CHAPTER IV

UN GUIDELINES ON CONSUMER PROTECTION AND THEIR IMPLEMENTATION IN DIFFERENT COUNTRIES
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INTRODUCTION :

Due to considerable growth of interdependence of world economy and rapid increase in the international business activities, there has been increasing recognition of 'consumer protection' in the international sphere in recent years. Hence, the consumer protection policies and measures are no longer confined only to the national level, but extended to the international level also.

The increasing recognition of international dimensions of consumer protection is reflected in the work of a number of international organisations and is also more and more being recognised in domestic consumer protection policies. In the international sphere, the General Assembly of the United Nations Organisation, adopted by consensus a set of guidelines on 'consumer protection' on the 9th of April 1985. These Guidelines are meant to provide framework for countries, particularly for developing countries to strengthen the policy and legislation to protect consumers and also to promote international cooperation in the field. The Governments of different countries of the globe, have taken steps for proper implementation of the provisions of UN Guidelines in their respective countries.
In the present CHAPTER, it is intended to make a brief analysis on the UN Guidelines on 'Consumer Protection' and their implementation in different countries of the globe.

4.1 THE UNITED NATIONS GUIDELINES ON CONSUMER PROTECTION:

In the international scenario, Ninth of April, One Thousand Nine Hundred Eighty Five, is a very significant and auspicious day in the history of the development of consumer protection policy. It was on this particular date, the General Assembly of the United Nations adopted a set of general 'Guidelines' for consumer protection, known as 'United Nations Guidelines for Consumer Protection', vide the United Nations General Assembly Resolution on Consumer Protection, No.39/248(1985)

"The Global Consumer Protection Movement received an impetus on 9th April, 1985. the General Assembly of the United Nations adopted by consensus a set of general guidelines for consumer protection which are based on the philosophy that consumer protection is a basic right of all that it is even more vital for the poorees and most disadvantaged than for the most affluent and should be seen as an integral part of the development process."¹

By adopting the said United Nations Guidelines For Consumer Protection, it is aimed to provide a suitable framework for the

Governments, more particularly belonging to the developing countries, so that they can adequately use and apply various consumer protection policies and legislations and as well as to strengthen the same.

The origin of the "United Nations Guidelines for Consumer Protection" (henceforth mentioned simply as "UN Guidelines") relates back to the late 1970's, at the time when the 'Ecomonic and Social Council' (ECOSOC) recognised the increasing demand for consumer protection and welfare both in the international and national level, which had a considerable practical impact on socio-economic development. In the year 1977, the ECOSOC asked the Secretary-General of the United Nations to prepare a survey of national institutional and legal arrangements in the field of consumer protection. As a consequence of this development, in the year 1978, the Secretary-General of the United Nations, produced the reports of the said survey relating to national institutions and legislations in the area of consumer protection. The ECOSOC in the year 1979, requested for a comprehensive report, containing measures on consumer protection for the consideration by Governments. In the year 1981, the ECOSOC, in response and recognition to the need for an international policy framework within the ambits of which further efforts for consumer protection could be pursued, once again requested the Secretary-General of the United Nations to continue consultation in order to develop a set of general guidelines for consumer protection, taking into account the needs and requirements of the developing countries. The UN Secretary-General accordingly carried out consultations with Governments and International Organisations, on the subject and submitted the Draft Guidelines for Consumer Protection before the ECOSOC in the year
In the preparation of the said UN Guidelines, a significant impetus also has been provided by the recommendations and suggestions of a regional consultation on the concerned matter, organised by the Economic and Social Commission for Asia and the Pacific (ESCAP) at Bangkok in the year 1987.

After the submission of Draft Guidelines before the ECOSOC in the year 1983, there were extensive discussions and negotiations in respect of the scope and content of the said Guidelines, culminating in their adoption in the year 1985.

The ECOSOC, in order to accelerate the practical action of the UN Guidelines, passed a resolution in July in the year 1988, by which all the Governments were urged to implement the provisions of the UN Guidelines. It further requested the UN Secretary-General to continue the efforts to promote and implement the UN Guidelines (subject to the sufficiency of extra-budgetary resources) and also in co-operation with the relevant Agencies of the Organisation to continue to provide assistance to the Governments, specifically to those of developing countries in implementing the provisions of the Guidelines. Significantly, a report regarding the implementation of the above resolution passed by the ECOSOC has been considered by the same Council in July 1990 and reaffirmed its former stand in the concerned area and once again requested the Secretary-General of the United Nations to develop a programme of action for the next five years in respect of implementation of the UN Guidelines.

4.2 CONTENTS OF THE UN GUIDELINES FOR CONSUMER PROTECTION:

Considering the fundamental interest and needs of the consumers over the globe and more particularly the consumers hailing from the developing countries, the basic objectives of the UN Guidelines has been inducted in 'Section-I' of the said Guidelines. In recognition to the problems of imbalances in economic terms, educational standards and bargaining powers, which very often have been faced by the consumers and also in recognition of the importance of promoting just, equitable and sustainable economic growth the UN Guidelines itself set the objectives, such as-

(a) To assist countries in achieving or maintaining adequate protection for their population as consumers.

(b) To facilitate production and distribution patterns responsive to the needs and desires of consumers.

(c) To encourage high levels of ethical conduct for those engaged in the production and distribution of goods and services to consumers.

(d) To assist countries in curbing abusive business practices by all enterprises at the national and international levels which adversely affect the consumers.

(e) To facilitate the development of independent consumer groups.

(f) To further international co-operation in the field of consumer protection.
(g) To encourage the development of market conditions which provide consumers with greater choice at lower prices.

'Section-II' of the UN Guidelines devoted to 'General Principles', through which the Governments are urged to develop, strengthen or maintain a strong policy on consumer protection, taking the UN Guidelines as a basis for stepping forward in the concerned area. But, in doing so, the Government of each country must have to categorize its own sections of priorities in respect of formulation of consumer protection policies in accordance with the socio-economic circumstances of the country, the overall requirements of its population and with a clear consideration in respect of the costs and benefits of proposed consumer protection measures or policies. Hence, the principles as introduced in the UN Guidelines, permitted the countries to assess its own priorities independently and individually for the formulation of consumer protection policies in the light of its own needs and circumstances as well.

