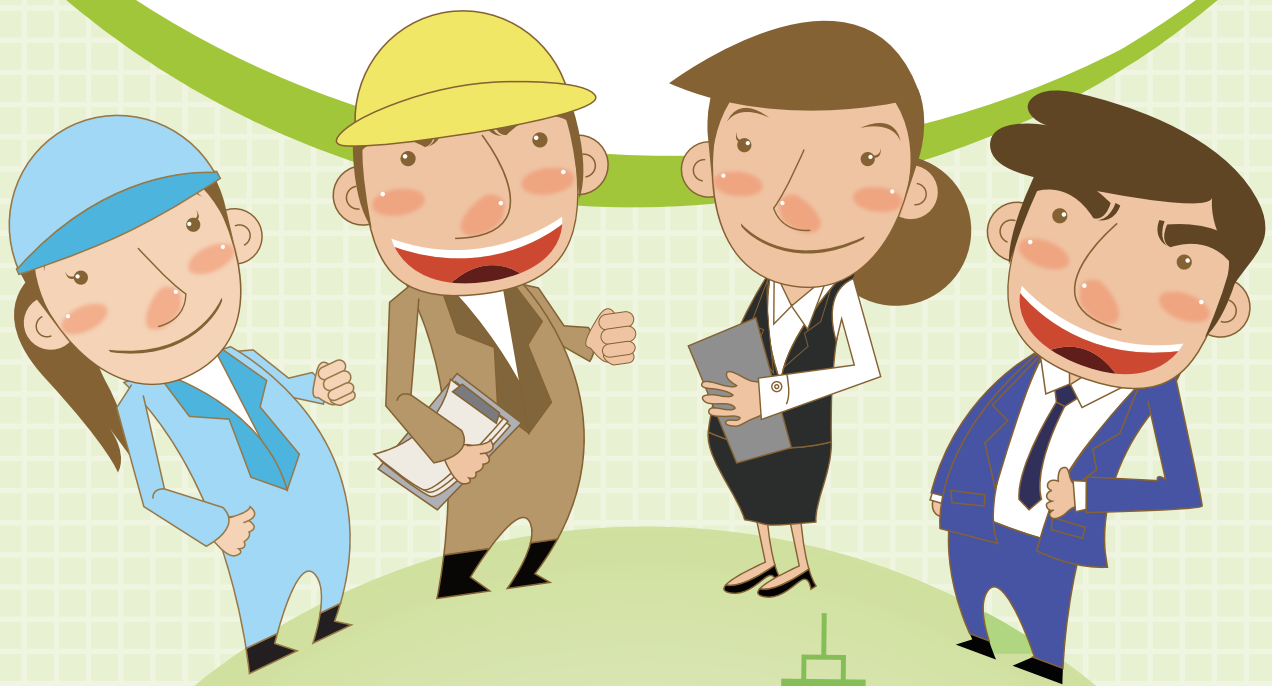


Toward
**Enabling Reliability of
Environmental Labels and Claims**
under
the **Act on Promoting
Green Procurement**



