



NCAC NEWS

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* For further details regarding each topic introduced below, refer to the following URL which contains the actual text of the reports released (PDF files) (Japanese only):

<http://www.kokusen.go.jp/news/news.html>

* Major abbreviated names: NCAC: National Consumer Affairs Center of Japan

PIO-NET: Practical Living Information Online Network System ADR: Alternative Dispute Resolution

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Consumer Affairs Climate

The implementation status of NCAC ADR procedures and the summary of outcomes (from January to March, 2010)

The implementation status of the new ADR procedures undertaken by NCAC's Conflict Resolution Committee and the summary of outcomes were released. The implementation of ADR procedures begun in April, 2009 in accordance with the revised Independent Administrative Agency Kokumin Seikatsu Center Law.

Implementation status (April, 2009 ~ April 30, 2010)

Total number of applications: 106 (sum total of applications lodged in the Fiscal 2009)

Number of those that saw the completion of procedures: 57 (number of those that reached a settlement: 26, number of those that failed to reach a settlement: 0, number of those that were withdrawn, etc.: 11)

Summary of the outcomes

Based on the results of the discussion held during The 5th Conflict Resolution Committee Meeting (held on April 28, 2010), the summary of the outcomes was released pertaining to the following cases of conflict:

1. Cancellation of prelisted shares [1]
2. Cancellation of prelisted shares [2]
3. Cancellation of a side business information purchase contract
4. Compensation for a loss triggered as a result of the illegal use of a stolen credit card [1][2]
5. Payment of the construction cost for a new custom-built house
6. Investment transaction which generated a return that was different from what had been offered
7. Refund of an entertainment ticket
8. Mail order of paintings
9. Fire disaster caused by a water tank heater operating in the open air
10. Fees required for a membership service offering cheaper travel costs

The Implementation status of 'The Fiscal 2009 Consumer Consultation Specialist Visits'

In order to improve the local consumer consultation systems, NCAC implements a number of projects including those mentioned below:

- Consumer Consultation Specialist Visits
- Consumer counselor training course provided in major cities nationwide
- Installation of additional PIO-NET terminals
- Upgrading of the product testing facilities and equipment
- Establishment of the Weekend/Holiday Consumer Hotline

Among these projects, NCAC revealed the Fiscal 2009 implementation status of the 'Consumer Consultation Specialist Visits.'

The details of the 'Consumer Consultation Specialist Visits':

NCAC appointed consumer affairs counselors with abundant work experience to serve as 'consumer consultation specialists' and these specialists in the main pay regular visits to small-sized local consumer centers as well as consumer consultation desks that are run by certain municipalities in which no consumer center is situated. Specialists provide direct advice to consumer affairs counselors or responsible municipal officers working for these organizations regarding the handling of inquiries and the solving of difficult cases aiming at work skill improvement.

The Fiscal 2009 implementation status of the 'Consumer Consultation Specialist Visits':

After the preparation period, a total of 392 'consumer consultation specialists' visited and provided advice to 289 municipalities (located in a total of 45 prefectures that requested a visit from these specialists) over the period of nine months from July to March. The number of visits reached a cumulative total of 2,203.

Activities of NCAC

(1) Surveys

Telemarketing targeting the elderly asking to place their "tanka" and/or "haiku" in a newspaper: Be alert to problematic business practices that take advantage of people engaging in their hobbies

The number of consumer inquiries and complaints has been displaying a rapid increase since the Fiscal 2008 involving telemarketing where elderly people are asked to place their "tanka" or "haiku" in a newspaper or a magazine resulting in a large billing fee. A major example is as follows: An elderly person receives a phone call asking him/her to 'place his/her own tanka/haiku in a newspaper (or a magazine).' The person accepts the offer assuming that it is free of charge but at a later date is billed a large fee.

Targeting the elderly in particular, these cases are based on malicious business methods that skillfully take advantage of people engaging in their hobbies by enticing them 'to place their own tanka/haiku in a newspaper.' Further similar problems are forecast to occur and, in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problems, NCAC provided precautionary information.

