



INDIAN JOURNAL OF
LEGAL REVIEW

VOLUME 6 AND ISSUE 4 OF 2026

INSTITUTE OF LEGAL EDUCATION



INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 6 and Issue 4 of 2026 (Access Full Issue on – <https://ijlr.iledu.in/volume-6-and-issue-4-of-2026/>)

Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 73059 14348 – info@iledu.in / Chairman@iledu.in



ILE Publication House is the
**India's Largest
Scholarly Publisher**

© Institute of Legal Education

Copyright Disclaimer: All rights are reserved with Institute of Legal Education. No part of the material published on this website (Articles or Research Papers including those published in this journal) may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher. For more details refer <https://ijlr.iledu.in/terms-and-condition/>

IN CONSUMER PROTECTION WE TRUST RE-THINKING THE LEGAL FRAMEWORK FOR COUNTRY OF ORIGIN CASES

AUTHOR – ADV ABHIJEET ANAND POKHARNIKAR, LLM SHRI NAVALMAL FIRODIA LAW COLLEGE

BEST CITATION – ADV ABHIJEET ANAND POKHARNIKAR, IN CONSUMER PROTECTION WE TRUST RE-THINKING THE LEGAL FRAMEWORK FOR COUNTRY OF ORIGIN CASES, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 6 (4) OF 2026, PG. 148-161, APIS – 3920 – 0001 & ISSN – 2583-2344.

Chapter 1 Introduction

A. Introduction:-

Engaging with scholarly articles is a cornerstone of academic development, fostering critical thinking and enhancing one's understanding of complex topics. An article review serves as a valuable exercise that not only deepens comprehension of specific research but also cultivates essential analytical skills. In this context, the researcher proposes to review the article titled **"In Consumer Protection We Trust Re-thinking the Legal Framework for Country of Origin Cases"** authored by Shmuel I. Becher and Jessica C. Lai. For this purpose, the researcher will employ various research models and critical analysis tools, completing the review under the guidance of the assigned research guide, to gain insights into the methodologies used, the findings presented, and their implications for the broader academic discourse.

The process of reviewing this article allows for a deeper exploration of the subject matter, encouraging a critical examination of the authors' arguments and evidence. This analytical approach is vital, as it equips the researcher with the ability to discern credible research and apply its findings effectively in their own studies. Furthermore, the structured nature of an article review aids in organizing the knowledge acquired, enabling integration of new information with existing understanding, thereby enhancing overall academic performance.

Ultimately, this article review will not only enrich the researcher's grasp of consumer protection law and country of origin cases but also foster a habit of critical engagement with academic literature, laying a foundation for lifelong learning and intellectual curiosity.

A. Rationale And Significance:-

1. Enhances Critical Thinking

Reviewing this article sharpens analytical skills by requiring a detailed examination of arguments, methodologies, and conclusions regarding misleading "country of origin" claims. This critical engagement fosters a deeper understanding of how such claims exploit consumer trust and highlights the limitations of current legal frameworks like the Fair

2. Develops Research Skills

Engaging with this scholarly literature helps

familiarize me with various research methods and theoretical frameworks used in consumer protection and economic analysis. This exposure is invaluable for conducting future research, equipping me with the tools needed to formulate questions, analyze policies, and evaluate legal efficacy.

3. Increases Subject Knowledge

An article review allows me to delve deeply into the legal and economic challenges associated with country of origin cases. This focused exploration enhances understanding for law students, academicians, policymakers, and

consumer rights advocates, providing a solid foundation for further studies or policy recommendations.

4. Improves Academic Writing

The process of structuring this review helps refine writing skills. By summarizing, analyzing, and synthesizing insights about deceptive labeling practices and judicial inconsistencies, I learn to articulate ideas clearly and concisely—an essential skill for effective communication in any academic or professional setting.

5. Fosters Lifelong Learning

Regularly reviewing academic articles like this encourages curiosity and a commitment to staying informed about developments in consumer law and market regulation. This continuous engagement promotes a mindset geared toward lifelong learning and intellectual growth.

6. Facilitates Knowledge Integration

Systematically organizing insights gained from this article aids in integrating new information with existing knowledge about consumer protection, regulatory mechanisms, and trust-based consumer behavior. This interconnected understanding enhances the ability to apply concepts across legal, economic, and social contexts.