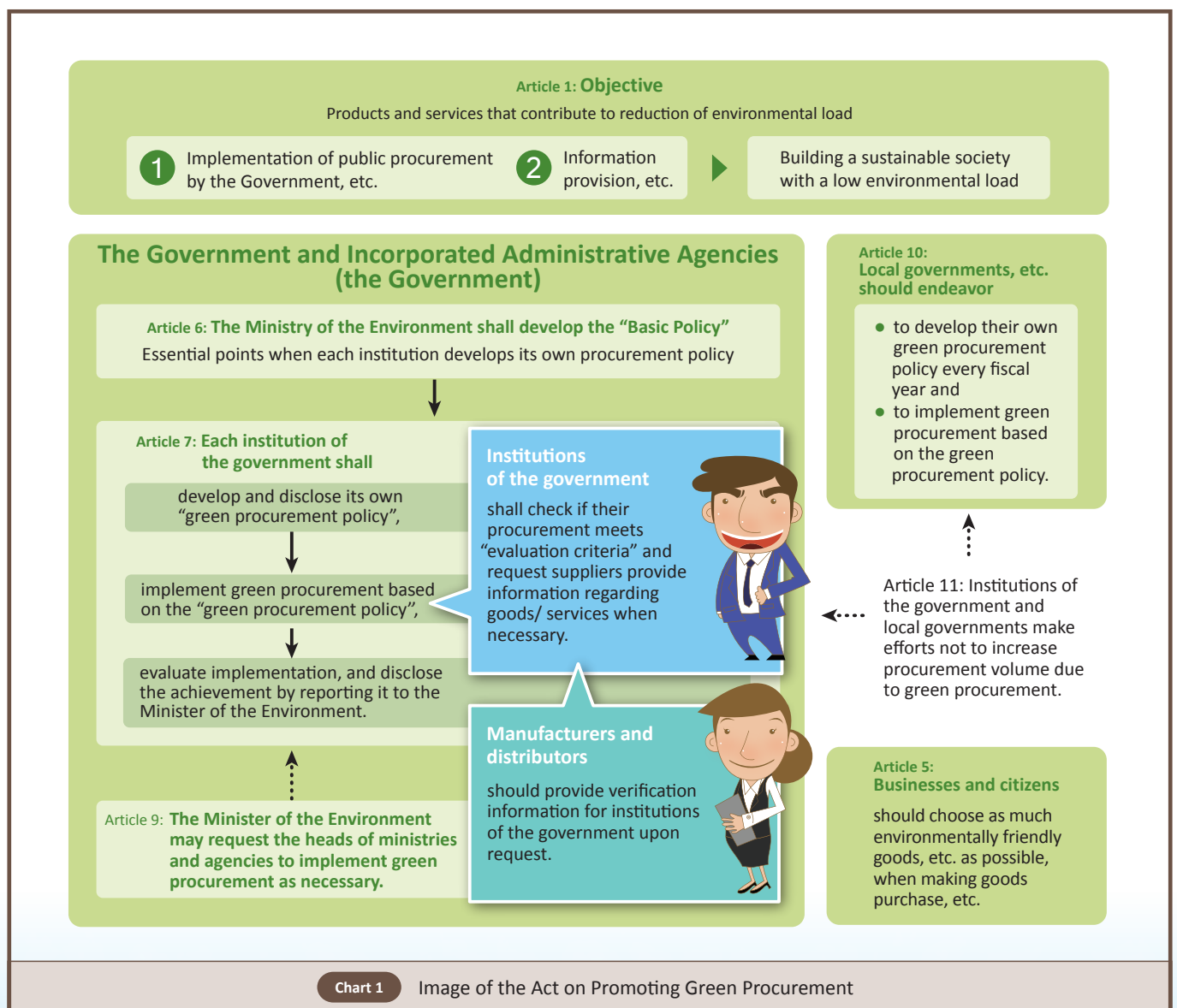
1

The Act on Promoting Green Procurement

The Government and Incorporated Administrative Agencies are required to promote procurement of environmentally friendly products and services in accordance with the Act on Promotion of Procurement of Eco-Friendly Goods and Services by the State and Other Entities, which is known as the Act on Promoting Green Procurement.

The Act on Promoting Green Procurement includes “Basic Policy for the Promotion of Procurement of Eco-Friendly Goods and Services”. The “Basic Policy” sets “evaluation criteria” for “designated procurement items”, which are prioritized products/services to be procured. Products/services that conform to the “evaluation criteria” are called “designated procurement goods”. Each institution of the government sets its own annual objectives and then promotes green procurement.

Each institution of the government shall check, therefore, if products and services conform to “evaluation criteria” before procuring them. Suppliers shall have reasonable grounds and provide purchasers with information on verification of conformity with “evaluation criteria”.



1. The Ministry of the Environment reviews “evaluation criteria” every year. The latest version is available at <http://www.env.go.jp/en/laws/policy/green/index.html>



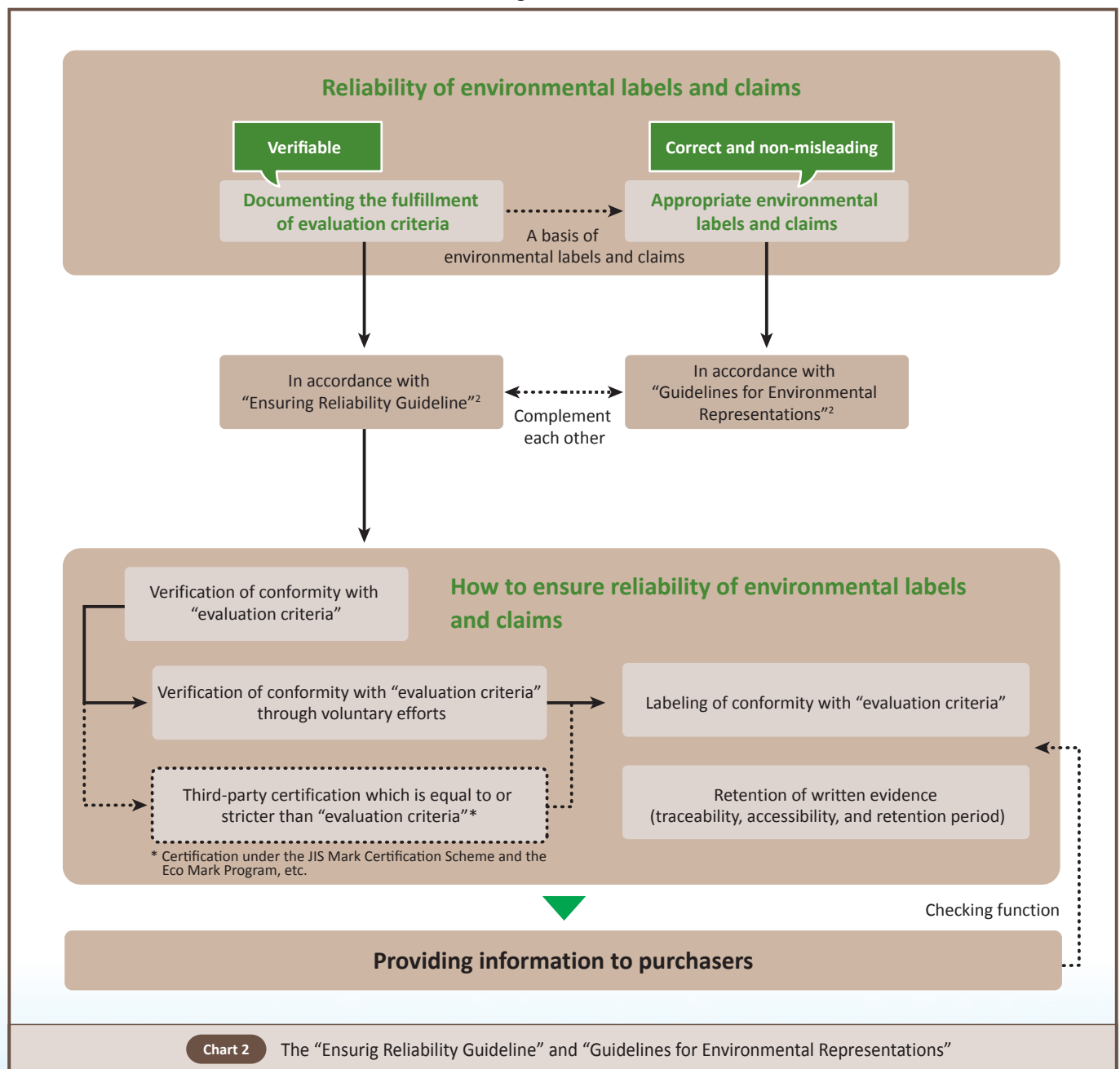
2

Ensuring Reliability of Environmental Labels and Claims

Manufacturers, importers, and suppliers are, when supplying the market with “designated procurement goods”, required to verify that they conform to the “evaluation criteria” and to display correct and non-misleading environmental labels and claims on the products and/or services.

