

**DESIGNATION OF SPECIFIC UNFAIR TRADE PRACTICES
BY OFFERING ECONOMIC BENEFITS
THROUGH LOTTERIES OR OTHER MEANS
IN ADVERTISEMENTS**

**July 2, 1971
Fair Trade Commission Notification No. 34**

In accordance with the provisions of Section 2(9) of the Act Concerning Prohibition of Private Monopolization and Maintenance of Fair Trade (Law No. 54 of 1947), Specific Unfair Trade Practices by Offering Economic Benefits through Lotteries or Other Means in Advertisement shall be designated as follows, and shall come into effect from September 1, 1971:

**Specific Unfair Trade Practices by Offering Economic Benefits
through Lotteries or Other Means in Advertisement**

Any entity or person, who manufactures (publishes, when the goods are newspapers, books, magazines, records and audio tapes) the goods listed in Appendix (I), who operates the business of selling those goods, or who operates the businesses listed in Appendix (II), offers in advertisement to general consumers as an inducement of customers that the entity or the person selects certain persons by using the methods listed below and provides excessive money, goods and other economic benefits in the light of normal trade practices (except for those falling under the "Prizes" stipulated in Section 2 of the Act Against Unjustifiable Premiums and Misleading Representations (Law No. 134 of 1962)):

1. Calling on general consumers to perform any of the following acts and selecting a certain person or persons by lotteries, right or wrong answer to questions, or relative merits in a contest:
 - (1) Furnishing one's name, address, occupation or other such data in a form set up by the entity or the person;
 - (2) Answering the solicitation in anticipation of or conjecture about any fact that is not generally obvious at the time it is to be answered;
 - (3) Answering the solicitation on questions in regard to hobbies, pastimes, culture, etc.;
 - (4) Entering any contest for catchphrase, name of commodity, feedback essay, etc.; or
 - (5) Carrying out any performance or other specific acts.

2. Selecting winners based on fixed criteria for answers, data, etc. set up by the entity or the person.

Appendix I

Foodstuffs	Meat products, dairy products, seasoning, sugar, sweets, frozen foods, soft drinks, liquors, and other food products and beverage products
Clothes	Underwear, suits, shirts, socks, hats and other clothes
Accessories and Ornaments	Handkerchiefs, accessories worn around the neck, handbags, umbrellas, glasses, dresser sets, and other accessories and ornaments
House Furnishings	Textiles for family use, furniture, kitchenware, tableware, sewing machines, heaters, sanitary goods for home use, electric home appliances, and other household appliances
Pharmaceuticals, Cosmetics, etc.	Pharmaceuticals, quasi-pharmaceuticals, medical appliances, cosmetics, dentifrice, soaps and other chemical products for home use
Books, Magazines Records, etc.	Newspapers, magazines, books, records and audiotapes
Cars, Bicycles, etc.	Cars, motorcycles, bicycles and car wheels
Miscellaneous Goods	Stationery, paper products, office supplies, house-service meters, watches and clocks, optical instruments for general use and photo-sensitizers, amusement tools, toys, sporting goods, musical instruments, oil products for car, and home-use fuels

Appendix II

Wholesaling and Retailing Business	Restaurants
Finance and Insurance Business	Banking, trust banking, finance for agricultural, forestry and fisheries industry, finance for small and medium commercial and industrial business, consumer finance, housing finance, securities, commodity exchange, and insurance
Real Estate Business	Real estate rental (other than rental houses), rental houses, ready-built houses, land dealing, and real estate agency or brokering
Transportation and Communication Business	Private railroad, private passenger car transportation, water transportation, air transport and travel agency
Service Industries	Hotel and inn, laundering, barber shop and beauty parlor, public bath, wedding hall, wedding parlor, movie business, and entertainment business (other than movie business)

Recital

Classification of the industries listed in Appendix II is based on the Japan Standard Industry Classification