The UN Guidelines advanced six 'legitimate needs' which the Guidelines are intended to meet with. It is to be mentioned here that the said 'legitimate needs', as promulgated by the Guidelines, restate the basic consumer rights, as US President J. F. Kennedy forwarded in his first US Presidential Message on 'Consumer Protection' on the 15th of March, 1962, with one exception— the exception of 'consumer representation.' These 'legitimate needs' which the Guidelines intended to meet with are:

(1) The protection of consumers from hazards to their health and safety
(ii) The promotion and protection of the economic interest of consumers

(iii) Access of consumers to adequate information to enable them to make informed choices according to individual wishes and needs.

(iv) Consumer education;

(v) Availability of effective consumer redressal;

(vi) Freedom to form consumer and other relevant groups or organisations and the opportunity of such organizations to present their views in decision making processes affecting them.

In the 'General Principles' of the UN Guidelines, stress has also been given on the need to provide or maintain adequate infrastructure to develop, implement and maintain the consumer protection policies on the part of the Governments of the concerned countries.

Although the UN Guidelines are mainly addressed to the Governments rather than to business communities, but it urged all business enterprises to respect and obey the relevant laws and regulations, those are in force in the countries in which they do business. It also appealed the said business enterprises to conform with the provisions of international standards for consumer protection to which the competent authorities of the concerned countries have agreed upon.

Section - III of the 'Document' contains the guidelines, which are equally applicable to both home produced goods and services and to imports as well. These Guidelines emphasised the importance of ensuring
that the consumer protection provisions in the event of their application, do not become barriers to international trade and that they are consistent with international trade obligations. These Guidelines themselves cover seven areas which are as follows:

(i) PHYSICAL SAFETY:

In the area of physical safety, through the Guidelines, the Governments are urged to adopt or encourage the adoption of appropriate measures, including legal enactments, safety regulations, national or international standards and the maintenance of safety records in order to ensure that the products are safe for either intended or normally foreseeable use. Likewise, the Guidelines also urged the manufacturers and the distributors to ensure that the goods under their care are safe and not hazardous due to improper handling and storage. It also stressed on the adequate policy of consumer instruction and information in respect of proper use of goods and also in regard to detail and clear information about any risk involved in the use of such goods.

The Guidelines as included in Section-III of the Document also advocated for an adequate policy of information and notification to the appropriate authority by the manufacturers or the distributors without any delay in the event of discovering any unforeseen hazards in respect of any product after being placed in the market.

Similarly, the Guidelines urged the Governments to adopt necessary measures to recall the manufacturers or the distributors, for replacement, modification or substitution of any product when a product is found to be seriously defective and/or constitute a substantial and severe hazard,
even the product has been used properly. On the other hand, the Guidelines recommended for the adequate compensation to the consumers, if it is not possible to do the said product replacement, modification or substitution by the manufacturers or the distributors within a reasonable period of time.

(ii) **PROMOTION AND PROTECTION OF CONSUMERS' ECONOMIC INTERESTS**:

According to the 'Guidelines' as contained in Section-III of the Document, the Government policies should aim to make the consumers able to obtain maximum benefit from their economic resources and the Governments should also seek to implement the necessary policies for satisfactory production and performance standards, adequate distribution methods, fair and unscrupulous business practices and effective protection against such business and commercial activities, which could affect the economic interests of the consumers adversely.

In order to prevent mal-practices in the field of business and trade, the Guidelines appealed the Governments to intensify their efforts in concerned areas. In this regard, according to these 'Guidelines', the 'consumer organisations' should be encouraged to monitor or supervise the adverse business practices, like adulteration of food items, false or misleading claims in marketing, service frauds etc., so that proper steps can be initiated against all these evil practices.

The Guidelines urged the Governments to develop and implement the necessary measures to control the restrictive and other abusive business practices which may be detrimental to the interests of the consumers. Similarly, the Governments according to these Guidelines,
should encourage fair and effective competition in order to facilitate the consumers with the greatest range of choices among products or services at the lowest cost. The Governments should adopt necessary policies to make clear the responsibility of the producers or manufacturers in respect of ensuring the durability, reliability, utility and fitness of the products and similar policies should apply to the provision of services also. Governments are also urged to keep their eyes open regarding the availability of adequate after sales services and spare parts to be provided by the manufacturers.

The Guidelines advocated for the protection of the consumers against any contractual abuses. Governments are urged to encourage all concerned to take part in the free flow of accurate information on all aspects of consumer products which may enable the consumers to take independent and accurate purchasing decisions.

Governments within their own national context as urged by the Guidelines, should encourage the formulation and implementation of codes of marketing and business practices in co-operation with the consumer organisations, in order to ensure the adequate protection of the consumers. The Guidelines also suggested the Governments for regular review of the legislations pertaining to weights and measures and assess the adequacy of the machinery for its enforcement.

(iii) STANDARDS FOR THE SAFETY AND QUALITY OF CONSUMER GOODS AND SERVICES:

In order to facilitate the safety and quality of the goods and services, the Guidelines urged the Governments to formulate the policies in respect
of quality and safety of the products and also promote the implementation of the said policies at the national and international levels with proper publicity. The Guidelines advocated for the review of the said policies and regulations by the concerned Government authorities from time to time. The governments are also urged to make efforts to raise the standards of the products and services promptly, where a standard lower than the generally accepted international standards is being applied because of local economic conditions in some circumstances. Similarly, the Guidelines also seek to make an appeal to the Governments to encourage and ensure the availability of facilities to test and certify the quality, safety, and performance of the essential consumer goods and services.

(iv) DISTRIBUTION FACILITIES FOR ESSENTIAL CONSUMER GOODS AND SERVICES:

In the area of distribution of essential consumer goods and services, the Guidelines advised the Governments to consider where appropriate, for the adoption and maintainance of necessary policies to ensure the efficient distribution of goods and services to the consumers. The Governments should take special care for the same in case of rural consumers, where the said distribution is endangered. The Governments are also urged to encourage for the establishment of 'consumer cooperatives' especially in the rural areas, in order to facilitate the proper distribution of consumer goods as well as services also.
(v) MEASURES ENABLING CONSUMERS TO OBTAIN REDRESS:

The Guidelines urged the Governments to establish and maintain the legal and administrative measures in order to facilitate the consumers or the relevant organisations in obtaining the proper redressal of their various grievances through formal or informal procedures, which are expeditious, fair and inexpensive one and easily accessible even by the low-income consumers also.

Similarly, the Guidelines appealed the Governments to encourage all enterprises to resolve the consumer disputes in a fair, expeditious and informal manner and also to set-up 'voluntary mechanisms' in order to facilitate the required assistance to the consumers, comprising of advisory services and informal complaint procedures. The Governments also should take initiative in providing necessary informations to the consumers regarding available redressal and other dispute resolving procedures.