The Ministry of the Environment has developed two sets of guidelines on “designated procurement goods”. One is the “Ensuring Reliability Guideline”² which includes principles and processes of verification of conformity with “evaluation criteria”. The other is the “Guidelines for Environmental Representations”² which demonstrates precise and preferable environmental labeling for purchasers.

Not only manufacturers, importers, and suppliers, but also raw material and parts suppliers should ensure the reliability of environmental labels and claims in accordance with these guidelines.



2. The “Ensuring Reliability Guideline” and the “Guidelines for Environmental Representations” are available in Japanese at the website of the Ministry of the Environment.
Ensuring Reliability Guideline: <http://www.env.go.jp/policy/hozen/green/trust/guideline/>
Guidelines for Environmental Representations: <https://www.env.go.jp/policy/hozen/green/ecolabel/guideline/>



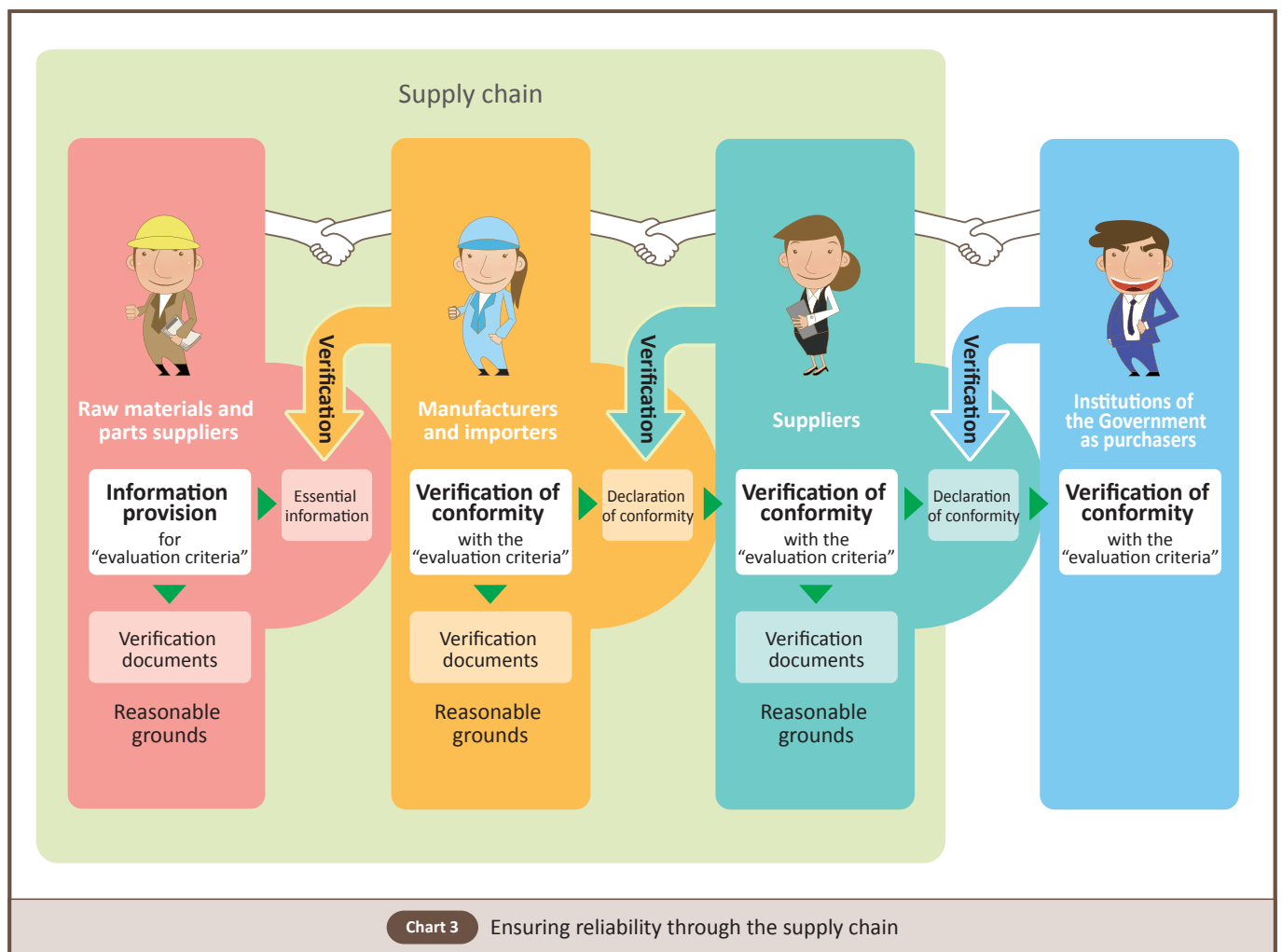
3

Ensuring Reliability of Environmental Labels and Claims in Each Stage of the Supply Chain

Not only end product suppliers, but also other businesses in each stage of the supply chain should ensure the reliability of environmental labels and claims (Chart 3).

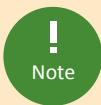
Manufacturers, importers, and suppliers of “designated procurement goods” should obtain essential information from the previous stage of the supply chain to verify that the products/services conform to the “evaluation criteria”. They should also provide reasonable grounds for businesses in the succeeding stage of their supply chain.