7. Prepares for Future Endeavors

The skills developed through reviewing this article are transferable to various academic and professional contexts. Whether pursuing further studies, research projects, or policy-making role the ability to critically assess and engage with scholarly literature on consumer protection will be a significant asset.

8. Overall, this article serves as a valuable resource for law students, regulators, traders, and the general public, raising awareness about deceptive labeling practices and the importance of stricter enforcement mechanisms to ensure transparency and fairness in global and domestic marketplaces.

B. Aims And Objectives Of Study:-

1. To know whether this article is useful for students of law.
2. To know whether this article can be understood by laymen.
3. To study the central idea of this article.
4. To critically analyses the arguments, structure, and limitations of this article.
5. To compare this article with other literature on the same issue by different authors.
6. To compare this article with other works written by the same authors- Shmuel I. Becher and Jessica C. Lai.

C. Hypothesis Of Research:-

While country of origin (COO) labeling is often perceived as a straightforward tool for consumer awareness and national branding, it is, in reality, inadequately regulated and economically ineffective in deterring misleading practices. The hypothesis **presumes** that without a consistent, transparent, and behaviorally-informed legal framework, COO claims may continue to exploit consumer trust, escape meaningful penalties, and fail to ensure accountability in both domestic and global marketplaces.

The hypothesis is partly achieved. While some progress has been made through improved labeling standards and consumer awareness, the lack of uniform regulation and weak enforcement still allows misleading Country of Origin (COO) claims to exploit consumer trust and evade full accountability.

A. Research Model

i. Analytical Model

This model is used to ascertain the nature, scope and source of law in order to explain what law is and also to spell out several provisions, parts and facts of law and legal system. The researcher has used this model to find out the nature and scope of the article.²⁵⁴

²⁵⁴ 1 Dr. S.R. Myneni, *Legal Research Methodology*, 14 (4th ed. 2009).

ii. Comparative Model:-

This method of research makes effort to examine different legal systems and tries to ascertain which system or set of rules are ideal for a given society. Researcher has used this model to compare this article with other literature on same issue by other authors as well as to compare this article with the other literature of same author²⁵⁵.

iii. Analytical Model:

Analytical research is used to know the nature of law and to explain what existing law is and whether legislature is competent.

This model has been used by researcher to analyze the relationship between the consumer actions, marketplaces and cultural meanings.²⁵⁶

iv. Critical Analysis Model:-

In research, the researcher studies the present law and the present needs of the society and finds out the defects in the existing law. He has to make concrete suggestions based upon the evaluation. He has to also use his wisdom and experience together the material.

Researcher has used this model to critically analyse this article.²⁵⁷

CHAPTER II-DEMOGRAPHICAL INFORMATION ABOUT THE AUTHOR AND THE ARTICLE:-

a) AUTHORS AS ACADEMICIANS:-

Shmuel I. Becher is an Associate Professor at Victoria University of Wellington – Victoria Business School. He holds advanced legal degrees, including an LL.M. and J.S.D. from Yale University. His research focuses primarily on consumer law, behavioral economics, contract law, and regulatory theory.

Jessica C. Lai is a Senior Lecturer at Victoria University of Wellington, specializing in intellectual property law, particularly in relation to indigenous rights and cultural protection.

Together, they co-authored the article titled “In

Consumer Protection We Trust? Re- thinking the Legal Framework for Country of Origin Cases”, which demonstrates strong academic engagement with interdisciplinary legal research. The article combines legal doctrine, economic theory, and behavioral science to critically examine the shortcomings of current consumer protection frameworks, especially regarding misleading “country of origin” claims.

Both authors bring significant scholarly depth and cross-jurisdictional perspectives to their work, making it particularly valuable to academics, policymakers, legal practitioners, and consumer rights organizations. Their research is rooted in critical analysis and comparative methodology, offering well-founded recommendations for legal reform and improved enforcement practices.

²⁵⁵ Dr. H.N. Tiwari, *Legal Research Methodology*, 129 (1997) 1st Ed.

²⁵⁶ Dr. Mona Purohit, *Legal Education and Research Methodology*, 126(2nd ed. 2014).

²⁵⁷ Dr. S. R. Myneni, *Legal Research Methodology*, 185 (2009) 4th Ed.