Problematic patterns identified based on the case examples:

- A telemarketing operator calls up unexpectedly and ensures that the consumer agrees to sign the contract.
- Although advertising agencies carry out solicitations, consumers are misled into thinking that the solicitation is being performed by a newspaper company.
- Compliments are provided to consumers such as, "*Your work is great and we'd love to place it in the newspaper.*"
- Although the newspaper placement is initially claimed to be 'free of charge,' a large fee is later demanded after the consumer has agreed to place his/her poem.
- Although the consumer, stunned by the large fee, asks for a cancellation, the telemarketing operator claims, "*Your poem has already been printed so a cancellation is not possible.*"
- Even if a consumer declines the offer, his/her poem is nevertheless placed in a newspaper without the consumer's consent and both the newspaper and bill are then sent to the consumer.
- There is no fee mentioned on the newspaper placement consent form when such a form is initially exchanged. A fee is nevertheless additionally introduced on the form at a later date and the payment is demanded.
- Consumers are asked to sign a series of contracts although they do not have a clear idea about the details of such contracts. A number of other telemarketing operators persistently solicit consumers who have had a poem appear in a newspaper.
- There are cases where it is doubtful whether a consumer's poem has really appeared in the newspaper.

Advice for consumers:

- Do not blindly accept what is explained by the telemarketing operator.
- Firmly decline any persistent solicitations.
- Do not make a payment if you have not accepted the offer.
- Consult with a family member and/or the nearest local consumer center when facing any problems.
- Watch out for any solicitations that may take advantage of people engaging in hobbies other than writing poems.

Be alert to problems triggered by offers proclaiming to make possible 'the raising of cash from the use of credit cards': Credit card users themselves may unexpectedly become exposed to serious problems

In recent years, an increase has been observed in consumer inquiries and complaints concerning offers proclaiming to make possible 'the raising of cash from the use of credit cards.' In these cases, the operator (buyer) assures consumers that they can raise cash by using their credit cards to make a payment for products within the shopping credit limit. Such products purchased by consumers are then supposed to be bought up by the operator so that consumers are able to earn cash. Furthermore, a recent growing trend concerning these cases is the offer of a cash-back system. Operators encourage consumers to use their credit cards to make a payment for products with a kick-back privilege proclaiming that consumers are able to receive both the products and cash. However, accepting an offer that proclaims to 'raise cash from the use of credit cards' as described above means breaching the credit card contract and it is also an extremely risky transaction that may cause the consumer him/herself to face unexpected problems.

Number of inquires and complaints:

The number of inquires and complaints related to 'raising cash from the use of credit cards' reached 696 over the period of approximately five years from the Fiscal 2005 to 2009. As of March 26, 2010, the number of these cases reported within the Fiscal 2009 was 207 which was approximately 1.7 times larger year-on-year.

Risks and problematic areas identified based on the case examples:

- The credit card contract is violated in these cases.
- A large number of consumers who have accepted a cash raising offer are unable to make the payment.
- The company carrying out the solicitation completely fails to explain the possible risks of the transaction.
- When a solicitation is performed, some consumers are not made aware of the fact that the actual purpose of the solicitation is to 'ask consumers to use their credit cards to raise cash.'
- The sum of money promised may not be paid to the consumer or the consumer may become unable to contact the operator.
- Problems are prone to becoming obscured.

Advice for consumers:

- Never accept any offers proclaiming to help you raise cash from the use of credit cards.
- Do not trust the sales terms 'safe' or 'secure.'
- Do not sign a contract if you are suspicious of the contract details.
- Consult with a local consumer center and/or a bar association.

Requests to the Japan Credit Card Association:

The number of inquires and complaints handled by NCAC and local consumer centers have been increasing annually. According to the details of the case examples, it can be assumed that many of the consumers who have accepted an offer that proclaims to make possible the 'raising of cash from the use of credit cards' may have been completely unaware of the risks and illegal nature of such an offer. Under these circumstances, the following requests were made to the Japan Credit Card Association:

- Provide easy-to-understand precautionary statements concerning problems triggered from cash raising offers.
- In the membership regulations, clearly state that the use of the credit card to raise cash is prohibited.
- Provide close supervision of affiliated stores.