Requests for information provision about conformity with the “evaluation criteria” from purchasers in the downstream parts of a supply chain can be a checking function of the entire supply chain. As a result, this action enhances the reliability of environmental labels and claims.



Legislation on environmental labels and claims on designated procurement goods

The Act against Unjustifiable Premiums and Misleading Representations regulates false labeling of all products/services including designated procurement goods under the Act on Promoting Green Procurement. When businesses mislead consumers by displaying inadequate labels and claims on designated procurement goods, they possibly violate Article 4, paragraph 1, item 1 of the Act, which prohibits misleading labels and claims.

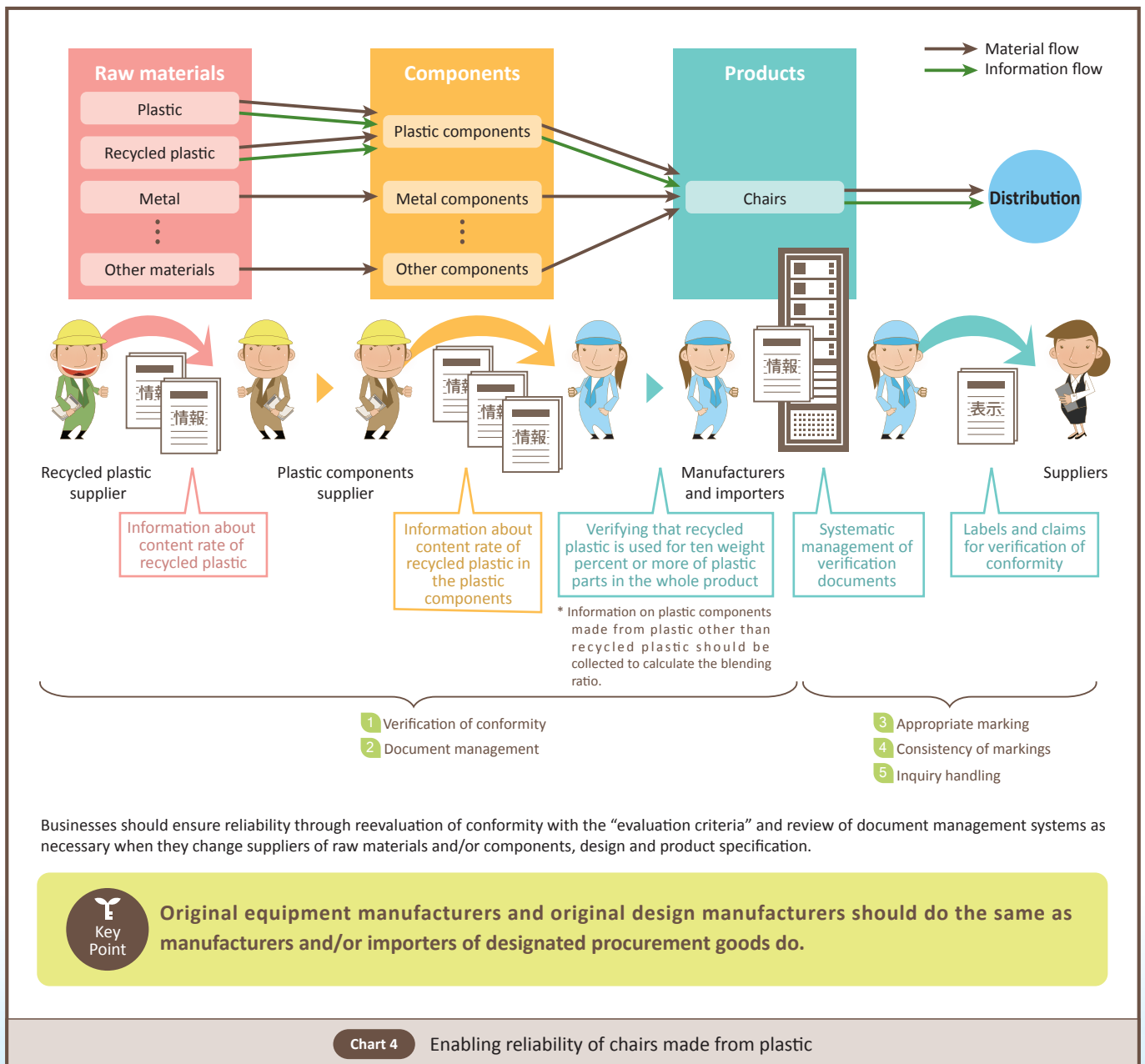


The Act against Unjustifiable Premiums and Misleading Representations was amended twice in 2014 due to food fraud issues that were revealed in 2013. Measures for businesses to implement, enhancement of monitoring and leadership by the government, and surcharge system for violation were newly included in the amendments.

4

What Manufacturers, Importers, Suppliers, and Raw Materials and Parts Suppliers of Designated Procurement Goods Should Do

- 1 Verification of conformity**
 Businesses should verify that “their products” conform to the “evaluation criteria”.
- 2 Document management**
 Businesses should prepare and retain verification documents for “evaluation criteria”.
- 3 Appropriate marking**
 Each label and/or claim should be appropriate and in accordance with “Guidelines for Environmental Representations”.
- 4 Consistency of markings**
 Environmental labels and claims should be consistent with each other when applied in different media.
- 5 Inquiry handling**
 Businesses should improve inquiry handling system to provide appropriate information.
- 6 Reevaluation**
 Businesses should reevaluate if their products conform to the “evaluation criteria” and record the results as necessary.



1

Verification of Conformity

Businesses should verify that “their products” conform to the “evaluation criteria”.

