

Regulator Fines Wesfarmers Coles for Deceptive and Misleading Advertising

by Helen Davidson via shopper - The Guardian UK *Friday, Jul 5 2013, 11:07am*
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ACCC exposes the sordid practices of Wesfarmers Coles supermarket chain yet again -- "false, misleading and deceptive conduct."



Coles must be wondering what hit it all of a sudden as Oz regulators and the international media now 'spotlight' the entrenched, deceptive practices of Wesfarmers-Coles supermarket chain!

Australian regulators and bureaucrats are not bought as easily as their US counterparts, it would seem. The American Attorney General constantly refuses to pursue Wall St fraud and other large-scale financial crimes, though he is quick to offer the most feeble excuses for his inaction.

Word of improper and offensive behaviours by Corporates in Oz travels fast, far and wide; all it now takes is for one ethical and honourable Aussie to be unjustly treated by arrogant and dishonest Corporations and down comes the hand of justice on the offending corporation. Unlike timid and obsequious Canberra politicians, which are far too busy kowtowing to Washington to protect the Oz public and national interest, our public servants are saving the day and leading by example.

Report from The Guardian follows:

Coles fined for using 'Australian Grown' signs on imported fruit

Coles is again in trouble for misrepresenting the origin of its products, after paying more than \$60,000 in infringement notices over Helping Australia Grow signs advertising imported fruit and vegetables.

The Australian Competition and Consumer Commission said it took action after it received a complaint that Coles was displaying imported fruit underneath price boards which read "Helping Australia Grow" with the triangular "Australian Grown" symbol.

"The ACCC surveyed a number of Coles stores and found that the signage was also being used in other stores to advertise imported asparagus and almonds," said the ACCC.

Coles said the incidents, which occurred in the ACT, NSW, Queensland, and Western Australia between March and May of this year, was a result of the stock being moved

within the stores, but the signs weren't changed.

"Coles does not believe that it has contravened any law but has paid the ACCC fines as a matter of practical expediency to avoid a lengthy and costly legal action in defending our position," said a Coles spokesperson.

"Coles remains steadfast in its assertion that 96% of its fresh fruit and vegetables are grown in Australia."

"We do label any imported produce and the bunkers containing any imported produce so it is clear to our customers."

However, ACCC chairman Rod Sims said this case was a lesson to retailers that more care needed to be taken to ensure they aren't misleading consumers.

"Consumers should be able to rely on the accuracy of claims about food, particularly when they are prepared to pay a premium for products made in Australia. Misleading country of origin claims can also have a significant impact on the competitive process and hurt the local economy," Sims said.

While the Coles produce in question had its country of origin stated either on stickers or under the bins they were in, the ACCC said this was not enough to counteract the erroneously placed signs.

It's the second accusation of misleading advertising relating to Coles misleading consumers about the origin of food in recent weeks.

Last month the ACCC began federal court proceedings against Coles, alleging "false, misleading and deceptive conduct" because their "freshly baked in-store" bread is actually partially baked somewhere else.

Unlike the case of the fruit and veggies, however, Coles is fighting the bread accusations.

"Coles intends to vigorously defend the action brought against it by the Australian Competition and Consumer Commission [ACCC] about 'Baked Today, Sold Today' and 'Freshly Baked In-Store' advertising claims for our in-store bread," said the Coles spokesperson.

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