

# Consumer Notes

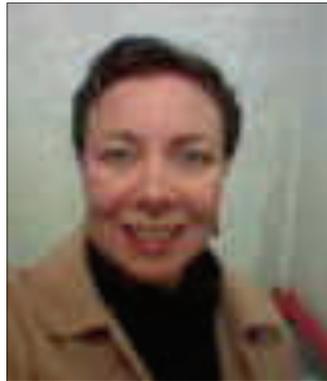
August - September 2005

Volume 8, Issue 3

## Meetings

Meetings are held on the last Wednesday of each month excluding December and January, in the Rona Okely meeting room, level 6, DOCEP, 219 St Georges' Terrace, Perth.

**Next meetings:**  
5th October at 1 pm (a combined AGM and general meeting)  
&  
30th November starting at 3.30 pm



## From the President

Welcome to the latest issue of Consumer Notes.

Some of the issues we have been considering are Unit Pricing, Uniform Trade Measurement and Country of Origin labelling for food products, shopping trolleys and whose responsibility they are and certification of motor vehicle repairers. We have put in a submission to the Real Estate and Business Agents Supervisory Board and tried to reduce the delay involved in obtaining Reasons for Decision after a Building Disputes hearing. The review of Building Legislation continues.

As petrol prices reach new heights, we have received a letter from John Kobelke, as Minister responsible for administration of the Petroleum Product Pricing Act 1987, saying that he has decided not to reappoint the Petrol Products Prices Advisory Committee although it has been of particular assistance, especially during the initial period when the regulatory regime and the FuelWatch service were being established. As a member of the PPPAC, it was nice to feel we were having some influence, although we are extremely small fish in the petrol pond.

I have attended the last two meetings of the Economic Regulation Authority Consumer Consultative Committee with the last meeting focussed on Key Issues Facing the Electricity Industry. Discussion included the subject of "churn" where consumers change service providers in order to achieve a better deal.

If there is a consumer you know who deserves an award, nominations for the 2006 Western Australian Consumer Protection Awards close on Friday 23<sup>rd</sup> December. Brochures and nomination forms are available by telephoning Elizabeth Goddard on

## *Profile on CAWA member, Anne Lucy Healy*

All my life I have struggled with health problems and these have governed all my decisions. I was born with eczema that was very severe during infancy, and then at two years I developed bronchial asthma, with allergies to substances such as eggs, oatmeal, shellfish and old dust. Life was struggle for me and evolved into a year round pattern of approximately one month with asthma, then maybe one month free. As a result I spent a lot of time out of school, and left at age of thirteen. Unable to work I was granted an Invalid Pension at age 16.



Asthma continued to severely affect my life until 1969, when I developed some immunity as a result of desensitisation treatment at regular intervals over a three year period, but I was unfortunately left with a chronic chest impairment.

In November 1969, I started supported employment at Good Samaritan Industries as a machinist in the duplicating and mailing department. Six years later, I had to have three months off as I was developing symptoms of pneumonia with the asthma, and heart failure. In 1975 I went back to work in a supervisory role only. In 1977, I was asked to study for the Certificate in Training the Handicapped workshop stream with Perth Technical College. I went on to complete the Diploma, with part-time study, in 1987. Unfortunately I had to give up work in 1985 because of further health problems.

Through my work for Good Samaritan Industries I developed a great awareness of the health problems encountered across a number of disability groups including hearing impairment, polio, paraplegia, mental health, intellectual disability and epilepsy. I came to understand how severe health problems affect people's lives. This led to my involvement and work with many disability groups.

In 1977, I became a member of Catholic Care for the Intellectually Handicapped Persons (now i.d.entity.wa). I was a committee member of CCIH Persons from 1996-2000.

In 1978 I joined Faith and Light - which is an international organisation that has some similarities to L'Arche International, except it does not work in residential communities. Jean Vanier is the co-founder of Faith and Light.

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*From the President continued*

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(08) 9282 0804 or emailing [awards@docep.wa.gov.au](mailto:awards@docep.wa.gov.au) More information can be downloaded at [www.docep.wa.gov.au/consumer/awards](http://www.docep.wa.gov.au/consumer/awards)

Keep Australia Beautiful Council has just released its Annual Report and the Chairman's overview can be read in this issue.

If you would like some insight into the broad range of administrative, commercial and personal matters dealt with by the State Administrative Tribunal, some Decisions and Reasons are published on the SAT website at [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)

To order a free copy of the Australian Consumer Handbook, published by the Australian Department of Treasury go to [www.consumersonline.gov.au](http://www.consumersonline.gov.au)

I have had a whinge (in this issue) about my recent car buying experience. Let us know your whinges and whether you would like them published in Consumer Notes. Email can be sent via our website or directly to [info@consumers.asn.au](mailto:info@consumers.asn.au)

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*Profile on CAWA member, Anne Lucy Healy continued*

In 1985, on leaving work, I joined Acrod Ltd, as an individual Associate Member and the Slow Learning Children's Group (now Activ Foundation Inc).

In 1989 I joined People with Disabilities. I was Vice President for two years and represented PWD on the Telstra Consumer Council WA for three years in the early nineties.

I am also a member of:

- ◇ the Emmanuel Centre and attend meetings on mental health issues, and various activities.
- ◇ Health Consumers' Council - a member since its inception
- ◇ Consumers' Association of Western Australia.

As part of my voluntary work for people with disabilities I have attended many Conferences, including: Disabled People International, PWD Australia, 1991 in New South Wales. as well as DPI - ACROD Joint Conference in South Australia. I have also attended seminars and contributed to review and enquiry meetings organised by the Disabilities Services Commission and other groups.

Over the years I have developed many interests, including cricket from about age ten. I am a AFL Budget member - Dockers and West Coast Eagles, and belong to many other groups or Associations.

My interest in health and disability issues comes from the effect they had on my life, and from the belief that people with disabilities should have the ability to take active roles in society and participate in all aspects of community life - work, social and recreational.

Finally, I would like to mention the disability allowance. It will never be a just allowance if the financial needs of people with disabilities are not taken into account. Think here of what "Maslow"said about needs. Currently the disability allowance is indexed to the consumer price index. However I am not sure if this link will continue in the future because of proposed changes to industrial relations and wage indexation.

I am fortunate - my needs are met by my family, but many don't have this support! In future it is important that the disability allowance is set at a level that allows individuals who don't have family assistance to meet their needs in such a way that they can participate and contribute fully in Australian society.

Anne Lucy Healy

## GM Crop trials

Page 18 of the September 15 edition of The West Australian, contained two articles, *Contaminated canola was from Canada*, and *Wheatbelt fears of big losses from GM fallout*, by Tiffany Laurie and Jennifer Eliot respectively. They detail problems with a trial of GM canola in Western Australia.

In the first article, Agriculture Minister Kim Chance claimed that imported seed from Canada contaminated with genetically modified canola seed was to blame for Australia's worst case of GM contamination. Currently about 70 per cent of Canada's canola seed stocks are believed to contain genetically modified material, according to Grains Research and Development Corporation chairman Terry Enright.

The contaminated seed had apparently slipped through quarantine checks designed to prevent importation of agricultural pests. Amid calls for tighter biosecurity screening measures from agriculture and conservation groups, WA Farmers president Trevor De Landgraft said the seed would have been screened by several agencies, including the importer and Australian Quarantine and Inspection Service, before it was released in Australia.

Mr De Landgraft said grain harvested from the contaminated sites would be destroyed, along with any canola detected in the area over the next two years. "WA has been damaged in the past by seeds brought in from overseas and it does not seem to have impacted on people like AQIS that they need to thoroughly inspect it," he said.

Mr Chance said GM companies had to take greater responsibility for their product or face clean-up costs., but he believed the low levels of the GM material in the two cases meant there was no immediate danger to farmers' crops or access to export markets. He said, "This shows that we have to be a lot more careful when we source seeds from international sources where there is a risk of contamination and importers need to take particular care that they check the purity of those lines before they use them in cross-breeding programs".

Greenpeace spokesman Jeremy Tager said the contamination had to be treated with the same urgency as an outbreak of biological hazards such as fire ants or cane toads.

The contamination is believed to be chemical giant Monsanto's Victory GM seed stock, located in two WA non-GM canola trials at Lake Grace and Cranbrook. A spokeswoman for Monsanto Australia said the company was not involved in the importation of the seed or trials in Australia. The trial was funded by the Grains Research Development Corporation, a Federal agency, on behalf of Cargill Australia and aimed to test the canola variety's yield and grain quality.

The second article outlined the fears expressed by Wheatbelt farmers after after it was confirmed a trial site of genetically modified canola was contaminated. Because the precise location of the crop was not revealed, farmers interviewed were unsure if their cropping programs had been compromised.

Lake Grace farmer Allan Marshall, whose 120ha canola crop is valued at more than \$36,000 said one rogue plant could contaminate the whole area. He said any canola

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## *GM Crops continued*

crop within 10km of the trial site could potentially be contaminated. "This creates a biosecurity breakdown of our GM-free status that could reflect on other crops if the region becomes known as a GM area," Mr Marshall said. "By proxy, we could lose the right to grow canola and if suspicion falls on other crops we are in trouble."

Another Lake Grace farmer, Kings-ley Strevett, said more than 20,000 tonnes of canola with an estimated value of \$300,000 had been planted in the Lake Grace Shire and growers could suffer huge losses. "There is no guarantee (national grain handler) Co-operative Bulk Handling could segregate contaminated canola, which leaves farmers with a serious problem — what can they do with it," Mr Strevett said. "They will have no choice but to declare that the crop is potentially contaminated, but who is responsible for the economic loss? I suspect CBH will not touch it for fear it would contaminate the whole chain." CBH refused to comment. The decision not to destroy the contaminated trial has angered farmers, who say the decision was reckless. "These crops have to be destroyed immediately," Mr Strevett said.

*Australian Broadcasting Corporation (ABC) News, on 15 September 2005 reported the following information re the trial of canola contaminated with GM seed.*

### **GM woes highlight need for strong testing: WAFF**

The Western Australian Farmers Federation (WAFF) says the trace levels of genetically modified (GM) canola found in non-GM trial crops in WA highlights the need for extremely rigorous testing of imported seed. The contamination was discovered in national variety trials in the Great Southern region. The trials were being conducted by an American corporation using seed imported from Canada. WAFF president Trevor De Landgraft says the contamination should not be a surprise given Canada is a commercial producer of GM crops. "Western Australia has been the recipient of weeds before from imported canola seed from New Zealand and we know that the tolerance levels in the seed samples, whilst minute in proportion, nevertheless will deliver species that you don't necessarily expect," he said.

### **Crops destroyed amidst GM contamination concerns**

*Coincidentally on the same day ABC NEWS ONLINE reported the following story re a GM canola trial in NSW.*

A Manildra district farmer says canola varieties grown in western NSW for a large trial were genetically modified (GM) crops. Fifteen to 20 trial plots have been destroyed because of contamination concerns.

