

# **White Paper on Consumer Affairs 2024**

**FY2023 Implementation of Consumer Policy**

**FY2023 Report on the Results of Consolidation and  
Analysis of Information about Actual or  
Potential Consumer-Related Incidents**

**[Summary]**

**Consumer Affairs Agency**

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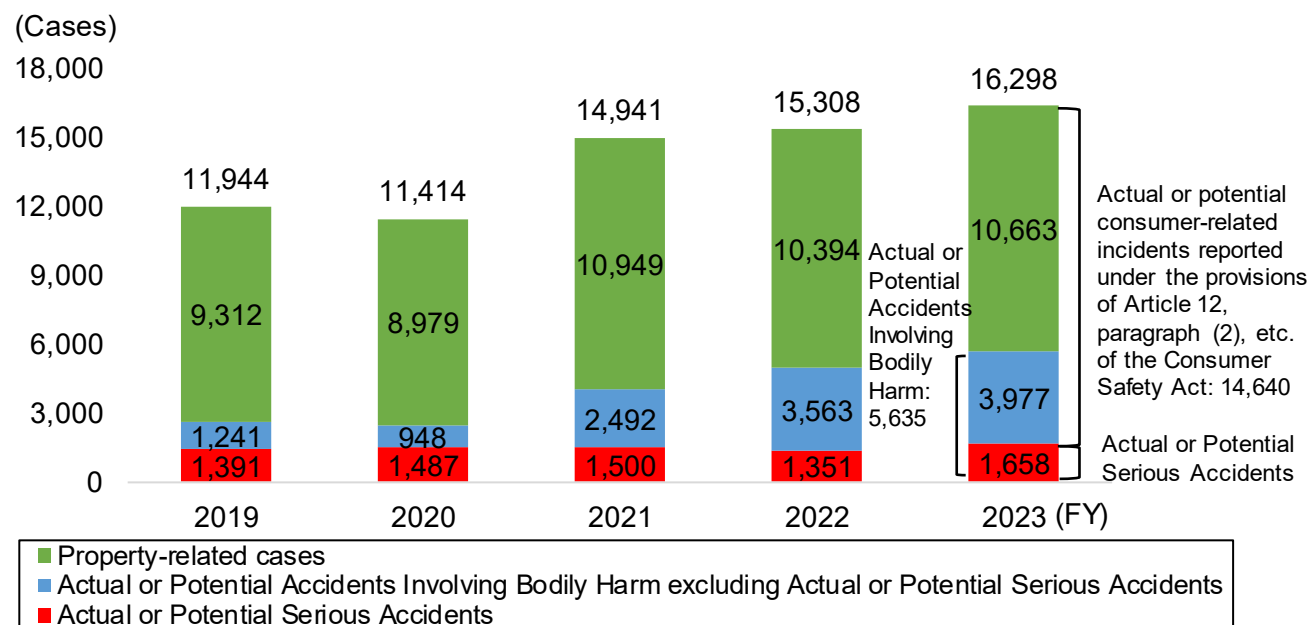
• In this document, the contents and the number of consumer affairs consultations registered with PIO-NET are as of March 31, 2024. Since it takes a certain amount of time from the receipt of consultation cases at local consumer affairs centers to registration with PIO-NET, the number of consultation cases in this document may slightly increase in the future.

# Part 1 Chapter 1 Section 1: Results of consolidation and analysis of information about actual or potential consumer-related incidents reported to the Consumer Affairs Agency

Report to the Diet  
based on  
the Consumer Safety Act

- The number of actual or potential consumer-related incidents reported to the Consumer Affairs Agency in FY2023 was 16,298.
- The breakdown is as follows: 1,658 cases were Actual or Potential Serious Accidents reported under the provisions of Article 12, paragraph (1), etc. of the Consumer Safety Act, and 14,640 cases were actual or potential consumer-related incidents reported under the provisions of Article 12, paragraph (2), etc. of the same Act.
- Among these cases, the number of Actual or Potential Accidents Involving Bodily Harm was 5,635, and the number of property-related cases was 10,663.

**Diagram 1-1 The number of actual or potential consumer-related incidents reported to the Consumer Affairs Agency under the Consumer Safety Act**

