

Decision of the ADVERTISING REGULATORY BOARD

Complainant	Khristine Strain
Advertiser	African Impact Safari Operators CC
Consumer/Competitor	Consumer
File reference	African Impact – Khristine Strain
Outcome	Undertaking and dismissed
Date	2 April 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Khristine Strain against the Advertiser’s website advertisement at <https://www.africanimpact.com/volunteer-projects/chimpanzee-sanctuary-wildlife-orphan-care/#destination>.

Description of the advertising

The advertisement stated, *inter alia*,

“Our project fee includes:

...

- 3 delicious meals a day cooked by chefs from the local community;
- ...
- Experienced international and local staff members who live and work alongside you everyday;
- ...”

Complaint

The Complainant had issues with the following claims:

- 3 delicious meals a day cooked by chefs from the local community;
- Experience international and local staff members who live and work alongside you everyday;

She submitted that the material references safety but there are no fire extinguishers.

It was submitted that the claims are misleading and unsubstantiated and having volunteered herself she found that volunteers were required to cook their own meals and not all staff members were experienced.

Response

The Advertiser submitted that at one stage local chefs were the cooks, but for the past few months the cooking duties have been divided between staff and volunteers and this has been reflected on its website. The Advertiser disagreed with the complainant's statement that not all staff members are experienced. The Advertiser submitted that most of its staff members are past volunteers including its MD and Sales Director. In regard to training, its Country Manager was based at Chimfunshi for a whole month providing training.

The Advertiser pointed out that its partner, Chimfunshi, controls the accommodation on the ground and they do have a fire safety procedure. It worked closely with them to close any gaps in their readiness and can provide photographic proof of extinguishers and other fire safety equipment. The bars on the window are a standard feature in Zambia and are there to ensure the safety of volunteers and their possessions.

It submitted that it has done everything possible to resolve the Complainant's complaint amicably and it also updated the content on its site months ago in order to avoid any similar misunderstandings in the future.

Application of the Code of Advertising Practice

The following clause was 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.

In terms of Clause 4.2.1 of Section II “advertisement should not contain any statement or visual presentation which, directly or by implication, omission, ambiguity, inaccuracy, exaggerated claim or otherwise, is likely to misleading.

The Complainant took issue with three aspects of her experience, which will be addressed below.

“3 delicious meals a day cooked by chefs from the local community”

The Complainant submitted that the volunteers had to cook for themselves.

The Advertiser explained that the programme initially used local chefs but that this has changed. The website has been updated.

The Directorate checked the website itself, which now states, “3 delicious meals a day cooked by yourself – so bring your masterchef skills”.

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 this aspect of the complaint.

“Experienced international and local staff members who live and work alongside you everyday”

The Complainant submitted that one of the staff members was themselves an ex-volunteer that had no training from African Impact.

The Directorate notes that the claim promises that there will be experienced local and international staff. It does not promise that the staff will have any specific training, nor that every member of staff will be experienced.

It would appear from the submissions before it that there was one member of staff who did not meet the Complainant’s expectations, but that there were other members of staff, and the Complainant submits nothing attacking their experience and qualifications. It therefore seems that there were indeed experienced local and international staff.

The Directorate does not think there is sufficient information before it to make a finding that the claim is misleading or on breach of Clause 4.2.1 of Section II.

Safety

The Directorate was unable to find any reference to either safety or fire extinguishers in the advertising. This is therefore not an advertising issue and cannot be considered by the ARB.