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Editorial

The present edition of OYO-JONAPHER.SD consisted of scholarly articles written by erudite scholars in the areas of Physical, Health Education and the sciences. Some of the articles are empirically based, while others are review papers.

The articles are very educative and illuminating. We hope that our readers will find the articles interesting and thought-provoking. I congratulate all the members of the editorial board for making this publication possible.
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CONSUMERISM: AGENCIES, CONSUMER EDUCATION, LAWS, REGULATIONS, RIGHTS AND OBLIGATIONS

By

Ademiju, Pauline U. (Mrs.)

Abstract
We are consumers of an increasing range of goods and services from prepared and unprepared food, clothing, vehicles to household and office properties, telephone, medical, banking, transportation etc. These goods and services directly or indirectly have negative or positive influence on our daily living. Hence, the life of all living things and nonliving things are tied to what are consumed internally and externally everyday. It is of paramount importance to be assured that what comes to us is of standard in relation to safety, quantity and quality and to know the agencies, laws, regulations and rights that will be of help in time of needs.

Introduction
Today the challenge before us is understanding those things that will have great impact on our health positively or negatively as consumers. The media have flooded the market place with information on dietary and nutritional supplements, exercise equipment, over the counter drugs, alcohol, cigarette, automobile, wears etc. Therefore, today's consumers are faced with the challenges of knowing what to buy and what positive or negative impact this might have on their health and sometimes they do not know how to get justices when products are not of standard.

Consumerism is the movement of policies aimed at regulating products, services, methods and standards of manufacturers, sellers and advertisers in the interests of buyers. Such may be institutional, statutory, or embodied in a voluntary code accepted by a particular industry, or it may result indirectly from the influence of consumer organizations. It is the public concern over the rights of consumers, the quality of consumer goods, and the honesty of advertising.

Consumerism came into full focus in the 1960s after President John F. Kennedy of United States of America introduced the “Consumer Bill of Rights”. This was later strengthened when consumer activists led by Ralph Nader lobbied for laws setting
safety standards on automobiles, toys and numerous household products. Consumer advocates came up with "truth-in-packaging" but obliged advertisers to represent their goods truthfully and prevent sales representatives from using deceptive sales tactics. In the 1960s, American Congress mandated that cigarette packages to carry the now famous surgeon's general warning about tobacco and cancer, and in 1970, the Congress forced an end to television cigarette commercials (Funkard Wagnalls New Encyclopedia, CMXCVI, MCMXCII, Ukpong, 1993).

Every day we use one product or the other to meet our physical, socio-political and emotional needs. A product is a thing or substance produced by either a natural or manufacturing process. Natural products are air, water, land, atmosphere and environment. Manufactured products are carried out by men whose outcome is designed to meet some specific needs or wants of the users or consumers (Adesanya, 1994). These products could be goods and/or services. Goods are the physical edible and non-edible materials, which can be seen and touched. For example, clothes, cars, food, drugs, refrigerator, house, land and aeroplane etc. Services are those thing which we cannot see but feel their impact or availability such as electricity, telephone, transportation, banking, medical services etc (Durojaiye, 1994).

The user of the product is a consumer. A consumer according to Green (1993) is any person who uses goods and service for personal or family purposes. A consumer is also defined by Warmke, Wyllie and Seller (1977) as any person, business, firms or government unit that chooses goods and services; spends money on them, and use these goods and services mainly to satisfy its own wants. Thus, a consumer may be a person or corporate body. The aim of every consumer in using a product is for the product to meet his or her needs and satisfaction in relation to quantity, quality and safety. When a product meets the need and satisfaction of the consumer in relation to quantity, quality and safety, the product is said to be "standard". Standard is the approved usage and acceptable properties in the product which involve weight, quality, quantity and dimension (length, breadth, weight and volume) (Durojaiye, 1994). The act of standardizing is called standardization. Standardization according to Pollitt (1990) is the process of formulating and applying rules for an orderly approach to a specific activity for the promotion of optimum overall economy taking due account of functional conditions and safety requirement.
The aim of Consumerism
The aim of consumerism is to produce an informed or articulate consumer who must be aware of his or her right as a consumer. An informed consumer is one who is aware of the effect and influences a service and/or product has on his health. He/she must be equally aware that he/she is not cheated and that the goods and services paid for is of the right quality, that there is a "warranty", that every product he/she buys is of merchantable quality i.e. must serve the purpose for which they are made (Ukpore, 1993).

