

# **Guide to Law for the Control of Household Products Containing Harmful Substances**

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Law for the Control of Household Products Containing Harmful Substances	

## INTRODUCTION

In Japan, the safety of household products in general is regulated by two laws : the Consumer Product Safety Law and the Law for the Control of Household Products Containing Harmful Substances. The former is to prevent danger, injury harm or damage arising principally from the deficient structure, strength, etc. of consumer products, while the latter aims at preventing health hazards resulting from harmful chemical substances contained in household products. Based on the latter law, harmful substances, have been designated and regulatory standards for their permissible content levels, etc. have been established ; any household product that does not conform to these standards is prohibited from being put on the market. Currently, the regulatory standards are in operation for a total of seventeen different substances, including hydrogen chloride, vinyl chloride, and formaldehyde.

The law requires those persons who carry on the business of manufacturing or importing household products to eliminate dangers to human health by obtaining a good grasp of potential effects of chemical substances on people's health. To fulfill such duties required by the law, interested industries are striving to further secure the safety of household products by working out and enforcing voluntary standards as necessary to provide common rules to go by.

### I. Measures for Safety of Chemical Substances Used in Household Products

#### 1. Background of Legislation

Nowadays a wide variety of chemical substances are used in diverse household goods with which general consumers come into contact in their everyday life. While this makes it possible for people to

lead a comfortable and enriching life, health hazards stemming from these chemical substances used in household goods are pointed out. In the late 1960s, the realities of health hazards due to chemical substances used for household products, were made clear. To prevent such hazards, the Law for the Control of Household Products Containing Harmful Substances was enacted in 1973 and came into force 1974.

#### 2. An Outline of Statutory Regulations

The Law for the Control of Household Products Containing Harmful Substances defines household products as those products used by general consumers in their daily life, excluding pharmaceuticals, etc. specified in the Pharmaceutical Affairs Law and food, etc. in the Food Sanitation Law. According to the law, standards of permissible content levels, etc. of harmful substances contained in these household products can be established if deemed necessary from the viewpoint of health and hygiene. At present, the regulatory standards are in force for a total of seventeen different substances, including hydrogen chloride, vinyl chloride, and formaldehyde. Any household product that dose not conform to these standards is prohibited from being put on the market.

If it is deemed necessary to prevent the spread of health hazards from those household products that are not in compliance with the regulatory standards, the Minister of Health and Welfare, the governor of a prefecture, or the mayor of a city specially designated by the government ordinance is empowered by the law to order the recall of such household products, have manufacturers of these products submit necessary reports, or have his designated personnel (household products sanitation surveillance officers) make on-the-spot inspections of their business establishments.

All the prefectures and government ordinance -designated cities have household products sanitation surveillance officers who are responsible for, among others, keeping a close watch on household

products against the regulatory standards and giving guidance to manufacturers. As of the end of 1998, there are a total of 2,954 such officers.

Furthermore, the law requires those persons who carry on the business of manufacturing or importing household products to eliminate dangers by having a good grasp of potential effects of chemical substances on people's health.

### 3. Voluntary Standards for Safety

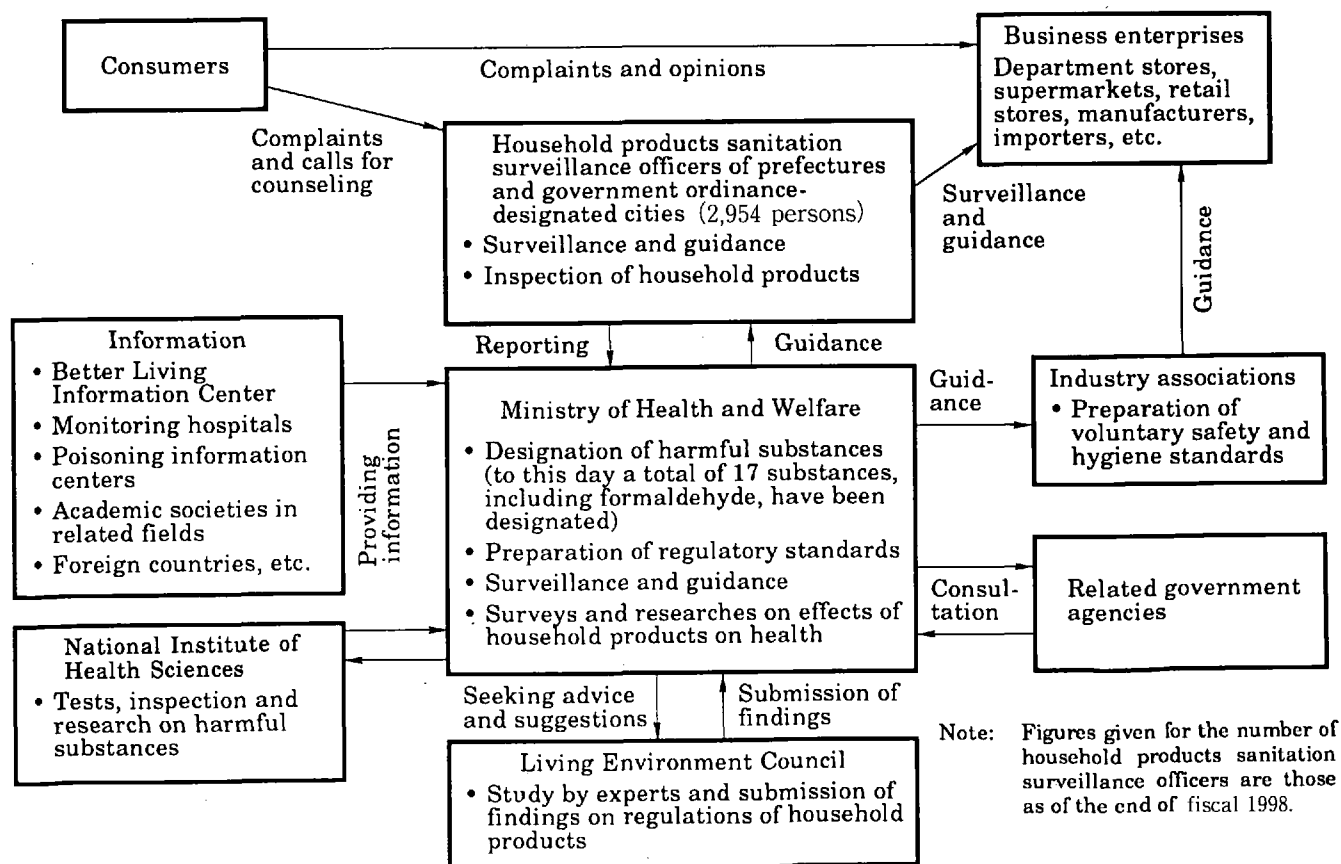
The Ministry of Health and Welfare has been promoting self-supporting efforts in relevant industries by directing them to develop voluntary standards for safety and hygiene by product category in order to establish common rules applicable industry-wide for safety assurance, as well as to further improve the quality of products they make. Among such voluntary standards established so far are the

