

UDC 340
DOI: 10.63341/naia-chasopis/4.2025.09

State of research on the issues of state consumer policy in Ukraine

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Abstract

Attracting the attention of researchers of various fields of knowledge to the problems of human rights, the implementation of a certain type or specific right in the context of the national legal system is due not only to the conditions of martial law in Ukraine, but also to the global trend of changing the worldview paradigm from positivist concepts towards natural law. This situation makes it necessary to rethink the role of a person in society, the purpose of the state mechanism, its law enforcement and human rights institutions in ensuring human rights, in particular in the sphere of functioning of consumer relations. The purpose of the study: using the subject criterion to characterise the state of research on the implementation of consumer policy of the state, to identify promising areas of research, and to highlight the basic methodological tools of contemporary legal scholars. The methodological basis was formed in accordance with the essential characteristics of the phenomenon under study, so the methods of hermeneutics, comparison, functional analysis, and pragmatism were used in the writing process. The paper examined the most well-known studies by contemporary researchers, who focused on public consumer legal relations and the functioning of consumer markets. It was concluded that in the field of scientific economic and legal knowledge on the interaction of subjects of legal relations with the status of consumer (buyer) and producer (seller), several areas have been formed, which made up the source base of research and understanding of which allows forming objective ideas on the implementation of consumer policy of the state, distinguishing it from the phenomena of state policy and state consumer policy. The analysis of legal acts of the United States of America, the countries of the European Union, and international organisations on legal regulation of consumer relations helped to reveal the insufficient regulation of these relations in Ukraine and to encourage scientists and practitioners to harmoniously combine in the implementation of joint normative activities. The insufficient quality of work in Ukraine of entities authorised to implement control and

Article's History:

Received: 20.07.2025
Revised: 30.10.2025
Accepted: 25.11.2025

Suggest Citation:

Starytska, O., & Tarasenko, O. (2025). State of research on the issues of state consumer policy in Ukraine. *Law Journal of the National Academy of Internal Affairs*, 15(4), 9-19. doi: 10.63341/naia-chasopis/4.2025.09.

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preventive measures has been shown, which makes it impossible to fully bring violators to justice and compensate the consumer for losses. Consumer public associations do not work effectively enough, which is especially noticeable in the consumer market of medicines and food products

Keywords:

national policy; consumer policy of the state; harmonisation of legislation; consumerism; consumer; service provider; consumer rights protection

Introduction

Consumer topics are one of the most pressing problems of our time, given that consumption is one of the forms of existence of a social organism based on the laws of production, supply and demand, and a person, their life and health are recognised as the highest social value that is subject to protection. According to E.A. Minton & F.G. Cabano (2024), M. Grénman *et al.* (2024), A.L. Pearl (2025), the most important value that the law is meant to protect is the existence of human society and the life of each individual. In personal and social life, such values as freedom, equality, justice, humanism, and kindness play a fundamental role. And these values themselves have no meaning, but only with reference to the individual, to their real possibilities of self-realisation (Fedoruk, 2022). A characteristic feature of demand is the constant development of the needs and interests of social actors, which the market supply system aims to satisfy. The use of innovations, the development of technologies in the production sector provide a new range of offers with expanded consumer characteristics, which leads to the movement of the system of needs, contributes to the development of new requests for the use of previously unknown goods or services. In addition to changing consumer guidelines for the subject of use, requirements for the quality of goods and services are also changing.

Relevance is also reinforced by other factors of social life, which also have an objective origin and are associated with trends of a globalising nature. In particular, it is worth paying attention to the fact that the subject area of consumerism is quite wide, which becomes the basis for developing a number of regulatory components that would regulate the relevant industry. For example, as T. Lozova (2024) points out, "...due to Ukraine's acquisition of the status of a candidate for EU membership, the possibility of developing trade relations is expanding. A significant share of all goods subject to export and import is occupied by food products. In the current situation in Ukraine, the implementation of European requirements for food quality and safety has become extremely important. However, simultaneously, the issue of falsification of food products has become very urgent...".

Among other things, these include factors such as harmonising Ukrainian legislation with European Union legislation and adopting the high standards of developed countries for the quality of consumer goods and services. For example, Ukraine was one of the first countries to sign and ratify the MEDICRIME Convention¹, and from January 1, 2016, this agreement entered into force. The MEDICRIME Convention is the first international document offering a legal framework for global cooperation in the fight against counterfeiting of medicines and medical products and similar crimes. This Convention makes it a crime and sets out criminal liability for making fake drugs and medical products; supplying, offering to supply, and trading in fake drugs and medical products (The Ministry of Health reported..., 2023).

