



**"HEART SMART EGGS"**

**UNDERTAKING TO THE**  
**AUSTRALIAN COMPETITION AND CONSUMER COMMISSION**  
**("ACCC")**  
**GIVEN PURSUANT TO SECTION 87B OF THE TRADE PRACTICES ACT**  
**1974 AS AMENDED**

**GIVEN BY**

**SOUTHERN EGG PTY LTD (ACN 055 220 132)**  
**41-45 Richmond Rd**  
**Keswick**  
**SA 5035**

**&**

**HINDMARSH VALLEY ENTERPRISES PTY LTD (TRADING AS SOUTH**  
**COAST EGGS) (ACN 008 168 527)**  
**168 Melbourne St**  
**North Adelaide**  
**SA 5006**

**&**

**EGG INDUSTRY CO-OPERATIVE LTD (ACN 059 563 030)**  
**551 Chandler St**  
**Keysborough**  
**Victoria 3173**

**&**

**WALLACE BROS. EGGS PTY LTD (ACN 009 483 621)**  
**150 Collins St**  
**Hobart Tas 7000**

**&**

**CATHNAN PTY LTD (ACN 010 413 6990)**  
**12 Bage St.**  
**Nundah QLD 4012**

**&**

**HOME ON THE RANGE PTY LTD (ACN 068 212 519)**  
**8 Carrara St**  
**Benowa QLD 4217**

**&**

**AGRICULTURAL BUSINESS RESEARCH INSTITUTE (ACN 058 555 632)**  
**University of New England**  
**The Short Run**  
**Armidale NSW 2351**

**(Hereinafter collectively referred to as "the Heart Smart Parties")**

## BACKGROUND

For a period varying between several months to in excess of one year the Heart Smart Parties have marketed and sold a brand of Omega 3 fatty acid enriched eggs called "Heart Smart Eggs". Heart Smart Eggs have been sold in Victoria, South Australia, Queensland and Tasmania.

The ACCC have alleged that the Heart Smart Parties have engaged in conduct which has contravened sections 52 and 53 of the Trade Practices Act 1974 by making claims about the health and nutritional benefits obtained by the eating of Heart Smart Eggs. The health and nutritional benefits claims ("the health claims") which have been made in various forms, principally in radio advertisements, and in pamphlets supplied in packaging, and elsewhere, are set out in Schedule 1 here to.

There has been in Australia an absence of a standard protocol for testing the Omega 3 fatty acids content in eggs. The ACCC and the Heart Smart parties have therefore worked together to establish a uniform testing protocol which is set out in Schedule 2 hereto.

With a view to resolving this dispute the Heart Smart Parties have offered to the ACCC the following undertakings.

## UNDERTAKING

1. The Heart Smart Parties undertake:
  - (a) to cease, with effect from 7 May 1996, to use the product name "Heart Smart Eggs" in respect of the Omega 3 enriched eggs sold and supplied by

them ("Omega 3 eggs");

(b) to modify all packaging cartons or other containers forthwith to ensure that no claim is made that the level of Omega 3 fatty acids in Omega 3 eggs is higher than 0.71 grams per 100 grams of egg.

(c) to notify the ACCC in writing before 7 May 1996 of any intention to change the claim as to Omega 3 fatty acids content to a figure higher than 0.71g/100g of egg;

(d) to put in place forthwith the sampling and Omega 3 fatty acids analysis procedure as specified in Schedule 2 hereto at any of the laboratories cited in that Schedule or any other laboratories capable of NATA accreditation;

(e) to conduct the said sampling and analysis procedure at regular intervals, of not in excess of three calendar months, the first such procedure to be initiated not later than 7 May 1996.