Voluntary Safety and Hygiene Standards for Wet Tissues (Japan Cleaning Paper and Cotton Product Manufacturers' Association), the Voluntary Standards on Insecticides for Home Use (Japan Home Use Insecticide Conference), and the Voluntary Standards on Perfumes, Deodorants, Deodorizers, and Air Fresheners for General Consumers (Japan Perfume, Deodorant, Deodorizer and Air Freshener Conference).

### 4. Health Hazards Monitoring Hospital System

Initiated in 1979, the health hazards monitoring hospital system is in operation to collect data and information on health hazards from clothes, personal belongings, home use chemical products, etc. used in daily life. Under this system, eight each of dermatology and pediatrics hospitals have been

⇒ **An Outline of the Administration for Safety Measures on Household Products**  
**(Chart of the Administrative Organization for Safety Measures on Household Products)**



designated as monitors to report on cases of health hazards supposed to be caused by household products. Until fiscal 1994, a total of 10,162 such cases have been reported and reflected in the measures taken for the safety of household products.

## II. Interpretation of the Law for the Control of Household Products Containing Harmful Substances

### 1. Purpose of the Law

Article 1 of the Law says that the purpose of this law is to contribute to the protection of public health by exercising the necessary controls over household products which contain harmful substances from the viewpoint of public health and sanitation.

This law provides a base on which the administrative action for protecting the people's health by regulating harmful substances contained in household products depends upon.

With the recent progress of the chemical industry, among others, a wide variety of chemicals came to be used in household goods, such as textile products. While this resulted in many benefits to people's lives, an increasing number of people suffered health injury from household products using these chemical substances. The need of enforcing some form of regulation was perceived to prevent health injury. Accordingly, this led to the enactment of the law.

### 2. Scope of Household Products

(1) Article 2 of the law defines "household products" as those products used by general consumers in their daily life, excluding those listed in the schedule attached thereto.

The term "household goods" or "household products" is also used in the Household Goods Quality Labeling Law and the Poisonous and Deleterious Substances Control Law. The term

"consumer products" used in the Consumer Product Safety Law has virtually the same meaning as "household products" defined by this law.

(2) The following items are excluded from the household products of this law, because they are regulated by other specific laws respectively.

(a) Items under the control of the Food Sanitation Law

- Foods
- Food additives
- Apparatus (including tableware, cooking and kitchen utensils, etc.)
- Containers and packages (articles in which food or food additives are contained or packaged and which are delivered as they are)
- Toys (articles designated by the Minister of Health and Welfare as being potentially harmful to the health of infants)
- Detergents (those used for vegetables, fruits, or tableware).

(b) Items under the control of the Pharmaceutical Affairs Law

- Drugs
- Quasi-drugs
- Cosmetics
- Medical devices

(3) Since household products are defined as the products used chiefly by general consumers in their daily life, those used chiefly for commercial purposes are not regarded as household products. A tractor, for example, is intended solely for commercial purposes, so apparently it is not a household product. But this distinction is difficult in the case of an adhesive. The problem is, therefore, that some products are used both by businesses and by general consumers. A solution to this problem may not be available until sufficient data on actual cases are gathered. In practice, however, it may be permissible to regard the product as a household product excluding that destined obviously for commercial use judging from their declared

uses, way of distribution, etc. provided that the product shall be excluded from household product when a circumstance makes it improper to treat that product as a household product. It should be noted however, that even a product which is secondarily used for commercial purposes will be classified into a household product as long as it is used primarily by general consumers in their daily life. For example, adhesives which are on sale primarily for general consumers fall under the household products including the same products which are used for commercial purposes.

