

Trends in Consumer Issues

● The 34th Consumer Protection Council called its 34th meeting.

The Consumer Protection Council was established for the purpose of deliberating and promoting basic policies concerning the protection of consumers. The council members consist of the head officials (ministers) from the 15 related national ministries and agencies and are resided over by the Prime Minister, in accordance with Articles 18 and 19 of the Consumer Protection Fundamental Act. The council, which meets annually in December, is one of the most important national decision-making institutions for formulating the basic outline of consumer policy and determining specific measures for the next fiscal year, which runs from April to March.

The council's 34th Consumer Protection Conference was held on December 11, 2001, to resolve consumer protection measures covering 467 items centered on five primary issues; "1. To ensure consumer safety and promote information disclosure", "2. To improve the market rules to disseminate computerization and electronic business transactions (e-commerce)", "3. To secure the effectiveness of market rules", "4. To promote consumer education and information service", and "5. To ensure that government agencies promote fair and free competition."

With respect to the issue "1. To ensure consumer safety and promote information disclosure", it was resolved that the administration should take necessary measures to secure consumer safety in view of the first confirmed case of BSE (mad cow disease) infection found in cows in Japan in 2001.

Concerning the issue "2. To improve the market rules to disseminate computerization and electronic business transactions (e-commerce)", the resolution emphasizes urgently preparing a guideline, the rules and regulations of e-commerce,

in order to clarify the legal interpretation of the existing laws to enable transacting parties to enjoy the advantages of e-commerce, and to expedite the enactment and execution of the draft of the law concerning personal information security so as to eliminate the public concern and uncertainty about IT and e-commerce and, at the same time, to ensure the appropriate treatment of private information for the purpose of protecting personal information in internationally compatible ways.

In the issue "3. To secure the effectiveness of market rules", it was resolved to promote the utilization of the Consumer Contract Law promulgated in April 2001 by collecting and analyzing the consultation cases related to the law from across Japan in collaboration with the related administrative agencies with the help of the Practical Living Information Online Network System (PIO-NET) operated by the NCAC. It was also resolved to establish a system to efficiently promote countermeasures against selected serious damages inflicted on consumers in order to prevent further increase of such damages.

With regard to the issue "4. To promote consumer education and information service", it was decided to make necessary efforts to prevent such damages from being inflicted on consumers, particularly senior citizens who cannot participate in briefing sessions because of their physical condition and/or age, and to prevent the suffering that is also inflicted on consumers by holding lectures and consultation sessions on demand, and promoting the establishment of an inspection and screening system as well as a performance indication system for used houses, so as to create markets where people can safely purchase property without anxiety.

● Tashikana Me celebrates its 20th anniversary

The January 2002 issue of Tashikana Me (Critical Eyes), a monthly magazine issued by the NCAC,

was made the anniversary issue on the occasion of its 20th anniversary. The magazine, modeled after "Consumer Reports" (USA), has the status of a product testing magazine and has been reporting on affairs and events related to consumers' lives with product testing as its central feature.

The anniversary issue featured "What changes were made by product testing?" and reviewed its past achievements as extracts show below:

• Health supplements using pomegranates

Although pomegranates were a hot item that allegedly contained estrogen, a female hormone that is effective against menopausal symptoms, product testing proved that they barely contained any estrogen. A directive was issued under the Medicine Act in response to the NCAC's announcement and a pomegranate conference was held to correct the labeling.



• Air purifiers

Product testing proved that there are not any problems with forced ventilation purifiers concerning dust collection and deodorizing performances, and that there are not any effects that can be expected from the windless purifier performance as claimed. The Japan Fair Trade Commission (JFTC) responded to the test results by issuing an injunction against two companies on the ground of causing consumers to misunderstand information.

• Cashmere sweaters

NCAC product tests showed that some women's

sweaters labeled as 100% cashmere were only 75.5% cashmere. A warning was issued by the JFTC to those selling such sweaters.

• Surface flashes on clothing

Fluffy fabric can cause surface flashes where fire flashes all across the surface when it comes into contact with a very small flame and leads to accidental flash burns. We investigated the cause of this phenomenon and providing warnings against it on labels. This led to the provision of a Japan Industrial Standard (JIS) as the first such surface flash standard in the world.