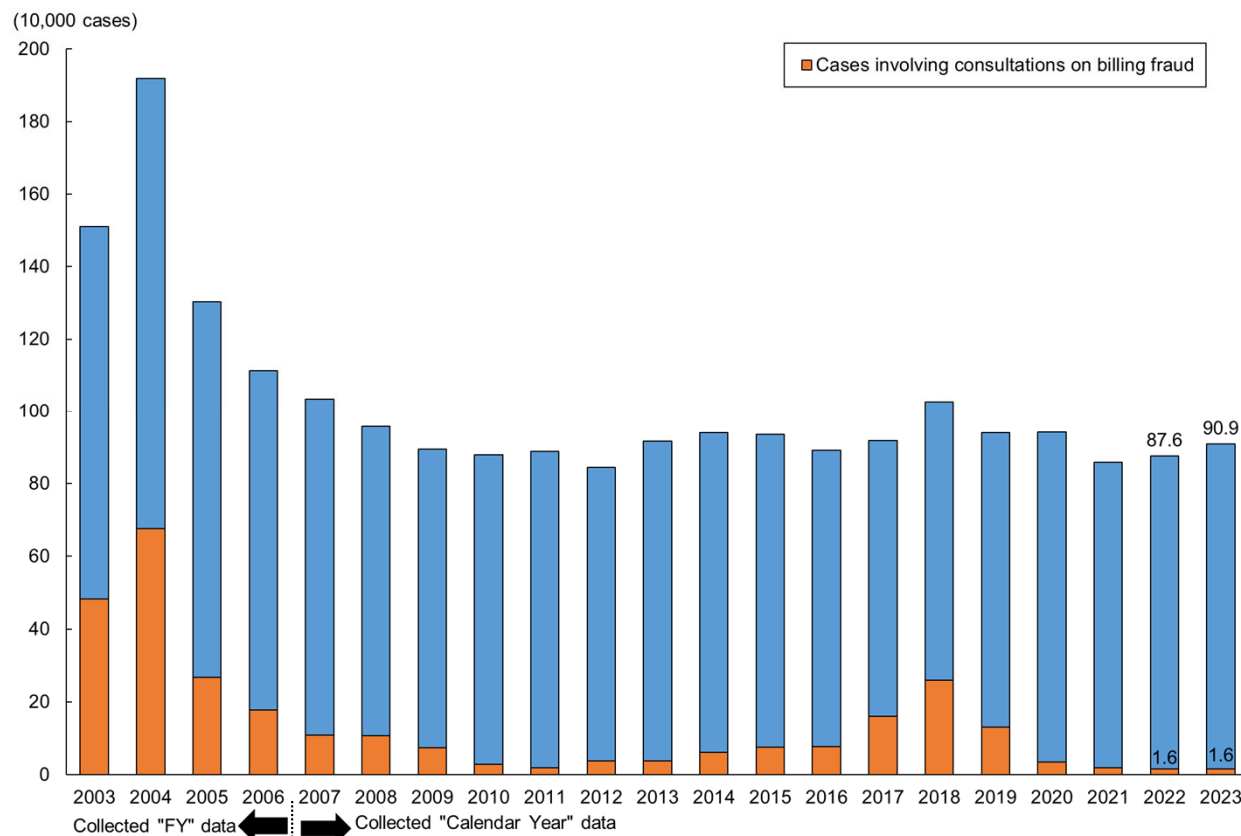


- (Notes)
1. The number of actual or potential consumer-related incidents reported by the heads of administrative organs, prefectural governors, municipal mayors, or the president of the National Consumer Affairs Center to the Consumer Affairs Agency under the provisions of the Consumer Safety Act
  2. "Actual or Potential Serious Accidents" refer to those reported under the provisions of Article 12, paragraph (1), etc. of the Consumer Safety Act.
  3. From June 2021, it became mandatory to report the recall of foods due to the amendments of the Food Sanitation Act and the Food Labelling Act.

# Part 1 Chapter 1 Section 3: Overview of consumer affairs consultations

- The number of consumer affairs consultations in 2023 was approximately 909,000, increasing from the previous year. On the other hand, the number of consultations on billing fraud was approximately 16,000, marking the lowest number in the last 20 years.
- By product / service type, the type "Goods in general", which includes spam e-mails and suspicious phone calls, accounted for the largest number of consultations.

**Diagram 1-2 The number of consumer affairs consultations**



**Diagram 1-3 Top 10 product / service types in terms of the number of consumer affairs consultations (Apr-Dec 2023)**

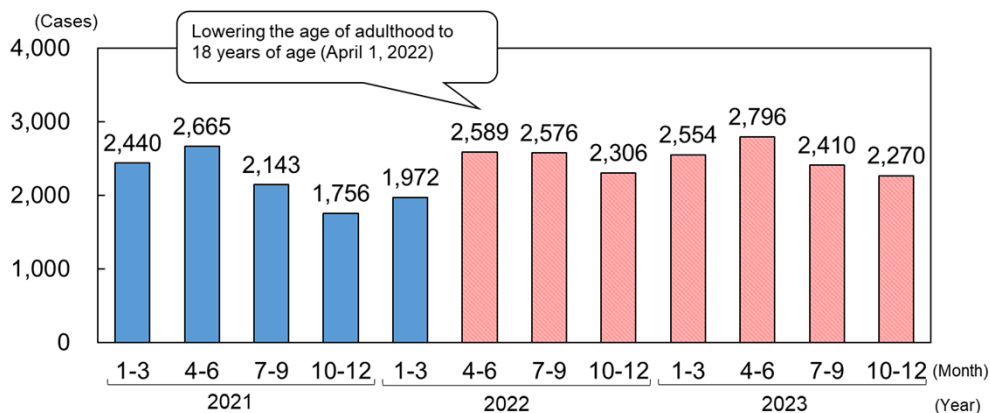
Rank	Total	
	Products and services	Cases
	Total number of cases	673,766
1	Goods in general (e.g. spam e-mails and suspicious phone calls)	65,305
2	Real estate lease	29,339
3	Work & construction	23,009
4	Skin-care products	18,662
5	Other services	18,210
6	Other health food	16,560
7	Multi-purpose loan / consumer loan	15,091
8	Internet connection service	13,694
9	Repair services	13,259
10	Mobile phone service	12,575

(Note) Both diagrams are created based on consumer affairs consultations registered with PIO-NET (as of March 31, 2024).

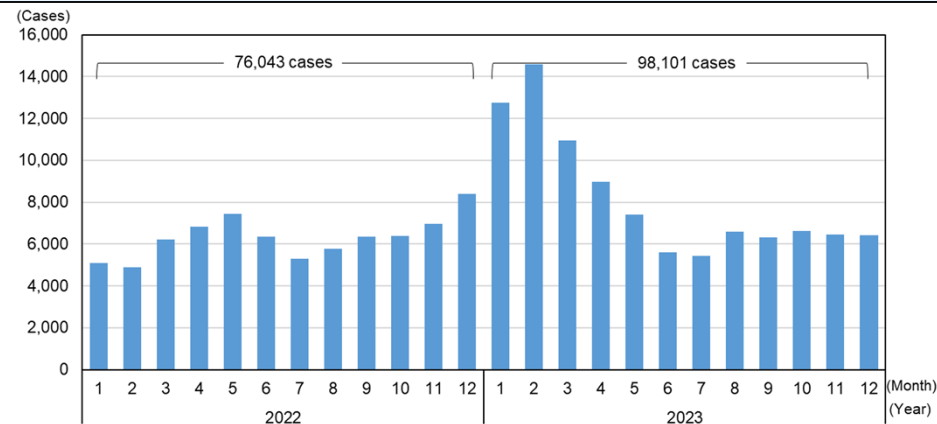
# Part 1 Chapter 1 Section 4: Consumer affairs consultation topics

- While there was no significant change in the number of consultations among 18- and 19-year olds when compared before and after lowering the age of adulthood, the number of consultation cases on hair removal esthetic services remains high since 2022. The number of consultations tends to be high during the 1st quarter (months from April to June), when many people would experience changes in their living environments.
- The number of consultations on the "subscription" form of mail order sales increased from the previous year to reach 98,101 in 2023. From January to March 2023, the number exceeded 10,000 every month, but after June, the number has been around 5,500 to 6,500.
- The number of consultations related to SNS increased from the previous year and was 80,404 in 2023. Those who sought consultations on SNS-related problems are not age-specific, yet, the number of consultations from people in their 50s, 60s, 70s and over have increased significantly from the previous year.