Most “evaluation criteria” of designated procurement items consist of multiple articles. **Businesses should verify that their products conform to the “evaluation criteria”** with suitable methods when they are distributing or intend to distribute those as designated procurement goods. For specific methods, please refer to the “Ensuring Reliability Guideline”.³

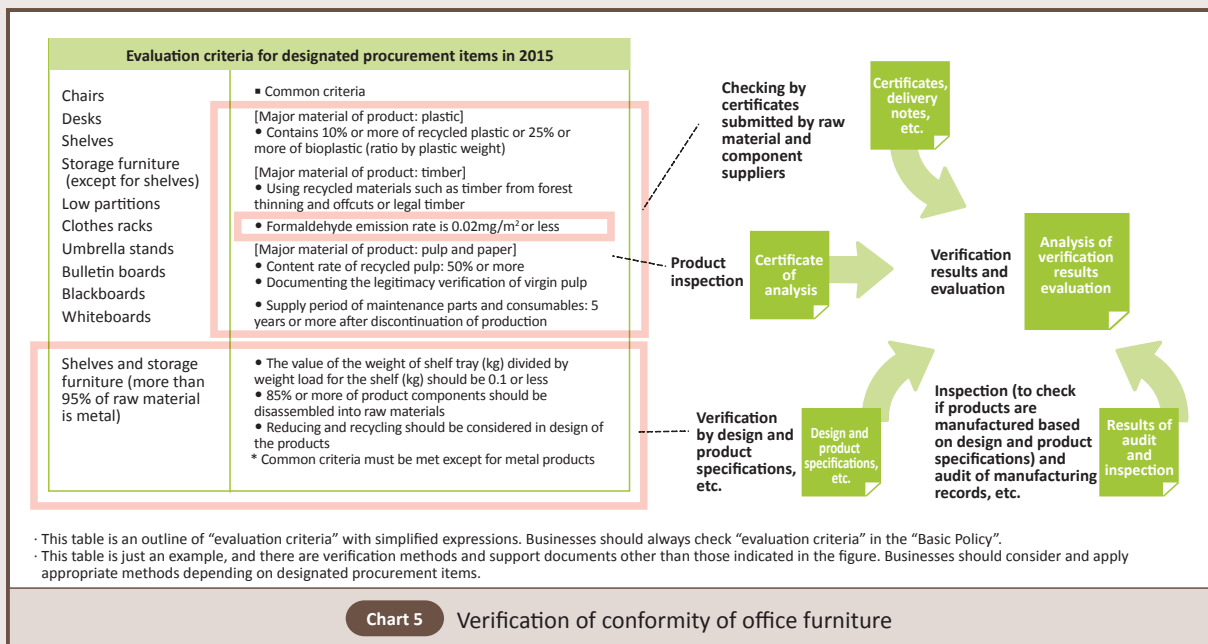
What raw materials and parts suppliers should do are:

to obtain essential information for verification of conformity and to provide information to businesses in the downstream parts of a supply chain.

E.g., information about recycled materials, certificate of legal timber, information of specified chemical substances, etc.

What manufacturers should do are:

to conduct product testing and to obtain certification of raw materials for checking the conformity.



What importers and distributors should do are:

to obtain documents showing verification of conformity from suppliers in the upstream parts of a supply chain and provide the information to purchasers and

to verify information by conducting hearing survey, site inspection and product testing as necessary



Businesses can check the conformity by obtaining information from the previous stage of their supply chain.

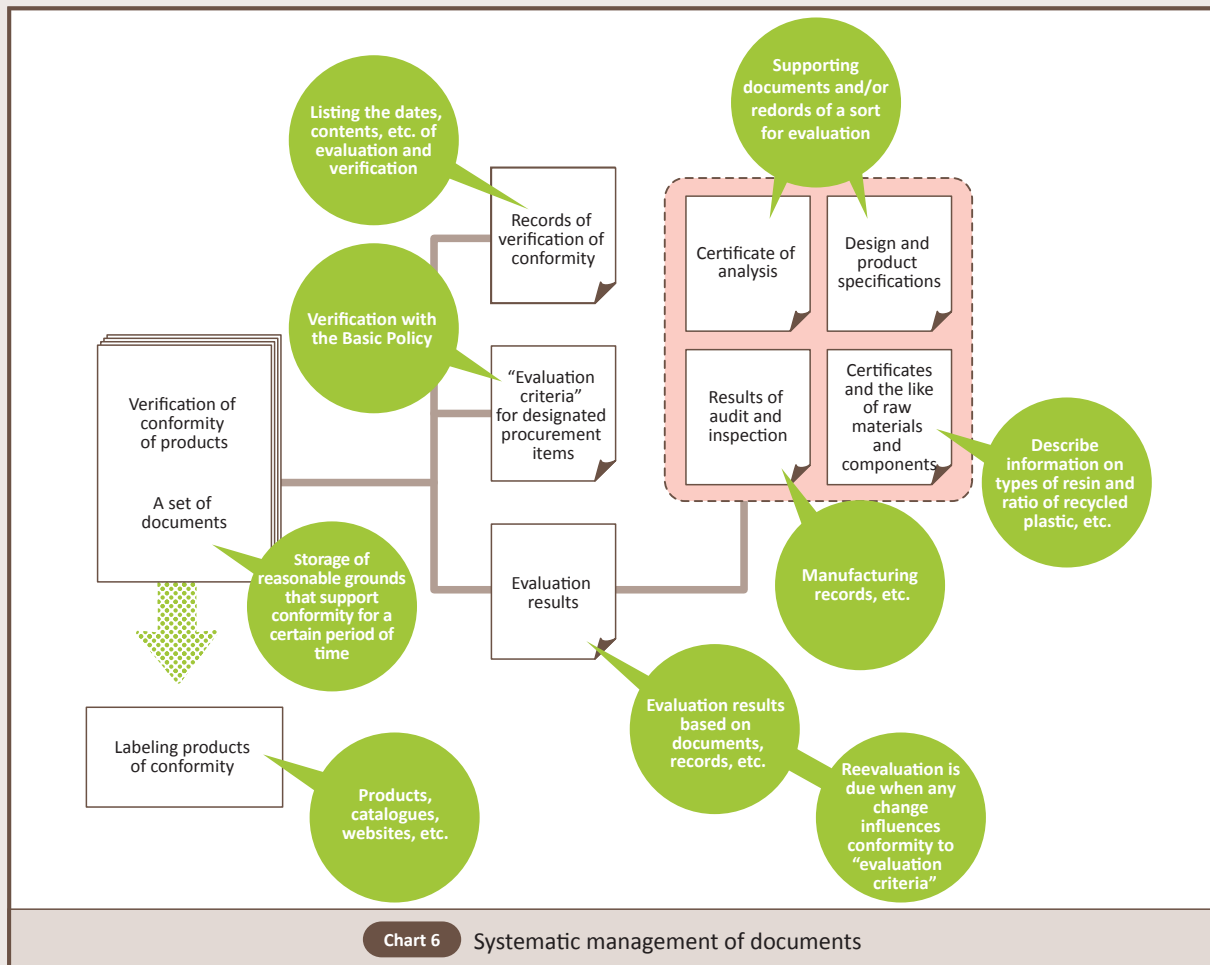
³ “Ensuring Reliability Guideline” is available in Japanese at the following website of the Ministry of the Environment.