The president of the Manildra Field Station, John Miller, says he is concerned about the situation as it comes in the middle of a moratorium on genetically modified (GM) food crops.

## *GM Crops continued*

"[The] DPI [Department of Primary Industries] and NSW were concerned that there may be some cross contamination if they didn't do the whole trial. In Victoria I believe the DPI are only killing the uninfected trials, now in NSW they decided to kill the whole trial to be on the safe side," [John Miller] said.

NSW Primary Industries Minister Ian Macdonald says he believes nine sites across NSW have been destroyed because of GM contamination concerns. He says the crops were suppose to be non-GM varieties and were being grown as part of a national variety trial on behalf of the Victorian Department of Primary Industries "The department as I understand it advised they'd decided to destroy those crops so there'd be no potential risk to ... contaminating other crops around - they were done in fact prior to flowering," he said. Mr Macdonald is [currently] investigating if the growth of GM canola crop trials breaches state legislation. "These weren't entirely envisaged in our legislation - initially when it was put together we didn't cover the situation in reality of inadvertent planting of material that was believed to be non-GM and turns out to be GM, so I'm asking the Crown solicitors to have a look at that," he said.

Meanwhile, Arthur Bowman a canola producer and member of the Concerned Farmers Network, says he is "horrified" by the contamination and has called for protocols for all trials need to be stricter. "If I buy a seed and [I should be able to] respect what's on the container or the bag I buy it in. ... [I]f I plant .... seed on my place [that is] contaminated ... where am I going to go? How am I going to prove that I am not growing GM on purpose?" he said.

*The Australian Broadcasting Corporation (ABC) News, on 20 September 2005 added to the ongoing debate about whether or not the decision to ban commercial growing of GM crops is an asset or hinderance to our export trade.*

### **Ban on GM crops to eat into export markets**

The ban on genetically modified crops could cost Australian grain growers \$3 billion in lost income over the next decade. An Australian Bureau of Agriculture and Resource Economics report found that restricting farmers to growing non-GM crops would result in reduced market share, and reduced profitability "compared with the outcome if Australian producers were permitted to grow transgenic crops commercially".

"GM crops can be grown with lower levels of input costs on things like herbicides and pesticides, and you may also get increased yields because your herbicide and pesticide protection is better," ABARE economist Stephen Apted said. He added that Australian canola growers were at a competitive disadvantage against their Canadian counterparts, who sold GM canola into Australia's main canola markets of Japan -- which took more than 40per cent of Australia's canola -- China, Pakistan and Bangladesh.

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## *GM Crops continued*

The state governments, which imposed the bans, claim a marketing advantage by being able to say Australian canola is GM-free, but Mr Apted said ABARE could find no evidence of premiums being paid in Japan and China for non-GM canola. Eric Sharkey, a farmer with his son Chris at Balliang, west of Melbourne, wanted the industry to be able to research and assess the value of GM canola.

*What conclusions consumers can draw from this information and these situations?*

*It seems that opinion re economic rationale for a moratorium on the commercial growing of GM crops is still very divided. Consumers need to be aware that it is ultimately economic considerations about foreign markets that is likely to drive government decision making rather than concerns about the long term health of Australian consumers.*

*In the short term, it seems Australian screening procedures must be much more rigorous if our crops are to remain free from GM contamination. If we are not diligent we will find there is no choice - we will become a nation that grows GM crops by default!*

## *Keep Australia Beautiful Council Annual Report*

The following report is reproduced with the permission of Trevor Wright and the Keep Australia Beautiful Council.

### Chairman's Overview

During 2005, the Keep Australia Beautiful Council (WA) continued to provide strong leadership in the fight against litter and littering in WA.

Following extensive key stakeholder and community consultation a Litter Prevention Taskforce was established by Council to oversee the development of a five year Litter Prevention Strategy for Western Australia. Council is very fortunate to have Mr Mel Hay, recently retired Assistant Commissioner of Police, as the Chair of this important Taskforce. Mr Hay brings to the Taskforce many, many years experience in serving the community and an extensive network.

Fourteen dedicated people representing all sectors have joined Mr Hay on the Taskforce and they are now working hard drafting the Litter Prevention Strategy. The Taskforce is currently focusing on education, policy, legislation, enforcement and infrastructure in its deliberations.

*Keep Australia Beautiful Council  
Annual Report continued*

KABC (WA) has also supported the work of the Illegal Dumping Taskforce which is endeavouring to reduce this increasing anti-social behaviour by a minority of our community. KABC (WA) has through sponsorship from Bunnings begun trialling the Clean Sites Program developed by Keep South Australia Beautiful. The Clean Sites Program focuses on the housing and construction industry and seeks to reduce littering, resource wastage through materials reuse and recycling and also runoff of contaminates into stormwater drains.

KABC (WA) has continued to develop its main community education program, Tidy Towns, to ensure that it meets the needs of the rural communities and the Government's sustainability agenda. In 2004, fifty six towns participated in this important regional program. The quality and the value of the work of the many thousands of volunteers involved in Tidy Towns continues to be outstanding and is a very valuable contribution to the sustainability of rural Western Australia.

KABC (WA) has continued to enjoy strong working partnerships with other Government agencies, Local Governments, the education sector, the business community, non-government organisations and the community.

KABC (WA) has also played an active role in the affairs of the National Keep Australia Beautiful Council and has continued to develop strong working relationships with each State and Territory Keep Australia Beautiful organisation.

I am very proud to report on the very valuable contributions made during 2004/05 towards a litter-free Western Australia by the dedicated staff of KABC (WA), my fellow Council members, the Litter Prevention Taskforce members, our project partners and the many community members who are involved in Council's programs.

Trevor Wright  
Chairman  
Keep Australia Beautiful Council (WA)

**Thanks to members who contributed to this issue of  
Consumer Notes - Genette Keating, Anne  
Healy, Bowden, Verity Cripps and Joan Milne.**

**Joan needs special thanks because she has once again  
generously proof read the Newsletter.**

## *Recycling Issues*

The following article appeared on page 60 of The Weekend Australian on July 20, 2005.

### **Manufacturers forced to recycle packaging**

Amanda Hodge

Manufacturers will be forced to recycle 65 percent of all packaging by 2010 after state and federal environment ministers agreed yesterday to tough laws aimed at reversing the throw-away society trend.

A ban on plastic bags by the end of 2008 is inching closer to certainty and there is growing support for agreements between governments and industry to collect, reuse and recycle consumer products such as computers, televisions and mobile phones.

The new national recycling target, part of the national packaging covenant agreed yesterday, is expected to reduce the amount of waste going to landfill by 500,000 tonnes a year. Under the previous covenant - a five year voluntary agreement between industry and government - manufacturers were asked to recycle 48 percent of all packaging.

But the new agreement commits every manufacturer signed up to recycle two thirds of its packaging by 2010 or face laws compelling them to do so.

A coalition of green groups known as the Boomerang Alliance described the decision as an "historic and important shift in how Australia deals with the growing scourge of rubbish".

"A definite 65 percent target shows ministers were prepared to resist industry attempts to weaken the agreement by making these targets only aspirational." said the alliance spokesperson and Total Environment Centre director Jeff Angel.

Australians consume 3.4 million tonnes of packaging a year but less than half of that is recovered and recycled. The remaining 1.8 million tonnes goes to landfill. The revised covenant prohibits any increases in packaging waste going to landfill.

Environment ministers also agreed to prepare an impact statement on options for a ban on plastic bags by 2008 and commissioned the first national study on how air pollution affects children's health.

## *National Packaging Covenant Workshop*

The National Covenant Council held a free information workshop, *Keeping up with The National Packaging Covenant*, in Perth on the 28th September, at the Hyatt Centre, 87 Adelaide Terrace, East Perth 6004. The new NPC provides an opportunity for all companies to efficiently manage packaging waste.

The purpose of the workshop was to outline the new mandatory targets for packaging waste that require immediate response from current and new signatories. Companies that are already a signatory to the NPC were able to become aware of their imminent and changed obligations under the new covenant. For newcomers, the workshop provided a comprehensive introduction to managing packaging waste under the NPC.

**Enquiries about the workshop should be directed to:**

Jenny Campbell

Ph: (08) 9278 0959

Email: [jenny.campbell@environment.wa.gov.au](mailto:jenny.campbell@environment.wa.gov.au)

## *Consumer complaint re Building Disputes*

In the last Newsletter it was reported that CAWA has received its first complaint via its new web site. A dissatisfied consumer contacted CAWA re a protracted wait of more than twelve months for Reasons for Decision re a Building Disputes Tribunal hearing.

Genette wrote to the BDT re the matter, and then sent follow up emails. CAWA has recently been informed that the Reasons for Decision were sent to the consumer at the beginning of August - fifteen months after being requested!

## 2006 Consumer Protection Awards

You will remember that last year our hard working, long serving secretary, Verity Cripps was one of five finalists for The Rona Okely Award at the inaugural Consumer Protection Awards.

Nominations for the 2006 Western Australian Consumer Protection Awards are now open. They close on Friday, 23 December 2005 at 4.00pm.

### **The Award Categories:**

- 1 **The Rona Okely Award** acknowledges an individual Western Australian who has influenced and inspired the advancement, development and promotion of consumer protection in their community and who has given selflessly of their time, energy and experience for the betterment of others.
- 2 **The Richard (Dick) Fletcher Award** acknowledges a non-government organisation or group of individuals operating in Western Australia that has, through their particular field of endeavours, made a significant and enduring contribution to the advancement of consumer protection in their community. They effectively deliver services or carry out projects or initiatives that raise community understanding and awareness of consumer protection issues.

### **The Rewards**

- ◇ Finalists will be presented with a framed certificate at the Awards presentation ceremony.
- ◇ Winners in each category will be presented with a trophy and framed certificate at the Awards presentation ceremony.
- ◇ The winner of **The Rona Okely Award** will receive a cash prize of \$2,000.
- ◇ The winner of **The Richard (Dick) Fletcher Award** will receive a cash prize of \$2,000.
- ◇ Finalists and winners will be announced in The West Australian and regional newspapers and will receive recognition through publicity associated with the event.

### **Presentation and Announcement**

The Hon John Kobelke MLA, Minister for Consumer and Employment Protection will present the Western Australian Consumer Protection Awards at an Awards presentation ceremony in March 2006.

Phone 1300 30 40 54 for a hard-copy version of the Booklet and Nomination Form or download a copy from the DOCEP website. For further information contact Elisabeth Goddard on (08) 9282 0804 or email: [awards@docep.wa.gov.au](mailto:awards@docep.wa.gov.au)

## *Obituary - Richard 'Dick' Fletcher*

The following statement by Mr J.C. Kobelke, Minister for Consumer and Employment Protection, was given to the Legislative Assembly. It is reproduced with the kind permission of the Minister and DOCEP staff.

