



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>

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* Major abbreviated names: ADR: Alternative Dispute Resolution 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.

Consumer Affairs Climate

Consumer information regarding the earthquake disaster

Information about inquiries and complaints regarding the Tohoku Region Pacific Coast Earthquake

Inquiries and complaints regarding the March 11, 2011 Tohoku Region Pacific Coast Earthquake have been arriving at the National Consumer Affairs Center of Japan (NCAC) and local consumer centers across the nation.

The following is a preliminary report on major topics collected since March 11, 2011 (as at March 31).

PIO-NET started receiving earthquake related inquiries and complaints since the day of the earthquake, and has since received 3,948 reports up to March 31.

By region, there have been 321 reports from Hokkaido/Northern Tohoku, 462 reports from Southern Tohoku, 701 reports from Northern Kanto, and 1,660 reports from Southern Kanto. To date, the greatest number of reports has been received from Southern Kanto, and reports received from all regions other than the above total 727 reports.

Suspicious cases of piggyback marketing

- A vendor called upon my elderly mother's home suggesting an "inspection of roofing tiles" upon discovering that roofing tiles had come loose as a result of the earthquake. After observing the roof only from inside a second floor room, the vendor demanded "50,000 yen as inspection costs" regardless of the fact that no contract had been signed.
- I received a phone call from a person claiming to be a government official saying, "Following the recent earthquake, we have been collecting things that can be used as recycled products. Please contribute."
- I suddenly received a long-distance phone call asking, "Were you affected by the earthquake disaster?" and I applied for bottled water after being persuaded over the phone. I did not ask for the vendor's name or contact number. Now that I think about it, I was probably deceived. I do not want to receive the product.
- An operator called upon both of my parents' houses to ask, "Would you like your roof repaired?" They were told, "Your roofing tiles have fallen due to the earthquake, so you need to have them repaired. You should repair them now." They signed a contract, but I think it's suspicious. I want them to cancel the contract.
- It seems there has been widespread solicitation by renovators in some regions following the earthquake.

They seem to solicit consumers on the grounds that "the government will provide a subsidy." Is this true? We experienced liquefaction in my neighborhood and many homes are in need of future repair. I am worried that people will be lured by solicitors.

Cases of donation fraud

- Two or three days ago, two men called upon my house saying, "We are from the municipal office. Please donate for the earthquake disaster." I donated, but I wonder if they were really from the municipal office.
- I have been receiving frequent suspicious phone calls claiming, "We would like to donate proceeds from the sale of precious metals to support recovery in areas devastated by the earthquake. Please sell us your precious metals."
- I received a sales call saying, "Would you like to purchase Hokkaido crab for 50% off the regular price? Part of the proceeds will be donated to the earthquake disaster." Can I trust these phone calls?

Cases regarding chain mail

- I received an e-mail on my mobile phone the day after the earthquake saying, "The fire at the petrochemical complex is releasing massive amounts of hazardous substances into the atmosphere." I would like to report this information.

Other frequent reports

- My bathtub was damaged by the earthquake. Upon consulting my landlord, I was told, "These matters are to be covered by the tenant themselves."
- After the strong earthquake, the water heater in my bathroom fell over, resulting in flooding that extended to the living room, and water is also leaking into the lower level. I contacted my insurance company to claim for earthquake insurance only to be told that this cannot be covered.
- There has been increasing demand for gasoline since the earthquake several days ago, and it seems that all of the gasoline stations in the area are sold out and closing their stores. This will impact my everyday life if the situation continues. I want to know when I can fill up on gas again.
- I had signed up for a trip and when I called to cancel after the earthquake, I was told that I could not cancel or postpone. What should I do?
- I had planned to travel abroad, but when I called to cancel the trip due to difficulty in getting to the airport because of disruption to the train schedule, I was told there would be a cancellation fee.
- Graduation ceremonies were suspended due to the earthquake, and when I called to cancel my rental kimono, I was told, "That is not possible." I am dissatisfied.

Advice for consumers

Regarding piggyback marketing and guarantee frauds

If you feel you came close to becoming a victim or you have become a victim, immediately consult a consumer center, consumer hot line, or the police.

Donation fraud

Please try to make donations through credible organizations. Confirm that the deposit account is the official account belonging to that credible organization. Consult the police if you have any doubts.

Regarding chain mails

It seems that false information regarding the Tohoku Region Pacific Coast Earthquake continues to flow through chain mails, electronic bulletin boards, and mini blogs. Confirm credibility of information through reliable information sources such as news reports and government institution homepages. Also, beware not to be deceived by chain mails and other such information in the future.

Note that forwarding chain mails will lead to unnecessary inflammation of anxiety. When you receive such information, promptly delete the material and avoid forwarding it onto others.

Status of ADR implementation by the NCAC and summary of outcomes (fourth round for FY2010)

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

Implementation status (April 2009 to January 31, 2011)

Total number of applications for FY2009: 106

Number of those that saw 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)

Total number of applications for FY2010: 122

Number of those that saw completion of procedures: 86 (number of those that reached settlement: 47, number of those that failed to reach settlement: 28, number of those that were withdrawn: 11)

Summary of outcomes

The following summary of outcomes was released with consideration to the deliberations made at the 8th Meeting of the Conflict Resolution Committee held on February 14, 2011.

1. Cancellation of micro-cluster water generators
2. Repair of leased condominiums
3. Refunds on horse racing information
4. Refund of fees for software purchased through membership organizations
5. Return of deposits for rental homes
6. Cancellation of marriage matchmaking services
7. Cancellation of privately printed Haiku books
8. Cleaning fires
9. Internet auctions
10. Cancellation of telephone lease contracts [4]
11. Cancellation of individual variable annuity insurance
12. Under-payment of operation insurance benefits.
13. Strife related to trouble occurring in communal areas of condominiums
14. Agency contracts for the vending machine business
15. Cancellation of hair growth formula
16. Cancellation of business seminars
17. Cancellation of laptop lease contracts
18. Compensation for damages due to inappropriate use of stolen credit cards [3]
19. Cancellation of whole life annuity
20. Electromagnetic radiation damage caused by electric vehicles (EVs)
21. Reimbursement of corporate bonds

Status of Reports Received in the First Year of the "National Consumer Affairs Center of Japan (NCAC): Sat. Sun. Holiday Counseling" Reports received from January 16, 2010 (Sat) to January 30, 2011 (Sun)

On January 12, 2010, the Consumer Affairs Agency kicked off the "Consumer Hotline" (0570-064-370) in order to introduce consumers to their nearest consumer inquiry counter as the first step in resolving consumer issues.

