries.

Incidentally, the Japanese Government contributes 675,000FF (approx. US\$94,000) to the CCP every year in addition to the regular

membership fee to OECD.

Japan has been represented in the IMSN by officials from the Cabinet Office together with NCAC officers, while the permanent delegation of Japan to the OECD has attended CCP along with the representatives from the Cabinet Office, Fair Trade Commission and NCAC.

### ● **CJ presented its opinion on the revision of the Judicial System**

Consumers Japan, the nationwide association of Japanese consumers' groups presented its opinion on the revision of the nation's judicial system to Premier Koizumi on June 14th. The deliberation is in progress and is being led by Japan Judicial Reform Council for reforming the judicial system, which is related to the resolution of disputes involving consumers in recognition of the fact that Japan's judicial system is not effectively working as intended. The proposal emphasizes the following four points as the most important aspects of the system promoting the judicial system; 1) the disclosure of information in all steps of future studies; 2) the development of a system for listening to the opinions of consumers/citizens and having the results reflected on the related policy; 3) to reinforce public relation activities to call the attention of the public; and 4) to secure a budget to implement the judicial system reform.

CJ asserts that the process of materializing the system based on open discussions without holding anything back from the public and consumers shall be the prerequisite of successful reform of the judicial system supported by the public.

## **Activities of the NCAC**

### ● **Implementation of training programs for Thailand**

In recent years, there has been a fast growing tendency to improve the laws and administrative systems related to consumer administration in Thailand. In connection, being particularly interested in the Japanese system of consumer administration, two cabinet ministers responsible for consumer protection recently visited NCAC in succession to ask for its cooperation. In response to the request, the Japan International Cooperation Agency has developed an Educational Training Program on the Consumer Protection and the Consumer Information Network System in Japan for Thailand, under which four staff members of the Office of Consumer Protection Board, Thailand were invited to Japan to attend a two and a half month-long training program being held from September 4th to November 17th.

Actual training is performed by NCAC according to a curriculum comprising a briefing on NCAC, the introduction of the operating situation, and visits to the various government agencies, local governments, and consumer groups concerned. The Thai Government has a particular interest in NCAC as the model for the Thai version of a consumer information center, which is to be established in due course.

All expenses including travel, lodging, living and training course expenses are borne by the Japanese Government.

## **Product Testing**

### ● **Deodorants (Tashikana Me [Critical Eyes], July 2001)**

With an increasing number of people becoming sensitive to the odor of latrines and kitchen refuse, a growing number of deodorants and aromatic products are being introduced into the market. In addition to conventional stationary type jars, aromatic spray products boasting instant effects have been rapidly increasing lately. However, many of such products fail to display selective information and precautionary statements concerning safety, why we have decided to check such spray type deodorants for the disintegration rate of odorous elements and sensuous deodorizing effects. They were also checked for the level of contribution to inter-atmosphere pollution by measuring the level of TVOC (total volatile organic chemicals) resulting from the use of deodorants in considering increasing cases of sick house syndrome and chemical sensitivity. The following are the results of our examination of 15 brands of deodorants produced and sold by 11 manufacturers:

- The deodorizing effect of the scentless type is not very distinct unless used in large volumes.
- Although some deodorants are marked as "for use in the lavatory" or "for use in the kitchen", the exact meaning of the indication is not sufficiently clear.
- The TVOC remained unchanged for as long as 30 minutes after use inside a room unless the air was thoroughly ventilated.
- The risk of inhaling gaseous components is not high in the case of pump-type product since the particles are relatively large.
- Misleading statement for consumers such as "it purifies the air" was observed.

● **Automatic Laundry Machine (Tashikana Me, August 2001)**

Various laundry machines using different types of washing methods such as supersonic wave or ion methods are now on the market. We have tested five popular brands of such machines made by five different manufacturers, all of which have 7.0 kg capacity.

For socks stained with mud, which are normally considered difficult to clean thoroughly, only one of the machines was sufficiently capable of cleaning them. There were notable differences in water consumption, the amount of detergent used, noise, handling, etc. among the tested machines.

● **Child Seat (Tashikana Me, September 2001)**

Since April 1, 2000 it is compulsory by law that a minor of 6 years or younger must be seated and fastened onto a child seat while traveling in a vehicle. As the shipment of such "child seats" is rapidly increasing in volume since the enforcement of the law, the safety aspect of the seats has become our strongest concern.

