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From the Editors:

Legal Issues

Welcome to issue No. 184 of Consumers Union of Japan's English newsletter. This time we focus on recent legal developments including the first group lawsuit by people diagnosed with thyroid cancer after the tragic nuclear accident in Fukushima. Already, eleven years have passed and the suffering is on-going.

We also highlight the issue of genome-edited foods (which are not

regulated) as well as efforts by the Japanese government regarding popular food labels that indicate that food does not contain artificial additives. Believe it or not, but the Japanese government wants to make such important information illegal.

We hope you will stay updated with CUJ's activities and news on our English website, as well as on our new English Twitter account:
<https://twitter.com/consumerunionjp/>

Group Lawsuit Filed Against TEPCO by Young People with Thyroid Cancer

By Kaori Hirouchi, CUJ

11 March 2022 marks eleven years since the Great East Japan Earthquake, which registered 9.0 on the Richter scale and caused tremendous damage. TEPCO's Fukushima Daiichi Nuclear Power Plant lost power and released a large amount of radioactive materials. In January 2022, six people diagnosed with thyroid cancer have filed a lawsuit seeking compensation from TEPCO. They were all living in Fukushima Prefecture eleven years ago and developed thyroid cancer after the nuclear accident. This is the first lawsuit in Japan in which residents are demanding compensation for health damage caused by the nuclear power plant accident.

For the past eleven years, it has been difficult for people in Fukushima Prefecture to discuss radiation exposure and talk openly about their health concerns. This is because the government and the prefectural government have declared that the effects of radiation exposure are unlikely and have not conducted any investigation into the causal relationship. However, some 300 cases of pediatric thyroid cancer have

come to light in Fukushima Prefecture alone, and the number of patients outside of Fukushima Prefecture is also increasing. We cannot continue to pretend that there are no effects due to the nuclear accident.

One of the people who filed a lawsuit against TEPCO explained why he has decided to file a lawsuit: "The national government acknowledged the high incidence of thyroid cancer in children, but Fukushima Prefecture and TEPCO, as well as the national government, say it is difficult to believe that there is a causal link to the nuclear accident. However, children who have developed the disease after the accident should get all the help and support they need. In addition, there is an accelerating effort by the authorities to scale-down the Fukushima Prefectural Health Survey. We want to put a stop to this."

The plaintiffs were between the ages of 6 and 16 at the time of the nuclear accident, and some of them had only one of their thyroid glands removed before it recurred and the entire thyroid gland had to be removed. In addition, four out of the six patients underwent "isotope therapy," which places a heavy burden on both body and mind. There have been cases where people have been rejected when they mentioned that they had cancer when looking for a job, or had

to resign because of their health problems.

The number of childhood thyroid cancers has risen from 1 to 2 per 1 million people per year before the accident to a total of 300 per 300,000 people during the 10 years following the nuclear accident. However, even so, the authorities have not taken appropriate health measures and the national government still does not conduct proper health surveys. Since the government can no longer claim that nuclear power plants do not cause accidents, they are trying to create a myth that even if an accident does occur, the damage to health will not be significant, according to the head of the lawyers for the case.

NHK, the public broadcaster, has not reported on this lawsuit on TV. The plaintiffs are young people in their teens and twenties, and we need to do our best to support these young people who have courageously raised their voices for the truth.

Public Hearing on Genome-Edited Foods in Japan

On 8 February 2022, Consumers Union of Japan and our campaign against genetically modified foods, the No! GMO Campaign, which began in 1996, is participating in a public hearing in the Japanese Parliament about the status of genome-edited foods. We are concerned about the current trend to bypass legislation to introduce untested genome-edited fish and other foods. Also, we are outraged that there is no food labelling for these products, which further undermines consumers' trust in novel applications of GMOs. We will present over 300,000 signatures in support of our petition campaign to label all seeds and seedlings of genome-edited foods to the relevant ministries of the Japanese government at the public hearing.

