
To Whom it may concern,

In response to 6 (a) (i), (ii), (iv), (b) of the Competition and Consumer (Price Inquiry – Perishable Agricultural Goods) Direction 2020:

Our business, Boratto Farms Pty Ltd, grows and supplies a range of leafy vegetables to the Melbourne Wholesale Market at Epping and to processors who produce ready to eat bagged salads for the major supermarkets.

It has come to our attention over the last two years that some traders in the Melbourne Market are purchasing and reusing produce cartons.

There is in fact a seller of second and third hand cartons that operates around the market.

The use of second hand cartons without regulation concerns us for two reasons:

1/ Traders are displaying pallets of our cartons (containing their produce) to make it look like they are selling our produce.

They are taking advantage of our name and reputation to encourage sales of their own produce. This can be damaging to our reputation (we pride ourselves on the quality of our produce) but have no control over what the other traders put into cartons with our branding.

2/Food safety/Consumer safety – the use of second hand cartons does not allow for traceability of the produce. This is of concern should illness occur after consumption of the produce or if a foreign object is found within the carton.

I have attached a letter that I sent to Freshstate on the 24/06/2020. It outlines our concerns in more detail and outlines what we have done to try to rectify this situation.

I understand that recycling is encouraged and is of benefit to the environment but this practice needs to be regulated in this instance to ensure fairness in trade in fresh produce and food safety for consumers.

I am happy to provide more information if it is required, please feel free to contact me.

Regards,
Abigail Woods

Quality and Administration Manager – Boratto Farms

Phone: [REDACTED]

Email: [REDACTED]

Good Morning,

Concern for Food Safety and Traceability

I am writing to you today to express my concern about the use of second-hand cartons by some vendors at the Melbourne Market, Cooper St, Epping.

As the quality manager for a Freshcare accredited Vegetable Growing Business in Bacchus Marsh, it concerns me when I see bunched spinach, that has not been cultivated on our farm, being sold in our branded cartons without any identification as to where or how the spinach was actually grown.

There are three main concerns I have with the practice of using second-hand cartons.

1. **Lack of Traceability.** Recent issues with needles in strawberries, listeria in melons and salmonella in salad have highlighted the importance of the traceability of fresh produce. The response to a public health outbreak would be considerably hampered if the identification of the grower or source of a particular type of produce could not be adequately identified.

If a member of the public were to become sick after eating spinach that was sold in our cartons or if a foreign object was found inside a carton with our branding, we would be held responsible.

There is no way that the spinach could be traced back to its actual origins. The spinach could be contaminated with pesticides/herbicides that have zero residue limits and we would have to prove that we do not use them. This would be very damaging to our business as we would not be able to service our other customers (who make up 90% of our business) while we waited for new test results.

Produce that is traded through the market should have some form of labelling that would ensure traceability to its origins.

All second-hand cartons should be labelled with the correct grower name at a minimum.

2. **The possibility of contamination from the carton.** The transport and storage of second-hand cartons is not controlled, and they may be contaminated during storage or transport. While the practice of recycling is moral and widely practiced, there must be some control of packaging used for food storage and sale. Again, contamination without correct traceability could be damaging to our business and hamper investigations into illness or tampering.
3. **Substandard quality produce being sold under our name/brand.** This could impact our reputation and sales and therefore impact our business profitability.

The Melbourne Market Authority By-Laws 2012 stated that "a person within the market must not: 10.2.15 have in his/her possession Second-hand Polystyrene Boxes and/or cartons". This statement has been omitted from the current operating rules.

There needs to be a new rule introduced that, at a minimum, requires the removal of the name of the original grower from the carton and provides an identification as to where the produce that is now being sold in the carton comes from. This is important to protect consumers and growers.

It has become common place to see second and third hand cartons being used on the market trading floor.

I have approached the Melbourne Market operating authority and the Whittlesea Council Health Department who both do not see an issue with the use of second-hand cartons.

They are more concerned with the benefits of recycling rather than food safety. The Whittlesea council Health Department do not have an enforceable policy for the use of second-hand cartons.

I have also spoken to Freshcare, and a Plant Standards Officer, both expressed concern at the issue but were at a loss of how to stop it.

Last week I approached members of the Melbourne Market Fruit & Vegetable Growers Advisory Committee and the Fruit & Vegetable Wholesalers Advisory Committee.

I asked that this issue be tabled at their meeting. The result was that the MMA confirmed that this is a tenant related issue and not enforceable by the Melbourne Market Authority.

It appears that there is a lack of legislation or direction around this matter. I would appreciate your guidance as I currently have not had any luck finding an advocate for my concerns.

Regards,
Abigail Woods

Quality and Administration Manager – Boratto Farms

Phone: [REDACTED]

Email: [REDACTED]

