

**IN THE MATTER BEFORE THE BOARD
OF THE COMPETITION AND CONSUMER
PROTECTION COMMISSION**

BETWEEN

Ms. Yvonne Mwababa

COMPLAINANT

AND

**Sue's Glow Organic Skincare
Limited**

RESPONDENT

BEFORE:

Commissioner Angela Kafunda

- Chairperson

Commissioner Derrick Sikombe

- Member

Commissioner Stanford Mtamira

- Member

Commissioner Emmanuel M. Mwanakatwe

- Member

Commissioner Sikambala M. Musune

- Member

DECISION

Below is a summary of the facts and findings presented by the Commission to the Board of the Commission following investigations carried out in the above case.

Introduction and Relevant Background

It was submitted that:

1. On 3rd April 2023, the Competition and Consumer Protection Commission ("the Commission") received a complaint from Ms. Yvonne Mwababa ("the Complainant") against Sue's Glow Organic Skincare Limited ("the Respondent"). Specifically, the Complainant alleged that on 19th January 2023, she purchased face creams, soap and organic body butter at a total cost of K650.00 from the Respondent. The Complainant alleged that she used the face cream and soap and she did not have any skin reaction. The Complainant alleged that after a month, she used the organic body butter; however, she developed an

itchy rash on her body. The Complainant alleged that when she checked the bottle of the body cream, she found that it did not have ingredients labelled on it. The Complainant alleged that she sought medical attention as the itchiness became unbearable. The Complainant alleged that on 25th February 2023, she sent the Respondent a message on their Facebook Messenger Application informing them that the body butter did not have the ingredients labelled on it, but she did not receive any response. The Complainant alleged that on 1st March 2023, she visited the Respondent and informed them of her disappointment as they had not redressed her concerns. The Complainant was seeking the Commission's intervention into the matter by ensuring that the Respondent clearly label their organic body butter that was being sold to the public.

Legal Contravention and Assessment Tests

Legal Contravention

It was submitted that:

2. The alleged conduct appeared to have contravened Section 50(1) of the Competition and Consumer Protection Act, No.24 of 2010 ("the Act").

3. Section 50(1) of the Act states that:

"A product that is sold in Zambia shall have a label to clearly indicate the product name, the ingredients used in the product, the date of manufacture and expiry of the product, the manufacture's name, the physical location of the manufacturer, the telephone number and any other contact details of the manufacturer."

4. Section 50(2) of the Act states that:

"A person or an enterprise shall not sell any goods to consumers unless the goods conform to the mandatory consumer product information standard for the class of goods set by the Zambia Bureau of Standards or other relevant competent body."

5. Section 50(3) of the Acts states that:

"A person who, or an enterprise which, sells, exposes for sale, imports, displays or deals with a product in any manner contrary to subsection (1) or (2), commits an offence and is liable, upon conviction, to a fine not

exceeding three hundred thousand penalty units or to imprisonment for a period not exceeding three years, or to both.”

Assessment Tests

It was submitted that:

The following assessment tests are with regard to Section 50(1) of the Act;

6. Whether there is a product;
7. Whether the product is sold in Zambia;
8. Whether the label indicates the product name, the ingredients used in the product, the date of manufacture and expiry of the product, the manufacturer's name, the physical location of the manufacturer, the telephone number and any other contact details of the manufacturer.

Investigations Conducted

It was submitted that:

9. The Commission referred the case to Zambia Medicines Regulatory Authority (ZAMRA) on 17th April 2023. On 14th August 2023, ZAMRA referred the case back to the Commission stating that Guidelines on Cosmetics had not yet been published and therefore could not be relied on. Therefore, the Commission conducted an on-spot compliance inspection at the Respondent's trading premises on 1st November 2023. The Commission duly served a Notice of Investigation and its accompanying letter on the Respondent on 29th November 2023 and conducted a second on-spot inspection in conjunction with the Lusaka City Council (LCC) and Zambia Bureau of Standards (ZABS) on the same day.