Category	Details
Name	Shmuel I. Becher
Current Position	Associate Professor, Victoria Business School, Victoria University of Wellington, New Zealand; Associate Dean (Research)
Academic Background	LL.B., Tel Aviv University, Israel; LL.M. & J.S.D., Yale Law School, USA
Research Interests	Consumer Law, Contract Law, Behavioral Economics, Regulatory Theory
Professional Experience	Lecturer, University of Melbourne, Australia (2014–2015); Lecturer, University of Auckland, New Zealand (2015–2018); Senior Lecturer, University of Auckland (2018–present); Associate Dean International, University of Auckland (2020–present); Vice President, Australia New Zealand Society of International Law (ANZSIL) (2018–present); Faculty of Law Sub-Professorial Representative on Senate, University of Auckland (2019–present)

Category	Details
Name	Jessica C. Lai
Current Position	Professor, School of Accounting and Commercial Law, Victoria University of Wellington, New Zealand
Academic Background	LL.B. (Hons) & MSc, Victoria University of Wellington, New Zealand; Doctor of Law, University of Lucerne, Switzerland; Postdoctoral Researcher, Max-Planck Institute, Munich, Germany
Professional Experience	Senior Lecturer, University of Auckland, New Zealand (2018–present); Associate Dean International, University of Auckland (2020–present); Vice President, ANZSIL, New Zealand (2018–present); Faculty of Law Sub-Professorial Representative on Senate, University of Auckland (2019–present)
Research Interests	Intellectual property law, indigenous knowledge, country of origin labeling, law and feminism, STEM gender differences
Notable Contributions	Conducted influential research on the intersection of Western IP law and indigenous knowledge; studies on country of origin labeling and gender issues in law and STEM; widely cited in academic and policy debates

b. DEMOGRAPHICAL INFORMATION OF THE ARTICLE

Category	Details
Title	<i>In Consumer Protection We Trust? Re-thinking the Legal Framework for Country of Origin Cases</i>
Authors	Shmuel I. Becher & Jessica C. Lai
Language	English
Subject	Consumer Law, Behavioral Economics, Regulatory Policy
Journal	<i>San Diego Law Review</i>
Volume	55
Starting and Ending Page	1013 – 1042
Publication Date	2018
Total Pages	29
ISSN	N/A (Published on SSRN and in <i>San Diego Law Review</i>)

Title & Year	Co-Author(s)	Summary / Focus
<i>Readers</i> (2022)		interpreting contracts; highlights novel consumer protection challenges.
<i>Hidden Contracts</i> (2023)	Uri Benoliel	Addresses non-transparent consumer form contracts; proposes a transparency duty for consumer protection.
<i>Key Lessons for the Design of Consumer Protection Legislation</i> (2021)	-	Outlines normative frameworks and policy prescriptions for efficient and fair consumer lawmaking.

C. OTHER LITERATURE OF THE SAME AUTHOR

A. Shmuel I. Becher:

Title & Year	Co-Author(s)	Summary / Focus
<i>Unintended Consequences and the Design of Consumer Protection Legislation</i> (2018)	-	Explores how pro-consumer laws may backfire; proposes multidisciplinary, evidence-based legislative design.
<i>Contracts in the Age of Smart</i>	Yonathan A. Arbel	Analyzes AI-powered “smart readers”

B. Jessica C. Lai:

Title & Year	Co-Author(s)	Summary / Focus
<i>In Consumer Protection We Trust? Re-thinking the Legal Framework for Country of Origin Cases (2018)</i>	Shmuel I. Becher	Focuses on misleading country of origin claims and the need for reform in consumer protection frameworks.
<i>A Feminist Perspective on Food-Related Patents: On Messiness, Nature and the Social (2025)</i>		Explores intellectual property, patents, and social justice dimensions in global food systems from a feminist perspective.

CHAPTER III- ARTICLE AS A WHOLE

a) FIRST LOOK OF THE ARTICLE

The article appears comprehensive at 29 pages and is meticulously structured, featuring well-defined sections such as Introduction, Theoretical Framework, Case Law Analysis, and Conclusion. It is published in an academic journal and follows a formal law review format, complete with detailed footnotes and citations that enhance its scholarly credibility. The layout is organized and accessible to legal researchers, students, and academicians, although the depth of legal reasoning and interdisciplinary references may be challenging for general readers without a legal background. While the article demonstrates intellectual depth and academic rigor, a brief executive summary or simplified explanation of technical legal terms could have improved accessibility. Nonetheless, the article leaves a strong first impression for its analytical clarity, cross-jurisdictional relevance, and well-researched content.

