



NCAC NEWS

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1 . Activities of NCAC

(1) Surveys

Results of the special consumer consultations concerning consumer damages suffered by the elderly (emergency call number '110' for the elderly)

In order to hold back the expansion of increasing consumer damages suffered by the elderly, the National Consumer Affairs Center of Japan (hereinafter 'NCAC') carried out special consumer consultations over the period of two days from September 18 to 19 in cooperation with eight local municipalities and three other organizations within the Tokyo metropolitan area. The outline of the consumer inquiries and complaints handled within this period is described below:

- A large number of consumer inquiries and complaints were associated with share transactions (including prelisted shares), future transactions, project financing and money-making.
- Nearly 20% of consumers paid 10 million yen or greater for the contract deposit.
- In the cases of fictitious billing, consumers received a call from someone disguised as their child or grandchild and they accordingly transferred money as instructed.

According to the above results, NCAC provided the following advice for the elderly:

- Do not agree to start any transaction when there is a tempting offer of money-making and/or investment and consult with someone who you can trust.
- It is inevitable that some risks occur when dealing with a financial product. It is thus desirable not to use a living expense but to use an excess fund only.
- Be aware of 'secondary consumer damages' as there have been a number of cases reported where an organization representing itself as a consumer association claimed that it could 'recover the damage' for the victims of a malicious business practice and asked for financial contributions.

Increasing number of malicious solicitations to sell condominiums: frightening, forceful and threatening telephone calls

Local consumer centers located throughout the country have been receiving a significant number of consumer inquiries and complaints regarding malicious telemarketing designed to sell condominiums and the number of these cases has been increasing every year. According to the data registered with PIO-NET (Practical living Information Online-NETwork), among the overall consumer inquiries and complaints relating to condominium sales telemarketing that have been raised since 2003, 12,642 cases were associated with problematic sales methods including forceful and threatening calls. Furthermore, 10,661 cases, accounting for 84%, solely detailed 'forceful and obsessive sales methods.'

In 1996, a directive was issued concerning the enforcement of the Building Lots and Buildings Transaction Business Law to prohibit any threatening acts and/or malicious business practices aiming to confuse customers by carrying out telemarketing that lasts over a long period of time and this directive has later become an enforcement regulation of the relevant law. The number of consumer inquiries and complaints concerning this issue is nevertheless ever increasing.

Under these circumstances, NCAC revealed various case examples from the past consumer inquiries and complaints in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problems caused by malicious condominium sales telemarketing. NCAC also made requests to both the responsible industrial and governmental organizations to improve the situation.

Consumer consultations involving accidents caused by products and the trends seen in lawsuits that were filed in accordance with the Product Liability Law

In order to understand to what extent the Product Liability Law (enforced in July 1995) has been utilized, NCAC looked into the trends seen in consumer counseling cases involving accidents caused by products that were registered with PIO-NET in the Fiscal 2007 and summarized the findings. The trends seen in consumer counseling cases involving accidents caused by products are described below:

- The number of consumer inquiries and complaints involving accidents caused by products was 12,690 and extensive damages occurred in 6,696 of these cases.
- Among the above extensive damages, 5,395 cases were related to physical injuries, 1,097 cases to property damages and 203 cases to both physical injuries and property damages.
- Among the extensive damages, 'cosmetic products' topped the list that caused physical injuries while 'air conditioners' were the most common products that caused property damages.
- Among the extensive damages, 'air conditioners' topped the list that caused both physical injuries and property damages and the most common injuries were 'burns.'

NCAC was able to identify a total of 109 lawsuits that were filed based on the Product Liability Law (according to the data up to September 16, 2008) and four cases among these have been filed since 2007.

Be aware of organizations misrepresenting themselves as 'qualified consumer associations' claiming to solve consumer issues

A local consumer center received the following inquiry from a consumer: 'A consumer association contacted the consumer and asked for a deposit so that it could settle the previous consumer damage which was suffered by the consumer. The consumer accordingly paid the money but has not been able to contact the organization since.'

As a result of NCAC's investigation, it was revealed that this organization provided this particular consumer with explanations that consequently misinformed him and made him believe that the organization was a qualified consumer association*. This organization however was discovered not to be one of the qualified consumer associations defined by the Consumer Contract Law. In this particular case, the organization provided explanations to the consumer in such a way to make him believe that it was a qualified consumer association. It was hence assumed that the organization committed 'fraud' by targeting the victims of a malicious business practice by claiming that it would settle the relevant issue by asking for money in return. It is likely that secondary consumer damages such as this case will continue to take place in the future. NCAC thus warned consumers not to pay any money when approached by an unknown organization claiming to be able to settle the unsolved consumer issue.