(vi) EDUCATION AND INFORMATION PROGRAMMES:

The said Guidelines have placed a considerable emphasis on the education and information programmes as a vital measure for the protection of the rights and interests of the consumers. They urged the Governments to develop or to encourage the development of general consumer education and information programmes. According to the Guidelines, the aim of such programmes should be to make the people able to act as discriminating consumers, capable of making an informed
choice of goods and services and conscious of their rights and responsibilities as well.

In a significant move, the Guidelines advocated for a special attention that should be given in developing consumer education and information programmes to disadvantaged consumers including poor and illiterate consumers of both rural and urban areas. The Guidelines also recommended for the inclusion of consumer education into the basic curriculum of educational system in the countries.

According to the Guidelines, the consumer education and information programmes should cover and include the following important aspects of consumer protection --

(a) Health, nutrition, prevention of foodborne diseases and food adulteration:

(b) Product hazards:

(c) Product labelling:

(d) Relevant legislations how to obtain redress, and agencies and organisations for consumer protection:

(e) Informations on weights and measures, prices, quality, credit conditions and availability of basic necessities: and

(f) As appropriate, pollution and environment.

The Guidelines urged the Governments to encourage the consumer organisations and other concerned groups including the 'media' also, in order to undertake consumer education and information programmes to enable the consumers to raise their voices for the protection of their
rights and interests. It also urged the Governments to develop or encourage the development of consumer information programmes through the means of 'mass media' and also to encourage the organisation of training programmes on consumer education and information matters as well.

(vii) MEASURES RELATED TO SPECIFIC AREAS (PRINCIPALLY FOOD, WATER AND PHARMACEUTICALS):

The Guidelines showed its keen concern, regarding protection of the consumers over some specific areas comprising of food, water and pharmaceuticals mainly. The Guidelines appealed to the Governments to give the adequate priority to the areas concerned with the question of health of the consumers, such as food, water and pharmaceuticals. In this respect, according to the Guidelines, the Government policies should be aimed to control the quality of the products, to provide and secure adequate distribution facilities, to standardise international labelling and information in respect of concerned products as well as to organise educational and research programmes in these areas.

FOOD & WATER:

The Guidelines urged the Governments, at the time of formulating national policies and plans regarding food to take into consideration the need of all consumers for food security and should as far as possible, adopt standards from the Food and Agricultural Organisation of the United Nations and the World Health Codex Alimentarius or, in the
case of their absence, other generally accepted and recognised international food standards. Similarly, Governments according to the Guidelines, should initiate, develop and maintain the necessary food safety measures, in order to facilitate food security to the consumers.

The Guidelines also urged the Governments to formulate and develop national policies in respect of improving the supply, distribution and quality of water to be used for the drinking purpose by the consumers.

PHARMACEUTICLES:

In order to provide necessary security in the field of pharmaceuticiles, the Guidelines urged the Governments to develop or maintain the adequate standards, provisions, and appropriate regulatory system for the purpose of ensuring the quality and proper use of pharmaceuticiles through integrated national drug policies. In doing so in the practical field, Government should give special consideration to the work and recommendations of the World Health Organisation on Pharmaceuticiles.

The Guidelines, in addition to the above discussed priority areas, appealed the Governments to adopt appropriate and necessary measures in some other areas also, in order to safeguard the rights and interests of the consumers.

Section - IV of the UN Guidelines for consumer protection, contains provisions relating to international co-operation on consumer policy matters. In this section, the Guidelines urged the Governments to develop, maintain or strengthen as appropriate, the necessary mechanism for the exchange of informations on national policies and measures in
respect of consumer protection. It also urged the Governments to cooperate both in the implementation of the consumer protection policies to achieve greater results within the existing resources and also to improve the conditions under which essential goods are offered to consumers, giving due regard to price and quality.

On the other hand, the said UN Guidelines recommended for the development of adequate information link by the Governments regarding products which have been banned, withdrawn or severely restricted, so that other importing countries may be able to protect themselves against the harmful effects of such products. Similarly, Governments are urged to keep their strict vigilance on the quality of products and various informations relating to such products, so that they cannot vary from country to country in a way that would have adverse impacts on the consumers.

Lastly, the said UN Guidelines emphasised that Governments should work to ensure that policies and measures for consumer protection are implemented with due regard to their not becoming barriers to international trade and that they are consistent with international trade obligations.

4.3 LEGAL STATUS AND PRACTICAL APPLICATION OF THE UN GUIDELINES FOR CONSUMER PROTECTION:

In fact, the above discussed UN Guidelines for consumer protection are not binding on countries as a matter of international law, but they are only recommendations on the concerned subject for action by the Governments. These UN Guidelines are the recommendations for action
by the Governments rather than to be mendatory in their nature. The practical impact of the UN Guidelines, ultimately depend on the importance attached to them by the Governments. The said UN Guidelines facilitate the Governments with a framework on the basis of which the necessary and required consumer protection policy can be developed and evaluated in the countries of the Globe. They are providing their assistance not only to the Governments, but also to various consumer organisations as a starting point of their own activities in making proposals for change in the discussed area. Practically these UN Guidelines can be regarded as a blueprint for a comprehensive consumer policy, a checklist for the evaluation of existing laws and policies on the subject and also a starting point for new developments in the area.

The Governments of different countries of the world as well as various consumer organisations already revealed their keen interests in implementing the provisions of UN Guidelines in practical field, in order to draw a framework for developing consumer policies according to their own requirements.

In Uruguay, taking the UN Guidelines as a starting point, a 'Consumer Defence Bill', based on the said UN Guidelines, was presented in the Parliament and as a consequence a 'National Board of Consumer Protection' was established subsequently. Similar development took place in Ecuador also, which established a 'National Consumer Protection Board', after due consideration of the provisions of UN Guidelines. In Australia, the Attorney-General, in order to make an evaluation in respect of the relations of the consumer policy of the country with that of the provisions of the UN Guidelines, requested the
'National Consumer Affairs Advisory Council' to advise him regarding the extent to which the consumer policy of the country met the objectives as set-out in the UN Guidelines. In Korea, and Malaysia also, similar activities have been undertaken by the consumer groups.

