Institutional and legislative regulation of the food market

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Abstract. The relevance of the research topic is due to the problem of deterioration in the food quality market and the lack of high-quality products. The aim of the study was to deepen knowledge of food market and explore the reasons for deterioration of product quality; justification of institutional restrictions ensuring market growth is also considered. It was established that adverse changes in the external and internal competitive environment led to a sharp increase in prices of suppliers of manufactured goods without increasing purchase prices by retail chains. It was established that external changes led to an increase in prices of suppliers together with low purchase prices. This prompted to make a profit through worsening product quality. It is substantiated that there exist opportunities for the production of high-quality food. To limit the decommodification of food and create a market for high-quality products it is proposed to adopt a basic law on the food market. Legal acts are aimed at improving regulation of production, market circulation, environmental purity and genetic integrity.

1. Introduction

The relevance of the topic is due to the fact that at present there exist conditions for the formation and growth of a number of market segments. Their goods are requested, but market formation is delayed. High-quality food segment is the example of this market. In recent years, there has been a rapid deterioration in the quality of agricultural products and food. This situation is caused by a number of factors, the main being the increase in producers’ costs due to adverse changes in the external and internal competitive environment.

Sanction confrontation together with a change in suppliers and a decrease in the quality of supplies turned to worsen the situation on the food market. A change of competitors as well as easier entry into the market and weakened solvency of consumers have led manufacturers that produce high-quality products to lose competitiveness. The food market is filled with substitutes that replace natural, environmentally friendly products. This is an alarming trend that could drastically reduce the food security of society.

In the global economy the problem of food security has not been resolved, so the consumption of low-quality food and genetically modified products is a matter of fact. In such conditions the problem of decommodification is considered ambiguously in economic literature. The World Development Report “Agriculture for Development” prepared by the World Bank emphasizes that the
implementation of genetically modified products serves the poor [1]. Based on this approach, a number of African authors objectively evaluate the use of genetically modified technologies and products. However, the mandatory marking of genetically modified products is emphasized [2].

C. Dexter notes a low level of knowledge about genetically modified products. By this, he explains the low percentage [2] of those wishing to consume such products in Zimbabwe, where genetically modified products are not allowed.

The need to develop organic farming and limit synthetic farming is mentioned by authors from developing countries [3]. At the same time, he especially emphasizes the harm caused by synthetic farming for ecology and land resources.

A number of experts from African countries write about the problem of food security and its solution. In particular, the urgency of this problem is noted in Rwanda, where there is significant shortage of land, 10% of the population is starving, in many families there is only one meal a day [4]. In such conditions one does not have to talk about the quality of products as well as about the inexpediency of consuming genetically modified products.

E Sabiti writes about the rapid growth of the world's population and the need to use agricultural waste to increase food security [5].

In Russia, there is no need to consume genetically modified products the safety of which has not been proven, not to mention the use of waste as food. However, there is no guarantee that the situation is evident, since there is no proper control over the food market, there is no basic law on it. Therefore, the formation of a market for high-quality products is also delayed.

The high-quality food market is not a self-organizing system. It can be formed and regulated only as a carefully thought-out and clearly working system of restrictions and regulations. Such a system does not practically exist not only in our country, but in many other countries as well, including those that are considered to be highly developed. Food markets are dominated by products the quality of which cannot be determined even if they are labeled “Organic” a. There is also no evidence that the label “Non-GMO” is true.

At the same time, the need of forming a high-quality food segment with a reliable description of its composition is obvious.

The need for the institutional organization of this market, which is headed by state bodies with the assistance of private organizations and individuals, is also obvious. This is realized in developed countries and in a number of developing countries [6].

In view of the above, the aim of the study was to deepen the understanding of the considered market functioning in order to identify the causes and consequences of deterioration in food quality. The study also focuses on the decline of the market for benign products. Substantiate legislative and institutional regulations that will ensure reliable organization and favorable conditions for the market functioning are fully considered in the study. These regulations are necessary to provide a consumer with comprehensive information about the quality, composition and degree of environmental purity and genetic integrity of products.

To achieve the goal, the following tasks were carried out: analysis of the relationship of competitors in the studied market; identification of trends and patterns of their development; assessment of opportunities and threats through analysis according to the PEST format; assessment of the effectiveness of the institutional structures governing the food market; development of proposals for improving institutional and legislative functioning of high-quality food market.