**Diagram 1-4 Number of consumer affairs consultations sought by 18- and 19-year olds**



**Diagram 1-6 The number of consumer affairs consultations on "subscription"**

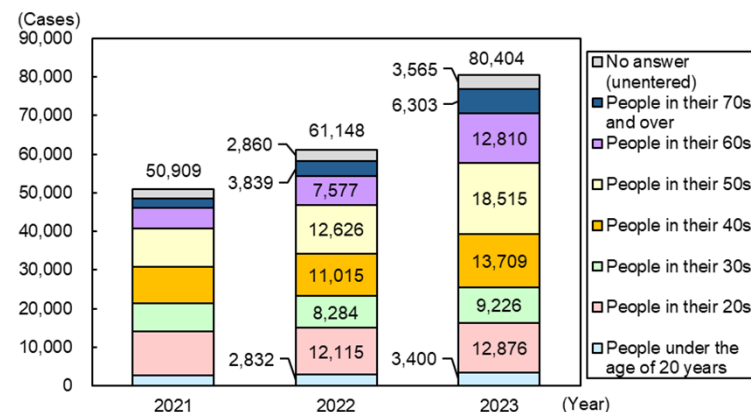


**Diagram 1-5 Top 5 product / service types in terms of the number of consumer affairs consultations sought by 18- and 19-year olds (Apr-Dec 2023)**

Male			Female		
Rank	Products and services	Cases	Rank	Products and services	Cases
	Total number of cases	3,301		Total number of cases	4,097
1	Dating websites & applications	218	1	Hair removal esthetic service	722
2	Goods in general	203	2	Other piecework / side work	228
3	Other services	138	3	Goods in general	187
4	Other piecework / side work	127	4	Dating websites & applications	169
5	Rented apartments	109	5	Medical service	140

Highlighted in pink : Those related to beauty care/services

**Diagram 1-7 The number of consumer affairs consultations related to SNS**



(Note) All the diagrams are created based on consumer affairs consultations registered with PIO-NET (as of March 31, 2024).

# Part 1 Chapter 1 Section 5: Consumer harm and problems experienced and estimated amount of financial detriment

- Consumer financial detriment amount in 2023 was estimated to be approximately 8.8 trillion yen (payments made (including credits granted)), increasing from the previous year.
- As factors for the increase, the influences of the following are considered.
  - ✓ Increase in estimated probability of occurrence of consumer harm and problems (See Note 3 of Diagram 1-8)
    - Among cases with damage amounting 10,000 yen or more, the number of consumer affairs consultations on "health services", including hair removal esthetic service, and on "health and hygiene goods" including cosmetics has increased.
    - Among cases with damage amounting to less than 10,000 yen, the number of consumer affairs consultations on "dining out and catering" and "educational and leisure goods" including toys has increased.
  - ✓ Increase in the average amount of payment made per incident (for cases with damage of 10,000 yen or more)

**Diagram 1-8 Estimated results of consumer financial detriment amount**

	2019	2020	2021	2022	2023
Contract / Purchase value	About 6.6 trillion yen	About 5.0 trillion yen	About 7.3 trillion yen	About 8.4 trillion yen	About 10.6 trillion yen
Payment made (including credit granted)	About 5.1 trillion yen	About 3.8 trillion yen	About 5.9 trillion yen	About 6.5 trillion yen	About 8.8 trillion yen

- (Notes) 1. Consumer financial detriment amount is the total amount of payments made for products and services related to consumer harm and problems.
2. "Payment made (including credit granted)" means the sum of payments already made and future payments to be made with credit cards, etc.
3. Estimated amount is calculated by multiplying the population aged 15 and over by the "probability of occurrence" of consumer harm and problems that is estimated from the results of the "Basic Survey on Consumer Life" (the probability obtained by dividing the number of cases in which survey respondents have experienced consumer harm and problems by the number of valid responses), and multiplying the obtained value by the average amount of damage per incident, which is calculated from consumer affairs consultation information, and then adding the amount estimated to be potential damage among elderly people to adjust the result.
4. Note that since the awareness survey used for the estimation is based on consumer awareness, the perspective on consumer harm and problems may differ among the respondents, and the survey may include errors due to its nature.

## [Feature] Part 1 Chapter 2: Changing transaction environment and consumers – Digital society and consumer vulnerability –

### < Changes in the concept of consumers >

- The current consumer law system is premised on "general, average and rational" consumers.

→ **In reality, consumers cannot always make a rational judgment (consumer vulnerability).**

### < Changes in transaction environment >

- In recent years, the advancement of digitalization, population aging, and internationalization are changing transaction environment surrounding consumers.

→ **The advancement of digitalization**, such as increases in online transactions and the development of AI technologies **causes drastic changes in the transaction environment**. While it further **enhances convenience** for consumers, some point out **the possibility that consumer vulnerability may become more noticeable**.

→ **In consideration of the above, White Paper 2024 chose the recent discussions over consumer vulnerability and challenges in a highly digitalized society as the feature article.**

### Consumer vulnerability

People cannot always make a rational judgment and may be affected by diverse factors.

### Challenges associated with digitalization

#### Mechanisms to induce consumers to take unintended actions

Make it difficult to cancel a contract, or introduce a countdown timer, etc.

#### Personalization of information by use of AI technologies

Display of personalized recommendations and targeted advertisements, etc.

#### Changes in consumers' behavior

Consumers who sell goods in flea markets or those who provide product reviews online, etc.



# [Feature] Part 1 Chapter 2 Section 1: Consumer vulnerability

## < Consumer vulnerability >

- Consumers have various types of vulnerability. It is not that only certain consumers have vulnerability, but anyone may become a vulnerable consumer.
  - Approximately 50% of respondents considered themselves as being in a vulnerable circumstance due to certain "traits" (classes and attributes), such as age and economic conditions, while approximately 80% felt it difficult to think rationally in a certain "situation" they face.
- **Many people have experienced a situation where they felt vulnerable.** Some experts suggest that such vulnerability may become more noticeable in the digital society.

### Types of consumer vulnerability

#### (1) Vulnerability based on certain features

Vulnerability arose from certain features, such as age (traditional "class-based" approach to vulnerability)

##### **Example**

- *Young people generally have less knowledge and experience on contracts than adults.*
- *In addition to age, education levels and economic conditions can be cited as those features.*

#### (2) Vulnerability inherent to all

Vulnerability based on the idea that people cannot always make a rational judgement even with sufficient information (vulnerability based on bounded rationality)

##### **Example**

- *There are cases where consumers cannot make appropriate comparisons and choices from a number of options.*
- *Consumers' choices may change depending on how they are presented.*

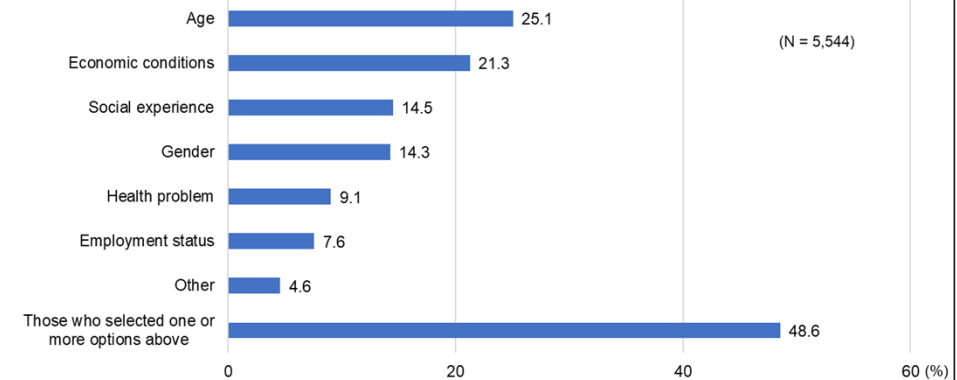
#### (3) Vulnerability depending on a situation