(f) to produce to the ACCC within 21 days of a request a report advising the ACCC of-

(i) the results of any sampling and analysis procedure;

and

(ii) a detailed description of the sampling and analysis procedure actually used;

all costs of the said sampling, analysis and reporting to be borne by  
The Heart Smart Parties;

(g) to produce to the ACCC within 21 days of a request copies of the packaging of Omega 3 eggs or any other written or other material regarding their promotion or sale;

(h) to keep for a period of not less than 3 years from their receipt or production all reports and samples of packaging as referred to in (f) and (g) above;

(i) to ensure, from 7 May 1996, that all packaging, cartons, or other containers, or advertising material of any kind whatsoever, manufactured, produced, broadcast or printed by The Heart Smart Parties, or on their behalf, does not make any representation that the level of Omega 3 fatty acids contained in Omega 3 eggs is higher than the results of the most recent sampling and analysis procedure, as referred to in (d) and (e) above, indicates to be the case, after a -10% allowance is made to allow for natural variation in composition and analytical errors; and

(j) to maintain appropriate quality assurance schemes to ensure the content and the quality of the feed fed to the hens remains constant (as far as reasonably practicable) thereby ensuring that the level of Omega 3 contained in Omega 3 eggs is relatively constant.

2. The Heart Smart Parties undertake:

(a) From the date of these undertakings

(i) to cease issuing pamphlets, cancel radio advertising and cancel TV advertising in relation to Heart Smart eggs.

- (ii) to withdraw any other advertising material such as posters and display boxes bearing the representation: "Heart Smart eggs rich in Omega 3. At last an egg you can eat to your heart's content".
  - (b) The Heart Smart Parties undertake as from 7 May 1996 to withdraw all current packaging, including egg cartons and display boxes of any kind whatsoever relating to Heart Smart Eggs.
  - (c) Southern Egg Pty Ltd and Hindmarsh Valley Enterprises Pty Ltd undertake by April 15, 1996 to withdraw the six-pack cartons they use for marketing Heart Smart eggs.
3. The HeartSmart Parties undertake for a period of three years from the date hereof to make no representations in relation to the health benefits of eating Omega 3 eggs other than those set out in Schedule 3 without first obtaining the ACCC's written approval.
4. The Heart Smart Parties undertake:
- (a)(i) to pay to the ACCC within a reasonable time an agreed sum, representing legal costs, expert fees and other disbursements incurred by the ACCC in this matter. Such a sum is not to exceed a total of \$40,000.
  - (ii) If the said sum cannot be agreed by 5 March 1996, a person nominated by the Law Society of South Australia is to be appointed at the request of either party to arbitrate the issue and fix the said sum.

- (iii) The ACCC and the Heart Smart Parties agree to be bound by the decision of the arbitrator and to each pay their own costs of the arbitration and half the costs of the arbitrator.
  - (iv) The terms and references of and the procedure to be followed by the arbitrator is to be decided by the arbitrator after consulting with each party.
- (b)(i) to publish advertisements, the wording of which shall be approved by the ACCC prior to publication, correcting the misleading information supplied to consumers by the Heart Smart Parties to date in relation to Heart Smart Eggs.
- (ii) the newspapers in which the said advertisements are to appear, the frequency of the advertisements, and details of their placement within the newspapers concerned are set out in Schedule 4 hereto.
5. Agricultural Business Research Institute undertakes that, if it grants any further licences in respect of Omega 3 eggs (whether by express agreement or otherwise) such licences will contain conditions incorporating the above undertakings.

ACKNOWLEDGMENTS

1. The Heart Smart Parties acknowledge that the ACCC will make this undertaking available for public inspection.
2. The Heart Smart Parties acknowledge that the ACCC will from time to time refer to the undertakings in the media and in other publications.
3. The Heart Smart Parties acknowledge and accept that this undertaking in no way derogates from the rights and the remedies available to any other person arising from the alleged conduct.

DATED the <sup>4<sup>th</sup></sup> day of MARCH 1996

IN WITNESS OF THESE UNDERTAKINGS

THE COMMON SEAL OF )  
 SOUTHERN EGG PTY LTD )  
 WAS HEREUNTO AFFIXED BY )  
 AUTHORITY OF THE BOARD OF )  
 DIRECTORS PREVIOUSLY GIVEN )  
 IN THE PRESENCE OF: )



*John Conway*  
 .....  
 DIRECTOR

*[Signature]*  
 .....  
 SECRETARY

THE COMMON SEAL OF )

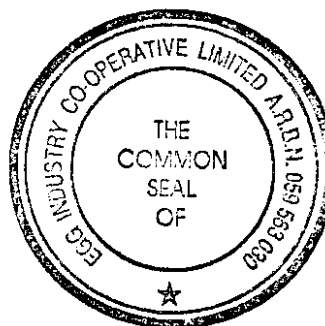
HINDMARSH VALLEY ENTERPRISES )  
PTY LTD )  
WAS HEREUNTO AFFIXED BY )  
AUTHORITY OF THE BOARD OF )  
DIRECTORS PREVIOUSLY GIVEN )  
IN THE PRESENCE OF: )