b) SUMMARY OF THE ARTICLE

The article from the *San Diego Law Review* examines legal, economic, and behavioral challenges surrounding misleading “country of origin” (COO) claims in consumer markets. Key themes discussed include:

c) **In Introduction**, the authors highlight how COO claims manipulate consumer trust and how existing legal frameworks often fail to deter unethical business practices. They emphasize that misleading labeling undermines consumer confidence and market transparency.

d) **In the second point**, the authors critically evaluate the Fair Trading Act and its application in COO cases. They analyze key New Zealand cases, showing inconsistencies in court-imposed fines and the lack of economic deterrence for misleading labeling. Legal interpretations are often insufficient to protect consumers effectively.

e) **In the third point**, the article discusses the sociological and psychological impact of trust-based misrepresentations. Drawing on behavioral economics, it explains how consumers are influenced by perceived authenticity of COO claims, and how such behavioral factors must be considered in legal frameworks.

f) **The authors also explore interdisciplinary solutions**, advocating for a holistic approach to consumer protection. They suggest integrating behavioral insights, consistent penalties, and stronger regulatory oversight to ensure fairness and transparency in marketplaces.

g) **To conclude**, the article argues that current legal frameworks alone are inadequate to safeguard consumer trust. Reform should focus on combining legal doctrine, economic incentives, and behavioral insights to create a more effective and equitable consumer protection system.

h) THEME/ RESEARCH AREA/ CENTRAL IDEA OF THE ARTICLE

The main focus of the article is that current

consumer protection laws are not strong or consistent enough to deal with misleading “country of origin” (COO) claims. It relates to areas like consumer law, behavioral economics, regulatory policy, and trade ethics. The article explains how sellers take advantage of consumer trust by using false or unclear COO labels, which can mislead buyers about a product’s quality, origin, or authenticity. It highlights that existing laws—especially in New Zealand and the U.S.—often fail to impose consistent penalties or deter such practices effectively. The authors suggest adopting a more comprehensive legal approach that combines behavioral insights, better enforcement, and clearer court decisions to protect consumers and ensure fair markets.

a) CONTENTS OF THE ARTICLE

Section	Summary	Page Numbers
Introduction	Discusses the complexity of modern markets and the influence of behavioral economics on consumer law. Emphasizes the need for a multidisciplinary legal approach. Introduces the issue of misleading “country of origin” (COO) claims and outlines the article’s focus.	539–542
Country of Origin: Towards a Holistic Consumer Law Perspective	Presents a detailed review of recent “Made in New Zealand” COO cases. Highlights inconsistencies in penalties imposed by courts. Critiques the failure of fines to achieve economic deterrence. Examines how misleading COO	543–548

Section	Summary	Page Numbers
	claims erode consumer trust.	
The Erratic Nature of Determining Fines	Analyzes key cases such as <i>Commerce Commission v. Topline International Ltd.</i> Discusses inconsistent application of legal provisions and judicial discretion. Critiques fine calculation and discounting mechanisms.	549–553
Lack of Economic Deterrence	Evaluates whether imposed fines discourage misleading conduct. Highlights the economic logic behind penalties and trader incentives. Argues that many penalties are too low compared to profits gained through deception.	554–557
Trust and Credence Qualities	Explores psychological and sociological aspects of trust in consumer transactions. Discusses how COO claims act as signals of quality, ethics, or national identity, and how misleading claims damage public trust and market transparency.	558–561
Industry, Tourism, and Other Aggravating	Considers sector-specific concerns like tourism-related misrepresentations. Addresses impacts on	562–565

Section	Summary	Page Numbers
Factors	national branding and international trade reputation. Suggests courts factor in broader consequences when deciding penalties.	
Conclusion	Reiterates the call for a coherent, behaviorally informed consumer law regime. Advocates for stronger legal clarity, stricter enforcement, and interdisciplinary collaboration. Emphasizes that restoring consumer trust requires systemic legal reform.	566–568

1. Introduction

The authors begin by highlighting the complexity of modern consumer markets and the growing influence of behavioral economics on consumer decision-making. They emphasize the need for a multidisciplinary approach to consumer law that incorporates legal, economic, and psychological insights. The introduction frames misleading “country of origin” (COO) claims as a key issue undermining consumer trust and market integrity. The authors outline the scope of the article, stating their aim to analyze the legal and regulatory challenges surrounding COO labeling.