- (4) Since household products are manufactured finished products, parts or so-called semimanufactured goods cannot be considered to fall under household products. It follows, therefore, that paddings for beds or jacket linings, for instance are not household products.
- (5) Harmful substances are defined as mercury compounds and other substances designated by the government ordinance as those which may likely cause injury to human health, among the substances which are contained in household products. As of March 31, 1996, the following 17 substances are designated as harmful substances :

1. Hydrogen Chloride
2. Vinyl Chloride
3. 4, 6-Dichloro-7-(2, 4, 5-trichlorophenoxy)-2-trifluoromethyl benzimidazole (DTTB)
4. Potassium Hydroxide
5. Sodium Hydroxide
6. Tetrachloroethylene
7. Trichloroethylene
8. Tris (1-aziridinyl) phosphine Oxide (APO)
9. Tris (2, 3-dibromopropyl) phosphate (TDBPP)
10. Triphenyltin Compounds
11. Tributyltin Compounds
12. Bis (2, 3-dibromopropyl) phosphates (BDBPP)
13. 1, 2, 3, 4, 10, 10-Hexachloro-6, 7-epoxy-1, 4,

4a, 5, 6, 7, 8, 8a-octahydro-exo-1, 4-end-5, 8-dimethanonaphthalene (Dieldrine)

14. Formaldehyde
15. Methanol
16. Organomercury Compounds
17. Sulfuric Acid

### 3. Duties of Business Operators

- (1) Article 3 of the law provides for the duties of business operators to have a clear understanding of what effects substances contained in household products will have on human health. It requires the manufacturers and importers of household products to have a full understanding of the properties of chemical substances contained in products they make or deal in so as to prevent injury to human health.
- (2) This article generally specifies the basic responsibilities of business operators corresponding to the provisions of Article 1. Considering its nature, this article does not impose any punitive provisions but it is a so-called admonitory clause. Since hygienic regulations like this had not been in force, till the enforcement of this law, this article carries great significance in that it draws the attention of manufacturers, etc. to the harmfulness of substances contained in household products.

In addition, the significance of this article is all the more greater because the law adopts a so called "negative list system" by which a limited number of harmful substances are designated for control and the use of the other chemical substances are left in the discretion and sound judgment of businesses. It may well be said that the law expects businesses to have a correct understanding of the properties of those chemical substances for which regulatory standards have not been established under Article 4 of the law which will be discussed later. This is also true of those substances on which the standards have been established. Since not all household products are checked

by government agencies, the law takes it for granted that manufacturers, importers, etc. check their products by themselves for compliance with the standards.

In these days of new chemical substances being developed one after another, it may sometimes be that regulatory standards have not been prepared though such standards are needed. It may not be too much to say, therefore, that it is virtually impossible to guarantee a healthy and safe life to the people unless manufacturers and importers pay full attention to the safety of their products based on a good understanding of the purport of this article 3.

- (3) In interpreting this article, the following points should be noted.
  - (a) The duties under this article are imposed on those persons who carry on the business of manufacturing or importing household products, so that distributors are not required to fulfill these responsibilities. This is because it is a common business practice that the distributors of these products simply sell the products manufactured domestically or imported from abroad and, consequently, it is not considered appropriate to impose on even these distributors the general duty of grasping the potential effects on human health of substances contained in household products that they handle.
  - (b) Having a clear understanding of potential effects on human health means to have a full understanding of the potential effects of substances contained in household products on the human body as identified through surveys of literature and various tests and researches, based on reasonable scientific levels reached at the time.

#### 4. Standards for Household Products

- (1) Article 4 of the law empowers the Minister of Health and Welfare to designate household products and to establish necessary standards

for content, dissoluble amount, or vaporable amount of harmful substances contained in such products.

- (2) This article, coupled with the Articles 5 and 6, frames the principal composition of the law, comprising : (a) establishment of standards on household products ; (b) prohibition of sale of products not conforming to the standards ; and (c) application of the penalty for violation or order to recall products likely to cause health injury.

In this sense, Article 4 forms the core of the law or its purpose set forth in Article 1-to contribute to the protection of public health by exercising the necessary controls over household products which contain harmful substances from the viewpoint of public health and sanitation.

- (3) Paragraph 1 of this article says that the necessary standards may be established for the permissible level of content, dissolved or evaporated amount of harmful substances contained in household products.

Furthermore, Paragraph 2 of the article specifies the authority of establish standards for the containers or packages of household products, limited in this case to the containers or packages of household products which contain poisonous or deleterious substances specified by the Poisonous and Deleterious Substances Control Law.

- (4) The following is a word-for-word explanation of the provisions of paragraph 1 of the article.
  - (a) To "designate household products" means that the Minister of Health and Welfare designates products for which it is deemed particularly necessary to establish regulatory standards on certain harmful substances from among those products used chiefly by general consumers in their daily life as broadly defined under Paragraph 1 of Article 2. For hydrogen chloride and sulfuric acid as harmful substances, for example, a product described as "a liquid detergent for home

use” is designated from among many household products and the standards for these substances contained in this product are to be established accordingly.

- (b) Standards are to be established for “the permissible level of content and for the dissolved amount, or evaporated amount” separately because household products vary so greatly in composition, form, usage, etc. that it is considered reasonable to establish different standards for the permissible level of content, dissolved and evaporated amounts of harmful substances according to the characteristics of these diverse household products.