I rise to pay tribute to Richard – better known as Dick – Fletcher, the longest serving Commissioner for Consumer Affairs in Western Australia, who, sadly passed away on 22 June, 2005, after a long battle with emphysema. Dick Fletcher was an innovator who changed the face of consumer protection in Western Australia. He was born in Devonport in New Zealand in 1924 and served in the New Zealand Navy during World War II on minesweepers and in mine disposal along the shores of England. It was during his war service that he took up smoking, which, even after quitting the habit 25 years ago, ultimately took his life. After the war, he became head radiographer at Green Lane Hospital in Auckland, before emigrating to Australia in 1960. A successful period as a technical and then business manager at Kodak followed, during which time he moved with his family to Western Australia.

In 1971, the Tonkin Labor Government set up the state's first non-industry specific consumer protection law with the introduction of the Consumer Affairs Act. In 1975, Dick Fletcher became the second Western Australian Commissioner for Consumer Affairs. With his private sector background, Dick's balanced view established the department's credentials in consumer protection, government intervention and business activity and development.

Between 1975 and 1989, he brought dynamism and professionalism to public service, and those attributes continue to inspire today's consumer advocates to reach their goals. Dick's straightforward honesty, tenacity and accessible approach to people have become the ethos behind all the department's initiatives. His high standards, personal ethics and practicality towards consumer protection set the benchmarks to which everyone in government and non-government organisations can aspire.

In 2002, Dick Fletcher was awarded a centenary medal commemorating the Centenary of Federation in recognition of his important contribution to consumer protection in the community. In further recognition of his outstanding service to the people of Western Australia, and to remind consumer advocates of why their work matters, the government established the inaugural Western Australian Consumer Protection Awards in 2004. One of two major awards was named after Dick Fletcher. The Richard "Dick" Fletcher Award acknowledges a non-government organisation or group of individuals operating in Western Australia who have, through their particular field of endeavour, made a significant and enduring contribution to the advancement of consumer welfare in their community, one that effectively delivers a service that raises community understanding and awareness of consumer protection issues.

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*Obituary - Richard 'Dick' Fletcher continued*

Consumer advocates are driven by a desire to create a better Australia. Consumers have the right to receive a reasonable product or level of service in a trading environment. As the state's longest serving Commissioner for Consumer Affairs, Dick Fletcher's contribution in helping people to understand their consumer rights and in creating a trading environment that protects consumers is a significant legacy. On behalf of the government of Western Australia, I extend my sympathy to Dick Fletcher's family, friends and colleagues.

*Unit Pricing*

In March, Ian Jarratt from the Consumers' Federation of Australia contacted CAWA about Unit Pricing. Ian does voluntary advocacy work for the Brisbane and Queensland Consumers' Associations.

He had met recently with a Q trade measurement officer to be briefed about the current legislation re display of price per/kg on pre packaged foods and learned that WA may soon sign onto the national trade measurement legislation. He is concerned that consumers should get some assurance that signing the policy would not prevent WA, at some time in the future, from requiring that unit price be displayed on a wide range of packaged goods. At present only WA could easily introduce legislation to require this.

He attached a copy of the CFA policy on unit pricing which he had prepared. This was reproduced in the May Newsletter.

Ian went on to say that he would be grateful if CAWA could advise him about the situation in WA. CAWA's secretary has written, and phoned DOCEP several times seeking information that we can pass onto Ian Jarratt. Currently we are still awaiting a response from DOCEP.

CAWA is interested in receiving articles from other WA consumer groups who would like material published in our Newsletter and placed on our web site.

Requests and articles should be forwarded to the Editor, Valdene Buckley by emailing [buckley4@bigpond.net.au](mailto:buckley4@bigpond.net.au)

## *FSANZ seeks community views on strengthening Country of Origin Labelling Rules*

Friday, 12 August 2005

Food Standards Australia New Zealand (FSANZ) today announced that it has abandoned its 'information on request' approach to the country of origin labelling of food and is proposing a comprehensive package of measures to provide consumers with adequate information.

A proposed food standard will make it mandatory to declare the country of origin on all packaged foods and, in a new provision, the standard has new requirements for the labelling of unpackaged fish, fruit, vegetables and nuts, whether fresh or processed.

The country of origin statements will appear on a food label or on a sign displayed with a food in a manner that is clear and unambiguous.

FSANZ's General Manager Food Standards, Dean Stockwell, today released for consultation a discussion paper on the latest country of origin labelling proposal, which would apply in Australia and New Zealand.

'The proposed standard seeks to strengthen the current country of origin labelling provisions in the Food Standards Code', Mr Stockwell said.

'Packaged food must state the country of origin of the food in a separate statement. Unpackaged fresh fruit, vegetable, nuts and seafood must also state the actual country of origin, and not just state 'imported'.

'If they are locally produced, these unpackaged foods must be labelled as 'Australian produce' in Australia and as 'New Zealand produce' in New Zealand.'

Mr Stockwell said FSANZ has carefully considered the community response to previous suggestions on country of origin labelling requirements for food.

The latest proposal gives consumers the information they need for informed choice, dovetails with existing trade practices law and is consistent with the international obligations of Australia and New Zealand.

If the new food standard is approved, unpackaged fish, fruit, vegetables and nuts and packaged fresh produce will need new country of origin labelling within 6 months of the standard becoming law. For all other packaged foods, a two-year phase in time will apply, with an additional 12 months for existing stocks.

Mr Stockwell said that FSANZ would work closely with the Australian Competition and Consumer Commission and the New Zealand Commerce Commission to promote compliance with the Food Standards Code and trade practices laws.

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*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

'The proposed new food standard is part of a regulatory package to address country of origin information. I encourage all interested parties to read the discussion paper on the new proposal and to let us know their views,' Mr Stockwell said.

'We have already held two rounds of public comment on country of origin labelling and, as some stakeholders appear to feel strongly about this issue, we are taking the unusual step of consulting again with consumers, growers, retailers and food manufacturers.'

The FSANZ Board is expected to consider the final report at the end of September, prior to a consideration by the Food Regulation Ministerial Council in late October 2005.

**Further information:**

Copies of the discussion paper are available on the FSANZ website at [www.foodstandards.gov.au](http://www.foodstandards.gov.au) or can be obtained by contacting the FSANZ Standards Liaison Officer: at [slo@foodstandards.gov.au](mailto:slo@foodstandards.gov.au) or in Australia, phone (02) 6271 2222 or fax (02) 6271 2278 or in New Zealand contact the FSANZ Office - phone (04) 473 9942 or fax (04) 473 9855.

Details on how to make a submission are also available from the FSANZ website. Submissions should reach FSANZ by Monday 5 September 2005.

**Questions & Answers**

**Why is FSANZ reviewing country of origin labelling for food?**

Food Standards Australia New Zealand (FSANZ) is currently reviewing country of origin labelling in both Australia and New Zealand. FSANZ's Board will consider the final proposal in late September 2005 before the proposal is referred to the Australia and New Zealand Food Regulation Ministerial Council for consideration in early October 2005.

The Ministerial Council asked FSANZ to review country of origin labelling of food in late 2003. The Council consists of the food ministers (who are usually either a health or agriculture minister) of each state and territory, the Australian Government and the New Zealand Government. The Council is chaired by the Australian Government's Parliamentary Secretary for Health and Ageing.

At the time, the Ministerial Council stated that country of origin labelling was not a public health and safety issue but one to enable consumer choice. The Ministerial Council's policy guideline can be viewed at [http://www.health.gov.au/internet/wcms/publishing.nsf/Content/foodsecretariat-policydocs.htm/\\$FILE/cool\\_guidelines.pdf](http://www.health.gov.au/internet/wcms/publishing.nsf/Content/foodsecretariat-policydocs.htm/$FILE/cool_guidelines.pdf). The first round of public comment occurred in 2004 and the second concluded in May 2005. In drafting this new country of origin labelling standard, FSANZ must:

*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

- ◇ take into account the views of consumers, producers, manufacturers and retailers;
- ◇ make sure consumers have access to accurate information;
- ◇ ensure that we do not develop an expensive system of labelling, especially as costs could be passed on to consumers; and
- ◇ ensure consistent treatment of domestic and imported foods.

**What are the current country of origin labelling rules in Australia?**

Currently, the Australia New Zealand Food Standards Code requires the country of origin to be stated on packaged food. Alternatively, a label could state that the product was packaged in a particular country from local and imported products. Imported unpackaged fruit, vegetables, nuts and seafood must be labelled as imported, although there is currently no requirement to label unpackaged local food as Australian.

Also, the Trade Practices Act in Australia, whilst not mandating country of origin labelling, sets out 'defences' for products labelled as 'Product of Australia' if each significant ingredient is produced in Australia or as 'Made in Australia' for those products that have been substantially transformed in Australia and where 50% or more of production costs have been carried out in Australia. The statement 'Made in Australia from local and imported ingredients' has been considered by the ACCC in the context of qualifying a 'Made in' claim for manufacturers unable to satisfy the provisions for a 'Made in' claim. The 'Made in Australia from local and imported ingredients' claim provides consumers with additional information as to the origin of the ingredients used and in this example there would be more local ingredients than imported.

What are the current country of origin labelling rules in New Zealand?

In New Zealand, country of origin requirements in the Food Standards Code only apply to wine.

**What are the proposed new rules for packaged food in the discussion paper?**

The discussion paper proposes strengthening the current country of origin labelling provisions in the Code. Packaged food must carry a separate statement identifying the country of origin of the food. It will no longer be sufficient just to list the country in the manufacturer's address on the label.

In Australia, the Trade Practices Act provision for 'Product of Australia' and 'Made in Australia' will provide the relevant regulation.

continued on next page

**What are the proposed new rules for unpackaged food in the discussion paper?**

*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

The proposal extends the existing requirements for packaged foods to unpackaged fresh and processed fruit, vegetable, nuts and seafood, which must now state the country of origin, and not just state 'imported'. This labelling would include, for example:

- ◇ both fresh tomatoes and unpackaged sundried tomatoes,
- ◇ unpackaged fresh and smoked fish fillets and frozen unpackaged crumbed fish fillets; and
- ◇ fresh apples and dried apples.

These unpackaged foods, if produced locally, must be labelled as 'Australian produce' in Australia and as 'New Zealand produce' in New Zealand. These labels are likely to be on a sign near the produce - for example a bin of apples will have a sign for price and a sign for country of origin.

The labelling, like all other food labelling provisions, will not apply to food sold in restaurants, cafes or takeaway shops.

