PANORAMIC

PRODUCT SAFETY & RECALL

Japan



LEXOLOGY

Product Safety & Recall

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PRODUCT SAFETY LAWS

Product safety legislation
What basic laws govern the safety standards that products must meet in your jurisdiction?

The safety standards applicable to products in Japan are primarily governed by the following categories of legislation:

- legislation of general application to consumer products;
- product safety legislation applicable to specific categories of products; and
- sector-specific legislation (such as legislation governing food, pharmaceuticals and medical devices, and motor vehicles).

The cornerstone of Japan's product safety framework is the Consumer Product Safety Act (the CPSA). The CPSA applies primarily to products intended for use by general consumers and is aimed at ensuring their physical safety.

In addition, the Act on the Control of Household Products Containing Harmful Substances regulates harmful chemical substances contained in household products. It serves a complementary role to the CPSA by protecting consumers from health risks associated with such substances.

In particular, the following three statutes, together with the CPSA, form the core of the product safety regime administered by the Ministry of Economy, Trade and Industry (METI) and are often collectively referred to as the Four Product Safety Acts of Japan:

- the Electrical Appliances and Materials Safety Act;
- the Gas Business Act; and
- the Act on the Securing of Safety and the Optimisation of Transaction of Liquefied Petroleum Gas.

In addition, depending on the type of product concerned, the following sector-specific legislation may apply:

- theFood Sanitation Act;
- the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices; and
- the Road Transport Vehicle Act.

Law stated - 13 11 2026

Basic pre-launch requirements
What basic steps and safety requirements must be satisfied before a product can be marketed in your jurisdiction?

The Consumer Product Safety Act does not establish a comprehensive pre-market approval regime for general consumer products.

However, certain products that pose a heightened risk of harm to consumers are designated as "specified products" or "special specified products". Manufacturers and importers of such products are required to comply with the technical standards prescribed by the government.

In addition, they must confirm that the relevant products comply with the applicable technical standards and affix the PSC mark to those products.

Retailers and other distributors are prohibited from selling specified products or special specified products that do not bear the PSC mark.

Law stated - 13 11 2026

Guidance
Is there any guidance on the application of the product safety legal framework, or related commentary around its effectiveness?

The website of Ministry of Economy, Trade and Industry contains a collection of guidelines, handbooks and other guidance materials relating to product safety.

In particular, the following guidance documents are publicly available:

- *Guidelines for the Development of Voluntary Product Safety Action Plans* (2007);
- *Guidance for Distributors on Product Safety* (2013);
- *Risk Assessment Handbook*;
- *Business Operators' Handbook on Product Safety*;
- *Recall Handbook*; and
- *Handbook for Business Operators on the Reporting and Publication System for Serious Product Accidents under the Consumer Product Safety Act*.

Law stated - 13 11 2026

ENFORCEMENT OF PRODUCT SAFETY LAWS

Regulators
Who enforces the product safety laws in your jurisdiction? If there are multiple regulators, how do their activities intersect and to what extent do they cooperate?

For products principally intended for use by general consumers (consumer products), the Ministry of Economy, Trade and Industry (METI) is the primary regulatory authority responsible for product safety. The Consumer Affairs Agency (CAA) also plays an important role, particularly in relation to the reporting and publication of serious product accidents.

Although the reporting and publication of serious product accidents are principally administered by the CAA, the CAA is required to notify METI immediately upon receipt of a serious product accident report. Depending on the product and the circumstances of the accident, METI and the National Institute of Technology and Evaluation (NITE) may also be involved, with NITE principally conducting the technical investigation and analysis of the accident.

In the context of product recalls, business operators are required to submit a recall commencement report to METI. METI, in turn, shares information relating to the recall with the CAA. In addition, where a manufacturer or importer fails to report a serious product accident, the Commissioner of the CAA may order the relevant business operator to establish the internal systems necessary for the collection, management and provision of accident information. The Consumer Product Safety Act does not establish a general statutory framework requiring Japanese authorities to cooperate with analogous international regulators in every product safety case.

Products falling outside the scope of the Consumer Product Safety Act are regulated by other competent authorities. For example:

- the Ministry of Land, Infrastructure, Transport and Tourism is responsible for motor vehicles and vessels; and
- the Ministry of Health, Labour and Welfare is responsible for pharmaceuticals, cosmetics, medical devices, food and food additives. However, food sanitation administration relating to food hygiene standards and specifications is primarily handled by the CAA.