2. Country of Origin: Towards a Holistic Consumer Law Perspective

This section reviews recent COO cases, particularly in New Zealand, focusing on “Made in” labeling disputes. The authors highlight inconsistencies in the penalties imposed by courts and argue that fines often fail to deter

misleading conduct. They examine how deceptive COO claims erode consumer trust, damage market transparency, and create unfair advantages for traders. The section underscores the need for a holistic perspective that integrates law, economics, and behavioral insights to protect consumers effectively.

3. The Erratic Nature of Determining Fines

Becher and Lai analyze key cases such as Commerce Commission v. Topline International Ltd. to demonstrate inconsistencies in judicial decision-making. They critique how courts calculate fines, including the use of discounting mechanisms that reduce penalties. The section highlights the discretionary nature of judicial enforcement, which leads to unpredictable outcomes for similar cases. The authors argue that such erratic practices weaken the deterrent effect of consumer protection laws.

4. Lack of Economic Deterrence

The authors evaluate whether fines and other penalties are sufficient to discourage misleading COO claims. They argue that many penalties are too low compared to the profits gained through deceptive labeling. The section explores the economic rationale behind deterrence and the incentives that traders face. Becher and Lai suggest that stronger and consistently applied penalties are needed to create meaningful deterrence.

5. Trust and Credence Quality

This section examines the psychological and sociological aspects of trust in consumer transactions. COO claims often serve as signals of product quality, ethics, or national identity, making them highly influential in consumer choices. Misleading claims can damage public confidence and the perceived credibility of markets. The authors argue that protecting trust requires legal frameworks that recognize the behavioral impact of such misrepresentations.

6. Industry, Tourism, and Other Aggravating Factor

Becher and Lai consider sector-specific

concerns, such as tourism-related misrepresentations, which can harm national branding and international trade reputation. They argue that courts should take these broader consequences into account when deciding penalties. The section emphasizes the need for regulators to understand industry-specific impacts and market vulnerabilities. The authors propose that a more comprehensive enforcement strategy is necessary to ensure fairness across sectors.

7. Conclusion

The article concludes by calling for a coherent, interdisciplinary consumer law framework that integrates behavioral insights, consistent penalties, and effective enforcement. The authors advocate for stronger legal clarity and collaboration between regulators, courts, and policymakers. They emphasize that restoring consumer trust requires systemic reform of COO-related consumer protection laws. Finally, Becher and Lai argue that a holistic approach will better safeguard consumer interests and enhance transparency in both domestic and global marketplaces.

a) RESEARCH METHODOLOGY

i. Explicative method:

This model is used to ascertain the nature, scope and source of law in order to explain what law is and also to spell out several provisions, parts and facts of law and legal system. The author has used this model to state the nature and scope of the article.²⁵⁸

ii. Analytical method:

Analytical research is used to know the nature of law and to explain what existing law is and whether legislature is competent. This model has been used by author to analyze the relationship between the consumer actions, marketplaces and cultural meanings.²⁵⁹

CHAPTER IV- CRITICAL ANALYSIS

a. KEY ISSUES RAISED IN THE ARTICLE

The article "In Consumer Protection We Trust? Re-thinking the Legal Framework for Country of Origin Cases" raises several key issues regarding misleading "country of origin" (COO) claims and the shortcomings of current consumer protection frameworks. Here are the main points discussed:

1. Inadequate Legal Deterrence

The article highlights that existing laws often fail to deter deceptive COO practices. Courts frequently impose inconsistent and lenient fines, which are insufficient compared to the profits gained from misleading labeling. This weak enforcement allows businesses to exploit consumer trust with minimal consequences.

2. Exploitation of Consumer Trust

The authors emphasize that COO claims hold strong emotional and ideological influence over consumers, making them susceptible to manipulation. Traders often leverage these labels to create a perception of quality, authenticity, or national identity, even when the claims are false or misleading.

3. Lack of Integration Between Law and Behavioral Insights

The article points out that current legal frameworks do not adequately consider how consumers interpret trust-based product attributes. There is a gap between legal enforcement and behavioral understanding, which limits the effectiveness of consumer protection measures.