Subsequently, the Government of Ukraine approved the Concept for the Realisation of State Policy on the Prevention of Falsification of Medical Products and Approval of the Action Plan for its Realisation² aimed at ensuring the coordination of the work of executive authorities in order to protect society from counterfeit medicines, the introduction of labelling with a control identification mark, the introduction of an automated system for monitoring the turnover of medicines, and the action plan for its implementation was approved.

Among the subjective factors that make us turn to the problems of functioning of the consumer sphere are the facts of direct violation of the current legislation of Ukraine, in particular, in the areas of circulation of food and medicines. According to O. Kalinina (2021), the most common falsification in the production of flour and confectionery products. The main types of counterfeiting of these goods are qualitative and quantitative indicators, while assortment counterfeiting is much less common. In addition, falsification of a technological nature prevails. The most common subject of counterfeiting is bread and bakery products, where products of lower quality are sold under the guise of higher-grade products.

According to the state service for food safety and consumer protection, counterfeit goods are now the number one problem in our country. This is partly a

¹ Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health. (2011, October). Retrieved from https://zakon.rada.gov.ua/laws/show/994_b87#Text.

² Resolution of the Cabinet of Ministers of Ukraine No. 301-r "On Approval of the Concept for the Realisation of State Policy on the Prevention of Falsification of Medicinal Products and Approval of the Action Plan for its Realisation". (2019, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/301-2019-%D1%80#Text>.

consequence of the pandemic, which has hit Ukrainians' pockets and emboldened "fraudsters". Thus, specialists of this service, in cooperation with public organisations and law enforcement agencies, constantly seize counterfeit goods throughout the country, in particular, they find counterfeit products in schools (Magaletska, 2021).

Given the urgency of the issue under consideration, researchers from one of the country's leading universities have developed methodological recommendations for detecting counterfeit products, which is a kind of response to the challenges of the time. The emphasis was placed on those categories of products that are most often falsified: dairy; alcoholic and non-alcoholic beverages; edible fats; meat products (Shabalina *et al.*, 2022).

In turn, the raised issues are not limited only to the outlined areas, they are much broader and require a responsible and urgent solution. That is why, focusing on this topic, it is quite logical to investigate the current state of state consumer policy in our state. Accordingly, the purpose of this study was to critically review the scientific literature, the subject area of development of which is the issues of state consumer policy. To achieve the stated goal, the following tasks have been set: to identify the criteria for the subject area of scientific research conducted by representatives of domestic science who study issues related to consumption; based on an analysis of relevant sources, to establish the methodological tools used by the authors; to outline promising areas of scientific research for the field of consumer policy.

In the process of research, it was entirely appropriate and justified to use such methods of scientific cognition as: analysis, which encouraged a thorough understanding of existing developments in consumerism; hermeneutics – for interpreting the various scientific views of representatives of contemporary jurisprudence; comparison, the application of which helped to identify common and distinctive aspects of authors' opinion on a particular criterion of consumer policy; functional analysis – in developing criteria for the subject area of existing research and pragmatism – to identify promising areas for further research in the field of consumer policy. According to J. Paul (2025), "as the level of research in various disciplines increases, the importance of systematic literature reviews rises significantly. These reviews help to establish the research context, identify knowledge gaps, and substantiate scientific research". Therefore, based on the results of preliminary familiarisation with scientific sources that somehow relate to the problems of consumer rights, it seems possible to draw an interim conclusion about the state of research on the chosen topic. Considering the versatility of this social phenomenon (consumption), the diversity of subject categories and the inexhaustible consumer interests or needs, researchers' attention is drawn to various aspects of its understanding.

Methodological criterion for consumer policy research

A significant contribution was made by researchers who worked on issues of methodological content, laid the foundation for cognitive processes in the consumer sphere of society's life, determined the content and scope of fundamental concepts, such as "legal policy" (Onishchenko, 2024), "consumer policy of the state" (Romat, 2009; Tolstonog, 2015), "state policy in the field of consumer protection" (Zvereva, 2007; Lyha, 2023), etc. As a rule, researchers of the methodological basis of consumer sphere cognition move from general to specific, starting with the disclosure of the concepts of "policy" and "public policy" and gradually moving on to its specific type or sphere, thus touching upon public policy in the sphere of consumer rights protection. When examining the transformation of state policy in contemporary Ukraine, with an emphasis on the priority of human-centred ideology, experts argue that declaring human rights to be the main issue of today and recognising that the interests of the individual are more important than those of society and the state is a classic postulate of the legal doctrine of civil society, which can now reasonably be considered the most important area of the state's legal policy (Zvereva, 2007).