**What are some examples of what the labels will look like?**

Taking the example of Australian grown beans sold in Australia:

- ◇ If the fresh beans are sold loose they will have a label stating 'Australian ...' either on the food or close to where they are sold. (Food Standards Code requirement.)
- ◇ If the fresh beans are wrapped in clear plastic and on a polystyrene tray they would also have a label stating 'Australian ...' on the package or close to where they are sold. (Food Standards Code requirement.)
- ◇ If the beans were cooked and canned in Australia with other Australian beans in a three bean salad they may qualify to state 'Product of Australia' or 'Australian ...'. (Consistent with trade practices law.)
- ◇ If the beans were cooked and canned in Australia with other Australian grown and imported beans in a three bean salad where more than 50% of its production costs were incurred in Australia the can may qualify to state 'Made in Australia'. (Consistent with trade practices law.)
- ◇ If the beans were cooked and canned in Australia with imported beans in a three bean salad and is unable to meet the 'Made in' defence the can may state 'Made in Australia from local and imported ingredients'. (Consistent with the ACCC guideline.)
- ◇ If the beans were frozen and mixed with imported vegetables the package may read 'Packed in Australia from local and imported ingredients'. (Consistent with the

*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

ACCC guideline.)

- ◇ If the beans were mixed into a salad with other Australian ingredients and displayed in a delicatessen, they would need to have a sign stating 'Australian ...' close to where they are sold. (Food Standards Code requirement.)
- ◇ Beans sold for catering purposes, such as in a take away shop, cafe or restaurant, would not need country of origin labelling (Food Standards Code requirement).

**Why can't local and imported ingredients be labelled separately?**

It would be very expensive to trace every ingredient in a packaged food for its country of origin as in some packaged foods there are a large number of ingredients. It was because of concerns about passing on the high cost of this type of labelling to consumers that the Australia and New Zealand Food Regulation Ministerial Council decided, in its original policy decision, that country of origin labelling would not apply to ingredients, only to whole foods.

**Is imported food safe?**

All food sold in Australia and New Zealand, whether it is local or imported, must be safe. The Food Standards Code is enforced by either the food agency /health department of the Australian states and territories and by the Australian Quarantine and Inspection Service at the border. In New Zealand, it is enforced by the New Zealand Food Safety Authority. These jurisdictions regularly check imported and locally produced food on the shelves for safety and compliance.

FSANZ also coordinates the Australian Total Diet Study that, every few years, checks a wide range of foods sold in Australia for a number of chemicals. Each of the 20 Australian Total Diet Studies to date have found the chemical levels tested to be well within safety limits. There are similar findings in the New Zealand.

In Australia, FSANZ also works closely with Australian Quarantine and Inspection Service (AQIS) on the imported food inspection program and any food found to be unsafe is not permitted into Australia . For more details on the imported food inspection program see <http://www.foodstandards.gov.au/mediareleasespublications/factsheets/factsheets2003/importedfoodinspecti1985.cfm>

**When will the labelling changes take effect?**

If the new standard is approved, it is proposed for the labelling requirements for  
continued on next page  
unpackaged fresh, processed food and packaged fresh food to come into force 6 months after the new standard becomes law (gazettal). This will give retailers time to install

*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

information systems about their fresh fruit, vegetables, nuts and seafood and to train their staff in the new requirements.

The new country of origin labelling standard for packaged foods will be phased in over 2 years from the time it is gazetted. This period gives time for food manufacturers to make the labelling changes when they next need to reprint labels rather than go to an expensive reprint (and this cost would be passed onto consumers). Once the standard comes into force, there will be a further period for old manufactured stock (stock-in-trade) to be used up, as it would be wasteful to remove products from shelves. For example, some canned products made legally under the old requirements may have a shelf life of up to two years.

**Will the labelling have to be a certain size?**

The labelling on both packaged and unpackaged food must be in English, legible to the average person and distinct from the background. This is the same as all other food labelling including serious public health and safety issues such as allergen labelling. The sign adjacent to unpackaged goods must be at least 9mm in size, as many will be handwritten. They must be clear and unambiguous.

**How can businesses and consumers get more information on the new labelling?**

FSANZ will be working on guidelines and an education campaign to help consumers, retailers and industry understand the country of origin labelling provisions of the Food Standards Code. The Australian Competition and Consumer Commission have already produced a guideline for the food and beverage industry providing guidance on the country of origin labelling and the Trade Practices Act. For "Food and beverage industry: country of origin guidelines to the Trade Practices Act" see <http://www.accc.gov.au/content/index.phtml/itemId/306388/fromItemId/3737>

**How can I get a copy of the discussion paper?**

You can access a copy of the summary paper and draft standard at [www.foodstandards.gov.au](http://www.foodstandards.gov.au) or request a copy by email [slo@foodstandards.gov.au](mailto:slo@foodstandards.gov.au) or in Australia phone (02) 6271 2222 or fax (02) 6271 2278 or in New Zealand contact the FSANZ Office - phone (04) 473 9942 or fax (04) 473 9855. The consultation period ends at close of business on Monday 5 September 2005.

**What happens after the consultation process?**

FSANZ will take into account the comments received and present a final standard for decision to the FSANZ Board at a meeting in late September 2005. If the Board agrees to the standard then the Australia and New Zealand Food Regulation Ministerial

*FSANZ seeks community views on strengthening  
Country of Origin Labelling Rules continued*

Council will be notified. Each jurisdiction has a 60-day period to seek a review if they do not agree to the standard. If a review is sought the standard will be delayed while FSANZ carries out a review. If the Council does not seek a review then the new standard will be gazetted and become state and territory and New Zealand food law. However, New Zealand has the right to opt out of a standard if they wish. The Ministerial Council will discuss the standard at its meeting in late October 2005.

*Interim Report on the Inquiry into the Production  
and Marketing of Foodstuffs*

At the same time the Legislative Council's, Economics and Industry Standing Committee has released an interim report on the Production and Marketing of Foodstuffs as part of an inquiry which was referred to the Committee on 1 June 2005. This interim report focuses on origin labelling in light of the current Food Standards Australia New Zealand review of the Food Standard relating to labelling, the level of public interest in the issue and the lack of accurate information surrounding the issue.

The interim report was forwarded to FSANZ to be considered as a submission in support of strengthened labelling requirements, due by the first week of September 2005.

**Terms of Reference**

The Economics and Industry Standing Committee will review and report to the Legislative Assembly on:

1. the market dominance of major food retail chains in Western Australia and their impact on all sections of the market, including production and wholesaling;
2. the health and safety of imported foodstuffs, including fruit and vegetables and whether the standards applied in the country of origin are comparable with standards required in Australia;
3. the labelling of foodstuffs and their origins to identify the location where produce is grown and packed;
4. any other issue relevant to the production of fruit and vegetables and protection of food standards in Western Australia and
5. the role of, and mechanisms available to, the Australian Competition and Consumer Commission (ACCC) to restrict market dominance and tackle anti-competitive behaviour along with the effect of the *Trade Practices Act 1974* (Cwlth) on production and marketing, and to recommend any changes that should be made to the *Trade Practices Act 1974* (Cwlth).

The Committee will submit the final report to the Legislative Assembly by 31 March 2006. continued on next page

## *Interim Report on the Inquiry into the Production and Marketing of Foodstuffs continued*

What follows is excerpts of the interim report.

The *Health (Fresh Produce - State or Territory of Origin) Amendment Bill 2005*, which provides for mandatory State of Origin Labelling of fresh produce sold in Western Australia, was referred to the Committee on 29 June 2005, providing further impetus for the Committee to expedite its investigation into the food labelling aspects of the Inquiry. . .

Amongst consumers, there was unequivocal support for COOL (Country of Origin labelling). It was seen as a means of supporting Australian growers and producers. There was also a clear perception that compared with imported produce, Australian produce offers a safer, healthier choice. Across industry, there was also broad support for COOL. Growers, producers and retailers recognised COOL as an important marketing tool, allowing Australian produce to compete with cheaper imported produce on non-price grounds. Other submitters went further, voicing their support for State of Origin Labelling as a critical means of strengthening the Western Australian economy and sustaining regional communities by supporting Western Australian growers and producers.

The objectives of this report are three-fold: to inform public debate on origin labelling, by clarifying the specific roles of various levels of government and the current status of legislation; to identify weaknesses and make recommendations aimed at strengthening legislative and other provisions for origin labelling in Western Australia; and to contribute to the formulation of COOL Standards at a national level.

### **Recommendations**

The Committee endorses FSANZ's proposal requiring country of origin details to be placed on a label, as opposed to being made available to consumers on request. The Committee endorses FSANZ's proposal requiring the actual country of origin to be stated on the label, rather than allowing suppliers and retailers a choice between disclosing country of origin details or providing a statement that the product is imported. The Committee recognises that where a product is made from a mix of ingredients from various countries, it may be both costly and impractical to list all countries of origin, and therefore endorses FSANZ's proposal to allow for a statement indicating that a product is made from local and imported ingredients.

#### **Recommendation 1**

The Committee recommends that FSANZ proceed with its proposal to amend and strengthen the *Food Standards Code* to provide for mandatory Country of Origin Labelling.

The Committee does not support FSANZ's proposal limiting Country of Origin Labelling requirements for unpackaged products to fresh and processed fruit,

*Interim Report on the Inquiry into the Production and Marketing of Foodstuffs continued*

vegetables, nuts and seafood. The Committee considers that Country of Origin Labelling requirements should be extended to include all fresh, frozen and processed unpackaged foodstuffs at the point of sale.

The Committee recognises that there may be instances whereby listing all countries of origin on unpackaged mixed foods may be impractical and endorses FSANZ's proposal allowing for either a list of countries of origin or a statement indicating that a product is imported or of local and imported origin. The Committee endorses FSANZ's proposal to maintain existing Country of Origin Labelling requirements that specify a minimum print size of 9mm for signs adjacent to unpackaged foods.

**Recommendation 2**

The Committee recommends that FSANZ amend the new Country of Origin Labelling Standard to provide for mandatory Country of Origin Labelling on all fresh, frozen and processed unpackaged whole foodstuffs at the point of sale.

**Recommendation 3**

The Committee recommends that the Minister for Health (WA) and the Minister for Agriculture and Forestry (WA) lobby the Australia New Zealand Food Regulation Ministerial Council to seek amendments to the *Food Standards Code* to provide for mandatory Country of Origin Labelling of all unpackaged whole foodstuffs.

The Committee recognises the need for consistency between the *Food Standards Code* and *Trade Practices Act 1974* and endorses FSANZ's proposal to align the *Food Standard Code* requirements for Country of Origin declarations with those set out in the *Trade Practices Act 1974* (Cwlth). The Committee recognises that manufacturers switch between countries as a source of imported ingredients on the basis of seasonality, price, quality and other factors and that labelling at the ingredient level could be impractical as well as costly. The Committee therefore endorses FSANZ's proposal not to require Country of Origin Labelling at the ingredient level. The Committee endorses FSANZ's proposal requiring a specific declaration of the country of origin, as opposed to a picture of a country or a manufacturer's address, on packaged food products.

**Recommendation 4**

Cognisant of the fact that compliance costs may be prohibitive, the Committee recommends that FSANZ proceed with its proposed new Standard requiring that Country of Origin Labelling not be required at ingredient level. FSANZ should continue to work with industry and consumer groups to ensure an appropriate balance is reached between compliance costs and the consumer's right to information.

