



# 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

\* Explanation for terms used:

E-mail for Consumer Problems: The internet-based system designed for NCAC which receives emails from consumers reporting information about issues they have experienced.

Injury Information System: It was established by NCAC aiming to collect safety hazard information (information detailing cases where consumers suffered life-threatening or physical hazards from faulty products or services) and risk information (information detailing accident cases where consumers were potentially subject to physical hazards from faulty products or services) from nationwide consumer centers and cooperating hospitals collecting safety hazard related information through the internet and then to analyze in order to prevent the occurrence of similar problems and to hold back the expansion of the existing problems.

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## **Consumer Affairs Climate**

### **Fiscal 2009 Summary of consumer Issues received through PIO-NET**

This overview is a summary of information on consumer issues for Fiscal 2009 gathered through PIO-NET which connects the National Consumer Affairs Center of Japan (hereinafter "NCAC") with local consumer centers nationwide. Subject data are those registered to the NCAC host computer up to May-end 2010.

Details on this information are scheduled for publication on the "2010 Consumer Life Annual Report" to be issued in October 2010.

Main characteristics of Fiscal 2009 consumer issues received through PIO-NET

- Total number of consumer issues is on a decreasing trend with approximately 900,000 reports.
- Though there has been drastic decrease in "fictitious billing", complaints regarding matters other than "fictitious billing" decreased only slightly.
- While issues reported from those who signed agreements that are younger than age 20 has decreased, there has been more issues reported by those above 60, indicating aging among signers of agreements.
- Increase in inquiries and complaints regarding "fats (cooking oil)", "housing related", "stock", and "four-wheeled vehicles."
- Considerable decrease in issues report regarding "consumer financing/free loans."
- Number of inquiries and complaints regarding "safety/quality" and "customer service" recorded an all-time high.
- Though there has been decrease in reports regarding "out-of-store sales", "store purchase" is on an increasing trend.
- Revision of the Installment Sales Law has led to a decreasing trend in "per-item shopping loans" and an increasing trend in "installment for general products by third party credit"
- Total sum of contract/purchase amount and sum of payments already made have both decreased.

### **Summary of Fiscal 2009 risk/safety hazard related information received through the Injury Information**

#### **System**

This overview is a summary of Fiscal 2009 risk/safety hazard related information gathered through PIO-NET which connects NCAC with local consumer centers nationwide and the overview of safety hazard related information gathered from cooperating hospitals. Data used in this summary are those registered to the NCAC host computer until May-end 2010. Note that "relayed consultation" received at NCAC has been excluded from risk/safety hazard related information since Fiscal 2007.

Details on this information are scheduled for publication on the "2010 Consumer Life Annual Report" to be issued in October 2010.

Main Characteristics

- The total number of information for Fiscal 2009 gathered through local consumer centers and cooperating hospitals was 20,449, which is a 0.8% decrease in comparison to the previous year. Decrease in "safety hazard related information" and "risk related information" is attributable mainly to the gradual decrease in "food" cases, which had increased rapidly in Fiscal 2007 due to issues with frozen foods made in China.
- 11,831 cases were gathered from local consumer centers in Fiscal 2009 (12,408 cases in the previous year.) Of this number, 8,217 cases were "safety hazard related information" and 3,614 cases were "risk related information." The top three products in "safety hazard related information" were "medical services", "cosmetics", and "esthetic services." The top three products in "risk related information" were "four-wheeled vehicles", "microwaves", and "television." Chronological comparison on the number of cases by product/service before Fiscal 2008 and beyond Fiscal 2009 is not possible due to the partial change in the classification of products/services as of Fiscal 2009.
- 8,668 cases of safety hazard related information (8,260 the previous year) were gathered from cooperating

hospitals. The top three products were “furniture”, “stairs”, and “bicycles.”

## **Status of ADR implementation at NCAC and the summary of outcomes (Second round for Fiscal 2010)**

NCAC disclosed a summary of implementation status by the NCAC Conflict Resolution Committee and its procedure results.