In addition to human-centrism, there are other approaches to highlighting the characteristics of certain types of state policy. Thus, for example, some researchers apply a functional approach, revealing the concept and content of the state policy of Ukraine in the field of consumer protection through the prism of state functions, such as: development of a system of legislative support for consumer protection; development and ensuring the effective work of executive authorities towards consumer protection; creation of a number of incentives for manufacturers and sellers to comply with consumer rights; support for public associations whose purpose is to protect consumer rights; research activities in the consumer sphere, etc. (Romat, 2009).

As A. Lyha (2023) notes, many researchers have paid attention to the definition of the concept of "state consumer policy" and the impact of state funds on business entities. However, such a concept as "state policy in the field of consumer protection" in the context of Ukraine's European integration was rather neglected. The researcher analysed the existing methodological approaches to the definition of the concept of "state policy", suggested her own definitions of state and consumer policy with an emphasis on the idea of socio-political consensus. Other researchers describe consumer policy as a state policy aimed at creating favourable conditions for saturating the market with high-quality and safe products (Zvereva, 2007), as a purposeful activity of the state aimed at effective regulation of socially important relations in the field of consumption, etc. (Romat, 2009). S.L.T. McGregor (2017) notes that: "Contemporary consumer policy is characterised

as interactive and integrative, full of variable boundaries and coalitions, and evolutionary roles for both the state, the market, and society". As can be seen from the above, these researchers adhere to the position of the exclusive role of state institutions in the development of consumer policy and its regulatory capabilities in certain important areas of public life, while not excluding integration with civil society institutions, which can be agreed upon.

Important are the studies by B. Leucht (2022), where the researcher revealed the influence of Great Britain on the development of consumer and information policies of the European Union. Consequently, after 1973, the existing concepts were rethought and the final priority of the economic model of European consumer citizenship over competing approaches was established. Along with this, S. Wahlen & K. Huttunen (2012) also analysed the main areas of the development of contemporary consumer policy of the European Union, where a significant contribution was made by Finland and Germany, the basis for which was the idea of free markets and individual freedom, which was emphasised by classical liberalism.

Thus, methodological developments of researchers within a specific field of scientific research are of exceptional importance for ensuring the objectivity and reliability of the results obtained. Such developments not only characterise the properties of cognitive tools, but also indicate the prospects for further research. In this regard, the issue of highlighting the methodological part is a mandatory accompanying component of the cognitive process, along with setting the entire range of other tasks, which ensures a harmonious combination of goals, tasks, and research results.

Criterion of protective mechanisms for implementing consumer rights

A group of studies aimed at understanding the protective mechanisms of consumer rights implementation using the potential of certain branches of national legislation, the institute of legal responsibility, etc., should also be highlighted (Radchenko, 2017; Zozulya, 2020; Tsurkan, 2023). Scientific literature points to the need for transformational processes in Ukraine's legal system: "...Ukraine's European integration commitments to harmonise systems require significant changes to the existing consumer protection system..." (Lyha, 2023). Covering the issues of protection, researchers, as a rule, return to the problems of legal regulation by means of administrative legal, criminal legal, economic legal regulation, given that state authorities operate within the framework of the law with the dominant use of legal means and procedures. Regarding the administrative and legal protection of the rights of consumers of financial services, it can be defined as a system of administrative and legal means implemented through regulatory and protective legal relations aimed at avoiding,

stopping or preventing violations of consumer rights in the field of financial services (Radchenko, 2017). Among all the means of the legal regulation mechanism, attention is also paid to the issues of responsibility of consumer market participants. In this context, a specific concept mentioned in the scientific legal literature on consumer market regulation is the concept of administrative and economic sanctions, which was first introduced into scientific circulation in 1990. This type of sanctions is applied in administrative and economic relations by specially authorised bodies, and is aimed not so much at compensating losses to the state and other participants in economic relations, but at restoring the violated public economic order (Levchuk, 2007).