*Interim Report on the Inquiry into the Production and Marketing of Foodstuffs continued*

**Recommendation 5**

The Committee recommends that local governments maintain their statutory role in monitoring and enforcement of compliance with COOL provisions.

**Recommendation 6**

The Committee recognises the potential for increased compliance activity for local governments and recommends that the Department of Health in conjunction with the Department of Local Government and Regional Development review the impact on local governments in September 2006.

**Recommendation 7**

The Committee recommends the implementation of a public awareness campaign via the State Government to educate consumers and retailers as to the statutory provisions for COOL, including retailers' responsibilities and consumers' rights.

**Recommendation 8**

The Committee recommends, as an interim measure, that the *Health Act 1911* (WA) and *Health (ANZ Food Standards Code Adoption) Regulations 2001* be amended to provide for mandatory Country of Origin Labelling of all packaged and unpackaged whole foodstuffs for retail sale in Western Australia.

**Recommendation 9**

The Committee recommends that a new Western Australian Food Act be developed, the objects of which will be to ensure food safety, to prevent misleading conduct in connection with the sale of food and to provide for the application of the *Australia New Zealand Food Standards Code*. On commencement of a WA Food Act, all provisions in other Western Australian Acts and Regulations relating to the safety of food or misleading conduct in connection with the sale of food will be repealed.

**Recommendation 10**

The Committee recommends the establishment of a new statutory body, the Western Australian Food Authority, established under a WA Food Act, to administer the provisions of the Act in Western Australia. The Western Australian Food Authority could be established as an independent agency, or as a division of an existing Department, such as the Department of Consumer and Employment Protection or the Department of Industry and Resources.

*Interim Report on the Inquiry into the Production and Marketing of Foodstuffs continued*

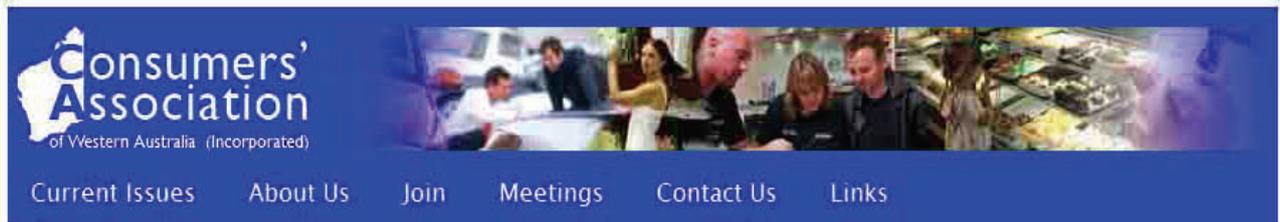
**Recommendation 11**

The Committee recommends that the *Health (Fresh Produce - State or Territory of Origin) Amendment Bill 2005* be opposed by the Legislative Assembly, as such amendments to the *Health Act 1911* (WA) may be deemed unconstitutional.

**Recommendation 12**

The Committee recommends the development of a voluntary State of Origin certification and marketing scheme for Western Australian grown/produced foods that meet designated criteria, such as WA content, quality and safety, to be registered and marketed as quality Western Australian produce. The certification and marketing scheme would be administered by the proposed Western Australian Food Authority.

*CAWA Website*



Those of you who have visited our web site recently will know it has still not been updated. Unfortunately our CAWA volunteer, Philomena Humphries has had to withdraw her offer of web site assistance.

CAWA is currently exploring possibilities of how the website can be maintained with assistance from DOCEP's IT Department.

In the meantime we would love to hear from any CAWA members who are IT literate and have the time to assist with keeping the website up to date. We envisage that it would need to be updated four times a year, using articles that appear in the Newsletter.

Valdene Buckley

Last year Joan Milne compiled the application that nominated Verity Cripps for The Rona Okely Award at the 2004 Consumer Protection Awards. In putting together the nomination she also completed a partial history of CAWA.

We would like to add to this information and we are interested in receiving anecdotes about CAWA's work in the early days from long standing members. Any snippets would be welcome.

Obviously, we would like this information as soon as possible, because we are contemplating nominating CAWA for The Richard (Dick) Fletcher Award in the 2005 Consumer Protection Awards.

Info can be sent to Valdene Buckley by:  
emailing - buckley4@bigpond.net.au  
mailing - 17 Warton Street, Cottesloe 6011

### *Plastic that dissolves in hot water*

Recently I received a free 'flexible' plastic sample in the mail . The blurb said, that the bag was made from a film that is:

- ◇ water soluble
- ◇ biodegradable
- ◇ environmentally friendly (when used with the manufacturer's instructions).

The film is claimed to:

- ◇ breakdown in landfill and composing units (given the right conditions)
- ◇ leave no harmful residue
- ◇ use no fossil fuels.

As suggested, I tested the sample strip by immersing it in a glass of hot water, and it disintegrated and became a soft, gelatinous consistency. Since CAWA has a policy of not endorsing product brands I have not included these details in the Newsletter.

Consumers who would like more information can email me for a contact phone number.

Valdene Buckley

## *My new car*

As consumer experiences go, the purchase of an expensive item can be most dissatisfying when the consumer is pressured or rushed into making a decision and not given all the facts. Fortunately I'm not rich enough to be in this position often. All purchases are much more satisfying if a little courtesy and respect (preferably without being patronising) are included in the sales routine. In 1996 (when my Ford Laser had been stolen once too often) I bought a new Mercedes C180. The transaction was punctuated with smiles, handshakes and a very large bunch of flowers. I could not fault the sales process although at the time I would have preferred a cheaper car and a new kitchen.

A couple of months ago, the long serving Merc, although less than ten years old, had done nearly 400,000 kilometres and inevitably broke down, late one rainy night south of Mundijong, where I waited for the RAC man and later the tow truck. A wonderful friend from Serpentine brought me some coffee and kept me company. I arrived home in the tow truck at 1.30 am (3 hours later). The RAC man diagnosed a problem with the fuel pump so the next day my husband went about changing the fuel filter. The car seemed to go so I drove it into town from Forrestdale on Monday morning. Having behaved perfectly all down the Freeway in peak hour traffic, the car conked out on top of the Narrows Bridge.

My son jumped out and gave me a push over the crown of the bridge and I coasted into the emergency lane. I waited an hour for a tow truck and the car went off to the repairer for a new fuel pump. Incidentally, the repairer told me that "someone" had put the fuel filter in the wrong way round. She warned me that the car might not see the year out without major work to the engine and gear box. The wiring was also of concern. The air conditioner hasn't worked for years and there were a lot of other small problems. All of this was going to set me back about \$15,000 to repair with no guarantee against further problems.

I'd been offered \$6000 as a trade in just before the odometer read 300,000 kilometres so to get a different angle on the car's value (ie not from a car salesperson), I took my almost immaculate looking shiny red car with no tears to the upholstery, ten-stack CD player and external temperature display to the wreckers for a quote. The wrecker man was quite keen and offered \$4,750 however as we were just down the road from a Toyota dealer, we stopped for a trade in quote and a look at the used cars. I had driven a hired Toyota Corolla while the Merc was being repaired and was impressed with its comfort, zippiness and economy and having checked the prices in the paper, thought I could get a near-new one (with a warranty) for about the cost of repairs to the Merc and with some bonus petrol savings.

The salesman explained that the Corollas in the yard were all "ex hire" and when I showed some reticence at this he showed me a 2000 Avalon Conquest Sportivo which had just come in and although it had been on the road since May 2001 had done less than 20,000 km and was only \$19,000 with a 3 year warranty. He offered me \$5000 for

continued next page

*My new car continued*

the Merc. My husband was quite keen and I could see that this represented reasonable value but the Avalon has a 3 litre motor and is quite a bit bigger than the Merc. Not really the economical zippy car I wanted. I conceded to pressure from both my husband and the salesman that the Avalon was reasonably good value and with the knowledge that the Merc might break down again at anytime, we went to the office to look at paperwork.

All this happened on a Saturday and I was hoping the salesman would offer to hold the car until Monday so I could think about it, however I quickly found myself signing a sales contract. I asked how long the cooling off period was. There isn't one on used cars (not even when the car is still in the dealer's possession). We agreed that because my husband had an appointment that afternoon and I was working on Monday that I would complete the paperwork, finance etc and pick up the car on Tuesday. At the time I wasn't shown the back of the contract document which, amongst other things, states that the dealer doesn't have to deliver the car until a month after the contract is entered into (four months for a new car).

Well Tuesday came and wouldn't you know it but both the salesman and the finance woman had the day off. No one else could help but I could bring in documents so they could get on to it first thing Wednesday. I arrived with docs to a sea of salespersons at their desks all just looking at me. I said to no one in particular "Who should I talk to" and received the response "Are you complaining?" from a man who appeared to be the senior salesperson.

Wednesday (the finance approved), I was told by the finance woman that the car would be ready late afternoon and the salesman would call. Well, he called to say the car hadn't been detailed because they had to wait until finance was approved before they could start and I could pick it up at 3.30 on Thursday. (When did you ever see a car yard full of dirty cars?) I had now spent from Tuesday to Thursday waiting for the phone, not making any plans and with my husband on standby for his signature.

When 3.30 Thursday came, there was a stack more paperwork to sign including a form which, among other vehicle particulars, clearly stated that the vehicle was not covered by a statutory warranty. We were required to sign it although the salesman assured us the car was covered and couldn't explain why the form was necessary. Needless to say my husband and the salesman both looked at me as though I was just having a bit of a fuss when I objected.

Vaguely maintaining control, I managed to not stack a full consumer wobbly. When I eventually drove the car out of the yard, I found the speed warning alarm was set to 60kph, the radio was set on a golden oldies station and the fuel tank was nearly empty. The Avalon is a lovely car to drive, but with petrol approaching \$1.50/litre I'd really like to drive it less. The three year/150,000km warranty turns out to have a total value of about \$1500.

I'm still waiting for the kitchen.

Genette Keating

## *Christmas/New Year Holidays, 2005/06*

The Hon John Kobelke, Minister for Consumer and Employment Protection, has approved the following retail trading variations that will apply to metropolitan general retail shops, including those in the Perth and Fremantle Tourism Precincts, as follows:

Sunday 11 December 2005	10.00am to 5.00pm
Sunday 18 December 2005	10.00am to 5.00pm
Wednesday 21 December 2005	8.00am to 9.00pm
Thursday 22 December 2005	8.00am to 9.00pm
Friday 23 December, 2005	8.00am to 9.00pm
Tuesday 27 December, 2005 (additional Public Holiday)	8.00am to 6.00pm

These extensions will not apply to motor vehicle dealers or to shops in the City of Rockingham and the localities of Two Rocks and Yanchep where specific extended trading Orders will continue to apply.