*D.C. Humphris*  
.....  
DIRECTOR

*P.W. Ellis*  
.....  
SECRETARY

THE COMMON SEAL OF )  
EGG INDUSTRY CO-OPERATIVE LTD )  
WAS HEREUNTO AFFIXED BY )  
AUTHORITY OF THE BOARD OF )  
DIRECTORS PREVIOUSLY GIVEN )  
IN THE PRESENCE OF: )



x *Grace*  
.....  
DIRECTOR

*James R. King*  
.....  
SECRETARY

THE COMMON SEAL OF )  
WALLACE BROS. EGGS PTY LTD )  
WAS HEREUNTO AFFIXED BY )  
AUTHORITY OF THE BOARD OF )  
DIRECTORS PREVIOUSLY GIVEN )  
IN THE PRESENCE OF: )



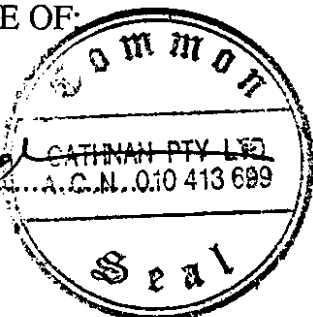
*J.R. Wallace*  
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DIRECTOR

*Sam Topping*  
.....  
SECRETARY



THE COMMON SEAL OF )  
CATHNAN PTY LTD )  
WAS HEREUNTO AFFIXED BY )  
AUTHORITY OF THE BOARD OF )  
DIRECTORS PREVIOUSLY GIVEN )  
IN THE PRESENCE OF: )

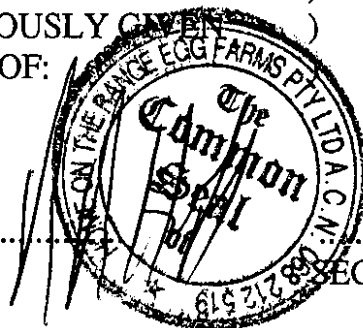
*M.A. Adams*  
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DIRECTOR



*L Adams*  
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SECRETARY

THE COMMON SEAL OF )  
HOME ON THE RANGE PTY LTD )  
WAS HEREUNTO AFFIXED BY )  
AUTHORITY OF THE BOARD OF )  
DIRECTORS PREVIOUSLY GIVEN )  
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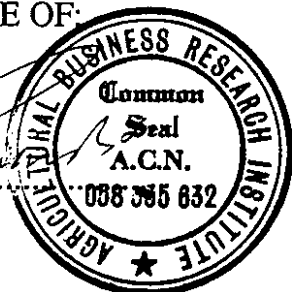
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DIRECTOR



*M.A. Adams*  
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SECRETARY

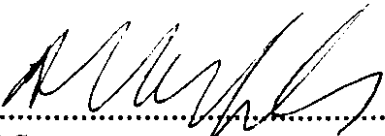
THE COMMON SEAL OF )  
AGRICULTURAL BUSINESS )  
RESEARCH INSTITUTE )  
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DIRECTORS PREVIOUSLY GIVEN )  
IN THE PRESENCE OF: )

*M.A. Adams*  
.....  
DIRECTOR



*M.A. Adams*  
.....  
SECRETARY

ACCEPTED BY THE AUSTRALIAN COMPETITION AND CONSUMER  
COMMISSION PURSUANT TO SECTION 87B OF THE TRADE PRACTICES  
ACT



.....