Implementation status (April 2009 to July 31, 2010)

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

Number of those that saw the completion of procedures: 57 (Number of those that reached settlement: 26, number of those that failed to reach settlement: 20, number of those that were withdrawn: 11)

Sum total of cases lodged in Fiscal 2010: 20

Number of those that saw the completion of procedures: 42 (Number of those that reached settlement: 23, number of those that failed to reach settlement: 14, number of those that were withdrawn: 5)

Summary of the outcomes

The following summary of outcomes was released with consideration to the deliberations made at the 6<sup>th</sup> meeting of the Conflict Resolution Committee held on July 26, 2010.

1. Cancellation of work-at-home contracts
2. Repair fee for accidents inside metered parking spaces
3. Conflict regarding resort club membership
4. Cancellation of contracts for shipment of light freight
5. Refund of cancellation fee for wedding costumes
6. Cancellation of circumcision [1]
7. Cancellation of circumcision [2]
8. Return of remaining amount of advance insurance fee for life insurance
9. Cancellation of contract agreement for construction of new detached homes
10. Cancellation of men's wigs
11. Explanation on height restrictions at condominium purchase
12. Health appliances for enhancing respiratory functions
13. Cancellation of cleaning of sewer pipes and under floor extermination
14. Conflict regarding prelisted stock [3]

## ***Activities of NCAC***

### ***(1) Surveys***

#### **Be aware of trouble related to visiting sales for home smoke detectors!**

The number of consumer inquiries and complaints regarding visiting sales for home smoke detectors reached approximately 800 since Fiscal 2005. Many of the cases are in regards to “signing suspicious contracts for expensive smoke detectors through visiting sales.”

The 2004 revision of the Fire Defense Law requires all new homes to have home smoke detectors as of June 2006 and existing homes are obligated to have smoke detectors in the home by the date stipulated under municipal ordinance (by June 2011.) Therefore, similar consumer issues could continue until obligatory set up is enforced completely.

In order to prevent the occurrence of similar problems and to hold back the expansion of existing problems related

to visiting sales for home smoke detectors, NCAC provided precautionary information.

#### Number of inquiries and complaints

When looking at the number of inquiries and complaints regarding visiting sales for home smoke detectors, the number decreased at one point after surging in Fiscal 2006. However, the number is on an increasing trend once again since Fiscal 2007 and 235 cases were reported to local consumer centers nationwide in Fiscal 2009.

#### Advice for consumers

- Consult with family members in regards to set up of home smoke detectors and consider the options beforehand.
- Take extra care when purchasing a home smoke detector or requesting their installment.
- Reject persistent solicitors without hesitation.
- In case of trouble, consult local consumer centers immediately.

### **Be aware of “‘immediate’ encashment of gold currency”! More issues and more debt caused by future payment and reselling**

Inquiries and complaints regarding new ways of “encashment of gold currency” targeting consumers that cannot receive loans from consumer financing have been received at local consumer centers nationwide since Fiscal 2008.

Consumers in need of cash, prompted by advertisements for “immediate cash”, purchase gold currency and bare metal worth the amount of cash they need based through a Pay-Later-Plan. The gold currency and bare metal is then resold to businesses that purchase these for cash. However, the amount which the consumer receives is lower than the purchase amount in every case and thus, generates risk of enlarging debts.

In response to this situation, NCAC has alerted consumers regarding issues in purchase of gold currency and bare metal purchased for encashment in an effort to prevent the occurrence of similar problems and to hold back the expansion of existing problems.

#### Characteristics and issues identified based on the inquiries and complaints

- Many of the consumers face difficulty in making payments.
- There is lack of explanation in the mechanism of the process.
- Consumers are solicited through luring words.
- Consumers are guided to resell.
- The mechanism is designed in a way to induce multiple usages and in some cases, consumers are threatened.

#### Advice for consumers

- Never use such systems.
- Do not believe every word of the sales talk.
- Be aware that similar methods using products other than gold currency and bare metal also exist.
- In case of trouble, consult your local consumer center or a bar association.

### **“Earn high income by starting your own business?” Increase once again in reports regarding agency agreement for shipment of light freight! Some fall into multiple debts due to incapability of payment**

Inquiries and complaints regarding agency agreements for shipment of light freight has been received at NCAC and local consumer centers since the past and they are on the rise once again regardless of their decline which had continued since 2007.