Findings

The Parties

The Complainant

It was submitted that:

10. The Complainant is Ms. Yvonne Mwababa, holder of National Registration Card number 73XXXX/XX/1, whose contact number is 0977XXXXXX and is a resident of Lusaka. Section 2 of the Act defines a consumer as, “*any person who purchases or offers to purchase goods or services otherwise than for the purpose of re-sale, but does not include a person who purchases goods or services for the purpose of using the goods or services in the production and manufacture of any other goods for sale, or the provision of another service for remuneration*”¹. Therefore, the Complainant is a consumer as envisaged under the Act because she purchased face creams, soap and organic body butter from the Respondent as evidenced by the proof of transaction dated 19th January 2023.

The Respondent

It was submitted that:

11. The Respondent is Sue's Glow Organic Skincare Limited located along Buluwe Road, Woodlands, Lusaka. The Respondent is a registered company registration No. 120120106677 with the Patents and Companies Registration Agency (PACRA). According to the Act, an “enterprise” means *a firm, partnership, joint-venture, corporation, company, association and other juridical persons, which engage in commercial activities, and includes their branches, subsidiaries, affiliates or other entities, directly or indirectly, controlled by them*. The Respondent is an enterprise as envisaged under the Act as they are a company that engages in commercial activities of supplying skin products such as face creams, soap and organic body butter.

Inspection Conducted at Respondent's Trading Premises²

It was submitted that:

12. On 1st November 2023, the Commission visited the Respondent at their trading premises located in Woodlands, Lusaka to conduct a spot compliance inspection of the Respondent's products following a complaint that the Respondent was selling products which did not have any labelling of the ingredients contained therein as required by law.

¹ Competition and Consumer Protection Act No. 24 of 2010

² Inspection conducted at Respondent's trading premises dated 1st November 2023

The Commission's Observations and Findings during the Inspection

It was submitted that:

13. During the inspection, the Respondent presented to the Commission all their displayed products for compliance inspection.
14. The Commission found that while some products were fully labelled, most of the Respondent's products were not fully labelled as prescribed by Section 50(1) of the Act. However, the Commission noted that the Respondent was also a distributor of products manufactured by other companies. Amongst the products inspected by the Commission were *Whitening Serum* by Organic Natural Products and *Anti-Marks Cream Extra Brightening* by White Gold; which were all labelled as prescribed by the Act.
15. The Commission found that the Respondent's *Organic Body Butter* labelling did not have the ingredients used in manufacturing the product, the date of manufacture and expiry date of the product and details of the manufacturer were not clearly labelled as shown in **Figure 1** below.

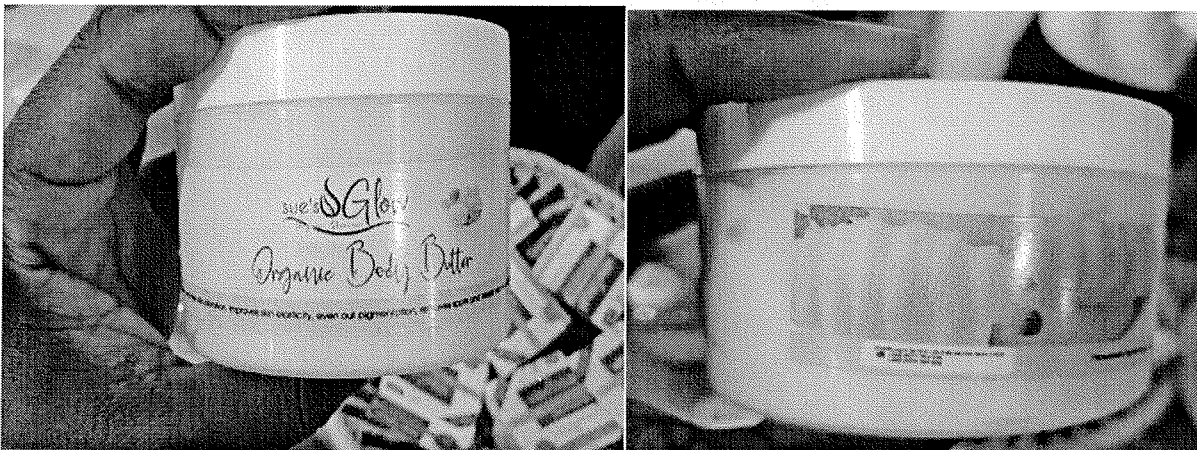


Figure 1: Sue's Glow Organic Body Butter

16. The Commission found that the Respondent's *Lightning Face Cream* did not include the ingredients used in manufacturing of the product and did not include details of the manufacturer as prescribed by the Act. Further, the product label did not have the correct Zambia Bureau of Standards (ZABS) certification mark on it as shown in **Figure 2** below.