In accordance with this action, the NCAC also launched counseling services for Saturdays, Sundays, and holidays on January 16, 2010 (Sat) in order to supplement those consumer centers that did not open a consumer inquiry counter on weekends and holidays. One year since opening, the NCAC reported on the summary of reports received through "NCAC Sat. Sun. Holiday Counseling." The number of reports received has exceeded 10,000 cases.

Number of reports and service days (January 2010 to January 2011)

January	Number of complaints/inquiries: 794	Service days: 6
February	Number of complaints/inquiries: 1,001	Service days: 8
March	Number of complaints/inquiries: 1,077	Service days: 9
April	Number of complaints/inquiries: 913	Service days: 9
May	Number of complaints/inquiries: 1,142	Service days: 13
June	Number of complaints/inquiries: 649	Service days: 8
July	Number of complaints/inquiries: 844	Service days: 10
August	Number of complaints/inquiries: 711	Service days: 9
September	Number of complaints/inquiries: 824	Service days: 10
October	Number of complaints/inquiries: 884	Service days: 11
November	Number of complaints/inquiries: 567	Service days: 8
December	Number of complaints/inquiries: 691	Service days: 9
January	Number of complaints/inquiries: 657	Service days: 9
	Total Number of complaints/inquiries: 10,754	Service days: 119

Summary

- The NCAC's Sat. Sun. Holiday counseling was conducted for 119 days, excluding the holiday season and facility inspection days, and approximately 90 inquiries per day were received.
- The larger proportion of inquiries were received from men. 66% of inquiries were received from salaried employees.
- Approximately 70% of consumers with inquiries were those in their 20's to 40's, and the average age was 39.2 years old.
- Inquiries were received from across the nation, but the most number of inquiries were received from the Kanto region, accounting for approximately 50% overall.
- When observing the number of reports and inquiries by "product category," "transportation/communication services," "educational/recreational products," "financial/insurance services," "rental/lease," and "automobile/vehicles" accounted for 64%.
- The total number of reports and inquiries in order of volume were, "pornographic information sites (2,583 cases)," "matchmaking sites (536 cases)," and "lease apartments (467 cases)."
- The number of complaints and inquiries involving damage to life/body that required more than 30 days of treatment reported by consumers was 12 cases. This information was reported immediately to the Consumer Affairs Agency.

Summary

- A gender comparison of consumers placing inquiries with Sat. Sun. Holiday counseling and those placing inquiries with PIO-NET in general reveals that 53.6% of PIO-NET inquiries are accounted for by women, whereas 53.9% of Sat. Sun. Holiday counseling inquiries are accounted for by men. * By age, more of the reports and inquiries placed with Sat. Sun. Holiday counseling were made by those in their 20's to 40's.
- By occupation, 41.3% of overall inquiries and reports placed with PIO-NET were by salaried employees, whereas this number rose to 66.6% for Sat. Sun. Holiday counseling. It is likely that many of the inquiries and reports are received from salaried employees who have difficulty accessing consumer inquiry counters during weekday daytime hours.
- With regards to the fact that approximately 30% of inquiries and complaints placed with Sat. Sun. Holiday counseling are in regards to "pornographic information sites" and "matchmaking sites," the NCAC has started alerting consumers via its homepage.

Activities of NCAC

(1) Surveys

Did you know? Trouble related to group purchase coupon sites

Since October 2010, there have been inquiries and complaints regarding group purchase coupon sites, which are online coupon sites where users purchase coupons with other users, thus enabling them to purchase products and services at lower prices than usual. On these sites, contracts are concluded once a certain number of users purchase the same coupon within the predetermined time, thus entitling them to the discount coupon (these sites are also referred to as "pre-purchase coupon sites"). However, if the purchase volume does not meet the minimum volume within the set time, the contract is not concluded.

Currently, these types of joint purchase coupon sites are appearing one after the other. The NCAC promptly alerted consumers in order to prevent the spread of further trouble as well as to prevent occurrence beforehand.

Case example

I purchased a bargain coupon from a joint purchase site for a 3,000 yen Chinese course menu that is usually 12,000 yen. I went to the Chinese restaurant, but the volume and quality of the meal was clearly different from what was advertised. The portions were small, the ingredients were poor in quality, and the course was completely different from the picture on the advertisement. I am very dissatisfied.

Advice for consumers

- Be cautious when purchasing.
- Check carefully, since purchases cannot be canceled in some cases.
- In case of trouble, consult your local consumer center.

The invoice screen from a pornographic Website becomes stuck on the user's PC and it cannot be removed!

The NCAC has alerted consumers following the rapid rise in inquiries and complaints stating, "An invoice screen from a pornographic site has become stuck on my PC and I cannot remove it."

Number of inquiries and complaints

The number of inquiries and complaints placed with PIO-NET in FY2009 totaled 9,339 cases. However, in FY2010, this number rose to 19,694 (as at February 8, 2011, 5,166 cases for the same term of the previous year).