Be alert to problems triggered by guarantor referral services (when taking out a loan, renting accommodation and/or job hunting)

An upward trend has been seen in the number of problems triggered as a result of applying for a service offered by guarantor referral agencies (hereinafter "referral agencies") through the internet. Common problems include the following cases: 'A guarantor is not introduced' and 'a request for contract cancellation is rejected.' There are other problems observed such as the following case: A person becomes liable to a large debt as a result of registering with a referral agency which proclaims to enable its members to earn fees if registering their names to act as guarantors.

In general, a guarantor is required on many occasions such as borrowing money, renting an apartment (cosigner) and job hunting (personal reference). On such occasions, an increasing number of people may consider using referral agencies as it is convenient to find a guarantor based on an internet-based contract. Under these circumstances, NCAC released precautionary information to encourage people not to use such agencies without careful consideration so as to prevent problems.

What are guarantor referral services?

With there being a variety of occasions where a guarantor is required, there are operators whose business purpose is to earn fees by introducing a guarantor to people who are unable to find one by themselves. These operators are called guarantor referral agencies.

These agencies bring together two persons, who both seek a guarantor, so that they can serve as a guarantor for each other. These agencies also advertise for people who can register their names to act as a guarantor by proclaiming that the agency will be liable to the applicable debt obligations. These guarantors in return receive certain fees and are referred to people who seek a guarantor.

Summary of inquiries and complaints reported to PIO-NET:

Over the period of six years from the Fiscal 2004 to 2009, there were a total of 827 cases that reported 'problems caused through guarantor referral services.' 209 cases were reported in the Fiscal 2009 alone roughly doubling the figure observed in the previous financial year which was 108.

By gender, the number of male consumers approximately doubled that of females. By age, people in their 30s accounted for the largest proportion reaching 36% followed by those in their 40s and the total of these two particular age groups accounted for 60%.

Problematic areas identified based on the case examples:

- The agency fails to provide the service set forth in the contract.
- Personal information may be misused.
- You may become liable to a stranger's debt obligations.

Advice for consumers:

- Do not register with a guarantor referral agency via the internet without careful consideration.
- When being asked to make a payment, never accept a groundless demand.
- Never register your name to become a guarantor.
- Consult with the nearest administrative service desk when you are unable to conclude a contract because the guarantor cannot be reached.
- Consult with a local consumer center immediately when facing a problem.

Be alert regarding the sales of crabs targeting the elderly as the number of these cases is still increasing:

In addition to the sales of crabs, the sales of other seafood (salmon, prawns or scallops) as well as different seafood packaged together have been seen

A large number of consumer inquiries and complaints have been triggered including the following: A telemarketing operator calls a consumer asking "Do you like crabs?" or "We're selling market leftover at a bargain price." The operator ensures that the consumer agrees to purchase the crabs as a result of an aggressive solicitation. It can also be the case that the crabs are delivered even though the consumer has declined the offer. In recent times, there have been cases involving not only crabs but also prawns, scallops and other seafood.

The number of these cases has rapidly been increasing since the Fiscal 2008 with a remarkable number of cases having been reported by the elderly. NCAC hence released precautionary information to enhance consumers' awareness.

Problematic patterns identified based on the case examples:

- While the seafood is claimed to be 'a free gift,' the actual purpose is to perform a sales solicitation.
- Some consumers are unable to discover the seller's name and/or contact details.
- Although the consumer simply provides an answer to the telemarketing operator's question, "Do you like fish?," the seafood is delivered at a later date without the consumer's consent.
- The operator claims, "Cooling-off is not possible."
- Solicitations are nevertheless carried out repeatedly after the consumer has declined the offer.
- The operator becomes intimidating after the consumer has declined the offer.

Advice for consumers:

- Reject any offer firmly if there is no need to buy the seafood.
- Fully confirm with the operator about the transaction details.
- Cooling-off is applicable if you have been solicited on the phone.
- You have no obligation to accept the seafood if it is delivered to you without your consent.
- Consult with a local consumer center immediately when facing a problem.