The package will also be available to non-metropolitan Local Government Authorities other than where the relevant Council applies to the Department of Consumer Employment to vary these arrangements.

## *DOCEP Website*

In August Verity Cripps and Rhonda Algaba attended a meeting to discuss accessibility of the DOCEP website to senior members of the community.

They were able to contribute some valuable feedback because in the past two years both have become 'computer literate', grappling and mastering email and the Internet.

Their comments re the website, which also apply to many other websites included:

- ◇ there were too many graphics
- ◇ the print was too small
- ◇ navigation was difficult
- ◇ buttons for making a complaint were difficult to locate
- ◇ the use of acronyms was confusing.

They also observed that pamphlets were increasingly only available from the website. Whilst this is an environmentally friendly way to access information they also saw it as a cost shifting exercise from government to consumer, when consumers are required to print their own hard copies of informational pamphlets.

## *Retail Trading Hours Referendum*

You will be aware that CAWA was very concerned during the lead up to the February Retail Trading Hours referendum that the advertising campaign for a 'yes' vote was endorsed by Norm Crothers of the Australian Consumers' Association. When he contacted CAWA members we advised him that the situation in WA was not as clear cut as in the Eastern States and our small population and large distances had to be taken into account regarding any decisions on retail trading hours. We clearly indicated CAWA's views in the referendum questions, and yet found these views were completely overlooked in the subsequent statements that appeared in the press.

CAWA wrote to Norm Crothers, at the end of February, and then sent a follow up letter and an email in April. We finally received the following response in June.

9 June 2005

Dear Ms Keating

Thank you for your letter dated 8 April 2005.

ACA has a long held view that consumers are better off with deregulated shopping hours. ACA believes consumers should be able to shop where they want, when they want.

As ACA noted in its submissions to the ACCC regarding "shopper docket" and "creeping acquisitions" in 2003, ACA is concerned about the longer term trend towards market dominance by two major retailers. The ACCC in its report in March 2004 formed the view that this was not a concern at this time.

ACA's views have not changed and it hopes that ALDI and Metcash/IGA can continue to expand and provide real competition to Coles and Woolworth supermarkets. There is no doubt that smaller independent stores simply cannot compete on price and range of goods with larger supermarkets. This trend of course has been going on since around 1960 when the first supermarkets started in Australia.

Most small independent grocers had ceased business in [the] eastern states **before** liberalised shopping hours. This was after prolonged price competition from Flemings/Jewel/Franklin supermarkets in their challenge to Coles and Woolworths. While you might expect liberalised shipping hours to accelerate this sort of change where there are substantial independent grocers, such as in WA, ACA expects this change to continue regardless.

Restricting shopping hours is an ultimately ineffective and inappropriate means to try to protect small businesses from competition and to try to affect some other forms of what amount[s] to social control by government. ACA believes that the Trades Practices Act, appropriately amended and enforced is a far better way of dealing with unfair competition.

*Retail Trading Hours Referendum continued*

Consumers in the rest of Australia have demonstrated their real preference, given a free choice, to shop on Sunday as much or more often than any other day. No doubt WA consumers would do the same if they were given that choice.

Consumers in the rest of Australia largely enjoy flexible trading hours which allow them to make the most of their time to enjoy life, family, sport, culture, religion etc., when **they** choose.

ACA regularly allies itself with other organisations to carry out advocacy where it has common goals with them. These allies vary from other NGOs to government agencies to businesses. ACA has at times been allied with numerous organisations which we otherwise have strong differences. Such alliance do not mean that ACA agrees completely with its allies on issues other than those in the advocacy concerned.

In regard to the WA shopping hours referendum ACA allied itself with the WA retail traders association and its members to the extent of providing an open letter from our CEO to WA consumers that the retail traders used in their advertising. ACA also received some on the ground assistance with the media from the retail traders' media consultants. ACA paid all its own modest costs in participating in the campaign and did not accept any funding from anyone else.

I trust this clarifies our position on this issue and our participation in the WA referendum campaign.

As the former French President, Francois Mitterand said; 'Ask the French a question in a referendum and they'll answer a different one' Maybe West Australian are really 'French'?

Yours sincerely  
Norm Crothers  
Deputy CEO  
Australian Consumers' Association

**CAWA Executive for 2004 - 5**

- President:** Genette Keating
- Vice Presidents:** Glenda Lewis and Rhonda Algaba
- Hon. Secretary:** Verity Cripps
- Hon. Treasurer:** Joan Milne
- Newsletter Editor:** Valdene Buckley

## *Australia and the modern consumer movement*

The following extract is Chapter 3 from “A History of the Australian Consumer Movement”, a publication of CFA from 1996, authored by Jane Brown. The final section, updating the history from 1996 to today, was written by Fiona Guthrie. The article can be found on the Consumers’ Federation website: [www.consumersfederation.com](http://www.consumersfederation.com)  
It has been reproduced with the kind permission of Fiona Guthrie.

### **The beginnings**

In Australia, the modern consumer movement is generally considered to have begun with the 1959 formation of the Australian Consumers' Association. Other organisations, however, which pre-date ACA and are still active in today's movement, provide direct links between the modern movement and earlier activism.

Women's organisations were the driving force of a fledgling consumer movement which emerged around the turn of the century within the broader social reform and women's movements, and intensified in response to the hardships of World War 1 and the Great Depression.

The National Council of Women of Australia (NCWA) was founded in 1931, although State-based councils were operating as early as the 1890s. The concerns of the National Council often lay with what are now regarded as consumer issues, e.g. health and nutrition, food safety, pricing, shopping hours and inflation.

During World War 1, food shortages, war profiteering and escalating costs of living caused great hardship. Women participated in protest marches, established housewives' associations and set up consumer cooperatives.

Housewives' associations staged boycotts, campaigned against rising prices, arranged discount-for-cash schemes and organised bulk-buying and distribution networks.

In the inter-war years, membership of housewives' associations swelled. The Federated Association of Australian Housewives (FAAR), formed in 1931, became a powerful consumer lobby group. With 130,000 members it was, for a time, Australia's largest women's organisation. Earlier splits in housewives' associations influenced the 1950 formation of the Union of Australian Women (UAW), which has been a force in the women's and peace movements while maintaining a presence in the consumer movement.

Like NCWA and FAAR, the Country Women's Association of Australia (CWA) was concerned primarily with welfare issues. In the early Depression years, associations were forming around the country, largely to alleviate the material and emotional hardships experienced by women in rural areas. CWA encouraged thrift, home production and local marketing of produce, and lobbied for provision of services to rural areas. It grew to become a large, influential organisation, whose concern for community welfare fostered a continuing interest in consumer issues. In later years,

### *Australia and the modern consumer movement continued*

CWA's participation in the organised consumer movement (through membership of CFA) enabled the consumer movement to reach into rural and remote communities. These organisations are significant not only for their historical role, but for their influence on the modern movement.

NCWA's adoption of the golden rule, 'do unto others as ye would that they should do unto to you', and FAAH's motto 'for the good that we can do' reflect basic notions of fair play, helping others and working for the common good. These philosophies have remained a foundation of the consumer movement, though they are now expressed in terms like social justice, public interest, and access and equity.

#### **The rise of the modern movement**

While the concerns of the early half of the century related mainly to scarcity, price, hygiene and welfare issues, post-World War 11 prosperity brought a new set of problems. Economic prosperity and high employment enhanced consumer spending power. Growth in national manufacturing and international trade ensured the availability of a wide range of consumer goods, including many new white-goods and small appliances.

Alongside this prosperity and abundance, however, consumers became increasingly dissatisfied with the quality of products and the lack of unbiased information available to assist consumer decision-making. As a result of these concerns, several people who were familiar with the concepts of the consumer movement - through subscriptions to *Consumer Reports* and the British equivalent *Which* - decided in 1959 to form the Australian Consumers' Association.

#### **Choice**

In 1960, ACA commenced product testing and published the first issue of *Choice*, their flagship publication. *Choice* rapidly attracted a large subscription which provided the finances to enable ACA to flourish throughout the following decades. In the early 1960s, ACA attempted, unsuccessfully, to expand its operations by opening state branches. The folding of the state branches left a void soon filled by the formation of new state or regional groups. Canberra Consumers (established 1963) was the first of these. By the late 1970s, most states had a broad-based consumer organisation, with ACA continuing to occupy that role in NSW.

The late 1960s to mid 70s was characterised by protest and social movement activities. The consumer movement, though less visible than others, contributed to the growing appetite for social change. The voice of consumer protest was not lost on the Whitlam government, which came to power largely on the strength of its reformist agenda. In October 1973, the Whitlam government set up the *Interim Commission on Consumer Standards* which consulted with consumer organisations to overhaul processes involved in setting consumer standards.

The Commission also encouraged the formation of an Australian federation of consumer organisations, to provide a national voice for the consumer movement and

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## *Australia and the modern consumer movement continued*

facilitate communication with government agencies.

### **National identity**

After an initial meeting involving 27 organisations, a constitution was drafted and, in 1974, the Australian Federation of Consumer Organisations (now the Consumers' Federation of Australia, CFA) was officially founded. This marked the beginning of a new era for the consumer movement, giving it a national voice, and uniting it into a cohesive identity.

CFA's foundation membership included NCWA, CWA, housewives' associations, UAW, home economics associations, ACA, most state and regional-based groups, consumer education groups and organisations such as the Consumer Action Movement, whose concerns lay primarily with the issue of inflation.

In the 1970s, CFA's concerns remained to a large extent with traditional issues like inflation, advertising, trading hours, food purity, packaging and labelling, product safety and standards, and pricing. It lobbied for legislative reform in areas like credit and tenancy, and for uniform consumer protection legislation throughout Australia. CFA was involved in debates on amendments to the Trade Practices Act 1974, the most important piece of federal consumer protection legislation. CFA also maintained that consumer groups should be allowed to participate equally with industry groups in government policy-making processes.

### **Expansion, specialisation, professionalisation**

CFA's membership approximately doubled in the first five years. While this increase was initially due to formation of state and regional groups, the emergence of new specialist member organisations marked the beginning of a trend which shaped the future character of the consumer movement.

As the 1970s progressed, new groups formed around issues like smoking (Non-Smokers Movement of Australia), housing (Tenants Union of Victoria) and public transport (Action for Public Transport).

In the 1980s, the continuing trend towards specialisation corresponded with a focus broadening from product-centred issues to those relating to services, particularly in health, communications, finance and the law. The consumer movement spawned, and attracted the membership of several new specialist organisations, including Consumers' Health Forum (1986), Communications Law Centre (1988) and Consumers' Telecommunications Network (1989).

Following financial deregulation in the early 80s, the combined effects of over-lending and high interest rates led to financial crises for many people. Several financial and debt-counselling organisations formed and/or joined the consumer movement. Consumer credit legal centres were established in Victoria, NSW and WA. The legal centres brought a new influence to the movement in the form of professional lawyer

## *Australia and the modern consumer movement continued*

activists, whose reformist agenda influenced campaigns on legal and financial issues.