* Qualified consumer associations:

A consumer association becomes qualified only after obtaining the approval of the Prime Minister of Japan. A total of six organizations had been qualified by October 2008.

Outline of consumer inquiries and complaints involving the Consumer Contract Law and major lawsuit examples

Targeting all consumer contracts, the Consumer Contract Law is designed to provide relief measures for consumers who have suffered consumer damages due to illegal solicitations and/or contract provisions and it has been playing a central role in solving problems caused by consumer contracts. NCAC sorted out the Consumer Contract Law related consumer inquiries and complaints received within the Fiscal 2007 and summarized the major case examples and tendencies of illegal solicitations and contract provisions.

Among the Consumer Contract Law related lawsuits which came to the knowledge of NCAC, the judge's decision was provided in 136 cases (as of the end of August, 2008).

(The Outline of the Consumer Contract Law related consumer inquiries and complaints)

Financial year		2003	2004	2005	2006	2007	Remarks	
Total number of consumer inquiries and complaints		1,509,884	1,919,672	1,302,178	1,111,726	1,048,673		
Number of consumer inquiries and complaints relating to 'sales methods'		650,922	872,671	582,821	479,963	425,406		
Number of consumer inquiries and complaints relating to 'contracts/contract cancellation'		1,244,564	1,646,359	1,085,178	917,773	854,065		
Illegal solicitations (related to Article 4)	Major sales methods	(1) Solicitations that misinform consumers: Consumer inquiries and complaints relating to problematic sales methods including misrepresentation, offering of assertive opinions and nondisclosure of any possible disadvantages which are prohibited by the Consumer Contract Law.						
		False explanations	44,473	37,766	43,826	39,696	36,655	Consumer inquiries and complaints in which consumers were misinformed due to false explanations provided during a solicitation (except for cases in which the specific sales methods were revealed as well as cases relating to fictitious/illegal billing).
		Inadequate explanations	26,661	31,967	33,176	32,756	32,784	Consumer inquiries and complaints in which consumers were misinformed due to inadequate explanations provided during a solicitation (including cases relating to inadequate explanations provided through complaint handling procedures).
		Side business offers	22,304	17,180	16,898	17,379	17,737	Consumer inquiries and complaints in which consumers were misinformed due to tempting sales talk such as an 'opportunity to start a side/second job (side business)' and 'you can be self-employed.'
		Concealment of sales purposes	30,138	26,809	30,449	28,621	22,455	Consumer inquiries and complaints sales in which consumers were misinformed due to the sales purposes not revealed during a solicitation (including cases relating to appointment sales).
		Free services	31,058	28,561	28,459	25,736	27,498	Consumer inquiries and complaints in which consumers were misinformed due to tempting sales talk highlighting services provided 'free of charge' such as a 'free service,' a 'free invitation' and a 'free trial.'
		House inspections	11,613	11,313	11,471	7,558	5,871	Consumer inquiries and complaints in which consumers were misinformed as sales representatives visited consumers' homes stating that they were able to provide a 'house inspection' service to see if there was anything wrong in the house. These representatives then said things that were not true such as the 'water quality was poor' and/or there were 'ticks in the bedding' in an effort to provide unnecessary renovation work.
		Impersonation	6,296	10,748	11,273	9,795	8,588	Consumer inquiries and complaints in which consumers were misinformed due to sales representatives impersonating employees or stakeholders of a public institution and/or a prominent corporation.
		(2) Solicitations that make consumers confused: Consumer inquiries and complaints involving problematic sales methods including trespassing and not allowing consumers to leave the solicitation which are prohibited by the Consumer Contract Law.						
		Forceful and obsessive solicitations	65,044	60,669	63,160	57,968	50,186	Consumer inquiries and complaints in which consumers became confused due to the sales representative's forceful and obsessive sales methods which included forceful and obsessive acts seen in complaint handling procedures and telemarketing (excluding cases relating to fictitious/illegal billing).
		Solicitations lasting over a long period of time	7,944	6,780	7,497	7,302	5,485	Consumer inquiries and complaints in which consumers became confused due to solicitations that lasted over a long time (including cases relating to telemarketing).
		Solicitations performed in the nighttime	2,628	2,133	2,335	2,406	1,868	Consumer inquiries and complaints in which consumers became confused due to solicitations performed in the nighttime (including cases relating to telemarketing).
		(3) Other inappropriate solicitations: Consumer inquiries and complaints relating to solicitations that would not immediately become subject to the current Consumer Contract Law but are inappropriate and controversial as they employ problematic sales methods.						
		Secondary consumer damages	33,853	27,671	23,637	19,803	16,171	Consumer inquiries and complaints relating to sales methods through which the victims of a malicious business practice were approached and became subject to another problematic solicitation.
		String of sales	14,153	12,843	16,471	14,280	12,262	Consumer inquiries and complaints relating to sales methods to sell a series of products to one consumer (including cases in which consumers who are vulnerable and cannot say no were targeted and forced to buy things that were unnecessary).
Sales contracts concluded by people with impaired judgment	6,083	5,832	8,136	7,061	6,102	Consumer inquiries and complaints relating to sales contracts signed by people with impaired judgment due to some form of disability (including cases in which what is called the 'suitability rules' were breached).		
Illegal contract provisions (Article 8 to 10)	Details of consumer inquiries and complaints	Cancellation fees	15,426	15,339	18,122	18,898	21,501	Consumer inquiries and complaints relating to cancellation fees (including cases relating to illegal contract provisions that set forth the obligation to pay compensation for damages in the event of contract cancellation).
		Late charges	60,914	32,195	13,772	9,308	11,353	Consumer inquiries and complaints relating to the obligation to pay compensation for damages (late charges, delinquency charges and/or default interest) in the event of failure to perform one's financial obligation (including cases relating to illegal contract provisions that set forth the obligation to pay compensation for damages in the event of the delaying of payment).
		Deposits	19,792	22,517	23,504	22,712	21,594	Consumer inquiries and complaints relating to deposits (advances, caution money, rewards and/or money paid in part) made by consumers at the time of the contract conclusion to rent a housing property (including cases relating to illegal contract provisions that require consumers to pay reinstatement fees).

