



**PROBLEMS AND PROSPECTS OF FOOD SAFETY AND
CONSUMER PROTECTION IN DEVELOPING NATIONS:
A case study of NIGERIA. –A Review**



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Abstract

Food safety is concerned with all actions taken on food from the primary protection through processing, food distribution and food preparation to the consumers table, to ensure that the food is wholesome, nutritious and free from contamination and fit for human consumption. The review identified some factors which include the wide spread of food borne diseases, high poverty level, environmental pollution, rapid urbanization, massive importation of all kinds of foodstuff and false claim on food label as possible causes of food contamination. The efforts of government in setting up bodies like Food and Drugs Services, National Agency for Food and Drug Administration, National Primary Health Care Development Agency, Standard Organization of Nigeria and the Federal Environment Protection Agency, to protect the consumer was acknowledged. Problems including communication breakdown, outdated laws and regulations, ignorance of consumers, poverty level, and negligence of Food Scientists and Technologists in enacting laws are identified as areas that need urgent attention.

INTRODUCTION

Food has been of utmost importance to man from his early days. It is primarily consumed to provide the body with nutrients which aid in energy production, tissue synthesis, repair and maintenance of body functions (Awan and Okaka, 1992).

In early days, however, food that was available was eaten raw. It was later discovered that when cooked, the aesthetic value of food was improved. With time, man developed in skill and it was possible for him to alter the composition, character or nature of his food to suit his requirements. As he became specialized in skill and occupations, it was necessary for trade in food to commence between those who produced and those that did not. The twin development in skill and trade according to Omotayo (1998), were not however without their attendant problems. It was becoming more difficult for man to establish whether that which was being offered to him was what he really bargained for

or safe for his consumption. It was also important in Nigeria as in other developing country to ensure that food products are properly treated and contain what it is expected. However, that act of debasing for or substitution of an inferior food products for a superior one to the detriment of the buyer still continues in various forms have not been addressed. Thus, various actions have been in existence long before as shown in the history of human existence. The Law of Moses in the past contained injunctions which are similar to certain aspect of modern food safety laws. These practices in our organized society today naturally call for official suppressive actions due to the twin needs, to protect the purchaser and the honest trader (Omotayo, 1998; Grijspartvink, 1996).

In many countries, responsibility for food safety is divided among different ministries, sometimes leaving ill defined areas where co-ordination and work are inadequate (WHO, 1988). Since food is

beside water and air, the major vehicle for the entry of environmental pollutants into human body, the microbial and chemical safety of food is of special importance to man.

The various tears of governments of Nigeria had endeavored over many years, to provide for the safety and wholesomeness of man's food by legal provisions and appropriate punitive actions when and where necessary.

Many codes of criminal laws were established by various governments in Nigeria for safety of food consumption. These include criminal code Cap 42, of June 1916, Federal and Regional Laws (Cap 115, Cap 121 and Cap 185) of July 1917, Public Health Act (Cap 155), Food and Drugs (Lagos) acts 1965, Food and Drugs Acts 35 of 1974 (Baptist, 1976; Baptist, 1982).

Food Safety and Consumer Protection

Food safety is the study of different approaches and strategies that will help to ensure that foods are safe for human consumption (Melchem, 2004, FAO, 2004). It takes into account the way the food was handled, stored and prepared. Another term for food safety is food sanitation, which starts as soon as the raw food product is purchased and ends with the proper storage (refrigeration or freezing) of leftovers that are put away for future use (FAO, 2004). Food safety rules are mainly observed in restaurants or other public food handling facilities, but should also be practiced in every private kitchen.

Consumer protection is a group of laws and organizations designed to ensure the rights of consumers as well as fair trade competition and the free flow of truthful information in the marketplace (FAO 2004). The laws are designed to prevent businesses that engage in fraud or specified unfair practices from gaining an advantage over competitors; they may also provide additional protection for the weak and those unable to take care of themselves. Consumer protection laws are a form of government [regulation](#), which aim to protect the rights of [consumers](#). For example, a government may

require businesses to disclose detailed information about products—particularly in areas where safety or public health is an issue, such as food. Consumer protection is linked to the idea of consumer rights, and to the formation of [consumer organizations](#), which help consumers make better choices in the marketplace and get help with consumer complaints.

