

ROUNDTABLE MEETING

July 26th, 2007

In July, the EBPA-Japan office representative participated in a roundtable meeting held by METI to discuss guidelines for energy rating of windows and glass. The following is a summary of the discussion.

1. Guidelines for energy rating of windows and glass

This is a voluntary labeling system to help consumers (house owners) select high performance, energy conserving windows and glass products for their homes.

- Glass, sash, and windows are subject to the rating system. Doors and other openings are exempt.
- Domestic manufacturers, assemblers, or importers can label affected product. The company or agency that labels the product is responsible for the information on the label.

Product Type	Labeling Bodies
Glass	Glass manufacturers, Importers of glasses
Sash (Frames)	Sash manufacturers, Importers of sash
Windows	Window fabricators, Importers of windows

* Overseas manufacturers are not responsible for labeling.

- **Classifications**

Product Type	Energy Classification	Rating marks
Windows	K-Value: less than 2.33	★★★★★
	K-Value: more than 2.33 / less than 3.49	★★★
	K-Value: more than 3.49 / less than 4.65	★★
	K-Value: more than 4.65	★
Glass	K-Value: less than 2.33	★★★★★

	K-Value: more than 2.33 / less than 2.70	★★★
	K-Value: more than 2.70 / less than 4.00	★★
	K-Value: more than 4.00	★
Sash (Frames)	Made from wood, plastic, wood/plastic/metal	★★★★
	Made from insulated metal materials	★★★
	Made from metal for multi-pane glass	★★
	Made from metal for single pane glass	★

- a. $K\text{-Value} = U\text{-Value} \times 5.678$
- b. Labels can be applied directly to windows, glass or sash, or can be printed in product catalogues, brochures or instruction books.

- **Label Design**

- The label would be referred to as a “Rating Label for Energy Conserving Building Materials”.
- Information displayed on the label would include;
 - Title: “Rating Labels for Energy Conservation”
 - Product Type: “windows” or “glass”, “sash”
 - Rating Mark: Indicate number of stars (out of 4 stars)
 - K-Value: “K-Value \cdot $W/m^2 \cdot K$ ”
- The label design will be determined by a design professional.
- Window importers are allowed to indicate the energy conservation rating of the glass and sash (frame) separately, or of the window as a unit.
- Schedule:
 - July, 2007: Label Design – Comment/Discussion Period
 - August, 2007: Label Design – Finalization
 - Sep.-Oct. 2007: Announcement of the official guideline
 - Oct. 1st, 2007: Enforcement begins

2. **Consumer Product Safety Law**

http://www5.cao.go.jp/otodb/english/houseido/hou/lh_03040.html

This is a mandatory law to ensure safety, regulate dangerous consumer products, and to promote autonomous activities on the part of private groups to ensure the safety of consumer products, and thereby to protect the interests of the general public.

Amendment of the Consumer Products Safety Law

(NCAC NEWS from National Consumer Affairs Center of Japan Vol.18 No. 6 March 2007)

From summer to autumn 2006, there were a series of product-related accidents resulting in serious injury to consumers. Examples include incidents of carbon monoxide poisoning resulting from faulty gas flash water heater malfunctions and home paper shredders where infants' fingers were cut off. The government was slow to implement countermeasures in response to these accidents and information about the incidents was not passed on to consumers in a timely fashion. The Consumer Products Safety Law was amended to ensure that information about such accidents would be communicated to consumers more promptly, thereby preventing further injury to consumers. The major points of the amendment are described below:

- **Definition**

Among accidents taking place when using consumer products, 'an accident caused by a product' indicates either of the following and yet was undeniably not caused by defect(s) of the product:

- an accident whereby a consumer suffered life-threatening hazards and/or injuries;
- an accident that may cause hazards due to the product being lost or broken.

Amongst accidents caused by products, 'a serious accident caused by a product' defines that which involves serious hazards. To be more precise, an accident falling under one of the following is expected to be recognized by the amended law as 'a serious accident caused by a product':

- a fatal accident;
- an accident resulting in injuries and/or illnesses that require medical treatment of thirty days or longer;
- an accident whereby a consumer suffers from aftereffects;
- an accident involving carbon monoxide poisoning; or
- an accident that triggered fire.
- Duty to report regarding a serious accident caused by a product

The manufacturer or the importer of the product of concern must report to the Ministry of Economy, Trade and Industry (hereinafter called "METI") regarding the name of the product, details of the accident and other matters within ten days from the date when they learnt that a serious accident caused by the product took place.