An infant suffocated when his neck became caught between the mattress and the head guard of a power reclining bed (recommendations provided by the subcommittee of NCAC's Special Committee for Handling Consumer Complaints)

NCAC has established the Special Committee for Handling Consumer Complaints* in order to handle consumer complaints in an appropriate and effective manner. On April 25, 2008, the Executive Director of NCAC sought the advice of the above committee concerning the following matter: 'whether or not the importer of the relevant power reclining bed has any liabilities according to the Product Liability Law or civil law, and whether or not the guardians of the child were negligent.' In response, the committee established a subcommittee to deal with this particular issue and the subcommittee provided its recommendations on October 14, 2008 as regards methods to handle the relevant consumer complaint. The details of the accident and the subcommittee's recommendations are described below:

* Special Committee for Handling Consumer Complaints:

By receiving a proposal made by the Executive Director of NCAC regarding a consumer complaint case that requires a high level of legal judgment, the Special Committee for Handling Consumer Complaints provides recommendations to NCAC from fair and neutral points of view.

○ Details of complaints

The consumer's son, at the age of four, suffocated when his neck became caught between the mattress and the head guard of a power reclining bed. The bed was purchased two years previously through an internet mail order service. Approximately three months after the purchase, however, the consumer started to notice that the bed would go into the decline function when a slight vibration was applied to its remote control and also when the remote control was accidentally placed upside down. Although the consumer cannot tell what actually happened at the time of the accident, he cannot believe that his son would have kept pushing the decline button to suffocate himself. The consumer hence believes that it must be a malfunction in the remote control that caused this accident (the consumer: the boy's father who is in his 30s and is a wage earner).

○ Conclusions provided by the subcommittee

It is clear that the relevant product had a 'defect' according to the Product Liability Law and it must be stated that this accident occurred due to the defect in both the product design and manufacturing as well as insufficient precautionary instructions and warning information provided. The importer of this product is hence liable for this accident in accordance with the Product Liability Law. The importer is also liable for both a default of obligation and an illegal act according to the civil law as it imported and sold such a defective product.

On the other hand, the liability of the importer may be extenuated as the boy's parents mishandled the product and this accident can thus be deemed to have occurred due to the negligence of the parents. The degree of negligence committed by the parents however should be deemed as low when taking into account the defective product and the inadequate information provided as well as the level of danger and the fatal consequence.