We have, therefore, taken up eight different types of child seats produced by six manufacturers, which include the lap strap type, shoulder/lap strap type, and ISO-FIX types, and checked them for safety performance during collision and their ease of handling. The ISO-FIX child seat is anchored by locking the connector of the child seat to a seat bite anchorage (receptacle) integrated into the car seat, which requires the permanent installation of such fixtures on both child seat and car seat in advance. The ISO-FIX type child seat can be much more solidly anchored to the car than the lap strap or shoulder/lap strap type seatbelts. Insecure fastening must be carefully avoided as it adversely affects the safe performance of the seat belt. The ISO-FIX type still fails to be widely used and needs to be more actively promoted.



By performing these tests, it was disclosed that the shoulder/lap strap is more effective in protecting children from receiving head injuries or colliding into the front seat or dashboard than the lap strap type. There have been reports to NCAC of incidents where metal fasteners attached to the seat belts can become very hot by sunlight exposure in the car and children can be accidentally burnt. Some of the seat brackets were also found to heat up to between 58°C and 69°C during the test, thus presenting the risk of burning. Some of the child seats took a long time to install because of the lack of adequate instruction.

## Surveys and Studies

● **Victims of international pyramid selling scheme increase**

People falling prey to pyramid selling schemes to rent space on the Internet are rapidly increasing. Most of the sponsors of such schemes are located outside Japan, which makes finding a solution even more difficult. The NCAC have called on general consumers to be careful of falling victim to such foul play by revealing the real name of the operator of one of such pyramid schemes, SkyBiz, on July 18 against which complaints have been occurring at a very high level.

The distributors to this scheme are complaining about not receiving any contract, receipt, or necessary description of the system after paying average fees of US\$1,000. These distributors are in distress as they do not even know whom to contact or how to complain about the deal, let alone claim for any loss. Although the scheme pretends to solicit distributors by appealing the joy of having one's own web site, the substance is a pyramid scheme aiming at earning bonuses by bidding new distributors to join the scheme.

The NCAC reported the case and the extent of damage caused to the U.S. FTC in February 2001 as the SkyBiz is based in the U.S.A. The FTC investigated and brought the case to the Federal District Court on May 30, 2001 as SkyBiz was acting in violation of Article 5 of the FTC Act by operating an illegal pyramid scheme.

● **Hazards of jelly-type igniter**

There have been 50 cases of injuries (burns) caused by jelly-like igniter popularly used for barbecues reported to the Consumer Injury Information System of NCAC in the past 8 years. Many of these cases took place in summer. Not

only those using the igniter but also people around the user have been injured. The NCAC warned consumers by providing correct instructions



and directions for use on August 7th and, at the same time, requested that manufacturers and suppliers improve the indication of the chemistry of the products.

Most of the accidents were caused by jelly-like igniters mainly composed of methyl alcohol. The igniter, which aids the ignition of charcoal and firewood, is contained in a tube. Accidents occur as the user tries pouring additional igniter over a dying fire or when a tube is left near a fire causing it to either catch fire or explode. Given the high flash point, methyl alcohol needs to be handled with utmost care near naked flames.

#### ● Hazards of low alcohol containing drinks

Recently, fruit juice or carbonated beverages with low alcohol contents have been increasing in the market. They come in plastic bottles in addition to conventional cans and glass bottles. Since 1993, thirteen cases of accidents where low alcohol content drinks were taken after being mistaken as soft drinks, have been reported to the NCAC. 8 of these cases involved minors and elders, causing physical discrepancies.

In view of the dangers involved, the NCAC sent a written request in August to the alcoholic beverage industry asking for improvement of the low-alcohol containing containers. These

beverages should have clear labeling informing the consumer that alcohol is contained. Although the government instructs retailers to display such bottles distinctly separate from soft drinks, most accidents occurred after the bottles were brought home and placed in consumers' refrigerators. Most of such drinks are contained in bottles with colorful and familiar designs of fruits and have names not easily associated with alcohol. Although manufacturers are voluntarily adding Japanese characters which specifies an alcohol drink, or "SAKE", the writing is mostly inconspicuous or missing as has been found in some cases through the survey run by NCAC.

#### Visitors from Foreign Countries

- \* The delegation of eight members of the China Consumers' Association (September 7th).
- \* The four staff members of the Office of the Consumer Protection Board, Thailand (for the purpose of training by the NCAC.) (September 4th ~ November 17th)