To make a discussion on the matter of implementation of the provisions of UN Guidelines, a regional consultation for Latin America and the Caribbean was held under the auspices of the United Nations, in March 1987. In a significant development in the implementation of the provisions of the UN Guidelines, a regional seminar on the subject was held in 'Montevideo' in the year 1987, which was attended by participants of the Governments of twenty Latin American and Caribbean countries and a number of other observers, including representatives of consumer organisations, representatives of IOCU (International Organisation of Consumers' Unions) and the representatives of International Chamber of Commerce. This particular meeting in recognition to the adoption of the provisions of UN Guidelines as an act of fundamental importance, recommended the Governments of the Latin American and Caribbean region to take necessary initiatives to implement the provisions of the UN Guidelines effectively, without any delay. In this 'Montevideo Meeting', an important step has been taken for the establishment of an informal communication net-work between the 'consumer organisations' of the entire region. After the historic 'Montevideo' seminar on the subject, Equador decided to increase the activities of its previously established 'National Consumer Protection Board', and likewise, Argentina also decided to set-up a 'Department of Consumer Protection' in the country. Chile, Peru, Brazil and Handuras also have showed their keen interest and concern for the proper implementation of the provisions of UN Guidelines through legislative enactments, after the 'Montevideo'
meeting. In Brazil, an innovative and comprehensive 'Consumer Protection Code' was enacted in national level, in September, in the year 1990.

Similar developments took place in respect of implementation of the provisions of the UN Guidelines for consumer protection, in the South-Pacific countries also. In the year 1990, the 'Australian Federal Bureau of Consumer Affairs' with the assistance of the 'New-Zealand Ministry of Consumer Affairs', organised a 'Consumer Affairs Workshop for South-Pacific Countries' at Sydney, which was attended by the Government representatives from eleven countries and also by the observers from a number of non-governmental organisations. In this 'workshop', the proper implementation of the UN Guidelines was emphasised and various problems related to the implementation of consumer protection policies were also identified. The said 'workshop', recommended for the establishment of a 'Consumer Policy Forum' for Asia and Pacific and also advocated for the establishment of a joint ESCAP (Economic and Social Commission for Asia and the Pacific) and IOCU (International Organisation of Consumers' Unions) training, education and information institution to be based on Penang, Malaysia with a sub-office in the South Pacific.

The Asia and Pacific region is not an exception that sheltered the growth of activities for the implementation of the provisions of UN Guidelines in the countries of the region. The 'United Nations Regional Seminar on Consumer Protection for Asia and Pacific' was held in the month of June in the year 1990, at Bangkok, which was attended by the fifty three participants comprising representatives of Governments of nineteenth countries of the region as well as of UN Bodies and non-
governmental organisations. This Regional Seminar on Consumer Protection has made a number of recommendations for future action in the concerned area, amongst which, the recommendation for the establishment of a 'Regional Consumer Policy Forum' and for the establishment of a 'Regional Training, Information and Education Institution' were the main. In this respect, Australia and Japan took remarkable initiatives in implementation of consumer protection policies in the entire region after the 'Bangkok Regional Seminar' on the subject. Similarly, ECOSOC and IOCU were also quite active in the concerned area of consumer protection in the region.

In Japan, the 'Federation for Bar Association' have already passed a resolution by which the Japanese Government has been urged to enact laws to comply with the UN Guidelines and to regulate and control the export of harmful products or technologies which are prohibited in Japan.

In the year 1989, Philippines introduced a 'consumer code' in the Philippines Legislature as an impact of UN Guidelines for Consumer Protection.

In Vietnam also, a programme was started in the year 1990, for elaboration of the laws on consumer protection in accordance with the provisions as enunciated in the UN Guidelines.

The various 'Consumer Organisations' also deeply involved with the activities related to the implementation of the provisions of UN - Guidelines for Consumer Protection. In fact, the UN Guidelines made a significant impact on the working of many consumer organisations of the world. The different 'Consumer Organisations' throughout the globe, utilised the provisions of the said UN Guidelines as a basis for urging
their concerned Governments to introduce and enact legislations for protection of the consumers or to extend and enlarge the scope of the existing legislation on the subject.

In Indonesia, the 'Indonesian Consumers' Institution' and in Turkey, a consumer protection bureau of the 'Confederation of Turkish Trade Union' carried out their activities for the development of policies and legislations on consumer protection in their countries.

4.4 THE ACTIVITIES OF INTERNATIONAL ORGANISATIONS IN THE AREA OF CONSUMER PROTECTION:

The various International Organisations have been quite active in the area of consumer protection mainly after 1960. In the recent years, there has been a significant development in the field of international co-operation on consumer protection. The Committee on Consumer Policy of the OECD (Organisation for Economic Co-operation and Development) can be taken here as a prime example of international forum, which meets regularly for the purpose of organising discussions on different consumer policy issues.

The Expert Committee of WHO, in the year 1977, defined a list of drugs which are essential to ensure basic health needs of the people with an intention to help the Governments in the proper selection and procurement of drugs at reasonable prices. This was also very important, particularly for the developing countries with limited financial resources.

In order to promote and safeguard the interests of the consumers in a particular functional area, special divisions have been established by the Inter-Governmental Organisations also. In this regard, the specialised branches, like - Food and Agricultural Organisation (FAO), has been engaged in conducting special programmes for food control and also been engaged in facilitating guidance for pursuing the consumer protection programmes. The Food Science Control and the Consumer Protection Group of the said FAO are engaged in the matters of increasing food production and raising the quality of various food items, in improving the means and systems of food storage; in improvement of the system of marketing and distribution of food items etc.

In the same way as a specialised branch, the ILO (International Labour Organisation) is working for the promotion of interests of the workers along with their families as consumers in order to providing them with essential commodities of life sufficiently and in satisfactory quality at reasonable prices. The other activities of ILO are related with the advancement of consumer co-operatives and consumer education among the workers section. The ILO programmes also connected with the welfare facilities, which the workers can claim at their place of work.

The UNCTAD (United Nation Conference on Trade and Development) which primely encourages the international trade, has also played a noticeable part, in the field of 'trade marks', having a wide
impact on consumer protection.

Similarly, the WIPO (World Industrial Property Organisation) has also made contribution to some extent in the area of consumer protection in international sphere. The programmes undertaken by WIPO, related with the elaborate study in respect of the use of industrial property in such a way to facilitate the necessary protection towards the consumers, more particularly in the developing countries of the world.

In the area of 'Consumer Product Safety', the UNIDO (United Nations Industrial Development Organisation) has been highly successful to made its contribution. The planned activities in standardisation, quality control and quality certification are the part and parcel of the integrated programme of UNIDO, in the field of consumer protection in the international scenerio.

