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ADVERTISING AND CONSUMER PROTECTION IN THE FOODS INDUSTRY IN LAGOS STATE NIGERIA

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Abstract
The study examines the relationship between advertising and consumer protection in the Foods industry in Lagos State, Nigeria. The main objective is to review some ethical challenges in advertising food brands and consumer rights in Lagos State, Nigeria. The research design is the descriptive survey and data were gathered through a well-structured questionnaire. The population for the study consists of the numerous customers of Cadbury Nigeria Plc in Ikeja area of Lagos State, Nigeria out of which a sample of 120 respondents were randomly drawn. Questionnaire was the main instrument for data collection, measured on a 5-point Likert Scale. 96 copies of the questionnaire were successfully filled and returned representing response rate of 80%. Data collected were analyzed using the descriptive statistical techniques of Percentiles and Regression methods with the aid of Statistical Package for Social Sciences (SPSS) software for editing and encoding. The result indicates that there exists strong positive relationship between advertising and consumer protection ($r = 0.538$, $p<0.05$) in the Food Industry in Lagos State, Nigeria. The study recommends that Marketing Practitioners and Business Executives should develop and design strong and efficient consumer protection policies to enhance competitive strategies that guarantee brand trust and consumer satisfaction.

Keywords: *Advertising, Consumer Protection, Brand Trust, Consumer Satisfaction*

INTRODUCTION

Advertising is interpretation in terms of audio or visual form of marketing communication that employs an openly sponsored, non-personal message to promote or sell a product, service, or idea. It is involved with presenting messages to attract potential customers and it has significant positive effect on brand loyalty (Hanaysha, 2016). It also helps a firm to create perceived favorable image which is likely become a customer value as well (Hanaysha, 2016). The essential part of doing advertisement is to reach out to consumers and competitors, showing its presence on the market and is one of the key aspect of marketing communication element (Hanaysha, 2016).

However, the major aim of an advertiser is to reach potential customers and create impact on their buying behavior (Ayanwale et al., 2005; Adelaar et al., 2003). Nevertheless, consumer protection is a group of laws and organizations designed to ensure the rights of consumers as well as fair trade, competition and accurate information in the market place. The laws are designed to prevent the businesses that engage in fraud or specified unfair practices from gaining an advantage over competitors. They may also provide additional protection for those most vulnerable in society. Consumer protection laws are a form of government regulations that aim to protect the rights of consumers which may require businesses to disclose detailed information about products, particularly in areas where safety or public health is an issue, such as food.

Consumer protection law or consumer law is considered an area of law that regulates private law relationships between individual consumers and the businesses that sell those goods and services. Consumer protection covers a wide range of issues, including but not necessarily limited to product liability, privacy rights, unfair business practices, fraud, misrepresentation, and other consumer/ business interactions. It's a way of preventing frauds and scams from service and sales contracts, eligible fraud, bill collector regulation, pricing, utility turnoffs, consolidation, personal loans that may lead to bankruptcy.

Advertising connect to ethical and responsive behaviour by organization towards environment, cultural, social, and economical issues. For effectiveness and efficiency in the practice of advertisement, the organization must know the impact of service they render to the customers, the product they sell to them and they must bring new plans that would minimize negative impact of their service to the consumers (Adelaar et al., 2003).

Most organization in Nigeria do not have the required capability to carryout advertisement effectively because they are not banded by the law of Nigeria, as a result of this, they see misleading advertisement as being ethical and not being obligatory that they must carry out, but they do this out of their will. It is only when advertisement is backed by the law of Nigeria that organization that do things out of their own will can see it as obligatory, if not so then they face the consequences of the law.

Misleading advertisements are falsely claiming a product or service to be of superior quality, grade or standard. The right to be informed is an important component of consumer protection. The consumer must be provided with adequate and accurate information about quality, quantity, purity, standard and the price of the goods and services. Manufacturers are expected to provide detailed information about the contents of the product, its quantity, date of manufacturing, date of expiry, maximum retail price, precautions to be taken, etc. on the label and package of the product. Such information helps the consumers in their buying decision and use of the product. Again, it is considered unethical to run down or make negative commentaries about rival products or substitutes (Srivastava & Nandan, 2010). These practices are very common today. Most organizations see running down of competitor's product as being ethical. Organizations should focus more on what their product can do rather than telling the consumers what their rivals products cannot do, this is just so unethical.

