

Obligation to Report Serious Product Incidents of Consumer Products, etc. (Overview)

Consumer Safety Division,
Consumer Affairs Agency

Obligation to report Serious Product Incidents under the Consumer Product Safety Act

When a manufacturer or importer becomes aware of a Serious Product Incident involving a product it manufactures, etc., the manufacturer or importer must promptly and accurately report it to the Consumer Affairs Agency within 10 days (including the day it became aware of the incident). (Article 35 of the Consumer Product Safety Act)

- A Serious Product Incident is an incident caused by the use of a Consumer Product (products supplied for use by general consumers in their everyday lives; examples include TV, kotatsu heater, desk, water heater, etc.; excluding goods that are not subject to laws and regulations) that meets the following requirements:
- **If you are not sure whether or not the incident falls under a Serious Product Incident, please contact the Consumer Affairs Agency as soon as possible.**

<Requirements>

- Fatal incidents
- Incidents resulting in residual disabilities
- Incidents requiring 30 days or more of treatment (including the period of medication)
- Fire (fire certified by the fire department)
- Carbon monoxide poisoning incidents (including minor injuries)

<Description>

- Applicable regardless of the cause of the incident (Even if the cause is unknown, it must be reported.)
- However, "incidents clearly not caused by a defect in the product" are not applicable.

Report to: Consumer Safety Division, Consumer Affairs Agency



7th Floor, Central Common Government Offices No.4,
3-1-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8958
Phone number: 03-3507-9204 FAX: 03-3507-9290

Website: https://www.caa.go.jp/policies/policy/consumer_safety/centralization_of_accident_information/index.html#product_safety_law



Reporting of Product Incidents that do not fall under the category of Serious Product Incidents

When manufacturers, importers, retailers, etc. become aware of a non-serious Product Incident, they are required to report it promptly and accurately to the headquarters or branch office of the National Institute of Technology and Evaluation (NITE). (the notification from the Ministry of Economy, Trade and Industry)

Report to: NITE (Headquarters)

1-22-16 Nanko-Kita, Suminoe-ku, Osaka-shi 559-0034
Phone number: 06-6612-2068
FAX: 06-6612-1617

Website: <https://www.nite.go.jp/jiko/jikojobou/shushu/youshiki/index.html>

Promotion of publication of Product Incident Information

Manufacturers, importers, and retailers are required to collect information on Product Incidents and make efforts to provide this information to consumers in an appropriate manner. (Article 34 of the Consumer Product Safety Act)

- The "Guidelines for the Formulation of Voluntary Action Plans for Product Safety" (website below) can be used as a reference.

https://www.meti.go.jp/product_safety/policy/guideline_selfaction.pdf



Reporting obligations of manufacturers or importers of Serious Product Incidents, publication by the Consumer Affairs Agency (brief overview)

In accordance with the Consumer Product Safety Act, when a manufacturer or importer of a Consumer Product becomes aware of a Serious Product Incident involving a Consumer Product manufactured or imported by the manufacturer or importer, the manufacturer or importer must report to the Consumer Affairs Agency the name and model of the product, the details of the incident, the quantity manufactured or imported and the quantity sold **within 10 days (including the day it became aware of the incident)**.

The Consumer Affairs Agency will promptly make information about these incidents public and, if necessary, make recall information and alert information public.

Consumer Products (products supplied for use by general consumers in their everyday lives) are applicable.



A Product Incident occurs.



Death, injury or disease (requiring 30 days or more of treatment), carbon monoxide poisoning, or fire



It falls under the category of Serious Product Incidents.



The manufacturer or importer will submit an incident report to the Consumer Affairs Agency **within 10 days** from the day it became aware of a Serious Product Incident **(including the day it became aware of the incident)**.



The Consumer Affairs Agency will make public an overview of the incident, etc., and, if necessary, make recall information and alert information public.

*Published as "Serious Product Incidents of Consumer Products" every week (Tues. and Fri.)

What are Consumer Products?

- The term "Consumer Products" is **defined as "any products supplied mainly for use by general consumers in their everyday lives (except for those products listed in the Appended Table)"** (Article 2, Paragraph (1) of the Consumer Products Safety Act).
- All products that are normally sold to general consumers in the marketplace (except for those listed in the Appended Table) for the purpose of use by general consumers in their everyday lives fall under the category of Consumer Products.

◆ The meaning of "supplied mainly for use by general consumers in their everyday lives"

It means all cases other than those in which a business operator or worker uses a product in the conduct of its business or labor. However, a business operator or worker that is not engaged in such business or labor is a "general consumer."