A.FELS:  
CHAIRMAN ACCC

24 may 1996

**"HEART SMART" - SCHEDULE OF CLAIMS**

<b>A: Health Claim No.</b>	<b>B: Health Claim</b>	<b>C: Reasons ACCC alleges breaches of the TPA</b>
1	Product name "Heart Smart"	<p>-No medical research has been undertaken to date which indicates that <b>the long term consumption of Omega 3 in the form of Omega 3 enriched eggs has any beneficial effect on human heart function.</b></p> <p><b>Cholesterol content of Heart Smart Eggs is the same as for ordinary eggs</b></p>
2	Omega-3 has been shown to reduce blood pressure.	<p>The amounts of Omega 3 fatty acids in Heart Smart eggs (even 2 daily) are well below those needed to lower blood pressure. <b>Expert opinion indicates greater than 2 g of EPA/DHA per day is needed to reduce blood pressure. This is about ten times that found in one Heart Smart egg</b></p>
3	Omega-3 has been shown to reduce your risk of arthritis and asthma	<p>Evidence for the benefits of Omega 3 fatty acids for asthma and arthritis are equivocal with only some studies suggesting a benefit. <b>However, even where a benefit was found the doses required were much greater than those obtained from eating even two Heart Smart eggs a day.</b></p>
4	<p>Ideal balance of Omega-3:Omega 6.</p> <p>The desirable balance (Omega 3 and Omega 6) is less than 9:1.</p>	<p>There is no nutritional standard or uniform recommendation recognised in Australia.</p>

5	Omega 3 is severely lacking in most Australian diets.	Not so. Professor Sinclair (RMIT Melbourne) has found that Australians eat at least 150 mg of EPA DHA daily and the total Omega 3 intake is at least one gram per day
6	Extensive research. Extensive tests.	The research is not extensive - only done at the UNE
7	Heart foundations around the world are encouraging increased and regular use of all types of eggs	<p>"All types" is wrong.</p> <p>No "encouragement." Foundations recognise that people with no heart risks can eat moderate amounts of cholesterol, including that derived from eggs.</p> <p><b>Mostly they warn that this is not the case for people with high blood cholesterol or with heart disease.</b></p>
8	Providing most of the essential vitamins and minerals important to life	Perhaps but not supported by the respondents documentation and does not comply with the Food Code.
9	Heart Smart eggs are also recommended for pregnant and nursing mothers	<b>There is a potential problem of high cholesterol levels in pregnant and lactating mothers.</b>

## Schedule 2

### Omega 3 Enriched Eggs Testing Protocol

**Aim:** To provide a protocol to facilitate the regular sampling and analysis of Omega 3 enriched eggs which can be used to ensure accurate labelling.

**Sampling and Sample Preparation:**

Six eggs are to be taken randomly from production for each of three consecutive days and kept under refrigeration until the full sample has been collected. The sample is then to be despatched by courier to the designated laboratory.

On receipt, any broken eggs should be discarded and the remaining eggs should be cracked, the shell discarded and the whole liquid egg combined and blended to form a composite sample. The composite should be stored at less than 0°C until the analysis is performed.

**Method of Analysis:**

Composite samples are to be analysed for total fat and for fatty acid profiles as per the following method.

Fat and Fatty acid profile: Chloroform:ethanol extraction to determine the fat followed by conversion of fatty acid esters to methyl esters and determination by capillary gas chromatography.

Fat (Lipids): As per A.O.A.C. Official Method 923.07

*A. Reagents*

- (a) Mixed solvent - Equal volumes  $\text{CHCl}_3$  and absolute alcohol.

*B. Preparation of Solution*

- (a) Liquid eggs - Weigh, by difference, ca 4g well-mixed sample, into 100ml volumetric flask. Record weight to nearest 0.0001g. Add 25ml mixed solvent very slowly (dropwise) from pipet, shaking constantly until proteins coagulate and are then thoroughly broken up. Add 60-65ml additional solvent and let stand 1h shaking every 5 min. Dilute to volume with solvent, mix and filter through No. 1 filter paper.

*C. Determination*

- (a) Lipids - Transfer 50ml aliquot to a tared round bottomed flask and evaporate to dryness keeping the temperature at less than 40°C. Place the container in an oven or incubator for 30 minutes at 100°C to remove any remaining water. Cool in dessicator and weigh. This sample will be used for determination of fatty acid content using an internal standard method (see below Fc).

Report the concentration of lipids.

$$= \frac{\text{wt of lipid}}{\text{wt of sample}} \times 200 = \text{grams/100 grams}$$

It should be recognised that this method is likely to overestimate the total lipid content because of the solubility of certain non-lipid material in the extracting solution. Perhaps an alternative approach is to estimate the absolute fat content from the fatty acid analysis using the internal standard to sum the absolute total of all fatty acid methyl esters. A simple calculation then expresses these as tryacylglycerols.