As an example of products to be regulated in terms of “content”, a detergent in which various chemical substances including hydrochloric acid and sulfuric acid are mixed, can be cited. Since health injury may result depending on the concentration of chemical substances in such detergent, regulatory standards on the permissible level of content of harmful substances mixed in the detergent are to be established.

Regarding the “dissolved amount”, various chemical substances used for treatment of clothes, such as crease resistant finish, moth-proof finish, etc. are to be considered. In some cases, these chemical substances may dissolve out in water or sweat to cause health damage. To provide against such possibility, regulatory standards on the permissible amount of harmful substances dissolved from textile goods are to be established.

An example of substances to be controlled in terms of “evaporated amount” is volatile substances like organic solvents used in furniture and adhesives. If there is a possibility of these substances evaporating and being inhaled by people to cause health hazards, standards on the permissible amount of harmful substances evaporated from furni-

ture and adhesives are to be established.

- (5) Criteria for the designation of household products
  - (a) To be eligible for designation, a harmful substance for which standards are to be established must actually be used or will possibly be used in the household product to be designated, given the properties, usage, etc. of such a harmful substance. As noted in connection with Paragraph 2 of Article 2, this is apparent from the fact that the designation requirement covers not only harmful substances actually contained in household products but also those which will likely be contained in household products in the future.

Conversely speaking, when there is no possibility of any harmful substance being used and, therefore, contained in a certain household product, it is quite unlikely that standards on harmful substances will be established for such a household product.

- (b) For designation, consideration must also be given to the situation in and the extent to which household products will come into contact with the human body.

Even if harmful substances are used in the household product, injury to human health will not occur until such harmful substances come into contact with the human body (including contact through the medium of the air). Accordingly, when there is no possibility of the household product coming into contact with the human body, no standards will be established for such harmful substances. For instance, even if some harmful substances are used commonly for mildew-proof finish, etc. of textile goods, bed padings which have virtually no possibility of coming into contact with the human body will not be included in household products for which regulatory standards are to be established.

If follows, therefore, that even if there is a



possibility of harmful substances being used in a certain household product, the establishment of standards on that product depends on :

- (i) whether the product is likely to come into contact with the human body or to be inhaled as a result of scattering or for some other reason, in case that direct contact with human body is less frequent.
  - (ii) whether the product comes into contact with the human body for a limited time or at a limited part of it or not, in case that the product comes into direct contact with the human body.
  - (iii) whether the product comes into contact with the human body directly and for a long time or not.
- (c) In addition to the above, there is yet another consideration that should be taken into account—that is, whether or not the household products are used for the benefit of infants (defined by the law as those babies who are less than 24 months old). This needs not be given consideration if the use of a certain harmful substance in household products is totally banned. However, this consideration may be necessary when there are some type of harmful substances whose use is permitted to a certain extent because of toxicity levels and usefulness or effect. To put it another way, the use of a certain substance which is permitted to a certain degree for grown-ups or adults may not be allowed for infants, partly because the infants have very soft skin or often wet skin so that they are more likely to absorb chemical substances through their skin, and partly because they generally tend to put anything at hand into their mouths. The philosophy underlying the principle of working out particularly stringent standards on products intended for the infants is that the use of any chemical substances in the household products for the infants should be avoided as far

as practicable or that only those chemical substances which are proved safe, should be used at a minimum if unavoidable circumstances so require.

- (6) Criteria for the Establishment of Standards
- (a) The maximum permissible levels for protecting the people's health are to be fixed based on the scientific basis by obtaining an accurate understanding of the results of various experiments as mentioned concerning Paragraph 2 of Article 2.
  - (b) The law has for its purpose to prevent health injury from household products in their normal usage. Accordingly, standards to be established for these household products are those necessary under normal conditions of usage. In other words, unusual circumstances, such as a fire, are not considered.

## 5. Prohibition of Sales, Etc.

- (1) Article 5 of the law prohibits the sales, etc. of those household products in violation of the standards which have been established on the permissible levels of content, etc. of harmful substances, or on their containers or packages in accordance with Article 4.
- (2) A manufacturer, an importer or a distributor who has violated this article, that is, who has sold or otherwise disposed of those household products not conforming to the standards, shall be sentenced to penal servitude of a period not exceeding one year or with a fine of not exceeding 300,000 yen in accordance with Article 10 of the law.

As mentioned earlier, a violation of the standards referred to under Article 4 does not always result in a health hazard for most of the people. So punishing all cases of violation of the standards may appear too stringent. Nevertheless, the standards are established with due consideration to differences in health hazards, such as allergy, between individuals the frequency of contact with given household prod-

ucts, etc., based on data derived from experiments using animals or other sources, so that a violation of these standards may cause a health hazard to some people as the case may be. Given the objective of the law to protect the people's health, therefore, it stands to reason that persons who have violated the provisions of this article are subject to punishment.

- (3) The following is an explanation of who and what actions are to be punished.
- (a) Persons subject to punishment under the law are manufacturers, importers or distributors of those household products with regulatory standards. According to the definition given, these are the persons who carry on a business, or who continuously conduct the business of manufacturing, importing or marketing. When applying the provisions to individual cases, however, the generally accepted idea of the business must also be taken into account.

