

**Senate Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Treasury Portfolio**  
Budget Estimates 2014  
3 June to 5 June 2014

**Department/ Agency:** ACCC

**Question:** BET 23

**Topic:** Honey Industry

**Reference:** Hansard – pg 44, 4 June 2014

**Senator:** Xenophon

**Question:**

23. Senator XENOPHON: My terseness is a function of time, not temperament. Firstly, in relation to the complaint about honey, where there is a map of Australia behind it and it is 100 per cent imported, on notice can you advise whether the ACCC will set out protocols or guidelines to fast-track these complaints about what most consumers would see as completely misleading behaviour? The honey producers who contacted me felt frustrated by the process. Can you take that on notice?

Mr Sims: I am happy to take that on notice.

Senator XENOPHON: It is an important issue.

Mr Sims: It is an important issue.

**Answer:**

23. The ACCC's Service Charter includes a service goal of responding to complainants within 15 business days from receipt of a written complaint. Such a response is often an acknowledgement of the complaint or a request for additional information where further consideration is required.

The ACCC assesses all complaints in line with the ACCC's Compliance and Enforcement Policy and prioritises matters relating to priority areas identified in that policy or that otherwise exhibit particular factors also identified in that policy. These factors include the potential for the conduct to harm the competitive process or result in widespread consumer detriment. Relevant to the matters raised by the Australian Honey Bee Industry Council (AHBIC), the ACCC is currently prioritising matters involving credence claims, particularly those with the potential to adversely impact the competitive process and small businesses.

Even where matters may fall within a stated ACCC priority, it may determine a strategic approach to addressing compliance issues that does not involve pursuing every matter that comes to its attention. The ACCC must make the best use of resources and maximise public benefit. In many cases, it may be most effective for the ACCC to concentrate its resources into pursuing a small number of matters, obtaining public remedies and then leveraging off those results to drive broader industry compliance.

In respect of the multiple complaints received from the AHBIC, the ACCC is adopting an approach it considers will deliver the most effective and efficient compliance response by progressing a small number of matters raised in the first instance before addressing the breadth of industry behaviour (to bring about change in the broader honey industry) with the benefit of enforcement outcomes including through public and industry communication of any outcome.

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On 23 June 2015, the ACCC announced its enforcement outcome with respect to one trader. 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>. With the benefit of this outcome, the ACCC has publicly communicated the outcome, placed industry on notice and written to a number of other traders seeking information about their practices.

In direct response to the question, the ACCC would encourage those raising matters with the ACCC to consider its published Compliance and Enforcement Policy to understand the approach the ACCC may take. The ACCC is also prepared to discuss these matters with individuals or industry bodies and has recently agreed to discuss its approach with the AHBIC.

The response to this question on notice is consistent with the ACCC's response to issues raised in the Senate Inquiry into the *Future of the beekeeping and pollination service industries in Australia* dated 13 May 2014. A copy of the ACCC's response can be accessed at [http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/Beekeeping/Submissions](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Beekeeping/Submissions).