Concerned with the problems of protecting the consumer market from falsification, Tsurkan (2023) stated that the lack of adequate sanctions in the Criminal Code of Ukraine for falsification of medicines provokes unscrupulous parties to carry out illegal activities to open underground production facilities for the manufacture of counterfeit medicines and their further sale on the Internet, which further complicates the procedure for identifying violators. According to the author of the publication, for 8 years, since 2015, the courts have opened 199 criminal proceedings in cases of falsification and counterfeit goods. Of these cases, the courts issued only 3 sentences that entered into legal force for falsification of medicines.

The reasons for the emergence of a large number of counterfeit medicines on global markets are also being investigated, including the inconsistency of national legislation in the field of regulation of the development, registration and circulation of medicines, the underdevelopment of regulatory bodies, government bureaucracy and corruption, etc. (Zozulya, 2020). As indicated by K. Vakarieva (2025), referring to data from the World Health Organisation (hereinafter – WHO), every tenth drug in low- or middle-income countries, including Ukraine, is counterfeit. Fraudsters fake absolutely everything: from expensive cancer drugs to ordinary painkillers. They sell them via the Internet, where it is very difficult to check the authenticity of drugs.

WHO estimates that 600 million people, almost one in ten in the world, have been victims of poor-quality food consumption. 420,000 people die each year due to the consumption of dangerous food. 40% of foodborne illnesses occur in children under the age of five and cause an average of 125,000 infant deaths (Official website of the World Health Organisation, 2024). According to O. Tsurkan (2023), "...in recent years, the number of counterfeit medicines on the Ukrainian pharmaceutical market has increased, which is associated with rising prices for original medicines. In addition, the increase in the number of forgeries is associated with a complex procedure for proving a crime and a sense of impunity for persons who are engaged in forgery and falsification of medicines". It is necessary to consider the fact that

there are virtually no statistical data on falsification of medicines in Ukraine. The inability to determine the volume of counterfeit goods is conditioned by the lack of a unified system for monitoring the turnover of medicines (Zozulya, 2020).

The emphasis is somewhat shifting towards sociological and cultural approaches when it comes to social responsibility and a responsible attitude to doing business. According to Ya. Petrunenko (2023), business entities should apply a human rights-based approach when conducting business activities. In particular, the researcher emphasised the need to assign social responsibility to business entities, in other words, the development of a socially responsible business. Combining the approaches outlined above, scientific sources trace such a protective mechanism as the return of goods by the consumer. According to H. Abdulla *et al.* (2024), the restrictive return policy (shortening the time interval or introducing replenishment fees) also negatively affects sellers themselves (especially retailers), as the level of purchases and positive reviews decreases.

Thus, all the above-mentioned publications, united by the criterion of a protective mechanism, should be attributed to developments that at the theoretical level contribute to the development of a model of reliable guarantees for the implementation of consumer rights. However, guarantees work only if there are mechanisms for their implementation in the practical plane of life, and their breadth of implementation determines the need to determine the appropriate number of protective mechanisms, starting from ideological, educational principles of influence on consumer subjects, ending with the creation of appropriate motivations and incentives, reliable procedural algorithms, and the use of fair measures of influence.

Criterion for legal regulation of consumer relations

The issue of legal regulation of consumer relations has become a constant subject of scientific research, with coverage of international law acts, examples of national experience of states, the genesis and adaptation of consumer legislation in Ukraine, which allows for a more thorough approach to the analysis of trends in the development of the legal basis for the functioning of consumer markets (Lipanova, 2012; Saunders *et al.*, 2021; Plotnikova & Shvaher, 2022).

In this context, the paper by O. Lipanova (2012) can be useful, which describes the stages of establishment of the legislative basis for the development of consumer markets in foreign countries and Ukraine. According to experts in the regulation of consumer relations, nowadays, the food supply chain has an international character, so effective cooperation between governments, producers, and consumers of food contributes to the maintenance of food safety. Given that the European Union has identified food safety as one of the

priorities of its expanding policy, it is impossible to ignore the issues of international regulation of consumer relations and adaptation of national consumer legislation (Public Health Centre of the Ministry of Health of Ukraine, 2025). The proposals of researchers to use the experience of European countries, in particular, regarding the legal regulation of alternative financial dispute resolution institutions, expanding the range of entities authorised to make decisions (Plotnikova & Shvaher, 2022), are also relevant.