◆ Products used in the business

Even if some of the Consumer Products happen to be used for commercial use, for example, a "personal computer" used in a company office, an "oil heater" used in a workshop, or a "sofa" used in a hotel room, these products are subject to the Consumer Product Safety Act.

◆ Products manufactured or imported for commercial use

Even if a manufacturer or importer manufactures or imports a product for commercial use, judging from the product specifications and sales channels, etc., for example, a product that can be easily purchased by general consumers at stores such as home improvement stores or by mail order through catalogs or the Internet, and that can be widely used in general households, is considered a Consumer Product.

◆ What is a "Product"?

It means an object that has undergone an industrial process, has its own value, and is usually sold to general consumers in the marketplace for the purpose of use by general consumers in their everyday lives. Therefore, buildings, structures (merry-go-rounds at the amusement park, etc.), railway vehicles, and primary products (crude oil, iron ore, asbestos, etc.) are not included in products under the Act.

◆ Regarding "Parts"

Parts are usually not included in Consumer Products because they are used primarily by businesses, are incorporated into products, and are not purchased by general consumers in the marketplace. Note, however, that dry cell batteries, cutter blades, ski bindings, etc., which are incorporated into Consumer Products for use but sold to general consumers in the marketplace, are no longer parts but are considered products in themselves, and thus fall under Consumer Products.

◆ Products excluded from Consumer Products

Products that are subject to individual safety regulations under other laws and regulations are excluded from Consumer Products under Article 2, Paragraph (1) of the Act as "those products listed in the Appended Table." Therefore, in the event of a serious incident in "those products listed in the Appended Table," the obligation to report the incident to the Consumer Affairs Agency does not arise, and the matter should be handled in accordance with the individual laws and regulations.

Products excluded from Consumer Products (the "Appended Table" in Article 2, Paragraph (1) of the Act)

◆ Consumer Product Safety Act (Appended Table)

- (i) Ship Safety Act (Act No. 11 of 1933): **ships** to which the provisions of Article 2, Paragraph (1) are applied;
- (ii) Food Sanitation Act (Act No. 233 of 1947): **food** described in Article 4, Paragraph (1) and **additives** described in Paragraph (2) of said Article and **detergents** described in Article 62, Paragraph (2) of said Act;
- (iii) Fire Service Act (Act No. 186 of 1948): instruments for examination, etc. described in Article 21-2, Paragraph (1) and instruments for voluntary indication described in Article 21-16-2 (referring to so-called **fire-extinguishing equipment, etc.**);
- (iv) Poisonous and Deleterious Substances Control Act (Act No. 303 of 1950): **poisonous substances** described in Article 2, Paragraph (1) and **deleterious substances** described in Paragraph (2) of said Article;
- (v) Road Trucking Vehicle Act (Act No. 185 of 1951): **road trucking vehicles** described in Article 2, Paragraph (1);
- (vi) High Pressure Gas Safety Act (Act No. 204 of 1951): **containers** described in Article 41;
- (vii) Ordnance Manufacturing Act (Act No. 145 of 1953): **hunting guns** described in Article 2, Paragraph (2);
- (viii) **Pharmaceuticals** described in Article 2, Paragraph (1) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960), **quasi-pharmaceutical products** described in Paragraph (2) of said Article, **cosmetics** described in Paragraph (3) of said Article, **medical devices** described in Paragraph (4) of said Article, and **regenerative medical products** described in Paragraph (9) of said Article;
- (ix) In addition to those products listed in the preceding items, any products for which the manufacture, import or sale is restricted by establishing standards or requirements pursuant to the provisions of other Acts designated by Cabinet Order and that are found not to be likely to cause danger to the lives or bodies of general consumers because of such restriction, **as specified by Cabinet Order** *(specifically, those indicated by the Order for Enforcement below).

◆ Excerpt from the Order for Enforcement of the Consumer Product Safety Act

(Products Excluded from Consumer Products)

Article 18 Other Acts specified by Cabinet Order as referred to in item (ix) of the Appended Table of the Act are as listed in the left-hand column of the Appended Table 4, and the products specified by Cabinet Order as referred to in that item are as listed in the right-hand column of the Appended Table 4 respectively for each Act listed in the left-hand column of the Appended Table 4.

Appended Table 4 (Re: Article 18)

- (i) **Objects** related to the particulars listed in the items of Article 2, Paragraph (1) of the Ship Safety Act (Act No. 11 of 1933); (meaning, for example, **marine engines** and **marine supplies**, etc.)
- (ii) **Automobile devices** listed in the items of Article 41 of the Road Transport Vehicle Act (Act No. 185 of 1951) and **motorized bicycle devices** listed in Article 44, items (iii) through (xi) of that Act; (meaning, for example, **tires, tire chains, window glass, headlights, turn signals, child seats, ski carriers, car navigation systems, car stereos**, etc.)

