MARKETING MIX AND UNETHICAL PRACTICES IN NIGERIA

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Abstract

Marketing ethic involves standards and principles that outline acceptable conduct in the marketplace. Marketing usually occurs in the context of an organization, and unethical activities usually develop from the pressure to meet organizational performance objectives. Some obvious ethical issues in marketing practices involve clear-cut attempts to use deceptive measure to take advantage of the customers. The problem envisaged in the study revolves around the deceptive practices in line with four Ps (Product, Price, Place and Promotion) of Marketing mix. These variables are being manipulated in an unethical means in order to make profit without actually satisfying the consumers’ need which is the major goal of marketing. Despite the outcry of consumers against these unethical practices that revolves around the four Ps of marketing (product, price, place and promotion) most firms have done little or nothing at all from their own end to tackle this problem. Yet on daily basis, consumers are being defrauded with inadequate information about the various marketing offering notwithstanding the strong measures by the government and its agencies to control these unethical practices in Nigeria. And it is against this problem that the interest for this study aroused. The overall objective of this study was to examine theoretically, the influence of unethical marketing practices on marketing mix in Nigeria. Specifically, the study will set out to: explore the concept of unethical practices in relation to the marketing mix and determine the ethical best practices as it concerns the marketing mix element. Conceptual framework was constituted, various empirical and theoretical literatures were reviewed and contribution was made. The study concludes that despite the various measures by the government and companies to maintain ethical standards in marketing practices in Nigeria, some marketers are still carrying out so many unethical practices (such as, price fixing, Price collusion, False product information, Product with high degree of risk, deceptive pricing and advertising, advertising to children, etc.), thereby taking advantage of the ignorant customers. This does not concur with the major goal of marketing which revolves around satisfying consumer needs at a profit. Recommendations and suggestions/limitations of the study were given.

INTRODUCTION

Background to the Study

In order to make the best decisions, consumers in both commercial and noncommercial organizations must have the right information (Kent, 2007; Kalu & Okeke, 2016). This information is very important for the consumer to make informed decision about the market mix offering of any organization. As a result of unethical practices by marketers, they tend to falsify and adulterate the content and information about their market offering. Most consumers make their choices based on
wrong information which was made available to him/her. Every profession has ethical standards that guide their operation and the field of marketing is not an exception.

Ethics has been termed the study and philosophy of human conduct, with an emphasis on the determination of right and wrong (Agbonifoh, Ogwo, Nnolim & Nkamnebe, 2007). For marketers, ethics in the workplace refers to rules (standards, principles) governing the conduct of organizational members and the consequences of marketing decisions (Kurtz, 2008). Therefore, ethical marketing from a normative perspective approach is defined as “practices that emphasize transparent, trustworthy, and responsible personal and organizational marketing policies and actions that exhibit integrity as well as fairness to consumers and other stakeholders. Marketing ethics focuses on principles and standards that define acceptable marketing conduct, as determined by various stakeholders and the organization responsible for marketing activities (Kotler & Armstrong, 2013).

While many of the basic principles have been codified as laws and regulations to require marketers to conform to society’s expectations of conduct, marketing ethics goes beyond legal and regulatory issues. Ethical marketing practices and principles are core building blocks in establishing trust, which help build long-term marketing relationships. In addition, the boundary-spanning nature of marketing (i.e. sales, advertising, and distribution) presents many of the ethical issues faced in business today.

Both marketing practitioners and marketing professors approach ethics from different perspectives. For example, one perspective is that ethics is about being a moral individual and that personal values and moral philosophies are the key to ethical decisions in marketing. Virtues such as honesty, fairness, responsibility, and citizenship are assumed to be values that can guide complex marketing decisions in the context of an organization. On the other hand, approaching ethics from an organizational perspective assumes that establishing organizational values, codes, and training is necessary to provide consistent and shared approaches to making ethical decisions. Marketing mix are variables that the marketer can manipulate or change, in his attempt to be effective and they include the four Ps; Product, Price, Place (Distribution) and Promotion (Agbonifoh, et al., 2007). The marketer can control these factors at will, which is why they are sometimes referred to as controllable variables or the controllable marketing decision variables to distinguish them from other variables over which the marketer has little or no control.

