



NCAC NEWS

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(1) Activities of NCAC

1) Product tests

Chocolate products emphasizing a large amount of cacao

Various confectionary companies have recently released 'high-cacao chocolate' emphasizing that their products contain a large amount of cacao. The National Consumer Affairs Center of Japan (hereinafter 'NCAC') has accordingly looked into twelve brands that provide high-cacao chocolate containing over 70% cacao. The major product test findings are described below:

• Amount of fat

The amount of fat contained in high-cacao chocolate was found to be 1.2 to 1.5 times greater than that of normal chocolate. Intake of only 100g of high-cacao chocolate equals the recommended daily intake of fat for females aged from 30 to 49 in order to prevent lifestyle-related diseases.

• Amount of theobromine and caffeine

The amount of theobromine and caffeine, which trigger a number of physiological effects including bronchiectasis, diuresis and stimulation, contained in high-cacao chocolate was discovered to be approximately four times greater than that of normal chocolate. There were no brands that properly provided labeling describing the amount of theobromine and caffeine.

• Aflatoxin (a Mycotoxin)

As cacao beans undergo a fermentation process after harvesting, they may be exposed to fungi during this process and may consequently produce aflatoxin. The tested high-cacao chocolate products were found to contain aflatoxin though the amount was extremely small and would not cause health hazards.

NCAC provided the following advice for consumers by taking into account the above product test findings:

- Be alert not to eat high-cacao chocolate excessively due to the larger amount of fat contained in such chocolate compared to that found in normal chocolate.
- As high-cacao chocolate contains a large amount of theobromine and caffeine which both cause physiological effects, people who are sensitive to these ingredients or who take medication such as theophylline must be careful with high-cacao chocolate.

NCAC also made requests to the industry to carry out appropriate product quality controls, to provide labeling to indicate the amounts of theobromine and caffeine and to improve the labeling concerning the origin of the cacao beans.

Furthermore, in response to the tiny amounts of aflatoxin discovered during the above product test, NCAC made requests to the responsible government organization (Department of Food Safety, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labor and Welfare) to provide instructions to the industry for the purposes of appropriate quality controls and to examine the necessity to establish a standard concerning the amount of cadmium to be contained in a chocolate product.

Be alert when using a table top gas grill as it may trigger a fire

Since the Fiscal 2002, PIO-NET (Practical living Information Online-NETwork) has learned of 26 cases of accidents whereby a table top gas grill caused a fire. NCAC accordingly investigated as to whether or not these table top gas grills were capable of catching fire. NCAC also looked into the safety measures to prevent fire and the effectiveness of such measures. The major product test findings are described below:

- The oil stains on the tray of the table top grills subject to the product test did not catch fire as long as these products were used as instructed by the instruction manual.
- Oil stained and dirty table top gas grills that did not contain an automatic extinguishing function caught fire when used for a long period of time.
- The oil stains on the tray of the table top gas grills that contained an automatic extinguishing function did not catch fire (= these grills did not cause fire) as the flame was automatically extinguished by means of a clock register (designed to extinguish any flames after a specific time period has passed from the time when cooking begins), or by means of a sensor (designed to extinguish any flames when an abnormally high temperature is reached).

NCAC provided the following advice for consumers by taking into account the above product test findings:

- Follow the directions for use specified in the instruction manual to use the product properly.
- Clean the inside of the grill regularly to remove combustible materials such as oil stains.
- Select a product with an automatic extinguishing function that adopts a clock register or that designed for cases of overheating.

NCAC made requests to the industry to make consumers fully aware of the risk of fire caused by table top gas grills and to consider mandating the installation of safety devices such as an automatic extinguishing function.

Silk comforters that are priced 10,000 yen or below with product labeling indicating the use of 100% silk

Although silk comforters were thought to be relatively expensive, reasonably priced silk comforters have become available in recent times. During the previous year, the Japan Fair Trade Commission asked NCAC to perform a product test regarding the 'fiber blending ratio of silk concerning a particular silk comforter product with product labeling indicating the use of 100% silk for the filling material.' As a result of NCAC's investigation, the blending ratio of silk was discovered to be far below 100%. These products have consequently become subject to the exclusion order of the 'Act against Unjustifiable Premiums and Misleading Presentations' (hereinafter 'Law for Preventing Unjustifiable Lagniappes and Misleading Representation') for misinforming consumers. Furthermore, although the 'Textile Product Descriptive Labeling Requirements' (hereinafter 'textile requirements') specified in the 'Household Goods Labeling Law' sets forth the blending ratio allowable range for bedding products, the blending ratio of silk in the tested product failed to satisfy this requirement.