Likewise, the UNICEF (United Nations International Children's Emergency Fund), which chiefly deals with the food items specially for infants and children and with their safety and nutritional value, contributes a lot, towards the world wide consumer protection movement.

The Codex Alimentarius Commission also worked for the establishment of international standards and codes of practice for food stuffs, which have a direct impact on consumer protection.

The IOCU (International Organisation of Consumers Unions) formed in the year 1960, is an international organisation for the promotion of consumer interests in the international level. It is a non-profit making, independent organisation having members from different countries as well as Government financed consumer councils, labour unions and similar other groups.
The European Regional Organisations are also active in the working for the development of consumer welfare and consumer protection policies. The EEC (European Economic Community) and the Commission of the European Economic Community worked together to find out the effects of economic integration on consumers and also to develop the interests on matters related with the consumer information and co-ordination of consumer policies in their member countries. The said Commission of the European Economic Community has been quite active in respect of a number of matters related with the subject of consumer protection, such as the approximation of Laws concerning misleading advertising and strict liability for injury caused by defective products etc.

The 'Inter-Scandinavian Commission on Consumer Matters' is working for the co-ordination of research and information on consumer protection, which also keeps its close touch with the National Consumers Councils in the Scandinavian countries.

4.5 RESPONSES FROM OTHER SECTIONS:

In present time, there are various Consumer Organisations, independent or supported by the concerned Government, working for the protection of the consumers in different countries of the globe, including- Holland, Belgium, Israel, New-zealand, Jamaica, Japan and many more countries. In Japan, the 'Japan Consumer Information Centre', engaged in providing consumer information in the Asia-Pacific Region, was established in the year 1970. The various 'Women's Organisation' have also played a significant role in spreading of consumer protection movement both in Japan and Thailand. Hongkong and Singapore are
also have been able to make a remarkable stride in this field.

In Britain, the consumers can obtain their required informations from the independant 'Consumer Association' and in some places, from the local consumer groups and local authority-run information centres.

In the Scandinavian countries, a sizeable number of consumer organisations are active in the working for the protection and promotion of the rights and interests of the consumers. These consumer organisations are also advocated for the establishment of consumer cooperatives in their countries in order to safeguard the interests of the consumers at large.

In Australia, various voluntary consumer associations have carried on their functions and efforts for the promotion and protection of the rights and interests of the consumers. Similar is the case in respect of New-Zealand and Philippines also, where the different voluntary consumer associations are quite busy in promoting and safeguarding the rights and interests of the consumers. In France and Germany, such organisations made a significant contribution towards consumer protection as well as spreading the Consumer Protection Movement promptly. Likewise, in the USA and UK also, a number of consumer organisations and voluntary consumer associations are actively functioning for the protection of the consumers.

4.6 GOVERNMENT RESPONSES:

The measures for the adequate protection of the consumers have received a worldwide response. As a consequence, in different countries of the world, the concerned Governments aimed to facilitate consumer
protection through various legislative enactments, either in a direct approach to the subject or indirectly as well. In this respect, Malaysia's Trade Description Act of 1972, Australia's Federal Trade Practices Act of 1974, Singapore's Consumer Protection (Trade Descriptives and Safety Requirements) Act of 1975, Mexico's Federal Consumer Protection Law of 1975, Sri Lanka's Consumer Protection Act of 1979, Thailand's Consumer Protection Act of 1979, Western Samoa's Consumer Information Act of 1988 etc. can be cited here. Through these legislative enactments it was sought to protect the rights and interests of the consumers by imposing restrictions and criminal penalties as well.

Many countries also have established official 'Advisory Bodies' and 'Regulatory Agencies', in order to facilitate the necessary and adequate consumer protection in their respective countries. The official 'Advisory Bodies' practically designed to provide a source of external advice to the Governments regarding the consumer policy issues. In the Asia Pacific Region, the Government of Fiji, established the 'Consumer Council of Fiji' in the year 1971. Similarly, the Government of Malaysia, established the 'Malaysia's National Advisory Council for Consumer Protection' in the year 1974. In Australia, the Government set-up the 'Australia's National Consumer Affairs Advisory Council' in the year 1977. Likewise, the Vietnamese Government founded the 'Vietnam's Consumer Club' - in the year 1988 as the official Advisory Body for the said purpose.

The Governments of Sweeden, Norway and Denmark also undertake this particular task of consumer protection in a serious perspective and they are engaged in financing the institutes, those are
busy in offering the service of advice and guidance to the consumers or purchasers. On the other hand, these said consumer guidance institutions not only performed a certain amount of testing and reporting works on consumer commodities, but also deal with complaints and help the manufacturers to improve the quality and standard of their products.

In the different developed and developing countries of the world, the participation on the part of the Government in the area of consumer protection in response to the pressure exerted upon them by the consumer protection movement, resulted in the establishment of various 'Regulatory Agencies' to facilitate the consumer protection throughout their countries. In this respect, United States of America and the United Kingdom are the best instances, regarding which a brief discussion is incorporated in the following few pages:

4.7 DEVELOPMENT OF CONSUMER PROTECTION MOVEMENT IN THE USA-GOVERNMENT PARTICIPATION IN THE AREA:

There was a close relationship of production and consumption in the olden days American economic life. But as the time passes away, the mass production activities with the help of new technological developments have changed this relationship. In this changing situation the importance of individuals as consumer in the economic scenario of the country made its appearance. In fact, the rise of human importance as a consumer was a direct outcome of technologically developed industrial systems, particularly the American development of mass production. The Industrial Revolution also accelerated the same.
Various fresh as well as persistent problems of consumer welfare had developed day by day. Due to the complexity and variety of the products, the intelligent purchasing had become an increasingly tough process in the American's daily life. Both in production as well as distribution sectors, the producers and the distributors (sellers) were influenced by sharp competition for trade. They had to carefully organise the planned campaigns of advertising and selling, which in most cases designed to confuse the consumers. Although the production and technological developments made their stride rapidly, but the overall economic conditions of the consumers were not improved in proportion to the production and technological developments in the country. As a consequence, the average consumers became gradually aware of the prevailing situation and they also could realise their economic entity.