In many cases, the person attends an orientation after seeing advertisements saying, “Recruiting private owners” or “We will introduce high income work” and pay expensive initial fees or sign agreements for mini vehicles that they are told “necessary” for work only to find that “they are not introduced to work” or “they are introduced to work but it does

not connect to income.” More than half of the consumers are in their 50’s to 60’s. In some cases, those searching for employment in order to “feed their family” or “to make a living” sign agreements, fall into trouble, and face serious situations such as bearing multiple debts.

In order to prevent such trouble, the Act on Specified Commercial Transactions stipulates a form of transaction called Business Opportunity Related Sales Transactions which sets forth various policies for the protection of the signer of contracts but some operators recruiting agents insist that the agreement has been made among two businesses and refuse to respond through cooling-off systems, thus making resolution difficult in many cases.

NCAC has organized the issues regarding trouble in agency agreements for shipment of light freight and have placed requests to related organizations, offered information, and called out to consumers.

#### Number of inquiries and complaints

There have been 5,186 inquiries and complaints received since Fiscal 2000 of which 2,414 have been received beyond Fiscal 2005. Looking at trends, the number continued to decline until Fiscal 2007 but started to rise again in Fiscal 2008 and Fiscal 2009.

#### Main case examples of inquiries and complaints

- Is not introduced to work on a continuous basis regardless of having been told otherwise.
- Was introduced to work but it does not lead to income as explained.
- Signed an agreement after being told that work would be introduced when in fact, there is no introduction at all.
- Made new debts in order to pay for the car which was contracted or the membership fee which was required at initial membership.
- Purchased a car after being told it would be necessary when in fact, the work introduced does not require use of the purchased vehicle.

#### Risks and problematic areas identified based on the case examples

- The expression used on advertisements contains assertive expression which leads readers to think that anyone can obtain a large income.
- In some cases, those who conclude agreements after being told that “they will surely be introduced to work” and that “it will lead to income” are in fact, not introduced to the explained work.
- In some cases, written legal documents based on the Specific Commercial Transactions Law are not issued.
- In some cases, negotiations proceed with difficulty in case of trouble due to the complexity in the form of transaction.

#### Advice for consumers

- Avoid agreements that are based on the understanding that payments can be settled through income that is said to be obtained in the future.
- Be aware of advertisements and explanations using assertive expression that lead readers to believe that anybody can obtain large income.
- Carefully confirm business requirements as written documents.
- In case of trouble, do not borrow new loans in order to solve the issue alone. Instead, consult your nearest local consumer center.

#### Request to the industry

##### Request to industry organizations related to vehicle sales

If there is a person seeking to enter business in shipment of light freights and attempting to purchase a mini vehicle as a specific burden under the Business Opportunity Related Sales Transactions of the Specified Commercial Transaction Law, let them know that they can receive a cooling-off period in order to prevent consumer trouble, contain its expansion, and to resolve issues in a prompt manner.

#### Request to industry organizations related to credit contracts

Investigate sales methods of member stores and in case a store sells mini-vehicles as a specific burden under the Business Opportunity Related Sales Transactions of the Specified Commercial Transaction Law, ensure that transactions observe the rules of the Installment Sales Law and provide response that enables prompt resolution of trouble.

#### Request to public administrations

Businesses whose main source of revenue is from vehicle sales and initial membership fee tend to carry out questionable advertising and solicitation when explaining income in order to gain new agreements. Monitor businesses in order to prevent future trouble and in the event they fall under Business Opportunity Related Sales Transactions of the Specified Commercial Transaction Law, carry out adequate guidance and take disciplinary action toward those businesses who have not issued legal written documentation (summary document/written agreement), companies giving explanations that fall under misrepresentation or deliberate non-notification of facts during solicitation, and those posting advertisement that applies as a misleading advertisement.

### **Be aware of malicious “paid e-mail trading sites”! Do not easily trust emails saying, “I want to see you”, “Please listen to my trouble”, or “I will give you money”**

June 2008, NCAC called out to consumers to be aware of consumer issues in relationship with “dating service websites.” However, many complaints in relation to dating service websites have continued flowing into local consumer centers nationwide regardless of.