• Antibacterial treatment of goods used in the kitchen and bathroom

The antibacterial effects of these goods vary from one product to another. Some of them are effective when new, but their effect deteriorates with use. We have pointed out the inconsistency of the labeling owing to a lack of proper standards. Voluntary standards were generated in response to our criticism and a JIS was established in 2000 including a testing method.

• UV care face lotion and milky lotion

We tested the effectiveness of UV care lotion products as they sell well in every season. Only one product from among 13 brands showed any effect in preventing ultraviolet rays. There are two types of UV care cosmetics. One is for preventing ultraviolet rays while the other is for treatment after UV ray exposure, but most of the manufacturers of the latter type indicate that their products are effective for preventing UV rays. The standard for correct labeling of the effects has been stipulated at the request of the JFTC.

● SPAM control commences

There are more and more SPAM complaints. SPAM sent to cellular phones is the subject of such complaints and also causes some consumers receiving such SPAM to lose money as some telephone companies also charge the recipients for incoming calls.

The Tokyo Metropolitan Government is going to revise the Tokyo Metropolitan Consumer Affairs Ordinance and the related regulations based on the ordinance in order to prevent SPAM that sends advertisements over networks such as the Internet. The revision is going to be made by the Tokyo Metropolitan Consumer Affairs Council according to the recommendation that the council delivered to the governor in reply to the governor's request for advice.

The ordinance expressly prohibits inappropriate transaction methods and defines what falls in that category, but SPAM has not yet been included. Tokyo is now going to add the repetitive transmission of SPAM to the list of inappropriate transaction methods. The ordinance and regulations are expected to be revised by the end of March and enforced in July.

Acting in concert with the Tokyo Metropolitan Government, the central government has also started to restrict the malpractice. The Ministry of Economy, Trade and Industry has revised the Ministry Ordinance related to the Specified Commercial Transactions Act, formally the Door to Door Sales, etc. Act and has made it compulsory for anyone unilaterally sending e-mail commercial advertisements to indicate "Advertisement!" in the subject line for the mail. This gives the recipient the opportunity to delete such mail without opening it. The ministry has also submitted a draft revision of the above act to add new restrictive measures including a penalty clause, suspension of business, and fines. The Ministry of Public Management, Home Affairs, Post and Telecommunications responsible for the issuance of permits concerning communication businesses is also studying other restrictive measures to be taken in order to have healthy communication services.

Activities of the NCAC

Product Testing

● Foods claimed to be soft and easy to eat (Tashikana Me [Critical Eyes], February 2002)

Soft and easy foods used to be prepared by finely cutting, crushing, and cooking ingredients for a long time at home if any family members had difficulties eating ordinarily prepared food because of sickness or age. Lately, various types of prepared foods such as stew and a number of Japanese foods have begun to be introduced to the market with claims that they are cooked so that they are soft and easy to eat.

It is generally difficult for most consumers, however, to correctly judge how soft or hard they are and how they taste. Our monitors have tested these foods for their hardness, nutritional properties, descriptions and, most importantly, their taste. A summary of our findings is as follows:

- Of the 39 brands we tested, there were 20 brands with inappropriate descriptions of their properties and labeling as follows:

- The illustrations on the cover looked much tastier and more colorful than the contents.
- It is very expensive to combine these foods to acquire sufficient nutrition values for one meal.
- Many of the brands were severely criticized for bad aftertastes and unpleasant smells.



● Digital still camera (Tashikana Me, March 2002)

Unlike film cameras, digital still cameras enable users to freely edit and process their photos on their PC screens and print them. We tested two types of digital cameras: those with from 1.3 to 3 million pixel CCDs that are popular with general consumers and those cameras with only 0.3 million pixel CCDs that are called toy digital cameras due to their picture quality and ease of use.

Our test results determined that cameras with 2 million to 3 million pixel CCDs are more suitable for users requiring sufficient performance to print letter-size pictures of satisfactory quality, 1.3 million pixel CCD class cameras are more suitable for users who want to print postcard size photos and/or to view them on the PC screen, while 0.3 million pixel CCD cameras are the best choice for cost performance if user purposes are limited to snap photography of passable quality, printing on business card-size paper, and for attaching photos to personal e-mail.

