

# Household Goods Quality Labeling Act

(Act No. 104 of May 4, 1962)

## (Purpose)

Article 1 The purpose of this Act is to ensure proper labeling of the quality of household goods and to protect the interests of general consumers.

## (Definitions)

Article 2 (1) In this Act "household goods" refers to the following listed commodities.

(i) Among textile products, plastic goods, electrical appliances and apparatuses, and miscellaneous manufactured goods used by general consumers in their daily lives, those which are extremely difficult for general consumers to discern the quality of at the time of purchase, and with respect to which it is determined that there is a particular necessity to identify their quality, and are specified by Cabinet Order

(ii) Among raw materials or other materials for textile products, all as specified by Cabinet Order in the preceding item, those which are extremely difficult for consumers to discern the quality of at the time of purchase, and with respect to which it is determined that there is a particular necessity to discern their quality in order to ensure proper labeling of the quality of textile products as specified by the Cabinet Order in the same item, and are specified by Cabinet Order

(2) In this Act the term "manufacturer" refers to a person engaged in the manufacturing or processing of household goods; the term "seller" refers to a person engaged in the sale of household goods; and the term "labeling contractor" refers to a person who has been commissioned by a manufacturer or seller to engage in labeling the matters listed in item (i) of the next Article as to which public notice has been given under the provisions of the same Article.

## (Labeling Standards)

Article 3 In order to ensure proper labeling of the quality of household goods, the Minister of Economy, Trade and Industry shall determine matters that constitute labeling standards for each household goods commodity, and shall give public notice of said matters.

(i) Those matters to be indicated on a label with respect to quality such as components, performance, usage, storage conditions and others

(ii) Those matters to be complied with by manufacturers, sellers and labeling contractors concerning labeling methods and such other labeling matters

listed in the preceding item

(Instructions, etc.)

Article 4 (1) When a manufacturer, seller or labeling contractor fails to indicate on a label the matters listed in item (i) of the preceding Article as to which public notice pursuant to the provisions of the same Article has been given (hereinafter referred to as "labeling matters") or fails to comply with the matters listed in item (ii) of the preceding Article as to which public notice pursuant to the provisions of the same Article has been given (hereinafter "compliance matters"), the Minister of Economy, Trade and Industry may instruct said manufacturer, seller or labeling contractor to indicate the labeling matters or comply with the compliance matters.

(2) When the manufacturer, seller or labeling contractor does not comply with the instructions provided for in the preceding paragraph, the Minister of Economy, Trade and Industry may make public announcement of said non-compliance.

(Order Concerning Labeling)

Article 5 When the Minister of Economy, Trade and Industry finds it particularly necessary to ensure proper labeling of the quality of household goods, as provided by Cabinet Order, he/she may order by Ordinance of the Ministry of Economy, Trade and Industry a manufacturer, seller or labeling contractor to comply with the compliance matters relating to said labeling matters when indicating the labeling matters relating to said household goods.

Article 6 (1) When the Minister of Economy, Trade and Industry finds that household goods that are daily necessities, or raw materials or other materials therefor, are being widely sold without indicating the labeling matters, and the interests of general consumers will be significantly damaged if the situation is left unaddressed, as provided by Cabinet Order, he/she may order by Ordinance of the Ministry of Economy, Trade and Industry manufacturers or sellers to refrain from selling or displaying for sale goods that are not labeled in accordance with the labeling matters relating to said household goods.

(2) In the event the Minister of Economy, Trade and Industry issues an order pursuant to provisions of the preceding paragraph, he/she must issue an order regarding said labeling matters pursuant to the collective provisions of the same Article, except where such an order pursuant to the provisions of the preceding Article has already been issued.

Article 7 When the Minister of Economy, Trade and Industry finds that proper indication of labeling matters relating to said household goods by

manufacturers, sellers or labeling contractors is extremely difficult in the case prescribed in the provisions of paragraph 1 of the preceding Article, as provided by Cabinet Order, he/she may order, by Ordinance of the Ministry of Economy, Trade and Industry manufacturers or sellers to refrain from selling or displaying for sale any such household goods that are not labeled with the labeling matters by the Minister of Economy, Trade and Industry.