Figure 2: Sue's Glow Lightning Face Cream

17. The Commission found that the Respondent's *Slimming Tea* did not have the ingredients used in manufacturing the product labelled on the packaging. Further, the product did not have a date of manufacture and date of expiry labelled on the packaging but only had a label that stated "Shelf life: 12 Months" which was not clear for consumers to determine the date of manufacture and date of expiry. Further, the product label did not have the correct ZABS certification mark on it. **Figure 3** below shows the Respondent's packaging of the product.



Figure 3: Sue's Slimming Tea

18. The Commission found that the Respondent's *Cookie Wash* did not have manufacturer's details. The Commission further noted that the product did not have a ZABS certification mark on the packaging. **Figure 4** below shows the Respondent's *Cookie Wash*.



Figure 4: Sue's Glow Cookie Wash

19. The Commission found that the Respondent's *Winter Oil* did not have the Manufacturer's details as prescribed by the Act on the packaging as shown in **Figure 5** below.

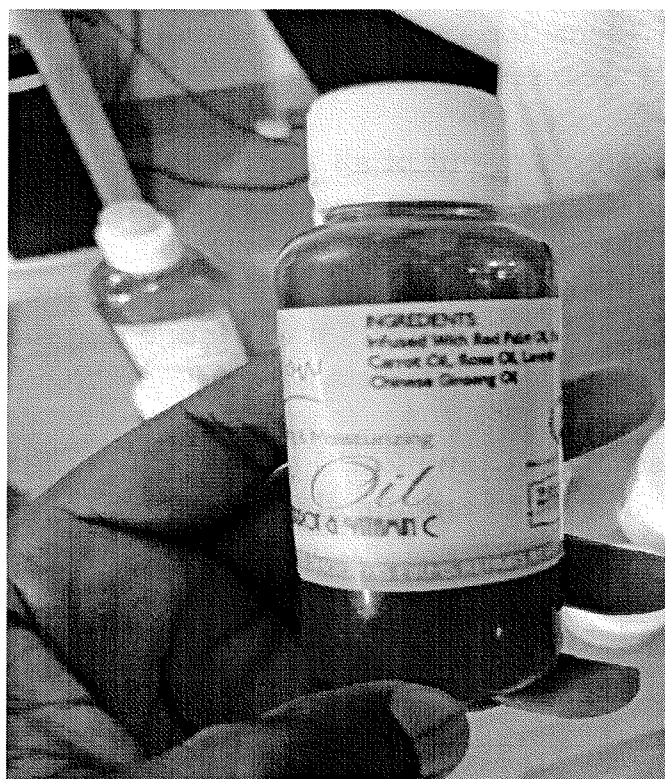


Figure 5: Sue's Glow Winter Oil

20. In view of the above findings, the Commission established that the Respondent had not complied with the prescribed labelling

requirements of Section 50(1) of the Act. It was therefore recommended that the Commission investigates the Respondent under Section 50(1) of the Act.

2nd Inspection Conducted at the Respondent's trading premises³

It was submitted that:

21. On 29th November 2023 at 11:00 hours, the Commission accompanied by LCC and ZABS visited the Respondent's trading premises in Woodlands, Lusaka. The purpose of the visit was for the Commission to serve the NoI and its accompanying letter; and conduct an inspection of the Respondent's products following the complaint that the Respondent was selling products that were not well labelled, that is, not indicating ingredients on their packaging.

The Commission's Observations and Findings during the Inspection

It was submitted that:

22. During the inspection, the Commission served the NoI and its accompanying letter on the Respondent on 29th November 2023. The Commission thereafter proceeded to conduct the inspection at the Respondent's premises.
23. During the inspection, out of all the products that were inspected, it was observed that 22 (twenty-two) types of products were not fully labelled as prescribed under Section 50(1) of the Act as shown in **Table 1** below. It was further observed that some of the products had a ZABS logo labelled as, "ZABS TESTED". It was found that the Respondent had modified the ZABS logo which stated "ZABS APPROVED."
24. The Commission, LCC and ZABS seized 330 products that were not properly labelled which amounted to a total cost of K50,675.00. Below is a table with a summary of the products that were found and seized.