Main case examples for inquiries and complaints

- I searched for and accessed a pornographic site and the invoice screen became stuck.
I searched for a pornographic site, and when I pressed the "Yes" button 3 times in response to the questions asked on the Website I chose and moved to the next screen, an invoice message saying "Registration complete" and "Deposit 70,000 yen within 3 days" appeared on my PC. Even after pressing the "X" button in the upper part of the screen, the screen appeared again after a while. The 70,000 yen invoice screen reappears when I restart my PC. I have no intention of paying and want to remove this screen. I do not have anti-virus software installed on my computer. (Received in January 2011, 30's, male, salaried employee, Aichi)
- I accessed a pornographic site via a movie site, and the invoice screen became stuck on my PC.
While I was watching free movies on a movie site, I was directed to a pornographic site without realizing it. On the confirmation screen of the pornographic site, I certified my age and answered whether my PC was used for business purposes. Upon answering the questions, I was registered and an invoice screen for 120,000 yen appeared on my PC. I cannot delete the screen even if I try. How can I get rid of it? (Received in December 2010, 30's, female, unemployed, Hokkaido)
- An invoice screen became stuck on my PC, so I called the operator of the pornographic site.
I searched for a pornographic site on my PC and viewed the site. On the top page of the Website, I was prompted to answer, "I am older than 20 and this PC is not used for business purposes," and I clicked "Yes." Next, there was the message, "I have read the terms and conditions of the site. I agree to the above and wish to advance to the movie download page," and I clicked "Yes." Then, I was asked, "Are you sure that this is the information that you entered on the confirmation screen?" and once I clicked "Yes" to that question, the screen switched over to one that read, "Thank you for entering this paid porn site." Then, an invoice screen appeared saying, "An amount of 68,000 yen is due as a usage fee upon registration." I tried to delete the invoice screen without success, so I called from my mobile phone to the contact number displayed on the porn site. When I asked whether I had to pay, I was asked my name and age. When I answered my age without telling them my name, I was told that in the case of an underage user, parents had to make the phone call. I said, "I understand" and hung up the phone, but I am too embarrassed to consult my parents. I lied about my age and did not read the terms. What should I do? (Received in December, 2010, teenage, female, high school student, Osaka)

Advice for consumers

- Carefully check the terms and contracts for pornographic sites, and in particular, confirm the price and service period.
- Do not click "Yes," "OK" or "Enter" haphazardly.
- Do not download or install programs from pornographic sites haphazardly.
- Install security software and anti-virus software on your PC, and always keep that software updated.
- When allowing elementary/middle/high school students to use the PC, install filtering software and decide

on rules regarding Internet usage through thorough family discussions.

- To delete a stuck invoice screen, the Information-technology Promotion Association (IPA) homepage acts as a good reference.
- If you do not understand the methods for recovering your system or initializing your PC even after referencing the IPA homepage, consult the PC manufacturer or the store where you purchased it. Check carefully beforehand since a fee may be generated in these cases.

Never listen, never touch! Suspicious lucrative talk regarding unlisted stock and corporate bonds

According to PIO-NET, the number of inquiries and complaints regarding unlisted stock and corporate bonds has been accumulating at consumer centers nationwide at a pace much higher than the number of inquiries and complaints received in FY2009, which recorded an all-time high. A look into the details of trouble reveals that many of the consumers who sign contracts are older than 60, and that the total sum of payments reached approximately 2.83B yen in FY2010 alone (as at January 31, 2011, the cumulative total since FY2001 is approximately 8.6B yen). Some cases are extremely serious with consumers claiming, "I have lost all of my post-retirement savings."

Frequent trouble involving unlisted stock or corporate bonds is attributable to the fact that the elderly who have purchased unlisted stock and corporate bonds in the past are targeted once again, and others are unaware that such trouble is occurring among the elderly. In order to prevent damage, the NCAC has alerted consumers to never lend an ear or hand to solicitations regarding unlisted stock and corporate bonds that "promise to be lucrative" or to profitable but suspicious talk by those claiming to be from a public agency.

Overview of inquiries and complaints regarding unlisted stock or corporate bonds received through PIO-NET (characteristics of inquiries and complaints in FY2010)

- 80% of overall consumers are older than 60, and trouble is notable among the elderly.
- An extremely large number of cases involve surprise solicitations such as telemarketing sales.
- There have been many contracts signed beyond April 2010 and many consumers are still getting caught up in trouble.
- The total amount of payments made by consumers rose to 8.6B yen.
- "Secondary damage" and "fraud sales" are on the rise.

Problematic areas are identified based on examples

- The solicitation of unlisted stock by an unregistered vendor is a violation of the Financial Instruments and Exchange Law.
- Buyers appear at self-offerings, but they do not keep their promises such as "we will purchase stock at a high price."
- Elderly with a history of purchasing unlisted stock are being targeted.
- In many cases, buyers claim to be from public agencies or securities companies.
- It is difficult to recover the money that has been paid.

Advice for consumers

- Flatly refuse easy lucrative talk.
- Beware of those cases where individuals claim to be from a public agency.
- There is no possibility of stocks being purchased.
- Do not rush to make payments, since it is difficult to recover money that has been paid.

- Consumers with a transaction history should be especially aware.
- Family and neighbors should watch out for the elderly who are prone to this kind of trouble.
- In case of trouble, consult a local consumer center immediately.

Trouble regarding investment contracts for complex or sophisticated funds: Funds for professionals (notification required businesses) often sold to consumers through theatrical sales techniques

The NCAC alerted consumers regarding investment contracts for funds in August 2008, but the inflow of inquiries and complaints regarding funds still continues. The number of inquiries and complaints in FY2009 totaled approximately 3,000 cases and the volume for FY2010 as of the end of January 2011 has already reached approximately 4,300 cases.

Inquiries and complaints are characterized by expensive and unclear investment contracts signed mainly by the elderly who do not seek a contract, but who are lured into doing so through problematic solicitation that lacks explanation and prompts assertive decision making. Additionally, in many cases involving companies with a record of receiving administrative penalties or police searches, consumers are unable to recover their investments and recover from damage.

Furthermore, recent inquiries and complaints point to new types of trouble using deceitful theatrical style sales techniques such as, "A certain company persisted that "If you invest in this anonymous association now, we promise that you will make a profit, and we will purchase your ownership interest for many times the price" so I signed the investment contract, but I have not been able to get in touch with the buyers since." There have also been cases where professional funds are sold to consumers with little experience in investment as seen through inquiries asking, "The company that sold the fund is registered as a provider of professional services, but can I cancel the contract?"

The NCAC has alerted consumers based on the outlook that problematic methods are becoming increasingly complex and sophisticated, and that similar cases are expected to increase in the future.

Issues

- Problematic solicitation such as "I will not let you lose" is being fed to consumers to prompt assertive decision making.
- There is a lack of information on the risks involved, and products are being sold to those who lack an understanding.
- Tactful and deceitful theatrical style sales techniques are being employed.
- There has been an increase in problematic contracts involving funds geared towards professionals.
- In some cases, unregistered businesses are soliciting consumers.
- The actual conditions of the fund are unclear.
- When the issue is exposed, resolution is difficult in many cases.