**Statement of the Problem**

The fraudulent practices of some marketing firms, since they deprive the consumers of their income, not only offend law and ethics but also impede effort to alleviate or satisfy the needs and wants upon which those practices depends. As a social activity, marketing generates various kinds of responses from different segment in the society. Because of the considerate impact which it has in our lives, virtually everybody has something uncomplimentary to say about marketing. There are thus many criticisms of marketing. Criticisms of marketing and marketers have to do with the four Ps. Product-oriented criticisms condemn brand proliferation, planned obsolescence, imitative and unreliable products, fake labels and dishonored guarantees. Other charges against marketers relates to profiteering, total disregard for price control regulations, false and misleading promotional claims, the polluting effects of advertising on our culture and physical environment and the problem of lengthy and uneconomical distribution channels.

Ethics are moral guidelines which govern good behavior. So behaving ethically is doing what is morally right. However, business ethics has been an increasing concern among larger companies, at least since the 1990s (Siham, 2013). Major corporations increasingly fear the damage to their image associated with press revelations of unethical practices. Marketers have been among the fastest to perceive the market's preference for ethical companies, often moving faster to take advantage of this shift in consumer taste. This results in the expropriation of ethics itself as a selling point or a component of a corporate image. Greenwash is an example of a strategy used to make a company appear ethical when its unethical practices continue.

Despite the outcry of consumers against these unethical practices that revolves around the four Ps of marketing (product, price, place and promotion) most firms have done little or nothing at all from their own end to tackle this problems. Yet on daily basis, consumers are being defrauded with inadequate inform about the various marketing offering notwithstanding the strong measures by the government and its agencies to control these unethical practices in Nigeria. And it is against this problem that the interest for this study aroused.
Objective of the study

The overall objective of this study was to examine theoretically, the influence of unethical marketing practices on marketing mix in Nigeria. Specifically, the study will set out to;

1. Explore the concept of unethical practices in relation to the marketing mix.
2. Determine the ethical best practices as it concerns the marketing mix element.

REVIEW OF RELATED LITERATURE

Conceptual Framework

![Conceptual Framework for Marketing Mix and Unethical Marketing Practices in Nigeria. Source: Researcher’s Concept, 2018](image)
Overview of Ethic in Marketing Practices

Consumer taste change at rapid bases and such most consumers are now sophisticated, fully aware of their right. Hence, they expect the marketing practices, to meet the stipulated ethical predetermined standards. Coinciding with the rise of consumerism and equal rights legislation, people have become more assertive of their rights, especially in the market place (Kamat, 2006). An increased concern for privacy, a reluctance to be used as guinea-pigs for new products and an increased reluctance to accept research claims for new products in advertisements characterize the new outlook of many consumers (Nwokoye, 2000).

In applying the term ‘ethics’ to marketing research, it is assumed that ethics involve the assessment of an action in terms of that action being morally right or wrong (Proctor & Jamieson, 2004). Each society possesses standards to which it expects its members to adhere. Sometimes, these standards are quite precise and there is little dispute about their meaning. At other times, however, these standards are quite general and can be interpreted in different ways. The area of greatest concern is marketing researchers’ treatment of participants. The abuses that arise in this area tend to fall into three broad categories: invasion of privacy, deceptive practices and impositions.

Good ethics is a cornerstone of sustainable marketing (Kotler & Armstrong, 2010). In the long run, unethical marketing harms customers and society as a whole. Furthermore, it eventually damages a company’s reputation and effectiveness, jeopardizing the company’s very survival. Thus, the sustainable marketing goals of long-term consumers and business welfare can be achieved only through ethical marketing conduct (Kalu & Okeke, 2016). Conscientious marketing face many moral dilemmas. The best thing to do is often unclear. Because not all managers have fine moral sensitivity, companies need to develop corporate marketing ethics policies—broad guideline that everyone in the organization must follow, most especially when conducting research and reporting finding (Kotler & Armstrong, 2010). These policies should cover distributors’ relations, advertising standards, Research standards/methodologies, customer service, pricing, product development and general ethical standard. These will go a long way in improving the performance of a business organization in it’s dynamic and fierce business environment.