(2) Safety hazard information

Accidents caused by 'shoes equipped with rollers' that are popular among children: Not only have product users suffered from broken bones but also other people have become subject to injuries

In recent years, shoes equipped with roller(s) have become popular especially among primary school aged children. One or two rollers are installed in the heels of such shoes so that the child can roller-skate by making a run-up and lifting up the toes. However, there have been a number of accidents that have involved not only the child wearing such shoes but other people. Although the instruction manual contains statements describing the appropriate behavior required when the product is in use, it is likely that consumers are not fully made aware of the directions for use. Under these circumstances, NCAC released precautionary information including appropriate usage and behavior.

Major case examples:

- A case where the product user suffered injuries:
When a child, wearing shoes equipped with rollers, was roller-skating on a bumpy footpath, the rollers became caught in a pothole and the child fell resulting in a fractured left wrist.
- A case where a person other than the product user suffered injuries:
When a person was walking, a girl, seemingly of primary school age, was roller-skating wearing shoes equipped with rollers towards the person diagonally from behind on the left side. The girl was not wearing a

helmet or any protective gear. Although the girl stopped roughly a little less than 50cm from the person, the person herself lost balance trying to avoid a collision and fell down diagonally to the front resulting in a broken right arm.

- A case where other people became inconvenienced:
According to the person who raised this complaint, children wearing shoes equipped with rollers are frequently seen roller-skating not in open areas but in supermarkets and large-scale shops due to the floors of these facilities being smooth. She has been crashed into by a child roller-skating in a shop and it is therefore worrisome that an accident may occur.

The results of the questionnaire targeting importers and sellers:

- Most of the complaints are associated with product quality.
- The directions for use are provided in the instruction manual. It is necessary to educate product users to behave appropriately in public areas.
- Roller-skating is a prohibited act according to Article 76 of the Road Traffic Law which is also believed to apply to shoes equipped with rollers.

Problematic areas:

- The instruction manual recommends the use of safety equipment such as a helmet and protective gear and also states the prohibition of use in crowded areas. According to the case examples, however, there have been cases of accidents caused by the product user wearing no safety equipment along with cases of complaints reporting shoes equipped with rollers worn in public areas such as in shops and on roads.
- Furthermore, a lack of consideration from the guardian(s) accompanying the child was believed to be the case in a notable number of these cases.
- Although safety and appropriate usage needs to be assured by the product user and his/her guardian, there is a limit to this being achievable. It cannot be said that business operators have been making an effective effort in order to make guardians and children aware of the directions for use.
- After confirming with the National Police Agency, it was discovered that roller-skating on busy roads wearing such shoes is deemed to be a prohibited act in accordance with the Road Traffic Law.
- In the case of Naha City, Okinawa, a primary school aged child became subject to serious injuries as a result of coming into contact with a car while walking wearing shoes equipped with rollers. The board of education accordingly directed the local primary and junior high schools in May, 2009 to provide thorough instructions to students regarding the appropriate usage of such shoes.

Advice for consumers:

- Read through the instruction manual properly.
- Never fail to wear safety equipment such as a helmet and protective gear when wearing shoes equipped with rollers.
- Be aware that the use of such shoes becomes a nuisance to other people in crowded areas such as in public facilities, shops and railway stations. Furthermore, the use of such shoes on busy roads is prohibited. Do not roller-skate in these areas.
- If a child roller-skates on a footpath, in a shop or on a railway station platform and causes injuries to other people, the child him/herself and/or the child's parent(s) may be deemed to be liable to the damage. The guardian(s) must teach the child about appropriate usage and behavior and ensure that the child understands.

Requests to business operators:

Requests to the sellers of shoes equipped with rollers:

- Even though sellers are aware of the risks that may occur if safety equipment is not worn as well as roller-skating being a prohibited act in accordance with the Road Traffic Law, their current countermeasures focusing on providing precautionary information in the instruction manual is believed to be unsatisfactory.