Rapidly increasing consumer inquiries and complaints involving electric water heater door-to-door sales

While the total number of consumer inquiries and complaints relating to door-to-door sales is generally declining every year, local consumer centers have been receiving an increasing number of consumer inquiries and complaints involving door-to-door sales for electric water heaters. Some electric water heaters are subject to the government's subsidy scheme as they are 'economical as electricity is used in the nighttime,' they produce 'no combustion noise,' and they are 'eco-friendly.' There are however a mounting number of consumer inquiries and complaints registered with PIO-NET revealing problematic sales methods for these products. Examples of these cases include a 'consumer signing a contract to purchase an electric water heater from a visiting sales representative though later realizing that the product was very expensive' and a 'consumer signing the contract because he was rushed to do so.'

(Numbers of consumer inquiries and complaints)

- The number of consumer inquiries and complaints involving electric water heater door-to-door sales has been increasing every year. In the Fiscal 2007 alone, there were 1,343 cases which is six times larger when compared to the Fiscal 2003.
- The number of male consumers slightly exceeded female consumers who signed a purchase contract. Approximately half of the total consumers who suffered from this consumer issue were in their 50s to 60s. The common contract sum ranged from 1 million to 1.5 million yen. The dominant payment method was by credit card accounting for 75%.

(Problematic areas)

- There were a large number of cases in which consumers could not make an objective judgement as sales representatives solely highlighted the financial advantages.
- Some sales representatives rushed consumers to sign the contract to apply for the government's subsidy scheme.
- Some sales representatives provided insufficient explanations concerning the functions of the product and/or recommended the installation of an inappropriate product.
- There were a number of problematic cases reported in which consumers were asked to become a monitor of a product and to provide feedback.

Under these circumstances, NCAC provided precautionary information to consumers to firstly obtain a quote to be able to make a comparison with other products and to also fully examine the product functions and usage directions. NCAC also requested the industry to provide correct information concerning the costs, product functions and usage directions and not to rush consumers to sign a contract by highlighting tempting campaign offers.

(2) Safety hazard related information

An American gas clothes dryer caused a fire disaster: the relevant product was subject to a product recall though there was a failure to collect it

An accident case was reported through the E-mail for Consumer Problems in which an American gas clothes dryer, which had been subject to a product recall, caught fire and consequently caused a fire disaster. The name of the relevant product is 'Gas Dryer' produced by White Westinghouse which is based in the United States.

NCAC disclosed the model numbers that have been recalled and advised anyone who still uses such a product to stop using it and contact the manufacturer.

Be aware of accidents taking place in the bathroom when using children's toys: two serious accidents occurred when using a popular toy

Two serious accident cases that were triggered by a children's toy were reported to NCAC. The relevant toy is a doll designed for infants to pour shower water over it (manufactured by the Pilot Ink Co., Ltd.). In both of the above two cases, the pillar that supports the shower head accidentally entered into the child's anus or vagina resulting in tears and cuts. Due to the seriousness of these accidents, NCAC provided precautionary information to prevent the occurrence of similar problems and asked the manufacturer to ensure that a safer product design is provided.

The manufacturer has accordingly announced a self-imposed product recall and offered to exchange the toy of the same model with another product.

Skin problems caused by artificial nail tips: irritations, burns and mold

In recent years, nail salons have become more established and a variety of nail art equipment is also available in general shops so that consumers can apply artificial nail tips by themselves. NCAC however learned of 38 cases of consumer inquiries and complaints relating to artificial nail tips: 24 safety hazard related cases concerning the application of artificial nail tips carried out in nail salons, 8 safety hazard related cases involving the equipment/tools used for the application of artificial nail tips and 6 safety hazard related cases that were reported

by cooperating hospitals.

Although no restrictions apply to nail art service businesses including the application of artificial nail tips, some ingredients and materials used contain chemical substances that require extensive care when handled and these substances may damage the nails and/or skin if the artificial nail tip application is carried out carelessly. NCAC hence requested business owners to provide proper equipment, knowledge and techniques that satisfy certain standards and, as regards artificial nail tips, to provide a clear warning label and other information regarding the product ingredients as some ingredients and materials contain chemical substances that may cause chemical burns and/or catch fire.