Misleading advertisement often exaggerates the quality of products. For instance, Coca Cola showed unethical issues behind its production by using Karl Langerfeld (a famous fashion designer) who had claimed to lose 80 pounds on a diet that was mainly attributable to diet Coke. This advert was specially targeted towards women as it claimed to be conveyed as a fashion trend. Coke used this model and world-renowned fashion designers both of who are cautious of body image which shows the wrong message for women especially young women. This advert shows that diet Coke is the way of going about achieving a thin and attractive body. It is ethically wrong to use famous fashion designer's extreme dieting ways in order to promote diet Coke. It is not only advocating an extreme statement but it is also sending the wrong message about the drink by directly associating it to a "healthy ideal body", hence the consumers should not rely on the advertisement and carefully check the product or ask the users before making a purchase. In case there are discrepancies, the same should be brought to the notice of the sponsors and the appropriate authority, if need be.

Statement of Research Problem

Advertising connect to ethical and responsive behaviour by organization towards environment, cultural, social, and economical issues. For effectiveness and efficiency in the practice of advertisement, the organization must know the impact of service they render to

the customers, the product they sell to them and they must bring new plans that would minimize negative impact of their service to the consumers.

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It is considered unethical to shame a rivals product or a substitute (Srivastava & Nandan , 2010). These practices are very common today. Most organization see shaming of competitor's product as being ethical, organizations should focus more on what their product can do rather than telling the consumers what their rivals product can not do, this is just so unethical.

Consequent on the stated above, this study is examines the effect of advertisement and consumer protection in food industry in Lagos state, Nigeria using Cadbury Nigeria Plc as a case study.

1.3 Objective of the study

To examine the effect of advertising on consumer protection in the Foods Industry in Lagos State, Nigeria.

Research Hypothesis

i. There is no significant relationship between advertising and consumer protection in the Foods Industry in Lagos State, Nigeria.

Literature Review

Advertising is the means of informing as well as influencing the general public to buy a product or services through visual or oral messages. A product or service is advertised to create awareness in the minds of potential buyers through various advertising mediums such as Newspaper, Magazines, Television, Radio, Posters, Hoardings, Billboard and in recent time internet and web advertising. It is a promotional activity for marketing a commodity. In the present day world of mass production and distribution, advertising serves as a powerful tool in the marketing process. Advertising is used for communicating business information to the present and prospective customers. It usually provides information about the advertising firm, its product qualities, place of availability etc. Advertising is the integral part of our daily life. It is a pervasive method of marketing in society which encourages people to purchase goods and services. Advertising contributes to bring about all round development of the economy by increasing demand and by encouraging economic activities which in turn improves the income. It motivated people to consume more material and thereby improves their standard of living. Effective advertising generates demand for goods and services and calls for more production which requires more physical and human resources, thus creating employment opportunities. In the modern age of large scale production, producers cannot think of pushing the sale of the product without advertising. Advertising has acquired great importance in the modern world where tough competition in the market and fast changes in technology, altered our lifestyle.

The term 'advertising' is derived from the Latin word 'ac/vertere' which means 'to turn' the attention. Every piece of advertising attempts to turn the attention of the readers or the listeners or the viewers towards a product. The most widely accepted definition of advertising is the one which is given by the American Marketing Association, according to which advertising is "any paid form of non-personal presentation and promotion of goods, services and ideas by an identified sponsors" (Kazmi & Batra, 2008). But the definition has some limitations because it does not talk about the persuasion aspect of advertising, without which it is very difficult to achieve advertising objectives. A survey of recent advertising and marketing textbooks

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...es it obvious that there is no universally ...pted definition of advertising; however ...n recurring elements such as paid, non-...onal, identified sponsors, mass media, act ... persuasion makes advertising to be ...rolled means of mass communication, may ...e any form-visual, oral or written to promote ...duct through persuasive communication to ...ieve a pre-determined objectives, changing ... reinforcing the desired attitude of the ...sumers at the point of purchase.