**Fatty acid profile: As per A.O.A.C. Official Method 991.39**

### *A. Principle*

Samples of lipids are weighed into screw-top glass tubes. The fatty acids in lipid samples are derivatised to the methyl ester. Prepared samples are analysed by gas chromatography equipped with fused silica column coated with bonded polyglycol or similar liquid phase, oxygen scrubber in the carrier gas line, and flame ionisation detector. The method determines area percentages of 29 fatty acids relative to the total area of fatty acids.

### *B. Apparatus*

- (a) *Gas chromatograph* - With flame ionisation detector, capillary column injection system (split mode preferred at split ratio of 1:50), and suitable data processor. Operating conditions: temperatures - injection port 250°; detector temperature 270°; oven programmed from 170 to 225° at 1°/min (no initial or final hold). Helium or hydrogen carrier gas (99.99% pure, or better) with oxygen scrubber in line.
- (b) *GC column* - Fused silica, 30m x 0.25mm (or 0.32 mm) coated with bonded polyglycol, based on Carbowax - 20M (eg. Supelcowax-10, supelco, Inc., Bellefonte, PA 16823, USA, or equivalent column that provides same elution pattern as that illustrated in Figure 991.39 and baseline separation of 21:5n-3, and 22:4n-6). Suitable alternative GLC columns are those containing either BPX70 or DB-23 phases.
- (c) *Constant temperature water bath* - Maintained at 100°. Dry heater block may be used.
- (d) *Glass tubes* - 16 x 125mm. With leak-tight, Teflon-lined screw caps.

- (e) *Vials* - 2ml, with screw cap or crimp cap (for autosampler).
- (f) *Analytical balance* - Accurate to +/- 0.0001g.
- (g) *Dry nitrogen source*.
- (h) *Glassware* - Volumetric flasks, 25 and 100ml; volumetric pipets, 1 and 2 ml; Pasteur pipets.

### C Reagents

- (a) *Boron trifluoride* - BF<sub>3</sub>, 12% in methanol. 2 ml amber glass ampoules (Supelco, Inc., Cat. No. 3020, or equivalent reagent, sealed in amber glass ampoules for extended shelf life). (Caution: BF<sub>3</sub> in methanol is a corrosive reagent and must be handled with care. Avoid eye and skin contact by use of protective shield and rubber gloves. Use only in properly operating fume hood.)
- (b) *Reagent grade chemicals* - Sodium hydroxide, methanol, isooctane, sodium chloride. (Caution: See Appendix B, safety notes on sodium hydroxide, methanol and isooctane.)

### D. Preparation of Solutions

- (a) *Alcoholic sodium hydroxide* - 0.5N. Dissolve 2.0g NaOH in methanol and dilute to 100ml with methanol.
- (b) *Sodium chloride* - Saturated solution. Dissolve 36g NaCl in 100ml H<sub>2</sub>O.

### E. Preparation of Standards

- (a) *Standard fatty acids*. The following Methyl esters of fatty acids can be obtained from Sigma, or Nu-Chek. (Unsaturated fatty acids are in the all cis configuration.)

#### SATURATES

Caprate	C10:0
Laurate	C12:0
Myrisate	C14:0
Pentadecanoate	C15:0
Palmitate	C16:0
Heptadecanoate	C17:0
Stearate	C18:0
Arachidate	C20:0
Behenate	C22:0
Lignocerate	C24:0

## MONOUNSATURATES

Myristoleate	C14:1	w5
Pentadecenoic	C15:1	w5
Palmitoleate	C16:1	w7
Heptadecenoic	C17:1	w7
Oleate	C18:1	w9
Eicosenoate	C20:1	w9
Erucate	C22:1	w9
Nervonate	C24:1	w9

## POLYUNSATURATES

Linoleate	C18:2	w6
Linolenate	C18:3	w3
Gamma linolenate	C18:3	w6
Eicosadienoate	C20:2	w6
Homogamma Linolenate	C20:3	w3
Eicosatrienoate	C20:3	w6
Arachidonate	C20:4	w6
Eicosapentaenoate	C20:5	w3
Docosapentaenoate	C22:5	w3
Docosatetraenoate	C22:4	w6
Docosahexaenoate	C22:6	w3

Avoid use of plastic pipettes, wash bottles etc, which may cause contamination. Care is needed in handling the unsaturated fatty acids standards as they are expensive and relatively unstable in air and light.