Notable number of malfunctions to halogen heaters

Every winter, the number of consumer inquiries and complaints involving accidents caused by electric heaters increases. In the last couple of years, however, there have been a notable number of accidents caused by halogen heaters. A number of manufacturers have carried out self-imposed product recalls and there have been a remarkable number of manufacturers' announcements placed in newspapers to notify the public of such recalls. NCAC provided advice to consumers to check if the halogen heater currently in use is subject to any recall and, even if not, to stop using it if there is any concern with its safety and quality. NCAC also made the following requests to manufacturers:

- Any accident cases reported by consumers must be investigated promptly and safety measures to prevent similar accidents must be established. The level of safety of products also needs to be looked into even if there have been no accident case reported.
- For manufacturers that have performed a self-imposed product recall, more effective measures must be taken to enhance the rate of product collection. The cooperation of distributors must also be sought to improve the rate.
- If the manufacturer and/or importer have already gone bankrupt, distributors who have sold the relevant products and other associated business owners are liable to perform a thorough product recall and verify the safety of such products in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problem.

(3) Product tests

Can we protect our children? A series of malfunctions occurring in children's security buzzers

An increasing number of school committees have decided to provide children with a security buzzer to protect them from becoming a victim of any crime while commuting to and from school. Under these circumstances, NCAC received the following consumer inquiry asking for a product test: 'A school committee had purchased approximately 5,000 security buzzers though approximately 1,000 of them became defective. The committee needs to find out the cause of the defect.' As a result of NCAC's investigation, although this company's buzzers were endorsed by the Japan Crime Prevention Association, they stopped working properly due to defective soldering.

NCAC hence carried out a number of tests including a drop test targeting eight brands of endorsed security buzzers. NCAC also performed a questionnaire survey targeting government-designated cities as regards the provision (or rental) of security buzzers. The findings are described below:

- No products demonstrated any initial defects (i.e. the buzzer did not sound) immediately after they were purchased.
- When the products were repeatedly dropped from the height 1m from the ground, all of the products became defective (i.e. the buzzer did not sound) by the sixth drop.
- Among the tested brands, a product of the brand involved in the above particular case was included though the internal structure of the tested product differed from the above defective product. It was however discovered that the name of this brand still appeared in the list of endorsed security buzzers on the Japan Crime Prevention Association's home page (as of May 20, 2008).
- As a result of the questionnaire targeting all of the government-designated cities, core cities and special

cities, 72% (58 prefectures) provided (or lent) a security buzzer for children in the Fiscal 2008.

According to the above findings, NCAC provided advice to consumers not to handle the security buzzer roughly such as by allowing it to meet with a strong impact and to regularly check the buzzer to ensure that it works properly. NCAC also requested the responsible industrial and governmental organizations to improve the quality of such products so that they will not easily break due to an impact and to upgrade the data in the "Standards for Security Buzzer Performance" created by the Battery Association of Japan to identify security buzzers that are truly recommendable.

Wooden beds that generate chemical substances; especially formaldehyde

According to the data registered with PIO-NET from the Fiscal 2003 to the end of August, 2008, there were 1,045 consumer inquiries and complaints relating to odors generated by home furniture, chemical substances and sick house syndrome. Remarkably, 214 of these cases were associated with beds and more than half of these cases, reaching 113, caused a health hazard such as a 'consumer's eyes became irritated and he felt sick' and 'the smell of the paint was too strong and gave a consumer headaches and his nose became blocked.' NCAC accordingly investigated seven brands that produce relatively cheap wooden sectional beds (50,000 yen or below). The findings are described below:

- One day after installment, 3 out of 7 products generated formaldehyde with a level of concentration that went beyond the indoor VOC concentration guideline value (which has been set forth by the sick house syndrome investigative commission of the Ministry of Health, Labor and Welfare).
- One product generated TVOC* with a level of concentration exceeding the interim TVOC target value three days after the installment.
*TVOC = Total Volatile Organic Compounds
- The level of concentration of formaldehyde declined temporarily due to the room being ventilated though it went up to 70% of the pre-ventilation concentration level one hour after the room stopped being ventilated.
- As a result of a questionnaire survey targeting manufacturers of similar products, 77 % answered that they handled products designed to generate a reduced amount of formaldehyde though such an amount differs according to the manufacturer. Approximately 40% of those handling such products stated that they did not provide any labeling describing the generation of a reduced amount of formaldehyde.

By taking into account the above findings, NCAC provided advice to consumers to choose a product that generates a reduced amount of formaldehyde when purchasing and to ensure that no strong odor occurs during assembly. Furthermore, NCAC requested the responsible industrial and governmental organizations to improve the quality of products, provide self-imposed standards that take into account the amount of TVOC dissipation and to create a uniformed safety mark designed to be attached to products to provide safety guidelines for consumers when purchasing.

