

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2014 - 2015

Department/Agency: Australian Competition and Consumer Commission
Question: AET 4-6
Topic: Honey
Reference: written - 02 March 2015
Senator: Williams, John

Question:

4. Are you looking at taking any action against the importers or suppliers of Garden Honey and Forrest Honey?
5. When you order honey to be taken off supermarket shelves, do you actually send inspectors around to ensure that direction is complied with?
6. If not, what is the fine that is imposed for non-compliance and has this been enforced?

Answer:

4 – 6. 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.

The ACCC has investigated and taken action against a number of suppliers of product marketed as honey in light of concerns over the composition of the product (i.e. that it is not honey) and in some cases, the place of origin of the product. Action has included payment of infringement notices and, in some cases, provision of court enforceable undertakings.

The ACCC may resolve a matter by administrative means with a trader agreeing to cease the conduct (for example, by ceasing supply). In the case of Garden Honey and Forrest Honey, the ACCC considered concerns raised and has written to both traders requesting that they cease supplying the product and to recall products from its clients in exchange for a result. This approach is consistent with the ACCC's Compliance and Enforcement Policy.

Where a business agrees to stop supplying a product but continues to do so, it is open to the ACCC to investigate and take further action.

The ACCC will follow up with traders or undertake market surveillance to determine actions to take. The ACCC will also rely on further complaints to assist. In this case, the Australian Honey Bee Industry Council will continue to assist the ACCC with market intelligence.