In the country, the issues of consumer protection came into limelight in three stages - during the last part of the nineteenth century, in the 1930's and in the period since early 1960's. The consumer movement made its first appearance towards the end of nineteenth century when the consumers had become highly conscious of their responsibilities as buyers and began to use their purchasing power to improve the working conditions of the labourers. In the national level, the first 'Consumer League' was established in the year 1899 with its head quarter at Washington D.C., in order to press for improved labour practices in retail shops and in food and garment manufacturing concerns in the country. The 'League' also advocated for government legislations to promote fair labour standards, improved conditions for migratory farm workers, protection of the consumers, and for increased safety in drugs. It also started to cover sanitation and other consumer related issues in the country.
The publication of various articles, magazines and books in order to educate the consumers in respect of different aspects of their purchasing activities already has been started in the country. In this area of literary publication, Samuel Hopkins Adams, through publishing his famous series on the 'Great American Fraud', made a precious contribution towards the passage of the 'Pure Food and Drug Act of 1906'. This particular literature has provided the consumers with valuable informations on various food items, drugs, as well as cosmetics also. The Federal Government in the country was compelled to enact and enforce the 'Pure Food and Drug Act of 1906' immediately after Upton Sinclair published his praise worthy book 'The Jungle', in which the author narrated the horrible picture of existing meat packaging industries in the country. This publication of Sinclair could draw a wide attention of the consumers with a strong demand for Federal Government action in the related area, which accelerated the consumer movement appreciably. The various publications of 'Muckreker Journalists' and the publicity efforts of Dr. Harvey Wiley, who was the then Chief Chemist in the Department of Agriculture, also made remarkable contributions towards the passage of the said 'Pure Food and Drug Act of 1906'.

'The American Home Economics Association' was founded in the year 1908, to study and discuss various domestic problems arised in the societies. In order to aid and stimulate the process of enforcement of 'Pure Food and Drug Act of 1906', 'Clean Food Clubs' were organised in many places in the country. The prime aim of these Clubs was to protect and safeguard the interests of the consumers.

The Federal Government established various regulatory agencies to facilitate consumer protection throughout the country. The Federal
Trade Commission (FTC) was established in the year 1914 and authorised to prevent and prohibit the deceptive trade practices and also to regulate the package labelling of various consumer products in the country. The Commission was authorised to prohibit the monopolistic practices, such as price-fixing also.

The Government also started educational works related with consumer protection and welfare issues, through some agencies like 'Bureau of Home Economics' established in the year 1923 for welfare of the consumers of the country.

The Government established the 'Food and Drug Administration' (FDA) in the year 1972, under the Department of Agriculture in order to formulate required standard for food, drug and cosmetic items and to forbid the distribution of adulterated products in the markets.

In their book 'Your Money's Worth', published in the year 1972, Stuart Chase and F.J. Schlink advocated for the formation of consumer supported product testing organisations in the country, leading to the establishment of a 'Consumer's Club' incorporated as "Consumer's Research Inc", in the year 1929. This was a non-profit membership organisation and became the forerunner of several independent testing agencies in the country. But unfortunately, this organisation splited due to a labour dispute and led to the formation of 'Consumer's Union' in the year 1936. This 'Consumer's Union' being a private non-profit consumer product testing organisation, located at Mount Vernon, New-York, which has an extensive testing programme in respect of consumer commodities. To provide the consumers with necessary informations on various products, the 'Union', tests the concerned commodities and submits reports to interested consumers, so that they can make wise purchasing
decisions. The organisation is totally free from any commercial interests and it does not work to promote any products. It publishes 'Consumer Report', a monthly magazine containing the comparative ratings of products, based on brand name in evaluation of the qualities of the concerned products. The Organisation also encouraged various research and consumerism programmes by providing grants and fellowships to the educational institutions and other non-profit organisations in the country.

There were also some other literary works following the publication of 'Your Money's Worth', which could draw a wide public attention on consumer concerned issues during the period of 1930's. Among these publications, '100,000,000 Guineapigs' by Arther Kallet and F.J. Schlink, published in the year 1934; 'Paying Through the Teeth', by Bissell B. Palmer, 1935; and 'The American Chamber of Horrors' by Ruth de Forest Lamb, 1936, were the main. Through his book 'The American Chamber of Horrors', Forest Lamb practically drew attention to the inadequacy of the existing Food and Drugs Act of 1906 in respect of prevention of malpractices in the concerned areas. This particular publication contributed significantly to the enactment of a new and improved food protection legislation in the country. The situation took a severe turn, when hundred people died after having taken a defective 'Sulfa- drug', which compelled the U.S. Congress to enact the new and improved federal 'Food, Drug and Cosmetic Act' in the year 1938. By this Act, the subject of cosmetic was also placed under the Food and Drug Administration and required the testing of drugs before marketing of the same.

The Wheller-Lea Amendment of 1938 to the Federal Trade Commission Act, empowered the FTC to control over the regulation of
trade practices and advertising, which made a considerable impact on the interests of consumers.

During the period of 1950's, several federal legislations were passed in favour of the consumers. The "Food Additive Amendment Act' and the 'Textile Fibre Identification Act' both of 1958, can be taken as major instance in this respect.

In the year 1962, President Kennedy formed the 'Consumer Advisory Council' and sent the first Presidential Consumer Message to the Congress. In his Presidential Message on 'Consumerism', President Kennedy promulgated the basic rights of the consumer as (i) the right to safety, (ii) the right to be informed, (iii) the right to choose, and (iv) the right to be heard. Practically, each of these rights as advocated by President Kennedy has prime importance and influence in and over the consumer protection movement, not confined to the USA only but to the whole world. In the year 1964, the post of Special Assistant for Consumer Affairs was created by the then President Lydon B. Johnson as a response to the consumer movement in the country.

The Federal Government took various initiatives to protect the rights and interests of the consumers during the period of 1960's. The 'Hazardous Substances Act' of 1960, was enacted which imposed a ban on the use of certain dangerous substances and also required the warnings and safety informations on the levels of others. Similarly, during this period, some federal legislations were enacted in the country consisting of 'Bills' establishing Pesticide Controls (1964), Traffic and Tyre Safety Standards (1966), Inter - State Meat Standards (1967) and the Consumer Credit Regulations (1967), facilitating protection to the consumers in their respective areas.
For the purpose of ensuring necessary informations to the consumers for their wise purchasing, the Federal and other State Governments in the country have passed different legislations directing the business houses to disclose the necessary information in respect of their products. As an instance, by the Federal Fair-Packaging and Labelling Act of 1966, it was required that the packages be labelled truthfully, containing such basic facts as quantity and ingredient of the same. Provisions for true and accurate information to the consumers also has been made in the Federal 'Truth in Lending Act' of 1968. Similarly, the 'Unit Pricing Laws' in some States, in order to assist the consumers to compare the sizes and prices of the products, required the supermarkets to exhibit the cost of an item per pound quart or count (for paper goods). Many States require the dating of perishable food items, so that the buyers can choose the fresh ones. The Federal Government also tried to facilitate consumer informations through bulletins, pamphlets, and international programmes since 1960's in the country.