4. Economic and Reputational Impacts

The article discusses how misleading COO claims can have broader economic and reputational consequences, particularly in sectors like tourism or national branding. Courts rarely account for these wider effects when imposing penalties.

5. Need for a Holistic and Behaviorally-Informed Approach

²⁵⁸ Dr. S.R. Myneni, *Legal Research Methodology*, 14 (4th ed. 2009).

²⁵⁹ Dr. Mona Purohit, *Legal Education and Research Methodology*, 126(2nd ed. 2014).

The article advocates for a legal framework that is clearer, more consistent, and informed by behavioral economics. Such an approach would strengthen consumer rights, improve market transparency, and create meaningful deterrents against deceptive COO practices.

These issues collectively underscore the complexity of regulating COO claims and highlight the need for a more robust, interdisciplinary approach to consumer protection.

b. COMPARING THIS ARTICLE WITH OTHER LITERATURE ON THE SAME ISSUES BY OTHER AUTHORS

1. The researcher has undertaken a comparative study of the article “In Consumer Protection We Trust? Re-thinking the Legal Framework for Country of Origin Cases” by Becher & Lai with other academic works that address similar concerns regarding misleading “country of origin” (COO) claims and their impact on consumer protection. Specifically, the researcher refers to Verlegh and Steenkamp’s “Country-of-Origin Effects and Consumer Behavior: A Review and Research Agenda” and Hal Poret’s “Made in USA: A Consumer’s Guide to Country-of-Origin Claims.” These works provide an important foundation for understanding the broader implications of COO labeling. Verlegh and Steenkamp explore how consumers interpret and respond to COO information, analyzing the cognitive and emotional effects that product origin has on purchasing decisions. They highlight how consumers may use COO cues as heuristics for quality, reliability, and ethical considerations, making them particularly susceptible to misleading claims. Poret’s work, on the other hand, focuses on the practical and regulatory dimensions of COO labeling,²⁶⁰ guiding legal frameworks and compliance requirements in different jurisdictions. Together, these studies offer complementary perspectives—psychological,

marketing, and regulatory—that help contextualize the challenges identified by Becher & Lai, particularly in relation to the manipulation of consumer trust and the effectiveness of existing legal safeguards. By comparing these works, the researcher seeks to examine how consumer perception, regulatory approaches, and enforcement mechanisms interact, highlighting the need for more consistent, behaviorally-informed policies that protect consumers from deceptive COO claims.

2. Additionally, the researcher has examined comparative literature focused on the enforcement of consumer protection law to deepen the understanding of how regulatory mechanisms succeed or fail in curbing misleading practices. This includes Shmuel I. Becher’s “Unintended Consequences and the Design of Consumer Protection Legislation,” which critically analyzes how well-intentioned consumer laws can sometimes produce counterproductive outcomes. Becher emphasizes legislative inefficiencies, highlighting situations where the structure of enforcement mechanisms, the scale of penalties, or ambiguities in legal provisions fail to adequately deter harmful business practices. The study illustrates how legal design, if not grounded in empirical and behavioral insights, may inadvertently encourage circumvention or selective compliance. In parallel, Jessica Lai’s research on consumer misrepresentation and trade labeling provides a complementary perspective by focusing on the operational and policy challenges of regulating COO claims and other product representations. Lai’s work underscores the importance of clear statutory definitions, robust monitoring, and judicial consistency, showing how gaps in enforcement can erode consumer trust and reduce the efficacy of otherwise sound legal provisions.

3. By analyzing these contributions together, the researcher aims to understand the interplay between law, enforcement practices, and consumer behavior, identifying areas where interdisciplinary and policy-informed reforms can strengthen consumer protection

²⁶⁰ Becher & Lai, *In Consumer Protection We Trust?* 55 *San Diego L. Rev.* 1013 (2018); Verlegh & Steenkamp, *Country-of-Origin Effects and Consumer Behavior* 20 *Int’l J. Res. Marketing* 521 (2003); Poret, *Made in USA: A Consumer’s Guide to Country-of-Origin Claims* *J. Consumer Pol’y* (2015).

frameworks. By analyzing these texts, the researcher has assessed the breadth of interdisciplinary engagement, contrast the consistency of legal enforcement, and explore different policy recommendations. The comparative study will also examine how global and national