Advice for consumers

- Never sign contracts through problematic solicitation that "promises profits."
- Never sign contracts immediately if you do not understand the details.
- Never believe what you hear from companies who indicate that they will "buy from you" or "pay a gratuity fee."
- In addition to avoiding signing contracts with unregistered companies, do not easily believe talk from registered companies.
- Consult your local consumer center.

Request to Public Administrations

- With regards to the increasing number of problematic cases in which professional funds are being sold to consumers with little investment experience and no interest in signing contracts, as well as the increasing number of cases involving registered companies who deem Investment Related Partnerships as Qualified Institutional Investors, consider the implementation of a system that addresses illegal sales and the solicitation of funds as well as the misuse of the registration system.
- With regards to the complexity of fund contracts and the fact that a resolution of issues after contract conclusion is difficult in many cases, consider the possibility of implementing a cooling off system or other type of system that protects consumers.
- Apply tougher and quicker responses to acts that violate laws such as the offer of funds by unregistered companies.
- Apply tougher and quicker responses to acts that violate laws such as transactions that take on the form of a professional fund, when in fact there is no Qualified Institutional Investor, or transactions that in substance force more than 50 ordinary investors to acquire fund ownership.

Beware of vendors recommending the purchase of the Sudanese pound! Solicitations such as, "we will buy" "please apply in return"

Local consumer centers across the nation have been receiving many inquiries and complaints regarding vendors recommending the purchase of the Sudanese pound. The vendor approaches the elderly saying, "We will purchase unlisted stock and corporate bonds that you have purchased in the past. We want you to purchase the Sudanese pound in return. "You will only be lending your name, and we will pay the cost. You will not lose." In the course of their explanation, the vendor emphasizes that the consumer will be able to recover their damages and there is a notable number of cases where vendors urge consumers to apply for the purchase, when in fact the buy over does not occur and the vendor becomes inaccessible after a while. In some cases, vendors conduct deceitful marketing by pronouncing themselves as an actual financial institution, public agency or legal office in what could be considered "theatrical sales," and sales methods are becoming increasingly complex. In light of this situation, the NCAC has alerted consumers in order to prevent damage.

Total number of cases

Of the information collected through PIO-NET, 306 reports were in relation to the Sudanese pound (those registered from August 2010 to the end of January 2011).

Attributes of consumers who signed contracts

- By age group, 187 cases affected those older than 70 (61.1%,) which is the largest group. This was followed by those older than 60 with 82 cases (26.8%). The majority of consumers are the elderly. The average age is approximately 71 years old.
- By gender, 129 cases were male (42.2%) and 175 cases are female (57.2%).
- By occupation, 170 cases affected the unemployed (55.6%,) which accounts for the largest group. This was followed by 95 cases (31.0%) that affected self-employed or freelance consumers.
- 245 cases had already paid money. Of this number, 29 cases paid 2M - 5M yen (11.8%), followed by 26 cases that paid less than 500,000 yen, and the same 26 cases for those that paid 1M - 2M yen (10.6%). The average amount was approximately 4.97M yen and the largest amount was 71M yen.
- Looking at the type of marketing, the majority can be accounted for by telemarketing sales.

Issues identified based on inquiries and complaints

- Solicitation that targets consumers with a history of purchasing unlisted stock or corporate bonds is carried out.
- In some cases, fraudulent theatrical sales is carried out whereby vendors identify themselves as actual financial institutions or public agencies.

Advice for consumers

- Do not easily believe lucrative talk. Flatly reject unnecessary solicitation from unknown companies.
- Do not pay money immediately. Contact the police or financial institutions if you have already deposited the money.
- Those who have been involved in trouble regarding unlisted stock and corporate bonds should be especially careful.
- Do not think alone, but rather, consult family members and social workers even regarding trivial matters.
- Consult your nearest consumer center

Trouble regarding restoration that accompanies vacating leased homes

In many cases, when moving into leased homes such as apartments and condominiums, deposits and security money are paid to the landlord based on the lease contract. When vacating the leased home, the landlord subtracts due rent and restoration fees (e.g. repair fees for leased homes) from this amount, and the remaining amount should be returned to the tenant. However, in reality, there have been issues where the landlord does not respond to settlement of deposits and security money after the tenant has vacated the leased home or cases where the tenant is billed for an expensive restoration fee that exceeds the deposit or security money.

With regards to the likelihood of such problems increasing as we enter the end of the fiscal year, the NCAC has offered details on the concept of "restoration" and the return of deposits when vacating a home as advice to tenant consumers.

Total number of cases

The number of inquiries and complaints related to the restoration of leased homes received between FY2005 and FY2010 total 88,338 cases (those registered up to January 31, 2011).

Trends in the volume of inquiries and complaints

The number of inquiries and complaints beyond FY2006 is on an upward trend, and 11,650 reports were collected in FY2010. Though this is a slight increase in comparison with the same term for the previous year, the volume remains large and continues to shift at a high level.

Attributes of consumers who signed contracts

- By age, the largest group are those in their 30's with 27,734 cases (34.6%), followed by those in their 20's with 21,888 cases (27.3%), and those in their 40's with 13,550 cases (16.9%).
- By gender, 43,218 cases were male (49.8%) and 42,707 cases are female (49.2%).
- By occupation, salaried employees account for the largest group with 53,827 cases (66.6%).
- By region, many cases were seen in Southern Kanto and Northern Kyushu, followed by the Kinki region.

Issues

- The purpose of restoration is not understood properly.

- There is no joint inspection when the home is vacated or there is a lack of confirmation at the joint inspection, or the records of confirmation are not saved.
- There is a difference in the understanding between the two parties with regards to specific details of the restoration.
- There is an adequacy issue in the calculation method of restoration fees.
- The payment scope of restoration or special contracts related to the return of deposits or security money act as an issue.

