

Case Filings and Judgments under the PL Law (July 1995 – July 2005)

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Suit contents	Amount claimed: with breakdown	Court	Date suit brought, and defendants	Result
1. Restaurant owner cut finger opening tea drink container	¥910,000: ¥10,000 medical expenses; ¥350,000 lost earnings; ¥500,000 solatium (<i>isharyo</i>)	Niigata DC (Nagaoka Branch)	24/12/95 (vs large ink/packaging company, and others)	8/9/99, judgment (claim rejected); 22/9/99, appealed to Tokyo HC (upheld)
2. Electric company claiming against pipe processing company for defect in snow melting machines	¥51,000,000	Sapporo DC	8/8/96 (in tort, under Civil Code); 20/11/96 (amended claim at third hearing: also under PL Law, for one machine delivered after 1/7/95) (vs pipe manufacturer)	19/11/99, settlement
3. osteopath poisoned by packed cut bacon won at <i>pachinko</i> (game) parlor	¥950,000: ¥650,000 lost earnings; ¥200,000 <i>isharyo</i> ; ¥100,000 lawyers' fees	Maebashi DC	18/11/96 (vs food manufacturer)	15/6/98, court-annexed settlement: solatium (<i>mimaikin</i>) paid after plaintiff accepted causality dubious and abandoned claim for <i>isharyo</i>
4. 12-year-old girl died from poisoning from O-157 bacteria allegedly in school lunches	¥77,000,000	Osaka DC (Sakai Branch)	16/1/97 (vs Osaka Prefecture, Sakai City)	10/9/99, judgment for ¥45,000,000 (but simply holding the local government negligent, without discussing the PL Law cause of action)
5. Restaurant manager claiming from	¥33,000,000	Sendai DC	4/2/97 (vs food importer)	25/2/99, suit dismissed by Court

importer of raw sea urchins for food poisoning of 23 customers				and wholesaler)
6. 25-year-old woman developed skin trouble in hands, so couldn't sleep enough from itchiness, after using synthetic detergent in kitchen for 2 months	¥70,000	Tokyo DC (transferred from Summary Court at defendant manufacturer/seller's request)	5/2/97 (in Summary Court; transferred to DC, 3/97) (vs chemical/cosmetic manufacturer)	26/8/98, settlement
7. 77-year-old woman killed while waiting for car, by iron car lift in parking building	¥18,150,000	Kyoto DC	13/5/97 (vs. car lift manufacturer, parking building operator, and others)	26/6/98, settlement
8. Itchiness and hearing difficulties after using ear care product bought and used following instructions, the day after seeing TV ad	¥610,000: claiming purchase price, medical expenses, <i>issharyo</i> , and lawyers' fees	Sendai Summary Court	22/1/98 (vs importer/retailer, advertising agency)	7/5/98, settlement (first under PL Law, ¥250,000)
9. Air conditioner installed in leased apartment dripped water onto computer plug; short led to loss of much data and work delayed one year	¥4,200,000	Tokyo DC	2/3/98 (vs. air conditioner manufacturer, and business which installed it)	7/9/98, suit withdrawn by consent of parties
10. Extraneous matter in orange juice, throat injured and distress to 29-year-old woman	¥400,000	Nagoya DC (transferred from Summary Court)	15/5/99 (in Summary Court; transferred to DC, 6/99) (vs. food manufacturer/retailer, McDonald's Co Japan)	30/6/99, judgment (¥100,000); 31/8/99, appeal, 10/5/00, settled for ¥300,000
11. Computer program with leased hardware, to manage sales, was defective; hence too much	¥11,700,000	Aomori DC	23/6/98, PL Law claim added 28/9/98 (vs. computer program	13/2/01, judgment (claim rejected); 8/3/02, appealed to Sendai HC (upheld)