Ethics and Product Decisions

Marketing executives face with a lot of ethical problems related to planning and application of product strategies (Siham, 2013). For instance, in new product development process, since ethics and legal subjects are discussed less than it is needed, faulty products are put on the market and so these products damage consumers (Morgan, 2013). Other ethical issues related to product decisions, information on labels can sometimes be used as deceptive although it is technically true (Chonko, 2015), rubbish problem which packing cause after its usage (Menezes, 2013), decline of recalling of product although it is problematic, failing in terms of guarantee related to product (Chonko, 2015) and performing planned product obsolesce (Kaya, 2009) to shorten product life cycle.

Some of the unethical marketing practices in this area includes as follows:

- **Deceptive Product Information**: Marketing practices are deceptive if customers believe they will get more value from a product or service than they actually receive. Deception, which can take the form of a misrepresentation, omission, or misleading practice, can occur when working with any element of the marketing mix. Because consumers are exposed to great quantities of information about products and firms, they often become skeptical of marketing claims and selling messages and act to protect themselves from being deceived. Thus, when a product or service does not provide expected value, customers will often seek a different source.

- **Poor Product Safety**: Most of the products available to consumers in the market have high risk associated with using such product.

Ethics and Pricing Decisions

Pricing is probably one of the most difficult areas of marketing when it is analyzed from the ethical point of view. Ethically, price should be equal or proportional to benefit which is taken by the consumers (Kehoe, 2015). However, when monopolistic power is gained, it is seen that unreasonable price increase is set (Ortmeyer, 2013). Other ethical issues related to pricing include non-price price increases, misleading price reduction, price advertisements which can be misleading or...
considered as deceitful and their limits are not explained well, the practices of price fixing that affect the structure of competition, predatory pricing which aims to have monopolistic position, discriminatory pricing, pricing applications of products according to the products’ unit or quantity basis and practicing of misleading pricing methods (Siham, 2013).

Some of the unethical marketing practices in this area includes as follows;

- **Price fixing**: Price fixing is illegal. It is considered to be anti-competitive as well as unethical.
- **Price collusion** (agreeing with other competitors to set prices in a market to the detriment of competition and consumers).
- **Deceptive Pricing**: Deceptive pricing practices cause customers to believe that the price they pay for some unit of value in a product or service is lower than it really is. The deception might take the form of making false price comparisons, providing misleading suggested selling prices, omitting important conditions of the sale, or making very low price offers available only when other items are purchased as well.

**Ethics and Distribution Decisions**

Ethical issues related to place grow out of firms, which form channel of distribution, have different needs and goals. At power relationship in the channel, if channel members put their power which they have into bad use, this may cause an ethical problem (Laczniak & Murphy, 2013). Other ethical issues result in subjects as retailing decisions, direct marketing, and supply and channel management. Ethical issues in direct marketing are the subjects which are privacy, confidentiality and intrusion (Chonko, 2015).

Some of the unethical marketing practices in this area includes as follows;

- **Bribery**: Most marketers bribe the channel members to carry only their products, thereby not creating fair playing grounds for other products.

**Ethics and Promotion Decisions**

Ethical issues related to promotion can be analyzed under two headings as advertising and personal selling. Today, advertisements have turned out to become “an authority in society”. Advertisements tell consumers many things. They show us how to have an image for a model; to but something, use it, and then buy something else to substitute it with. Consumers also learn from advertisements that they can purchase success, happiness and love when buying the goods and services being advertised. Due to this role that advertisements have developed in our society, ethical examination has emerged. Unilateral advertising message, preconceived advertising messages, advertisements' breaking programmers are criticized (Chonko, 2015). Whether advertisements are ethics or not is determined according to the extent of loss of advertisements to consumers. Ethical problems in advertising can be analyzed under two main headings: the content of advertising message and agent/customer relationships (Dunn, Barban, Krugman and Reid, 2000). The relationship between advertising and ethics can be analysed from the point of view of persuasive trait of advertising, deception, puffery and making promises that cannot be kept. Other ethical issues related to advertising include advertising to children, demonstrations, mock-ups, endorsements and testimonials (Drumwright, 2013).