Table 1: Products that were seized at the Respondent's Trading Premise in Woodlands, Lusaka

No.	Product	Quantity	Amount (Per quantity)	Total	Reason for Seizure
1	Egg Soap	32	K50.00	K1,600.00	No product label

³ 2nd Inspection conducted at the Respondent's trading premises dated 29th November 2023

2	Glow Soap	25	K25.00	K625.00	No product label
3	Sweet Lightening Soap	01	K50	K50.00	No product label
4	Ghana Soap	15	K100.00	K1,500.00	No product label
5	Cookie Wash	09	K50.00	K450.00	No manufacturer's details
6	Winter Oil	16	K100.00	K1,600.00	No manufacturer's details
7	Brightening Body Oil	20	K250.00	K5,000.00	No manufacturer's details
8	Lightening Oil	15	K250.00	K3,750.00	No manufacturer's details
9	Lightening Body Cream	08	K300.00	K2,400.00	No manufacturer's details
10	Lightening Face Cream	17	K200.00	K3,400.00	No manufacturer's details and no ingredients
11	Teeth Whitening (black)	25	K50.00	K1,250.00	No manufacturer's details
12	Brightening carrot and Neem body wash	11	K200.00	K2200.00	No manufacturing date
13	Brightening Hand Cream	13	K100.00	K1,300.00	No manufacturer's details
14	Brightening Face Cream	23	K200.00	K4,600.00	No manufacturer's details and no ingredients
15	Brightening Body custard	09	K300.00	K2,700.00	No manufacturer's details
16	Organic Body Butter	12	K200.00	K2,400.00	No manufacturer's details and no ingredients
17	Special Whitening (oil)	10	K250.00	K2,500.00	No manufacturer's details
18	Acne Pimple Treatment	53	K150.00	K7,950.00	No manufacturer's details
19	Cypribest Quick Clear Remover	04	K50.00	K200.00	No manufacturer's details
20	Glowing Black Soap	09	K200.00	K1,800.00	No manufacturer's details and expiry date
21	Tumeric Super Whitening Serum	08	K100.00	K800.00	No manufacturer's details and expiry date
22	Alpha Arbut in Whitening Serum	26	K100.00	K2,600.00	No manufacturer's details
	Total			K50,675.00	

25. The LCC in conjunction with the Commission and ZABS seized 330 products worth K50,675.00 during the inspection conducted. In view of the above findings, the Commission established that the Respondent had not complied with the prescribed labelling requirements according to Section 50(1) of the Act.

Submissions from the Respondent⁴

It was submitted that:

26. In a letter dated 10th December 2023, the Respondent through Ms. Susan Mwale their Chief Executive Officer, submitted that they made reference to the above subject matter CONS/16/11/2023/01681/CM – Allegations of Unfair Trading Practices against Sue's Glow Organic Skincare Limited by Ms. Yvonne Mwababa in response to the letter received on the 29th November 2023.
27. The Respondent submitted that they would like to officially apologize for the delayed response as they had to extensively investigate the facts of the matter internally and also consult on the matter. The Respondent submitted that they did manage to confirm the engagement message from the Complainant on the 25th February 2023 via their Facebook Messenger platform.
28. The Respondent submitted that they were unable to confirm a record of the follow-up on the complaint that the Complainant had made as their internal procedure would have ensured that the matter would have been escalated and the Complainant engaged accordingly. The Respondent submitted that they were unfortunately unable to verify what truly transpired in the Complainant's follow-up visit as the sales team that worked at their Woodlands office had all since been replaced. The Respondent submitted that it was regrettable that the Complainant's concerns and complaint were not addressed or at the very least replied to.
29. The Respondent submitted that they would have also wished that the investigation was brought to their attention earlier as it would have assisted them as an entity to make the much-needed corrective measures to ensure both compliance and customer service satisfaction. The Respondent submitted that this, as a matter of fact, was the first complaint they had received on the organic body butter from inception of their company.
30. The Respondent submitted that they were a 100% Zambian owned start-up Small Medium Enterprise (SME) and had every interest in being fully compliant in their quest to remain a going and growing

⁴ Letter from the Respondent dated 10th December 2023

concern and would appreciate engagements and training from the Commission as need arises.

