



# The Hon Katrina Hodgkinson MP

## Minister for Primary Industries

## Minister for Small Business

---

### MEDIA RELEASE

---

11 May 2011

#### **SUPERMARKETS BUSTED: DODGY LABELLING LEAVES A SOUR TASTE**

The NSW Food Authority has caught two of Australia's biggest retailers in the act of falsely describing the origin of fruit for sale in two Sydney stores, Minister for Primary Industries, Katrina Hodgkinson revealed today.

It is the first time Coles and Woolworths have been fined for Country of Origin labelling breaches – labelling imported fruit as Australian produce - and both have been placed on the NSW Food Authority's Name and Shame register.

They were busted at Newington and St Mary's labelling imported lemons and grapefruit as Australian, contrary to the rules of the Food Act (2003) and the Food Standards Code.

"Consumers are conscious of where their food comes from and are right to expect honesty when it comes to labelling," Katrina Hodgkinson said.

"The NSW Liberals and Nationals Government does not want to see consumers misled and our farmers disadvantaged by dodgy in-store labelling.

"It may be seen to be of commercial advantage by some retailers to imply that their produce is of Australian origin. This is illegal and will not be tolerated."

Katrina Hodgkinson said that the State's 40,000 farmers would rightly be outraged by this case.

"Our farmers produce \$1.2 billion in fresh fruit and vegetables a year and deserve better than to have supermarkets trade on their clean-green reputation using products that were grown thousands of kilometres away."

#### **Woolworths:**

Woolworths at Newington has been fined for advertising lemons for sale as being the "Product of Australia" when the individual products were actually from the USA. The action breaches the Food Act (2003) which states that "a person must not, in the course of carrying on a food business, sell food that is packaged or labelled in a way that falsely describes the food" and carries a penalty of \$1540.

#### **Coles:**

Coles at St Marys has been fined for displaying grapefruit for sale without a statement indicating the country of origin. Neither the price ticket nor the sticker on the individual fruit contained information informing the consumer the grapefruit originated from Israel. This is a breach of the Food Standards Code which requires that unpackaged fruit and vegetables offered and displayed for sale must have a display indicating the country of origin of the food. The penalty for the offence is \$880.

Under its Food Regulation Partnership the NSW Food Authority and local councils work to ensure that food labelling is correct and does not mislead the consumer, both parties routinely

audit retailers and investigate allegations relating to country of origin labelling matters and take appropriate enforcement action.

“These retailers should know better, in light of concerns over incorrect labelling the Food Authority recently issued a communiqué to NSW Local Government Council organisations and relevant food retailers reminding them of their obligations under the Food Standards Code and the Food Act in regard to country of origin labelling,” Katrina Hodgkinson said.

The NSW Food Authority has also developed a fact sheet to assist industry in understanding their requirements under the law.

Further information about food labelling and the law can be found at [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au)

The Name and Shame register is at [www.foodauthority.nsw.gov.au/penalty-notices/](http://www.foodauthority.nsw.gov.au/penalty-notices/)