What is a Product Incident?

Product Incidents are incidents resulting from the use of Consumer Products, regardless of the cause of the incident.

- (1) incidents which endanger the lives or health of general consumers; or**
- (2) incidents in which products are lost or damaged and that are found to be likely to endanger the lives or health of consumers.**
(However, "incidents clearly not caused by a defect in the Consumer Product" are not applicable (Article 2, Paragraph (5) of the Act)).

What are "incidents clearly not caused by a defect in the product"?

- (1) When it is judged that the incident was not caused by the defect due to a Product Incident not only by the information of the parties concerned but also by a public agency;**
 - If the product is used to intentionally cause harm to a human body (e.g., if a knife is used to injure another person, resulting in injury);
 - In the event of an incident outside of the product, even though the product itself is functioning soundly.
(e.g., if a person is riding a bicycle and is struck by a car coming from behind, and it is treated as a traffic accident)
- (2) In cases where the fire department determines as an organization that the incident is not caused by the product, such as when the fire did not originate from the product;**
***Please provide the Consumer Affairs Agency with the details of the incident and the reason why the incident was not caused by a defect in the product in both (1) and (2).**

Unless it is obvious that it was not caused by a defect in the product, it falls under "Product Incident."

For example, an incident due to carelessness or misuse by the user falls under the category of a Product Incident if there is a possibility that the product has a design or manufacturing problem or inadequate warning labeling, etc.

Requirements for Serious Product Incidents

Requirements for Serious Product Incidents (Article 2, Paragraph (6) of the Act, Article 5 of the Order for Enforcement)

OA "Serious Product Incident" is a "Product Incident" that meets one of the following requirements:

- (1) Death;
- (2) Serious injury or disease;
*Injury or disease requiring 30 days or more of treatment (including medication)
- (3) Residual disability (those provided for in the Cabinet Office Order on Report of Serious Incidents Based on the Provisions of the Consumer Product Safety Act);
- (4) Carbon monoxide poisoning (diagnosed as carbon monoxide poisoning or suspected carbon monoxide poisoning; including minor injuries);
- (5) Fire
*Fire certified by the fire department. For example, just because the fire department has been dispatched to the scene does not necessarily mean that the fire is certified.

Please make sure to check with the fire department to see if it has been certified as a fire.

Reporting of Serious Product Incidents

OA manufacturer or importer must report a Serious Product Incident to the Consumer Affairs Agency within 10 days (including the day it became aware of the incident) from the day on which it became aware that the Consumer Product manufactured or imported by the manufacturer or importer meets the requirements for a Serious Product Incident.



[Point]

- Applicable products are products that are normally sold to general consumers in the marketplace for the purpose of use by general consumers in their everyday lives.
- Second-hand goods are also applicable.
- Products manufactured or imported for commercial use are excluded, but products that can be purchased by general consumers and used in general households may become applicable.
- The report must be made even if the product is confirmed to be the company's own product and it is unclear whether the incident is due to a defect in the relevant product.
- Those regulated by other laws (the Appended Table provided for in Article 2, Paragraph (1) of the Act) are excluded.

[Caution]

Even if the fire department determines that the incident was not caused by the product, it may be necessary to report a Serious Product Incident to the Consumer Affairs Agency.

- Those considered to be due to age-related deterioration of the product;
- When it is considered to be due to misuse or carelessness, but there is a possibility that the product has a design or manufacturing problem or inadequate warning labeling, etc.

How to Report Serious Product Incidents

(1) Report **within 10 days (including the day it became aware of the incident)** from the day it became aware of a Serious Product Incident.

* If the 10th day falls on a holiday such as Saturday, Sunday, national holiday, or year-end and New Year holidays, the deadline will be the day following the holiday.

(2) Report to Consumer Safety Division, Consumer Affairs Agency via email, fax, etc.

The reporting form can be downloaded from the Consumer Affairs Agency website.

On the Consumer Affairs Agency website, click on "For Business Operators" → "Actual or Potential Consumer-Related Incident/Reporting System" → "Reporting Serious Product Incidents (Reporting under the Consumer Product Safety Act)" → "Download Reporting Forms" of "Consumer Product Safety Act (Serious Product Incident Information Reporting and Publication System)"

[Where to submit Serious Product Incident Reports, consultation on whether or not a report is required, etc.]