31. The Respondent submitted that they had taken stock of the organic body butter and had indeed acknowledged the lack of labelled ingredients being whipped shea butter, organic base and essential oils. The Respondent submitted that they had since resolved to rectify the said product labelling and extended that resolution to all their products.
32. The Respondent submitted that if it was established that the said products were indeed purchased from them and that the named Complainant's reaction was indeed as a result of the use of their Natural Organic Body Butter, they were more than open to meeting the Complainant's medical expense and the applicable compensations that might be detected.
33. The Respondent submitted that they were not only interested in resolving the matter amicably but also to recall and retain the Complainant as a valued client. The Respondent submitted that their offices were open for any further engagements or information that the Commission may so demand.

Complainant's Submissions to the Commission's Preliminary Report

It was submitted that:

34. Following the approval of the preliminary report, it was duly served on the Complainant and the Respondent on 8th March 2024 and 20th March 2024 respectively, in order for them to make submissions to the Report.

Submissions from the Complainant⁵

It was submitted that:

35. The Complainant submitted in a letter dated 18th March 2024, that she wished to advise that she had read and acknowledged the findings of the report as being fair and befitting as the Commission was able to confirm her concerns regarding poor labelling of products by the said firm.

⁵ Letter from the Commission dated 18th March 2024

36. The Complainant submitted that the following were the comments regarding the feedback provided by the Respondent. The Complainant submitted that Respondent had ample time to respond to the complaint, as evidenced by the time lapse between the complaint date of 25th February 2023, and the date the Commission engaged them (21st November 2023).
37. The Complainant submitted that despite the Respondent reading the message that was sent via Facebook, no response was given for 9 months. The Complainant further submitted that they even went against their notification on Facebook messenger that they typically respond after 1 day. The Complainant submitted that responding to client concerns is considered a good business practice, as it demonstrates that you value and hold clients in high esteem.
38. The Complainant further submitted that when she visited the Respondent's office located on Buluwe road in Woodlands area in Lusaka, she was attended to by the Human Resource Manager and the person in charge of the Slimming Tea packaging. The Complainant submitted that they assured her that they would engage the Chief Executive Officer (CEO) with regards to the complaint she posted on Facebook Messenger. The Complainant submitted that the two gentlemen were shown the message and they read it. The Complainant submitted that the person in charge of the slimming tea packaging also took note of her details on a piece of paper, i.e., her Facebook account name and phone number.
39. The Complainant submitted that the lack of proper labelling was attributed to the printing firm they were using. The Complainant submitted that this meant that the Respondent was aware of this deficiency on the label but chose not to rectify it. The Complainant submitted that despite the assurances that they would call her, she never received any feedback. The Complainant submitted that after the visit, the Respondent was given ample time to revert as she had waited a whole month before engaging the Commission. The Complainant submitted that, during this time, she continued receiving treatment and her body was still covered in scars.
40. The Complainant submitted that, if the Respondent held client feedback in high esteem, the information she had provided was sufficient to have enabled them make the necessary corrections. The Complainant submitted that she understood that they were a business hence the reason she was considerate enough to write a private message as

opposed to posting on their Facebook page. The Complainant submitted that her visit was a further step to engage them in order for them to take necessary corrective action. The Complainant submitted that furthermore, her case was an isolated one but the fact that it fell through the cracks when reported meant that there may be other cases which the Respondent had not taken seriously.

41. The Complainant submitted that she was thankful and she appreciated the efforts made with regards her case and hopes the information she has provided is proof that she did not act out of malice but as a concerned citizen, she felt the firm needed to be aligned to prevent other clients going through what she experienced. The Complainant further submitted that it was for this reason that she felt the Respondent should be penalized as per the Commission's findings as they did not comply with the law.

