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Common Market for Eastern and Southern Africa

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16 June 2024

WARNING NOTICE TO THE GENERAL PUBLIC

PRODUCT RECALL OF 50ML SINGLE-USE NEUTRALIZING SHAMPOO CONTAINED IN DARK AND LOVELY MOISTURE-PLUS KITS

The COMESA Competition Commission (the Commission) has become aware through a media statement dated 10 June 2024 by the National Consumer Commission (NCC) of South Africa, of the recall of 50ml single use neutralizing shampoo contained in Dark and Lovely Moisture Plus Kits (Regular, and Super) and Dark and Lovely Anti Breakage Kit for containing bacteria, that may lead to scalp infections in those with compromised immune systems.

In its Media Statement, the NCC urges persons in South Africa in possession of 50ml single use neutralizing shampoo contained in Dark and Lovely Moisture Plus Kits (Regular, and Super) and Dark and Lovely Anti Breakage Kit to immediately discontinue use of the product and return it to the point of sale for a full refund. The media statement indicates that the manufacturer of the recalled product, L'Oréal, informed the NCC that they detected the presence of bacteria in the 50ml single use neutralizing shampoo during their regular quality controls. According to the manufacturer, using this shampoo may lead to scalp infections in those with compromised immune systems.

A depiction of the recalled product by the National Consumer Commission is as below:



The Commission has noted from the NCC media statement which can be accessed on the link: https://thencc.org.za/product-recall-50ml-single-use-neutralizing-shampoo-containedin-dark-and-lovely-moisture-plus-kits/ that the recalled product, which was produced in April 2023, was exported to COMESA Member States including Zambia, Zimbabwe, Kenya, and Eswatini. The Commission has further established the recalled products are marketed in other COMESA Member States including Egypt[1], Uganda[2], Rwanda[3], Mauritius[4], and Malawi[5]

Pursuant to Article 30(1)(b) of the COMESA Competition Regulations, the Commission hereby informs the public in the respective countries of the risks associated with the product in question and wishes to advise consumers to avoid purchasing or using it.

The Commission has further written to L'Oréal -South Africa, the manufacturer of the product, requesting them to undertake the following in the affected Member States of the Common Market:

- Recall the products in question from all affected Member States;
- Issue a notice to the public indicating its distributors and related dealers in the Common Market to enable consumers identify where to return the products;
- Inform the public of any undertaking to replace the products or refund the price of the products and costs related to the return of the products; and
- Provide the Commission with reports on the progress of the recall.

The Commission welcomes any representations on the matter from interested stakeholders and the public.

Should you require more information or clarification on the matter, you may contact Mr**. Steven Kamukama, Director Consumer Welfare and Advocacy Division** on +265(0)111772466 or by email on: skamukama@comesacompetition.org with a copy to compcom@comesacompetition.org and consumers@comesacompetition.org

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[1] Dark and lovely hair relaxer superior moisture plus: Buy Online at Best Price in Egypt - Souq is now Amazon.eg
[2] https://www.jumia.ug/generic-dark-and-lovely-no-lye-superior-moisture-plus-hair-relaxer-kit-super-8oz-189642457.html
[3] https://murukali.com/en-weshipworldwide/products/dark-lovely-superior-moisture-plus-super-coarse-hair
[4] https://www.ubuy.mu/en/productuk/IYJYKFVSK-dark-and-lovely-no-lye-hair?st=es
[5] Dark And Lovely – Add2Cart (add2cartmw.com)

WARNING NOTICE ON DARK AND LOVELY SHAMPOO_1

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