Due to these circumstances, NCAC looked into a total of five brands concerning the blending ratio of silk. The product test findings are described below:

- The blending ratio of silk for two brands with product labeling indicating the use of 100% silk failed to satisfy the allowable range for composition labeling specified by the textile requirements of the Household Goods Labeling Law.

- One brand had product labeling containing the wrong blending ratio regarding the cover sheets.
- Some brands were discovered to conflict with the Household Goods Labeling Law by not providing the contact address of the manufacturer responsible for the labeling.

By taking into account the above findings, NCAC requested the industry to improve product labeling for the purpose of the provision of proper labeling in accordance to the relevant laws. Furthermore, NCAC also requested the responsible governmental organizations (Ministry of Economy, Trade and Industry and the Japan Fair Trade Commission) to provide instructions to the industry to improve any product labeling that may misinform consumers.

Safety of folding strollers

Local consumer centers have been learning of a series of accidents involving folding strollers whereby an infant's finger becomes caught when the stroller is being opened or folded resulting in the finger becoming almost severed. NCAC has carried out a questionnaire as a follow-up to the folding stroller related precautions which were previously released in April, 2007 to provide precautions to consumers once more.

Questionnaire findings (number of respondents: 248)

- 8% of the total respondents stated that their child suffered 'internal bleeding' or a 'cut' as a result of his or her finger becoming caught in the folding stroller when it was being opened or folded.
- 27% opened and folded the folding stroller without knowing that its moving parts had a risk of causing injuries to their child.
- As for frequency of use, 86% stated that they used the folding stroller twice to three times a week and half of these respondents stated that they opened and folded the folding stroller when their child was nearby.

NCAC provided the following advice for consumers:

- Look for a product containing sectional safety mechanisms in order to prevent an infant's finger from becoming caught as there are some products available that contain such mechanisms.
- Never let your child touch the folding stroller when you are opening or folding it.
- After opening the folding stroller, ensure that the stroller is properly locked. Continue to be alert not to touch the folding lock button whilst using the stroller.

Furthermore, NCAC made requests to the industry to enhance the level of safety concerning moving parts pertaining to when the stroller is being opened and folded; to provide improvements to the locking feature so that the stroller would not be accidentally folded; and to promptly create voluntary standards applicable to folding stroller products.

Be aware of malfunctioning home power switchboards!

In recent years, there have been an increasing number of 'all-electric houses' that replace all the home burning appliances with electric equipment proclaiming to assure a higher level of safety and environmental friendliness.

As a result, the level of dependency on electricity has been increasing. Amongst consumer inquiries and complaints that have been raised since the Fiscal 2002 in relation to electricity and electric equipment, such as circuit breakers, that have been received through PIO-NET, there are at least 58 cases of a neutral line open-phase (the center line (neutral line) of the three lines becomes loosened or breaks in a terminal area) in a single-phase three-wire system. Furthermore, according to the findings of the neutral line open-phase re-creation test carried out by NCAC, it was confirmed that a neutral line open-phase causes a malfunction in electric appliances, or such appliances stop working or emit smoke.

NCAC provided the following advice for consumers by taking into account the above product test findings:

- During a regular inspection which is essential to be carried out once every four years, team up with the inspector so that he will be able to inspect not only the outdoor electric equipment but also the indoor equipment such as the power switchboard.
- Have any electric equipment repaired immediately after discovering anything unusual.

- If using a ground-fault interrupter adopting a single-phase three-wire system that does not contain a neutral line open-phase protection feature, it is desirable to switch to a ground-fault interrupter with a neutral line open-phase protection feature even if it will cost some money.