Law stated - 13 11 2026

Enforcement actions and penalties

What enforcement actions are available to the regulatory authorities? What penalties may they impose for non-compliance with product safety laws?

The Consumer Product Safety Act provides for administrative measures, investigative powers and criminal penalties.

First, where a business operator fails to comply with the statutory safety requirements, the competent minister may, pursuant to article 14, issue an improvement order requiring the operator to implement the necessary corrective measures.

In addition, under article 15, where a product subject to the PSC mark requirements does not satisfy the applicable statutory requirements, the competent minister may prohibit the labelling, sale or other distribution of the relevant product for a period of up to one year. While this measure may effectively prevent the lawful marketing of the product, it differs in nature from the disqualification of individual directors or officers.

The Act also provides for hazard-prevention orders. Under article 32, the competent minister may order the relevant manufacturer or importer to recall a specified product or take other necessary measures where the statutory conditions are satisfied. Separately, article 39 permits the competent minister to order a manufacturer or importer to recall a consumer

product or take other necessary measures where this is required to prevent the occurrence or escalation of serious harm.

Furthermore, article 37 contains provisions designed to ensure the effectiveness of the reporting system for serious product accidents. Where a manufacturer or importer has failed to properly comply with its obligation to report a serious product accident, the Commissioner of the Consumer Affairs Agency may order the operator to establish an internal system necessary for the collection, management and provision of accident information.

In Japan, prior to the imposition of such formal administrative measures, it is common in practice for the authorities to provide administrative guidance aimed at preventing recurrence, for example through verbal warnings or written requests for corrective action.

These administrative measures are distinct from criminal sanctions.

Criminal penalties are set out in articles 58 to 62. Certain violations are punishable by imprisonment and/or fines. In addition, article 60 contains a dual liability provision under which a legal entity may also be held liable for offences committed by its representatives or employees.

Law stated - 13 11 2026

Enforcement process and procedures

What is the typical process for enforcement actions and what procedures are involved? What rules govern enforcement actions?

Product safety issues may come to the attention of the authorities through accident reports, market surveillance activities (including test purchases), or complaints and notifications submitted by consumers or other stakeholders. Following the identification of a potential safety issue, the competent authorities may collect information, conduct technical assessments and engage with the relevant business operator regarding possible voluntary corrective actions.

However, informal administrative guidance or consultations are not necessarily a mandatory prerequisite to the implementation of formal risk mitigation measures. Depending on the nature and seriousness of the safety risk identified, the authorities may proceed directly to formal enforcement action where considered necessary.

With respect to investigative powers, articles 40 to 42 of the Consumer Product Safety Act provide the competent authorities with powers to:

- require the submission of reports and other information from business operators;
- conduct on-site inspections of business premises and other relevant locations; and
- require the submission of products for inspection where examination at the relevant premises is impracticable or otherwise difficult.

Law stated - 13 11 2026

Enforcement trends

How prevalent is enforcement action under the product safety laws? Have there been any notable recent examples of enforcement actions?

In Japan, formal enforcement measures are rarely imposed because issues are generally resolved before the authorities resort to formal action.

With respect to corrective orders in particular, it is common in practice for businesses to take voluntary corrective measures without waiting for an order from the regulator. As a result, corrective orders by the authorities are extremely uncommon. For example, under the Consumer Product Safety Act, only three hazard-prevention orders are known to have been issued to date.

In addition, the Ministry of Economy, Trade and Industry publishes statistics regarding violations identified through test purchases, on-site inspections and other market surveillance activities under the Four Product Safety Acts. In recent years, approximately 600 to 700 violations have been identified annually. However, even in such cases, the Ministry generally does not resort to formal enforcement measures. Instead, it typically seeks to remedy the non-compliance and prevent recurrence through administrative guidance, such as verbal warnings or written requests encouraging corrective action.

Law stated - 13 11 2026

Challenging enforcement actions

What mechanisms are available to companies to challenge the imposition of enforcement actions?