<http://www.env.go.jp/policy/hozen/green/trust/guideline/>

2 Document Management

Businesses should prepare and retain verification documents attesting conformity of products to “evaluation criteria”.

Documents as well as records with reasonable grounds that support conformity of products to “evaluation criteria” should be systematically managed.



“Reasonable grounds that support conformity” should not necessarily be certificates. Design and product specifications, delivery notes, and information from the Web may also be reasonable grounds. However, any verified documents and records should be saved for a certain period of time⁴, while the dates and contents of them have to be registered. Saving will do on either print or electronic media.



Businesses should verify that their products conform to the “evaluation criteria” not just in the primary production but also as long as they keep manufacturing. They should also reevaluate the conformity as necessary when product specifications change.

⁴ Verified documents and records should be saved at least for the same time period as that of safety and quality assurance documents. JIS Q 14021:2000 “Environmental labels and declarations: Self-declared environmental claims (Type II environmental labelling)” requires that “the evaluation shall be fully documented and the documentation retained by the claimant for the purpose of the information disclosure referred to in 6.2.2. This shall be for the period that the product is on the market, and for a reasonable period thereafter, taking into account the life of the product”.

3

Appropriate Labels and Claims

Each environmental label and claim should be appropriate and in accordance with “Guidelines for Environmental Representations”.⁵

Any labels and claims that indicate a product conforms to the “evaluation criteria” are considered as environmental labels and claims. Businesses should thus make the labeling appropriately making reference to the requirements of the “Guidelines for Environmental Representations”.

Businesses should provide consumers with correct and non-misleading claims when they display the claims on products and brochures to verify that their products conform to the “evaluation criteria.”

Appropriate environmental representations shall meet the following requirements:

- to be correct and evidence-based information
- to be verifiable
- to be non-misleading
- to be unambiguous and non-abstract

“Guidelines for Environmental Representations” refers conformity with international standards on environmental labels and declarations (ISO/JIS Q 14020 series) as the basic concept of appropriate provision of environmental information toward businesses.

Appropriate environmental labels and claims

Eco-labels, declarations of conformity, etc. are examples of appropriate environmental labels and claims.

Eco-labeling

Example
1



Eco Mark Program⁶
(implemented by the Eco Mark Office, Japan Environmental Association)

Example
2

Declaration of conformity

| 特定調達品目の判断の基準への適合宣言書 | |
|---------------------|---|
| 番号： | 〇〇-〇〇〇〇 ※宣言を識別するための固有番号を記載 |
| 発行年月日： | 〇〇年〇〇月〇〇日 |
| 発行者の名称： | 株式会社〇〇〇〇〇 |
| 発行者の住所： | 〇〇県〇〇市〇〇〇 |
| 代表者の役職・氏名： | 代表取締役社長 〇〇〇〇 |
| 代表者の署名： | 〇〇〇〇 |
| 特定調達品目の種類： | 〇〇〇〇 ※適合する特定調達品目の種類（基本方針に記載） |
| 宣言の対象： | 商品番号〇〇-〇〇〇〇〇 ※判断の基準に適合する特定調達物品等の名称、型式等を記載 |
| 参考情報： | JIS〇〇〇による〇〇〇の測定（〇〇〇への依頼試験による） 原料供給業者による〇〇〇の証明書 ※適合を確認するために用いた手法、試験実施機関等 |
| 問合せ先： | 〇〇〇部〇〇〇〇係 電話：〇〇〇〇、FAX：〇〇〇〇、E-mail：〇〇@〇〇 ※ 担当部署、担当者、電話番号・FAX番号・E-mail等の必要情報を記載 |

JIS Q 17050-1:2005 Conformity assessment- Supplier’s declaration of conformity - Part 1: sets forth examples of forms of documents (supplier’s declaration of conformity) attesting conformity of a product, etc. to certain criteria, as well as clarifying responsible persons for conformity and declaration.

The supplier’s declaration of conformity can also be used as a certification of designated procurement goods.

