

## TRADE PRACTICES ACT 1974

### UNDERTAKING TO THE TRADE PRACTICES COMMISSION GIVEN PURSUANT TO SECTION 87B

BY

**SIMON DE WINTER PTY LTD**  
**(ACN 006 774 732 OF 317 RAE STREET, FITZROY**  
**IN THE STATE OF VICTORIA)**

#### BACKGROUND

The Trade Practices Commission is of the view that the use of front panel labelling and packaging of socks bearing unqualified or inadequately qualified representations as to fibre content whereas such socks are composed of a blend of fibres, is contrary to the standards of commercial conduct required by the Trade Practices Act 1974.

The Trade Practices Commission's concerns regarding front panel fibre content labelling and other labelling issues were outlined in a letter of 17 December 1993 to manufacturers and importers of socks and retailers who sell socks under their own brand names. The Trade Practices Commission sent such a letter to *Simon De Winter Pty Ltd*.

Since 17 December 1993 *Simon De Winter* socks bearing front panel unqualified or inadequately qualified fibre content representations have been found displayed for retail sale. These socks are labelled on the front panel as *Soft Cotton; Cotton Push Down; Mercerised Cotton* and *Cotton*.

*Simon De Winter Pty Ltd* discontinued the manufacture and sale of socks labelled '*Soft Cotton*', '*Mercerised Cotton*' and '*Cotton*' in September 1993.

## **UNDERTAKING**

SIMON DE WINTER PTY LTD undertakes for the purposes of section 87B of the Trade Practices Act 1974:

1. That, as of the date of this undertaking, or as soon as is reasonably possible thereafter, if it chooses to make representations as to fibre content on the front panel of labels or packaging of its socks, it will represent the fibre content of the socks in an appropriately qualified manner, taking into account not only the most significant or dominant fibre but any other fibre constituent of the socks.

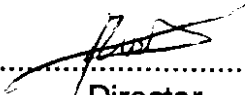
SIMON DE WINTER PTY LTD acknowledges and accepts that this undertaking will be placed on the Trade Practices Commission's public register and agrees that the Trade Practices Commission may otherwise publish and refer to this document at its discretion.

SIMON DE WINTER PTY LTD also notes that this undertaking in no way derogates from the rights or remedies available to any other person arising from the alleged conduct.

IN WITNESS OF THESE UNDERTAKINGS

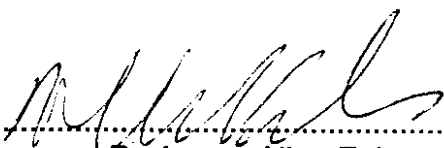
THE COMMON SEAL OF )  
SIMON DE WINTER PTY LTD )  
was affixed by authority of the )  
board of Directors previously )  
given in the presence of )



  
.....  
Director

this 21st day of April 1994

ACCEPTED BY THE TRADE PRACTICES COMMISSION PURSUANT TO  
SECTION 87B OF THE TRADE PRACTICES ACT

  
.....  
Professor Allan Fels  
Chairman

this 21st day of April 1994