- Article 8 (1) In regard to application of the provisions of the preceding Article, for each household goods commodity, labeling of said labeling matters performed by persons who have received approval from the Minister of Economy, Trade and Industry shall be deemed as labeling performed by the Minister of Economy, Trade and Industry under the provisions of said Article.
- (2) When the Minister of Economy, Trade and Industry finds that a person applying for the approval set forth in the preceding paragraph is competent to discern the quality of the household goods to which the application pertains and that said person will properly perform the labeling pursuant to the provisions of said paragraph, he/she shall give the approval set forth in the same paragraph to said person, except where such person falls under any of the following items.
- (i) A person who has been sentenced for violating a provision of this Act and with respect to which 2 years have not passed since completion of the execution of that sentence or from the day said person was otherwise released from said execution
  - (ii) A person whose approval under the provisions of the next paragraph has been rescinded and with respect to which 2 years have not passed since the date of that rescission
  - (iii) A juridical person that has among its executives engaged in its business operations a person who falls under any of the preceding two items.
- (3) When a person who has received the approval set forth in paragraph 1 has violated the provisions of this Act or obtains the approval set forth in said paragraph by unlawful means, the Minister of Economy, Trade and Industry may rescind said approval.
- (4) A person who has received the approval set forth in paragraph 1 shall follow the methods prescribed by Ordinance of the Ministry of Economy, Trade and Industry in discerning the quality of the household goods to which the approval pertains.
- (5) A person who has received the approval set forth in paragraph 1 shall indicate the labeling matters on the household goods to which the approval pertains in accordance with the compliance matters relating to said labeling matters.

(Modification or Rescission of Orders)

Article 9 The Minister of Economy, Trade and Industry shall modify or rescind any order issued pursuant to the provisions of Articles 5 to 7 if he/she finds that after issuing such order, the material facts upon which said order was based have changed or been resolved.

(Offers to the Minister of Economy, Trade and Industry)

Article 10 (1) Any person who finds that the interests of general consumers are being harmed by the improper labeling of the quality of household goods may submit an application to that effect to the Minister of Economy, Trade and Industry and request that appropriate measures be taken.

(2) When an application pursuant to the preceding paragraph is submitted, the Minister of Economy, Trade and Industry shall conduct necessary investigations and if the claims of said application are found to be factual, he/she shall take the measures specified in Articles 3 to 7 and other appropriate measures.

(Consultation With the Consumer Affairs Council)

Article 11 The Minister of Economy, Trade and Industry shall consult with the Consumer Affairs Council when determining the matters that constitute labeling standards pursuant to the provisions of Article 3 or when preparing to issue an order pursuant to the provisions of Articles 5 to 7.

Article 12 Deleted

Article 13 Deleted

Article 14 Deleted

Article 15 Deleted

Article 16 Deleted

Article 17 Deleted

(Fees)

Article 18 Persons petitioning to do labeling under the provisions of Article 7 and persons applying for the approval set forth in Article 8, paragraph 1 (limited to persons applying to the Minister of Economy, Trade and Industry) shall pay fees in the amount provided for by Cabinet Order which shall take actual costs into account.

(Reports and On-site Inspections)

- Article 19 (1) The Minister of Economy, Trade and Industry may, to the extent necessary for the enforcement of this Act and as provided by Cabinet Order, collect reports from manufacturers, sellers, and labeling contractors, or have officials of the ministry enter the factories, places of business, retail shops, business offices, administrative offices, or warehouses of those entities to inspect household goods, accounting books, documents and other articles.
- (2) The officials who conduct on-site inspections pursuant to the provisions of the preceding paragraph shall carry certificates for identification and produce them to the people concerned.
- (3) When the Minister of Economy, Trade and Industry finds it necessary, he/she may have the National Institute of Technology and Evaluation (hereinafter referred to as "NITE") conduct on-site inspections pursuant to the provisions of paragraph 1.
- (4) When the Minister of Economy, Trade and Industry has NITE conduct an on-site inspection pursuant to the provisions of the preceding paragraph, he/she shall indicate to NITE the location for said on-site inspection and other necessary matters and instruct NITE in the execution of said on-site inspection.
- (5) When NITE has conducted an on-site inspection pursuant to the provisions of paragraph 3 in accordance with the instructions of the preceding paragraph, it shall report the results to the Minister of Economy, Trade and Industry.
- (6) Employees of NITE who conduct on-site inspections pursuant to the provisions of paragraph 3 shall carry certificates for identification and produce them to the people concerned.
- (7) The authority for on-site inspections pursuant to the provisions of paragraph 1 shall not be construed as being granted for criminal investigation.

(Orders to NITE)

Article 19-2 When the Minister of Economy, Trade and Industry finds it necessary in order to ensure the proper conduct of on-site inspection operations pursuant to the provisions of paragraph 3 of the preceding Article, he/she may issue necessary orders to NITE regarding said operations.

(Administrative Affairs Performed by Prefectures)

Article 19-3 Prefectural governors may carry out a portion of the administrative affairs falling within the authority of the Minister of Economy, Trade and Industry pursuant to the provisions of this Act, as specified by Cabinet Order.