Be aware of the steam from an iron when using a mesh iron table (as it may pass through the table and cause physical injuries such as burns)

A consumer complaint was raised which stated that 'the consumer suffered a burn to the right leg just above the knee when using the steam iron with a greater amount of steam due to the steam passing through the mesh iron table.' NCAC accordingly looked into the relevant iron and iron table and discovered that the back side of the iron table has a higher temperature when using the iron with a greater amount of steam (hereinafter 'steam spray function') compared to when the steam spray function is not in use.

According to the above findings, NCAC provided precautionary information to consumers and, in order to prevent the occurrence of similar problems, requested manufacturers to provide easy-to-understand warning labeling stating that there is a high risk of burns when using the product with a mesh iron table due to hot steam and/or dripping as a result of the hot steam being likely to pass through such a table.

Be aware of aluminum wheels that may cause a fire disaster (as a result of sunlight converging to a point): plated wheels containing disks that resemble concave mirrors

Due to their superior design and functionality, aluminum wheels are equipped on new passenger cars as standard equipment in recent times and have commonly been sold to replace the manufacturer's original wheels. There was however a consumer inquiry asking for a product test as 'the aluminum wheels were exposed to strong sunlight reflecting onto a water hose located nearby which were consequently burnt.' The consumer believes that 'these wheels are very dangerous and a close investigation needs to be carried out.' NCAC accordingly conducted a product test and discovered that the disks of these wheels have hollows that make them resemble concave mirrors. When exposed to the sun, the hollows may reflect sunlight onto any nearby inflammable materials and they may catch fire as a result of the sunlight converging to a point.

As there are a large number of aluminum wheels available with disks containing hollows which make them into concave mirrors, NCAC advised consumers to be aware of the fact that, in the worst case scenario, any plated wheels with disks that are significantly bowed and reflect sunlight onto nearby objects may cause a fire due to the converging of the sunlight. NCAC also warned consumers not to place any inflammable materials near the car if such wheels are in use. NCAC also requested the industry to improve the situation.

Take good care of plastic ashtrays designed to be used in a car

Assumed to be the result of the recent strong trend of quitting smoking, there are an increasing number of car models that do not contain an ashtray as standard equipment. A variety of ashtrays designed to be used in a car are hence available separately. The types of ashtrays are roughly divided into plastic or metal. As regards plastic ashtrays, NCAC received the following consumer inquiry asking for a product test: 'The consumer thought that he had stubbed out the cigarette and closed the ashtray's lid properly though he later found that there was a hole in the side surface of the ashtray the next day. The consumer wishes to see whether or not the ashtray has anything wrong as a fire disaster could occur.' Under these circumstances, NCAC advised consumers to ensure that the cigarette is stubbed out properly before putting it in the ashtray and to make sure to close the lid after use in order to prevent a fire. NCAC also warned consumers not to place a plastic ashtray in a cloth drink holder that cannot dissipate heat effectively. NCAC also requested the industry to improve the structure and materials of products that have a low level of heat resistance.

Be aware of privately imported health foods: a number of pharmaceutical preparations (i.e. sibutramine) have been detected

NCAC received a consumer inquiry asking for a product test as 'the consumer began to develop an irregular heartbeat and to sweat profusely four days after he started consuming a privately imported health food claiming to be effective in reducing weight.' The consumer wonders 'if the product contains any pharmaceutical preparations.' NCAC carried out a product test targeting three brands including the brand that produces the relevant product in order to see whether or not these products contain pharmaceutical preparations (i.e. sibutramine, Des-N-methylsibutramine and Des-N-dimethylsibutramine). As a result, a number of pharmaceutical preparations were detected from all of the tested products. Sibutramine is an approved central anorectic drug in some overseas countries though this is not the case in Japan. Des-N-methylsibutramine and Des-N-dimethylsibutramine, which are both not approved to be used as pharmaceutical preparations in either overseas countries or Japan, are considered to function in the same way as sibutramine does and the Ministry of Health, Labor and Welfare and other governmental organizations have accordingly provided precautionary information as these substances may cause health hazards.

According to the above findings, NCAC warned consumers that privately imported health foods are purchased at one's own risk and such consumers cannot blame anyone if a health hazard occurs. NCAC advised consumers not to buy health food through the internet or using mail-order services and/or consume such a product without giving considerable thought beforehand. Furthermore, as all of the products subject to the above test contained a number of pharmaceutical preparations that are not approved to be used in Japan, NCAC requested the responsible governmental organizations to take immediate action to make consumers aware of potential risks caused by these products.