## (b) Standard Individual fatty acid methyl ester solutions

Take a clean dry 10ml volumetric flask and weigh approximately 10mg of the fatty acid methyl ester (1 drop for liquids). Make to the mark with isooctane. Repeat for each individually available fatty acid methyl ester.

## (c) Composite Standards (Nu-Chek)

## Nu-chek GLC-85 AND GLC-68A

GLC-85 contains nearly all fatty acid methyl esters required, and GLC-68A contains most fatty acid methyl esters required from C14.0 up. In some instances (eg. for vegetable oil samples) it may be acceptable to use GLC-68A but when the composition is not known use GLC-85.

Nu-Chek standards have known proportions of each fatty acid methyl ester and are highly purified.

## (d) Control Materials

Frequent use of Cod liver oil as a control material will provide a further means of identifying peaks. Control sample results can also be plotted on a control chart allowing analytical performance to be monitored over time and provides evidence of consistent results.



## F. Sample Preparation and Analysis

- (a) C23:0 Methyl Esters - reagents of 99+% purity determined by TLC and GC (Nu Chek Prep, Inc., Elysian, MN Cat No. N-23-M (methyl ester) or equivalent.
- (b) Preparation of Internal Standards - Accurately weigh ca 50mg ( $\pm 0.1$ mg) of 23:0 methyl ester internal standard (IS) into 20 ml volumetric flask and dilute to volume with isooctane. Pipet 2.0ml portions into screw cap glass "methylation" tubes and evaporate solvent in a gentle stream of N<sub>2</sub>. Store tubes in freezer if not used immediately.
- (c) Sample Preparation and analysis

Accurately transfer a 2ml aliquot of the IS solution into the dried and weighed 50ml aliquot of the extraction solution in the round bottom flask. Evaporate the solvent under vacuum. Add 5ml of 0.5M methanolic NaOH and heat under reflux for 5 minutes. Cool, add 5ml BF<sub>3</sub> in methanol, (C(a)), blanket with N<sub>2</sub>, cap tightly, mix, and heat under reflux for 5 min. Cool mixture to 30-40° add 5ml isooctane, blanket with N<sub>2</sub> and shake vigorously for 30s while still warm.

Immediately add 5ml saturated NaCl solution, blanket with N<sub>2</sub>, cap and agitate thoroughly. Cool to room temperature. When isooctane layer separates from lower aqueous phase, transfer isooctane layer to a clear glass tube, blanket with N<sub>2</sub> and cap. Inject from this solution into GLC system.

## G. Calculations

Weight of PUFA in sample. Calculate Omega 3 PUFA as follows:

PUFA (eg. any one Omega 3 PUFA)

$$\text{PUFA mg/100g egg} = [(A_x \times W_{IS} \times V_{ES} \times CF_x) / (A_{IS} \times V_{AQ} \times W_{EGG} \times 1.04)] \times 100$$

where  $A_x$  = area counts of PUFA

$A_{IS}$  = area counts of Internal Standard

$W_{IS}$  = weight of IS added to sample, mg

$V_{ES}$  = volume of extracting solvent, ml

$V_{AQ}$  = volume of aliquot taken for methylation, ml

$CF_x$  = theoretical detector correction factor for PUFA (1.014 for 18:3, 1.007 for 18:4, 0.978 for 20:5, 0.977 for 22:5 and 0.971 for 22:6).

$W_{EGG}$  = weight of egg extracted, g

1.04 is a factor necessary to express results as mg fatty acid/100g egg (rather than as methyl ester).

**Interpretation of results:**

- (a) To allow for natural variation in composition and analytical errors a tolerance of -10% from the labelled composition is acceptable and is consistent with that allowed by the Australian Food Standards Code.
- (b) Response factors will be determined using Nu Chek GLC-68A and used as appropriate to adjust the calculated results.