Depending on the applicable administrative or criminal procedural laws, a company may challenge an enforcement action by pursuing the available administrative or judicial remedies, including filing an appeal with a competent authority or bringing proceedings before a court.

Law stated - 13 11 2026

NOTIFICATION REQUIREMENTS

Criteria for notification

What events or conditions trigger a requirement to notify the product safety authorities of issues discovered in products, or known incidents of personal injury or property damage?

Under article 35(1) of the Consumer Product Safety Act, manufacturers and importers are required to report serious product accidents to the Prime Minister (through the Commissioner of the Consumer Affairs Agency). Serious product accidents, as defined in article 2(6), include accidents involving death, serious injury, permanent disability, carbon monoxide poisoning and fire.

Non-serious product accidents, including near-miss incidents, are not subject to mandatory reporting. However, businesses are encouraged to report such incidents voluntarily to the National Institute of Technology and Evaluation.

Law stated - 13 11 2026

Notification time limits

What are the time limits for notification?

Under the Consumer Product Safety Act, a report must be submitted within 10 days of the date on which the manufacturer or importer becomes aware of a serious product accident. In practice, the relevant period is generally understood to commence when the manufacturer or importer recognises that the incident falls within the statutory definition of a serious product accident, rather than merely when it becomes aware that an accident has occurred. Where there is uncertainty as to whether an incident constitutes a serious product accident, prompt consultation with the Consumer Affairs Agency is recommended.

For products that are excluded from the scope of the Consumer Product Safety Act, reporting obligations and deadlines are governed by the legislation applicable to the relevant product category and therefore vary depending on the product concerned.

Law stated - 13 11 2026

Competent authority for notification

To which authority should notification be sent? Does this vary according to the product in question?

Reports of serious product accidents under the Consumer Product Safety Act must be submitted to the Prime Minister (through the Commissioner of the Consumer Affairs Agency).

The competent authority, however, varies depending on the product category and the applicable legislation. For example, defects or adverse events relating to pharmaceuticals or medical devices must be reported to the Minister of Health, Labour and Welfare pursuant to the relevant legislation.

Law stated - 13 11 2026

Form and content of notification

What form should notification take? What product information and other data should be provided in the notification to the competent authority?

For serious product accidents under the Consumer Product Safety Act, manufacturers and importers must submit a report in Japanese using the prescribed form. The report must include, among other things, the name and model of the consumer product, details of the accident, and the quantities manufactured or imported and sold.

Where a technical investigation into the safety of the consumer product is considered necessary, the matter may be referred to the National Institute of Technology and Evaluation for investigation. In such cases, the manufacturer or importer may be requested to provide product samples, technical documents and other relevant materials relating to the product and the accident.

Law stated - 13 11 2026

Obligations to provide updates after initial notification

What obligations are there to provide authorities with updated information about risks, or respond to their enquiries following an initial notification?

Following an initial serious product accident report, manufacturers and importers will generally need in practice to remain in contact with the competent authorities and provide further information as the investigation and any corrective action progress. Where a recall is conducted, the Ministry of Economy, Trade and Industry generally requests reports on its progress.

The Consumer Product Safety Act does not impose a uniform requirement to submit periodic reports at specified intervals following every serious product accident report. However, the authorities may require additional reports and conduct on-site inspections, and businesses must respond to such requests.

Law stated - 13 11 2026

Penalties for failure to notify

What are the penalties for failure to comply with notification obligations?

Under the Consumer Product Safety Act, failure to report a serious product accident is not itself subject to a direct penalty.

Law stated - 13 11 2026

Public disclosure of notification information

Is the content of the notification publicly disclosed by the authorities? Is commercially sensitive information contained in the notification protected from public disclosure, or are the authorities otherwise bound by confidentiality?

Information relating to a serious product accident reported under the Consumer Product Safety Act is, in principle, made public by the authorities pursuant to article 36(1) of the Consumer Product Safety Act.

In particular, where a manufacturer or importer reports a serious product accident, the Consumer Affairs Agency publishes information regarding the accident. In practice, accident

information is regularly disclosed on the websites of the Consumer Affairs Agency and the Ministry of Economy, Trade and Industry.