- Official announcements regarding serious accidents caused by products

Accidents caused by instruments using gas or oil immediately after receiving the report from the business operator, METI shall make an announcement at a press conference of the name of the business operator, the name of the product of concern and details of the accident, and release the same information on its website.

Serious accidents caused by other consumer products

If an accident is suspected of having been caused by a product immediately after receiving the report from the business operator, the METI shall require such a manufacturer or an importer of the product to take preventive steps. Furthermore, the METI shall make an announcement at a press conference concerning the name of the business operator, the name of the product model and/or type and details of the accident and release the same information on its website.

If it cannot be determined for certain as to whether or not it was caused by a product then METI shall make an announcement by means of taking the following two steps:

As a general rule, METI will release the following information on its website and make an announcement at a press conference outlining the details of the accident within one week from the date when it received the report from the manufacturer or the importer of the product:

- the common name of the product;
- the outline of the accident;
- the date of receiving the report; and
- the date when the accident took place.

METI shall further continue its analysis of the accident and, if it suspects that the accident was caused by the product, METI shall request the manufacturer or the importer of the product to take preventive steps. METI shall then make an announcement at a press conference of the name of the business operator, the name of the product model and/or type and details of the accident and release the same information on its website.

METI's order to business operators to improve accident information handling systems if the manufacturer or the importer of the product of concern fails to fulfill their obligation to report to METI a serious accident caused by a product, or if the business operator makes a false report regarding the accident, METI shall order the business operator to improve their

accident information handling system so as to collect, manage and provide information concerning the accident.

Responsibilities of business operators

Retail dealers must collect information concerning an accident caused by a product and provide such information for consumers in an appropriate manner. Furthermore, retail dealers, repair service operators and installation and engineering service operators must notify the manufacturer or the importer of the product of concern when they have learnt that a serious accident caused by the product took place. Distributors must work together with the manufacturer or the importer of the product when they take steps to deal with the issue such as recalls.

The bill amending current legislation that contains the above points was presented to the 165th Diet and was passed on November 28, 2006. The amended law was issued on December 6, 2006 and will come into effect from May 14, 2007.

The impacts from this revised law are;

- Importers will need to keep track of buyers.
- The obligation of collecting information concerning an accident will last forever as long as their products are installed.

* The Consumer Products Safety Law is expected to be revised again April next year. Equipment (such as gas stove etc. which are being used for long time) importers will be required to inspect or repair products whenever consumers request it at least for 10 years, which also means importers will be required to store parts for 10 years.

3. Revision of BSL

The Building Standard Law in Japan was revised on June 20th, 2007.

The six major changes contained within this revision are;

- (1) More severe inspections , building planning, and permitting processes
 - a. Structural calculations are now required for buildings above a certain height.
(i.e. wooden buildings – higher than 13 meters or with eaves higher than 9 meters etc.)
 - b. An “in-process inspection” is now required for townhouses more than three stories in height.

(2) Business duties of recognized building inspection/evaluation organizations must now be verified

- a. Stricter conditions for approval and/or to remain an approved/certified building inspection or evaluation organization are now in effect.
- b. Inspections by Government authorities will be conducted when necessary.

(3) The business duties of architects will now be verified along with a strengthening of penal regulations for architects in violation of regulations

(4) Release of information 1

- a. The names of architects/inspection bodies who have been penalized will be released to the public.
- b. General company information, project profiles, financial information etc. of such penalized architects and/or inspection bodies will also be released to the public.

(5) Release of information 2

- a. Information regarding the homebuilder's insurance will be released to the homeowner before closing contracts.

(6) Obligation to preserve documentation and records

The primary impact from this revised law are as follows;

- More time required to obtain building permits.
- Changing floor plans after receiving building permits is not acceptable. Permit application for changing floor plans is required and may delay/prevent work on the jobsite until the required permits are received.