Advice for consumers

- When vacating a home, confirm the room's condition together with the landlord, management company, and intermediary agent as much as possible.
- Ask the landlord for a full explanation on the breakdown of restoration fees presented when vacating the home.
- Ask the landlord to present estimates from multiple companies.
- If resolution is difficult through negotiations with the landlord, procedures such as civil conciliation and small claims action are available. In addition to taking such procedures, consult your local consumer center.

A rapid increase in "water resource rights," a new type of problematic investment

There has been a frequent occurrence of investment trouble such as unlisted stock, corporate bonds, and funds. In this situation, we have seen trouble involving a new method of investment, whereby consumers are told, "Water resource rights sold by a certain company are much better than interest at the bank. Are you interested in buying them?" and are then told that they will receive a dividend once they purchase "water resource rights."

These cases are characterized by: (1) Details of investment transactions referred to as "water resource rights" which are unclear in its mechanism as to how "dividend" is generated, (2) There is a notable number of cases with theatrical type solicitation where consumers are informed that a company separate from the distributor will "purchase rights at a high price," (3) In some cases, consumers must apply for "mortgage rights" in order to purchase "water resource rights," whereby an "employee certificate" is sent, though the details of this contract are unclear. Given this situation, the NCAC has summarized points to be careful of in order to control and prevent damage beforehand.

Case examples of inquiries and complaints

- Case Example 1: I suddenly received a phone call from an unknown company (Company A) and after they explained about the importance of water resources, I was told, "Rights for water resources are better than interest at the bank. It will be a grave issue if these rights are purchased by foreigners. A certain company (Company B) is selling water resource rights. Would you be interested in purchasing some?" When I contacted Company B, I was told, "There is a 6% dividend and you will receive 1,500 yen every month. One unit costs 300,000 yen and this can be redeemed within 1 year." I wired 300,000 yen to Company B, since this sounded like a good deal. Later on, Company A recommended an additional purchase of rights. I turned down the offer by saying that I did not have the money, but I was told, "We will pay 100,000 yen so you only need to add 200,000 yen" and I proceeded to wire 200,000 yen to Company B. However, Company A said, "My boss found out and I can no longer pay the 100,000 yen, so I will purchase the rights for 900,000 yen" and so, I wired the remaining 100,000 yen to Company B. Later on, Company A did not purchase my rights, and when I asked why not, they responded, "The buy over will occur after the certificates arrive." At a later date, I received an employee certificate from a limited liability company that was not Company B. This is

suspicious and I would like my money back. (Received in February 2011, 40's consumer, unemployed, female, Fukuoka)

- Case Example 2: I was contacted by a person identifying themselves as a major beer company and was told, "If you purchase these water resource rights that are not sold to the public, we will purchase these rights from you." Later on, I received a document for an investment product that read "100,000 yen per unit, interest rate of 6-8%." Thinking this would be lucrative, I called the company selling the rights and was coerced, "Please pay the amount by the end of the day and we will add 10 units for free." After transferring 8M yen to the distributor's account, I received a fax for an application form for mortgage rights. When I contacted the distributor later on, I was told, "OK, we will send you the rights certificate." After careful deliberation, I thought it was suspicious and immediately contacted the bank to have the transfer canceled. Upon contacting the distributor, they promised, "The money will be returned at a later date," but I am worried. (Received in February 2011, 50's consumer, unemployed, female, Miyagi)

Advice for consumers

- Never sign contracts for investment transactions called "water resource rights" if you cannot comprehend the details.
Details of the transaction cannot be confirmed through the explanation provided on the application form or pamphlet and they contain terms such as "mortgage rights" and "employee certificate" that do not offer sufficient explanation regarding contents. In addition, the details are unclear. There is absolutely no mention of the land value of these so called water resources, it is impossible to estimate the risks involved, and contract details regarding investment in "water resource rights" are also unclear. With regards to these investment transactions called "water resource rights," it is extremely difficult for the consumer to understand what they are signing a contract for and what it is that they are paying for. Never sign a contract if you cannot understand the details.
- Never believe companies that suggest, "We will purchase rights for a high price."
Trouble involving theatrical style solicitation where companies coerce consumers to purchase rights by saying "We will purchase for a high price" has been an ongoing issue for unlisted stocks, corporate bonds, and funds. There has not been a single case where the purchase has actually been carried out. It is fully possible that fraudulent solicitation is being conducted. Even if you receive persistent solicitation, never believe tempting offers such as, "We will purchase for a high price."
In addition, do not rush to sign contracts after being deceived by high interest rates.
- In case of trouble, consult your local consumer center as quickly as possible.
If you receive solicitation regarding investment transactions called "water resource rights" that is the least bit suspicious, or you sign a contract, consult your local consumer center immediately.

Increasing inquiries and complaints regarding problematic sales methods that introduce independent installment sales credit as a payment method: Turn down forceful solicitation and contracts that extend beyond your payment capability! -

The revision of the Installment Sales Act has tightened regulations, especially for individual credit. As a possible impact, the number of inquiries and complaints regarding independent credit contracts have decreased, while creating an increasing trend in inquiries and complaints regarding contracts using independent installment sales credit (a system by which consumers pay for the product to distributors in 3 or more installments across 2 or more months).

Details of inquiries and complaints regarding independent installment sales credit contracts reveal cases in which consumers are solicited forcefully by distributors to purchase products such as futons and health foods through

door-to-door sales or those that recommend independent installment sales credit when consumers turn down a contract by saying, "It's too expensive for me."

Independent installment sales credit contracts are a two-party contract concluded between the distributor and the consumer. Therefore, the details of the distributor's solicitation does not fall under merchant inspections conducted by the credit company, nor is it held applicable to inspection of consumer credit debt that helps to prevent excessive credit. Therefore, this gives rise to the risk of forceful solicitation by the distributor, resulting in contracts that are inadequate compared with the consumer's payment capabilities, whereby forcing them into payment difficulties.

In light of these conditions, the NCAC has summarized the current situation based on inquiries and reports regarding problematic sales methods using independent installment sales credit, and has provided this information to the relevant ministries as well as alerting consumers.

Summary of inquiries and complaints received through PIO-NET

Number of inquiries and complaints by fiscal year

Of the inquiries and complaints regarding independent installment sales credit collected through PIO-NET, the number of inquiries regarding sales methods totaled 14,955 cases from FY2005 to FY2010 (those registered up to the end of February 2011). There were 2,801 cases in FY2010, which is an increase of 24.8% in comparison with the same term for the previous year. Beyond FY2007, more than 2,000 cases have been reported each fiscal year.