The novelty of the work is based on the fact that ongoing decommodification b of food products causes necessity of organizing a high-quality food market in the Russian economy. This market must

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a The term “organic” is widely used; we do not refuse it, but we apply a different term. We consider that this term shows particular features of this type of food in a better way.

b The term “decommodification” is explained as loss of market features by a commodity [2]. This explanation is precise and laconic enough. A wider understanding of this term is seen as well, the explanation words being “deletion? Deterioration and decrease”.

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be protected by institutional norms and restrictions along with possible sanctions. It has been proven that this segment has the potential for rapid growth and can become attractive for both domestic and foreign manufacturers. For international business, this can be the evidence that in a resource-rich country a new vector with investment attractiveness and a high growth prospect can emerge.

2. Research methods
Analysis of the factors of competition in the market and its segments with its adaptation to the subject of the study allowed us to identify trends in the development of the market in the present and to predict the future [7]. The method of STEEP-analysis contributed to a reliable assessment of the processes that occur in the near and far external environment. This method presents effectiveness of institutional structures that are designed to regulate the market under study [8]. Implementation of SWOT analysis allows to see threats in institutional and legal protection from within, as well as to reveal, develop and implement new opportunities in this area [9]. The analysis of the growth vector allowed us to better understand the quantitative and qualitative characteristics of the growing industry and its segments and identify those points that need institutional support [10]. In the STEEP analysis, special attention was paid to the socio-political factors that do not fit within the framework of five forces, but have a strong impact on competitive relations in the industry. It was important to find out what is primary: the element of the industry market or its organization [11].

3. Results and discussion
The study and the analysis showed that in modern conditions the formation of the market of high-quality food and its growth depends primarily on the competitive market environment along with its development. The analysis confirmed that the competition factors continue to experience strong pressure from the distant environment. Competing producers in the agricultural sector and in food industry are in such a position that they are forced to confront suppliers of manufactured products on the one hand, and wholesale buyers of manufactured products (retail chains) on the other one. As a rule, prices of suppliers’ products are rising, whereas retail chains show misprice purchasing. At the same time, it was noted that low purchase prices do not bring benefits to consumers, but increase the profits of chains [12]. In essence, this is not a well-deserved profit at the usual rate, but economic rent [13]. In this respect, the unregulated market has a strong tendency to work in favor of those with monopoly power. Those who have monopoly power successfully use it in their pricing policy. Government bodies aimed at conducting antimonopoly policy are not always able to prevent dominance of retail chains. This is evidenced by a number of factors. For example, the Antimonopoly services of the EU and Russia are unable (or unwilling) to prevent the merger of “Monsanto” with the "Bayer's Group Sciences", the largest producers of GMO seeds and patent holders of biotechnology. It is the pressure of suppliers of manufactured products, energy carriers and market power of retail chains which leads to a continuous rise in costs, reduction of revenues and lack of profitability. Food producers in these conditions start decommodification of agricultural products, that is, depriving food of adequate commercial qualities. Food processing industry enterprises continue and strengthen this trend. This can be considered improper process of diversification which causes emergence of market segments of a substitute. It covers all groups of goods in the markets of milk and dairy products, meat and meat products, bakery products, vegetables and fruit. Empirical examination and surveys of workers indicate that the decommodification of food occurs at almost all stages of production. Meat producers fatten cattle with growth hormones, namely anabolic steroids. Processing enterprises add product preservatives, bone meal, simulators of smell, taste, etc. to meat. Representatives of biotechnology develop genetically modified organisms and introduce these plants and animals into production around the world. It cannot be denied that transgenic products are of great importance for those segments of the population who are unable to consume whole food. But their implementation requires coordinated work of regulatory bodies and strict institutional regulation of their use on the basis of state bodies’ research. The situation on research and regulation is complicated by the fact that the transgenic component can penetrate into food at various stages of its production: through forage at
the stage of feeding, at the stage of processing with the use of appropriate additives, etc. Publication of reliable information about the composition of the product, about safety (or risk of danger) as the consequences of consumption, as well as labeling and examination require proper organization and strict standards.

This will only be a prerequisite for the organization of market segments of organic, genetically integral, high quality products without any kinds of additives. This market as a fully functioning one has not yet been formed in this country. However, conditions for its formation are available in a number of regions of the country. The history of formation and functioning of this market in the last decades of the XX century and in the XXI century is contradictory. Initially, such segments were formed in developed countries of Western Europe. There appeared a social movement called "Fair Trade". The trade movement also spread to the United States and Japan. Then, fresh and processed high-quality products were increasingly supplied by developing countries. Today their share in the total exports of developing countries has reached 50 per cent. China, Brazil and some other Latin American countries are leaders in the production of organic products among the developing countries. Competition in this market is high enough [14].