Importance of Consumerism
The importance of consumerism, according to Ukpore (1993) and Coppack (2003) include:
- It helps the individual to clarify values, identify goals, weigh alternatives in relation to consequences and make rational decisions for the best utilization of available resources;
- It gives rise to consumers who are an "informed" or "effective" consumers;
- It helps consumers to know about laws which give them rights and responsibilities. This is to ensure that if consumers encounter dishonest practices, they should know how to obtain help;
- It exposes consumers to a broad range of behaviour for dealing with economic conditions, inflation and scarce resources within the environment and with achieving the lifestyle that consumers’ desire.

Consumer Health Agencies
Government and non-governmental organisations usually establish formal statutory and regulatory agencies, to ensure consumer protection. Consumer health agencies are agencies established by laws, and they provide standards for products and services, information about them and protection from questionable and unethical practices on the part of sellers (Ukpore, 1993).

Government Consumer Health Agencies
Government being the custodian of the peoples’ well being establish agencies who act in her capacity to formulate standards, and control, guide, and monitor the implementation and compliance of the set standards (Adesanya, 1994). The government consumer health agencies are established, funded and
administered by the government. However, they work in collaboration with non-governmental consumer health agencies. Some of the international, Western world and Regional Government consumer health agencies are:

1. International Environmental Protection Agency (IEPA);
2. International World Court for Justice (ICJ);
3. International Standard Organisation (ISO);
4. African Regional Organization for Standardization (ARSO);
5. Industrial Development Coordination Committee (IDCC);
6. The Federal Trade Commission (USA);
7. The Food and Drug Administration (USA);
8. National Highway Traffic Safety Administration (USA);
9. Consumer Products Safety Commission (USA);
10. Economic Community of West African States (ECOWAS);
11. European Economic Community Common Market (EEC);

Non-Governmental Consumer Health Agencies
The non-governmental consumer health agencies are private and non-profit organisations, which are established, funded and administered by independent bodies. These organisations examine products and publish the results in their periodic magazines and journals. Some of the non-governmental consumer health agencies that protect consumers globally are:

1. World Health Organization (WHO);
2. United Nations Children Education Fund (UNICEF);
3. United Nations Educational Scientific and Cultural Organization (UNESCO);
4. United Nations Environmental Programme (UNEP);
5. International Civil Aviation Organisation (ICAO);
6. Food and Agricultural Organization of the United Nations (FAO);
7. International Red Cross;
8. International Labour Organization (ILO);
9. United Nations Division on Narcotic Drug (UNDND);
10. United Nations Organisation (UNO);
11. International Organization of Consumers Unions (IOCU);
12. Ralph Nader (USA);
13. Consumer Union (USA);
Consumer Education

Education is important to help consumers access, understand and make use of the information that is available to them on products and services as well as on rights of redress if things go wrong. It also empowers consumers to take advantage of advice which is given to them either in a general way or specifically. It can help to increase consumer confidence and change in behaviour.

Consumer education is the education of people so that they can evaluate the consumer goods market with a more sophisticated understanding of that market and the products, suppliers and tactics to be found there. It is part of the formal school curriculum in many places and incorporates knowledge from many disciplines, including but not limited to mathematics, economics, law, information theory, psychology and game theory (Consumer education –Wikipedia free encyclopedia: Consumer Health/Consumer Education, retrieved 27th April, 2005). Akinola, (1993) further defined Consumer education as a formal educational programme designed to help the consumer to acquire the knowledge and skills to protect himself against the activities of quacks. It is a programme that is meant to help the consumers understand the unwanted effects of consumer products, especially foods, beverages, drugs and cosmetics, and the methods by which quacks operates to deceive them to buy the product. Consumer education makes people to be "effective consumers". Effective consumers are those who, as well has their own rights, are aware of their responsibilities for the environmental and social impact of their purchases from manufacturer to disposal and of the power of ethically motivated purchasing to shape markets and society (Coppack, 2003).