(Delegation of Authority)

Article 20 Matters falling within the authority of the Minister of Economy,

Trade and Industry pursuant to the provisions of this Act may be performed by Directors-General of the Bureau of Economy, Trade and Industry, as specified by Cabinet Order.

(Penal Provisions)

Article 21 A person who has violated any order pursuant to the provisions of Articles 5 to 7 or the provisions of Article 8, paragraph 5 shall be punished by a fine of not more than 200,000 yen.

Article 22 A person who falls under any of the following items shall be punished by a fine of not more than 50,000 yen.

- (i) A person who has violated the provisions of Article 8, paragraph 4
- (ii) A person who has failed to make a report pursuant to the provisions of Article 19, paragraph 1 or who has made a false report
- (iii) A person who has refused, obstructed or evaded an inspection pursuant to the provisions of Article 19, paragraph 1

Article 23 When the representative of a juridical person, or an agent, worker or other employee of a juridical person or of an individual, has committed a violation of the preceding two Articles with regard to the business of said juridical person or individual, not only the offender, but also said juridical person or individual shall be punished in accordance with said Articles.

Article 24 When orders provided pursuant to the provisions of Article 19-2 have been violated, the officer of NITE who committed the violation shall be punished by a fine of not more than 200,000 yen.

#### **Supplementary Provisions [Extract]**

- (1) This Act shall come into force as from October 1, 1962.
- (2) The Textile Products Quality Labeling Act (Act No. 166 of 1955) shall be abolished.
- (4) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

#### **Supplementary Provisions [Act No. 31 of June 6, 1973] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the date specified by Cabinet Order within a period not exceeding 9 months from the day of promulgation.

However, the provisions pursuant to each of the following items shall come into force as from the date listed in the respective items.

- (i) The provisions of Article 89, paragraph 1; Article 95, paragraph 1, item (ii) and Supplementary Provisions Articles 7 and 10: The day of promulgation

**Supplementary Provisions [Act No. 23 of May 1, 1984] [Extract]**

(Effective Date)

- (1) This Act shall come into force as from the day on which 20 days from the day of promulgation have elapsed

**Supplementary Provisions [Act No. 44 of May 22, 1996] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the date specified by Cabinet Order within a period not exceeding 6 months from the day of promulgation. However, amended provisions of Article 19 and Article 21 item (iv) of the Act on Door-to-Door Sales etc. in Article 1, provisions of Article 2, amended provisions of Article 37 paragraph 1 of Installment Sales Act in Article 3 of Supplementary Provisions, and provisions of Article 4 and Article 5 of Supplementary Provisions shall come into force from the day of promulgation.

**Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from April 1, 2000, provided, however, that the provisions listed in each of the following items shall come into force as from the date specified in the respective item.

- (i) The amended provisions whereby five Articles, Section headings, two Subsections and Subsection headings are added after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to Article 250-9 paragraph 1 of said Act (limited to the part pertaining to obtaining the consent of both Houses of the Diet)), the amended provisions of paragraph 9 and paragraph 10 of the Natural Parks Act Supplementary Provisions in Article 40 (limited to the part pertaining to paragraph 10 of said Supplementary Provisions), the provisions of Article 244 (excluding the part pertaining to the amended provisions of Article 14-3 of the Agricultural Improvement Promotion Act), the provisions of Article 472 (excluding the part pertaining to the amended provisions of Article 6, Article 8 and Article 17 of the Municipal Merger Act), and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60 paragraph 4 and paragraph 5,

Article 73, Article 77, Article 157 paragraph 4 through paragraph 6, Article 160, Article 163, Article 164 and Article 202 of the Supplementary Provisions: The date of promulgation

(Affairs of the National Government)

Article 159 In addition to those prescribed in various Acts before amendment under this Act, the affairs of the national government, other local governments and other public entities that were managed or executed by local government organs in accordance with Acts or Cabinet Orders based thereon before the enforcement of this Act (referred to in Article 161 of the Supplementary Provisions as "affairs of the national government") shall, after the enforcement of this Act, be handled by local governments as the affairs of said local governments in accordance with Acts or Cabinet Orders based thereon.

(Transitional Measures Concerning Disposition, Applications, Etc.)