Some of the unethical marketing practices in this area includes as follows;

- **Issues over truth and honesty**: In the 1940s and 1950s, tobacco used to be advertised as promoting health. Today an advertiser who fails to tell the truth not only offends against morality but also against the law. However the law permits "puffery" (a legal term). The difference between mere puffery and fraud is a slippery slope: The problem... is the slippery slope by which variations on puffery can descend fairly quickly to lies.
- **Issues with violence, sex and profanity**: Sexual innuendo is a mainstay of advertising content, and yet is also regarded as a form of sexual harassment. Violence is an issue especially for children's advertising and advertising likely to be seen by children.
- **Taste and controversy**: The advertising of certain products may strongly offend some people while being in the interests of others. Examples include: feminine hygiene products, hemorrhoid and constipation medication. The advertising of condoms has become acceptable in the interests of AIDS-prevention, but is nevertheless seen by
some as promoting promiscuity. Some companies have actually marketed themselves on the basis of controversial advertising - see Benetton. Sony has also frequently attracted criticism for unethical content (portrayals of Jesus which infuriated religious groups; racial innuendo in marketing black and white versions of its PSP product; graffiti adverts in major Nigeria cities).

- **Negative advertising techniques**, such as attack adverts. In negative advertising, the advertiser highlights the disadvantages of competitor products rather than the advantages of their own. The methods are most familiar from the political sphere: see negative campaigning (Siham, 2013).

- **Deceptive Promotion:**
  Promotion practices are deceptive when the seller intentionally misstates how a product is constructed or performs, fails to disclose information regarding pyramid sales (a sales technique in which a person is recruited into a plan and then expects to make money by recruiting other people), or employs bait-and-switch selling techniques (a technique in which a business offers to sell a product or service, often at a lower price, in order to attract customers who are then encouraged to purchase a more expensive item). False or greatly exaggerated product or service claims are also deceptive. When packages are intentionally mislabeled as to contents, size, weight, or use information, that constitutes deceptive packaging. Selling hazardous or defective products without disclosing the dangers, failing to perform promised services, and not honoring warranty obligations are also considered deception.

- **Offensive Promotional Campaign:**
  Marketers control what they say to customers as well as and how and where they say it. When events, television or radio programming, or publications sponsored by a marketer, in addition to products or promotional materials, are perceived as offensive, they often create strong negative reactions. For example, some people find advertising for all products promoting sexual potency to be offensive. Others may be offended when a promotion employs stereotypical images or uses sex as an appeal. This is particularly true when a product is being marketed in other countries, where words and images may carry different meanings than they do in the host country. For instance, a citizen from the Northern region of Nigeria views advertising of Alcoholic beverages as offensive and unacceptable, while the same advert in the southern region of the same country is welcomed and acceptable and this is a result of the religious believe of both region. Thus, marketers should endeavor to handle these differences in culture and religion so as to not offend any group of people.

### EMPIRICAL REVIEW

Kant (2015) concludes that all individuals have basic rights, e.g. to privacy, fair treatment, and so forth. Under this standard, the advertisement might be rated as unethical because it preys upon societal fondness for cute children, thus distracting us from paying attention to diverse issues of child safety. Olakunori (2004), the ethical behaviour expected to be demonstrated by marketing executives include:- (i) Marketing executives are expected to sell only safe and good quality products. They should not sell defective, dangerous or adulterated products, as this may injure customers and others. (ii) Dangers or precautions associated with product usage are expected to be made known by marketing executives to the consumers even before sale. (iii) Marketing executives are not expected to pressurize or force prospective buyers to accept their product offer. (iv) Marketing executives are expected to be decent in their dress mode, manner of approach and negotiation terms with prospective customers. Arbitrary of frequent price increase should not be entertained by marketing executives even if the product has become scarce and demand drastically increased. (vi) Marketing executives are expected not to take an undue advantage of the ignorance, mistakes, weaknesses or circumstances surrounding the consumer. (vii) Marketing executives are expected to do their utmost best to meet obligations and fulfill promises and guarantee arrangements entered into with customers.

Max (2016) in his paper labeled Enlightened Self-Interest and argues that ethical behavior is that which maximizes personal benefits while minimizing the harm to others. In contrast to the other approaches, this standard might view the ad as ethical because the fear appeal is soft, thus there is minimum harm to others, while children may benefit from increased tire safety awareness, a societal benefit.