With some sellers organizing events to allow consumers to try their products, more proactive measures must be undertaken such as by holding such events to provide safety instructions to consumers.

- While there are a number of shops prohibiting the use of shoes equipped with rollers within the shop premises, business operators must also undertake measures so that various entities such as schools are able to provide precautionary information to children.
- The design of the products themselves, such as products that resemble sneakers, need to be re-examined in order to discover if there is anything that is required to be reviewed.

Requests to the management of facilities such as shops and public facilities:

- There have been a number of accident cases where the user of shoes equipped with rollers caused injuries to other people. A contradiction exists when shops that are proactive in providing precautions to customers regarding shoes equipped with rollers do not require the attendants of the booths that sell shoes located in these shops to provide any special directions for use when selling such shoes. The management must fully examine effective measures to provide precautions to customers in order to assure safety within shop premises.

Requests to the stakeholders of schools:

There is an education board that provides precautionary information to primary and junior high schools. Schools must provide proactive countermeasures such as by educating students and their guardians regarding both the appropriate areas for usage and behavior.

(3) Product testing

Products that are proclaimed to allow you to 'enjoy a hot spring containing radon/radium at home' by simply soaking the product in bath water

In accordance with the Hot Spring Law, 'hot springs' are defined as hot water, mineral water, steam and other gases (excluding natural gases containing hydrocarbons as the main ingredient) that gush out from underground and, when these gases and water are obtained from the hot spring source, the temperature is 25 degrees centigrade or above and/or they contain one of the specific substances set forth in the law at the specific amount which is also set forth therein. Among these hot springs, 'remedial springs' refer to 'mineral springs' that are hot springs (except for steam and other gases) that gush out from underground and are particularly used for remedial purposes.

There are products - ores and ceramic balls designed to be soaked in household bath water - made available through internet mail order sites. These products are proclaimed to allow you to enjoy a hot spring containing radon or radium at home.

From the Fiscal 2004 to the end of February, 2010, there were 387 cases of inquiries and complaints reported to PIO-NET concerning radon/radium related products designed to be soaked in bath water. Among these, 71 cases were associated with the quality and safety of such products and major case examples of these cases are as follows:

- A consumer purchased a stone packed in a box that is proclaimed to produce radon when soaked in bath water. The effectiveness of the product however is not known and there is suspicion as to whether radon is truly produced.
- There is a product that is proclaimed to have a health benefit as it produces radium when soaked in bath water. The consumer however wonders if it is safe to use.

Under these circumstances, NCAC conducted product testing to discover the extent to which radon or radium is produced in bath water as a result of the use of these products in order to release precautionary information.

The product test targeted 5 brands which provide ores, 3 brands which provide ceramic balls, and 2 brands which provide products that are a mixture between an ore and a ceramic ball.

Major product test findings:

Concentration levels of radon and radium:

- Radon concentration level discovered in the bath water:
When testing each of the products when soaked in bath water to discover the concentration level of radon, all of the products demonstrated a level that was far below what is set forth in the Hot Spring Law.
- Radium concentration level discovered in the bath water:
It was common to all of the tested products that the radium concentration level in the bath water was so low that it was not even detectable, being far below the level specified in the Hot Spring Law.
- External radiation exposure amount:
It was common to all of the tested products that, even if using these products in close proximity to the user over the duration of one hour per day for the period of one year, the amount of external radiation exposure was discovered to be lower than the upper limit of radiation exposure allowable for the general public over the period of one year.

Advertisements observed on the sales sites and product labeling:

- Statements proclaiming that you can enjoy a 'hot spring' at home:
When examining the sales sites of the tested products, these products are advertised that customers are able to enjoy a 'radon hot spring at home.' There are however only 5 out of the total of the 10 tested products that contain the same statement on the product package.
- Statements related to remedial effects:
6 out of the total of the 10 tested products are advertised and/or labeled proclaiming remedial effects towards certain illnesses.