corporate taxes, etc., paid			development company, OA leasing company) 21/7/98	
12. Female gallery attendant used cosmetics bought in department store according to directions, suffered from skin irritation on face	¥6,600,000	Tokyo DC (transferred from Summary Court)	(vs. cosmetics manufacturing company, department store)	22/5/00, judgment (claim rejected)
13. Surgical thread used in operation later disintegrated, patient died from the shock of losing blood and being unable to breathe	¥49,620,000	Kobe DC	22/7/98 (vs. importer of thread)	10/2/99, suit abandoned by plaintiff (as a result of 27/1/99 settlement for ¥37,000,000 in separate suit against hospital)
14. Chinese medicine (<i>kampoyaku</i>) prescribed by doctor led to death	¥81,600,000	Nagoya DC	8/10/98 (vs. importer of the medicine)	22/4/02, judgment for ¥33.530,000; 29/6/03, appealed to Nagoya HC (settled) 23/2/01, settlement
15. Child suffocated on <i>konnyaku</i> jelly given by mother	¥59,450,000	Mito DC	30/10/98 (vs. food manufacturing/re tailing company, Mannan Life)	
16. Airbag activated when owner (a surgeon) lightly touched steering wheel, breaking left finger	¥210,960,000	Nagasaki DC	19/11/98 (vs. Porsche Japan as importer, and car dealer)	29/2/00
17. Hot water boiler, tipped over, scalding toddler and scarring permanently	¥25,200,000	Kagoshima DC	14/12/98 (vs manufacturer, Tiger, and retailer)	27/9/99, settlement (¥8,000,000)
18. Shoe suddenly came off, girl hurt chin and broke tooth	¥1,040,000	Kanazawa DC	25/5/99 (vs. footwear manufacturer/ret ailer)	17/7/01, judgment (claim rejected)
19. 25 year old man dead by carbon monoxide	¥115,880,000	Kobe DC (Toyo- oka Branch)	18/11/99 (vs. car	

poisoning from car fire				manufacturer)	
20. Metal hook from windshield cover stretched on rubber cord, pierced left eye, seriously injured eyeball	¥40,840,000	Sendai DC	17/12/99 (vs. windshield cover manufacturer)	26/4/01, judgment (¥25,500,000)	
21. Captain brought on charges after maritime accident claimed <i>isharyo</i> for mental anguish, as engines ordered by manufacturer were found to be defective	¥3,330,000	N/A	21/12/99 (vs. freighter manufacturer)	1/10/02, settlement	
22. Glass plate, used in serving elementary school lunches, fell and shard injured second year pupil's eye	¥15,330,000	Tokyo DC	27/11/99 (vs. U.S. plate manufacturers, importer, and local government authority [State Compensation Law])	12/12/01, settlement (with manufacturer & importer; then dropped suit vs. government)	
23. Electric wheelchair ran out of control, crashing and killing user	¥28,500,000	Fukuoka DC	21/3/00 (vs. importer [Korean-made product])	12/4/02, settlement	
24. Second suit relating to glass plate for school lunches, dropped when cleaning up in class room, shard injured pupil's eye	¥14,400,000	Nara DC	10/8/00 (vs. two tableware manufacturers, state [State Compensation Law])	8/10/03, judgment for ¥10,370,000	
25. Three family members drank canned vegetable juice after dinner, mold-like extraneous matter in juice, caused diarrhoea for several days	¥6,600,000	N/A	26/1/01 (vs. canned juice manufacturing company)	20/11/02, judgment (claim rejected)	
26. Extraneous matter in cup of noodles, caused diarrhoea	¥990,000	N/A	25/12/00	25/12/00, settlement	

27. Food poisoning from low fat milk	¥64,000,000 (including <i>isharyo</i>)	Osaka DC	2001 (vs. manufacturer, Snowbrand)	22/8/03, settlement of ¥1,100,000 for other 8 claimants/4 families with minor injuries
28. Botulism from olives, poisoned 12 customers, joined by restaurateur	Various amounts	Tokyo DC	1999-2000 (vs. importer)	28/02/01, judgment (approx. ¥10,000,000 in total)
29. Snapper fish (raw <i>sashimi</i> and grilled) poisoned with bacteria infected 8 customers	Approx. ¥38,000,000 in total	Tokyo DC	2001 (vs. restaurant owner)	13/12/02, judgment (approx. ¥14,000,000 in total)
30. Food container cutting machine caught employee's head, died	¥57,120,000	Urawa DC	2000 (vs. employer and machine manufacturer)	29/6/00, judgment (only employer vicariously liable); 12/4/01, appealed to Tokyo HC, judgment also vs manufacturer for ¥24,080,000
31. Bamboo building supplies infested by insects, attacked building, insufficient spray protection	N/A	Nagasaki DC	N/A	29/5/02, judgment for ¥19,120,000
32. Car fuel additive defective, engine and petrol had to be replaced	¥200,000	Kofu DC	2001	17/9/02, judgment for ¥200,000; on appeal
33. Magnetic water equipment killed farmed flatfish (<i>hirame</i>)	¥8,250,000	Tokushima DC	2000 (vs. equipment manufacturer)	29/10/02, judgment for ¥6,700,000; on appeal
34. Delica car engine: manufacturer's test after front-on accident when overtaking admitted accelerator defect	¥15,540,000	Sapporo DC	2001 (vs. Mitsubishi Motors and car dealer)	22/11/02, judgment for ¥2,280,000, not vs. dealer, no <i>isharyo</i> ; 17/3/03, settled on appeal
35. Connection failure of	¥82,020,000	Tokyo DC	12/01	20/3/03, judgment for