...e advertising message is considered as an ...portant component in advertising ...munication process. It is the thought, idea, ...de, image, or other information that the ...ertiser wish to convey to the target audience. ...w an advertising message is presented is ...ically important in determining its ...ctiveness. An ideal advertising message ...uld command and draw attention, hold the ...erest, arouse desire for possession of the ...duct, and elicit action (Gupta, 2012).

...e effectiveness of an advertising message ...ends to a large extent on its visual contents. ...e advertiser must locate an appeal, theme, ... or a unique selling proposition. An ...rtising appeal refers to the approach used ... an advertiser to attract the attention or ...erest of the consumer and influence their ...ings towards the product, service or idea. ...ough the use of different kinds of appeals, ...rtising attempts to persuade and influence. ... visual and non-verbal elements in ...rtising play a dominant role in attracting ... consumers. A good number of ...rtisements uses very little written ...rmation and mainly focus on the visual ...ents to convey the message. The visual ...ents used in the advertisements not only ...y the information, but also reinforce the ...rtising claims. Audiences often develop ...ressions or image based on certain ...rations and pictorial representation ...ed in advertisements which increases ...diate recall value.

...ures a good connectivity and trust between ...ertiser and the consumers and adds value to the product. Since the advertiser expects to create a favourable attitude about the product which will lead to positive actions in the mind of the consumer, a unique visual attribute is required to enhance the taste and acceptance of the consumer about the product thus advertised. The study focuses on the application and relevance of two distinct visual elements - cartoons and caricatures, which need to be discussed for better understanding of the application and importance of humor in Indian advertising.

Advertising Media

Regardless of how well designed and appropriate a particular advertisement is, its success is continuously depends upon whether it is transmitted or communicated through an appropriate media or not. An advertising medium is a channel of communication through which the advertising message is conveyed to a large group of prospect consumers. A wise selection of media is aimed at maximum effective coverage at minimum costs. Therefore the choice and selection of advertising media is a critical decision in the area of advertising. Advertising media can be broadly classified into two major categories: Print media and Electronic media. Print media encompasses mediums such as Newspaper, posters, magazine, journals, packaging and other miscellaneous media like handbills, brochure, catalogue etc. whereas electronic media also referred to as broadcast media deals with radio and television in particular.

Outdoor advertising medium or Out of Home (OOH) in the form of poster, billboard, kiosks, gantry, hoardings, which are mainly printed formats for outdoor purpose. Recent advertising mediums includes internet, digital, web and online advertising. The most brilliant and original advertising ideas will be wasted if they are not presented through the right media in the right place and at the right time. Hence the selection of right media is an important for achieving the objectives of advertising. An advertising media is a means or vehicle of

delivering a definite message. It is a means through which an advertising messages or information is passed on to the prospective customers, readers, viewers, and listeners.

Print is one of the oldest and the most highly regarded media of advertising and also a very challenging one. Executing a creative idea in this medium calls for various skills such as creative writing, visualization, designing etc. Print advertising is the most popular and effective method of publicity. It has become a part of our culture and socio- political life today. Press also referred to as print, is an advertising media comprising all those vehicles which carry the advertising message in print to be read by target customers. In India, this media is very commonly used by companies and account for nearly 70 % of their total expenditure of advertising media (Sharma and Singh, 2009).

The contribution of print media in providing information and transfer of messages is remarkable, that has the advantage of making a longer impact on the mind of the consumers. The majority of the advertising in India is carried out in the printed form of newspapers and magazines in prominence with few other miscellaneous print mediums like direct mail, booklets, catalogues, brochures, handbills, leaflets, shade cards etc. in addition, there are various other print-based advertising media like the yellow pages, outdoor media, billboard etc (Ahuja and D' Souza, 2009). Since print media are characterized by a publication based environment; selective targeting is possible, and there is a greater involvement of the audience.

Specialty advertising provides low cost articles as gift novelties for the customers constitutes calendars, ball pens, dairies, begs etc. which bears the names and logo of the advertisers, printed on the articles to build a brand image with every purchase. Selection of a right media is an important factor in advertising, which must be capable of attracting the attention of the consumers and at the same time must be economical to reach a larger section of readers. The nature of advertising message appeal also determines the advertising media for a company.