Advice for consumers:

- The definition of 'hot spring' does not apply to products that are proclaimed to allow you to 'enjoy a hot spring containing radon/radium at home' by simply soaking such products in bath water. Furthermore, the concentration levels of radon and radium in the bath water are far below what is specified by the Hot Spring Law.
- Meanwhile, when examining the amounts of external radiation exposure generated from the tested products by simulating the practical usage of such products, the amounts were discovered to be scarcely harmful even if the products are used in close proximity to the user over the duration of one hour per day for the period of one year.

Requests to the industry:

- While the tested products are sold proclaiming to allow people to 'enjoy a hot spring containing radon/radium at home' by simply soaking these products in bath water, such advertisements and product labeling are inappropriate and the concentration levels of radon and radium in the bath water as a result of the use of such products are far below what is specified by the Hot Spring Law. There are also advertisements and labeling proclaiming remedial effects towards certain illnesses and these statements are required to be improved.

Requests to the government:

- While the tested products are sold proclaiming to allow people to 'enjoy a hot spring containing radon/radium at home' by simply soaking these products in bath water, such advertisements and product labeling are inappropriate and the concentration levels of radon and radium in the bath water as a result of the use of such products are far below what is specified by the Hot Spring Law. These products may conflict with the Act against Unjustifiable Premiums and Misleading Representations and thorough supervision and instructions are hence required.
- There are products that are advertised and labeled proclaiming that the use of these products provides remedial effects towards certain illnesses. These products may conflict with the Pharmaceutical Affairs Law and thorough supervision and instructions are hence required.

Be alert to problems triggered by the use of passenger vehicle electronic keys: Problems that were discovered to be unique to electronic car keys as a result of the questionnaire survey targeting consumers

Key-less entry is the major method to lock and unlock a passenger vehicle by pressing the button located on the car key. There is a growing trend where vehicles can be locked and unlocked without the person actually having to use the electronic car key as long as he/she has the key in his/her possession.

Over the period from the Fiscal 2005 to March in the Fiscal 2010, PIO-NET received 46 cases of inquiries and complaints concerning electronic car keys. 15 of these cases are related to the key itself and/or a child trapped in the car including the following case: After placing the child in the child seat and placing the bag containing the electronic car key on the passenger seat, the consumer went around to the driver's seat only to discover that the car was locked trapping the child in the car.

Under these circumstances, NCAC tested 6 vehicles (consisting of light vehicles and small-sized passenger vehicles that are equipped with an electronic key) to identify the problems that are unique to electronic car keys in order to release precautionary information to consumers.

Major questionnaire results:

Questionnaire targeting business operators:

- Since 1999, 149 vehicle models equipped with an electronic key have been sold. 24 of these models are designed to become unlocked when the person approaches the car and locked when the person moves away from the car while 131 models become locked and unlocked when the person who has the key in his/her possession approaches the car and then touches the door knob, button or sensor (with some models going across both of these two groups).

Questionnaire targeting consumers

- After investigating the 'actual usage status of passenger vehicle electronic keys' through NCAC's home page, effective responses were provided by 150 consumers.
- 42 consumers (28%) stated that they had experienced certain problems from the use of electronic car keys consisting of: unstable locking/unlocking status (23 consumers), the vehicle not responding to the operation of the key (6), the vehicle not starting (6) and a misoperation in the security system (6).
- The causes of some of these problems have been identified as: the key battery becoming flat (12 consumers), misoperation of the key (6) and the key being taken out of the car in an inappropriate manner (5).

Major product test findings:

Electronic car key accidentally becomes locked in the car:

- Electronic car key accidentally becomes locked in the car due to the key battery becoming flat:
When the electronic car key battery became flat while the engine was off, some of the tested cars became automatically locked as long as certain conditions were met.
- Car becomes locked due to the key-less entry function:
When the key-less entry button was pressed while the engine was off, some of the tested cars became locked even if the electronic car key was inside of the car.

Ways to unlock and start the car when the electronic car key battery becomes flat:

- When the electronic car key battery became flat, many of the tested cars were able to be unlocked and started by using the actual metal key which is contained in the electronic car key. Some cars required the separate key or both the metal key and the electronic key. The anti-theft alarm became activated in some cases.
- When the anti-theft alarm became activated, it could not be turned off quickly in some cases unless the deactivation method was known.

