



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON JAPAN
UNIT 45006
APO AP 96343-5006

USAG JAPAN POLICY
210-24-01

AMIM-JNW-N (210-7)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: All Personal Commercial Solicitation Operating on U.S. Army Garrison Japan Installations

1. References:

a. Army Directive (AD) 2018-29, Non-Federal Entity Competition with Appropriated and Non-Appropriated Fund Activities on Army Installations.

b. Army Regulation (AR) 210-7, Personal Commercial Solicitation on Army Installations.

c. AR 210-22, Support for Non-Federal Entities Authorized to Operate on Department of the Army Installations.

d. AR 600-20, Army Command Policy.

e. AR 608-10, Child Development Services.

f. DA Pamphlet (PAM) 40-11 (Army Public Health Program).

g. Department of Defense (DoD) Regulation 5500.07-R, Joint Ethics Regulation (JER).

h. DoD Instruction (DoDI) 1330.17, DoD Commissary Program.

i. DoDI 1344.07, Personal Commercial Solicitation on DoD Installations.

j. Fragmentary Order (FRAGO) 01 to Operations Order (OPORD) 22-061.

k. Headquarters, Department of the Army (HQDA) Execution Order (EXORD) 224-19, Home-Based Business (HBB) Approval Process.

l. Installation Management Command (IMCOM) HBB Program Official Priority Information (OPI) 2023-07.

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m. OPORD 22-061, Installation Home Based Business (HBB) Program Management and Quarterly Reporting Requirement.

n. U.S. Army Installation Management Command (IMCOM) Policy Memorandum 215-1-14, IMCOM Garrison Home-Based Business (HBB) Implementation Guidance, 8 January 2020.

o. U.S. Forces, Japan (USFJ) Instruction (USFJI) 36-1001, Commercial Activities and Private Employment in Japan.

p. U.S. Army Japan (USARJ) Regulation 600-50, Commercial Activities and Private Employment.

q. Technical Bulletin Medical (TB MED) 530, Tri-Service Food Code.

2. Purpose. This USAG Japan Policy establishes procedures for the conduct of commercial solicitation and private business transactions to include sale of goods, products, and services, on U.S. Army Garrison Japan (USAG Japan) Installations.

3. Applicability. This USAG Japan Policy applies to all DoD personnel, Family members, agencies, and other individuals, on or off-post, seeking to conduct commercial activity or solicit the sale of products, goods, or services, on USAG Japan. This does not apply to:

a. Commercial companies providing services under contract on USAG Japan when authorized by the Commander, USAG Japan.

b. An individual who sells his/her own personal property (e.g., home appliances or goods) on an occasional basis.

c. Approved Private Organizations (POs) may only participate in approved fundraising, which is governed by USAG Japan Directorate of Family and Morale, Welfare and Recreation (DFMWR) and USAG Japan Policy 210-23-25. No other forms of commercial solicitation are authorized.

d. Jobs performed by school age children on an occasional or part-time basis such as lawn mowing, snow shoveling, or similar activities.

e. English as a second language performed in homes as governed by USFJI 36-1001.

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f. Private Employment for those individuals seeking employment on the local economy.

g. Individuals providing authorized Family Child Care (FCC). Personnel desiring to provide childcare in on-post housing must register with the installation Child and Youth Services (CYS) office as part of the FCC provider system. FCC providers contribute directly to unit readiness. Accordingly, the installation should expedite FCC applications whenever possible. The FCCs do not align within the HBB program.

h. In accordance with AR 210-22, an HBB is defined as a business whose primary office and operation is located inside the home on the installation. Examples of HBB include, but are not limited to, car repair service, hair salon services, pet grooming, and food services. Individuals who work remotely from their home on the installation (i.e., consultant, freelance artist, or teleworker) or who operate their own business exclusively through online means (eBay, or Etsy), are not considered an HBB and do not require approval to operate. Other examples of businesses that do not require approval include those that do not entail clients/customers visiting quarters and/or soliciting on post.

4. Commercial Solicitation (private business). Individuals or agencies seeking to conduct commercial solicitation on USAG Japan to include government housing areas, must obtain approval. The package must include the following:

a. U.S. Army Garrison Japan (USAGJ) Form 1931 (Application for Home-Based Business Permit).

b. Statement of Understanding.

c. Checklist for Home-Based Business.

d. Housing Division Approval.

e. U.S. Army Medical Department Activity-Japan (MEDDAC-J) Preventive Medicine Approval for HBB's soliciting food and drink.

f. DoD (DD) Form 2973 (Food Operation Inspection Report).

g. DD Form 2972 (Food Facility Risk Assessment Survey).

h. Approval from MEDDAC-Japan's Department of Public Health (263-5050) for approved food sources for HBB's soliciting food and drink.