Attributes of consumers who signed contracts

Many women sign contracts, accounting for approximately 70% overall, and more than half are these women are older than 60. By occupation, approximately 40% are unemployed, approximately 30% are salaried employees, and approximately 20% are homemakers.

Types of transactions and details of inquiries and complaints

A majority of transactions were the result of door-to-door sales.

Regarding details (multiple answer questions), 37.5% were those related to "expensive prices/fees" where the product or service was expensive. 22.3% were regarding "forceful" solicitations, and 15.4% were regarding "fraudulent explanations" where consumers were fed false explanations. Inquiries and complaints involving "rapid fire marketing," "over-mass sales," and "multiple consumer loans," which are considered problematic in terms of payment capability, accounted for 15.0% overall.

Products and services that appear often in inquiries and complaints include bedding, health foods, medical devices, educational material, and aesthetic salon services. Medical devices are on a decreasing trend, whereas aesthetic salon services are on an increasing trend.

Problematic areas identified based on example cases

- Some sales methods hide the purpose of sales or conduct prolonged solicitation which are in violation of the Specified Commercial Transactions Law.
- There is the risk that consumers with poor payment capabilities are forced to sign independent installment sales credit contracts and forced into payment difficulties.
- Resolution through discussion is difficult unless contracts can be met with the distributor through negotiations.

Advice for consumers

- Turn down unnecessary contracts with a resolute attitude.
- When signing contracts with independent installment sales credit, be careful that you do not fall into payment difficulties.
- Know that resolution through negotiation may be difficult in some cases in the event of trouble.
- In case of trouble, consult your local consumer center.

Increasing consumer issues regarding pay nursing homes: Trends in inquiries and complaints, advice to consumers

In March 2006, the NCAC conducted "research into consumer issues regarding pay nursing homes" and summarized the research results and recommendations. However, the number of inquiries and complaints regarding pay nursing homes collected at nationwide consumer centers continues to display an increasing trend.

Approximately 80% of inquiries are related to "contracts/cancellations." Of these cases, there are a notable volume of cases regarding refunds and settlements when vacating the home or at cancellation of contracts.

Given this situation, the Consumer Commission presented a "proposal regarding contract issues related to advance payment at pay nursing homes" in December 2010 to address consumer issues at pay nursing homes. As a result, consumer interest is on the rise. Meanwhile, in this rapidly aging society, there is the risk that similar issues will continue to rise in the meantime.

Therefore, the NCAC has focused on inquiries and complaints regarding refund and settlement when leaving nursing homes or at cancellation of contracts, and offered details on the trends of reports and case examples, while offering advice to consumers.

Number of inquiries and complaints

An observation of the number of inquiries and complaints collected at nationwide consumer centers regarding pay nursing homes by fiscal year reveal that there were 255 cases in FY2005. However, this number has increased every year since then with 447 cases reported in FY2009, and 369 cases reported in FY2010 as at the end of February 2011.

Characteristics of inquiries and complaints

By age, those in their 80's account for the largest group who signed contracts, followed by those in their 70's. The average age was 75 years old. By gender, approximately 60% were female and approximately 40% male. By regional block, the largest group is Southern Kanto, which accounts for the majority of cases, followed by the Kinki, Northern Kyushu, and Tokai regions.

By contract purchase amount, the largest group paid 10M - 50M yen, followed by 1M - 5M yen, and 5M - 10M yen. The yearly transition in the average contract purchase price reveals that figures shift within the 8M - 10M yen zone and that FY2010 was no exception, with prices hovering at expensive figures of approximately 8.74M yen.

Details of inquiries and complaints

Details of inquiries and complaints reveal that most are regarding "contracts/cancellations," which account for approximately 80% overall. Annual proportions show that this tendency remains mostly unchanged. Cases other than those regarding "contracts/cancellations" include "prices/fees," which account for approximately 30% overall. The proportion of these items has increased slightly from FY2005 to FY2010.

Of these items, a notable portion of inquiries and complaints regarding "contracts/cancellations" are related to refunds and settlements when vacating the home or at contract cancellation. Among them, there is a notable number regarding the return of deposits and settlement of restoration fees. Other inquiries and complaints are with regards to settlement of monthly fees when vacating the facility.

Though many of the inquiries and complaints regarding "prices/fees" overlap with those relating to "contracts/cancellations," some items are in regards to changes in costs and fees while inside the facility such as "food and administration costs will be raised significantly, and I am worried about whether I will be able to pay this in the future."

Advice for consumers

- Make sure you receive ample explanation on costs such as deposits before signing the contract.
- Make use of tours and temporary stay programs to fully confirm details of the service and make comparisons.

- Also, confirm in advance details such as conditions under which residents will have to leave the facility.
- Obtain contracts and other related documents beforehand and store them until vacating the facility once admitted.
- Consult your nearest consumer center.

(2) Safety Hazard Related Information

Beware of snow falling from roof panels that use solar energy

After the many accidents nationwide caused by heavy snowfall this winter, the government held a "communications conference of related ministries regarding countermeasures against heavy snow this winter" on January 21st in order to publicize the measures.

From FY2001 to January 21, 2011, PIO-NET received 12 reports such as, "Snow fell from a photovoltaic power generation system on the roof and destroyed the roof of my parking shelter," and other such cases where snow fell from solar energy panels on roofs and damaged the wall of a neighboring house or a car roof. Though there has been no report of human injury, the impact of falling snow holds the risk of leading to a serious accident.

Therefore, the NCAC focused on solar energy panels mounted on the roofs of general households, and alerted consumers in order to prevent accidents caused by falling snow.

Here, the term "solar energy panel" is used conveniently to refer to solar cell modules of photovoltaic power generation systems and solar energy collectors for solar heat utilization systems.