“Dating service websites” refers to Internet websites which offers a “meeting place” for men and women by presenting a list of information on strangers of the opposite gender seeking companionship and arranging so that they can contact each other through email and other methods. Users seeking to use these sites must pay a usage fee to the website provider. In most cases, the usage fee is billed per action such as seeing the bulletin board, sending email, reading email, and viewing images. A number of points are predetermined based on the action taken and the actions can be carried out by purchasing the required number of points.

Recently, many of the complaints are received due to actions taken in pursuit of new friendships rather than “romantic relationships.” In these cases, users register to prize websites or SNS (social networking services), a community-type website in which users introduce friends with one another and register their friend networks and personal interests and preferences. After registering to such sites, users receive comments or email saying, “Let’s be mail friends” or “(A person claiming to be a manager of a celebrity writes) we will cover the cost for exchanging mail so please listen to my celebrity’s worries.” There are complaints such as “I did not receive money although I was told I would” or “I traded email because I thought the person was a celebrity but that was a lie” as a result of trading email.

Consumers seek refund of the mail exchange cost from the operators of the mail exchange site, doubting that the mail exchange was continued through use of a “decoy.” However, it is difficult to prove the existence of a “decoy” and thus difficult to redeem the mail exchange cost.

Provided this situation, NCAC has called out to consumers in order to prevent such consumer damage.

#### Summary of inquiries and complaints received through PIO-NET

The number of inquiries and complaints regarding “paid mail exchange site” received through PIO-NET has been increasing yearly since Fiscal 2005, reaching 5663 cases and the year-on-year comparison for Fiscal 2010 has also shown an increase.

#### Risks and problematic areas identified based on the case examples

- The situation leaves no choice but to continue emailing due to relationships with the other person, financial issues, and notifications from the website.
  - (1) The site operator bills the consumers based on various reasons or prompts the user to continue exchanging email rather than the mail friend prompting action.



- (2) The user cannot stop the email exchange out of sympathy after being asked to “listen to my problems.”
- (3) The user is paying large amounts of money before they know it, thus triggering the desire to collect what they have paid for, and not being able to stop until they have received money from their “mail-friend.”
- The site operator emphasizes that “they only offer a place for mail exchange” and deny any existence of a decoy.
- The average contract purchase price is higher when payments are made using credit card. In this case, a credit card settlement service acts as a mediator, thus complicating the agreement relationship.

#### Advice for consumers

- Do not easily trust email received from those met through the Internet.
- It is difficult to prove the use of a decoy by site operators and difficult to regain the money.

#### Request to the industry

Member businesses are asked to warn credit card members (consumers) to be aware of paid mail exchange sites in order to prevent/contain consumer damage.

### **Be aware of transactions using foreign currency with poor liquidity! After Iraqi dinar is now the Sudanese pound...**

Since March 2010, there has been frequent trouble in consumers being approached to purchase Iraqi currency, the Iraqi dinar. Recently, however, there has been trouble in phone solicitation by stranger companies to consumers saying, “If you purchase the Sudanese currency, Sudanese pound for 150,000 yen per package, we will purchase that for several fold the amount.”

In such trouble situations, it is especially notable that consumers conclude agreements after being fueled that currency with poor liquidity “will be lucrative no matter what” and that “they will be bought for a high price.” Provided this situation, NCAC has summarized points to be aware of in order to control and prevent damage.

#### Case examples of inquiries and complaints

A consumer received direct mail from a Company A saying, “buy 1 package of 50 Sudanese pounds for 150,000yen.” Several days later, the consumer received a call from Company B saying, “If you have Sudanese pound, we would like to purchase it for approximately 400,000yen.” Immediately after, Company A calls, asking, “Have you received our direct mail?” The company also recommended to “make reservations” at that time. When the consumer went to a banking facility to transfer the 25,000 yen as a deposit to Company A, she was asked the purpose of her transaction by the banking accountant and was told this was suspicious after explaining her situation. (Report received on September 2010, Kanagawa Prefecture, 60’s Female)

#### Advice for consumers

- Respond carefully to purchase of the Iraqi dinar and Sudanese pound.
- There has been no precedence of actual purchase.
- If you feel suspicious, contact a local consumer center

## ***(2) Safety hazard information***

### **Sickness caused by 3D movies**

Inquiries and complaints regarding sickness after seeing 3D movies have started coming in the E-mail for consumer problems and PIO-NET.

