

FOOD PRODUCERS — CONSUMER BOYCOTTS

**743. Hon RICK MAZZA to the Minister for Commerce:**

I refer to *The West Australian*'s opinion piece by Paul Murray on 6 August 2014 titled "Freo fisherman victim of green campaign" regarding a hardworking businessman who was unwittingly a victim of a campaign that placed him on a "Don't Buy Blacklist" as a consumer boycott.

- (1) What protections are available to innocent food producers who are targeted for boycotting by irresponsible environmental fundamentalists?
- (2) Do innocent food producers and businesses have any recourse to compensation for any loss of income and damage to reputation from unsubstantiated claims and actions by these fundamentalist groups?

**Hon MICHAEL MISCHIN replied:**

I thank the honourable member for some notice of this question.

- (1) There are no specific protections against boycotts available under state legislation.
- (2) Boycotts are dealt with by the Australian Competition and Consumer Commission under the commonwealth Competition and Consumer Act 2010. In particular, sections 45D to 45DB of that legislation prohibit secondary boycotts that affect trade or commerce. However, in this instance, an exemption may apply under section 45DD if the dominant purpose of the conduct relates to environmental protection or consumer protection. Any person the victim of a boycott should contact the ACCC to clarify their rights and protections in relation to that conduct. The individual could also seek legal advice as to the application of defamation laws in this instance.