⁵ “Guidelines for Environmental Representations” is available in Japanese at the following website of the Ministry of the Environment.
<https://www.env.go.jp/policy/hozen/green/ecolabel/guideline/>

⁶ The Eco Mark Program is the first and the only Type I environmental labeling program of ISO in Japan, which has been implemented by the Japan Environment Association since 1989. The enacted certification criteria for every product category have taken the environment into consideration throughout the product lifecycle, including resource extraction, manufacture, distribution, use, recycling, and disposal. In order to use and indicate an Eco Mark, a product must meet the necessary criteria and be approved by the association as one with low environmental load and contributing to environmental conservation.

The Eco Mark Office, Japan Environment Association <https://www.ecomark.jp/english/>

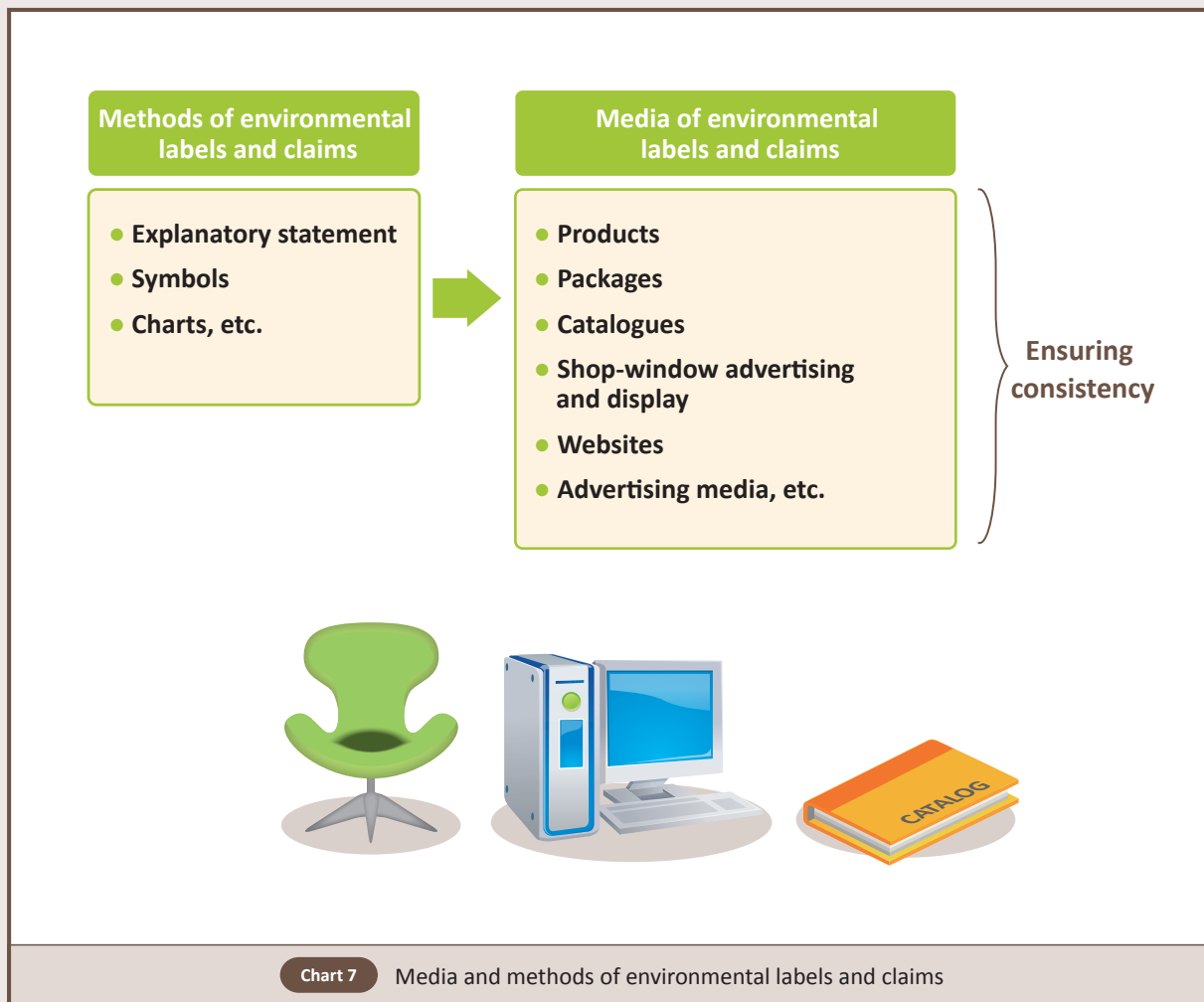
Ensuring Consistency of Labels and Claims

Environmental labels and claims should be consistent with each other when applied in different media.

Products, etc. that have been verified to have conformity with the “evaluation criteria” may be labeled accordingly.

Not only labels and claims, but also declarations of conformity, catalogues, invoices, manuals, websites, etc. may be used to indicate conformity with the “evaluation criteria” (Chart 7).

When different media are used to indicate conformity with “evaluation criteria”, they all should be consistent.



Having various media of environmental labels and claims will be convenient for purchasers to check product conformity to the “evaluation criteria”. On the other hand, manufacturers, importers, and suppliers need to update any changes of the conformity information with all media to ensure consistency of labels and claims.