Electronic car key battery becomes flat quickly when it is located close to the car:

- In cases of some of the tested cars, the electronic car key continued sending a radio wave when it was

located within the operation range outside of the car. In some of these cases, the electronic key battery not only became flat more quickly but the car battery also became flat.

When the electronic car key is taken out of the car while the engine is on:

- When passing the electronic car key to another person through a car window without opening the door, the warning light did not turn on or an alarm buzzer did not sound in the case of five tested products.

Advice for consumers:

- As there are car models that become locked when the electronic key battery runs out, replace the battery regularly and do not leave the key inside of the car when getting out.
- Confirm with the instruction manual as to how to unlock and start the car in the event of the key battery becoming flat.
- When leaving the electronic car key in a location that is close to the car over a long period of time, the electronic key battery not only becomes flat more quickly but the car battery also becomes flat. The electronic key therefore should not be stored in close proximity to the car.
- When getting in and out of the car or putting baggage into the car and taking it out from the car, check the location of the electronic car key and, in particular, do not take the key out from a car window.

Request to the industry

Concerning the car models that become automatically locked when the electronic car key battery becomes flat, warning information needs to be provided to the users to prevent the key or a person from being locked in the car.

The current status of accidents triggered when consuming mini-cup konnyaku jelly (2010)

Due to the series of accidents where infants and elderly people choked while eating mouthful sized 'mini-cup' jelly products that contain 'konnyaku' (alimentary yam past), NCAC has been repeatedly revealing the results of product testing and providing warning information since 1995.

On this occasion, NCAC investigated the actual sales status of mini-cup konnyaku jelly in response to the Consumer Affairs Agency's request. For this purpose, NCAC looked into 225 shops (including supermarkets and drug stores located in Tokyo, Kanagawa, Saitama and Chiba) as well as 35 shops with the focus on those that operate through major internet mail order sites. Furthermore, the product labelling, shapes and properties of 27 products (7 brands) were also investigated and a questionnaire survey was conducted targeting manufacturers, sellers and retail chain headquarters

This is the 14th occasion where NCAC has provided precautionary information since 1995.

Major product test results:

Actual sales status:

- Large amounts of mini-cup konnyaku jelly are sold through drug stores and discount shops.
- Only 30% or below of the overall shops that sell mini-cup konnyaku jelly provide warning labeling.
- When looking into internet mail order services, mini-cup konnyaku jelly can be purchased through a number of shops operating through major online shopping malls.

Properties:

- As for the tested products currently available for purchase, the hardness and elasticity were found to differ according to the brand and one of the brands was discovered to provide products that are softer than ordinary jelly products. Furthermore, when it came to the six brands that had products targeted by the previous product test and had their test results revealed in January, 2009, the quality of their products was found to have barely changed except in the case of two brands ("*The current status of accidents triggered when consuming mini-cup konnyaku jelly*" reported on January 8, 2009).

- While the shapes of the jelly vary greatly, none of the above six brands have carried out a major change to the shape of their own products.

Product labelling:

- Except for one, all of the brands subject to testing provide large warning pictures and/or statements on the top surface of their product's exterior package. These products also have large statements detailing handling precautions on the back surface of the package.
- All of the brands excluding one provide statements that 'the product should not be eaten by children and elderly people' and that 'the product should not be frozen.'
- Most of the brands provide warning information on the lid of the mini-cups.

Questionnaire survey

- Since autumn 2008, most of the brands have provided improvements focusing on the product labelling. Many of these brands however fail to make a request to retailers at the time of shipment concerning appropriate product display locations in shops.
- While many of the retail headquarters provide instructions regarding the sales of mini-cup konnyaku jelly, the details of such instructions vary according to the headquarters with many of them failing to provide instructions concerning appropriate product display locations and warning information.

Advice for consumers:

Children and elderly people should not eat mini-cup konnyaku jelly.