Article 160 (1) When applying various Acts after their amendment after the date of enforcement of this Act, excluding those specified in the provisions of Article 2 through the preceding Article of the Supplementary Provisions or in provisions concerning transitional measures in the respective Acts after their amendment (including orders based thereon), dispositions of permission, and other actions taken pursuant to the provisions of the respective Acts before their amendment before the enforcement of this Act (or, in the case of provisions listed in the various items of Article 1 of the Supplementary Provisions, said provisions; the same shall apply hereafter in this Article and in Article 163 of the Supplementary Provisions)(hereafter in this Article referred to as "dispositions and other actions") or applications for permission, etc., and other actions already taken pursuant to the provisions of the respective Acts before their amendment upon enforcement of this Act (hereafter in this Article referred to as "applications and other actions") for which the person who is to conduct administrative affairs pertaining to these actions changes to a different person on the date of enforcement of this Act, shall be regarded as dispositions and other actions, or applications and other actions, taken pursuant to the corresponding provisions of the respective Acts after their amendment.

(2) If matters for which reports, notifications, submissions and other procedures were required to be made to national or local government organs under the provisions of various Acts before their amendment before the enforcement of this Act, but for which those procedures were not carried out before the date of enforcement of this Act, are matters for which reports, notifications, submissions and other procedures are required to be made to the corresponding organs of national or local governments under the corresponding provisions of



the respective Acts after their amendment, except for matters to which other provisions of this Act and Cabinet Orders based thereon apply, it shall be deemed that the procedures for those matters have not been carried out, and the provisions of the respective Acts after amendment under this Act shall apply thereto.

(Transitional Measures Concerning Appeals)

Article 161 (1) Appeals under the Administrative Appeals Act concerning dispositions pertaining to affairs of the national government, etc., that were implemented before the date of enforcement, and for which there was a higher administrative agency as prescribed in said Act (hereafter in this Article referred to as "higher administrative agency") than the administrative agency that implemented said dispositions (hereafter in this Article referred to as "administrative agency ordering the disposition") before the date of enforcement, shall still be regarded as having a higher administrative agency than said administrative agency ordering the disposition even after the date of enforcement, and the provisions of the Administrative Appeals Act shall be applied. In this case, the administrative agency deemed to be the higher administrative agency of said administrative agency ordering the disposition shall be the administrative agency that was the higher administrative agency of said administrative agency ordering the disposition before the date of enforcement.

(2) In cases falling under the preceding paragraph, when the administrative agency regarded as the higher administrative agency is a local government organ, the affairs to be handled by said organ under the provisions of the Administrative Appeals Act shall be Type 1 statutory entrusted functions as prescribed in Article 2 paragraph 9 item(i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 Concerning fees required to be paid under the provisions of various Acts (including orders based thereon) before their amendment under this Act before the date of enforcement, except as otherwise provided in this Act and Cabinet Orders based thereon, the provisions then in force shall remain applicable.

(Transitional Measures Concerning Penal Provisions)

Article 163 When applying Penal Provisions to acts committed before the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Orders)

Article 164 (1) In addition to what is provided for in these Supplementary

Provisions, transitional measures necessary for enforcing this Act (including transitional measures concerning penal provisions) shall be prescribed by Cabinet Order.

(2) Necessary matters concerning application of the provisions of Article 18, Article 51 and Article 184 of the Supplementary Provisions shall be prescribed by Cabinet Order.

(Review)

Article 250 As well as striving to ensure that, as far as possible, the Type 1 statutory entrusted functions prescribed in Article 2 paragraph 9 item(i) of the new Local Autonomy Act are not newly established, those listed in Appended Table 1 of the new Local Autonomy Act and those indicated in Cabinet Orders based on said Act shall be subjected to review and appropriately revised at suitable times, from the viewpoint of promoting decentralization.

Article 251 To enable local governments to execute their affairs and projects autonomously and independently, the government, while taking account of trends in financial circumstances, shall review means of enhancing and securing local tax revenues in accordance with the distribution of roles between the national and local governments, and shall take necessary measures based on the results thereof.

Article 252 With a view to protecting the interests of insured persons and others, increasing the efficiency of administrative processing, and so on, the government shall review administrative processing systems for social security, the working situation of employees therein, and other matters, in line with reforms of the medical insurance system, pension system, and when finding it necessary, shall take necessary measures based on the results thereof.

**Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) shall come into force as from January 6, 2001.

**Supplementary Provisions [Act No. 204 of December 22, 1999] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from January 6, 2001. However, the provisions of Supplementary Provisions Articles 8 through 19 shall come into force as from the date specified by a Cabinet Order within a period not

exceeding 6 months from the day of promulgation.

(Transitional Measures Concerning Penal Provisions)

Article 20 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation to Cabinet Orders)

Article 21 In addition to what is provided for in Article 2 through Article 7, Article 9, Article 11, Article 18 and the preceding Article of Supplementary Provisions, any transitional measures necessary for the establishment of NITE and other transitional measures necessary for enforcing this Act shall be specified by Cabinet Order.