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- i. List of products or services, prices, and menu.
 - j. Documentation of certificates, insurance, licenses or permits, if applicable.
 - k. Business Information (flyers, posters, catalogs, brochures, pamphlets, signage, handouts, advertisements, pictures, etc.).
5. Personal Solicitation of Goods or Services includes, but is not limited to:
- a. Independent consultants.
 - b. Individuals offering private lessons (e.g., guitar, sewing, dance, etc.).
 - c. Individuals selling goods or services (e.g., car repair service, hair salon services, pet grooming, food services, custom-made items, quilts, etc.)
6. Responsibilities.
- a. The approval authority to operate a HBB on the installation is the Senior Commander (SC) or, when delegated, the Garrison Commander (GC). The SC or, GC, USAG Japan will approve or deny commercial solicitation permits and commercial advertising.
 - b. The USAG Japan DFMWR HBB Coordinator will oversee control of commercial solicitation and selling practices on USAG Japan Installations and perform the following:
 - (1) Examine credentials and applications of individuals desiring to conduct commercial solicitation and sales activities and determine the eligibility for permits.
 - (2) Process HBB applications as consistently and expeditiously as possible, but no later than 60 calendar days following submission.
 - (3) Coordinate permit requests (with recommendations) to the Senior Commander (or Garrison Commander, USAG Japan). Permits will be valid for 3 years. It is the responsibility of the approved HBB Operator to renew their permits 30 days before the expiration date and to notify the HBB Coordinator of any changes to the nature or termination of the HBB.
 - (4) Maintain a file of sellers/agents/companies with approved permits.

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(5) Issue approved Home-Based Business Permits.

c. The approved HBB Operator will provide clients with DD Form 2885 (Personal Commercial Solicitation Evaluation) and provide a copy to the USAG Japan DFMWR HBB Coordinator.

7. Solicitation Practices. Prohibited solicitation practices include, but are not limited to:

a. Door-to-door solicitation or selling, solicitation in restricted area or entry into any unauthorized area.

b. Solicitation of "mass," "group," or "captive" audiences, i.e., where attendance is not voluntary.

c. Making appointments with or soliciting military or DoD Civilian personnel during their normally scheduled duty hours in office locations.

d. Use of official military identification cards or vehicle decals by active duty, retired or reserve members of the military services to gain access to Army installations for the purpose of soliciting.

e. Offering false, unfair, improper, or deceptive inducements to purchase or trade and offering rebates to promote transactions or to eliminate competition (credit union interest funds to borrowers are not considered a prohibited rebate).

f. Use of any manipulative, deceptive, or fraudulent device, scheme, or artifice, including misleading advertising and sales literature.

g. Any oral or written representations which suggest or appear that the DA or the DoD sponsors or endorses the company or its agents, or the goods, services, and commodities offered for sale.

h. Solicitation by a DoD employee of another DoD employee who is junior in rank, grade, or position, or to the Family Members of such junior personnel within their chain of command, at any time, on or off the military installation.

i. Assignment of desk space for interviews, except for specific, prearranged appointments. During appointments, the agent must not display signs announcing the name of the company or product affiliation.

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j. Unapproved use of the bulletins, marquees, newsletter, Web page, or any other notice, official or unofficial, announcing the presence of an agent and his/her availability.

k. Wearing of nametags that include the name of the company or product that the agent represents to include uniforms, shirts or hats that include the name of the company or product.

l. Offering financial benefits, valuables, or desirable favors to military or Civilian personnel to help or encourage sales transactions. This does not include advertising material for prospective purchasers (e.g., pens, pencils, wallets, notebooks, or items normally with a value of \$1 or less).

m. Use of any portion of installation facilities to include quarters, as a showroom or store for the sale of goods or services, except as specifically authorized by regulations governing the operations of exchanges, commissaries, nonappropriated fund instrumentalities, and POs. This prohibition does not apply to normal home enterprises that are properly authorized by USAG Japan.

n. Unauthorized advertisements citing addresses or telephone numbers of commercial sales activities conducted on the installation.

o. Soliciting without an appointment in areas used for housing or processing transient personnel or soliciting in barracks areas used as quarters.

p. Distribution of literature other than to the person being interviewed.

q. The sale, distribution, or vending of food or drink for human consumption that has been prepared in the kitchen of a private home or other unlicensed facility will only be approved pending meeting all inspection and training requirements in accordance with TB MED 530. To establish a HBB soliciting food or drink the requestor must contact the Department of Public Health for proper guidelines and instruction. HBBs soliciting food or drink will only be approved with the additional approval from the Department of Public Health.

r. Complementary and Alternative Medicines (interventions) are prohibited unless otherwise approved by the Department of Public Health. Services may include physical therapy, occupational therapy, chiropractic medicine, massage therapy, lactation services, homeopathy, and naturopathy. Services such as music therapy, art therapy, and aromatherapy are not prohibited as long as they meet the criteria of this policy.

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s. Engage in commercial activity or private employment on or off-base that is offensive to the Japanese public, lewd, or which appeals to the prurient interests of the audience.

t. Engage in commercial activity or private employment on or off-base directly or indirectly involving the distribution, sale, production, or promotion of adult, pornographic, or obscene sexual use items (e.g., toys, videos, magazines, or other media depicting sexual activity or erotic behavior in a way that is designed to arouse sexual excitement).