Importance of Consumer Education

The importance of consumer education, according to Ukpore, (1993) and Coppack, (2003) are:

1. Consumer education help consumers to access, understand and make use of information that is available to them on product and services, as well as on rights of redress if things go wrong;
2. It empowers consumers to take advantage of advice which is given to them either in a general way or specifically;
3. It can also help to increase consumer confidence and change behaviour;
4. It helps to develop essential skills in the context of consumer decision making, for example, management of scarce resources, rather than haphazard purchasing;
5. It helps consumers to identify personal priorities and values, and to use their personal resources (money) efficiently;
6. It also enables consumers to understand information in a way that enables them to see the wider consequences of their decision-making.

The Rights of Consumer

Protection of consumer took a new dimension on the 15th of March, 1962 when President John F. Kennedy of United States of America presented to the U.S Congress the Consumer Bill of Right. Consumer Bill of Right contained: right to safety; the right to be informed about products; the right to choose and the right to be heard. In 1975, his successor President Richard Nixon enacted the fifth consumer right: the right to consumer education”. His successor, President Gerald Ford promulgated the sixth consumer right, “the right to redress” while Artewer Fazai the president of International Organization of Consumer Union, between 1978-1984, enacted two more rights, “the right to basic needs”, and “the right to a healthy environment”. The eight consumer rights according to (Durojaiye, 1994, Ukpore 1993) are:

1. The right to safety;
2. The right to be informed about the product;
3. The right to choose;
4. The right to be heard;
5. The right to consumer education;
6. The right to redress;
7. The right to basic needs;
8. The right to healthy environment.

- **The Right to Safety**: This means the right to be protected against products and services which are injurious to health or life. Therefore, products offered for sales should not pose undue risk of physical harm to consumers or their families.

- **The Right to be Informed**: This states that consumers must be provided with sufficient and adequate information to enable them choose wisely among the competing products and services available. They must also be protected from misleading or inaccurate publicity material, whether in advertising, labeling, packaging or by other means.

- **The Right to Choose**: The right to choose states that the consumers have the right to have access to a variety of products and services at competitive prices, and in the
case of monopoly, to have an assurance of satisfactory quality and services at a fair price.

- **The Right to be Heard:** This means the right to advocate consumer interest with a view to receiving full and sympathetic consideration in the formulation and execution of economic and other policies. It includes the right of representation in government and other policy-making bodies as well as in the development of product and services before they are produced or set up. It also has to do with a consumer who has been cheated or who has paid for a product or service that does not perform properly; such consumer has the right to seek a refund, replacement of the product or services or other remedy.

- **The Right to Basic Needs:** This calls for the provision of essential goods and services which guarantee survival. It includes adequate food, clothing, shelter, health care, education and sanitation.

- **The Right to Consumer Education:** This involves the right to acquire the knowledge and skills in order to be an informed or effective consumer throughout life. It incorporates the rights to the knowledge and skills needed for taking action to influence factors which affect consumer decisions.

- **The Right to Redress:** This denotes the right to fair settlement of honest claim. It includes compensation for misrepresentation of services and the availability of acceptable forms of legal aid or redress for small claims where necessary.

- **The Right to a Healthy Environment:** This entails that the physical environment in which one lives and works will not threaten or possess danger to life, but will enhance the dignity, well and quality of life. It includes protection against environmental dangers over which the individual has no knowledge.

**The Obligation of Consumer**

The International Organization of Consumers Union (IOCU) presented a five-point “Charter for Consumer Action” as a framework for consumer obligations (Bunke, 1988). These are:

i. **Critical Awareness:** Consumers must be alert and ready to ask questions about the goods and services they use.

ii. **Action:** Consumers must act on what they know to be fair and just demands.

iii. **Social Responsibility:** Consumers must be concerned about the impact of their consumption behaviour on other citizens,
particularly on disadvantage groups in the local, national and international community

iv. **Ecological Responsibility:** Consumers must be sensitive to what their consumption of goods does to the environment and not waste scarce natural resources or pollute the earth

v. **Solidarity:** Consumers must act together through the formation of consumer groups, which have the strength and influence, to promote consumer interests.