However, the purpose of such disclosure is to alert consumers and to prevent the occurrence and escalation of harm. Accordingly, not all information submitted by a business is disclosed to the public. In addition, while investigations are ongoing as to whether the accident was caused by the product, the authorities generally publish the information without identifying the manufacturer or product model, except where disclosure of the product name or other identifying information is considered necessary for consumer safety warnings.

Furthermore, trade secrets, technical information and other confidential information submitted by a business are protected by the confidentiality obligations imposed on national public officials under the National Public Service Act. In addition, even where a third party submits a disclosure request under the Act on Access to Information Held by Administrative Organs, information that is likely to prejudice the competitive position or other legitimate interests of a corporation is, in principle, exempt from disclosure, except where disclosure is necessary to protect human life, health or other important interests.

Accordingly, while details such as the occurrence of a serious product accident, the product name and a summary of the accident are generally made public, trade secrets and highly confidential technical information contained in the notification or related materials are not automatically disclosed to the public.

Law stated - 13 11 2026

Use of information in prosecution

May information notified to the authorities be used in a criminal prosecution?

Information notified to the authorities may be used in a criminal prosecution under Japanese law.

Law stated - 13 11 2026

Information sharing between regulators

Is notification information shared with other regulators?

Reports of serious product accidents submitted by manufacturers and importers are centralised with the Prime Minister (whose authority has been delegated to the Commissioner of the Consumer Affairs Agency pursuant to article 56 of the Consumer Product Safety Act). Upon receipt of such a report, the Prime Minister (through the Consumer Affairs Agency) is required, pursuant to article 35(3) of the Consumer Product Safety Act, to immediately notify the competent minister of the contents of the report.

In practice, reported accident information is also promptly shared with the Ministry of Economy, Trade and Industry and the National Institute of Technology and Evaluation, an incorporated administrative agency responsible for the technical investigation and analysis of product accidents.

On the other hand, there is no general statutory mechanism under the Consumer Product Safety Act pursuant to which information relating to an individual serious product accident report is automatically transmitted or notified directly to foreign regulatory authorities.

Law stated - 13 11 2026

CORRECTIVE ACTIONS AND RECALLS

Criteria for corrective action

What criteria are applied to determine when a matter requires a product recall or other corrective action?

Pursuant to article 38 of the Consumer Product Safety Act, where a product accident occurs in relation to a consumer product manufactured or imported by a manufacturer or importer, the manufacturer or importer is required to investigate the cause of the accident and is subject to a best-efforts obligation to take measures necessary to prevent the occurrence or escalation of harm, including recalling the affected product where such measures are considered necessary.

Sector-specific regimes impose separate requirements. Under article 3(3) of the Food Sanitation Act, food business operators are subject to a best-efforts obligation to take appropriate and prompt measures necessary to prevent food sanitation hazards arising from food or related products that they have sold, including providing relevant records to the authorities and disposing of affected products. Such measures may include a recall where appropriate.

Under article 68-9(1) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices, marketing authorisation holders must take necessary measures, including disposal, recall, suspension of sales and the provision of information, where they become aware that the use of a pharmaceutical or medical device may cause or increase a risk to public health.

Under article 63-3(1) of the Road Transport Vehicle Act, a vehicle manufacturer or importer intending to implement corrective action in respect of vehicles that fail, or are likely to fail, to comply with the applicable safety standards because of a design or manufacturing issue must notify the Minister of Land, Infrastructure, Transport and Tourism in advance.

Law stated - 13 11 2026

Scope of corrective action

What criteria are applied to determine the scope of a corrective action?

The Consumer Product Safety Act does not prescribe a uniform set of criteria for determining the scope of a corrective action.

In practice, a business is expected to conduct a risk assessment of the product concerned and determine the most appropriate corrective measure taking into account factors such as the severity of the potential harm, the likelihood of its occurrence, the extent of product distribution and the likelihood that consumers will continue to use the product.

Corrective actions may include:

- suspension of manufacture, distribution and sales, and withdrawal of products from the supply chain;
- providing consumers with appropriate information regarding the relevant risks;
- issuing warnings and safety information, including instructions intended to prevent similar incidents from occurring; and
- replacement, modification or repair of products held by consumers (including inspection, repair and replacement of components) or the retrieval of such products.

The scope and nature of the corrective action are determined on the basis of the results of the manufacturer's or importer's risk assessment and the extent to which a particular measure is expected to reduce the relevant risk.

