

Decision of the ADVERTISING REGULATORY BOARD

Complainant	Leila Chin
Advertiser	Shoprite Checkers (Pty) Ltd
Consumer/Competitor	Consumer
File reference	211 - Checkers - Leila Chin
Outcome	Undertaking
Date	29 May 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Leila Chin against the on-pack advertising of Checkers' Freshmark avocados.

Description of the advertising

The avocados are packaged in a punnet and covered with plastic. A sticker appears on the packaging which states: "BIO-DEGRADABLE & COMPOSTABLE PACKAGING".

Complaint

The Complainant argued, in essence, that the claims are false because plastic is not biodegradable.

Response

The Respondent submitted that the punnet that holds the vegetables is bio-degradable, and that it will amend the current wording on the sticker to read "Biodegradable and Compostable **punnet**" in order to avoid any confusion in the future.

It further submitted that it is aiming to have the new stickers printed and phased into all its stores by 1 July 2019.

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majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.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 undertaken to amend its advertising in a manner that appears to address the complaint at hand.

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