Consumer Safety Division,
Consumer Affairs Agency

Phone: 03-3507-9204 (dial for business operators only) FAX: 03-3507-9290
E-mail: g.seihinanzen@caa.go.jp (Note) Please replace ■ with @ when sending an e-mail.

○ For details on the Serious Product Incident Information Reporting and Publication System, please refer to the "Handbook for Businesses."

On the Consumer Affairs Agency website, click on "For Consultants and Business Operators" → "Actual or Potential Consumer-Related Incident/Reporting System" →

"Reporting Serious Product Incidents (Reporting under the Consumer Product Safety Act)" →

"Explanation of Product Incident Information Reporting and Publication System — Handbook for Businesses 2025" of "Consumer Product Safety Act (Serious Product Incident Information Reporting and Publication System)"

https://www.caa.go.jp/en/policy/consumer_safety/assets/consumer_safety_cms202_260417_05.pdf

Please report incident information that does not fall under the category of Serious Product Incidents to NITE.

(1) It is an incident information collection system operated by the National Institute of Technology and Evaluation (NITE), which accepts information not only from manufacturers and importers but also from retailers and other related organizations.

(2) NITE also accepts incident reports on commercial products (limited to electrical appliances and LP gas appliances) that do not fall under Consumer Products. [NITE Reporting Forms and Contact Information]

<https://www.nite.go.jp/jiko/jikojouhou/shushu/youshiki/index.html>

Based on the Consumer Product Safety Act

Explanation of the Product Incident
Information Reporting and
Publication System:
Handbook for Business Operators 2025

Consumer Affairs Agency,
Ministry of Economy, Trade and Industry

Collection and publication of incident information, investigation of causes, and measures to prevent recurrence

- ◆ The Product Incident Information Reporting and Publication System consists of the following two major components:
 - (1) Collection and publication of incident information
 - (2) Investigation of the causes of the incident and measures to prevent recurrence
- ◆ It is hoped that the prompt collection and publication of incident information under this system will help prevent the recurrence of similar incidents in future years.

(1) Collection and publication of incident information

1 Fundamental responsibilities of business operators in relation to incident information

Any person engaged in the manufacture, import or retail of Consumer Products must collect information on Product Incidents caused by the Consumer Products that the person manufactured, imported or retailed and must endeavor to provide such information properly to general consumers.

(Article 34, Paragraph (1) of the Consumer Product Safety Act)

2 Manufacturers and importers are obliged to report incidents.

When a manufacturer or importer of a Consumer Product becomes aware of a Serious Product Incident involving a Consumer Product manufactured or imported by the manufacturer or importer, the manufacturer or importer must report to the Consumer Affairs Agency the name and model of the relevant Consumer Product, the details of the incident, etc. within 10 days from the day it became aware of the incident.

(Article 35, Paragraphs (1) and (2) of the Consumer Product Safety Act, and Article 3 of the Cabinet Office Order on Report of Serious Incidents Based on the Provisions of the Consumer Product Safety Act)

3 The Consumer Affairs Agency will promptly make public the details of the incident, etc.

When the Consumer Affairs Agency becomes aware of the occurrence of a Serious Product Incident by receiving a report from a business operator or otherwise, the Agency will promptly make public the name and model of the Consumer Product involved in the relevant Serious Product Incident, and the details of the incident, etc. to general consumers.

(Article 36, Paragraph (1) of the Consumer Product Safety Act)

4 Distributors, etc. must endeavor to notify the manufacturers or importers of Serious Product Incidents.

Any retailer, repairer or installer of a Consumer Product who comes to know that a Serious Product Incident has occurred must endeavor to notify the manufacturer or importer of the relevant Consumer Product of the details of the Serious Product Incident.

(Article 34, Paragraph (3) of the Consumer Product Safety Act)

(2) Investigation of the causes of the incident and measures to prevent recurrence

1 Fundamental responsibilities of business operators in relation to prevention of recurrence of incidents

In the event of an incident involving a Consumer Product manufactured or imported by a manufacturer or importer of a Consumer Product, the manufacturer or importer must investigate the cause of the Product Incident and endeavor to take measures such as a voluntary product recall.

(Article 38, Paragraph (1) of the Consumer Product Safety Act)

2 Distributors must endeavor to cooperate with measures such as product recalls.

When a manufacturer or importer implements measures, such as recalling Consumer Products, a distributor of the Consumer Products must endeavor to cooperate with said measures, etc.

(Article 38, Paragraphs (2) and (3) of the Consumer Product Safety Act)