Sicknesses such as fatigue of the eye, discomfort, and headaches caused by viewing of not only 3D movies but movies in general is known as Visually Induced Motion Sickness (VIMS) in the industry and among researchers

and research regarding its effect on the living body are being carried out and safety guidelines prepared. In principle, it is said that viewers of 3D movies are more susceptible to VIMS than 2D movies. However, it is likely that this information is not communicated well to the consumers amidst the rapid spread of 3D movies and its extensive advertising.

Consumers were called out to in order to inform them of sicknesses caused by 3D movies.

#### Case examples of inquiries and complaints

- Case 1: I was faced with severe headaches after viewing a 3D movie. There were no announcements of advanced warning at the movie theater. The consumer's companion was also faced with similar symptoms when confirmed at a later date.
- Case 2 : The consumer's daughter, in her first year of middle school, suffered something similar to car sickness after seeing a 3D movie together. The consumer was also affected by fatigue of the eye and a headache.
- Case 3 : After seeing a 3D movie with captions, there was pain in the back of the eye and the consumer saw things in double for several days thereafter.

#### Issues

Cases reporting sickness is limited to theater films at the present time. The dynamism, realistic effects, and entertainment of 3D images are being advertised but the possibility of sickness for some people is hardly known. Even in the reported cases, none of the consumers recognized a clear display or announcement of warning at the movie theater.

Consumers can choose whether to see the movie or not if there is an advanced warning. Additionally, it is necessary to inform consumers on methods of dealing with sickness in the event they become sick during the movie. Because it is a new type of movie, it is necessary to communicate to consumers beforehand regarding the possibility of physical change.

#### Advice for consumers

- Be informed that 3D movies could cause sickness.
- Stop viewing if you feel any discomfort.
- Guardians shall pay strict attention to their children.

#### Request to the industry

Theater films, particularly with its large screens, sound, and the dark lighting offers dynamism and stronger movie effects but is thought to have more likelihood of causing sickness in exchange. Theaters are requested to inform consumers that 3D movies may not fare well with consumers depending on their health and condition before the consumer purchases the ticket and to also inform viewers on methods of dealing with sickness during the film before the screening of the film.

## **Beware! Accidental ingestion of medication packaging especially among the elderly...swallowing of PTP packages could damage the throat and esophagus**

The Injury Information System has received 86 reports of accidents damaging the throat and esophagus as a result of accidental ingestion of medication while still in its package.

Most medication packaging is made from what is called PTP (Press Through Package) sheets which pastes aluminum to plastic. Before 1996, PTP was perforated vertically and horizontally so that tablets could be separated one by one. However, frequent accidents related to accidental swallowing of PTP together with tablets led to perforation in one direction only so that the tablets could no longer be separated one by one. In addition, countermeasures such as increasing warnings for accidental ingestion were also taken. However, there is no end to the accidental swallowing regardless of these actions.

When medication that has been separated by tablet is swallowed while still in PTP, it is difficult to remove



single-handedly and the material does not appear well on X-ray images, thus requiring removal by endoscope, proving to be a heavy physical burden.

Provided this situation, NCAC has warned consumers beforehand in order to prevent the occurrence of similar problems and to hold back the expansion of existing problems.

#### Main case examples of inquiries and complaints

Case 1: Swallowed a prescription whole with its package. Went to the hospital by ambulance due to throat pain but it could not be found on X-ray due to the medication getting caught on the back of the Adam's apple. It was removed several hours later by endoscope.

Case 2: After swallowing an endoscope for an anemia test, a PTP package was found stuck in the intestine duodenum. The package was removed but it had punched hole in the intestine, thus requiring surgery.

#### Issues

- Though structures that prevent medication tablets from being separated one by one is now the predominant style, consumers cut them with scissors by tablet for improved portability. This size is susceptible to accidental ingestion, thus leading to accidents.
- When PTP is cut apart, the sharp edges damage the body's interior and have risk of punching holes depending on the body part.
- Accidental ingestion is difficult to detect until symptoms such as pain start to appear. Additionally, even if a consumer is aware of their accidental ingestion and undergoes inspection due to poor physical condition, PTP material appears transparent on X-ray, thus making detection difficult. There is risk of the situation becoming severe in the event of late detection.
- Observing the current situation in which accidents are particularly common among the elderly, there is a limit as to how much consumers can prevent accidental ingestion on their own.
- Pharmaceutical companies have continued research on product safety measures such as material that will melt inside the body even in the event of accidental ingestion as well as materials that will appear on X-ray but they have yet to find an effective method that will prevent accidents while maintaining medication quality.