Nwaeke (2005), concludes that some of the main reasons for ethical problem in business generally include:- (i) Personal gains and selfish interest, (ii) Competitive pressures on profits, (iii) Business goals versus personal values and (iv) Cross-cultural contradictions.
(Gamade, 2005; Adetokunbo, 2011), Opine that some of the unethical behaviours exhibited by marketing executives in Nigerian business environment include: (i) Improper use of company assets – some marketing executives use the company’s resources such as car for personal purpose other than for official assignment. (ii) Indecent dressing by female marketing executive thereby resulting to sexual harassment of their male prospects. (iii) Using bribes to secure a sale – some marketing executive offer bribes and kickbacks to prospective customers in order to persuade them to accept their offers. (iv) Unpredictable price increases and profiteering – some marketing executives arbitrate increase product prices particularly when demand exceeds supply thereby generate excess profit. (v) Deceptive and misleading claim of product benefits to the consumers. (vi) Some marketing executives use industrial espionage to discover trade secrets of their competitors. (vii) Some marketing executives collude with a third party to engage in fraudulent practices of their company. (viii) In their sales presentation, marketing executives promote materialism, which in turn wets people’s appetites and breed crimes. (ix) Environmental pollution – the polluting affect of some promotional activities embarked upon by marketing executives is quite alarming. Akenbor and Imade (2011), carried out a study on Sales Target and Ethical Behaviour of Marketing Executives in the Nigerian Banking Industry and concluded that the level of sales targets established for marketing executives influences their ethical behaviours. While a very high sales target creates room for unethical behaviour, a very low sales target makes marketing executives to be ethically conscious. But very low sales targets cannot generate enough sales revenue.

Theoretical Framework

**Competitive Advantage Theory propounded by Michael Porter (1980)**

Competitive advantage is a business concept that describes the attribute of allowing an organization to outperform its competitors. These attributes may include access to natural resources, such as high grade ores or a low cost power source, highly skilled labor, geographic location, and high entry barriers, etc. Access to new technology can also be considered another such attribute of competitive advantage. Competitive advantage is a property that a business can have over its competitors. This can be gained by offering clients better and greater value. Advertising products or services with lower prices or higher quality interests consumers. Target markets recognize these unique products or services. This is the reason behind brand loyalty, or why customers prefer one particular product or service over another. Value proposition is important when understanding competitive advantage. If the value proposition is affective it can produce a competitive advantage in either the product or service. The value proposition can increase customer expectations and choices.

Michael Porter defined the two types of competitive advantage an organization can achieve relative to its rivals: lower cost or differentiation. This advantage derives from attribute(s) that allow an organization to outperform its competition, such as superior market position, skills, or resources. In Porter's view, strategic management should be concerned with building and sustaining competitive advantage (Porter, 1985). Competitive advantage seeks to address some of the criticisms of comparative advantage. Porter proposed the theory in 1985. Porter emphasizes productivity growth as the focus of national strategies. Competitive advantage rests on the notion that cheap labor is ubiquitous and natural resources are not necessary for a good economy. The other theory, comparative advantage, can lead countries to specialize in exporting primary goods and raw materials that trap countries in low-wage economies due to terms of trade. Competitive advantage attempts to correct for this issue by stressing maximizing scale economies in goods and services that garner premium prices (Stutz and Warf 2009).

**The Commitment-Trust Theory of Relationship Marketing by Robert M. Morgan and Shelby D. Hunt (1994).**

The theory was propounded by Robert M. Morgan and Shelby D. Hunt in the year 1994. The commitment-trust theory of relationship marketing says that two fundamental factors; trust and commitment, must exist for a relationship to be successful. Relationship marketing involves forming bonds with customers by meeting their needs and honoring commitments. Rather than chasing short-term profits, businesses following the principles of relationship marketing forge long-lasting bonds with their customers. As a result, customers trust these businesses, and the mutual loyalty helps both parties fulfill their needs.

Morgan and Hunt (1994) propose that relationship commitment and trust are key variables for successful relationships because they promote cooperative behaviors between relationship partners and encourage them to maintain long-term relationships. They suggest that relationships characterized by trust and commitment allow partners to be more accepting
of high-risk situations because each party believes that the other party will be inclined to engage in activities that are in the long-term best interests of both partners. Morgan and Hunt (1994) tested their theory on business relationships between automobile tire retailers and their suppliers and concluded that it was clearly supported by the data.