**Consumer Health Agencies in Nigeria**

Nigeria like other countries of the world saw the need to protect her citizenry from the hands of quacks. The initial protection did not involve the Federal Government, but were regionalized. Laws were incorporated in public health ordinances which were carried out by public health officials of the regions. For example, Public Health Law of Lagos was enacted on 26th July, 1917, and revised in 1958, 1959, 1964, 1970 and 1972 to cater for raw food items such as meat and domestically prepared local food items, roadside canteens, and food street hawkers and their accompanied public nuisances (Ukpore, 1993).

**Standard Organization of Nigeria (SON)**

In 1971, the Federal Government of Nigeria joined the International Standard Organization and the Nigerian Standard Organisation (NSO) a statutory body was inaugurated by Decree No. 56 of 1971 as an integral part of the Federal Ministry of Industries to be responsible for standardization activities through laws and regulations to protect her citizenry in the nation. The basic objective of the body was fostering and promoting standardization as a means of advancing the nation’s economy and contributing towards the health welfare of the public as well as provide more meaningful communication between manufacturers and customers. Nigerian Standards Organisation (NSO) was changed to Standard Organisation of Nigeria (SON) by Decree No. 32 of 1984. This was because the acronym was the same with Federal Government security outfit, Nigerian Security Organisation (NSO). The Standard Organisation of Nigeria (SON) ceased to be an integral part of Federal Ministry of Industry and was granted the status of a corporate body with the perpetual succession and common seal, which may use and be sued in its corporate name by Decree No. 18 of 1990 (Obi, 1990, Okoro, 1994)
Services/Functions of Standard Organization of Nigeria (SON)
The services and functions of SON according to Plain Man’s Guide
to Nigerian Industrial Standard are:
(a) Publication of Nigerian Industrial Standards;
(b) Monitor the quality of products produced in Nigeria as well
as imported ones;
(c) Organizes training/consultancy workshops in quality
control for personnel in industries;
(d) Provides documentary information on all ISO member
bodies;
(e) Provides information on foreign standards;
(f) Serves as the national agency for the sale of foreign as well
as Nigerian Industrial Standards;
(g) Operate a Consumer’s Complaints Bureau, which is
responsible for dealing with complaints in respect of
substandard and poor quality products;
(h) Represent Nigeria in international meetings on
Standardization, Quality Control and Metrification;
(i) Serve as the National Secretariat for Codex Alimentarius
Commission;
(j) Advise manufacturers and investors on standards
acceptable in Nigeria.
The Nigerian Industrial Standard (NIS) certification mark of
SON marked on Nigerian product indicates that the product
conforms to a specified standard. This mark is renewable every
year by the manufacturer. SON has the power to close down any
company that operates outside the laid down regulations.

National Agency for Food and Drug Administration and
Control (NAFDAC)
National Agency for Food and Drug Administration and
Control (NAFDAC) was established as Food and Drug
Administration (FDA) by Food and Drug Decree No. 35 of 1974.
The Decree took effect from 10th February, 1974 and it sets
regulations on food, drugs and cosmetics. In 1993, the Federal
Government through Decree No. 15 of 1993 Drug and Related
Product Registration changed the agency name from Food and
Drug Administration to National Agency for Food and Drug
Administration and Control (NAFDAC). The mandate of NAFDAC
is stipulated as follows:

i. Make pronouncement on the quality and safety of food,
   drugs, cosmetics, medical devices, bottled water and
   chemicals after appropriate laboratory analysis.

ii. Regulates and controls the importation, exportation,
    manufacture, advertisement, distribution, sale and use of
foods, drugs, cosmetics, medical devices, bottled water and chemicals.

iii. Undertake inspection of imported food, drugs, cosmetic, medical devices, bottled water and chemicals at the point of entry as well as at the premises where these products are manufactured locally.

iv. Undertake registration of regulated products to ensure that only good quality and safe products are in circulation and thereby promote public health.

v. Control the exportation of regulated products by issuing combined certificate of good manufacturing practice and free sale.

vi. Undertake measures to ensure that the use of narcotic drugs and psychotropic substances are limited to medical and scientific purposes.

vii. Grant authorization to import and export narcotic drugs, psychotropic substances, chemicals as well as other controlled substances.

viii. Approve and monitor the advertisement of food, drugs, cosmetics, medical devices, bottled water and chemicals.

ix. Compile standards specifications and guidelines for production, importation, exportation, sales and distribution of all regulated products.