#### Advice for consumers

- PTP is perforated in one direction only (horizontal or vertical) in order to prevent accidental swallowing so do not separate tablets one by one.
- Due to the high frequency of accidents among the elderly, family members and those near elderly shall pay close attention.
- See a doctor immediately if you think you have swallowed PTP.
- Make use of "one package medication" which packages medication in per dose packets.

#### Request to the Industry

Though various countermeasures have been applied in the past mainly by industry organizations for the prevention of accidental swallowing of PTP, the actual accidents that still occur indicates the need for further awareness rising among consumers such as, "Do not cut/split PTP one by one so as to avoid the risk of accidental swallowing and to prevent accidental swallowing." In particular, it is desirable to ensure that warnings be made at counters where medication is handed to the consumer.

Meanwhile, we request that product manufacturers continue searching for further safety measures with reference to past research by pharmaceutical manufacturers in their consideration for design that makes accidental swallowing difficult or measures that alleviate physical burden even in the event of swallowing.

In addition, popularization of per-dose packaging of prescriptions would be desirable.

### **(3) Product testing**

#### **Regarding safety of electronic cigarettes**

Electronic cigarettes are gaining attention due to the increasing national awareness toward smoking cessation and separation of smoking areas as well as the tax rise on tobacco as of October 2010.

PIO-NET has received 309 inquiries and complaints regarding electronic tobaccos starting with the first case received in June 2007 up to June-end 2010. The number has been on a rapid increase in recent years. Provided this situation, NCAC has carried out a survey among electronic cigarettes and disclosed to consumers, information regarding the presence of nicotine in product cartridges and how companies are confirming the contents of the cartridges and their safety.

The product test targeted 25 brands and 45 flavors sold inside Japan, and for reference, 2 brands and 2 flavors of privately imported products.

#### Major product test findings

##### Nicotine, diethylene glycol content

- After researching the cartridge liquid, diethylene glycol was not detected in any of the brands but nicotine was detected from 11 brands and 15 flavors out of the 25 brands and 45 flavors sold domestically.

##### Labeling

- Though labels on almost all of the brands sold domestically state that the product does not contain nicotine, the substance was detected from a part of the brands.
- Only 11 of the 25 brands provided information on the liquid content inside cartridges but there was great variance between the label content and actual content even if a label was provided.
- Though labels stated product safety, the subject matter and grounds of safety were lacking or vague in many cases.
- 16 of the 25 brands provided a label regarding suitable user age.

##### PSE Mark

- Battery chargers for 3 brands did not have a PSE mark and 3 brands placed the PSE mark in a location that would not be visible during regular use, thus presenting a risk of infringing upon the Electrical Appliances and Material Safety Act.

#### Survey Research toward Companies

- All of the companies responded that their product does not contain nicotine regardless of the fact that nicotine was detected in the tests.
- Though many of the companies answered that they understood the safety of the products, these responses are thought to be in regards to safety and sanitation in the event its contents are swallowed.
- Many of the companies design electronic cigarettes for smoking cessation or reduced smoking and sell the products based on the understanding that the products are effective.
- Many of the companies responded that the product should not be used by minors but they had not carried out any countermeasures outside of the label.

#### Advice for consumers

- Avoid lighthearted use of electronic cigarettes as the grounds regarding their safety are insufficient.
- Avoid continuous use of electronic cigarettes in expectation of achieving smoking cessation or reduction since their effect is thought unclear.
- Guardians shall pay careful attention so that the product is not easily accessible to minors.
- When overseas, beware of purchase/use/handover of foreign electronic cigarettes since some contain nicotine.

#### Request to Companies

- Ensure thorough quality control as nicotine was detected from cartridges of domestically sold electronic

cigarettes.

- Some products did not carry the PSE mark or displayed the mark in areas that were not visible during regular use. Revise such products since this has a risk of infringing upon the Electrical Appliances and Material Safety Act.
- Carry out countermeasures such as selling restrictions in order to prevent easy access to minors.
- Validate and clarify the safety of ingredients inside electronic cigarettes when inhaled.