Issues

- The impact and danger of snow falling from panels using solar energy is not widely known by the businesses mounting the systems nor by consumers. As seen in the example, accidents likely occurred due to unexpected falling snow because the mounting of panels on an existing home exceeded the expectation for falling snow which applied when the house was originally designed.
- Some catalogs by companies handling panels that use solar energy do not mention snow cover or falling snow.
- Panels using solar energy have a smooth glass surface, tending to lead to catapulting snow, which in some cases leads to snow landing several meters away from the ledge of the roof.
- Accidents are not limited to areas with heavy snowfall, and there have been several accident reports from areas where there is usually little snow.

Advice for consumers

Warnings regarding setup

- When mounting panels that use solar energy, there is the need to take measures according to climate conditions in each region in order to prevent accidents caused by falling snow. If there is any concern regarding countermeasures, consult the company or your local government, or talk to the home's original designer/builder as necessary.
- This also applies to those who already own solar energy panels and are concerned about countermeasures.
- If there is the possibility of afflicting damage on others such as neighbors, there is particular need to apply countermeasures.

Warnings during the snow season

- Be aware that there is the danger of snow falling in the vicinity below a solar energy panel.
- Though shoveling snow off roofs is an effective measure in preventing accidents due to falling snow, solar energy panels have a smooth panel surface, so beware not to fall during the process or break the glass panel surface. Also, always work in a group of 2 or more people.

Request to the Industry

- When mounting a solar energy panel, take into account the climate of the region and the roof specifications.
- The industry as a whole shall notify related businesses regarding appropriate snow measures.

Beware of using gardening supplies! Focusing on accidents involving herbicide, insecticide, fertilizer, and soil

The Injury Information System has received 139 reports in the past 11 years (items registered from April 1, 2000 up to February 28, 2011). Details of reports include breathing difficulties, ill-health, rashes, and accidental ingestion. Cases of accidental ingestion are particularly notable among young children. Meanwhile, there is a notable volume of complaints received from residents living in the area rather than from the users themselves.

In light of this situation, the NCAC has focused on accidents that have lead to ill-health and accidental swallowing caused by herbicides, insecticides, fertilizers, and soil, and provided information in order to warn consumers so as to prevent damage beforehand and prevent the spread of further damage.

Main example cases

- Since the night that herbicide was sprayed at an open lot next to my house, I have experienced breathing difficulties, numbness in my hands and feet, and headaches for more than 6 hours.
- After spraying chemical fertilizer on grass in the garden, the smell lead to breathing difficulties and headaches.
- I accidentally drank plant insecticide thinking that it was an energy drink and was admitted to the hospital.
- I drank a plant vitalizer by accident.

Issues

- 33 of the 39 cases of accidental ingestion were by children younger than 3 years old, of which 70% were younger than 1 year old. The accidents were mainly by young children unable to confirm the label. As introduced in the example, there were cases of "ingestion of garden herbicide" and "plant vitalizers."
- Adequate management is a prerequisite in preventing accidents. Unless users observe the usage methods and usage amounts, there is not only a risk to the users themselves, but also the inconveniencing of neighbors due to chemicals circulating in the air.
- Though not a safety hazard, there were also complaints regarding the lack of labeling on products. In addition, commercial plant vitalizers display a warning mark to prevent accidental ingestion, while others do not. Some products did not provide handling advice in the case of accidental ingestion.

Advice for consumers

Regarding purchase and usage

- Choose products that are appropriate for the necessary purpose and quantity. When selecting herbicides

and insecticides, use products that do not circulate in the air easily.

- When using, read the warnings on the product carefully, follow the usage method and quantity, and make adjustments so that there will be no leftover product.
- When using herbicides and insecticides, wear goggles, masks, and gloves in order to avoid skin contact. Fertilizers sometimes lead to rashes, so try to wear protection such as gloves.
- Consider the weather conditions, such as avoiding use on windy days and notifying neighbors before spraying.
- Due to frequent accidental ingestion of plant vitalizers, be careful that children do not drink them accidentally, especially when using them inside the home. If ingested, see a doctor immediately.
- If you feel any changes in your physical condition, suspend use of the product immediately and see a doctor. When receiving an examination, bring the product with you and try to grasp an understanding of the product ingredients and situation of use as much as possible.
- The Ministry of Environment and Ministry of Agriculture, Forestry and Fisheries of Japan also warns consumers regarding the "use and spraying of agrichemicals" and provides reference such as leaflets.

Storage and disposal

- Store products in a cool, shady place. Tighten caps firmly and store products where they will be out of the reach of children. Avoid transferring contents into a different container in order to prevent accidents where some may ingest the contents by mistaking it for food.
- Though the basic rule is to use the entire product that is purchased, in case of disposal, dispose the products according to the warnings provided on the product. If you do not know how to dispose of the product, contact the manufacturer before disposal.

Warning on laser pointers that are unlikely to comply with the law

Due to accidents involving laser beams from laser pointers entering the eye and causing loss of vision, the NCAC placed a request with the government in November 2000 to warn consumers.

In January 2001, the Consumer Products Safety Law included "portable laser devices" such as laser pointers in its list of regulated products. Manufacturers and importers who planned to sell laser pointers continuously and repeatedly were obligated to comply with the "Ministry of Economy, Trade and Industry (METI) ordinance regarding technical standards for specified products" (hereon referred to as "Technical Standard"), which stipulates that such products receive inspection from a third party inspection agency and that these products carry the PSC mark.

After this, with reference to consumer reports regarding sales of illegal laser pointers, the NCAC and METI warned consumers in March 2008, followed by another warning from the NCAC in September of the same year, and continuous warnings every year from METI from 2009 and after.

Despite these actions, the E-mail for consumer problems continued to receive information stating that "laser pointers that do not seem to comply with the law are being sold" on online shops and at tourist locations.

Therefore, the NCAC worked through consumers to place a request to METI to take administrative action based on the Consumer Products Safety Law, while alerting consumers.

Issues

- January 2001, "portable laser devices" such as laser pointers were stipulated as a regulated "Special Specified Product" under the Consumer Products Safety Law. Manufacturers and importers who planned to sell laser pointers continuously and repeatedly were obligated to comply with the "Technical Standard,"

which stipulated that such products receive inspection from a third party inspection agency and that these products carry the PSC mark. Today, selling and displaying products that do not conform with these regulations is prohibited. However, as with the products gathered by the NCAC, there are still occasional sightings of products that do not seem to conform with this "Technical Standard" that are still sold and displayed in stores. Additionally, there was the possibility that the PSC marks themselves on some products were inadequate.