Furthermore, NCAC made the following requests to the industry:

- Put an emphasis on public relations to encourage consumers to have regular inspections without fail as the level of their awareness towards the importance of such inspections is not satisfactory.
- Put an ever-stronger emphasis on recommending consumers to switch to a ground-fault interrupter that contains a neutral line open-phase protection feature.

2) Surveys

Never make any payments even if receiving an email stating, “You have won a prize”!

Local consumer centers located throughout Japan have been receiving consumer inquiries and complaints whereby consumers received emails from website administrators (i.e. lottery and meet-a-mate sites) on their mobile phone stating, “You have won a prize” (the prize price range is from millions to tens of millions of yen depending upon the website). These consumers accordingly paid the fees which were claimed to be necessary to collect the prize. However, such a prize has not been forwarded.

These cases, whereby a consumer was asked to pay some fees that are claimed to enable him or her to collect the prize, are considered to be illegal as they induce the consumer to make a payment for some deceitful purposes. NCAC provided precautions to consumers in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problem. NCAC’s advice provided for consumers are described below:

- Never make any payments even if receiving an email claiming that you have won a prize.
- Do not provide any personal information, bank account details or a credit card number when it is claimed that such information is necessary for you to collect the prize.
- Change your email address if feeling harassed as they email you persistently.
- Although a series of bills may be forwarded if you have made a payment, do not respond to such bills.
- Consult with the nearest local consumer center and/or police.

Be aware of the locking mechanism of seatbelts

NCAC has learnt of a number of similar accident cases involving seatbelts such as the following: A child, while playing with a seatbelt in the car, became entangled. Although the consumer attempted to unfasten the seatbelt, far from becoming loosened, it continued to tighten. As a result, the child was nearly choked to death. These accidents were all triggered by seatbelts designed to fasten a child restraint.

A seatbelt designed to fasten a child restraint becomes locked after the entire seatbelt has been drawn out. Afterwards, this type of seatbelt is characteristically only able to move in a retracting direction and cannot be loosened. Nevertheless, consumers are not fully aware of the existence and characteristics of this locking mechanism. NCAC consequently provided the following precautions to consumers:

- A guardian must learn the characteristics of the seatbelts designed to fasten a child restraint.
- Use such seatbelts with care and do not leave the child alone in the car.
- Do not let your child play with a seatbelt.

Furthermore, NCAC made the following requests to the industry:

- Precautions need to be provided to consumers to a greater extent as NCAC is not able to guarantee that all consumers have received its precautions.
- Explicit precaution labeling must be provided not only in the instruction manual but also on the seatbelt itself.
- Further research and development is required concerning the structure and mechanism of these seatbelts in order to improve their level of safety.
- Sales outlets must also provide precautions to consumers in cooperation with manufacturers.

Illegal toys using lasers

Toy products that contain a laser pointer have been causing a number of accidents. One such accident, whereby a consumer's eye was exposed to the laser beam, resulted in the lessening of the consumer's vision. NCAC previously provided precautions concerning these products in November, 2000. In January, 2001, 'mobile laser application devices' became subject of the Consumer Products Safety Law and the sales of these devices have been restricted since then.

Nonetheless, NCAC has received a particular report stating that a toy gun product, which was equipped with what seemed to be a laser beam gun sight, was offered as a lottery prize in a fair. This toy did not have a PSC mark which is to confirm that the product satisfies the applicable technical standards.

In order to prevent the occurrence of similar problems and to hold back the expansion of the existing problem, NCAC requested the Ministry of Economy, Trade and Industry to ensure that the requirements of the Consumer Products Safety Law are fully complied with. NCAC also requested the Ministry of Education, Culture, Sports, Science and Technology to provide instructions to primary schools and junior high schools to provide precautions to students regarding these toys.

Furthermore, NCAC made requests to business owners to promptly verify as to whether or not their mobile laser application products meet the technical standards and, if not, to halt the sales of such products immediately after such a discovery and to take quick countermeasures such as recalling the distributed products.