8. Business Enterprises in U.S. Government Quarters. Private businesses in government quarters are authorized under limited circumstances. Government housing will not be altered to accommodate private business endeavors unless authorized by the Commander, USAG Japan. The following practices are prohibited:

a. Body Art businesses providing tattoo services. Body Art Businesses that involve the application of permanent makeup, brow lamination, body piercing, Henna, and other invasive treatments are prohibited on Army Installations.

b. Use of any portion of quarters as a showroom or store for the sale of goods.

c. Operating a HBB without the Senior Commander or Garrison Commander, USAG Japan approval could result in adverse action, but is not limited to termination of government quarters.

d. Sale of commercial items:

(1) Purchasing of goods at Army and Air Force Exchange Service (AAFES) retail operations or the Commissary in connection with private business: If handicrafts were to be sold in HBBs, materials to be used for the handicrafts must not be obtained from AAFES retail operations or the Commissary. Using materials obtained from the local economy for this purpose is not prohibited.

(2) Individuals authorized commissary privileges and access will not sell or give away commissary purchases to individuals, organizations, or activities not entitled to commissary privileges, and are prohibited from using commissary purchases to support a private business.

(3) Use of the Military Postal System (MPS) for the transportation of goods for sale or resale:

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(a) Materials to be used or sold in HBBs may not be obtained through the MPS nor redistributed or re-emailed through the MPS. Obtaining such materials from other than MPS (e.g., through commercial, Japan mail systems, purchased in the local economy), is not prohibited.

(b) For sales or services that are customarily conducted in a domestic setting e.g., a "party" hosted by an authorized HBB Operator, customers must place orders personally and directly with Internet commercial retailers. The HBB Operators are prohibited from placing orders on behalf of customer through MPS or have items sent to the HBB Operator themselves for resale or transfer to customers.

9. Commercial Advertisement. Only commercial speech and advertisements approved by the Senior Commander or, Garrison Commander, USAG Japan, are permitted on USAG Japan. This prohibition includes, but is not limited to flyers, posters, banners, product literature, vehicle wraps, and similar advertisements, for the purpose of solicitation. Advertisements placed on or in vehicles on USAG Japan are regulated by and must be approved to the same extent as all other commercial speech and advertisements on USAG Japan. The DFMWR can provide information on locations approved to advertise the occasional sale of personal property, and how to obtain approval for other commercial advertisements.

10. Definition. Cottage Food is food which is produced in a private home or residence and is not a time/temperature controlled for safety (TCS) food. A TCS food is one that requires refrigeration to prevent microbial growth. Characteristics of low and high-risk foods are defined in TB MED 530, Tri-Service Food Code. Cottage Food businesses must provide a written document containing:

- a. The street address of the location where the Cottage Food will be produced.
- b. A list of the Cottage Foods that will be produced.
- c. A copy of the recipe for each food produced. Recipes shall identify all ingredients and a description of the production method and process controls, (example, cooking equipment, product holding/storage, and packaging).
- d. The method of advertising or point of sale location in which the Cottage Food will be provided to the consumer.

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11. Procedures.

a. Requestor: The HBB Operator remains responsible for completing the application process, obtaining the necessary permissions, licenses, and permits (if applicable), and liability insurance. The HBB Operator is responsible for notifying the HBB Coordinator of any changes to the nature or termination of the HBB such as a Permanent Change of Station (PCS). The HBB Operator is also responsible for any damages to third parties arising from the conduct of the business.

(1) Obtain a copy of the USAGJ Form 1931 (Application for Home-Based Business Permit) from <https://zama.armymwr.com/programs/commercial-solicitation-and-home-based-business>.

(2) For food and drink related businesses, requestors must gain approval from the Department of Public Health per paragraph 7 of this USAG Japan Policy.

(3) Submit the USAGJ Form 1931 (Application for Home-Based Business Permit) to the HBB Coordinator 30 days prior to start date.

(4) Coordinate with local officials for approval to operate a HBB in your home; ensure coordination with city council, landlord, and so forth for off post housing.

b. HBB Coordinator:

(1) Route through Staff Judge Advocate (SJA) for Legal Review.

(2) Route to DFMWR for approval.

(3) Route to the Garrison Commander, USAG Japan for final approval.

(4) Issue a HBB Permit for 3 years.

(5) Maintain files on HBBs.

(6) Update HBB Data Call.

12. The proponent for this policy is Nonappropriated Fund (NAF) Support Management Division, DFMWR at 263-4273.

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13. This USAG Japan Policy supersedes USAG Japan Command Policy 210-21-24,
11 September 2021, and will remain in effect until superseded or rescinded.

FOR THE COMMANDER:

Encl
Sample Home-Based Business Permit

ERIC J. HILL
Director, Family and Morale,
Welfare and Recreation

DISTRIBUTION:

A
C
D

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Sample Home-Based Business Permit



You are responsible for renewing this permit 30 days prior to the expiration date if you wish to continue operating your business. You must notify the HBB Coordinator of any changes to the nature or termination of your business.

You are approved **only** for the items listed below:

(Istroll, LLC Camp Zama)
Item: Stroller workout group.

The Home-Based Business
Coordinator is Ms. Rika Osada
rika.j.osada.naf@army.mil
DSN 315-263-5962



Encl