Law stated - 13 11 2026

Traceability requirements

What requirements exist for the traceability of products to facilitate recalls?

The Consumer Product Safety Act does not generally require businesses to maintain product traceability systems.

However, the Recall Handbook recommends that businesses establish systems enabling them to identify and trace products in advance so that accident information can be collected effectively and recalls and other harm-prevention measures can be implemented efficiently.

Depending on the nature of the product, businesses are generally encouraged to ensure that they can identify at least the following information:

- specific products (lots, sales channels, etc);
- specific shipping destinations and sales routes;
- specific distribution and sales volumes; and
- specific customers.

Such information is considered important for accurately identifying the scope of affected products, notifying affected consumers and implementing recall measures promptly and effectively.

Law stated - 13 11 2026

Consumer messaging

What are the legal requirements to publish consumer notices, warnings or other information to product users or to suppliers regarding product issues and associated hazards, or to notify consumers of recalls?

The Consumer Product Safety Act does not contain any express provision requiring manufacturers or importers to publish consumer notices, warnings or recall announcements in a prescribed manner when conducting a recall.

However, as part of their efforts to prevent the occurrence or escalation of harm under article 38 of the Consumer Product Safety Act, businesses are generally expected to provide appropriate information to consumers regarding product risks and corrective actions.

In addition, the Recall Handbook published by the Ministry of Economy, Trade and Industry recommends that businesses use appropriate communication methods to ensure that recall information reaches the users of the affected product.

Law stated - 13 11 2026

Content of recall notices

Are there any requirements or guidelines for the content of corrective action or recall notices?

The principal guidance on product recalls is the Recall Handbook published by the Ministry of Economy, Trade and Industry (current edition: 2022), which recommends that recall notices clearly specify the affected product details, the defect and associated hazards, available remedies and dedicated contact information.

Law stated - 13 11 2026

Mode of communication

What media must be used to publish or otherwise communicate warnings or recalls to users or suppliers?

The Consumer Product Safety Act does not require businesses to use any particular medium, such as newspapers, websites or other specified channels, when communicating recall information or safety warnings.

In practice, however, the fundamental principle is that businesses should select communication methods that are capable of reaching purchasers and users of the affected products effectively and reliably.

The Recall Handbook published by the Ministry of Economy, Trade and Industry provides examples of various communication methods, depending on the nature of the issue and the target audience, including website announcements, newspaper advertisements, in-store notices, direct mail, email communications and other media.

Law stated - 13 11 2026

Time frame

Do any laws, regulations or guidelines specify targets or a period after which a recall is deemed to be completed?

Neither the Consumer Product Safety Act nor the relevant regulations or guidance prescribe any specific recovery target, completion rate or fixed period after which a recall is deemed to have been completed.

Accordingly, the effectiveness and completion of a recall are assessed on a case-by-case basis, taking into account factors such as the nature of the risk, the recovery rate achieved and whether further consumer communication or corrective action remains necessary.

Law stated - 13 11 2026

Consumer remedies

What remedies must be offered to consumers affected by a product corrective action or recall? Are there any requirements for how these remedies are offered to consumers?

The Consumer Product Safety Act does not prescribe a uniform set of remedies that manufacturers or importers must offer to consumers in connection with a recall, such as repair, replacement or refund.

However, businesses are expected to adopt measures appropriate to the nature and severity of the risk to prevent the occurrence or spread of harm. In practice, remedies commonly include free repair, component replacement, product modification, replacement with an alternative product, or a refund.

Similarly, there is no statutory requirement mandating specific return methods (such as requiring both in-store and postal returns), although businesses are expected to provide free and convenient procedures to facilitate consumer participation.

Law stated - 13 11 2026

Returned products

Are there any requirements for proof of disposal of returned products subject to recall or corrective action? Are there any reasons why such products should be retained by the manufacturer responsible?

There is no general provision under the Consumer Product Safety Act that requires a business operator to obtain a certificate of destruction or disposal, or to submit such a certificate to the relevant administrative authorities, for products that have been recovered through a recall or other corrective action. In addition, for evidentiary purposes, it is generally advisable to retain samples from the affected product batch, including both defective and non-defective products.