Vulnerability based on the idea that people may have difficulty thinking rationally depending on a situation (state-based approach to vulnerability)

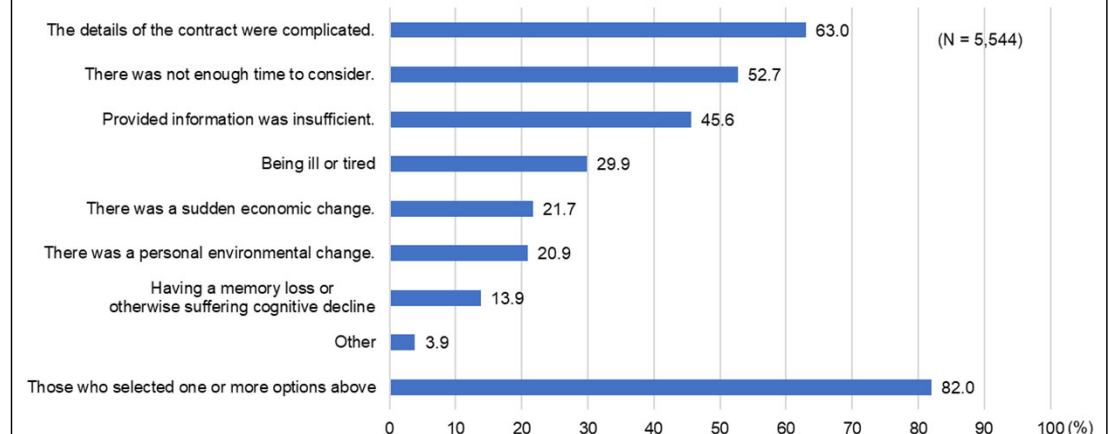
##### **Example**

- *A consumer makes a decision hastily due to a time limit, such as being offered a discount of 50% if concluding a contract within the same day.*
- *A consumer cannot make a right judgment due to a personal relationship, e.g. they cannot reject the offer if it was referred by their friend.*

**Diagram 2-1 Reasons for feeling themselves as being in a weaker position in a commercial transaction of products, etc.**



**Diagram 2-2 Occasions when feeling it difficult to think rationally upon concluding a contract for products, etc.**





# [Feature] Part 1 Chapter 2 Section 1: Consumer vulnerability

## Section 1: Consumer vulnerability: Columns

• Various topics that cannot be explained sufficiently in the main text are introduced as columns.

### Subscription taking advantage of the present-bias



Prof. OTAKE Fumio,  
Osaka University

- Subscription is a service contract to receive products or services in exchange for a fixed amount (monthly fees, etc.)
- A consumer may not use the service as much as one had expected due to the present-bias (psychological tendency to postpone actions).
- Subscription can be construed as a mechanism that takes advantage of such psychological tendency.

< Example of the present-bias:

*A gym contract and the frequency of use >\**

• A consumer understands that they may not start exercising unless they join a sports gym.

⇒ Sign up for a gym

• However, the consumer does not understand that they are apt to underestimate the possibility of not going to gym after concluding the contract.

⇒ Go to the gym less frequently than had expected

### Nudging – its influence and challenges



Prof. IDA Takanori,  
Kyoto University

- Nudge aims to help people make a choice that is better for them. It can affect people's decision-making simply by giving a trigger.
- It is difficult to protect oneself from the influence of nudging unless one is extremely cautious.

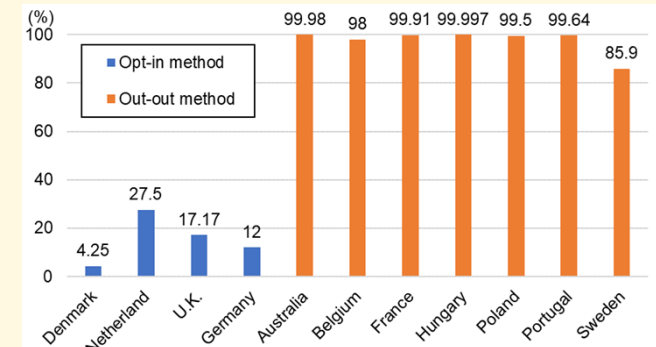
< Example of nudging :

*Consent for organ donation >*

• The proportion of people who give "consent" for "organ donation" changes depending on the way their intention is asked.

⇒ More people would give consent when asked in opt-out method (those who do NOT consent to organ donation have to express their intention) than in opt-in method (those who consent to organ donation express their intention).

Proportions of people who gave a "consent" for organ donation



(Note) Prepared by the Consumer Affairs Agency based on \*2

### Economic analysis on defrauding consumers



Prof. MUROOKA Takeshi,  
Osaka University

- Even in a very competitive business environment, businesses defrauding consumers may not be automatically weeded out.
- Where a market is saturated with only "bad" or substandard products, honest product ads would turn the consumers off, and eventually no one will buy from them. To avoid that, those businesses in that market are more likely to attempt to defraud consumers with dishonest ads.

\*1 Garon, J., Masse, A., Michaud, P. (2014). *Health club attendance, expectations and self-control*, Journal of Economic Behavior & Organization, 119, 364-374.

\*2 Johnson, E., Goldstein, D. (2004). *Defaults and Donation Decisions*, Transplantation, 78(12), 1713-1716.

# [Feature] Part 1 Chapter 2 Section 2: Challenges and changes in the digital society

## < Practices to induce consumers into taking unintended actions >

- Environmental factors may have some effect on Consumers' decision-making. In recent years, **practices to induce consumers into taking unintended actions** is prevalent in online transactions.