● Soap free laundry machine (Tashikana Me, March 2002)

Attention was focused on Sanyo Electric Co., Ltd. when they announced the world's first "Zero Soap" laundry machine placed on the market, which can be operated without soap or detergent when a non-soap course is selected. The trade organization of soap and detergent manufacturers objected to the claim while consumers were skeptical about whether the machine would really work without using any soap or detergent. There was a call for equitable performance testing, and the NCAC tested the machine in response.

The instruction book explains that the method using

electrolytic refined water and ultrasonic waves is effective for slightly dirty underwear that was worn for a single day and sweat suits after jogging, but that it does not work for heavier soil with grease or mud. Our test results were as follows:

- With regard to food spots, orange juice spots could be washed off well, but not spots from meat sources.
- Test washing of slightly dirty clothes worn for a single day by adult males was repeated 10 times. As to the removal of dirt, the results were very different when compared with clothes washed with existing laundry machines, and the smell also remained after washing.
- The damage to clothes was also considerable as the washing process took one hour or more each time.
- While the efforts for environmental preservation can be appraised to some extent, the machine still has much room for improvement.

Surveys and Studies

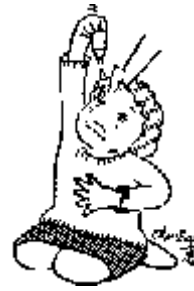
● Accidental application of items other than ophthalmic drugs (eye-drops) to eyes

The number of cases of such accidental use of items other than eye-drops to eyes reported to the NCAC was 48 between 1992 and 2001.

Forty-four cases of the total 48 involved people over 50 years of age, while the items taken for eye-drops were some kind of drugs in 37 cases. The other cases included manicure products and contact lens detergent. Of the drugs, 23 cases were with athlete's foot remedies, and 8 were with dermatologic remedies, and 3 were with nasal drops. The possible causes were found to be that eye-drops were placed together with other drugs, different drugs were placed in the same bag as the eye-drops, or that the items were applied while watching TV or doing something else. Many of the cases resulted in the infection of the cornea or conjunctivitis, calling for hospital visits.

Another reason may be that there are medical and other remedies to be applied by dropping like eye-drops. On the basis of this survey, the NCAC has requested the industry to take measures to make the containers and markings easily distinguishable between eye-drops and drugs or remedies for any other purposes. We have also recommended to consumers that they do not leave eye-drops with any other items and to make sure of what they are going to apply to their eyes before

using it.



● Home delivery of health care food

Home delivery services for uncooked and semi-cooked food has been going on for some time. Lately, the importance of diet therapy has begun to be emphasized for the treatment of controversial life-style related diseases along with exercise and the use of drugs, but the need for extensive knowledge about food required for sustained therapy can be quite stressful to people under home health care. To cope with the situation, home delivery services are emerging to deliver ingredients and prepared foods to the homes of people requiring diet therapy. The service is applicable to people suffering from kidney diseases, hyperlipemia, hypertension, diabetes, obesity, and other problems.

In view of the lack of information to enable comparative study of the service companies, their systems, charges, and other information, the NCAC has surveyed 11 such service companies and summarized the results into a report.

Visitors from Foreign Countries

- * Mr. Hee-joon Lee, managing Director, Electronic Industries Association of Korea and managers Korean electronic companies (Jan. 23).
- * Mr. Zhang Ming, Vice General-Secretary, Beijing Consumer Association, China and 9 government officials of Beijing (Jan. 31).
- * Mr. Gun-jung Chi, Deputy Director, Product Liability Division, Ministry of Commerce, Industry & Energy, Korea and 6 managers of Korean industrial associations (Feb. 4).
- * 3 guests of the 3rd East Asia Consumer Policy Symposium held by the Cabinet Office of Japan, Dr. Sothi Rachagan, Director, CI ROAP (Malaysia), Ms. Seung Sin Lee, Professor of Konkuk University of Korea, Ms. Xiao Hong Zhou, China Consumer Association (Feb. 22).