Consumer Protection

Consumer protection means safeguarding the interest and rights of consumers. In other words, it refers to the measures adopted for the protection of consumers from unscrupulous and unethical malpractices by the business and to provide them speedy redressal of their grievances. The most common business malpractices leading to consumer exploitation are: sale of adulterated goods, sale of spurious goods, sale of sub-standard goods, sale of duplicate goods, use of false weights and measures leading to underweight, hoarding and black-marketing leading to scarcity and rise in price, charging more than the Maximum Retail Price (MRP) fixed for the product, supply of defective goods, misleading advertisements and supply of inferior services i.e., quality of service lower than the quality agreed upon.

The above instances show the exploitation of consumers in the context of goods and services.

Need for Consumer Protection

The necessity of adopting measures to protect the interest of consumers arises mainly due to the helpless position of the consumers. There is no denying fact that the consumers have the basic right to be protected from the loss or injury caused on account of defective goods and deficiency of services. But they hardly use their rights due to lack of awareness, ignorance or lethargic attitude. However in view of the prevailing malpractices and their vulnerability there to, it is necessary to provide them physical safety, protection of economic interests, access to information, satisfactory product standard, and statutory measures for redress of their grievances. The other main arguments in favour of consumer protection are social responsibility, increasing awareness, consumer satisfaction, principle of social justice, principle of trusteeship and survival and growth of business

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Rights of Consumers

John F, Kennedy, the former USA President, in his message to consumer had given six rights to consumers. These rights are right to safety, right to be informed, right to choose, right to be heard, right to redress and right to represent. These rights had paved the way for organised consumer movement in the USA and later it spread all over the world. In India, the Consumer Protection Act, 1986 has also provided for the same rights to consumers. Let us have a brief idea about these rights of consumers.

Responsibilities of Consumers

These include to be quality conscious, beware of misleading advertisements, responsibility to inspect a variety of goods before making selection, collect proof of transaction, consumers must be aware of their rights, complaint for genuine grievances and proper use of product/services

Apart from the responsibility enumerated above, the consumers should be conscious of their duty towards other consumers, society and ecology and make responsible choice. In other words, their purchases and consumption should not lead to waste of natural resources and energy and environmental pollution.

Theoretical Reviews

i. Motivation-Need Theory: Abraham Maslow put forward his hierarchy of needs in 1943, sending ripple effects through the entire psychological community. Under his theory, people act to fulfill their needs based on a five-tier priority system. The needs include, in order of importance: physiological (survival), safety, love, esteem, and self-actualization. Business schools and marketing classes adapted Maslow's theories to explain the need to tailor marketing messages to consumers in a particular way. Successful marketing campaigns must not only bring awareness to a product, but also establish its place somewhere in the hierarchy of needs. Consumers are motivated to prioritize purchases toward the base of the hierarchy, so it is vital that companies draft a message that instills a sense of need or urgency in consumers. Marketers have been able to use motivation-need theory very effectively by creating an artificial need for consumers. Modern luxury carmakers are especially good at highlighting the safety and security features of their vehicles over the aesthetic. In the consumer's mind, they need to spend the money on an expensive luxury car because it is the only way they can provide adequate safety features for their family.

ii. A strong review foundation could be better discussed through the Engel, Kollet, Blackwell (EKB) Model. The EKB Model expands on the Theory of Reasoned Action, and lays out a five-step process that consumers use when making a purchase. The first step, input, is where consumers absorb most of the marketing materials they see on television, newspapers or online. Once the consumer collects the data, he or she moves into information processing, where the consumer compares the input to past experiences and expectations. Consumers move to the decision-making stage after a period of thought, choosing to make a purchase based on rational insight. Consumers are affected in the decision-making phase by process variables and external influences, including how the consumer envisions his or herself after making the purchase. Under the EKB Model, marketers have two periods where their input is the most valuable. During the initial information stage, marketers must provide consumers with enough information about the product to drive the consumer to keep the company's products under consideration for purchase. Marketing becomes a factor again in the phase of external influences. Lifestyle brands are very good at instilling desire in the consumer to look or feel a certain way with the product, even if the brand's product is not fundamentally different from the competition.