#### Request to Public Administrations

- Nicotine was detected from cartridges of domestically sold electronic cigarettes. Carry out research and provide guidance as nicotine is a pharmaceutical ingredient and cartridges containing nicotine could prove to be an issue in the Pharmaceutical Affairs Act.
- Nicotine was detected from cartridges of electronic cigarettes with labels that it did not contain nicotine. Provide guidance since this could prove to be an issue in the Law for Preventing Unjustifiable Lagniappes and Misleading Representation.
- Carry out prompt investigation regarding safety of electronic cigarettes sold inside Japan and carry out safety measures including legislative action as necessary.
- Carry out prompt field survey regarding sales of electronic cigarettes and carry out measures to prevent purchase and use by minors.
- Three brands did not carry the PSE mark and 3 brands displayed the mark in an area that would not be visible during regular use. Ensure thorough monitoring/guidance as this may infringe upon the Electrical Appliances and Material Safety Act.

### **Be aware of usage of face wash containing volcanic ash**

Face wash containing ingredients volcanic ash-derived ingredients such as volcanic ash, Shirasu (volcanic ash white clay), and Shirasu-balloon powder have been gaining popularity in recent years.

The NCAC Injury Information System has received 23 reports of cases in which foreign material entered the eye as a result of using face wash in approximately 5 years from Fiscal 2005. Of this number, 10 cases were caused by face wash containing volcanic ash-derived ingredients and 9 of the 10 cases required outpatient treatment.

Around 1990, there were many reports of foreign matter on the eye surface as a result of using face wash containing scrub agents and NCAC offered information as a response to such situations. Face washing containing volcanic ash-derived ingredients is also likely to remain on the eye surface without the user being capable of single-handedly removing the foreign matter in case it enters the eye accidentally during use.

Provided this situation, NCAC tested 10 brands of cosmetic and quasi-drug, paste style face wash containing volcanic-ash derived ingredients in order to confirm whether they contain particles that could remain on and scratch the eye surface when it gets in the eye and this information was offered to consumers.

#### Main product test findings

- The insoluble component in all of the brands contain particles above a certain size as well as particles with pointed edges and some of these particles had a likelihood of remaining on the eye surface regardless of tears or blinking.
- Foam that has been made through the method specified by the product also contained particles with pointed edges.
- Eight of the 10 tested brands provided a warning for issues regarding the eye.

#### Advice for consumers

- Face wash containing volcanic-ash derived ingredients have a risk of the particles remaining on the eye surface if it accidentally gets in the eye. Consumers shall be careful not to get face wash in their eye during use and are advised to consult an ophthalmologist in the event face wash gets in their eye and there is pain or a feeling of something in the eye.

#### Request to the Industry

- Particles in face wash containing volcanic ash-derived ingredients have a risk of scratching the eye surface when it gets in the eye by accident. The industry is requested to ensure thorough warning to consumers and carry out product improvement in order to increase safety.

### **Safety of children's Bousai Zukin (head protection)**

The "Work Group Report regarding Evacuative Action Based on Earthquake Disaster Prevention Research (May 31, 2010)" announced by the Ministry of Education, Culture, Sports, Science and Technology this May carries out behavioral validation during earthquakes and stresses the importance of protecting the head by "hiding underneath a table or protecting the head with a cushion, magazine, or helmet" during the slight tremors in the early stages of an earthquake.

Today, hoods commonly known as "Bousai Zukin", used to cover ones head from the danger of falling objects when evacuating from disasters such as earthquake and fire, are used mainly in elementary schools.

Bousai Zukin, used during emergency situations such as earthquakes, offer various functionality against fire such as "durable against burning" and "flameproof." However, it also seems to be a product that many consumers are not very familiar with in terms of unique product differences and their durability against falling objects. In addition, the product does not have a useful life span as with helmets and there is lack of information as to whether it is safe for children to continue using the product for extended periods of time.

Therefore, NCAC has tested commercial Bousai Zukin including those certified by the National Association of Disaster Prevention as well as those actually used in elementary schools for their flameproof performance and shock resistance and offered this information to consumers so that it can be put to use in future disaster prevention measures.