Specialisation has brought the consumer movement an increased range of expertise, a 'professionalisation' enabling it to respond to the challenge of new and complex issues, and to become more effective in a demanding political environment. It should be noted, however, that most of CFA's early members remain prominent in the organisation's activities.

### **'Greening' of the Australian Movement**

Another trend that has emerged in the last decade could be described as the 'greening' of the Australian consumer movement. In earlier years, the movement's environmental concerns related mainly to chemical pollution, and to health and safety risks associated with veterinary and agricultural chemicals. From the mid-1980s, however, new issues, e.g. 'green labelling', 'environmentally-sound packaging' and food irradiation, brought a convergence of green and consumer perspectives.

In the 1990s, notions of 'sustainable consumption' or 'green consuming' underpin consumer movement policy, and have also influenced the traditional area of product testing, where factors like 'energy efficiency' and 'environmental friendliness' have become important criteria in assessing the merits of certain products.

### **Consumer Affairs - the government arm of Consumer protection**

When the modern Australian movement got under way in the 1960s, Australian consumers had virtually no legislative protection or avenues of redress for their grievances. The consumer movement (particularly ACA and the early state consumer organisations) made a significant contribution to changing this situation. By 1973, nearly all states and territories had passed a Consumer Protection Act and established consumer affairs councils (ministerial advisory councils) and consumer protection bureaus. Queensland established the first Small Claims Tribunal in 1973, followed by NSW, VIC, WA, the ACT and NT in 1974.

Around the same time, important initiatives were underway at the federal level. The Whitlam Government passed the *Trade Practices Act 1974*, and established the Trade Practices Commission (TPC). This was the first attempt by an Australian government to enshrine consumer protection measures in federal law. In comparison with existing state legislation, the Act contained substantial penalty provisions for breaches. Its consumer protection measures were eventually mirrored in the *Fair Trading Acts* passed in each state and the NT between 1987 and 1990.

In 1977, the National Consumer Affairs Advisory Council was established under John Howard, then Minister for Business and Consumer Affairs in the Fraser Government, to provide Ministerial advice on consumer affairs. The Council was replaced by the Australian Consumers' Council in 1993.

Between the mid-1970s and mid-1980s, consumer affairs was a rather restless portfolio,

continued on next page

## *Australia and the modern consumer movement continued*

moving between various Ministries, including Business and Consumer Affairs, Home Affairs and Environment and Attorney Generals.

### **Consumer affairs - new prominence**

During the mid-1980s, consumer affairs gained a new prominence in government. The consumer movement had considerable input in drafting 1986 amendments to the Trade Practices Act, which, as well as strengthening existing provisions, allowed for mandatory recall of unsafe products.

The Federal Bureau of Consumer Affairs (FBCA) was established in 1987. It took on an information and education role, responsibility for administering the product information and safety functions of the Trade Practices Act, and responsibility for Commonwealth policy on food and beverage standards, recalls, consumer product safety and packaging and labelling.

1987 also saw the first appointment of a Federal Minister responsible solely for consumer affairs, something CFA had long called for.

### **Introduction of competition**

In 1995, the Trade Practices Commission and Prices Surveillance Authority were amalgamated to form the Australian Competition and Consumer Commission (ACCC), which (among other things) oversees the introduction of competition into monopolistic sectors of the economy, eg electricity, water and gas supply. The Commission was originally to be titled the Australian Competition Commission.

Concerned that the Commission's role in consumer protection could diminish, CFA lobbied successfully for inclusion of the term 'consumer' in the Commission's title, for insertion of clauses urging governments to consider consumer and environmental impacts of competition reform, and for a guarantee that at least one Commissioner had expertise in consumer protection.

*The following section was written by Fiona Guthrie in mid 2003.*

### **De-funding – the consumer movement re-groups**

In 1996, the Howard Government de-funded CFA. Some money was provided by industry for a time to allow the organisation to continue for a few months. The source of this funding was controversial and a difficult decision for the CFA executive at the time. The funds were administered through a trust fund, but the time it bought CFA was not enough to enable it to do anything other than try and wind up its affairs in an orderly manner.

From a budget of around \$450,000 and a staff of nine in Canberra, the organisation finances reduced to zero ...

The following years were difficult. There were serious debates amongst the CFA

*Australia and the modern consumer movement continued*

executive and member groups as to whether to disband the peak body. In the end, it was decided to keep going, but the organisation was re-incorporated under a simplified constitution.

The continuation of the consumer movement through these times is a triumph. It reflects some very practical realities – namely the rise of the internet and email – allowing more effective communication, but as well, the dedication and commitment of people in CFA's member groups. The ACCC and the Australian Securities and Investments Commission (ASIC) have also assisted greatly by providing video link up facilities from time to time. In this way, CFA members can learn about, and have input to the regulatory agenda, and are also given the opportunity for a short CFA-only discussion. This has enabled CFA to hold its annual meetings in recent years.

The voluntary executive, with members from each state, shoulders a large workload, as CFA is still asked to comment on numerous industry and government proposals. The consumer movement has still managed to have an enormous impact however. The 1996 AFCO campaign, about the lending practices of a finance company operating at the time, is an excellent example. The campaign involved the release of a report into AVCO, including a number of telling case studies, as well as demonstrations around Australia. As a result, AVCO changed a number of its practices and instituted an internal dispute resolution process.

A similar campaign occurred in 2000, coordinated with the assistance of the Consumer Law Centre of Victoria, around the disturbing emergence of pay day lenders in Australia. The Uniform Consumer Credit Code was changed as a result.

Much of CFA's work today concerns financial services, reflecting both consumer concerns in this area, as well as the active membership of consumer legal centres. CFA is also active in telecommunications and insurance. There is some work undertaken in the health and food areas, as well as emerging issues such as corporate social responsibility.

The importance of External Dispute Resolution has also been helpful for CFA. A number of the EDR schemes – the Australian Banking Industry Ombudsman, Telecommunications Industry Ombudsman, Financial Industry Complaints Scheme and the Insurance Enquiries and Complaints Ltd – sponsored a consumer representatives' conference in Melbourne in both 2002 and 2003. This provided a wonderful opportunity for the consumer movement to provide input to these schemes as well as plan for the future.

The future ... whatever that holds, CFA is here to stay. And we will continue to make a difference in the lives of people. Watch this space.

## *EnergySafety*

Kevin Rosher, Principal Engineer Electricity Utilisation, has asked, on behalf of Albert Koenig, Director of Energy Safety, that CAWA publicise the following information in Newsletters in the coming months. Energy Safety is concerned about potential safety risks of wiring installed in housing in the 1970's and early 80's. Consumers are urged to remedy

### **Background information**

Energy Safety has recently introduced a policy for Electrical Contractors dealing with unenclosed electrical cable joints in ceiling spaces, these are typically found in dwellings constructed during the 1970's and early 80's. As part of the new policy Energy Safety has also produced a uniquely numbered client leaflet that is intended to provide the necessary background and supporting information for clients of electrical contractors. The purpose for producing uniquely numbered pamphlets is to reinforce the importance of the leaflet notice to owners/occupiers.

### **Important Notice to Owners of Dwellings and Buildings Constructed During the 1970's and Early 80's**

#### **Unenclosed Electrical Cable Joints in Ceiling Spaces – Rectification Requirements**

##### The Problem

During the 1970's and early 80's unenclosed electrical cable joints wrapped only with insulating tape were often installed in the ceiling space of dwellings and buildings. It has been noted that the insulating tape may come off over time, and this can result in the risk of serious electric shock to persons who enter the ceiling space.

##### Rectification Requirements

As a consequence of this risk Energy Safety, Western Australia's electrical industry safety regulator, has introduced a policy for dealing with this risk, allowing ample time for affected owners to take remedial action. The policy states that where a dwelling/building is identified as containing accessible unenclosed joints, the onus is on the owner to have the remedial work carried out, using a licensed electrical contractor. The remedial actions can be either:

- a) Fitting appropriate joint enclosures, where joints are exposed (ie. liable to be disturbed); or
- b) Installing total RCD (safety switch) protection – covering both power and lighting circuits (preferably through 2 RCD's).

continued next page

## *Energy Safety continued*

Until 31 December 2007, an owner of the property who has been advised of the need to perform remedial work is required to arrange for the work to be performed by an electrical contractor within 3 years. Installations identified from 1 January 2008 containing unenclosed joints will be required to have the necessary work carried out within 12 months, and those identified from 1 January 2010 will be required to have the necessary work performed within 28 days.

If you are an owner/occupier it is likely that whilst an electrical contractor is carrying out some work at your premises he/she may notice this type of problem. Please note that Energy Safety has requested the contractor, in the interest of public safety, to point out where unenclosed joints (ie. the safety problem) exist and to hand a uniquely numbered explanatory leaflet to the owner/occupier and then advise the electricity supplier of having done this.

A copy of this leaflet, the advice to the electrical industry and other safety information is available on the Energy Safety website at: [www.energysafety.wa.gov.au](http://www.energysafety.wa.gov.au)

Albert Koenig

**DIRECTOR OF ENERGY SAFETY**

2 June 2005

## *Water Corporation News*

The following article recently appeared in the August edition of The Water Corporation publication, *Flowing Forward*. Thanks must be extended to Clare Lugar, Internal Communications Coordinator at The Water Corporation for facilitating permission and then forwarding the information.

### **New addition for waterwise family**

The highly successful 'family' of waterwise industry programs grew again this month with the addition of the Waterwise Irrigation Design Shop Program.

The program was officially launched on 10 August by the Minister Assisting in Water Resources, John Kobelke, at a Welshpool irrigation shop with about 35 metropolitan shop managers and other irrigation industry representatives attending.

Under the program, retailers will be trained to provide the best advice to domestic do-it-yourself irrigation system installers to achieve more efficient use of water in home gardens.

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*Water Corporation News continued*

“We are ultimately targeting home owners who rely on getting good advice on appropriate system design, equipment and installation from their suppliers,” Water Corporation Water Demand Planner John Brennan said.

“It is important that they get the best advice to ensure that their systems work efficiently and contribute to our water saving efforts.”

About 40 irrigation supply retailers in Perth offer irrigation design services, and staff employed by them have varying degrees of expertise and knowledge in irrigation system design and installation.

To provide them with the training they need, the Corporation and the Irrigation Association of Australia (IAA) jointly developed a domestic irrigation design manual and associated training material.

John said it was expected there would be a 90 per cent take-up of the new program by the start of next summer. When all staff in a shop have been trained and passed an assessment the shop will be recognised as a Waterwise Irrigation Design Shop. This will be the trigger for the provision of website recognition and media promotion by the Corporation.

“Key advice to be offered by trained retail staff will include irrigation system scheduling according to sprinkler and soil types and climatic conditions,” said John.