However, manufacturers of a number of Russian regions have all the opportunities to enter this market and compete successfully. They have great basic production resources for entering this market. Land as a factor of production along with labor is a key resource. Currently, the country has tens of millions of hectares of unused arable land, rising costs and poor return on investment being the main reason of it. But there are opportunities to reduce costs and increase profitability through new technologies in the processing of arable land while improving the quality of the crop. Gentle (or zero) tillage without plowing dramatically reduces energy and labor costs. It allows not to change the structure of the soil, making it less sensitive to drought at the same time. In our country, this technology is used in the work of the TNV "Pugachevsky" in Penza region. Small tillage in the depth of 5-7 cm allows to preserve the soil structure as well as to enrich it with microorganisms. No products of the chemical industry have been used in the work of this enterprise for almost three decades. Periodically, part of the arable land is left fallow. Systemically applied technology brings good results. The farm collects an impressive harvest of 40-60 centners per hectare, and the profitability of cultivation of rye and wheat reaches 200-300%. The quality of grain and flour is high both in gluten content and environmental purity. This allows us to assume that the bread market has formed a segment of high-quality (organic) product. It is still small, but there is a prospect for its growth. This technology can be successfully used by small and medium-sized farms. Comparable technologies need to be developed and applied in the production of other agri-food products as well. Such segments can be formed in the vegetable and fruit market, the market of meat and meat products, milk, cheese, butter and sunflower, poultry and eggs' markets, and a number of others.

Russia has an opportunity to reach the world level and get the effect of comparative advantage, possibly, the absolute one in this market. To do this, it is necessary to develop the processing industry to create a large share of value added and to export with the greatest benefit. For fulfilling this plan, there exist natural resources of technology and human capital in the country, in the regions of the Federal Volga district in particular. It is necessary to reduce costs and increase productivity. For example, the experience of TNV "Pugachevsky" shows that in this area there are technological and labor reserves combined with competencies of workers.

Large agribusiness may start the process of development of this production and create this segment with the support of the state. It will include small and medium-sized enterprises as well since they cannot be deprived of state support. SWOT analysis has shown that the abovementioned process cannot develop without state regulation. So far, the facilities are being used, but not at full capacity. There remain serious threats (Table 1).

The Table 1 is based on empirical research into the factors of the competitive environment of the food market (2016-2019) (surveys of consumers, employees of enterprises, representatives of small and medium-sized businesses, trade network workers as well as monitoring of price dynamics of
various types of food, etc.) It includes analysis, comparison, evaluation of official Statistics indicators. It is adapted to the theme based on the Table 1 [8].

**Table 1.** Summary of the results of SWOT analysis in the high-quality food market.

| Current factors | Significance | Assessment | Average assessment | Actual use of the factor at present | Reasons for non-used opportunities | Support measures |
|-----------------|--------------|------------|--------------------|--------------------------------------|-----------------------------------|------------------|
| «A» Opportunities |             |            |                    |                                      |                                   |                  |
| 1. The use of agricultural land and land resources | 0.15 | 4 | 0.60 | Large areas of land are not used | The results of labor and expended resources do not satisfy | Launch manufacturers support mechanisms |
| 2. The use of free labor | 0.15 | 3 | 0.45 | There are free labor resources, but they are used poorly. | Qualification of specialists does not suit employers. | To improve the quality of staff training and the quality of their labor education. |
| 3. The state of investment. | 0.20 | 3 | 0.60 | Non-sufficient investment. They do not meet the needs of an industry segment. | Investors are not satisfied with their payback periods. | Create a flexible system to increase the investment attractiveness of this industry segment. |
| 4. Demand for high-quality food and its growth rate. | 0.10 | 1 | 0.10 | Passivity on the part of consumers, low demand | Low purchasing power of the population, low incomes | The growth of population incomes can ensure cooperation in solving this problem of the state, business, trade unions, banks. |
| 5. Food export | 0.10 | 3 | 0.30 | Export without government support is difficult | The stimulation of exports by the state is not sufficient. | Support dumping exports. This is the practice of a number of countries. |
| 6. Introduction of advanced technologies in the production, processing, circulation of products. | 0.10 | 3 | 0.30 | The transition to advanced technology has begun, but it is slow | Profit orientation, neglecting product quality. | Business cooperation of the state, business, workers in updating technologies. |
| 8. Organization of the market for benign food and its | 0.05 | 2 | 0.10 | the market is not organized, restrictions | The lack of A system of rules, norms, restrictions, rules, and standards using the achievements of |                  |
regulation. and norms, organization the digital economy.
sanctions are rarely applied and they are not effective.