Among the prospects for the development of legal regulation of consumer markets, researchers see it necessary to supplement the current legislation with a number of novelties regarding the means of influencing subjects of economic relations, in particular, such as: termination and suspension of economic activities; nationalisation; management of state business institutions and organisation of privatisation; introduction of organisational and economic, standard and model contracts; procedures for compensation of losses in the field of management; punitive and operational and economic, administrative and economic sanctions (Lyha, 2022).

Complementing the system of knowledge about the experience of European countries, researchers give examples that are worthy of use in the legal system of Ukraine, or those that deserve to be studied with further adaptation of national legislation. For example, the International Consumer Protection and Enforcement Network (ICPEN) has been established in Europe. Its goal is to strengthen and improve legislation on consumer protection (except for product safety and economic standards of financial institutions). Twice a year (Kepko *et al.*, 2021) network participants hold meetings where they discuss consumer rights issues, exchange information, and improve cooperation between participating countries.

One of the complex studies of a comparative nature and European integration direction was prepared by a representative of the Kyiv Scientific School, I.O. Tarasenko (2023), to highlight the features of human rights practice of Ukraine and the European Union in relation to consumers of financial services. It is noteworthy that the study contains both a methodological and empirical basis for further research, and the work itself has a multi-vector purpose, which is useful for both researchers and practitioners. The author of the paper thoroughly worked out the conceptual framework of the study, in particular, paid attention to the content processing of such basic concepts as “financial literacy”, “financial culture”, “financial discipline”, which creates conditions for further understanding of the legal status of subjects of consumption of financial services, highlighting their rights and obligations, allows us to better understand the behavioural elements of such a category of persons as subjects of consumption of financial services, namely, to identify the types of economic behaviour of the population and households, factors of propensity of the

population to save. Without exaggeration, the paper deserves a positive assessment due to the complexity and applied aspects of the financial services market.

The issues of European integration and adaptation of the legislation of Ukraine were not isolated, which are covered at the dissertation level, an example of which can be the paper by I.M. Stankova (2021), "Civil law regulation of consumer protection in the field of service provision". Investigating the most acute issues of legal regulation of the status of consumers, the researcher correctly noted that in the Law of Ukraine "On consumer Rights Protection" the concept of "consumer" is used in a narrow (legal) meaning and reflects the special status of the buyer, acquirer of services. Its rules regarding the definition of the category "consumer" and the use of special means of consumer protection do not apply to legal entities, citizens registered as individual entrepreneurs who order or use goods, works (services) for doing business, who also become consumers for doing business.

Positions on the legal regulation of neurotechnologies, which have become quite actively used in the contemporary consumer market, are also interesting. Many organisations use artificial intelligence in their marketing activities to save time and money, which also provides an individual focus on the customer by generating relevant text and images (Duivenvoorde, 2025). In particular, E. Steindl (2024) focused on the compliance of the European law on product safety with contemporary realities of using digital products. Other issues of a similar nature are also quite important. For example, the differences between smart contracts and regular contracts, especially in matters of blockchain. As M. Benseghir & N. Bendriss (2025) points out, the software features inherent in these contracts often circumvent consumer protection laws, for example, in a request to refuse to use them, which encourages legal experts to look for methods to ensure their implementation.

Cyber defence, privacy, and security are also relevant in the field of digitalisation and consumer law (Harkin *et al.*, 2022). This area has become especially relevant in the modern world, when Ukraine faces daily threats of IPSO, data leakage, etc. Accordingly, to ensure proper security, the national cybersecurity coordination centre was established, whose activities are aimed at improving the effectiveness of the public administration system in the development and implementation of state policy in the field of cybersecurity (Semenenko *et al.*, 2023).

Therefore, it can be concluded that publishing activity aimed at discussing issues of legal regulation is entirely justified, given that consumer relations always have a legal basis and are therefore directly linked to the quality of legislative support. It should be recognised that the quality of a legal act, the expediency of the legal structure of interaction between consumer market entities formed by legislation is an influential, but not the only criterion for determining the prospects

for sustainable economic development. It is also necessary to consider the types of legal regulation and legal regimes, the combination of which will contribute to the implementation of the legislative goal.

