

The address is
Seed Industry Code Management Committee,
Level 1, 15 Brierly St, Weston ACT 2611.

If the dispute cannot be resolved through mediation within 28 days, the Management Committee may decide to refer the matter to Arbitration. The aim of both mediation and arbitration is to obtain further action if a breach of the Code has occurred. If Arbitration is agreed to, the Management Committee will appoint an independent Arbitrator agreeable to both parties. The parties must also agree to abide by the decision of the Arbitrator and to meet the full cost of arbitration.

Arbitration ends when a final decision is made, or when one party accepts an offer made by the other party (whichever happens first).

For full details of the complaint and arbitration process refer to the Code of Practice which is available from the Seed Industry Association of Australia or may be printed free of charge from www.sia.asn.au.

LEGAL OPTIONS

If you do not wish to use the industry dispute processes, or you are unable to accept the arbitration decision, your only other option is to seek legal advice and perhaps initiate legal action. In the absence of specific state seeds legislation it is likely you will need to rely on either State or Commonwealth fair trading legislation intended to protect consumer rights. You may find useful and relevant information at www.austlii.edu.au.

However, legal resolution should be seen as a last resort, as it is usually expensive, time consuming and unrewarding. Fully documented records of the relevant transactions and dealings with the seed supplier would need to be presented along with other evidence

LABELING

The Code of Practice details the information required on the label, and also states that a Seed Statement of Analysis¹ will be made available upon request. This may well be vital to you, as it will list any weeds that appeared in the sample.

MARKETING

The Code of Practice also stipulates acceptable conduct for marketing, dealing with claims and comparisons, advertising and promotion.

This brochure was developed by NSW Agriculture in consultation with

- Australian Seeds Committee
- Grains Council of Australia
- Seed Industry Association of Australia;

Purchasing Seed RESOLVING DISPUTES



Changes have been made to the way seed sales are regulated in Australia. You should understand your current rights and responsibilities!

- *You can take steps to avoid potential problems with your seed purchase.*
- *You have rights if the seller has done the wrong thing by you!*

MAKE INFORMED DECISIONS WHEN PURCHASING SOWING SEED

Seed is a key element in the production of crops and pastures. It is essential that you sow quality seed - for seed can vary widely in quality and price.

To minimise problems or disputes after sowing be sure you:

- Buy certified or quality assured seed from reputable suppliers;
- carefully read the label - or better still request a Statement of Seed Analysis from your supplier - and check the purity, weed seed content and germination capacity of the seed; and
- check that the seed lot or line number quoted on the Statement of Seed Analysis matches that branded on the seed containers or sacks.

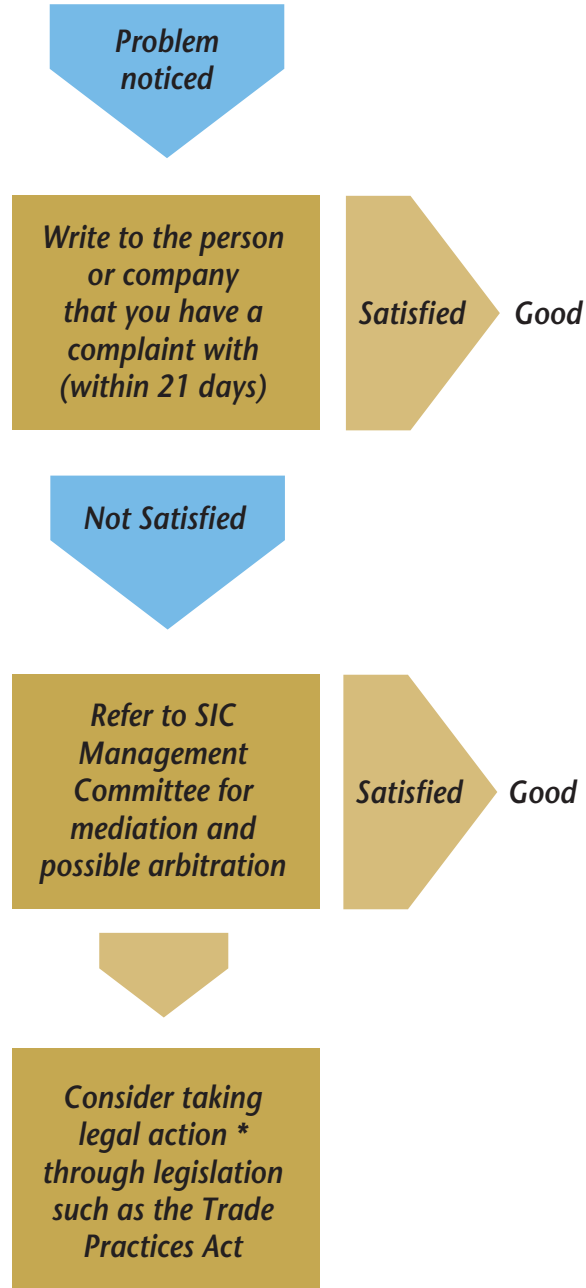
NATIONAL CODE OF PRACTICE

Labeling and Marketing of Seed for Sowing

The sale of sowing seed is no longer covered by government regulation in most States. In its place are measures that allow the industry to regulate itself.

The Seeds Industry has responded to the challenge of self-regulation by introducing a Code of Practice. This Code of Practice not only advances the industry but also protects consumer interests.

The Code strives to ensure you are provided with consistent and accurate information to enable them you to make informed decisions about the suitability of seed for sowing.



DISPUTE PROCESSES

If you have a complaint about the seed you have purchased: **You Can Do Something!**

The flowchart illustrates the Code of Practice dispute resolution procedure.

FIRST STEP Write to the person or company that supplied the problem seed.

Write within 21 days of noticing the problem. Explain the problem as you see it, ask for action to be taken - and ask for a reply within 21 days.

Most reputable seed suppliers will want to retain your business, so your complaint will be taken seriously. As your supplier has probably purchased the seed from a wholesaler - or perhaps direct from the producer or a proprietary seed company - allow several days for your supplier to make inquiries. If the seed is certified you can also make inquiries direct with the certification agency involved.

If however a reply is not received, or if the response or the proposed remedy dissatisfies you, then the dispute may be referred to the Seed Industry Mediation Process.

NEXT STEP - if you are not satisfied - Refer to the Code of Practice Management Committee for mediation and possible arbitration

You will need to send:

- A copy of your letter to the seed supplier
- Its reply, if any.
- Your opinion about where the Code of Practice has been breached.
- Request that Management Committee address the issue.
- \$200 for administration costs.