Summary indicators of opportunities

| Emerging threats | Significance (in fractions of one) | Current state assessment | Weighted average rating | «B» Threats | Level of protection of threats | Sources of protection strengthening |
|------------------|-----------------------------------|--------------------------|-------------------------|-------------|-------------------------------|-----------------------------------|
| 1. The level and conditions of supply are not effective enough. | 0.20 | 4 | 0.80 | Fast-growing supply prices, poor quality, supply instability. | More flexible regulation, control, sanctions, their prompt change when the situation changes. |
| | | | | | | |
| 2. The growth of prices for industrial products (petrochemicals, gas, electric power, machinery, equipment, etc.) | 0.20 | 3 | 0.60 | Protection is weak, prices are not restrained | Improving tariff and antitrust policies. |
| | | | | | | |
| 3. Lending difficulties (high interest rate, difficult conditions, additional requirements of banks) | 0.05 | 4 | 0.20 | Protection is weak | Rigid monetary policy, abuse of banks by a dominant position in the money market. |
| | | | | | | |
| 4. Low level of qualifications and competencies of specialists. | 0.15 | 4 | 0.60 | Currently, measures are being taken to overcome this general trend, increasing the level of training of specialists. | Improve the training process and additional training. |
| | | | | | | |
| 5. The dominance of retail chains, due to the high | 0.20 | 4 | 0.80 | There are bodies for protecting producers and | Improve antitrust laws and policies of the FAS. |
| | | | | | |
6. The prevalence of low-quality foreign products

| Level of market concentration in food trade | 0.05 | 2 | 0.10 |
|--------------------------------------------|------|---|------|
| Customs barriers and restrictions exist, but are often violated | Legislative measures against illegal imports and penalties for violations are made more stringent |

7. Growth of the share of low-quality products in the food market

| Level of market concentration in food trade | 0.05 | 4 | 0.20 |
|--------------------------------------------|------|---|------|
| Measures are taken, but results are insufficient | Low threshold of norms and standards for product quality. Weak enforcement | To increase the completeness and reliability of product quality information |

8. Demand for high-quality food may remain as low.

| Level of market concentration in food trade | 0.10 | 4 | 0.80 |
|--------------------------------------------|------|---|------|
| Growth of real incomes of the population is needed | Weak growth in the real economy, low wages. | Changes in monetary and fiscal policies are possible, which will lead to an increase in production, employment and income |

Total threat indicators: 1.0, 3.6, 4.10; Threat level is high.

However, large and medium-sized economies can quickly achieve economies of scale, that allowing them to significantly reduce costs and create a sustainable competitive advantage.

Analysis of the 6th force of competition, which can be called the institutional and legislative organization of industry and market, shows that the industry self-organization of the market may not take place. The experience of recent decades shows that after abolition of the centralized economy and the transition to a free (or rather spontaneous) market we could observe the process of deterioration of the food quality. A survey of manufacturers can present a picture of the causal relationship of this process (figure 1).

The new external environment changes the effect of all the forces (factors) of competition in the segments of the industry market by increasing the cost of production and the final price for the consumer. At the same time, the retail chains do not increase wholesale purchase prices. They increase prices for the consumer, who has a weak solvency due to a sharp drop in real incomes. Existing manufacturers and new companies find the only one way out. So, they reduce costs by using defective raw materials, all sorts of additives of non-food origin, simplifying the technological chains. The market is filled with quasi-food substitutes and there is no sign that the situation will change and consumers will be offered whole products again. Therefore, it is obvious that free market has made its choice and there is no reason to expect that the market of high-quality (organic) food is able to self-organize. The organization of this market is the responsibility of the state.

