

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

2014 - 2015

Department/Agency: ACCC

Question: SBT 81-83

Topic: Honey

Reference: Written - 03 November 2014

Senator: Williams, John

Question:

I want to commend you for taking action to ban Victoria Honey and fine the company for misrepresenting what the product was.

But the Honey Bee Industry Council still maintains there should be scrutiny on the honey products coming from Turkey.

They maintain other products like Garden Honey and Forrest Honey also breached the laws as their labels don't conform to the Australia New Zealand Food Standards Code 2.8.2 (describes what honey must contain and what honey actually means)

81. Has ACCC acted on these complaints?
82. Has product been removed from shelves and fines levied?
83. Do you believe all these honey products from Turkey should be inspected to ensure they are what the label says they are?

Answer:

81. The ACCC carefully considers all complaints it receives. In accordance with the ACCC Compliance and Enforcement Policy, the ACCC focuses on those circumstances that will, or have the potential to, harm the competitive process or result in widespread consumer detriment.

As noted in previous ACCC's responses to Questions on Notice, the ACCC's handling of complaints made by the Australian Honey Bee Industry Council (AHBIC) has been consistent with its Compliance and Enforcement Policy. The ACCC has kept the AHBIC informed of the progress of the investigation into its complaints and key stages of the investigation and has carefully considered all of AHBIC's information. The ACCC continues to respond to inquiries and complaints received from the AHBIC.

The ACCC has also put honey suppliers on notice that they must have a basis for selling a product as 'honey', which likely should include tests to confirm the product is in fact honey produced entirely by honey bees.

82. The ACCC has pursued a number of traders in relation to possible false or misleading representations in respect of honey products.

In June 2014, the ACCC accepted a court enforceable undertaking from Basfoods (Aust) Pty Ltd in its "Victoria Honey" product. The ACCC considered that Basfoods had misrepresented that its "Victoria Honey" was honey produced by honey bees on product labelling and on its website, when it was mainly comprised of sugars from plants including corn and sugar cane.

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Basfoods has undertaken to only sell product as honey if it is entirely produced by honey bees, and to regularly test its products, including honey. Basfoods will also publish a range of corrective notices.

In addition to the undertaking, Basfoods has ceased supply of “Victoria Honey” and paid three Infringement Notices totalling \$30,600 for the conduct. A copy of the ACCC’s media release can be accessed at <http://www.accc.gov.au/media-release/accc-acts-on-victoria-honey-misrepresentations>.

Other matters have been resolved following appropriate removal and recall of products from sale. Other matters remain under consideration and we expect further action to be announced shortly.

83. The ACCC considers that businesses should ensure any representations they make about their goods or services are accurate and can be substantiated.

As noted in response to question SBT81, the ACCC has put the honey industry on notice to ensure that they have a basis for selling a product as ‘honey’.