

# South African consumer rights under threat

By [Danette Breitenbach](#)

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The prohibition of alcohol advertising and raising the age limit for alcohol sales to 21 is an infringement of consumers' rights to choose their own lifestyle as well as their right to information to make an informed choice.

This is according to Leon Louw, executive director of the Free Market Foundation (FMF). He spoke recently at a gathering at the FMF in Bryanston, Gauteng, and called the proposals "Big Brother social engineering that is determining consumer values, not consumers themselves".

He says the ban on alcohol advertising, and other proposed regulations by the Department of Health, will erode the rights of consumers' in determining their own health and lifestyle choices.



Prohibition of advertising alcohol products, for example, infringes on freedom of choice, says Louw.

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The other proposed regulations include age restrictions for fast-food sales, limitations on how much salt consumers can have in their food, sugar taxes, and the prohibition of smoking in private places. There is also a move to ban branded packaging for tobacco products (as has been done in Australia).

## We have freedom of choice

Consumers have legitimate choices to pleasure, satisfaction and happiness, he maintains. "Rightly or wrongly an unhealthy lifestyle should be a choice. Junk food is bad for you, but the consumer has a right to eat it," says Louw.

Instead, he says, government should be educating and encouraging consumers to live a healthier lifestyle. "It cannot dictate to consumers as this erodes consumer

freedom."

Apart from this, he says the proposals will also victimise the poor, as they will feel the effects of these regulations the most. "The poor pay more tax because they consume more sin. Therefore, a liquor tax will be felt by the poor, but not by the rich. Sin tax becomes a penalty the poor pay and the rich do not," he says.

Louw likens the process of regulating the consumer to that of the salami technique. "No-one really notices the salami getting smaller because only a slice is cut off at a time. Regulating consumers started with tobacco, but has steadily been slicing into all areas of consumers' lives."

## We need to speak up now

It is important that consumers speak up now, before all their rights are eroded, he says. "Consumers need to have information on products, imparted by the means of advertising and marketing, as well as packaging and display. Bland packaging robs them of this right," he says.

Thami Bolani, Chair of the National Consumer Forum / Consumer Fair, also addressed the gathering. He says regulation is not necessarily bad, but more civil society participation is needed in policymaking. "This is where we can make an impact and we need to build processes, together, to ensure more people are involved in policy making."

He says one of the biggest challenges in this country is a lack of consumer organisations. "We have less than five consumer organisations in this country as opposed to 10 years ago when these organisations abounded. Funding, the

retirement of activists, a lack of reward serving in civil society organisations and better opportunities for members are just some of the reasons why this [decline in the number of consumer organisations] has occurred."

He added that civil society organisations have to form partnerships and work together on key issues." We can make an impact if we work together to engage government and work together. It is important if we are to achieve a balance between regulation and free choice."

## ABOUT DANETTE BREITENBACH

Danette Breitenbach is a marketing & media editor at Bizcommunity.com. Previously she freelanced in the marketing and media sector, including for Bizcommunity. She was editor and publisher of AdVantage, the publication that served the marketing, media and advertising industry in southern Africa. She has worked extensively in print media, mainly B2B. She has a Masters in Financial Journalism from Wits.

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