“A bonus of the program is that participating retailers will support the Government’s Waterwise Rebate Scheme by providing customers with the advice to ensure that rebated products are installed and used properly.”

The Corporation’s Waterwise Industry Program is enlisting relevant industries to join it in conducting training and awareness that will help drive greater efficiencies in the use of water in homes and gardens.

Training schemes have been established in the plumbing, irrigation and garden industries, while 14 display home villages are demonstrating waterwise principles. Water Corporation support for the key irrigation industry included sponsorship of the IAA’s Waterwise Irrigation Expo at Gloucester Park Racecourse, Perth, on 17 August.

The expo presented a large number of displays on irrigation equipment and the latest water efficient technology and practices. There were also workshops on a range of topics including water in a drying climate, use of recycled water in WA and irrigation scheduling.

## *Talk of BYO ban in WA restaurants*

On June 26, The Sunday Times, reported on a move by restaurateurs to ban BYO alcohol. The article, *Eateries seek ban on BYO*, was written by Paul Lampathakis and appeared on page 20. CAWA President, Genette Keating was asked to give the consumers' point of view.

The article raised the possibility of WA diners being banned from taking alcohol to licensed restaurants. A campaign, spearheaded by restaurateur Gurps Batta, is aiming to do away with Perth's popular BYO tradition.

Mr Batta said, 'Cash-strapped restaurants could no longer afford to miss out on lucrative alcohol sales, and corkage charges did not cover increasing costs that were crippling the industry'. He made the claim that Australia is the only country that allowed BYO in licensed restaurants.

In a letter he sent to hundreds of restaurant owners he made his concerns known. And he claims his views have widespread support. 'It's not about being greedy. Restaurants are really struggling. BYO is hurting the restaurants,' he said. 'I think it's a cultural thing. You've been doing it and it's just been taken for granted that I can take a bottle of wine into a restaurant.' Mr Batta suggested licensed eateries could begin by banning BYO on Fridays and Saturdays, reducing it to a midweek special.

But Consumers Association of WA president Genette Keating disagreed, saying a BYO ban would push restaurants beyond the economic reach of families and middle-income earners. 'In WA, we have such a huge range of wines to choose from that a restaurant can't compete with a bottle shop in choice, which is what consumers want,' Ms Keating said. 'A restaurant that offers BYO will attract a much wider range of consumers.'

Gucce, an Italian restaurant in Applecross, is one of the few restaurateurs to have successfully banned BYO alcohol. Owner Domenico Iasenza banned BYO a year ago and said he wished he had done it sooner. It was inevitable the industry would follow, he said. 'A lot of them are too scared to see the advantages,' he said. 'We found it extremely hard at the start. Obviously, people in Perth like to bring their wine. I think it was more of an education and you obviously lose some customers, but the general public did listen to the facts and support us. You don't go to a pub and say, "I've brought my own beer".' Mr Iasenza said customers have benefited because he has been able to lower his prices, thanks to increased sales. He blamed "exorbitant" wine prices in restaurants over the years for fuelling the BYO obsession.

But the industry's peak body disagreed. Restaurant and Catering WA president Harry Ferrante said BYO was an Australian tradition that should be left alone.

## *Sustainable Homes*

The following article has been compiled and reproduced with the assistance of the City of Subiaco.

It's great to receive some feedback on our Newsletter! Earlier this year you will recall Genette Keating attended the opening of the State's first sustainable **project** home *The Elements* located at Lot 155 Serene Bend, Harvest Lakes Estate at Atwell south of Perth.

One of our readers drew our attention to a sustainable home in Subiaco stating that the Atwell house, *The Elements* could not claim to be the State's **first** sustainable project home. Whilst the Subiaco home has been open longer than the one at Atwell it cannot strictly be called a project home, since the construction contract price was less than \$300,000 and it is a one off design, aimed at educating the community, building industry, university and school students about the value of sustainable housing. It is known as the Subiaco Sustainable Demonstration Home. Construction of the home started in November 2002 and was completed in March 2004. The home will be open to the public until mid 2006.

The Subiaco Sustainable Demonstration Home is located at 2 Allora Avenue, (cnr Tighe Street) Subiaco Rise and is open Wednesday 2-5pm and Saturday & Sunday 1-5pm. The Home is attended by City of Subiaco staff and community volunteers to guide individuals and groups through the home's features.



The Home is designed to stay cool in summer and warm in winter without an air conditioner or heater.

## *Sustainable Homes continued*

The passive solar design ensures that the inside temperature stays at a comfortable level all year round. Appropriate home orientation and internal room layout ensure that the temperature inside the Home stays between 18C and 28C all year round. The Home has also achieved a 5-star NATHERS rating.

By taking into account the sun's path, efficient housing design can reduce heating and cooling costs and the results can be dramatic. To demonstrate the effectiveness of passive solar design, the Home has not had air conditioning or a heater installed. To prove that good results can be achieved, the internal temperature is being monitored. Important design features include:

- ◇ Expansive northern windows exposed to winter sun and protected from summer sun
- ◇ Minimal windows to the east and west
- ◇ Roof ventilation to allow heat escape from the roof cavity
- ◇ Raked ceilings, to increase solar gain during winter and provide a high point to exhaust hot internal air in summer
- ◇ Cross ventilation.

### **Construction materials**

Every effort has been made to use 'standardised' materials and sizes to minimise wastage during the manufacture and construction of the Home. Selection for materials was based upon their environmental impact, allergenic properties, accessibility, affordability and insulation/thermal properties. Bricks and the centrally located rammed earth stairwell have a high thermal mass meaning that these materials are good at storing heat in winter and remaining cool in summer.

Structural timber from plantation sources has been used. Pine is not only a renewable resource, but its production also generates less greenhouse gas emissions than the production of steel.

### **Renewable energy**

A grid-interactive photovoltaic array has been incorporated into the design of the home to capture and convert the sun's energy into electricity. Surplus electricity is diverted to the grid via an inverter. When there is no sunlight the Home can use electricity from the grid.

### **Solar hot water**

Water heating is one of the biggest domestic users of energy and can contribute as much as 30% of your power bill. The Home utilises energy derived from the sun to produce hot water. The best part is that the sun's energy is free!

## *Sustainable Homes continued*

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Initial costs of a solar hot water system may be higher than other types of hot water systems, however the lower running costs of a solar hot water system will mean savings on power bills and a better outcome for the environment.

All hot water systems lose heat from the storage tank, so it is important to ensure that it is well insulated (including the pipes) and the thermostat is set to as low as possible. Additionally, the hot water system should be installed as close as possible to the kitchen, bathroom and laundry.

### **Lighting and appliance selection**

Through appropriate design, increasing the natural lighting in the home is an effective means of reducing the need for artificial lighting. At the Subiaco Sustainable Demonstration Home energy efficient light bulbs have been installed (eg compact fluorescent lights). Furthermore, when choosing appliances energy and water efficiency were key considerations. These are simple ideas that we all can use to reduce home energy consumption.

### **Insulation**

Insulation acts as a barrier to heat flow. By using both bulk insulation and reflective insulation in walls, roof and ceiling, heating and cooling costs can be significantly reduced. In an uninsulated home, most heat is lost or gained through the ceiling or the roof. Ceiling insulation can reduce winter heating costs by as much as 30%.

The Subiaco Sustainable Demonstration Home uses a combination of bulk and reflective insulation to help maintain internal temperature and reduce energy consumption.

### **Design for people of all abilities**

The Home has been designed with features that ensures it can be used by people of most abilities. The house can be easily adapted to further improve accessibility if required. Some of the main design features included in the home:

- ◇ Wider than standard doorways (870mm wide)
- ◇ No hob in the shower. Bathroom access can be further improved in the future if required as:
  - o Bathroom walls are strong enough to fit grab rails
  - o Nib wall between toilet and shower can be removed to provide additional circulation space
- ◇ Controls (eg light switches) located 1000mm above floor level (AFL)

## *Sustainable Homes continued*

- ◇ Larger style rocker switches (lights and power points) used throughout the home
- ◇ Lever style door handles set at approximately 1000mm (AFL)
- ◇ Handrails on one side of the stairway, on the other side of the stairway space is provided to fit a chairlift if required
- ◇ Lever or single mixer taps and D-shaped cupboard door handles
- ◇ Flat continuous pathways at least 1000mm wide.

### **Water conservation - grey water reuse & rainwater harvesting**

The Home captures most grey water produced and reuses it for irrigating the garden. The grey water treatment system is located under paving in the service court and connected to a sub-surface irrigation system.

Rainwater is collected and used to water pot plants.

The combination of a grey water reuse and capture of stormwater, in conjunction with water saving devices inside the Home and water sensitive garden design reduces the volume of water used, helping to conserve Western Australia's precious water resources.

### **Productive, low maintenance, water wise landscaping**

Landscaping can contribute to energy efficiency by reducing summer heat gain via shading of the house and outdoor spaces without reducing solar access during winter. In addition to assisting energy efficiency, landscaping is desirable for many other reasons including improving amenity, adding value and offering productive uses. The garden at the Subiaco Sustainable Demonstration Home incorporates all these features. If you visit the Home you will see an edible landscape (ie. fruits, vegetables and herbs), shading where and when required (eg. deciduous trees and vines to provide shading in summer), low maintenance and water wise considerations.

### **Solid waste recycling**

Recycling of solid wastes can be greatly enhanced through the integration of fittings and location of recycling containers for convenience. The Home has been fitted with conveniently located containers (in the kitchen) to facilitate recycling. A working worm farm helps to convert organic waste into a rich humus.

### **Water feature**

To enhance amenity of the outdoor area a water feature designed and made by students from Subiaco Primary School with assistance from an artist has been installed. The design captures many of the guiding principles for the project.

## Consumer Notes

*Consumers' Association of WA  
Locked Bag 14  
Cloisters Square WA 6850*

### Consumers' Association of Western Australia

#### Membership and Fee Payment Form

CAWA was established in 1974 to provide consumer representation to business and government.

Our main objectives are to:

- represent the views of consumers in Western Australia
- investigate and act on issues of concern to consumers
- provide a forum for the discussion of matters of common interest to consumers
- encourage consumer education.

#### New Membership

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Ph \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Areas of interest \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ordinary membership           \$15

Concessional membership       \$10

payable to:

The Secretary

Locked Bag 14,

Cloisters Square WA 6850

Membership is tax deductible,

A reminder that annual subscriptions are due in October 2005, and should be forwarded to the Treasurer.

### *Contributions to Consumer Notes*

I am delighted with the contributions made by CAWA members to the third *Consumer Notes* newsletter for 2005.

There are several ways in which you can make a contribution. You can bring a short keyed or hand written report to meetings, or mail your contribution to my home address. However, to save typing time I would prefer to receive an emailed, electronic copy or be given the information on floppy disk. The material should be formatted as a word document.

Please keep up the contributions in the next three months for inclusion in the fourth 2005 - November/December issue of *Consumer Notes*.

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