



# Media Release

Issued 18 November 2009/no 50

## **Inghams warned over GM free chicken claims**

The poultry producer Inghams Enterprises (NZ) Pty. Limited (Inghams) has received a warning from the Commerce Commission that it risked breaching the Fair Trading Act with claims that its chickens contained no genetically modified ingredients.

The Commission has completed an investigation into allegations that claims made in consumer and trade magazines and on television between January 2008 and June 2009 were false or misleading under the Fair Trading Act.

In the advertising, Inghams stated that its chicken products contained “*No ... GM ingredients*” and “*have no added hormones, GM ingredients or artificial colours*” when the chickens had been fed soya feed which comprised 13 per cent genetically modified soy. Inghams also stated on its website that “*Inghams GM policy is clear. Our poultry contains no GM content and are not genetically modified.*”

The Commission engaged Jack Heinemann, Professor of Genetics and Molecular biology at Canterbury University to research and report on the question of whether animals exposed to feed containing genetically modified material (GM Feed) do in fact contain ‘no GM ingredients’.

In his report, a copy of which is available on the Commission’s website, Professor Heinemann concluded, “*The cumulative strength of the positive detections reviewed ...leave me in no reasonable uncertainty that GM plant material can transfer to animals exposed to GM feed in their diets or environment, and that there can be a residual difference in animals or animal-products as a result of exposure to GM feed ...*”

“Many consumers wish to avoid food products that contain GM ingredients and this is why food manufacturers like to position themselves as GM free. However consumers ought to be able to rely on the statements made in advertising,” said Commerce Commission Director Fair Trading, Adrian Sparrow.

“To consumers, perception is everything. Someone buying a chicken that is promoted as containing no GM ingredients, would not expect that the chickens had been fed on 13 per cent GM soya feed,” said Mr Sparrow.

Inghams ceased the advertising once the Commission began its investigation. The Commission has decided to issue a warning in this instance but will continue to monitor Inghams’ representations on this subject.

“The message to all food manufacturers is clear – consumers want to be able to make informed choices. Breaches of the Fair Trading Act undermine consumer confidence in your products, so compliance, through honest representations in labelling and advertising, is actually good for business,” said Mr Sparrow.

### **Background**

**The Fair Trading Act.** Only the courts can decide if the Fair Trading Act has actually been breached. Breaches of the Fair Trading Act may result in prosecution in court. Companies found guilty of breaching provisions of the Fair Trading Act may be fined up to \$200,000 and individuals up to \$60,000.

**Fair Trading Act Compliance resources** are available on the Commerce Commission’s website [www.comcom.govt.nz](http://www.comcom.govt.nz) under Fair Trading/Developing a Fair Trading Compliance Program/compliance resources

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