respiratory medical equipments caused death of a baby			(vs. manufacturer, importer and hospital)	¥50,630,000; 2/4/04, appealed (settlement for ¥48,000,000)
36. Italian-made oven heated up well above JIS standard	¥8,800,000	Osaka DC	N/A	16/4/03, judgment for ¥1,100,000
37. Mercedes S600L car engine caught fire on highway	¥113,270,000 (including PTSD, and <i>isharyo</i>)	Tokyo DC	2001 (vs. Daimler Chrysler Japan as importer, Yanase as dealer that repaired after recalls)	28/5/03, judgment for ¥13,270,000; appeal rejected
38. Malfunction of car audio mini-disk allegedly caused by a defective component	¥57,290,000	Tokyo DC	2001 (Kenwood vs. Matsushita)	31/7/03, judgment for ¥57,050,000; on appeal
39. Catheter burst during medical operation	¥158,340,000	Tokyo DC	2000 (vs. pharmaceutical manufacturer and university)	19/9/03, judgment for ¥117,000,000; on appeal
40. Imported Chinese herbal medicine (KM) caused kidney failure	¥60,240,000	Nagoya DC	7/02 (vs. pharmaceutical import and sales company)	9/4/04, judgment for ¥33,360,000; on appeal
41. Atopic dermatitis after beauty treatment	¥660,000	Tokyo DC	1999 (vs. cosmetic manufacturer)	22/5/01, judgment for ¥440,000; 13/9/01, appealed to Tokyo HC (settled)
42. Misdirection about car lift's safety device caused death	¥41,000,000	Fukuoka DC (Kokura Branch)	2000 (vs. buyer/owner of a car park vs. seller of the car park)	29/10/02, judgment for ¥13,920,000
43. Junior high school student killed by train at railroad where no crossing and alarm gate	¥41,492,400	Maebashi DC	2003 (vs. railway company)	14/5/04, judgment for ¥6,823,000
44. Mark II car became uncontrollable,	¥5,530,000	Hiroshima DC	2000 (vs. Toyota)	19/12/01, judgment (claim rejected)

fell off a cliff					
45. Propane gas canister leak set fire to kitchen floor	¥17,000,000	Wakayama DC	N/A		17/10/00, judgment for ¥17,000,000; 20/12/01, appealed to Osaka HC (overturned) 29/5/02, judgment (claim rejected); on appeal
46. Automatic vending machine caught fire, displays of toys etc destroyed	¥14,270,000	Hiroshima DC	1999	(vs. vending machine owner)	
47. Used car caught fire while running, burned	¥8,570,000	Osaka DC	2000	(vs. car manufacturer)	24/9/02, judgment (claim rejected)
48. Ornament on the top of a flower stand came off and injured eye	¥21,950,000	N/A	N/A	(vs. product manufacturer)	2/12/02, settlement
49. Pin used to fix a fractured bone damaged	¥2,730,000	N/A	20/2/02	(vs. medical equipments import company)	
50. Truck caught fire on highway, cargo destroyed	¥3,860,000	N/A	21/2/02	(vs. truck manufacturer)	
51. Tyre fell off trailer, which killed pedestrian mother & injured two sons	¥165,000,000 (including <i>isharyo</i>)	Yokohama DC	5/3/03	(vs Mitsubishi Motors et al.)	18/4/06, judgment 5.5 million yen (vs. manufacturer only)
52. Self-Defence Force helicopter crashed from engine failure, two injured	¥430,000,000	N/A (unclear if suit filed)	20/6/03	(state vs. engine manufacturer)	
53. Bicycle driving wheel was broken, causing injure with four limbs paralyzed	¥214,000,000	Niigata DC	29/4/03	(vs. bicycle manufacturer)	
54. Massage machine's airbags caused death from suffocation	N/A	Tokyo DC	2003		
55. Illegal food additive in health food, mental trauma afterwards	¥416,500	Osaka DC	2/4/03	(vs. health food importer)	