Consumerism in consumer policy research

Researchers also paid attention to the problems of consumerism as a special social phenomenon aimed at improving consumer-manufacturer interaction, achieving a higher level of quality of consumer goods and services (Burlytska, 2020). All participants in consumer relations are interested in creating a system of consumer relations that would serve as a conflict – free environment in which the two most important parties cooperate on mutual interest – the consumer (aka the buyer) and the manufacturer or supplier of goods and services (aka the seller). The manufacturer tries to preserve the consumer of its goods and services, so it is forced to create all the necessary conditions for attracting the consumer to the system of market relations, without whose participation the latter cannot take place as such. Retaining the consumer, keeping them as a potentially regular buyer, allows the manufacturer not only to sell their product, but also to make a profit, plan subsequent production and profit programmes. Unfortunately, the current conditions indicate an unsatisfactory state of quality of goods and services, and the number of citizens' appeals to challenge the quality of products, the level of service or the provision of services is growing.

Under these conditions, consumer associations put forward their demands to be heard, and not only to bring the perpetrators to justice, set standards for the release of harmful products, but also to achieve the desired impact on entrepreneurs, get high-quality goods and services. Such associations of consumers into various societies, organisations or unions, unions that fight for their legitimate rights and interests, form a certain social stratum, a kind of movement for consumer rights, called "consumerism". In developed countries, consumerism is a conglomerate of citizens and government agencies concerned with protecting, guaranteeing, and empowering consumers, fighting unscrupulous producers, and unfair competition. Currently, consumerism operates in three areas – consumer education, independent examination of goods, and litigation.

For the purpose of comprehensive coverage of the phenomenon of consumerism, contemporary researchers (Stole, 2015) investigate the activities of international institutions and consumer movements, such as: the International Organisation of Consumer Unions, the World Organisation of Consumer Unions, the United Nations (UN), based on the results of which both consumer protection standards and the volume of consumer law itself, mechanisms for its implementation are developed. In this context, it is advisable to recall

the “Guidelines for Consumer Protection” developed by the UN General Assembly based on the results of summarising world experience, which allowed the participating countries to form national legal mechanisms for consumer protection, to encourage a high level of ethical standards of behaviour for the sphere of production and consumption. According to O. Burlytska (2020), the history of the development of consumerism in Ukraine has more than one year, and today its legislative framework includes more than 40 laws and regulations. However, these documents do not cover the entire list of existing protection problems, and they do not clearly regulate cooperation between public organisations and state authorities.

Thus, the issues of consumerism at present can be considered insufficiently developed from the standpoint of legal science. On the one hand – the presence of a significant number of regulations, on the other – the lack of proper levers of influence on the process of developing consumer policy, the introduction at the legislative level of effective mechanisms for controlling the quality of products, creating conditions for the joint use of the potential of public associations of consumers in countering unfair competition. It is these issues that can be included in the programmes of planned research of consumer policy specialists.

The criterion of greening in contemporary research

Under the influence of integration processes, issues of greening the consumer market, determining national and regional priorities, creating environmental mechanisms for consumption, and increasing the role of eco-standards are also being updated (Chernik, 2020). First of all, it should be understood that such trends of greening observed in consumer law are associated with the transformation of general ideas about nature and the role of human in it. The natural and legal concept of legal understanding is being updated, according to which a person receives rights from nature, and the state must fix them in its legal acts and protect them through legal mechanisms. Similar ideological ideas can be seen in the study of consumption issues, where the consumer is also a person and also needs environmentally friendly products, the presence of eco-markets, the functioning of environmentally friendly industries that do not harm nature. It is clear that the presence of rights in one party determines the presence of obligations in the other, which allows balancing the legal relations of the parties. Therefore, the manufacturer should switch to energy-saving and nature-restoring technologies, adhere to standards in the production of harmful consumer products, reducing the load on the natural environment. Another aspect of consumption,

which is usually not mentioned or mentioned indirectly, is manifested in the fact that any consumer, regardless of their status (collective, individual, with a special status or not) is not only a consumer of goods or services, which occurs periodically by the will of the parties, but also a permanent acquirer of natural resources that make up the conditions and environment of their existence. For example, air that is continuously consumed by a person is a natural product, the purity of which causes increased consumer interest. However, the manufacturer does not always take care of this, putting the interest of its business ahead. It turns out that before entering into consumer legal relations, subjects are, in fact, equal consumers of natural goods in their status, which can manifest itself in an unfair attitude to nature.