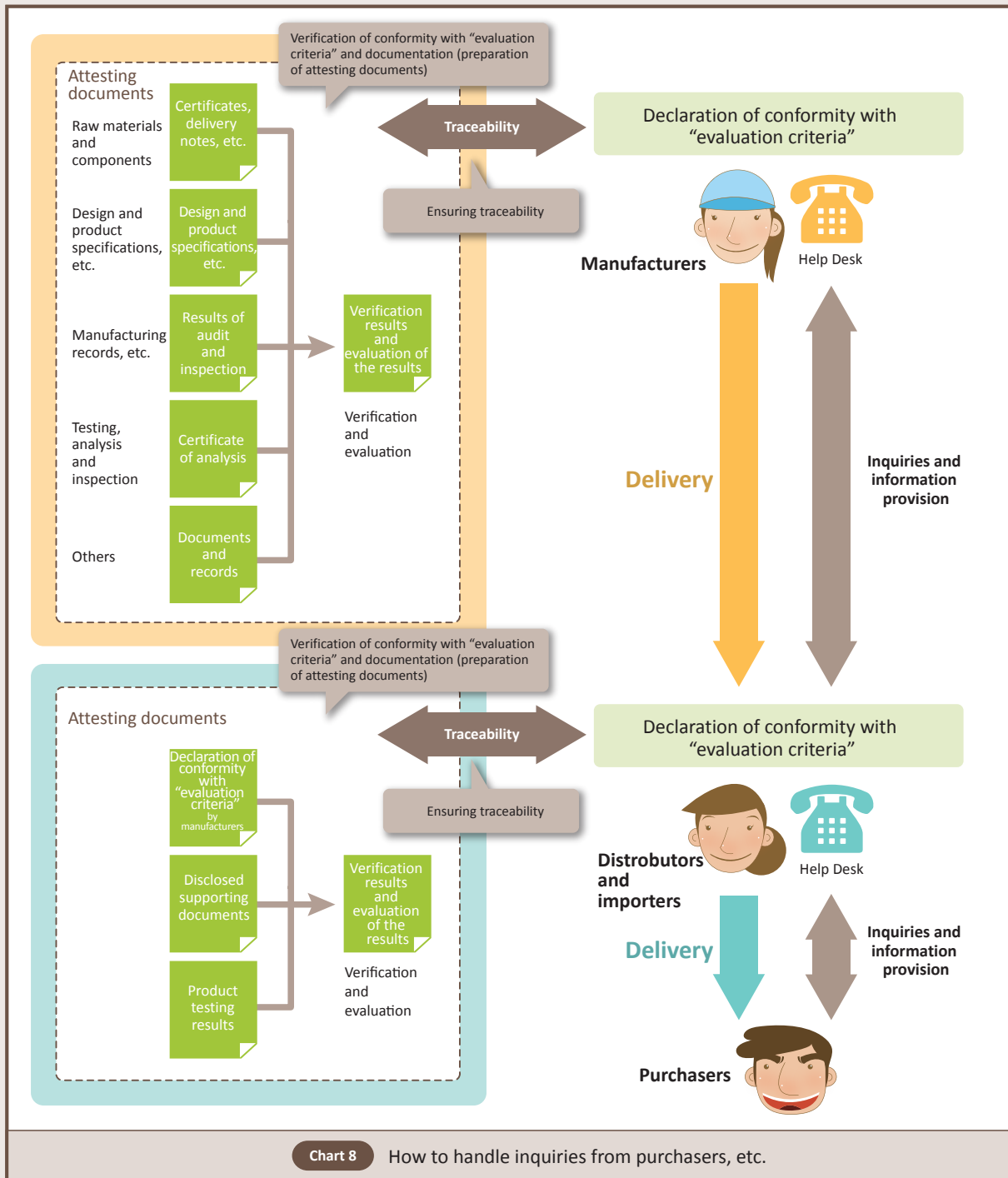
Some businesses are ensuring consistency of environmental labels and claims through uniform management under a specific section.

5

Inquiry Handling

Businesses must improve the inquiry handling system to provide appropriate information.

Businesses must be ready to present documents and/or records of their products conforming to “evaluation criteria” whenever they receive inquiries about the products from purchasers, etc.



The evaluation criteria of the Act on Promoting Green Procurement are applied to various products. Businesses need not only to verify that their products conform to the “evaluation criteria”, but also to explain details about the respective basis of conformity with the “evaluation criteria” to purchasers.

6 Reevaluation

Businesses must reevaluate the conformity with the “evaluation criteria” and record it as necessary.

Businesses **must reevaluate** the verification of conformity when any change or updates may affect the conformity of their products, and **record the result**.

Businesses must reevaluate the conformity

- when the “evaluation criteria” have been updated,
- when the product design and/or specification have been updated, and
- when raw materials or component suppliers have been changed.



Other than the above cases, annual review is important for avoiding overlooking lapses concerning verifying the conformity as well as management of verification documents to improve reliability.

References

The Ministry of the Environment’s Website

The Ministry of the Environment provides information about the Act on Promoting Green Procurement through its website. Government agencies, local governments, and businesses may refer to the website for checking “evaluation criteria” which are revised annually and other relevant materials.

The screenshot shows the Ministry of the Environment website. The header includes the logo and name of the Ministry of the Environment, Government of Japan, and navigation links for Japanese, English, French, Korean, and Chinese. A search bar is present. The main content area displays the title of the Act on Promotion of Procurement of Eco-Friendly Goods and Services by the State and Other Entities (Act on Promoting Green Procurement) under the category of Laws: Environmental Policy. It lists three items: 1. Act (with a link to the provisional translation), 2. Basic Policy (with a link to the provisional translation and a PDF icon), and 3. Diagram (with a link to the image of the act and a PDF icon). A sidebar on the right contains a menu with categories like In Focus, What's New, News Headline, About Us, and a list of environmental topics. At the bottom, there is a contact information box with the email address gpl@env.go.jp.

<http://www.env.go.jp/en/laws/policy/green/index.html>

Search by

green procurement Japan



How can I enhance reliability of environmental labels and claims as a business operator?

You may use third-party certification bodies or inspection agencies to enhance reliability of your environmental labels and claims. In Japan, there are several third-party certification bodies including the Eco Mark Program, which is a Type I environmental labeling entity. The Japan National Laboratory Accreditation (JNLA) system may also help to ensure reliability of inspection results.



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