- Some of the products were composite goods that had laser pointers embedded in the toy to generate an electric shock when touched. Even if the product is a toy, it is a "Special Specified Product" and must comply with the "Technical Standard."
- For sales using the Internet such as online shops, some shops did not specify whether the product displayed on the homepage conformed with the Consumer Products Safety Law.
- Some businesses handling "portable laser devices" seemed to be selling such products regardless of the fact that they did not know whether their products conformed with the "Technical Standard." In addition, the sale and display of "portable laser devices" such as laser pointers that do not carry the PSC mark is prohibited under the Consumer Products Safety Law, and a penalty is applied in the case of a violation. However, it seems that some businesses were not even aware of this fact.

Advice for consumers

With regards to the fact that laser beams from "portable laser devices" such as laser pointers may leave aftereffects, consumers should take care of the following with regards to their purchase and use.

When purchasing

- If in need of a laser pointer, select a conforming product carrying the PSC mark.
- Even when purchasing a product on the Internet, carefully check whether the product specifies that it conforms with the Consumer Products Safety Law.
- METI has also reported some examples of misuse of the PSC mark. If unsure of the product's conformity, confirm with the distributor. Information regarding products that conform with the Consumer Products Safety Law is available on the METI homepage.
- Products such as toys with embedded laser pointers are also sold on the market. Guardians and adults should pay careful attention when a child touches a product for which the danger cannot be clearly determined.

When using

- Do not point laser pointers at people, and refrain from using them in ways other than the original purpose.
- Laser beams that go directly into the eye have the risk of damaging the retina. Therefore, never look directly at or into laser beams.
- Do not use such products outdoors, since laser beams have a nature of traveling extremely far distances while maintaining output.
- If a laser beam enters your eyes, see a medical specialist immediately.

Reference: Examples of products subject to the PSC mark

- Laser pointers
- Laser aligners
- Toys that emit laser beams

(3) Product testing

Beware of children being burnt by electric rice cookers!

According to hospital information collected through the NCAC Injury Information System (hospital information collected as injury information from cooperating hospitals ended as of the end of March 2010), burn accidents caused by electric rice cookers from FY2004 to FY2009 totaled 177 cases (accidents from April 1, 2004 to the end of March 2010). When looking at the victims by age, 150 cases were children under 10 years old (those under 10 years of age) (84.7%) and in particular, 139 cases were small children under 4 years of age (78.5%), accounting for a large percentage. Example cases reveal that victims were burnt by touching steam and hot parts such as, "burnt after holding hand over steam from the electric rice cooker," "burnt when child put their hand over the steam vent of the electric rice cooker when pulling up to stand," "sat on the electric rice cooker in the kitchen and buttocks were burnt by the steam." Among the cases reported, 4 cases reported severe injury resulting in third-degree burns (deep burns that destroy the entire layer of the skin as well as hypodermal tissue requiring skin grafting).

In an effort to prevent burns among children, the NCAC has researched the temperature of steam vented from electric rice cookers, while also investigating electric rice cookers that claim to reduce vented steam, such as "venting without heat," "reduced steam," and "steam-less," and has alerted consumers.

From the Injury Information System

The NCAC researched hospital information collected through the NCAC Injury Information System in order to investigate cases involving burn accidents caused by electric rice cookers registered in the 5-year period from FY2004 to FY2009 (end of March 2010).

- There have been 177 reports of burn accidents caused by electric rice cookers, of which 150 were children (84.7%), and in particular, 139 cases were young children under 4 years of age (78.5%), which accounts for a large percentage.
- Of the 135 cases that identify the degree of the child's burns, 50 cases were first-degree burns (37.0%), 81 cases were second-degree burns (60.0%), and 4 cases were serious third-degree burns (3.0%).
- For burn cases involving children (150 cases,) an overwhelming proportion or 132 cases (88.0%) involved burns on the wrist or below in terms of body parts.
- Looking at the number of accidents by fiscal year for children's burns (150 cases,) 15 to 31 cases occur every year.

Major product test findings

Testing was conducted for 3 brands of steam-venting electric rice cookers produced by 3 manufacturers (referred to as "conventional types") and 3 brands of "less heat," "less steam," and "steam-less" electric rice cookers produced by 3 manufacturers (referred to as "reduced steam types") for a total of 6 brands by 3 manufacturers.

Due to the many accidents where burns were caused by touching steam or being near steam such as, "exposed both hands to steam," "put hand over steam," and "laid hand over the steam vent," testing was conducted by researching the temperature of the steam and rice cooker parts such as the steam vent, while also researching the warnings displayed.

- With conventional types, there is the risk of burns when body parts are held over the rice cooker if it is venting steam and the temperature rises above 66 degrees Celsius, even at a distance of 10cm from the steam vent.
- Reduced steam types include those with a structure that does not vent any steam, as well as those that reduce the steam vent temperature significantly in comparison with conventional types. The temperature of the main body of these rice cookers, excluding some areas, is lower and thought effective in preventing

burns among children.

- The 5 brands, excluding 1 brand without a steam vent, provide warnings on the rice cooker and in user manuals such as, "Do not place face or hands near the steam vent" or "Do not touch the steam vent during and immediately after cooking."

Advice for consumers

A large proportion or approximately 80% of burn accidents caused by rice cookers involved small children, particularly those under 4 years of age. Small children have thinner skin than adults, making them more susceptible to injury. In addition, they are unable to move away by reflex when they come into contact with something hot. These facts are likely to be the cause of accidents leading to third-degree burns.

There is the need to understand such dangers regarding children's burns and pay particular attention until children become capable of taking appropriate action (around 4 years old).

- Steam and areas near the steam vent become very hot while cooking rice, and there is the risk of burns even if touched for just a few seconds. In particular, households with children should place rice cookers out of the reach of children.
- Electric rice cookers that reduce steam are effective in preventing children's burns caused by steam.

Request to the Industry

Electric rice cookers that reduce steam are effective in preventing children's burns caused by steam. Further amplification of such rice cookers is desirable.