In the case of manufacturers, in particular, the question is who may be considered as a manufacturer of those household products which have been manufactured by the division of works. As noted above, those who make only parts or semi-manufactured products do not fall under the category of manufacturers referred to in this article. But it can be construed that not only manufacturers of finished products but also those who finish the products adding some parts to nearly completed products or who process finished products to add some values are classified as the manufacturers under this article.

- (b) Punishable acts are the selling, presenting, or displaying for selling or presenting purposes, of the household products not conformed with the standards :
- (i) "Selling" means to deliver a household product for a certain value equivalent. Thus the selling naturally includes not only the selling of products to ultimate general consumers but also that from

manufacturers to wholesalers or from wholesalers to retailers. This selling does not necessarily aim at earning profits. As such, the delivery of products for a value equivalent made by non-profit organizations, such as industrial or agricultural cooperative associations, is also included in the term "selling" as referred to under this article.

- (ii) "Presenting" means to deliver a product not for a value equivalent. Giving a present or souvenir falls under the "presenting". To prevent health hazards originating in household products in all aspects of everyday life, not only sales but also presenting must be put under control.
- (iii) "Displaying" means to display products in an eye-catching manner at a place where many people gather. Simply putting products on display is not, but displaying for the purposes of selling or presenting is an object for prohibition. It can be interpreted that whether a display has the purposes of selling or presenting or not will be determined not from subjective intentions of business operators but from their intentions judged objectively. "Displaying" is included in the provisions because it is considered necessary that a stage earlier than the delivery of household products to the general consumers is put also under control. A direct control on the manufacture or importation is not stipulated since it is considered that harmful household products can be fully prevented from coming on to the market by regulating the selling, presenting or displaying of such goods since manufacturers or importers sell the products to wholesalers, retailers or general consumers.

## 6. Recall Order Etc.

- (1) Paragraph 1, Article 6 of the law authorizes the

Minister of Health and Welfare or the governor of a prefecture (or the mayor of a city and/or Special Ward where a public health center is set up) to order a manufacturer, an importer or a distributor of household products violating the regulatory standard to recall such products or take other necessary measures in case that such products are sold or presented and he finds that health hazard may result from such products.

- (2) This provision is in place because it is considered necessary not merely to prohibit the selling, etc. of household products against the regulatory standards in accordance with Article 5 but also to enable the authority to order a recall of such products or other necessary measures in order to provide against an emergency.

A person who has failed to obey this order shall be sentenced to penal servitude of a period not exceeding one year or with a fine of not exceeding 300,000 yen in accordance with Article 10 of the law.

- (3) Paragraph 2 of this article is provided against the absence of regulatory standards under Article 4. When serious health injury has resulted from a certain household product without these standards, the authority is empowered to order an interested party to take necessary measures, such as a recall of that product.
- (4) Perhaps the most common measure that can be ordered to take pursuant to Paragraph 1 of this article will be a recall order. Among other measures necessary to prevent health hazard are to notify those consumers who have purchased a harmful household product through newspapers, radio and other appropriate media that the use of such a product must be stopped because of the possibility of health injury, and to destroy that product by an appropriate method if it is deemed particularly necessary.

## 7. On-the-Spot Inspections

- (1) Article 7 of the law empowers the Minister of Health and Welfare to have the manufacturers, etc. of household products submit a report, or conduct on-the-spot inspections, ask questions, or collect the household products to the extent necessary for testing, if he deems it necessary to enforce the law. These works shall be carried out by persons with certain qualifications because technical knowledges and skills are required for it.
- (2) This article specifies the provisions concerning what are now known as "administrative surveys," which include on-the-spot inspections, reporting requirement, inquiries, etc.

Any person who has failed to submit a report, refused on-the-spot inspections or collection of the products by the authorities, or failed to answer questions or inquiries shall be punished with a fine of not exceeding 50,000 yen in accordance with the provisions of Article 11.

- (3) Administrative surveys are described below.
- (a) Administrative surveys are to be conducted by the Minister of Health and Welfare, the governor of a prefecture, or the mayor of a city where a public health center is set up (government ordinance-designated city). Note, however, that household products sanitation surveillance officers will actually carry out on-the-spot inspections, make inquiries, or collect samples.

Household products sanitation surveillance officers performing these tasks will be designated from among food sanitation surveillance officers (designated under the Food Sanitation Law), pharmaceutical affairs surveillance officers (designated under the Pharmaceutical Affairs Law) and other officers though some of these officers are excluded because of the specialty of household products sanitation surveillance.

As a general rule, when the manufacturers, etc. of household products have their business establishments in a government ordinance-designated city, the household products sanitation surveillance officers of that city will exercise powers stipulated by Article 7 ; when such business establishments are located outside the government ordinance-designated city, these powers will be exercised by the household products sanitation surveillance officers of a prefecture. In the event of serious health injury covering several prefectures, the government officials in charge of household products sanitation surveillance will exercise such powers.

- (b) These administrative surveys are exercised on the manufacturers, importers or distributors of household products.
- (c) Administrative surveys consist of the following :
  - (i) To ask for reports required. These reports may be on data and information on the use of raw materials in household products, and sales of household products, etc.
  - (ii) To have the household products sanitation surveillance officers enter offices, factories, business establishments, stores or warehouses :
    - to inspect account books, documents and other materials ;
    - to ask questions to interested persons ; and
    - to collect samples of the household products within the limits of necessity for testing.

## 8. Penal Provisions

- (1) Articles 10 through 12 specify the penal provisions.