The key term that allows understanding the genesis and trends of the state’s consumer policy is the term “sustainable development”, the content of which is associated not only with sustainability, but also with other important factors for society, for example, cooperation between Ukraine and the European Union countries in the field of nature protection. In particular, as noted by S.D. Chernik (2020), an important document was approved in 2015 at the UN Summit, “Transforming our world: The 2030 Agenda for Sustainable Development”, which approved 17 Sustainable Development Goals¹. The signing of the association agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand, confirmed Ukraine’s intention to further cooperate at the regional level in the field of environmental protection.

As evidenced by an analysis of a number of sources, the general trend towards the greening of scientific knowledge is present in various fields and branches of science, given its global nature. Along with this, there is such a dependence – the more the intensity of production increases, the more environmental problems arise that threaten the existence of society. Therefore, the continuation of the search for the creation of eco-markets, the introduction of the ideology of reasonable consumption, energy saving technologies, natural restoration, etc., are not only promising, but also vital in the context of strategic scientific thinking.

Subject composition criterion

Separately, in the scientific sphere, there is a significant layer of research aimed at highlighting the subject composition of the development and implementation of the state’s consumer policy, the functional powers of individual state and local government bodies, and public organisations (Magaletska, 2021; Levvytska *et al.*, 2024). The most significant subject at the stages of development and implementation of consumer policy,

¹ Resolution Adopted by the General Assembly of UN “Transforming our World: The 2030 Agenda for Sustainable Development”. (2015, October). Retrieved from <https://www.refworld.org/legal/resolution/unga/2015/en/111816>.

as one of the types of state policy, remains the state, and specifically – its authorised bodies, whose competence includes the management of the spheres of production and trade, where consumer interests are realised, relevant legal relations are born. These bodies acquired their significance due to the presence of power, the ability to set standards, make competent decisions, monitor their implementation, and use means of power coercion. That is, everything that is associated with the characteristic of a state authority, everything distinguishes it from the general subjects of consumer relations.

Control is one of the essential functions of state entities, due to which management takes place within the limits of specified goals, including in the consumer market. According to V. Magaletska (2021), specialists of the State Food and Consumer Service, in cooperation with public organisations and law enforcement agencies, constantly seize counterfeit goods throughout the country, in particular, they find counterfeit products in schools. Among the products that are most often falsified are fats and oils, fish and products made from it, meat and meat products.

As noted above, in addition to food products, medicines are also massively forged, therefore, the task of controlling entities is to detect counterfeit goods in a timely manner, implement preventive measures, etc. However, in addition to state authorities, representatives of civil society should also be included in the subjects of consumer relations, among which the individual consumer is the most important subject. Other researchers agree with this opinion, arguing that at the present stage of economic development, the consumer is a determining figure, since it creates conditions for the development of enterprises and influences success in competition. Interesting from the standpoint of the humanitarian dimension is the study of the consumer's personality in various aspects, which is also being worked on by consumer researchers. For example, the opinion of L. Wood *et al.* (2022) on the use of scientific information by various government agencies and transport institutions to shape transport policy is interesting from a scientific perspective. In particular, the researchers point out that depending on the legal status of the consumer, the requested information will be different.

Analysing different approaches of the researchers (Levytska *et al.*, 2024) to understand the concepts of “consumer as a person” and “subject”, the following generalisations can be made: in scientific discourse, these definitions are interpreted differently; there is no single scientifically based stable understanding of the concept of a person; in economics, the person as a consumer is limited; the relationship between the individual and the consumer is not studied, etc. As can be seen from the above, for the branches of legal, sociological and psychological scientific knowledge, a promising area opens up for further research, the results of which

can become useful in practical activities, including in pre-trial dispute resolution.

The study of the subject composition, considering the different functional roles of collective and individual subjects, allows answering a significant number of questions that arise in the field of consumer relations. One of these is the issue of the legal status of a person who falls within the scope of such legal relations. Along with the individual, collective actors also interact, some of which are endowed with power, which allows complementing the diverse picture of consumer market participants. However, as a defining one, the literature substantiates the opinion that behind each subject there is always a person endowed with rights and freedoms, which confirms the expediency of applying a human-centred ideology.

