

Japan's Decision on Partially Amending the Consumer Product Safety Act

On 01 March 2024, a Cabinet Decision in Japan was made on the Bill for the Act for Partially Amending the Consumer Product Safety Act and Other Related Acts.

On 12 July 2024, Japan informed the World Trade Organization (WTO) of its upcoming revision to its Consumer Product Safety Act.

Reason for the Amendments

In recent years, with the expansion of internet transactions, an increasing number of domestic and overseas businesses have opportunities to sell products to consumers in Japan online. In response to these changes in the environment, Japan will take measures to create an environment in which consumers in Japan are able to use products safely by ensuring the safety of products sold directly from overseas and preventing accidents caused by products for children.

Outline of the Bill

Internet Transactions

When overseas operators sell products directly to consumers in Japan through digital platforms, they do not always form a partnership with domestic manufacturers or importers who are (legally) responsible for the safety of the products.

To address this challenge, the revised Act requires overseas operators:

- to clarify themselves as an entity allowed to submit a notification under the Consumer Safety Act and other related Acts;
- to appoint a responsible person (domestic supervisor) in Japan to ensure the enforcement of regulations;
- to remove digital platform providers, if products sold on digital platforms for shopping are considered to cause harm to consumers in Japan and sellers of the products are not expected to take the necessary measures, e.g., recall.

This bill also aims to create a new system in which any business that violates any laws, orders under the laws, or other provisions will have its name and other information publicized, including the names and addresses of the business that made the notification and its domestic supervisor.

Ensuring the Safety of Products for Children, e.g., Toys (Consumer Safety Act)

For toys and other children's products manufactured overseas, including those imported from overseas, the Revised Act will stipulate:

The provisions in which the manufacturers and importers of specified products for children (mainly products that are utilized primarily in children's everyday lives and require indication of the intended age range and precautions for use) are required to have the products:

1. meet the technical standards stipulated by the Government of Japan, and
2. indicate a warning about using the products, including the intended age range and precautions for use.

The special measures in which a business intending to sell used products that are specified products for children is allowed to sell the used products in Japan provided that the business has established a system or other framework for raising public awareness and ensuring the safety of the used products for consumers in Japan.

Effective Date

Expected December 2025

References

https://www.meti.go.jp/english/press/2024/0301_002.html

<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/TBTN23/JPN790A1.pdf&Open=True>

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