→ **OECD calls these practices “dark commercial patterns” and defines them as practices to "steer, deceive, coerce, or manipulate consumers into making choices that often are not in their best interests."**

**OECD also points out risks that dark commercial patterns may impair consumer autonomy, cause financial loss, significant invasion of privacy, psychological detriment, as well as time loss.**

Diagram 2-3 Influence of the pop-ups and ease of cancellation on internet

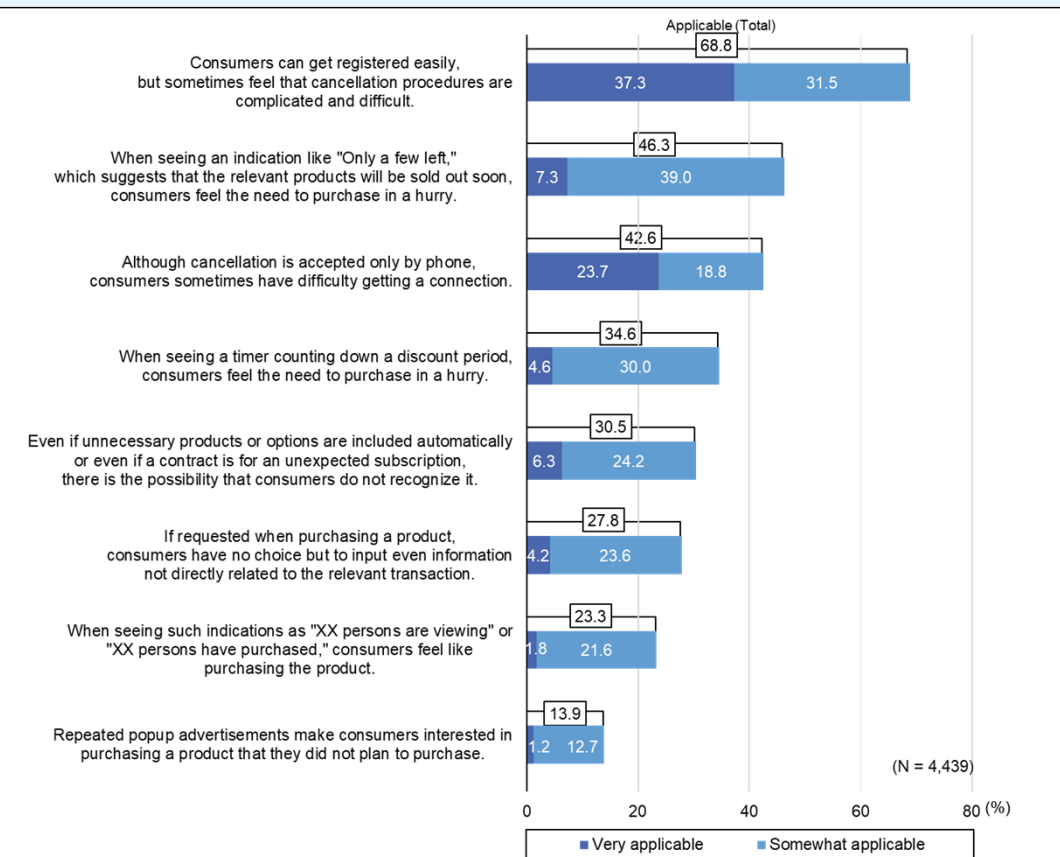
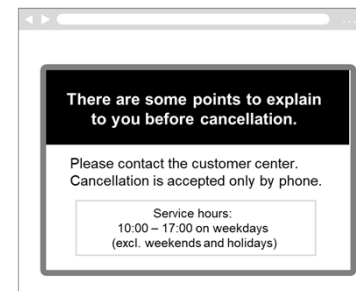


Diagram 2-4 Some of the examples of dark commercial patterns (OECD)

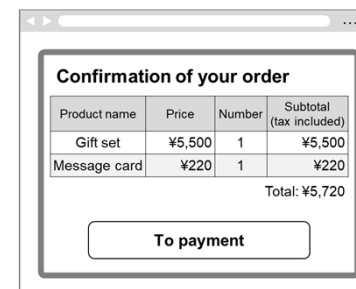
**[Obstruction]**  
Making it easy to register but difficult to cancel



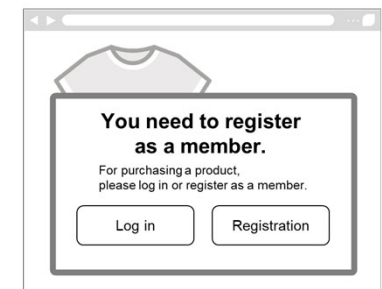
**[Urgency]**  
Countdown timer indicating the expiry of a deal, etc.



**[Sneaking]**  
Adding a product that a consumer did not choose in a shopping cart without obtaining their consent



**[Forced action]**  
Forcing a consumer to register as a member upon purchasing a product



(Note) Left: Prepared based on the "Basic Survey on Consumer Life" (FY2023), Consumer Affairs Agency;  
Right: Prepared by the Consumer Affairs Agency while referring to "Dark Commercial Patterns" (2022), OECD

## Section 2: Challenges and changes in the digital society: Columns

• Various topics that cannot be explained sufficiently in the main text are introduced as columns.

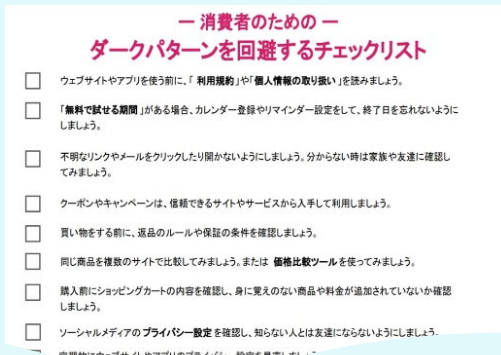
### As businesses that design consumer decision-making platform, things they should be conscious of:



HASEGAWA Atsushi,  
President, Concent, Inc.

- Practices to induce consumers into taking unintended actions are regarded as a problem, particularly in online transactions. This is because consumers rarely notice those practices thus these can exert significant influence over unspecified majority.
- It is important for businesses to be conscious of the possibility that they may lose consumers' trust as a result of employing these practices.
- Businesses are required to think long-term success instead of seeking short-term gains. Developing a corporate culture where employees can detect such an ill-informed proposition is important.

### Designing of websites trusted by consumers and awareness-raising activities targeting businesses and consumers



- Inducing consumers against their intentions may lead to poor site ratings. Therefore, Mr. Yamamoto recommends that businesses should develop their websites in a manner such that to enable consumers to give consent with their full understanding.
- Darkpatterns.jp developed a check list that compiles points to note regarding the practices to induce consumers into taking unintended actions.