Law stated - 13 11 2026

Penalties for failure to recall a product

What are the penalties for failure to undertake a recall or other corrective actions?

Under article 38 of the Consumer Product Safety Act, voluntary corrective measures are generally framed as best-efforts obligations, and failure to take such measures does not, in itself, give rise to a direct criminal penalty. Separate requirements and penalties may apply under sector-specific legislation.

Law stated - 13 11 2026

AUTHORITIES' RECALL AND CORRECTIVE POWERS

Corrective actions

What powers do the authorities have to compel manufacturers or others in the supply chain to undertake a recall or to take other corrective actions?

Government authorities may order recalls and other corrective actions under sector-specific legislation. In practice, however, recalls are generally implemented voluntarily by the responsible business operator, with authorities playing a supervisory role. Therefore, formal orders are rarely issued because most issues are resolved through voluntary corrective measures. Although business operators will generally consult with the competent authorities regarding the implementation of a recall, the detailed design and implementation of the corrective action typically remain within their responsibility, except in certain sectors, such as the automotive sector, where authorities may require modifications to the proposed measures.

Law stated - 13 11 2026

Government recalls

Can the government authorities organise a mandatory product recall where a producer or other responsible party has not already done so?

Government authorities may order recalls and other corrective actions under sector-specific legislation. However, recalls are generally implemented by the responsible business operator rather than by the authorities themselves. Even where a recall is ordered, the authorities generally supervise and monitor its implementation, while the business operator remains responsible for implementing the corrective action and may be subject to administrative or criminal sanctions for non-compliance. Although certain sectors, such as the automotive sector, permit the authorities to review proposed corrective measures and require modifications where necessary, Japanese law generally does not contemplate authorities organising and conducting a recall in place of the responsible business operator.

Law stated - 13 11 2026

Voluntary versus mandatory recalls

Are product recalls generally undertaken voluntarily or mandatorily in your jurisdiction?

Recalls are generally implemented on a voluntary basis by the responsible business operator. Although the competent authorities have powers under sector-specific legislation to order recalls and other corrective actions, in practice, such powers are exercised only exceptionally. For example, only three recall-related hazard-prevention orders are known to have been issued under the Consumer Product Safety Act. Recall orders have also been issued on occasion in certain regulated sectors, such as motor vehicles, pharmaceuticals and food products, including an order issued in 2024 in relation to health food products containing red yeast rice. Nevertheless, voluntary recalls remain the norm across all sectors.

Law stated - 13 11 2026

Publication of warnings, corrective actions and recalls

Can the government authorities publish warnings or other information to users or suppliers?

Government authorities may publish product warnings, recall information, accident reports and other safety information to consumers, suppliers and other relevant parties under the applicable sector-specific legislation. They may also issue informal alerts, press releases, requests for cooperation and general safety advice where they consider it necessary to prevent or limit harm, including where no formal recall order has been issued. The Consumer Affairs Agency and other public bodies maintain websites through which they publish recall notices, serious product accident information and broader safety warnings. The Consumer Affairs Agency may also collect, analyse and publish information concerning consumer accidents, including matters falling outside the scope of a specific sectoral product-safety regime.

Members of the public may report accidents or safety concerns through consumer affairs centres, the Consumer Hotline and other designated reporting channels. Publicly accessible government recall and accident databases are not generally structured as open online forums permitting users to post comments directly. Information published by the authorities may include preliminary incident reports and is often accompanied by qualifications indicating that the facts remain under review and may be revised as further information becomes available.

Law stated - 13 11 2026

Costs

Are any costs incurred by the government authorities in relation to product safety issues or product recalls recoverable from the producer or other responsible parties?

There is generally no mechanism under Japanese law for government authorities to recover from the responsible business operator the costs incurred in exercising their regulatory functions in relation to product safety issues or recalls. The business operator is, however, generally responsible for bearing the costs of implementing the recall or other corrective action itself.

Law stated - 13 11 2026

Challenging decisions

How may decisions of the authorities in respect of corrective actions or product recalls be challenged?

Decisions requiring corrective action or a product recall may generally be challenged through an administrative appeal under the Administrative Complaint Review Act and/or an action for revocation before the courts under the Administrative Case Litigation Act. The business operator may challenge the decision on grounds such as an error of fact or law, procedural defects, failure to satisfy the statutory requirements, or an abuse or overreach of administrative discretion.