Penalties provided for in Article 10 concern a violation of the prohibition of selling, disobedience to a recall order, etc.

This provision applies to :

- (a) those who have sold, given as a present, or displayed for the purposes of selling or presenting a household product not conforming to the standards established pursuant to Paragraph 1 or 2 of Article 4 ;
- (b) those who have disobeyed a recall or other orders issued pursuant to Paragraph 1 or 2 of Article 6.

The penalty for these violations shall be penal servitude for a period not exceeding one year or a fine of not exceeding 300,000 yen.

- (2) Article 11 prescribes the penalty for those who have refused obedience for a collection of reports, inspection, questioning or collection of samples conducted by the Minister of Health and Welfare, the governor of a prefecture, or the mayor of a government ordinance-designated city. This provision applies to :
  - (a) those who have failed to submit a report or made a false report when required by the Minister of Health and Welfare, etc.,
  - (b) those who have refused to accept, interrupted or evaded, on-the-spot inspections or collection of samples to be conducted by the officials under the Minister of Health and Welfare, etc., and
  - (c) those who have refused to answer, or given false answers to, questioning by the officials under the Minister of Health and Welfare, etc.

These persons shall be punished with a fine of not exceeding 50,000 yen.

- (3) Article 12 contains the so-called double punitive provisions. According to these provisions, when a representative, a proxy, an agent, a servant or an employee engaged by a juridical or natural person commits a violation of Article 10 or 11, that juridical or natural person will also be punished with a fine solely because of that violation. In other words, it does not matter whether or not the corporation or person has given any specific order to his employee, etc., but the fact that his employee,

etc. has committed a violation is considered sufficient.

Thus, the responsibility of a juridical person for a violation of the law by his representative, proxy, agent, servant or employee is construed to be liability arising from negligence in fully performing his obligation to oversee the duties

of his representative, proxy, agent, servant or employee. The juridical person is required, therefore, to pay full attention to and supervise what his employees, etc. are doing. This is also true of a natural person whose employee, etc. violates the law.

### III. An Outline of Regulatory Standards for Household Products Containing Harmful Substances

The regulatory standards currently in force pursuant to Paragraph 2 of Article 2 (Designation of harmful substances) and Article 4 (Designation of household products and establishment of standards on household products) of the law are summarized below.

<b>Harmful substances</b>	Hydrogen chloride Sulfuric acid	Vinyl chloride	4,6-Dichloro-7-(2,4,5-trichlorophenoxy)-2-trifluoromethyl benzimidazole (DTTB)	Sodium hydroxide Potassium hydroxide
<b>Uses</b>	Detergents	Sprays	Mothproof finish	Detergents
<b>Household products</b>	Liquid type detergent for household use (excluding deleterious substances as preparations containing hydrogen chloride or sulfuric acid).	Aerosol products for household use	Textile goods, such as diaper covers, underwear, pajamas, gloves, socks and stockings, intermediate wear, outer garments, caps and hats, beddings, and matting Knitting wool for home use	Liquid type detergent for household use (excluding deleterious substances as preparations containing sodium hydroxide or potassium hydroxide).
<b>Standards</b>	Acid content shall not exceed 10 % and containers shall have a required strength.	Not detected (Infrared absorption spectrum method)	Not exceeding 30 ppm (not exceeding 30 µg per gram of specimen) (gas chromatograph with an electron capture detector)	Amount of alkali shall not exceed 5 % and containers shall have a required strength.
<b>Criteria of setting standards</b>	Preventing injury to the human body from contents leaked out from a broken container.	Use of vinyl chloride (monomer) in household products should not be permitted because of its carcinogenicity.	Use of DTTB in household products should not be permitted because it has a very high acute toxicity when taken in through the skin or mouth, causes liver or genital troubles, and is antigenic.	Preventing injury to the human body from contents leaked out from a broken container.
<b>Toxicity</b>	Skin trouble, mucous membrane inflammation, or lung trouble by inhaling.	Carcinogenicity	Skin or oral acute toxicity, liver trouble, and genital trouble.	Skin trouble and inflammation of mucous membrane
<b>Remarks</b>	Effective as from October 1, 1974 (partially amended on April 1, 1980).	Effective as from October 1, 1974.	Effective as from April 1, 1982.	Effective as from April 1, 1980.

Tetrachloroethylene	Trichloroethylene	Tris (1-aziridinyl) phosphine oxide (APO)	Tris (2,3-dibromopropyl) phosphate (TDBPP)
Solvents	Solvents	Flame-proof processing	Flame-proof processing
Aerosol products for household use, detergent for household use	Aerosol products for household use, detergent for household use	Textile goods, such as pajamas, beddings, curtains, and matting	Textile goods, such as pajamas, beddings, curtains, and matting
Not exceeding 0.1 % (gas chromatograph with an electron capture detector)	Not exceeding 0.1 % (gas chromatograph with an electron capture detector)	Not detected (gas chromatograph with flame photometric detector)	Not detected (gas chromatograph with flame photometric detector)
The use of tetrachloroethylene in household products should be regulated because when taken continuously into the human body, this substance may accumulate in the body and cause troubles in liver, kidney or central nervous system.	The use of trichloroethylene in household products should be regulated because when taken continuously into the human body, this substance may cause troubles in central nervous system, liver, kidney or skin.	Use of tris (1-aziridinyl) phosphine oxide should not be permitted in household products because it has a high level of skin or oral toxicity and causes troubles in hematogenous functions.	Use of TDBPP in household products should not be permitted because it is carcinogenic and is easily absorbed through skin.
Troubles in liver, kidney or central nervous system	Troubles in central nervous system, liver, kidney or skin	Skin or oral acute toxicity, troubles in hematogenous functions and genital organs.	Carcinogenicity
Effective as from October 1, 1983.	Effective as from October 1, 1983.	Effective as from January 1, 1978 (partially amended on November 1, 1978).	Effective as from November 1, 1978 (partially amended on September 1, 1981).