YAMAMOTO Takuma,  
Representative Director, Orecon Co. Ltd. /  
Representative, Editorial Office, Darkpatterns.jp

# [Feature] Part 1 Chapter 2 Section 2: Challenges and changes in the digital society

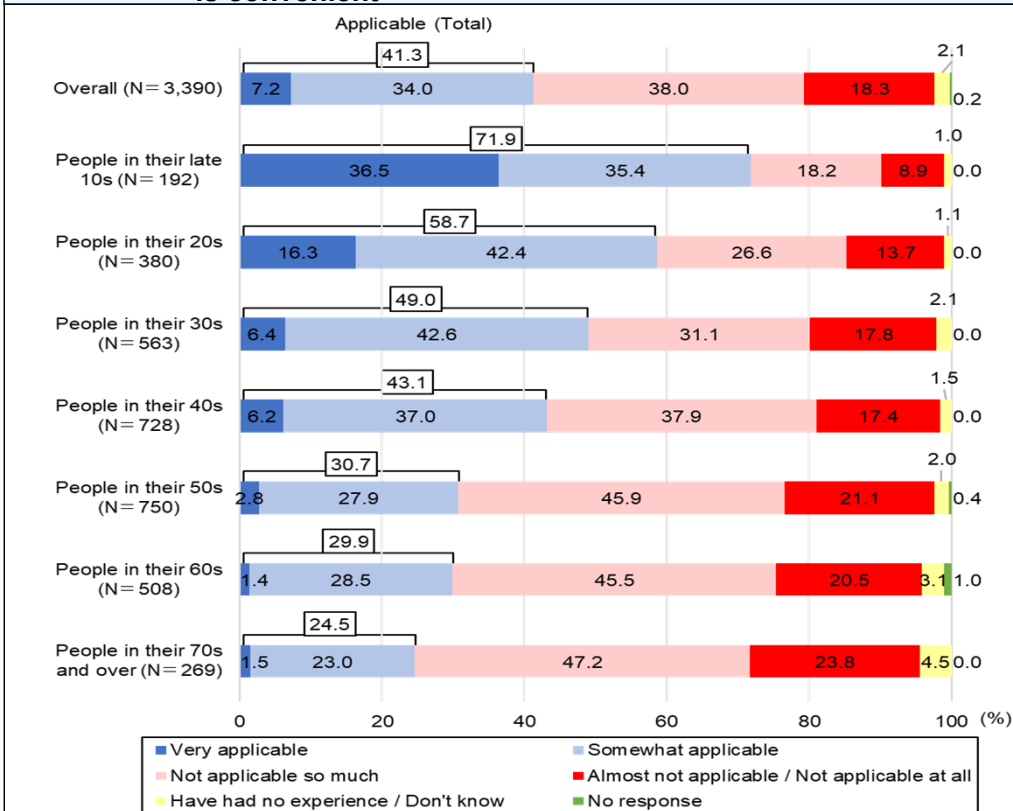
## < Advancement of AI technologies and their influence >

- The advancement of AI technologies has made it easy to analyze consumers and predict their behavior, likes and tastes based on their browsing history. It enables various services to provide information tailored to individual consumers.
- Around 40% responded that the function to display personalized "recommendations" is convenient, while around 70% said that businesses take advantage of them, and around 80% is concerned that their personal information has been collected more than necessary.

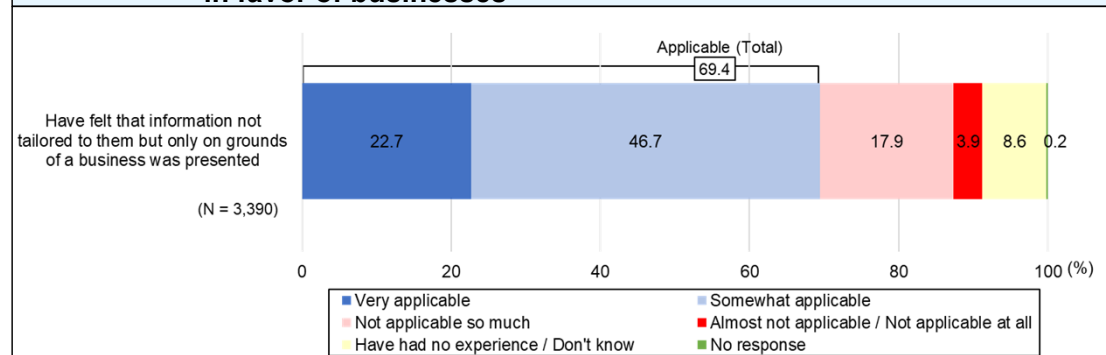
→ **Personalization of information, made possible through the use of AI technologies, increased convenience by narrowing down the most relevant information for individual consumers but contains problems as well.**

- **The possibility of inducing consumers into making choices that are not necessarily in their best interests, cause financial loss, significant invasion of privacy, psychological detriment, as well as time loss.**
- **Further digital divide between businesses and consumers due to information asymmetry.**

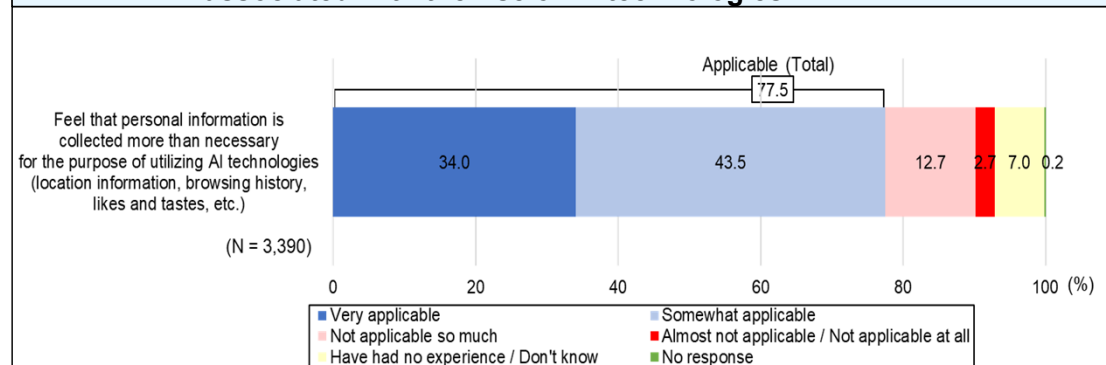
**Diagram 2-5 Consumers who felt that "recommendations" function is convenient**



**Diagram 2-6 Consumers who have felt that information was presented in favor of businesses**



**Diagram 2-7 Views/Impression about the provision of personal information associated with the rise of AI technologies**



(Note) All the diagrams are prepared based on the "Basic Survey on Consumer Life" (FY2023) of the Consumer Affairs Agency.

## Section 2: Challenges and changes in the digital society: Columns

・Various topics that cannot be explained sufficiently in the main text are introduced as columns.