The Public Complaints Commission (PCC)

The Public Complaints Commission was established under Act 31 of 1975, it commenced work from 16th October, 1975. In 1999 the Act was amended (Ukpore, 1993).

Aims of the Public Complaints Commission

The main aim of the PCC is to promote justice for the individual citizen. That is, the commission helps those individual who cannot help themselves to get their job from any injustice suffered arising from administrative action of Government Ministries/Departments and incorporated companies in Nigeria. Thus, PCC helps aggrieved individual citizens to secure a redress (Ukpore, 1993).

Consumer Education and Protection Council of Nigeria

Consumer Education and Protection Council of Nigeria that was founded in 1970 as a voluntary, non-religious, non-political, and non-profitmaking organization is in the forefront to protect Nigerian consumers (Bankole, 1988). In November 23, 1992 according to Emmanuel-Ayira, (1999) the then Head of State, President Ibrahim Babangida signed Decree No. 66 that provides
Consumerism: Consumer Education, Laws, Regulations

The establishment of this council at the national and state level with vast power and provision for consumers' protection. The council is to:

- Provide speedy redress to consumers' complaints through negotiations, mediations and conciliations;
- Seek ways and means of removing or eliminating from the market, hazardous products and causing offenders to replace such product with safer and more appropriate alternatives;
- Publish from time to time, list of products whose consumption and sale have been banned, withdrawn, severely restricted or not approved by the Federal Government or foreign governments;
- Cause an offending company, firm, trade association or individual to protect, compensate, provide relief and safeguards to injured consumers or communities from adverse effects of technologies that are inherently harmful, injurious, violent or highly hazardous.
- Organize and undertake campaigns and other forms of activities as will lead to increased consumer;
- Encourage trade, industry and professional associations to develop and enforce in their various fields equality standards designed to safeguard the interest of consumers;
- Issues guidelines to manufacturers, importers, dealers and wholesalers in relation to their obligation under this Decree
- Encourage the formation of voluntary consumer groups or associations for consumer's well being;
- Ensure that consumers' interests receive due consideration at appropriate forum and to provide redress to obnoxious practices or the unscrupulous exploitation of consumers by companies, firms, trade associations or individuals.
- Encourage the adoption of appropriate measures to ensure that products are safe for either intended or normally safe use among others.

National Drug Law Enforcement Agency (NDLEA)

National Drug Law Enforcement Agency (NDLEA) was established by the promulgation of Decree No. 48 of 1989 by the Federal Military Government of Nigeria.

The sole aim of the agency is to exterminate illicit drug trafficking and consumption in our society.
Federal Environmental Protection Agency (FEPA)
Federal Environmental Protection Agency was established by Decree No. 68 of December 1988 as a statutory threshold of a national policy on environmental protection in Nigeria. The decree was amended in 1992, with the following functions according to Okorodudu-Fubara (1998):

(a) Prepare a comprehensive national policy for the protection of the environment and conservation of natural resources, including procedure for environmental impact assessment for all development projects.
(b) Prepare, in accordance with the National Policy on the Environment, periodic master plans for the development of environmental services and technology and advice the Federal Government on the financial requirements for the implementation of such plans.
(c) Advice the Federal Government on the national environmental policies and priorities, the conservation of natural resources and sustainable development of scientific and technological activities affecting the environment and natural resources.
(d) Advice the President on the utilisation of the 1 percent Ecological Fund for the protection of the environment.
(e) Promote cooperation in environmental science and conservation technology with similar bodies in other countries and international bodies of the environment and conservation of natural resources.
(f) Cooperate with Federal and State Ministries, Local Governments, Statutory bodies and research agencies on matters and facilities relating to the protection of the environment and conservation of natural resources, and
(g) Carry out such activities as are necessary or expedient for the full discharge of the functions of the agency under the decree.