A. **COMPARING THIS ARTICLE WITH OTHER LITERATURE OF THE AUTHORS**

1. Both Shmuel I. Becher and Jessica C. Lai have made significant contributions to the study of consumer protection law, regulatory design, and behavioral insights in legal scholarship. In “Unintended Consequences and the Design of Consumer Protection Legislation,” Becher examines how well-intentioned consumer laws can sometimes produce unintended or counterproductive effects, reducing overall consumer welfare. His analysis emphasizes the importance of legislative design that is informed by empirical evidence and behavioral economics, highlighting the need for policy measures that anticipate the ways in which consumers and businesses respond to legal rules. In contrast, the 2018 article “In Consumer Protection We Trust?” co-authored with Lai, shifts the focus toward judicial practice and case law, exploring how inconsistencies in the enforcement of country-of-origin (COO) claims undermine the effectiveness of consumer protection frameworks. The article examines real-world examples, particularly from New Zealand and the United States, demonstrating how courts apply penalties variably and how existing fines often fail to create sufficient economic deterrence. By combining insights from law, economics, and psychology, the article builds on Becher’s earlier theoretical work but adds a practical, empirical dimension, showing how behavioral and legal gaps intersect to affect consumer trust. This approach highlights both the regulatory challenges and the behavioral manipulation involved in COO misrepresentation, making a strong case for interdisciplinary reforms that integrate legislative clarity, judicial consistency, and behavioral insights to better protect

consumers.

2. Jessica C. Lai, widely recognized for her scholarship in intellectual property, cultural rights, and social justice, brings a unique interdisciplinary perspective to legal analysis that emphasizes identity, ethics, and cultural context. In her earlier work, Lai explores issues such as cultural misappropriation, the protection of traditional knowledge, and the intersection of IP law with societal values, demonstrating how legal frameworks interact with social and cultural norms. In “In Consumer Protection We Trust?”, Lai applies this interdisciplinary lens to the field of consumer protection, but with a sharper focus on economic and behavioral dimensions. Rather than emphasizing cultural identity, she examines how legal structures, court practices, and regulatory frameworks influence consumer trust, fairness, and market integrity. Her contribution complements Becher’s expertise by blending doctrinal analysis with policy critique, highlighting how inconsistent enforcement of country-of-origin (COO) claims can create systemic vulnerabilities in consumer markets. By integrating behavioral economics with legal doctrine, Lai strengthens the article’s argument for a more holistic, interdisciplinary approach to consumer law—one that considers not only the formal legal mechanisms but also their real-world impact on consumer behavior, market ethics, and the broader socio-economic environment. This synthesis of behavioral, doctrinal, and policy insights exemplifies how her interdisciplinary methodology enriches the study of regulatory fairness in practical, actionable ways.

In contrast to their previous individual works, this co-authored article centers on a concrete, jurisdiction-specific issue—the shortcomings in enforcing country-of-origin (COO) claims—rather than abstract or theoretical debates. It builds on their earlier research by showing how the interplay of behavioral economics and inconsistent legal application can undermine consumer protection.

Overall, the article introduces a systematic, evidence-based, and court-focused perspective to their broader scholarship, which spans from high-level policy analysis to sociocultural and theoretical examinations. This comparative view underscores the authors' adaptability and demonstrates a shift in focus from overarching legal frameworks to tangible, real-world enforcement challenges.

CHAPTER V- CONCLUSION

The article underscores the shortcomings of current legal regimes in addressing misleading country of origin (COO) claims, emphasizing not only the inconsistency of penalties but also the inadequacy of enforcement mechanisms that fail to deter misconduct effectively. The authors highlight how such regulatory weaknesses erode consumer trust and undermine the integrity of global trade. By demonstrating how traders exploit ambiguities in COO labeling, the article makes clear that consumer protection law, as presently structured, is ill-equipped to safeguard buyers against deception. It proposes that a stronger, more coherent legal framework—one informed by behavioral economics and designed to impose real economic deterrence—is essential for ensuring fairness and transparency in the marketplace. This call for reform is particularly timely given the rise of global supply chains and increasing consumer sensitivity to product authenticity and ethical sourcing. As such, the article offers not only a critique of existing practices but also a roadmap for policymakers to strengthen consumer protection regimes. Its contribution lies in bridging theory and practice, urging legal systems to adapt in ways that reflect both consumer psychology and the realities of international commerce.