Ralph Nader published his famous book 'Unsafe at any Speed' in the year 1965, which was primely related with consumer safety issues. Through this publication, Nader exposed the insufficiency and inadequacy of auto-safety standards in the USA. This publication created a wide public attention regarding the burning issue of automobile safety. This praise-worthy literary contribution from Ralph Nader can be regarded as a potent and also a history making document in the area of consumer protection movement not only in America but over the whole globe. As a consequence of Nader's publication and in order to fulfil the public demand, the US Congress was compelled to pass a law setting mendatory federal safety standards for motor vehicles and tyres, known
as 'Traffic and Motor Vehicle Safety Act' in the year 1966. This Act can be called as a milestone in the development of Consumer Protection Movement in the country, which empowered the federal government to set safety standards for automobiles. In the same year the 'National Highway Traffic Safety Administration' (NHTSA) was established with a strong support from President Lyndon Johnson. This NHTSA formulates the highway safety standards, investigates the reported safety related motor-vehicle defects and enforces legal provisions regarding the correction of such defects. In fact, this NHTSA is concerned with all aspects of automobile safety in the country.

In the year 1967, the 'Consumer Federation of America' was formed in Washington D.C. as a federation of various consumer groups, such as consumer co-operatives, labourers etc. Practically, this was a national federation of consumer concerned groups.

The 'Drug Listing Act' enacted in the year 1972, gave the Federal Government access to all the essential informations in respect of various drugs being manufactured and sold in America. The Federal Government also established a new regulatory commission known as 'Consumer Product Safety Commission' (CPSC) in the year 1973 under the Consumer Product Safety Act of 1972. The Commission was authorised to develop safety standards for most of the consumer products, other than foods, drugs and automobiles. In fact, this CPSC being a Federal Government Agency is responsible for ensuring the safety of various consumer products in USA. The 'Commission' aimed to develop the uniform safety standards and also to promote research and discussions in respect of product related deaths, illness and injuries in the country. The CPSC was primely responsible for enforcing the 'Flamable Fabrics
Act' of 1953, requiring fabrics to meet standards of fire resistance and the 'Poison Prevention Packaging Act' of 1970 and the 'Hazardous Substances Act' of 1969, which banned the use of harmful and dangerous substances and also require warnings and safety informations on the labels of others.

The Federal Government also established the 'Inter-State Commerce Commission', 'Federal Power Commission' and 'Civil Aeronautics Board' to regulate prices and services in their concerned sectors for the benefit of the consumers. Similarly, the 'General Services Administration' was established in order to formulate the standards of government purchases, indirectly favouring the consumers in the country.

In order to protect the interests of the consumers, the State and Local Governments also worked simultaneously. Most of the States enacted their own prohibitions as supplement of federal laws against specific unfair and deceptive trade practices and usually charged the State Attorney General with the responsibility of enforcement of such enactments. Likewise, Local Consumer Affairs Departments also in many instances work with individuals to resolve consumer complaints against particular business.

In the matter of redressal of various consumer grievances, the Governments–Federal, State and the Local have become quite active in the country. The public interests over the issue of establishment of the Institution of 'Consumer Ombudsman' as a governmental measure for the redressal of consumer grievances and protection of the rights and interests of the consumers have been grown up rapidly in the USA.

In the area of consumer education, keen interests have been shown by many State Governments. In recognition to the importance of
consumer movement, the 'Consumer Courses' have been introduced into school and college curriculums of several states to educate the students. Moreover, many schools, colleges, government agencies and public organisations often organised various consumer educational programmes for adults to educate them in the concerned subject of consumer protection.

The development and progress of consumer protection movement in America, from the embryonic stage has been remarkably a rapid one. The said movement is highly successful to make a wide coverage in big cities, towns, as well as in the interior places of the country. Almost in all the urban communities, the Consumer Groups are organised in order to take the necessary steps regarding consumer concerned issues. Similarly, Trade Unions, Settlement Houses and Churches also show their interests and make them involved in consumer related issues. The different 'Women Clubs' established in the USA, contributed a lot, towards the development of the consumer movement in the country.

Some renowned consumer organisations and a large group of individuals have a significant contribution towards the development of the Consumer Protection Movement in the USA. In the organisational sphere, the names of three famous organisations, those played a vital role in this regard can be summed up here as 'Consumer's Union', 'Consumer Federation of America', and 'Nader's Raiders'.

The 'Consumer's Union' is a consumer supported product testing organisation, established in the year 1936. The 'Union' publishes the megazine 'Consumer Reports', which describes the results of its test of different products based on their brand names. This megazine contains articles and informations to aid the consumers in their purchasing of
insurance, banking and other services also and provides necessary informations to the consumers on current consumer related issues.

The 'Consumer Federation of America' is another important consumer organisation in the field of stimulating the development of the movement. The state and the local consumer organisations, such as labour unions, consumer co-operatives, organisation of retired persons, and the similar other groups are the components of this Federation. The prime functions of the Federation include the conveyancing of information to its members on consumer related matters; to formulate necessary agenda for action; and to organise and manage the political support in order to effectuate the measures, it is backing.

Ralph Nader and the organisations associated with him are in a sizeable number in America, who are the vital contributors to the development of consumer protection movement in the country. Ralph Nader along with his supporters, commonly known as 'Nader's Raiders', contributed to a great extent towards the research, study, and argumentation regarding consumer related issues. The organisation also could able to exert pressure upon the Government on the consumer concerned matters for taking necessary actions and measures. These organisations of 'Nader's Raiders' in America, have undertaken vigorous investigations of such matters as sanitation in meat packing and poultry processing; quality of services in care of the aged; and safety in coal mining etc. Some of the recommendations of Nader's Organisations led to the stricter control by the government regulatory agencies.

In USA, the mass-media, like Radio and Television are also playing a pivotal role in the development of consumer movement. These medias facilitate a numerous consumer informations for the welfare of the
consumers. Similarly, in the area of publication, various journals, newspapers and other concerned books also highly contributed to the development and acceleration of the consumer movement. The 'Consumer Courses' have been introduced into the curriculums of schools and colleges in many states of the country, in order to make the Consumer Protection Movement a wider one through institutional coverage also.