### *Interlaboratory Proficiency Testing*

Prior to the routine use of this testing procedure it is recommended that it be subjected to Interlaboratory Proficiency Testing. It is proposed that Professor A Sinclair, Professor of Food Science, RMIT be engaged to conduct this test as a matter of urgency and the following laboratories would be invited to participate:

Dunn Son & Stone (Melbourne)  
Gamma Nutrition (Port Willunga)  
Weston Food Laboratories (Sydney)  
Australian Government Analytical Laboratory (Adelaide)  
CSIRO (Hobart)

A number of eggs would be supplied to Professor Sinclair who would prepare a composite sample of blended whole liquid egg and freeze it prior to shipping it to the four laboratories mentioned above. The laboratories would undertake the analysis and report results back to Professor Sinclair for tabulation. Professor Sinclair would then report to ACCC and the respective parties on the results and any recommendations for fine tuning of the procedures.

#### **Accreditation of the laboratory performing the analysis:**

In the longer term it would be desirable for laboratories to be able to meet the external accreditation requirements of the National Association of Testing Authorities (NATA) which includes the specific requirements for testing eggs for total fat and a fatty acid profile. In addition it is recommended that such laboratories participate in proficiency studies on a regular basis to confirm their on-going ability to provide consistently accurate results. Suitable proficiency studies are conducted from time to time by NATA and by the CSL - Food Science Laboratory in the UK under the Food Analysis Performances Assessment Scheme (FAPAS).

#### **References:**

A.O.A.C., Official Methods of Analysis of A.O.A.C. International, 16th Edition, 1995

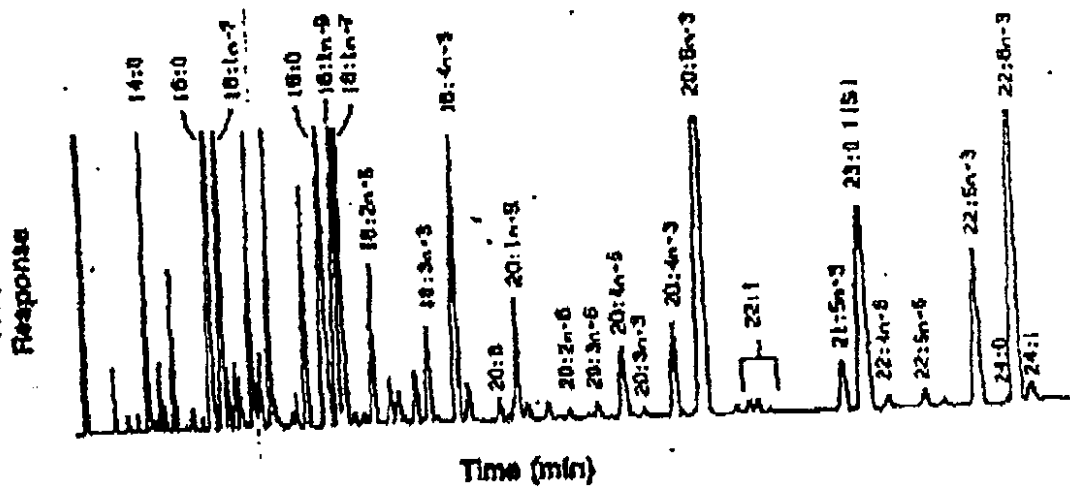


Figure 991.39—Temperature-programmed GC separation of menhaden oil fatty acid methyl esters on flexible fused silica column coated with bonded Carbowax 20MM

## SCHEDULE 3

### **NewStart Eggs** **A new start to a healthy diet**

NewStart lets you put eggs back on a health conscious family menu. Developed at the University of New England, Australia's leading agricultural university, NewStart eggs are produced by feeding hens a unique diet of natural ingredients rich in Omega 3 and Vitamin E.

This makes NewStart eggs 500% richer in Omega 3 than normal eggs.

Omega 3 is an important group of essential fatty acids which are vital for good health. They are not produced by our bodies, so it's important to consume them as part of your daily food intake. The National Health and Medical Research Council recommends an increase in the consumption of Omega 3.

Research has shown that consumption of two important members of the Omega 3 group (EPA and DHA) is beneficial to heart function.\*

#### **Why is the egg good for me?**

##### **Each NewStart egg:**

- Provides you with up to four times as much EPA and DHA as normal eggs.
- Gives you more than 50% of the recommended daily intake (UK Department of Health) of EPA and DHA.\*\*
- Contains an excellent balance of the two good fats, Omega 6 and Omega 3. Both are vital for good health, but are best when eaten in balance.