Conclusions

The study of the sphere of consumer relations was carried out in various aspects by representatives of various branches of knowledge, including legal specialists. Active searches were also conducted using the best practices of economic science. Giving preference to legal research, it seems possible to carry out classification in relation to the subject area of scientific interests of lawyers: sources of a methodological nature, which pay more attention to the methodology of consumer relations research, the content characteristics of the main concepts related to the development and implementation of consumer policy of the state, the organisation of consumer markets; sources aimed at highlighting the problems of legal regulation of consumer relations; sources devoted to the study of the phenomenon of consumerism; sources aimed at determining the ways of greening consumer markets, and those that characterise the subject composition of consumer legal relations.

However, insufficient attention was paid to the issues of the consumer protection mechanism. Considering the structure of this phenomenon, along with this additional study, such components as: rule-making, procedural and material guarantees, status legal norms of certain categories of consumers, etc., are subject to additional research. The issues of ways to environmentalise consumer policy were also insufficiently studied. The need for their further in-depth understanding is determined by the needs of sustainable development of Ukraine, in particular by implementing such operational goals as ensuring protection for all and introducing balanced consumer markets. Promising areas of consumer policy research should also be considered: adaptation of foreign experience in strengthening the role of consumer associations and resolving conflict situations; ways to form environmental markets with ensuring the standards of developed European countries. This is all the more relevant in the context of increasing trends in European integration in the legal sphere.

The main methodological tools of consumer research are hermeneutical, comparative, systematic and functional approaches, which allows researchers to obtain objective and justified results. In addition, the methodological base of consumer policy research also deserves criticism. If the demand method or comparison in synchronous and diachronous formats is present in many publications, then the methodology of human-centrism is used to a limited extent, which can be explained by the dominance of positivist ideology, an attempt to explain the problems of the consumer market through imperfect legislation. Overcoming this situation is possible by focusing cognitive tasks on the content

of the rule of law and human rights, which will also affect the reorientation of methodological research tools.

Acknowledgements

Special gratitude to the Armed Forces of Ukraine for the opportunity to develop national legal science in the conditions of Russian military aggression.

Funding

The study received no funding.

Conflict of Interest

None.

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Стан дослідження проблематики державної споживчої політики

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Анотація

Зосередження уваги науковців різних галузей знань на проблематиці прав людини, реалізації певного виду або конкретного права в умовах національної правової системи пов'язано не лише з викликами воєнного стану в Україні, а й із загальносвітовою тенденцією зміни світоглядної парадигми від позитивістських концепцій убік природного права. Така ситуація зумовлює необхідність переосмислення ролі людини в суспільстві, призначення механізму держави, її правоохоронних і правозахисних інституцій у забезпеченні прав людини, зокрема у сфері функціонування споживчих відносин. Мета статті полягала в тому, щоб на підставі предметного критерію схарактеризувати стан дослідженості проблематики реалізації споживчої політики держави, встановити перспективні напрями досліджень, а також висвітлити базовий методологічний інструментарій сучасних дослідників. Методологічну основу роботи сформовано відповідно до сутнісних характеристик аналізованого явища, тому в процесі написання було використано методи герменевтики, порівняння, функціональний, аналізу та прагматизму. Досліджено найвідоміші праці сучасних авторів, об'єктом наукового інтересу яких є суспільні споживчі правовідносини та функціонування споживчих ринків. Обґрунтовано висновок, згідно з яким у галузі економіко-правових знань щодо взаємодії суб'єктів правовідносин зі статусом споживача (покупця) і виробника (продавця) сформовано декілька напрямів, що становлять джерельну базу дослідження, осмислення яких дає змогу сформулювати об'єктивні уявлення щодо реалізації споживчої політики держави, відмежувати її від явищ державної політики та державної споживчої політики. Аналіз правових актів Сполучених Штатів Америки, країн Європейського Союзу, міжнародних організацій з питань правового регулювання споживчих відносин надає можливість констатувати недостатню врегульованість цих відносин в Україні, заохочувати науковців і практиків до гармонійного поєднання здобутків у здійсненні спільної нормотворчої діяльності. Засвідчено неналежну якість роботи в Україні суб'єктів, уповноважених на здійснення контрольних і превентивних заходів, що стоїть на заваді своєчасному притягненню порушників до відповідальності й відшкодуванню збитків споживачеві. Констатовано, що недостатньо ефективно працюють споживчі громадські об'єднання, що має відчутні наслідки передусім на споживчому ринку лікарських препаратів і харчових продуктів

Ключові слова:

державна політика; споживча політика держави; гармонізація законодавства; консьюмеризм; споживач; надавач послуг; захист прав споживачів