Since the dawn of history man has concerned himself with food safety as recorded both in historical and religious books. This is necessary to protect people against food borne diseases and food adulteration. However, today the need for consumer protection in Nigeria has become more imperative for the following reasons:-

- a. Food borne diseases remain one of the most wide spread public health problems in the contemporary world and an important cause of reduced economic productivity, despite progress in Food Science and Technology. The World Declaration on Nutrition, adopted by FAO / WHO International Conference on Nutrition (FAO / WHO, 1992) emphasized that hundreds of millions of people suffer communicable and non-communicable diseases caused by contaminated food and water.
- b. General aggravation of poverty level in our depressed economy leading to consumption of unwholesome and unbalanced diet by Nigerians (FAO / WHO, 1976).
- c. Increased contamination of environment and consequently increase in the possibility of food poisoning (HMSO, 1992).
- d. Rapid urbanization leading to more complex food chains and greater possibilities of food contamination. The continuous movement of millions of people through international and regional migrants, refugees and tourists greatly facilitates the spread and transmission of enteric pathogens (WHO, 1988).

- e. More Nigerians eat out today than ten years ago and more people patronize roadside eating houses or bukaterias, street food vendors and fast food restaurants due to reasons best known to the consumers (Okaka *et al*, 1994).
- f. Increase in outbreak of food borne diseases e.g. *Salomonellosis* and diarrhea in many parts of the country (Onuorah *et al*, 1987, FGN / UNICEF, 1994).
- g. Massive importation of food through normal importation and a lot through smuggling across the borders thereby allowing substandard and unwholesome food into the country. Furthermore, the rapid growing international trade in food products has resulted in more trans-boundary of food borne infection (WHO, 1988).
- h. A new upsurge in small unit packaging of food such as milk-based products and milk powder, in open market to offer consumers such products at affordable prices. This new trend of market is open to easy food contamination.
- i. False claim/ health claims on food labels such as claiming nutritional values which are not contained in those products. The risk of consumers being misled by endorsement scheme used to promote certain types of food as being beneficial to health (FDAC/REP, 1991).
- j. Emergence and proliferation of backyard food processors who are generally incompetent, but who carry out their trade for survival as a result of the depressed economy. This is especially true of 'pure water', yoghurt and ice cream which are found to be hygienically incriminating (Onuorah *et al*, 1987).

Food Consumer Protection

The above reasons call for food safety and consumers protection in Nigeria. It is obvious that the Nigerian consumer heed adequate protection from possible health hazards arising from inadequate food safety measures, as done

in other countries of the world (FAO/WHO, 1976; Hult, 1977; O'kaofe, 1968; HMSO, 1992).

The Federal Government of Nigeria like other nations has established the following bodies to effect protection of food consumers; however, the effectiveness is yet to be determined.

- a. Food and Drug Services Department, Federal Ministry of Health is responsible for policy formation on food, either locally manufactured or imported into the country as one of its functions (Baptist, 1976).
- b. National Agency for Food and Drug Administration and Control (NAFDAC) is responsible for food policy implementation which include food inspection, food registration and food analysis as part of its functions. NAFDAC was established by decree No. 15 of 1993, while the main enabling laws for food safety control by the agency are contained in decree No. 35 of 1974 and the various regulations made under the decree. The agency has well established and well equipped laboratories in Lagos, Kaduna and Maiduguri for carrying out food analysis for regulatory purpose (Omotayo, 1998). NAFDAC has a task force which carries out regular surveillance and sanctions against adulterated food products in the country.
- c. The National Primary Health Care Development Agency is working in collaboration with Health Department of Local Government to promote food hygiene and safety principles at the local level (Baptist, 1982).
- d. The Standard Organization of Nigeria (SON) established by decree No. 56 of 1971 is responsible for formulation and enforcement of set standards on composition of imported and locally manufactured foods. SON is also concerned with standards of packaging materials and equipment used in food manufacture (Baptist, 1976).

- e. The Federal Environmental Protection Agency (FEPA) was established by the Federal Government to control environmental pollution including food factories. This will render the food factory environment safer from environmental contamination (Omotayo, 1998).