NewStart eggs should be consumed in moderation. The National Heart Foundation has prepared guidelines for egg consumption which should be consulted, particularly if you have health-related dietary concerns.

#### **What food provides Omega 3?**

Omega 3 is commonly found in fish and some vegetable oils and also in Omega 3 enriched eggs. NewStart eggs provide a delicious source of Omega 3.

#### **What is the correct balance of Omega 6 and Omega 3?**

The desirable balance is less than 10:1, but many Australian diets are imbalanced<sup>+</sup>, because we get plenty of Omega 6 by eating certain grains and polyunsaturated vegetable oils but very little Omega 3. NewStart eggs, enriched in Omega 3, will help you achieve the correct balance between Omega 6 and Omega 3 in your diet.

### **What other nutrients are provided by eggs?**

Eggs are a delicious source of protein (12%), vitamins and minerals. One 55gm egg contains over 10% of the RDI of Vitamin A, Vitamin B<sub>2</sub>, Folate, Vitamin B<sub>12</sub>, Vitamin E, iodine and phosphorus.

### **NewStart eggs and blood cholesterol**

Studies at the University of New England and elsewhere have shown that even the consumption of two Omega 3 eggs per day did not increase blood cholesterol in human volunteers. However, eggs should be consumed in moderation.

### **Infant development**

Omega 3 is vital for infant development. Studies with nursing mothers consuming NewStart eggs and other Omega 3 enriched eggs have shown a significant increase in Omega 3 in breast milk.

### **Enjoy!**

We hope you and your family enjoy NewStart eggs' fresh farm flavour. NewStart eggs are produced nationally by a select group of leading egg producers. If you have any questions please call your local producer.

\* Journal of American Medical Association, Nov 1995.

\*\* The Cardiovascular Review Group Committee on Medical Aspects of Health Policy, UK Department of Health.

+ National Heart Foundation

**NEWSTART EGGS  
RICH IN OMEGA 3**

**12 eggs minimum mass each egg 55g**

NewStart eggs are special eggs which are 500% richer in Omega 3 than normal eggs. One NewStart egg contains more than 50% of the recommended daily intake (UK Dept. of Health) of EPA and DHA.

## SCHEDULE 4

### CORRECTIVE ADVERTISING

Corrective advertising copy is to be submitted by the individual parties to the ACCC and following ACCC's approval released on the following schedule:

- i) Victoria - Egg Industry Co-operative Ltd publish at its own expense in *The Age* and *Herald Sun* at least two advertisements. Such advertisements to be of a size not less than 7cm x 9cm to be placed within the first five pages of each newspaper. The advertisements should be published within 14 days of the date of the undertaking and one must appear on either a Saturday or Sunday in each newspaper.
- ii) Queensland - Cathnan is not required to undertake corrective advertising.
- iii) Tasmania - Wallace Bros. publish, at its own expense in the *Hobart Mercury* at least two advertisements. Such advertisements to be of a size not less than 7cm x 9cm to be placed within the first five pages of each newspaper. The advertisements should be published within 14 days of the date of the undertaking and one must appear on either a Saturday or Sunday.
- iv) South Australia - Hindmarsh/Southern Egg publish, at its own expense in *The Advertiser* at least two advertisements. Such advertisements to be of a size not less than 7cm x 9cm to be placed within the first five pages of each newspaper. The advertisements should be published within 14 days of the date of the undertaking and one must appear on either a Saturday or Sunday.
- v) Hindmarsh/Southern Egg also engage in radio advertising for a period of one week. The advertisements should air on the same radio stations, in the same time slots and at the same frequency as the original advertisements. The radio advertisements are required to be run within 28 days from the date of the undertaking. If Hindmarsh/Southern Egg can demonstrate to the ACCC that it has withdrawn its HeartSmart eggs from the market by March 8, 1996 the radio advertising can be substituted by two press advertisements in the *Adelaide Advertiser* which are to be of a size not less than 7cm x 9 cm and placed within the first five pages of each newspaper. These paper advertisements would be additional to those in item iv) and placed within 21 days of the date of the undertaking.