### Imperfectness inherent to AI technologies



Prof. ARAI Noriko,  
Information and Society  
Research Division,  
National Institute of Informatics

- AI draws out conclusion by statistically processing mass quantity of data. Not very good at translating rarely used, unusual sentences through a typical statistical machine translation, for example, a bug may be obtained.
- It is still impossible to make AI learn on all the possible situations in advance, such as place, environment, culture, etc. Therefore, it is impossible to create a perfect AI.

#### Example of erroneous statistical machine translation

##### Original (Japanese)

ボタンを上下左右上下下下左左上上下上の順に押してください。

##### Translation (English)

Press the buttons in the following order: up, down, left, up, down, down, down, left, up, up, up, down, up.

"Right" is omitted.

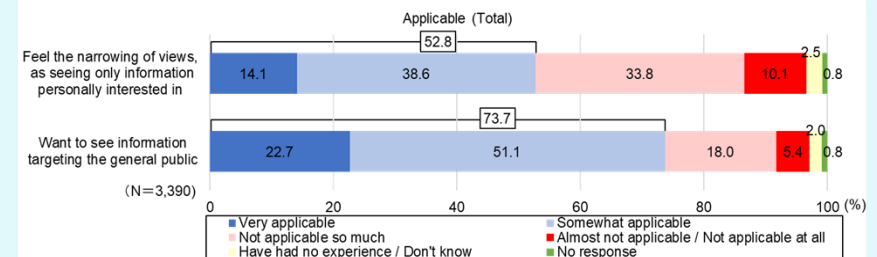
"Down" is omitted once.

An unexpected translation may be obtained, such as partial omission of "right" and "down."

### Filter bubbles and consumer awareness

- In an environment where consumers come in touch with only information they are personally interested in through personalized information, they have less opportunities to come across new information based on ideas and values different from theirs, and there is the possibility of the occurrence of filter bubbles wherein consumers are isolated in a situation of being surrounded only by ideas and values that are similar to theirs.
- A mechanism to preferentially display personally tailored information enhances the convenience of individual consumers, but more than half feel that their view of things is being narrowed.

#### Influence of preferential display of information tailored to personal interest and concerns



(Note) Prepared based on the "Basic Survey on Consumer Life" (FY2023) of the Consumer Affairs Agency.



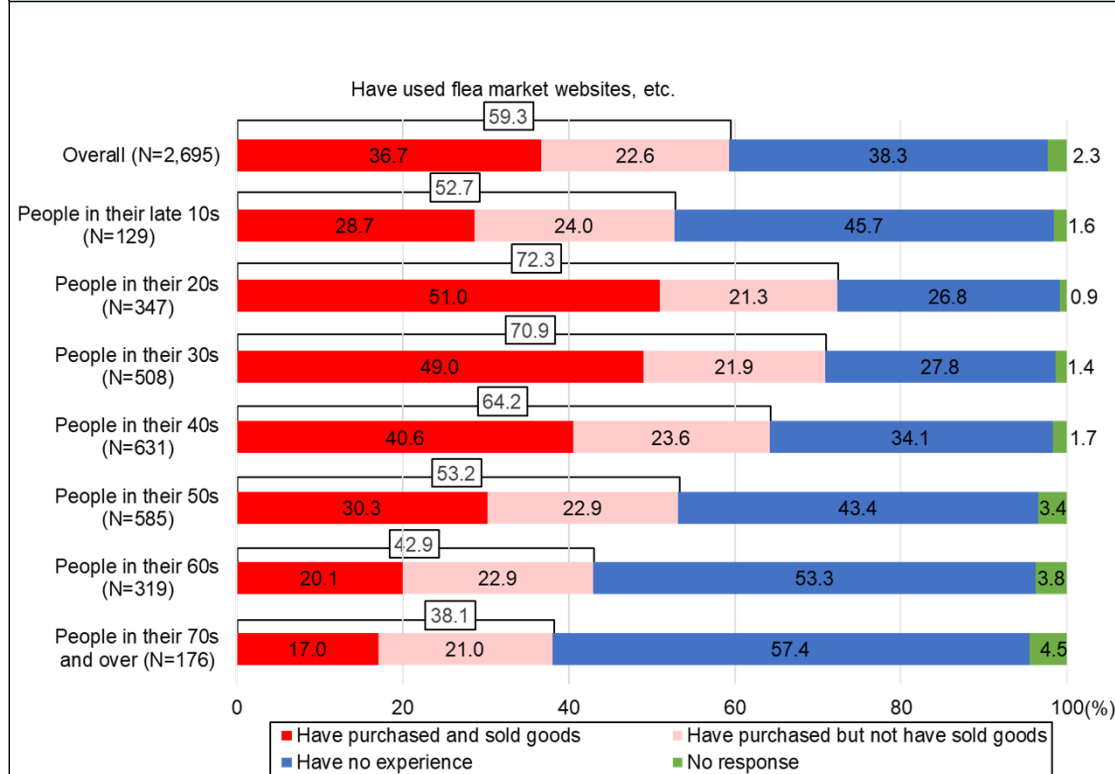
# [Feature] Part 1 Chapter 2 Section 2: Challenges and changes in the digital society

## < Changes in the transaction environment surrounding consumers >

- Information consumers provide, time they spend, and interest they show is considered as important resources in the digital society. Consumers have become valuable to businesses as **providers of information, time, and interest**, not only as those who pay for goods.
- Digital equipment has become readily available, and facilitates new transaction form i.e. sharing economy, where **consumers become sellers**. Additionally, due to the emergence of social media, **some consumers are proactively disseminating information by themselves and influence other consumers' purchasing behavior**.

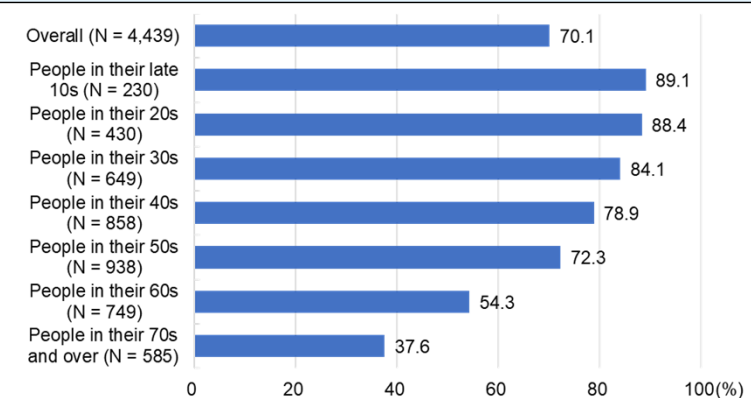
→ **Changes in the transaction environment surrounding consumers associated with progressing digitalization have effects on consumers' behavior, and the importance and impact of the consumer roles are also changing.**