Commission's Position to the Complainant's Submissions

It was submitted that:

42. The Commission noted the Complainant's submissions as stated in the report.

Submission from the Respondent⁶

It was submitted that:

43. The Respondent submitted in a letter dated 28th March 2024 that they would like to start by asking the Commission for an extension on the period of presentation of the 2022 Audited books of accounts to 22nd April 2024. The Respondent further submitted that this was because they did not have Audited Financials for the years they have operated and have only managed to engage an Auditor at the Commission's request which required them to engage in back-and-forth negotiations on the cost of the assignment.
44. The Respondent further submitted that they had read through the Preliminary Report and they would like to reiterate that it is regrettable that some of their products did not meet the minimum compliance tests. The Respondent further submitted that they were more than

⁶ Letter from the Respondent dated 28th March 2024

- committed to ensuring that their products going forward not only meet the minimum legal conformities but also meet the required International Standards to aid their growth.
45. The Respondent submitted that they were confident that the next spot visit by the Commission will find that their labelling will be in conformity to the Commission's requirements.
46. The Respondent further submitted that they continued to point out that it was regrettable that some of their products did not meet the labelling compliance requirements.
47. The Respondent further submitted that they requested that instead of prosecution, they would like to come on board as awareness campaign and sensitization partners. The Respondent submitted that this plea was not made to simply avoid prosecution but also demonstrate to fellow SMEs that they had every desire to be good corporate citizens.
48. The Respondent submitted that the suggested punitive recall of their products from the market would also cripple them as an SME as they would suffer the harsh effects of damaged reputational risk and the panic such action could cause to their client base. The Respondent submitted that however, they would ensure that all the products currently on the market and in future conform to the Commission's standards.
49. The Respondent submitted that they were an SME that would like to continue in supporting the campaign of transforming the economy from a trading economy to a manufacturing economy, maintaining the existing jobs they had so far created and possibly creating more in the near future. The Respondent further submitted that their offices were open for any further engagements or information that the Commission may so demand.

Commission's position to the Respondent's Submissions

It was submitted that:

50. The Respondent submitted that they were requesting the Commission for an extension on the period of presentation of the 2022 Audited books of accounts to 22nd April 2024. In response the Commission submits

that the Respondent may submit the audited books of accounts as per directives that would be contained in the Board Decision.

51. The Respondent submitted that they would like to reiterate that it was regrettable that some of their products did not meet the minimum compliance tests and were more than committed to ensuring that their products going forward not only meet the minimum legal conformities but also meet the required International Standards to aid their growth. In response the Commission noted the Respondent's submission.
52. The Respondent submitted that they were confident that the next spot visit by the Commission would find that their labelling will be in conformity to the Commission's requirements. In response the Commission noted the Respondent's submission.
53. The Respondent further submitted that they request that instead of prosecution, they would like to come on board as awareness campaign and sensitization partners. The Respondent submitted that this plea was not made to simply avoid prosecution but also demonstrate to fellow SMEs that we have every desire to be good corporate citizens. In response the Commission submitted that Section 50(3) of that Act states that, "*A person who, or an enterprise which, sells, exposes for sale, imports, displays or deals with a product in any manner contrary to subsection (1) or (2), commits an offence and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a period not exceeding three years, or to both*". Therefore, the Commission is mandated to act in accordance with the prescribed law in relation to violation of Section 50(1) of the Act.
54. The Respondent submitted that they were an SME that would like to continue supporting the campaign of transforming the economy from a trading economy to a manufacturing economy, maintaining the existing jobs they had so far created and possibly creating more in the near future. The Respondent further submitted that their offices were open for any further engagements or information that the Commission may so demand. In response the Commission noted the Respondent's submission.

Relevant Findings

It was submitted that:

55. The Commission found that on 19th January 2023, the Complainant purchased face creams, soap and organic body butter at a total cost of K650.00 from the Respondent.⁷
56. The Commission found that on 1st November 2023 the Respondent did not label their organic body butter, lightening face cream, slimming tea, cookie wash and winter oil with the correct information needed such as manufacturer's details and expiry dates.⁸
57. The Commission found during an inspection conducted on 29th November 2023 that the Respondent did not label their egg soap, glow soap, sweet lightening soap, Ghana soap with information such as manufacturer's details, expiry dates and ingredients of the products.
58. Similarly, the Commission found that the Respondent's cookie wash, winter oil, brightening body oil, lightening body oil, lightening face cream, teeth whitening (black), brightening carrot, neem body wash, brightening hand cream, brightening face cream, brightening body custard, organic body butter, special whitening oil, acne pimple treatment did not have any manufacturer's details.
59. Additionally, the Commission found that the Respondent's cypribest quick clear remover, glowing black soap, turmeric super whitening serum and alpha arbut whitening serum did not have any manufacturer's details and expiry dates.⁹
60. It was found that some of the Respondent's products had a modified ZABS logo labelled as, "*ZABS TESTED*" contrary to ZABS official logo which stated "*ZABS APPROVED*".¹⁰
61. The LCC on 29th November 2023 in conjunction with the Commission and ZABS seized 330 products worth K50,675.00 during the inspection conducted.¹¹

