

G/TBT/N/JPN/156

The Amendment of the “Enforcement Order of the Law for the Promotion of the Effective Utilization of Resources” and “Judgment Criteria Concerning the Reduction of the Generation of Used Goods”, “Judgment Criteria Concerning the Promotion of the Utilization of Recyclable Resources or Reusable Parts.”

1. Background

In August 2005 the Industrial Structure Council’s Green Manufacturing Working Group, part of the Waste Prevention and Recycling Subcommittee of the Environment Committee, published the summary report “Towards Implementation of the Green Product-Chain.” Following this, the Government of Japan proposed the further promotion of Design for Environment (DfE) utilizing the Law for the Promotion of the Effective Utilization of Resources.

With this proposal, the Government of Japan invited public comment from September 13th to October 13th about the outline of the draft Amendment of “Enforcement Order of the Law for Promotion of Effective Utilization of Resources,” “Judgment Criteria Concerning the Reduction of the Generation of Used Goods” and “Judgment Criteria Concerning Promotion of Utilization of Recyclable Resources or Reusable Parts.” As a result, the Government of Japan has been steadily working toward establishing procedures to be implemented in accordance with this draft Amendment.

2. Objectives of the Law

The purpose of this Law is to provide a basic mechanism for promoting the reduction of the generation of used goods and by-products and the utilization of recyclable resources and reusable parts, so contributing to the promotion of the sound development of the nation’s economy.

3. Outline of the Amendment

3.1 The Amendment of the “Enforcement Order of the Law for the Promotion of Effective Utilization of Resources (Government Ordinance No.327 published in 1991.)”

- 1) To address the increase of imported products, it is proposed that importers be added to sellers to be subject to the directives of the Law for the following seven designated resource saving products:

Personal computers (including both CRT and LCD displays), unit-type air conditioners (excluding package-type air conditioners), television sets, microwave ovens, clothes driers, electric refrigerators and electric washing machines

In addition, the volume requirement of advice and directive for importers will be the same as that for manufacturers under the current provisions. However in the case of clothes driers, it is proposed that the amendment apply to both manufacturers and import sellers for volumes over 1000 units per year.

Accordingly, necessary amendments will be made such as adding provisions concerning distribution as part of the report and provisions concerning distribution to be included at the time of the on-site inspection.

- 2) To address the increase of imported products, it is proposed that importers be added to sellers to be subject to the directives of the Law for the following eight designated resources-reuse products:

Personal computers (including both CRT and LCD displays), unit-type air conditioners (excluding package-type air conditioners), copying machines, television sets, microwave ovens, clothes driers, electric refrigerators and electric washing machines

In addition, the volume requirement of advice and directive for importers will be the same as that for manufacturers under the current provisions. However in the case of clothes driers, it is proposed that the amendment apply to both manufacturers and import sellers for volumes over 1000 units per year.

Accordingly, necessary amendments will be made such as adding provisions concerning distribution as part of the report and provisions concerning distribution to be included at the time of the on-site inspection.

3.2 The Amendment of the “Judgment Criteria Concerning the Reduction of the Generation of Used Goods (Ministerial Ordinances No.62,63,66,67,68,69,70, published in 2001)” and “Judgment Criteria Concerning Promotion of Utilization of Recyclable Resources or Reusable Parts (Ministerial Ordinances No.77,78,81,82,83,84,85,86, published in 2001)”

- 1) Following the above amendment, relevant changes will be made to both the “Judgment Criteria Concerning the Reduction of the Generation of Used Goods “ and “Judgment Criteria Concerning the Promotion of the Utilization of Recyclable Resources or Reusable Parts”, with regard to the aforesaid products. Both import sellers and manufacturers are required to fulfill the requirements for the following items:

- for the reduction of the generation of used goods:
 - rationalization of use of raw materials, etc
 - promotion of use for long period
 - securing of safety pertaining to repairs, etc
 - securing of opportunities for repair, etc
 - consideration of safety, etc.
 - technology improvement
 - assessment in advance
 - provision of information
 - contrivance of packaging materials, etc
- for the promotion of the utilization of recyclable resources or reusable parts:
 - contrivance of raw materials

- contrivance of structure
- contrivance for sorting
- securing of safety pertaining to treatment
- consideration of safety, etc.
- technology improvement
- assessment in advance
- provision of information
- contrivance of packaging materials, etc.

2) The “Judgment Criteria Concerning the Promotion of the Utilization of Recyclable Resources or Reusable Parts” will be amended in order to stipulate six chemical substances as those that cause a deterioration of the quality of recyclable resources and interrupt the recycling processes.

The following chemical substances contained in the following products will be subject to management, labeling and information provision requirements.

➤ The seven types of electrical and electronic equipment:

Personal computers (including CRT and LCD displays), unit-type air conditioners (excluding package-type air conditioners), television sets, microwave ovens, clothes driers, electric refrigerators and electric washing machines

➤ The six chemical substances:

mercury, cadmium, lead, chromiumVI, PBB, and PBDE

4. Schedule for the Future

Proposed date of adoption: February 2006

Proposed date of entry into force: 01 July 2006