Engel, (1978) developed a model of consumer decision-making. This model is also known as EKB model. It describes consumer decision process and how decisions are made when choosing among a list of alternatives available.

The model builds on the field of consumer psychology theories and model such as Howard's (1963) theory of buyer behavior and Nicosia's (1976) theory of consumer decision process. However, with the EKB model, environmental factors are additional variables that influence the formation of consumer decisions. The EKB is considered one of the most important work in the field of consumer behavior (shiffman and Kanuk 2008).

EKB model basically consist of five sequential steps where information is processed before consumption decision are made. The first stage starts with the need or problem recognition. This is followed by a search for alternative solutions which involves obtaining relevant information from various sources; both the external environment as well as internal self (e.g. memory and experiences). The third stage involves the evaluation of alternatives that is subjected to customer's personal criterion in deducting the preference. Once the decision is made, the consumer moves unto the next fourth stage where the purchasing of the selected alternative takes place The final step involve post-purchase evaluation. The basic framework of the EKB begins with the state of unfulfilled needs and wants.

The EKB model went through a series of revisions and modifications and finally became the Engel, Blackwell, and Miniard Model (2001). The revised model consists of four section namely; information input, information processing, decision process and external variables influencing the decision process. The variables and the working and the working relationship are similar to the EKB model but have been slightly modified. According to some researchers, this is one of the major key strengths because the added factors embrace contemporary definitions of consumer behavior, the model also suffers the weakness of s clear definition of variables, vagueness and complexity. The model attempts to define the variables and specify functional relationships between the various constructs. However, the model fails to adequately explain as to how each of these influences consumer decision making; in the view of Loudon and Bitta (2002), the environmental and individual variables have drawn criticism due to the vagueness of their definition and role within the decision process. They further explained that the influence of the environmental variables is identified, but their role in affecting behaviour is not well developed.

The EKB model has been criticized as being too restrictive to adequately accommodate the variety of consumer decision situations. The EKB model, like other consumer decision theories, suggests that consumer's purchase decision process consists of stages through which the consumer goes through in purchasing a product or service. However, it is not necessary for every consumer to go through all the five stages when making a decision to purchase and in fact, some of the stages can be skipped. It rather depends on the situation in which the consumer finds himself or herself. whether the problem is an extensive or a routine problem-solving behaviour.

Methodology

The descriptive survey research design was adopted for the study. The population o the study is 648,720 (Lagos State Bureau of Statistics, 2012) while the simple random sampling technique was used to select 120 individuals who are customers of Cadbury Nigeria Plc around Ikeja Local Government Area of Lagos State, Nigeria. A structured questionnaire, divided into two parts A and B, was used in collecting the required data from the respondents. The questionnaire was measured on a 5-point Likert scale from Strongly Agree to Strongly Disagree while the descriptive statistical techniques of Percentile and Spearman Correlation were used to analyse the data.

Results and Analysis

A total of 120 questionnaires were distributed to the respondents in which only 96 were fully filled and suitable for further statistical analysis. This also gives return rate of 80%

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Table 4.1: Summary of result of hypothesis I

Statistics	Values
p-value	0.000

Level of significant p=0.05

Source: Author's Computation, 2019

The result in the table shows that there exists strong positive relationship between advertising and consumer protection with correlation coefficient of 0.538. In addition, only the p-value < 0.005 significance level, indicating that the relationship is significant and hence the alternative hypothesis can be accepted and we conclude that there is a significant relationship between advertising and consumer protection in food industry of Lagos State, Nigeria.

Conclusion

Management and Marketing Executives should recognise that the protection of the rights of consumers is an important driving force towards improved sales performance and customer loyalty. The study strongly recommends to the management of Cadbury Nigeria Plc and indeed other manufacturing companies, to develop and design consumer protection policies as a competitive strategy within the business environment and community. Also, the food manufacturing companies in Nigeria must realize and uphold ethical standards to protect the rights of consumers and that government and the relevant parastatals should empower the regulatory bodies and agencies to be more efficient and effective in safeguarding the interests of consumers.

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