Be aware of illegal business methods asking for a payment by pretending to be a consumer center staff member

Local consumer centers located throughout Japan have been receiving consumer inquiries and complaints whereby a person, claiming to be a consumer center staff member, contacted a victim of an illegal business practice carried out in the past to induce him or her to pay some fees by using persuasive talk. The representative methods are explained below:

- [Damage remedy] A person claiming to be a consumer center staff member pretends to help the consumer by stating, "We can retrieve your money" and asks for fees in order to recover the damage.
- [Refund] A person claiming to be a consumer center staff member pretends that the consumer is now able to retrieve part of the money which he or she had paid in the past by stating, "The amount in excess can be refunded" for the purpose of defraudation.
- [Personal information deletion] A person claiming to be a consumer center staff member implies that there exists a list of illegal business practice victims and states, "We need to delete your personal information from the list" and asks for fees for the deletion.

These are seriously malicious business methods that utilize the reputation of consumer centers and NCAC consequently provided precautions to consumers in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problem.

(2) Others

Research study on the current status and problems of after-school care centers

After-school care centers (after-school children's clubs) are a necessary place for primary school age children with working parents or a single parent to spend time after school finishes as well as during the summer holidays. NCAC has accordingly established the 'Workshop concerning the Current Status and Problems of After-School Care Centers' and conducted the following three surveys in order to understand the current status and problems of these care centers from the consumers' viewpoint: (1) Survey targeting after-school care centers by prefecture, ward, town and village, (2) survey targeting after-school care center organizations, and (3) survey concerning the existence of a contract document issued at the time of the contract conclusion.

As a result of these surveys, a number of problematic areas involving after-school care centers have surfaced including the following matters: inadequate information concerning the available services, lack of a contract document issued at the time of the contract conclusion, injuries and accidents that take place at after-school care centers and inappropriate environments that children spend time in. Furthermore, depending upon the municipality and the type of after-school care center organizations, gaps in the quality of after-school care centers have

become apparent.

By taking into account the findings of these surveys, NCAC summarized five recommendations targeting governmental organizations and after-school care center organizations.

- (1) After-school care center organizations and municipalities must provide the necessary information to consumers in an adequate manner.
- (2) Preparation and issuance of a contract document for children's parent(s) is essential.
- (3) It is important to improve the safety measures, organize the accident handling systems and carry out activities for the purpose of accident prevention.
- (4) It is vital to establish an appropriate environment that children spend time in (quantitative and qualitative improvements and better treatment of care personnel).
- (5) Gaps should not exist no matter the region or organization as after-school centers are a public service.

Consumers' awareness towards personal information

NCAC has conducted a personal information related questionnaire survey targeting the 12,812 participants of the 'Personal Information Protection Law Briefing/Consumer Consultation Forum' which was held in 47 prefectures (the number of effective answers collected: 7,091, the collection ratio: 55.3%). NCAC consequently organized the 'Debriefing Report of the Questionnaire Survey targeting the Participants of the Personal Information Protection Law Briefing' (hereinafter 'report'). The major contents of the report are described below:

- Consumers' expectations towards the Personal Information Protection Law
 - 'The level of responsibility concerning personal information safety management needs to be strengthened.' (3,588 participants/50.6%)
 - 'It is impossible to prevent personal information leakage with a law.' (2,661 participants/37.5%)
- Changes seen after the enforcement of the Personal Information Protection Law
 - 'The handling of personal information has become so sensitive throughout the entire society that things have become inconvenient.' (4,822 participants/68.2%)
 - 'Wherever you go, you are told that it is a matter of personal information.' (4,071 participants/57.4%)
- Level of awareness towards personal information handling
 - 'Trying to provide as minimum information as possible to business operators such as not sending personal information directly through the Internet.' (4,064 participants/57.3%)
 - As for 'information explaining personal information handling': 'Have read such information.' (4,292 participants/60.5%) and 'Read such information without fail.' (901 participants/12.7%)
- Personal information traceability and prohibition of use
 - 'Places from where personal information has been stolen need to be able to be identified.' (4,469 participants/63.0%)
 - 'Personal information needs to be distributed to a limited number of places that have the information owner's authorization.' (4,460 participants/62.9%)
 - 'Any telemarketing or DMs from an unknown business operator needs to be banned.' (4,793 participants/67.6%)
- Request for disclosure
 - 'Have had no occasions to make a request for disclosure.' (5,965 participants/84.1%)
 - 'Wish to request for disclosure though do not know the ways to do so.' (803 participants/11.3%)