**Diagram 2-8 Experience of purchasing or selling goods through flea market websites, etc.**

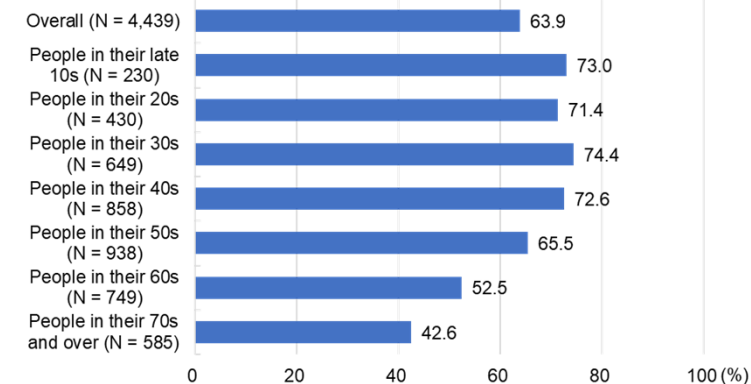


\* A survey targeting people who have used digital platforms.

**Diagram 2-9 Proportions of people who choose products with high reviews/evaluation scores on the internet**



**Diagram 2-10 Proportions of people who had refrained from purchasing products that had high evaluation scores but had negative word of mouth reviews**



(Note) All the diagrams are prepared based on the "Basic Survey on Consumer Life" (FY2023) of the Consumer Affairs Agency.

## Section 2: Challenges and changes in the digital society: Columns

• Various topics that cannot be explained sufficiently in the main text are introduced as columns.

### Consumers' awareness and challenges regarding the provision of personal data



FUKUOKA Shinnosuke,  
Partner, Nishimura & Asahi  
(Gaikokuho Kyodo Jigyo) /  
Lawyer at State of New York, U.S.A

- Consumers do not necessarily have full understanding on the disclosure of their personal data.
- The fact that businesses asking consumers for their permission to use their personal data (such as consent to terms and conditions) has become a mere formality, can be one of the reasons.
- It is important for consumers to improve their literacy concerning disclosure of personal data, while businesses are required to recognize their responsibility regarding the collection and handling of personal data.

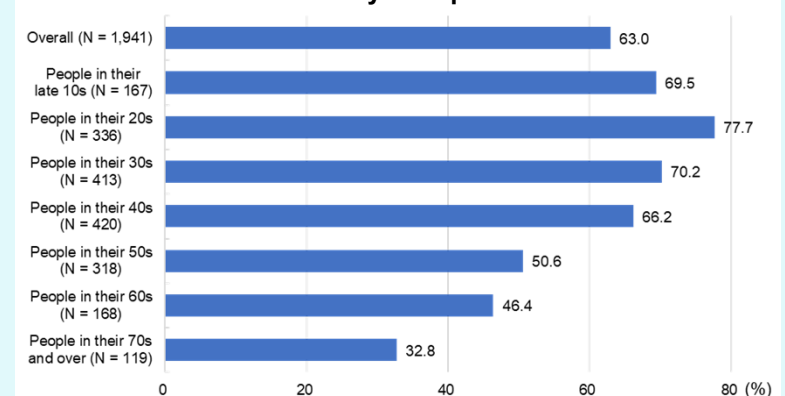
### Problems of and regulations on stealth marketing



Associate Professor  
KIKUMORI Mai,  
Ritsumeikan University

- Information by word of mouth includes posts by businesses and posts by third parties entrusted by businesses. These are nothing but advertisements under disguise, so-called stealth marketing.
- Consumers could innocently believe such recommendations as genuine and may consider purchasing the products without suspicion. Stealth marketing could weaken consumers' autonomous and rational decision-making power.
- On October 1, 2023, regulations on advertisers came into force considering stealth marketing as misleading representation.

Proportions of people who consider posters who clarify that their posts are advertisements are more trustworthy than posters who don't



\* A survey targeting people who have seen such indication as "advertisement" in posts

(Note) Prepared based on the "Basic Survey on Consumer Life" (FY2023) of the Consumer Affairs Agency.



## Part 2 Chapter 1: Major consumer policies by the Consumer Affairs Agency

• "Part 2 Chapter 1" describes the results of policies implemented by the Consumer Affairs Agency in FY2023.

### **Section 1 The Basic Plan on Consumer Policy**

### **Section 2 Preventing consumer harm**

- (1) Deliberating on the paradigm shift of the consumer legal system
- (2) Ensuring consumer safety
- (3) Ensuring consumer opportunities for independent and reasonable selection
- (4) Establishing the framework for consumer conflict resolution

### **Section 3 Promotion of economic / social structural reforms through consumer participation in fair and sustainable society**

- (1) Coordination and cooperation between consumers and business operators that contribute to development of sustainable society
- (2) Promotion of voluntary efforts to improve compliance in business activities

### **Section 4 Flexible / focused responses to various issues**

- (1) Protection and promotion of consumer profits in digital society
- (2) Response to the current social situation
- (3) Response to developments in the globalization of consumer affairs

### **Section 5 Promotion of consumer education and providing information with consumers**

### **Section 6 Establishing the structure to improve consumer affairs administration**

- (1) Establishing local systems
- (2) Role of the Consumer Affairs Agency Strategic Headquarters for Frontiers of Consumer Policy and its efforts

• "Part 2 Chapter 2" describes the results of policies implemented by related ministries in FY2023.

## Section 1 Preventing consumer harm

1. Ensuring consumer safety
2. Optimizing transactions and product labeling, and ensuring consumer opportunities for independent and reasonable selection
3. Promoting policies that are coordinated among relevant government offices to support vulnerable consumers, etc.
4. Establishing the framework to process consumer complaints and conflict resolution

## Section 2 Promotion of economic / social structural reforms through consumer participation in fair and sustainable society

1. Coordination and cooperation between consumers and business operators that contribute to food loss and waste reduction, etc.
2. Coordination and cooperation between consumers and business operators that contribute to environmental conservation
3. Other coordination and cooperation between consumers and business operators that contribute to development of sustainable consumer society
4. Promotion of efforts to ensure compliance in business activities

## Section 3 Practice of "New Lifestyle" Flexible / focused responses to other various issues

1. Practice of "New Lifestyle" and response to consumer issues in the face of disasters
2. Simultaneous realization of protection and promotion of consumer interests in digital society
3. Response to the globalization of consumer affairs

## Section 4 Promotion of consumer education and providing information with consumers

1. Promotion of consumer education
2. Promotion of awareness-raising activities for consumer policies

## Section 5 Establishing the structure to promote consumer affairs administration

1. Reflecting consumer opinions / ensuring consumer policy transparency
2. Establishing national system
3. Establishing local systems