

## Decision of the ADVERTISING REGULATORY BOARD

|                     |                               |
|---------------------|-------------------------------|
| Complainant         | Kirsten Doyle                 |
| Advertiser          | Zando, A Jumia Group Company. |
| Consumer/Competitor | Consumer                      |
| File reference      | Zando – Kirsten Doyle         |
| Outcome             | Undertaking                   |
| Date                | 18 July 2019                  |

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Kirsten Doyle against advertising on the Zando Facebook feed.

### Description of the advertising

The advertisement in question is:



## Complaint

In essence, the Complainant submits that when she went onto the Advertiser's website, the dress was on sale for R199. She contends that this is something that occurs repeatedly with this advertiser.

## Response

The Advertiser responded and submitted that:

1. It is not members of ARB, nor does it consider itself bound by ARB rulings;
2. The prices of products on the website change from time to time for a number of reasons including *inter alia*, sale promotions. It relies on systems to synch pricing on various platforms. It is experiencing a technical price synching issue on Facebook, but is exploring a number of ways in which to solve the issue internally.
3. It strongly denies that it had any intention to mislead consumers.
4. The incorrect price of the advert in question has been corrected.

## Application of the Code of Advertising Practice

The following clauses were considered in this matter:

Misleading claims – Clause 4.2.1 of Section II

### Decision

Having considered all the material before it, the Directorate of the ARB issues the following finding.

The main objective of the Advertising Regulatory Board is to protect consumers from advertising that contravenes the Code of Advertising Practice. In the vast majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.

In this matter, the Advertiser has amended the advertising and undertaken to address the underlying problem in a manner that appears to address the complaint at hand.

The ARB Directorate is satisfied that the withdrawal by the Advertiser is unequivocal and addresses the complaint before it, and therefore accepts this undertaking in resolution of the matter.