

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates 25-26 February 2009

Question: aet 25

Topic: Mandatory Horticulture Code

Hansard Page: Written

Senator FIERRAVANTI-WELLS asked:

1. In relation to the Mandatory Horticulture Code:

- (a) How many complaints regarding alleged breaches of the Mandatory Horticulture Code of Conduct has the ACCC received since the last Estimates hearing?
- (b) How many of these have been investigated in some depth?
- (c) Has the ACCC taken any breaches of Mandatory Horticulture Code to Court in this financial year and in 2007-2008?

Answer:

1.

- (a) From 28 January 2009 to 25 March 2009 there have been five complaints lodged with the ACCC relating to the Horticulture Code
- (b) One.
- (c) Yes, in the first case decided under the Horticulture Code of Conduct, the Federal Court in Darwin declared that a horticulture merchant failed to comply with the code's pricing requirements in its dealings with two Northern Territory mango growers. As a result of this case, Grove and Edgar is required to write to all growers it trades with under the Horticulture Code informing them of its commitment to comply with the code and pay court costs of \$7 500 to the ACCC.