To do this, the government will have to use different levers. They should be classified as regulatory and restrictive rules and regulations. Obviously, they should be different for each group of competitive forces of the industry market, namely existing competitors, potential competitors, suppliers, producers.
of raw food, processing plants, intermediaries purchasing their products, retail chains selling goods to consumers.

| Suppliers and their shift, deterioration of supply conditions and quality | New competitors: competition intensifies | Current competitors | Manufacturers of substitutes distribute low-quality goods as real | Consumers: a weak solvency due to low incomes |
|-----------------------------|------------------------------------------|---------------------|-------------------------------------------------|---------------------------------------------|
|                             |                                          |                     |                                                 |                                             |

Complication of conditions of sale: cost price, wholesale selling price, final price for the consumer

Decommodification of production and reducing food security rate

**Figure 1.** Impact of environmental changes on the competitive industry environment and the conditions of implementation.

First, it is necessary to proceed from the basic law regulating the formation and functioning of food markets. It is advisable to give a clarifying interpretation of the concept of "Organic product" of products produced by crop and livestock enterprises. For the first group "Organic crop product" is that without pesticides, artificially produced fertilizers, fertilizers received from sewage and precipitation, without ionizing radiation. It should not contain food additives. For the second group "organic product" of animal husbandry means that the animals were raised and fattened without the use of antibiotics or growth hormones. Food, raw materials and additives containing genetically modified organisms were not used at all stages of production. It is also necessary to define food-substitute and quasi-subsistence. It is advisable to issue legal acts that define and regulate the production and market circulation of each category of food. It is also necessary to provide funding for monitoring, inspection and analysis of products. Production, certification and testing of each category of food products, as well as improving the infrastructure of the agribusiness complex are to be controlled.

Based on the fact that the consumer is the decisive factor of the market and competition, it is necessary to stimulate the demand of poor and large families for high-quality food. To do this, it is advisable to organize the transfer of budgetary funds to them with the right to use this money exclusively for the purchase of certain types of food in specific outlets.

Model of five factors of competition by M. Porter gives the opportunity for wider and deeper understanding of each factor function in the competitive relations in the market [7]. Doubts concerning the effectiveness of this model in certain aspects are hardly fair. Much has been written about the impact of large trading companies on pricing [15,16]. At the same time, there is a trend in this market, which is typical for the markets of agricultural products and food industry, that a large share of premium mark-up for organic products goes not to farmers, but to intermediaries [17]. This is typical not only for regular markets, but for those markets that are organized and operate on the principles of the "Fair Trade" system as well. The goal of such markets is fair trade in the field of international economic relations. Indeed, marginal producers, which include firms whose products are strictly certified (for example, according to the requirements of the Rainforest Alliance), need improved
market conditions [18]. However, experience has shown that this is not always the case. It is known that the World Trade Organization operates in this area without due activity. It cannot completely eradicate the protectionism of developed countries, which developing countries, exporting their food products in a "Fair trade" system, often face [19]. Russian manufacturers, including those of our region, have good opportunities to enter this new market and create competitive production. It is a good chance to enter foreign markets despite the complexity of the segment of such products. Factor security of our producers allows it [20,21].

4. Conclusion
1. Decommodification of agricultural and food products in general is caused by increase of costs. This increase occurs due to adverse changes in the external environment, rotation of suppliers and deterioration in the quality of supplies along with growth of supply prices. On the other hand, retail chains purchase products from food producers and assign low purchase prices using their market power. As a result, producers’ costs are rising, and sales prices do not cover them.

2. In such a situation, there is an outflow of companies and decline in the industry. In today's market, there is another phenomenon. Most of manufacturers find a way out of the situation using achievements of the agrochemical industry and genetic engineering. It means that they establish manufacturing products devoid of adequate trade qualities. Decommodification of food products can significantly reduce costs. These products-substitutes look like the real ones, they find sales and production becomes profitable.

3. This trend has spread to all stages of production; it is essentially a veiled decline in the industry, since it is difficult enough to find organic, additive-free and traditionally produced goods in the market.

4. There are conditions for establishing production of such products in the country, our region included. Russian economy has a good supply of basic factors of production such as land and human resources. However, the lack of rationally organized and effectively functioning market of organic food is an obstacle. Overcoming this obstacle will allow to develop a new axis in the economic development of the country.

5. In order to organize the market of high-quality food, it is necessary to improve the legislation in this area by adopting the basic Law "On the food market". On the basis of this law, it is advisable to improve the institutional structures. These structures are aimed at governing the conditions of production, regulating the circulation of food in different markets, namely wholesale, retail, organic products’, substitute products’, quasi-food markets.

The materials of the article can be used in the development of the agricultural sector and food industry, as well as in the regulation of the food market.

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