56. Electricity saving equipment caught fire, half of factory destroyed	¥27,500,000	N/A	7/4/03 (vs. equipment manufacturer)	
57. Girl died when hair caught in grandfather's bathtub water ingress point	¥199,000,000	N/A	5/8/03 (vs. bathtub manufacturer)	
58. Digital camera's defect resulted in 489 poor-quality photos on overseas trip	¥4,890,000 (¥10,000 to restore each photo)	Yokohama DC	28/1/04 (vs. camera manufacturer)	27/6/05, settlement
59. Sideboard fell after opening drawers, cracking skull and causing internal bleeding	¥1,470,000	Tokyo DC	28/5/04 (vs. furniture manufacturer)	
60. Raising nursing bed compressed woman's upper body, hastening death	¥86,370,000	Kyoto DC	1/7/04 (vs. bed manufacturer, nursing home, welfare provider)	
61. Defective plate to support a broken arm, further treatment needed	¥3,783,800	Kobe DC	2/01 (vs. medical equipment manufacturer)	27/11/03, judgment (claim rejected)
62. Child injured by a metal piece from a bicycle's pedal axle	¥3,154,200	Hiroshima DC	2002 (vs. bicycle manufacturer)	6/7/04, judgment for ¥1,224,200
63. Gas fan heater caught fire	¥98,558,588	N/A	N/A	30/11/01, appealed to Osaka HC (dismissed)
64. Passive smoking	Injunction (to restrict cigarette sales)	Nagoya DC	1994	15/3/99, judgment (claim rejected)
65. Passive and active smoking	Injunction (to restrict cigarette sales and imports)	Nagoya DC	1998	31/1/02, judgment (claim rejected)
66. Insect repellent for use inside upright pianos caused the inside of pianos to liquefy	¥5,584,122	Tokyo DC	30/1/01 (vs. repellent manufacturer)	23/3/04, judgment for ¥2,416,476
67. Raw horse	¥542,349,178	Tokyo DC	19/2/03	31/8/04,

meat contained E-coli O-157 bacteria			(vs. vendor)	judgment (claim rejected)
68. Defendant-manufactured pump and valve in Plaintiff-manufactured meat defrosting unit caused metal filings to enter meat (sold by Snowbrand)	¥346,618,800		(vs. pump and valve manufacturers)	Initial judgment (claim rejected); 12/10/04, appeal upheld by Tokyo HC, judgment for ¥19,165,669.
69. Electric stove released phenol and other harmful substances, causing damage to central nervous system of child in front of stove	¥500,000,000	Tokyo DC	26/2/01 (?) (vs. manufacturer)	24/3/05, judgment (claim rejected)
70. Towel-like material entered the engine of car while in motion, causing engine to catch fire	¥796,341 (including <i>isharyo</i>)	Nagoya DC	15/7/04	24/2/06, judgment (claim rejected)
71. Death from side-effects of supposedly side-effect free anti-cancer drug	¥33,000,000	Osaka DC	15/7/04 (vs. state, pharmaceutical importer/vendor)	
72. Health food caused occlusive bronchiolitis and chronic respiratory failure	¥108,860,000	Nagoya DC	23/8/04 (vs. importer, vendor and magazine company of magazine in which advertised)	
73. Death from side-effects of supposedly side-effect free anti-cancer drug	¥38,500,000	Tokyo DC	25/11/04 (vs. state, pharmaceutical importer/vendor)	
74. Attendant repairing collapsible car-washing stand fell from top after suddenly moved, suffering brain trauma and broken bones	¥1,490,000	Kyoto DC	26/1/05 (vs. manufacturer, vendor)	

75. Car in motion stopped working, crashed into on-coming car, killing two	¥360,860,000	Tokyo DC	31/1/05 (vs. car manufacturer, importer, vendor)
76. Death from side-effects of supposedly side-effect free anti-cancer drug	¥33,000,000	Osaka DC	7/3/05 (vs. state, pharmaceutical importer/vendor)
77. Burns to crotch after inserting mobile phone in front trouser pocket	¥2,240,000	Sendai DC	2/6/05 (vs. phone manufacturer)
78. Confectionery company forced to recall and destroy sweets after metal filings from filter entered butter	¥602,410,000	Kofu DC	27/7/05 (vs. dairy company)
79. Cough and high fever caused by supposedly side-effect free anti-cancer drug	¥5,500,000	Osaka DC	29/7/05 (vs. state, pharmaceutical importer/vendor)