This theory is relevance to this study in the sense that it tries to guide the understanding of how relationships are maintained through trust and commitment so as to attain maximum satisfaction of consumers and enhanced marketing performance. And Trust and commitment can only be guaranteed when the firms live up to the ethical standards of their profession and industry.

**Contribution to Literature**

The various literatures reviewed, dwelled mostly on stating the ethical and unethical marketing practices in Nigeria, but they failed to highlight any firm that has been punished in Nigeria as a result of engaging on unethical marketing practices. Studies with such highlight will help deepen the point to marketing firms on the implications of engaging in unethical marketing practices. We therefore contribute that firms’ unethical behaviour has multiplier effects on Nigerian economy. This is true because when the consumers are being dissatisfied with fraudulent and deceptive product, price, place and promotion, they tend to lose hope on our national marketing offering. Hence, looking up to the international player to satisfy their needs and this has a gross effect on our economy (Gross Domestic Product) and trade balance.

**CONCLUSION AND RECOMMENDATIONS**

**Conclusion**

In spite of the protective and restorative measures that may be taken by producers, sellers, consumers and the government, it appears that a larger number of malpractices by producers and sellers cannot be fully redressed if the perpetual complaints of consumers and the general public are anything to go by. These complaints which in their essence are criticisms of marketing, marketers and business in general appear, by their broad and general nature, to be incapable of permanent redress or resolution.

Marketing practices and psychology are extremely intertwined in our contemporary society. It takes some knowledge of basic psychology and human behavior to succeed in marketing. But using psychological methods is not only the single connection. There are also morals and ethics. Morals direct people as they make decisions in their personal and professional lives. Ethics help create boundaries and standards regarding what is acceptable and what is not, since these behaviors are related to moral feelings about right and wrong. It concludes most of the unethical practices that marketers engage themselves in are as a result of pressure from their firms to meet up with a predetermined sales target.

It also therefore concluded despite the various measures by the government and companies to maintain ethical standards in marketing practices in Nigeria, some marketers are still carrying out so many unethical practices (such as, price fixing, Price collusion, False product information, Product with high degree of risk, deceptive pricing and advertising, advertising to children, etc.), thereby taking advantage of the ignorant customers. This does not concur with the major goal of marketing which revolves around satisfying consumer needs at a profit.

**Recommendations**

Firms should endeavor to abide to the Prepackaged food (labelling) Regulation Act of 1980 which stipulates that the label of all prepackaged food shall bear information relating to the name or nature of the food, the list of ingredients, the net contents, the name and address of the manufacturer, packer, distributor, importer and the trademark, if any the country of origin and that these shall be prominently displayed so as to be readily legible by the consumer under normal conditions of purchase and sales.

The government through its regulation agencies should endeavor to monitor the adherence to the guidelines of advertising and food protection Acts. Key legislations should be enacted by the government to prevent marketing firms from unethical practices and those that fall prey of the law should be made to face legal prosecution. Discharging the duties of NAFDAC (National Agency for Food and Drug Administration Commission) and SON (Standard Organization of
Nigeria) should be entrusted into the hands of credible and qualified personnel. Firms should build consumer orientated organizational culture and should also strive to instill these culture into their workforce. From time to time, marketing employees should be given training and seminars on ethical standard requirement of their specific industry.

Firms should strategically place the mission and vision statement within the company premises so that its workforce can see it always, as this will help keep the goals of the company afresh in their mind. Finally, it is important to emphasize that program managers must be prepared to act on the changes suggested by the ethical assessment. In the press of campaign time-pressures, managers may be tempted to ignore ethical red-flags or to neglect to prepare needed public relations counter-measures. Such actions could be very injurious to them and their organization.

Limitations/suggestion for further studies

As a critical review, our research has three main limitations. The first one resides in the number of articles studied, the second in the proposed classification, and the third one stems from our initial challenge, which consisted in summarizing the main unethical marketing practices and evaluations as well as their conceptual links already tested in the literature, without proposing a global conceptual model to be tested. It is therefore suggested that future studies should collect empirical data for the same topic, so as to come up with empirical evidence. Future studies should also anchor its scope to a particular industry.

References


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