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Prohibition of Exaggerated and Misleading Claims (under Health Promotion Law)

Any claims related to health or function made on functional foods must be relevant and substantiated by scientific evidence.

Advertisements are used in different media, such as internet, to promote food sales. Some are advertised to convey positive effects on health maintenance and promotion not necessarily having scientific evidence on the claim. When these advertisements are not regulated and uncontrolled, consumers who believed the claim might miss an opportunity for an adequate medical consultation, resulting in adverse affect on health. Under Paragraph 2, Article 32 of the Food Promotion Law, exaggerated and misleading claims are prohibited.

Products sold as food are prohibited to have label related to health maintenance and promotion that is (1)eminently inconsistent with evidence or (2)eminently misleading.



When the claim has a potential to influence public health, recommendation to take appropriate action is made by the Minister of MHLW or the General of Regional Bureau of Health and Welfare.



When appropriate measures are not taken following recommendation, the order to take appropriate action is made by the Minister of MHLW or the General of Regional Bureau of Health and Welfare.



Not conforming to the order results in penalty charges (imprisonment of up to 6 months or a fine not exceeding 1 million yen).

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