⁷ Complainant proof of transaction dated 19th January 2023

⁸ Inspection conducted at Respondent's trading premises dated 1st November 2023

⁹ 2nd Inspection conducted at Respondent's trading premises dated 29th November 2023

¹⁰ Ibid

¹¹ Ibid

Previous Cases involving the Respondent

It was submitted that:

62. A review of the case file for the Respondent showed that there was no case in which the Respondent was found to have breached Section 50(1) of the Act.

Analysis of Conduct

It was submitted that:

63. In analyzing, the case for possible violation of Section 50(1) of the Act, the following assessment tests were used:

Whether there is a product;

It was submitted that:

64. The Complainant purchased face creams, soap and organic body butter at a total cost of K650.00 from the Respondent on 19th January 2023 as evidenced from the proof of transaction. Therefore, the face creams, soap and organic body butter qualifies to be products.

Whether the product is sold in Zambia;

It was submitted that:

65. The Complainant purchased the face creams, soap and organic body butter from the Respondent's trading premises located along Buluwe Road, Woodlands, Lusaka implying that the products are sold in Zambia.

Whether the label indicates the product name, the ingredients used in the product, the date of manufacture and expiry of the product, the manufacturer's name, the physical location of the manufacturer, the telephone number and any other contact details of the manufacturer;

It was submitted that:

66. In the case at hand, the Commission established that on 19th January 2023, the Complainant purchased an organic body butter from the

Respondent. The Commission noted that the Complainant alleged that after applying the organic body butter she developed itchy rash. The Complainant could not establish what caused the itchy rash as the organic body butter did not have ingredients indicated on the bottle. Additionally, the Commission was unable to ascertain that the itchy rash was because of the body butter from the Respondent.

67. The Commission, on 29th November 2023, during on spot inspections at the Respondents' trading premises established that the organic body butter had a label clearly indicating the product name which was Sue's Glow Organic Body butter and the contact details of the manufacturer. However, the Commission established that the label of the organic body butter did not indicate the ingredients used in manufacturing the product, the date of manufacture, expiry date of the product and details of the manufacturer. Furthermore, the Commission established that the egg soap, glow soap, sweet lightening soap, Ghana soap did not have any manufacturer's details, expiry dates or ingredients. The cookie wash, winter oil, brightening body oil, lightening body oil, lightening face cream, teeth whitening (black), brightening carrot, neem body wash, brightening hand cream, brightening face cream, brightening body custard, special whitening oil, acne pimple treatment did not have the manufacturer's details and expiry dates. The Respondent's cypribest quick clear remover, glowing black soap, turmeric super whitening serum and alpha arbut whitening serum were not properly labelled with the correct information such as the manufacturer's details and expiry dates.
68. The Commission established that the omission of information regarding the ingredients, expiration date of the products and the manufacturer's details largely disadvantaged the consumers in that they would not be aware whether what they were buying and consuming were fit for consumption and use because the ingredients and dates were not shown. Additionally, the omission of the Respondent's details on their product also disadvantaged consumers in that they would not know how to locate the Respondent to seek redress if they encountered a problem with the Respondent's product. Therefore, the Commission established that the Respondent did not label the organic body butter with the required information and hence violated Section 50(1) of the Act.

Board Deliberation

69. Having considered the facts, evidence and submissions in this case, the Board resolves that the Respondent did engage in unfair trading practices in relation to not meeting the standard of product labelling, hence, violated Section 50(1) of the Act.

Board Determination

70. The facts and evidence of this case have shown that the Respondent did engage in unfair trading practices in relation to not meeting the standard of product labelling, hence, violated Section 50(1) of the Act.

Board Directive

71. The Complainant is advised to seek redress from the Courts of Laws for any loss she may have suffered by the use of the Respondent's organic body butter.

Note: Any party aggrieved with this order or directive may, within thirty (30) days of receiving the order to direction, appeal to the Competition and Consumer Protection Tribunal.

Dated this 13th June 2024

A. K. M. M. M.
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Chairman

Competition and Consumer Protection Commission

(1)

(2)