#### Major product test findings

##### Commercial Bousai Zukin

###### (1) Labeling

- All brands proclaimed flameproof functionality such as "flameproof" and "flame retardant" but the labels varied in its content.
- Some did not carry a washing label and was not able to determine if it was washable or not.
- Some did not display the product dimension at all but all of the brands were produced in sizes that were capable of covering a child from head to shoulder.

###### (2) Flameproof test

- Some products did not self-extinguish and the fire continued burning, thus destroying the product regardless of the label claiming that it was flameproof.

###### (3) Shock absorption test

- The inner filling of some brands had a double structure in order to heighten shock absorption capability.

#### Bousai Zukin received from elementary school students

##### (1) Exterior

- Many of the Bousai Zukin showed signs of age-related degradation such as damaged fabric material and exposed padding thought to be caused by extensive use. In addition, the size of the Bousai Zukin was varied.

##### (2) Flameproof test

- Seven of the 30 test products received was burned and destroyed by fire.

##### (3) Shock absorption test

- Some of the 30 test products was heavily degraded and had drastically low shock absorption capability.

#### Main results of the survey research

- 60% of parental guardians sought "protection against falling objects" as the first priority in Bousai Zukin function,

followed by “protection against fire and heat.”

- 80% of parental guardians felt the need for Bousai Zukin

#### Advice for consumers

- Understand the functions of a Bousai Zukin.
- When purchasing a Bousai Zukin, it will be helpful to choose those designed so that the padding does not shift to one side during usage, or is made from material that does not degrade easily, or to purchase a product certified by the National Association of Disaster Prevention. In addition, carefully confirm labels that contain the product’s caring method.
- When children bring home their Bousai Zukin during long holidays, parents shall confirm carefully for any damage. Also confirm whether the product size is appropriate for protecting the head.

#### Request to the Industry

- Revise labels so as to prevent misunderstanding among consumers since some claimed to be flameproof and fire-retardant when in fact they were burnt and destroyed.
- Display a rough indicator for size and appropriate age.
- Develop products with greater functionality including shock absorption and durability.

### **Be aware of poor durability of folding bicycles with small-diameter tires**

A man in his 50’s was involved in an accident, bearing a face injury requiring more than a month for recovery due to a fall caused by the frame of a small-diameter tire (8 inches) folding bicycle, breaking while riding across a step on the street. Research on the product model identical to the accident revealed issues in durability and information has been provided in order to prevent any further accidents.

#### Accident Case

While riding a folding bicycle with a small diameter tire, the rider fell after riding over an approximately 4cm step from the sidewalk onto the street. The rider fractured and lacerated his face and broke 6 teeth. (Date of the accident: May 2010, Injured: Male, 50’s, Chiba Prefecture)

#### Summary of the accident product

The product of the accident is a folding bicycle (A-RideX) which is characterized by its compactness and light weight. The product structure is very different from ordinary folding bicycles and in addition to the aluminum alloy pipe and resin parts (nylon) used on the frame, the diameter of the tire is an 8-inch (approximately 20cm) solid tire (a solid core tire that does not contain air.)

Brand name: A-RideX Weight: 5.7kg (6.26kg), folding size: 660×300×150mm

Maximum weight: 80kg, Import Distributor: Kakaku Net K.K., Manufactured in China

#### Test Results

- A 65kg dummy doll was placed on the accident model and the front fork made from resin broke from its base when the bicycle climbed a 4cm step at 15km per hour.
- Upon confirming the accident model’s instruction manual, there was a sentence under the [Warning] section warning users to refrain from riding on the bicycle where there are level differences and to refrain from accelerating speed.

#### Issues

After riding up and down level differences using a dummy doll, riding up a 4cm step at 15km per hour resulted in malformation in the upper edge of the front tube as with the accident product as well as damage in the front fork made from resin. These results indicate that the bicycle has risk of malformation/destruction when a large strength is applied to the front tube or front tire, even if this may be when passing over a step while riding on a

regular street and that it lacks the durability required for riding on the street.

Though a [Warning] is provided in the instruction manual, there was no indication on the possibility of destruction in such events.

#### Advice for consumers

As revealed in the test results, there are issues in the durability of the frame and consumers shall refrain from using the product on roads with level differences.