<b>Harmful substances</b>	Triphenyltin compounds	Tributyltin compounds	Bis (2,3-dibromopropyl) phosphate compounds
<b>Uses</b>	Bacteria and mildew proof processing	Bacteria and mildew proof processing	Flame-proof processing
<b>Household products</b>	Textile goods, such as diapers, diaper covers, pinafores or feeders, underwear, sanitary panties, gloves, socks and stockings Adhesives for household use Paints for household use Wax for household use Shoe polish	Textile goods, such as diapers, diaper covers, pinafores or feeders, underwear, sanitary panties, gloves, socks and stockings Adhesives for household use Paints for household use Wax for household use Shoe polish	Textile goods, such as pajamas, beddings, curtains, and matting
<b>Standards</b>	Not detected (flameless atomic absorption spectroscopy and thin-layer chromatograph)	Not detected (flameless atomic absorption spectroscopy and thin-layer chromatograph)	Not detected (gas chromatograph with flame photometric detector)
<b>Criteria of setting standards</b>	Use of triphenyltin compound in household products should not be permitted because it is deleterious, skin irritant, and easily absorbed through skin.	Use of tributyltin compound in household products should not be permitted because it is deleterious, skin irritant, and easily absorbed through skin.	Use of this substance in household products should not be permitted because it is carcinogenic and absorbed through skin.
<b>Toxicity</b>	Skin irritant properties, skin and oral acute toxicity.	Skin irritant properties, skin and oral acute toxicity.	Carcinogenicity
<b>Remarks</b>	Effective as from January 1, 1979 (partially amended on April 1, 1980).	Effective as from April 1, 1980.	Effective as from September 1, 1981.



1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-exo-1,4-end-5,8-dimethanonaphthalen (Dieldrine)	Formaldehyde	Methanol (also known as methyl alcohol)	Organomercury compounds
Mothproof finish	Resin finish	Solvents	Bacteria and mildew proof processing
Textile goods, such as diaper covers, underwear, pajamas, gloves, socks and stockings, intermediate wear, outer garments, caps and hats, beddings, and matting Knitting wool for household use	① Textile goods, such as diapers, diaper covers, pinafores or feeders, underwear, pajamas, gloves, socks, intermediate wear, outer garments, caps and hats, and beddings, intended for less than 24-month-old babies or infants. ② Underwear, pajamas, gloves, socks and stockings, tabi (Japanese socks), and adhesives used for wigs, false eyelashes, false mustaches, or garters.	Aerosol products for household use	Textile goods, such as diapers, diaper covers, pinafores or feeders, underwear, sanitary panties, gloves, socks and stockings Adhesives for household use Paints for household use Wax for household use Shoe polish
Not exceeding 30 ppm (not exceeding 30 µg per gram of specimen) (gas chromatograph with an electron-capture detector)	① Not detected. ② Not exceeding 75 ppm (not exceeding 75 µg per gram of specimen) (acetyl-acetone method)	Not exceeding 5 w/w % (gas chromatograph with hydrogen flame temperature detector)	Not detected (the background value of 1 ppm should not be exceeded; atomic absorption spectroscopy)
Use of dieldrine in household products should not be permitted because it is absorbed through skin to accumulate in the human body.	Formaldehyde is highly antigenic and apt to cause allergic reaction. Infants have a particularly delicate skin. Therefore, no formaldehyde should be detected in the products ①. Regarding ②, the minimum level is set up according to usage conditions of household products, based on the maximum no-action level derived from the findings of various toxicity tests.	The use of methanol in household products should be restricted because it is deleterious and has toxicity that may cause optic nerve troubles and, when used in aerosol products, it is easily absorbed through inhaling.	Use of organomercury compound in household products should not be permitted because it is absorbed through skin to accumulate in the human body.
Liver and central nervous system troubles	Mucous membrane irritant and skin allergy.	Optic nerve troubles	Central nervous system and skin troubles
Effective as from October 1, 1978 (partially amended on September 1, 1981).	Effective as from October 1, 1975.	Effective as from April 1, 1982.	Effective as from January 1, 1975.

## APPENDIX

### Law for the Control of Household Products Containing Harmful Substances (Law No. 112, October 12, 1973) (Tentative Translation)

#### (PURPOSE)

##### Article 1

The purpose of this Law is to contribute to the protection of public health by exercising necessary controls over household products which contain harmful substances from the viewpoint of public health and sanitation.

#### (DEFINITIONS)

##### Article 2

For the purpose of this Law, the term "household product" means any product (excluding the products mentioned in the Attached List) used chiefly in general consumers' lives.

2. For the purpose of this Law, the term "harmful substance" means a mercuric compound and other substances to be provided by a Government Ordinance as presenting risks of injuring human health.