Problems and Prospects

The main problems associated with Food Safety and Consumer Protection in Nigeria includes:-

- a. Communication breakdown: - Lack of communication between the Federal, State and Local Government efforts on food safety and consumer protection has greatly reduced the effectiveness of consumer protection policy.
- b. Out-dated and irrelevant laws and regulations: - The existing food laws and regulations are outdated and irrelevant to the prevailing conditions and in the maintenance of effective food safety and consumer protection in the country. The recent development in the scientific and laboratory equipments had thrown more light to the conditions (nutrients, microbial content and toxicants) of foods. Foods with some health claims have been found to be false (Osagie, 1980; IFST, 1988). The immediate repeal or adjustment of the present laws and regulation are very necessary if the country is to make any forward move.
- c. Poor funding of food and drug laboratories:- The few food and drug laboratories (Kaduna, Lagos, Maiduguri) are poorly funded and the equipment are non-functional and or outdated. In some cases even newly acquired instrument are not installed for one reason or the other. Most of the staff needs training to cope with present world requirements in research. The Federal Government of Nigeria is therefore advised to come to the aid of these bodies.

- d. Ignorance of consumers: The consumer has right to know how and by which techniques the products are manufactured and even the content (HMSO, 1992; DeVries and Nelson, 1994). The risk of consumer being misled is even greater in the case of endorsement scheme used to promote certain types of food as being beneficial to health (FDAC/REP, 1991; Omotayo, 1988). Groundwork must be done to educate the masses or consumers as to their right to the food they consume.
- e. Aggravation in poverty level: Most of the consumers are poor by all indices, income, occupation and education (FGN/UNICEF, 1994). These have given them no option to consume any type of food irrespective of the quality as long as it is cheaper. The general aggravation in poverty level is forcing the people to accept substandard and sometimes adulterated foods (Omotayo, 1998).
- f. Negligence of food scientist and technologists in the set up bodies or committee establishing Nigerian food laws and regulations. The mix-ups in the Nigerian Food laws and regulations committee or bodies have not helped the effectiveness of food safety and consumer protection. The professional bodies like Nigerian Institute of Food Science and Technology, Nutrition Society of Nigeria have crucial roles to play by providing expert advice, professional consultancy services to the Food Drug Services and Food industries to enhance good manufacturing practices for good quality

Way Forward

The way forward for developing nations include:

- i. Reform of the existing systems of official food control that deliver and monitor food safety to ensure that the challenges of delivering safe quality food can be met efficiently and

- expediently. The current dispersed and none coordinated system be restructured to an optimized and centralized system
- ii. Food packaging and labeling should provide consumers with accurate information that is sufficient to enable them to make well informed food choices (Ayo, 2003)
 - iii. Establishment of public health risk reduction programmes to concentrating on public health risk reduction, through the identification and prevention of biological, chemical and physical threats in the (human) environment, including food, and emergency situations (FAO 2004; Mechlem, 2004).
 - iv. Establishment of National monitoring of contaminants (likely to cause a health risk) in parallel with nutritional surveillance of diets and biochemical tests, to give the full picture and magnitude of food and nutrition risk factors at population level
 - v. Development of an Agriculture Knowledge system (particularly graduate and postgraduate education) in the area of food safety and quality.

The prospect of food safety cannot be overemphasized. The correct implementation of food safety and consumer laws will among other things:

- i. Produce a health society, as the chemical and microbiological risks to public health will be reduced with time. And there will be improvement of food quality and safety from field to table, dietary habits and nutrition, and prevention of food-borne diseases and diet-related health disorders (Suleiman *et al.*, 2013; Mechlem *et al.*, 2013).
- ii. Produce economically sound nation (FAO, 2004, Mechlem, 2004).
- iii. Diminishing the pollution of soil, water and food (Ayo and Adeola, 2011).

CONCLUSION

The vicious circle of food contamination leading to food borne illness (health hazards) must be broken. This will entail a new approach to food

safety. More legislation, more appropriate standards and more inspection will not be the only answer to the problem in the country. The integration of food safety into the Primary Health Care Delivery System and the deep concern of the Federal Government would appear to be the only realistic alternative.

Finally, an efficient food safety programme and consumer protection is vital to food security in the coming years. This is because even with adequate supply of food through enhanced mechanized farming, sufficient supply of processed or manufactured food, well distributed in the country, the Nation Food Security System can still be frustrated if not backed by efficient and sustainable food safety and consumer protection programmes.

The day will come when the progress of nations will be judged not by their military or economic strength, nor by the splendor of their capital cities and public buildings, but the well being of their people, their levels of health, nutrition and education, by their opportunities to earn a fair reward for their labors, by their ability to participate in decisions that affect their lives, by the respect that is shown for their civil and political liberty, by the protection that is afforded to the growing minds and bodies of their children (FGN/UNICEF, 1994,FAO, 2004).

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