4.8. BUSINESS RESPONSE TO CONSUMER PROTECTION IN USA:

In USA, although the businessmen generally are against the consumer protection movement, still they are compelled to make their response to the movement by changing their policies. Many business firms introduced improved complaint procedures and developed more informative labels of their products and similarly new product information materials.

The 'Consumer Action Panels', consisted of persons, outside of the industries or business houses are formed in several industries or business concerns to assist the consumers in solving their various problems. Such 'Consumer Panels' include the 'Major Appliance Consumer Action Panel' and the 'Automotive Consumer Action Panel' in the country.

4.9 GOVERNMENT PARTICIPATION IN THE AREA OF CONSUMER-PROTECTION IN UK:

Government participation in the area of consumer-protection in the country has covered a wide range of activities, as the interests of the consumers were related to different consumer protection issues such
as- health and sanitation, reasonable pricing and equal distribution, fraudulent trade practices, etc.

In the matter of 'Sanitation', Liverpool enacted an Act in the year 1847, which can be regarded as the first real Act, covering the aspects of sanitation. In the early Twentieth Century, the State also took steps to provide medical inspection and care to school students and also to provide free or cheap meals for school children.³

"Liverpool had added woman to its sanitary inspectorate in 1897, with an eye to the health of the children. Manchester had semi-official woman health visitors about the same time. The first English Milk Dispensory was opened at St. Helens in 1899, and in 1901 the Liverpool Corporation established milk depotes to supply appropriate grades of milk for infants whom their mothers could not suckle."⁴

In Britain, in fact, the principal legal provisions for the protection of consumers are formulated under the Civil Law- particularly under the Law of Contract. Practically, every 'Consumer Purchasing' constitutes a contract between the seller and the purchaser. Some specific terms and conditions have been implied into such contracts through the 'Sale of Goods Act' of 1893 in order to protect the interests of the purchasers or the consumers in the country. To safeguard the interests of the consumers this Act of 1893, imposed certain implied conditions in respect of mercantable quality of the product, quality and standard of

4. ibid.,pp. 437-438
both the sample and sold items, etc. upon the contracts. By enacting the 'Supply of Goods (Implied Terms) Act' in the year 1973, the Government strengthened the applicability of the provisions of the Sale of Goods Acts of 1893.

In the year 1955, the Government enacted the 'Food and Drugs Act' in order to protect the consumers in the area of food and drug adulterations, vide which criminal liability has been imposed for the violation of the provisions of the Act. This Act of 1955, made provisions for criminal liability in respect of various offences, like selling of unhygienic and injurious food items, selling of food items in unhygienic conditions or atmospheres, etc.

In the year 1959, Government has set-up the 'Molony Committee' on consumer protection due to the heavy demand from the consumer organisations as well as individual consumers in the country.

The Government also tried to safeguard the consumers by enacting legislations against monopolies and restrictive trade practices. In 1964, the 'Resale-Prices Act' was introduced which prevented the manufacturers or all other suppliers from requiring the retailers to charge the prices of respective commodities as were fixed by the manufacturers or the suppliers themselves.

By enacting 'Misrepresentation Act' in the year 1967, the Government tried to protect the interests of the consumers at large, against misrepresentation and made provision for damages for the same. Likewise, in order to prevent misleading descriptions of commodities in the markets as well as misleading labelling and advertising of goods by the sellers or the manufacturers, the Government introduced the
'Trade-Descriptions Act' in the year 1968, which provided for criminal liability in the event of violation of the provision of the Act. The Local Weight and Measure Inspectors have been empowered to bring prosecutions under the Act.

In response to the growing demand for consumer protection, the Government has created the post of Director General of Fair Trading, vide the provision made to this effect under 'Fair Trading Act' in the year 1973. The Director-General was responsible to the Secretary-of-State for price control and consumer protection in the Kingdom.

In 1978, the Government enacted 'Consumer Safety Act' in order to provide adequate product safety towards the consumers at large. This Act of 1978 has been amended by the 'Consumer Safety (Amendment) Act, in the year 1986, to enlarge the scope of the principal Act and also to strengthen the same.

4.10 RESPONSES FROM OTHER SECTIONS TO CONSUMER PROTECTION IN UK:

In the year 1957, the 'Consumers Association' was established. This Association was an independent and non-profit making body which aimed to provide necessary consumer informations through under-taking comparative testing programmes on consumer goods and services as well.

The 'Consumer Cooperative' in the form of actual economic enterprises for the protection of consumers in course of their dealings with the producers or manufacturers of commodities, was for the first time established in the Kingdom in the year 1844 with the association
of twenty-eight weavers in Rochdale, near Manchastar. The first 'Consumers League' was organised in Britain in the year 1890, to facilitate adequate protection of their rights and interests of the consumers at large.

In the area of control and standardization of various manufacturing and designing process, several Standard Institutions played a vital role in the country by laying down the basic minimum standards for variety of products.

In the mass-media sector, the 'Independent Broadcasting Authority' (IBA) controlled all the advertising on radio and television. It also formulated the rules on advertising and banned the use of subliminal and superstitious advertisement in radio and television. This IBA has also listed some unacceptable products or services, in respect of which the advertising is not allowed through radio and television in the country.

4.11 U.K. CONSUMER PROTECTION ACT, 1987:

In the year 1987, the Government enacted 'Consumer Protection Act', as a vital legislation in the field of consumer protection in the Kingdom. This Act of 1987 contains a total number of thirty-five Sections, dividing in four parts. The aims and objectives of the Act are enunciated in its 'Preamble', which run as follows:

"An Act to make provision with respect to the liability of persons for damage caused by defective products, to consolidate with amendments of the Consumer Safety Act, 1978 and the Consumer Safety (Amendment) Act, 1986; to make provision with
respect to the giving of price indications; to amend Part-I of the Health and Safety at Work etc. Act, 1974 and Sections 31 and 80 of the Explosives Act, 1875; to repeal the Trade Descriptions Act, 1972 and the Fabrics (Misdescription) Act, 1913; and for connected purposes" (15th May, 1987). 5

Part-I of the Act, seeks to implement the Directives of the Council of the 'European Communities"(EC) on 'Product Liability". Similarly, Part-II of the Act deals with various 'Consumer Safety'Provisions.

Part-III of the Act, related with the offence of 'Misleading Price Indications'. Part-IV of this Act of 1987, deals with provisions for the Enforcement of Part-II and III of the Statute itself.