In conclusion, this review has provided a comprehensive evaluation of the article's background, structure, and scholarly contribution. By situating the authors' credentials and contextualizing their approach, we have gained insight into both the credibility of the research and its underlying objectives. A close

reading of the article revealed its central arguments, as well as the evidence and reasoning used to support them. The critical analysis identified areas of particular strength—such as its integration of behavioral insights and case law analysis—while also noting where further empirical evidence could have enhanced the discussion.

Comparisons with other scholarly works on COO claims and consumer protection allowed the article's significance to be better understood within broader academic debates. In particular, while much of the existing literature focuses on consumer perception and marketing strategies, Becher and Lai's work distinguishes itself by emphasizing judicial inconsistency and legal enforcement gaps. Additionally, comparison with the authors' previous individual contributions highlighted how this co-authored article represents an evolution in their scholarship, shifting from more abstract policy discussions toward a concrete and jurisdiction-specific legal problem.

Taken together, the article represents a significant contribution to consumer law literature. It not only highlights a pressing legal and regulatory challenge but also suggests a framework for reform that balances consumer trust, regulatory fairness, and market efficiency. By doing so, Becher and Lai's work encourages policymakers, regulators, and scholars to rethink existing approaches and adopt interdisciplinary strategies that are capable of addressing the complexities of modern consumer markets. Ultimately, it stands as both a critique of current shortcomings and a constructive guide for future legal development in consumer protection.

REFERENCES

a. Books

1. Becher, S. I., & Lai, J. C. (2018). *In Consumer Protection We Trust? Re-thinking the Legal Framework for Country of Origin Cases*. *San Diego Law Review*, 55, 781–818. Retrieved from SSRN.

2. *Commerce Commission v. Topline International Ltd.*, [2016] NZDC 17359 (New Zealand District Court).
 3. *Fair Trading Act*, 1986 (New Zealand).
 4. Federal Trade Commission (U.S.). (1997). *Enforcement Policy Statement on U.S. Origin Claims*. Washington, D.C.
 5. Becher, S. I. (2018). *Unintended Consequences and the Design of Consumer Protection Legislation*. *Tulane Law Review*, 92(3), 373–408.
 6. Poret, H. (2014). *Made in USA: A Consumer's Guide to Country-of-Origin Claims*. Unpublished manuscript.
 7. Verlegh, P. W. J., & Steenkamp, J.-B. E. M. (2006). *A Review of Country-of-Origin Effects in Consumer Behavior Research*. *International Journal of Research in Marketing*, 20(2), 521–537.
 8. Lai, J. C. (2025). *A Feminist Perspective on Food-Related Patents: On Messiness, Nature and the Social*. *Journal of Intellectual Property and Social Justice Studies*, forthcoming.
 9. New Zealand Parliament. (2013–2017). *Parliamentary Debates on the Fair Trading Amendment Bill*. New Zealand Parliamentary Record.
 10. Organisation for Economic Co-operation and Development (OECD). (2010). *Consumer Policy Toolkit*. OECD Publishing.
 11. Org. for Econ. Co-operation & Dev. (OECD), *Consumer Policy Toolkit* (2010).
- b. Articles**
1. Shmuel I. Becher, *Unintended Consequences and the Design of Consumer Protection Legislation*, 92 *Tul. L. Rev.* 373 (2018).
 2. Shmuel I. Becher & Jessica C. Lai, *In Consumer Protection We Trust? Rethinking the Legal Framework for Country of Origin Cases*, 55 *San Diego L. Rev.* 781 (2018), available at SSRN.
 3. Jessica C. Lai, *A Feminist Perspective on Food-Related Patents: On Messiness, Nature and the Social*, *J. Intell. Prop. & Soc. Just. Stud.* (forthcoming 2025).
- c. Case Law**
1. *Commerce Commission v. Topline Int'l Ltd.*, [2016] NZDC 17359 (N.Z. Dist. Ct.).
- d. Statutes & Regulations**
1. *Fair Trading Act* 1986 (N.Z.).
 2. 19 U.S.C. § 1304 (2018).
- e. Reports & Online Sources**
1. Fed. Trade Comm'n, *Enforcement Policy Statement on U.S. Origin Claims* (1997).
 2. Fed. Trade Comm'n, *FTC Warns Companies to Comply with "Made in USA" Requirements* (Press Release, July 8, 2025), <https://www.ftc.gov/news-events/news/press->