Other Consumer Health Agencies in Nigeria
The consumer health agencies in Nigeria are of two categories: governmental agencies and non-governmental agencies.

Government Consumer Agencies:
The governmental consumer agencies are funded, regulated and directed by the government. The consumer agencies are: (a) Parastatals and (b) Ministries

A. The Ministries- The Federal and State Ministries
1. Ministry of Education
2. Ministry of Health
Consumerism: Consumer Education, Laws, Regulations

3. Ministry of Commerce and Industries
4. Ministry of Works and Housing
5. Ministry of Youth, Sports and Culture
6. Ministry of Aviation and Transport
7. Ministry of Mines and Power

B. Parastatals
1. National Colleges Of Education Commission
2. National University Commission
3. National Agency for Food and Drug Administration and Control (NAPDAC)
4. The National Drug Law Enforcement Agency (NDLEA)
5. Federal Environmental Protection Agencies (FEPA)
6. The National Institute for Pharmaceutical Research and Development (NIPRD)
7. Pharmaceutical Council Of Nigeria
8. Standard Organisation of Nigeria (SON)
9. National Communication Commission

The Non-Governmental Consumer Agencies
The non-governmental consumer agencies are the agencies that are funded and regulated by professional bodies. Non-governmental agencies are two groups: (a) the professional bodies and (b) non-professional bodies.

A. Professional Bodies
1. Nigerian Medical Association (NMA)
2. Nigeria Bar Association (NBA)
3. Nigeria Union of Teachers (NUT)
4. Nigeria Association of Nurses and Midwives (NANM)
5. Advertising Practitioner Council of Nigeria (APCON)
6. National Association of Nigerian Students (NANS)
7. Academic Staff Union of Universities (ASUU)
8. Non-Academic Staff Union (NASU)
9. Colleges of Education Academic Staff Union (COEASU)
10. Nigeria Union of Journalists (NUJ)
11. Nursing Council of Nigeria (NCN)

B. Non-Professional Agencies
1. The Cooperative Societies
3. Nigerian Consumer Movement Union (NCOMU)
4. Manufacturers Association of Nigeria (MAN)
5. Nigeria Labour Congress (NLC)  
6. Environmental Watch Associates of Nigeria  
7. Foundation of Environmental Development and Education in Nigeria (FEDEN)  
8. Population Environmental and Development Agency  
9. Women Health and Development Association of Nigeria

Conclusion
Consumer health is the protection of consumer through legal measures by enacting laws and rights of the consumer, consumer agencies (governmental and non-governmental), professional and non-professional bodies and consumer health education. The consumer protection are legal measures (laws, regulations and rights) which are enacted by government and non-governmental agencies to protect the consumer from using goods and services that are not standard. Consumer agencies are organisation formed by the government and private individual and organizations to monitor the activities of manufactures, thereby safeguarding the interest of consumers. The agencies also inspect and test the goods and services so that the products reaching the consumer meet with the required standard as enacted in the laws and rights of the consumer. While the consumer health education is aimed at disseminating health information, which enables the consumer to be well informed about the health product advertisement, it is also aimed at making available reliable sources of health information.

Recommendations
Considering the importance of what we consume daily in relation to our health, consumerism should be of importance to the government, law makers, curriculum planners, educational sector and the general public. Therefore, the following recommendations are made:
1. Consumerism just as sexuality education and reproductive health should be built into the school system curriculum starting from primary school to tertiary institution. This will afford people to be acquainted with what makes good products.
2. Consumerism should be put in media and relayed in different languages to equip people with informed knowledge about products
3. There should be a stakeholders forum (manufacturers, importers and consumers) to discuss issues bothering on consumer products
4. There should be sensitization campaign in schools, as it is
done for HIV/AIDS.
5. Consumerism club should be set up in schools where
students will be educated about goods and services and
their rights as consumers.

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