Law stated - 13 11 2026

IMPLICATIONS FOR PRODUCT LIABILITY CLAIMS

Repercussions for liability in court proceedings

Are the civil courts in your jurisdiction likely to view a corrective action, recall or consumer warning as an admission of liability for defective products?

Japanese civil courts would not generally treat a corrective action, product recall or consumer warning as an admission that the product was defective or that the producer is legally liable. Nor would the mere fact that such measures were taken, by itself, be sufficient to establish the existence of a defect or liability.

However, Japanese law does not contain a general rule excluding evidence of corrective actions, recalls or consumer warnings from civil proceedings. The fact that such measures were taken may therefore be considered as one factor among others in determining whether a defect existed or whether the producer knew or should have known of the relevant risk. In practice, corrective actions and recalls may have a significant impact on the court's assessment of such issues.

Law stated - 13 11 2026

Disclosure of information

Can communications, internal reports, investigations into product issues or planned corrective actions be disclosed in product liability actions? Are there mechanisms to compel regulators to publish information regarding their handling of a corrective action, recall or notification?

Japan does not have a US-style system of discovery. However, communications, internal reports, investigation materials and documents relating to corrective actions or recalls may be obtained through a court order for the production of specified documents. Whether disclosure may be refused depends on the statutory requirements and exceptions, including those relating to internal-use documents and confidential business information.

In addition, documents held by regulators may be obtained under freedom-of-information legislation. Such documents may include communications between the regulator and the business operator, as well as reports and other materials submitted by the business operator in connection with a corrective action, recall or regulatory investigation, subject to applicable exemptions. Disclosure remains subject to exemptions protecting, among other things, personal information, confidential business information and the authorities' decision-making processes.

Law stated - 13 11 2026

UPDATES AND TRENDS

Key developments of the past year

Are there any emerging trends or hot topics in product recall and associated litigation in your jurisdiction?

In recent years, there have been several major product recalls, as well as related litigation — including lawsuits between companies seeking reimbursement for recall-related costs, which can often amount to billions of yen or more. A notable recent example involves the case of red yeast rice. In this case, numerous serious health issues, including death, were reported among individuals who had consumed supplements containing red yeast rice, prompting regulatory authorities to issue a recall order. Subsequently, a variety of lawsuits have been filed, including claims for damages brought by affected consumers against the manufacturers; claims by food producers who used red yeast rice in their products against the red yeast rice manufacturer; litigation against the state — challenging, for example, the legality of the recall order — and even shareholder derivative suits. There have also been several lawsuits between companies seeking compensation for costs incurred due to large-scale product recalls.

Another significant issue related to recalls is the failure to take appropriate post-market measures after becoming aware of product-related risks. Such issues include, for example, the potential legal liability that operators of online marketplaces may face regarding unsafe or recalled products sold through their platforms, as well as legal liability for incidents—such as system failures or data breaches — resulting from inadequate handling of cybersecurity updates by software manufacturers or maintenance service providers.

Recent developments in Japan have also focused on strengthening product safety in the context of cross-border e-commerce and online marketplaces. The Four Product Safety Acts were amended and took effect from 25 December 2025 to expand the regulatory framework to certain overseas businesses selling regulated products directly to consumers in Japan, require the appointment of a domestic responsible person, and introduce obligations for digital platform providers to cooperate with product-safety measures. The amendments also enhanced requirements for certain children's products, including age-appropriateness standards and labelling requirements.

Another notable development is the adoption of JIS Z 82079-1 under Japan's Industrial Standards framework, aligning Japanese requirements with the internationally recognised IEC/IEEE 82079-1 standard on information for use. This reflects a growing emphasis on instructions, warnings and other user-facing safety information as an integral component of product safety.

The government is also considering revisions to its Product Risk Assessment Handbook in light of evolving product risks, business practices and technological developments, with the aim of further promoting voluntary product safety initiatives by businesses.

In addition, discussions are ongoing regarding strengthened safety requirements for lithium-ion battery products — particularly mobile batteries — including the enhancement of technical standards, the mandating of quality control measures, and the requirement for conformity assessments to be conducted by government-registered third-party organisations.

Law stated - 13 11 2026