#### (DUTIES OF BUSINESS)

##### Article 3

Any person who conducts a business of manufacturing or importing a household product shall comprehend an effect on human health produced by a substance which is contained in a manufactured or imported household product, and prevent health injury associated with the said substance.

## (STANDARDS OF HOUSEHOLD PRODUCTS)

##### Article 4

The Minister of Health and Welfare may, from the viewpoint of public health, designate household products, and establish necessary standards for the maximum levels of contents, dissoluble amount, or vaporable amount of harmful substances contained in household products enacting a Ministerial Ordinance of Health and Welfare.

2. The Minister of Health and Welfare may, from the viewpoint of public health, designate household products containing harmful substances which are poisonous substances as provided by Article 2, paragraph 1, or deleterious substances as provided by Article 2, paragraph 2 of "Poisonous and Deleterious Substances Control Law" (Law No.303, 1950), and establish necessary standards for containers or packages of such household products enacting a Ministerial Ordinance of Health and Welfare.

3. The Minister of Health and Welfare shall, in case he intends to establish standards under the provisions of the preceding two paragraphs, hear opinions of the Council as provided by a Government Ordinance and confer with the competent Minister of the household product concerned, in advance.

#### (PROHIBITED SALES, ETC.)

##### Article 5

Any person who conducts a business of manufacturing, importing or selling the household product of which standards have been established under the provisions of Article 4, paragraph 1 or 2, shall not sell, give or exhibit for the purpose of selling or giving the household product which does not conform to the standards.

**(ORDER OF RECALL, ETC.)**

Article 6

If the Minister of Health and Welfare, or the Governor of the Prefecture (or the Mayor of the City and/or Special Ward establishing a Health Center ; the same hereinafter in this Article and the next) judges that a risk of human health injury may be created by selling or giving a household product which is not in conformity with the standards established in accordance with the provisions of Article 4, paragraph 1 or 2, he may order the person who conducts a business of manufacturing, importing or selling the household product to recall, or take other necessary measures for, that household product when he considers it particularly necessary in order to prevent the outbreak of the injury.

2. If the Minister of Health and Welfare, or the Governor of the Prefecture judges that a serious human health injury has been caused by a household product which is suspected of containing a substance hazardous to human health deemed to be associated with such injury viewing from its conditions, may order the person who conducts a business of manufacturing or importing the household product to recall, or take other necessary emergency measures for, that household product within the limits of necessity for preventing the expansion of the health injury.

**(ON-SITE INSPECTION, ETC.)**

Article 7

The Minister of Health and Welfare, or the Governor of the Prefecture may, when deemed necessary in order to implement this Law, require a person who conducts a business of manufacturing, importing or selling the household product to submit a necessary report, order his officials designated in advance from among Food Sanita-

tion Inspectors, Pharmaceutical Affairs Inspectors, or officials as provided by a Ministerial Ordinance of Health and Welfare to enter into an office, factory, business establishment, shop, or warehouse, to inquire persons concerned, or to collect samples of household product concerned within the limits necessary for the use in tests.

2. The officials designated in accordance with the provisions of the preceding paragraph are called Household Products Sanitation Inspectors.

3. When the designated official is ordered to conduct on-site inspection, inquiry, or collection of samples according to the provisions of paragraph 1, he shall be required to bring with him a credential showing his status and show it to person concerned.

4. The authority to inspect, inquire, and collect samples in accordance with the provisions of paragraph 1 shall not be understood as admitted for the criminal investigation.

Article 8 (Deleted)

**(INTERIM MEASURES)**

Article 9

When Ordinances are established, revised or abolished under the provisions of this Law, necessary interim measures (including interim measures relating to Penal Provisions) may be established simultaneously by the Ordinances within the limits deemed reasonably necessary for the establishment, revision or abolition.

**(PENAL PROVISIONS)**

Article 10

A person who comes under any of the following items shall be imprisoned not more than one year or be fined not more than 300,000 yen.

(1) A person who violates the provisions of Article 5.

- (2) A person who violates the order as provided in Article 6, paragraph 1 or 2.

#### Article 11

A person who does not make any report, who makes a false report, or who refuses, interrupts or evades the inspection or the collection of the samples, or who does not give any answer or gives a false answer to the inquiry required under the provisions of Article 7, paragraph 1 respectively, shall be fined not more than 50,000 yen.

#### Article 12

When a representative of a juridical person, or a deputy, employee or other worker employed by a juridical person or a person violates the provisions of Article 10 and 11, in relation to the business of the juridical person or the person, such juridical person or person as well as the person who has committed an act of the violation, shall be fined under the provisions of the each Article.

### SUPPLEMENTARY PROVISIONS

(Omitted)

### ANNEXED LIST

1. Food, additives, apparatus, container package,

toys, and detergents prescribed by the Food Sanitation Law (Law No.233, 1947)

2. Drugs, quasi-drugs, cosmetics, and medical devices prescribed by the Pharmaceutical Affairs Law (Law No.145, 1960)
3. In addition to the products mentioned above, products of which manufacture, importation or sales is subject to the controls through technical requirements or standards established in accordance with the provisions of such laws as provided in a Government Ordinance, and which are well recognized as presenting no risk, owing to the mentioned control, of human health injury associated with harmful substances and which are designated by a Government Ordinance.

#### **INQUIRY**

For further information on the Law, please contact :

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