Status of Genome-Edited Fish and Consumers Union of Japan Activities (As of 8 February 2022)

(1) About the genome-edited mackerel developed by Kyushu University

Using a novel genetic engineering technique known as TALEN, rather than CRISPR/Cas9, Kyushu University is developing a genome-edited mackerel with reduced aggression. Kyushu University has overcome the obstacle of genome editing of mackerel, a non-model organism that is difficult to handle, and established a mutant strain. According to Kyushu University, it has been confirmed that aggression has been reduced and breeding efficiency has been improved. They claim that a comprehensive phenotypic analysis of the meat quality and growth rate is scheduled to be conducted after this spring, and the usefulness of the product will be evaluated.

When CUJ sent a letter of inquiry about this genome-edited mackerel to the research group at Kyushu University in March last year, they replied that they would obtain the base sequence information of the entire genome and that they plan to conduct food safety tests through animal experiments. (If you have further questions please contact us.)

(2) Miyazu City, Kyoto Prefecture, Offers Genome-edited Tiger Puffer Fish as a Hometown Tax Return Gift

In Japan, there is a system called “Furusato (home town) tax refund gift” that allows people to make donations to local governments that they want to support. In addition to getting a tax refund or deduction, donations made through the Furusato tax system are popular because the local government provides you with special products and accommodation vouchers as a thank-you gift. On 31 January, we sent a letter to Miyazu City, asking them to stop providing genome-edited tiger puffer fish as a thank-you gift for Furusato taxpayers. Currently, we are calling on citizens all over Japan via social networking sites to raise their voices to ask Miyazu City to stop offering genome-edited tiger puffer fish as a Furusato tax refund gift.

(3) Responses From Conveyor-belt Sushi Chains

CUJ sent a questionnaire to 18 food companies, including conveyor-belt sushi chains, if they would handle genome-edited fish. Six companies responded. Of the six companies, three responded that they do not use genome-edited fish, and one responded that they do not plan to use it at this time, but have not decided on a policy. One company responded, “We do not plan to use it at this time, but have not decided our policy.” The conveyor-belt sushi chain that announced the joint development of genome-edited fish responded, “At this time, we have not established a

clear policy, so we refrain from answering.”

However, some reports have suggested that the company will consider using genome edited fish within the group or selling it to outside parties, so we think this is an extremely problematic response from the company.

Opinion on the Japanese Government’s Draft Guidelines on Non-use Labeling of Food Additives

Consumers Union of Japan (CUJ) is opposed to the “Draft Guidelines on the Non-use Labeling of Food Additives.”

Consumers are demanding foods with fewer food additives. However, due to the inadequacy of the current food additive labeling system, it is difficult to avoid food additives even if one wants to avoid eating them as much as possible. On the other hand, some companies are making efforts to produce and provide foods without additives as much as possible to respond to consumers’ voices, which is why they label their products as “additive-free” (無添加 mutenka) as well as non-use. It is admitted that there are some inappropriate labels, but one problem is that the labeling principle of listing the names of substances in order of weight is not being followed. Therefore, we would

like to request the government to discuss the establishment of a food labeling system that protects consumers’ right to know and choose, rather than to formulate guidelines in a hasty manner.

(1) It is the consumer’s right to know the non-use of food additives

For consumers who seek foods with less food additives, non-use labeling is information that contributes to product selection.

(2) Guidelines that are vague and susceptible to broad interpretation are harmful

Many of the definitions of the proposed categories are vague and unfounded, and may be interpreted broadly, which may practically lead to the prohibition of all additive-free and non-use labeling. Such a situation is not what consumers want.

(3) Food additives should be discussed based on the precautionary principle, not as something safe

The guidelines are based on the assumption that food additives are safe if they are below the ADI (Acceptable Daily Intake) set by the Food Safety Commission, but the current evaluation method has its limitations. In addition to properly acknowledging these limitations, the government should instruct businesses to reduce food additives in accordance with the precautionary

principle, and labeling should be able to convey the reduction of food additives.

(4) Improvement of food additive labeling system should be reconsidered from consumers' point of view

In the recent debate on the review of food labeling, only the opinions of the industry have been respected, and the inadequate labeling system has not been improved, but it has become a setback for consumers. We strongly request that the review panel should be fundamentally reviewed and the food additive labeling system should be re-examined based on the opinions of consumers.

Consumers Union of Japan

CUJ is a politically and financially independent non-governmental organization (NGO). We are funded by membership fees, sales of publications and donations.

CUJ was founded in April 1969 as Japan's first nationwide grassroots consumer organization.

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