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Fastest growing company loses trademark after labelling inquiry

Niko Kloeten | Monday December 22 2008 - 10:57am

The fastest growing company in New Zealand has resigned from the Active Manuka Honey Association after failing to stop an inquiry into the labelling of some of its products.

The Court of Appeal last Friday dismissed a challenge by Watson & Son to prevent the AMHA investigating the labelling of products sold by the company in the UK.

The AMHA is an industry group that owns the trademark UMF® (Unique Manuka Factor), which signifies that products have reached the AMHA's required standard of quality.

As a licensee, Watson & Son bore this trademark on its products, but this will no longer be the case following its resignation.

According to the association, some of Watson and Son's UK products were below the scientifically measured level of quality required.

This development could potentially hinder its growth, which at 784% was enough to top the Deloitte/Unlimited Fast 50 Index this year.

AMHA general manager John Rawcliffe welcomed the court decision, which he said would protect consumers' rights to buy UMF® products that are true to label.

"Over the past year, the Association has spent significant sums of money to employ professional investigators and take action to remove license holders' rights to use the mark if their product was found not to be true to label."

But the UMF® test itself may be the problem, says the scientist who invented it.

Professor Peter Molan, who recently split from the AMHA after 15 years with the association, gave written evidence in court in support of Watson & Son.

Professor Molan's affidavit stated UMF tests on the same sample could return results varying by plus or minus two points on a 20-point test.

Test refinements he had recommended have not been introduced by AMHA, he says.

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Comments

misleading

This seems to be a lengthy way of saying that someone was misleading the consumer about their products.

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Posted by David G King (not verified) at 05:28 pm on December 22, 2008

Im on Davids page. Bout

Im on Davids page. Bout time these rogues who dupe the consumers get busted. Especially in the health and well being markets.

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Posted by Christina Henderson (not verified) at 09:31 pm on December 22, 2008

Molan

I would normally agree "bust the rogues", but Peter Molan is basically Mr. Manuka Honey, if he says the tests are unreliable then they are unreliable. Maybe more to this story?

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Posted by Julian (not verified) at 09:19 am on December 23, 2008

Utterly impressed when

Utterly impressed when "Googling" Molan. The work has certainly been extensive around Manuka and would have to agree that credibility certainly sits around Molan and Manuka. However history tells us other stories about Business and the Mighty Dollar. So Im on your page too, maybe there is more to this story.

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Posted by Christina (not verified) at 10:11 am on December 23, 2008

Misleading labelling

"The Court of Appeal last Friday dismissed a challenge by Watson and Son to prevent the AMHA investigating the labelling of products sold by the company in the UK."

Surely this shows that the court thinks there is sufficient evidence of misleading labelling done by Watsons that AMHA are right to continue to fully investigate. AMHA have a role as owner of the trademark, and for representing NZ's food quality in international markets, to make sure licensees are adhering to the rules - rules which Watson obviously agreed to in the first place. They must have agreed about the UMF testing procedures before.

Will be interesting to see what further details come out later. Any misleading of consumers needs to be stamped out.

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Posted by Bryan (not verified) at 05:34 am on December 24, 2008

Have to say I "Smell a Rat."

Have to say I "Smell a Rat." I wouldn't imagine that AMHA is a hugely financial group, and they would surely prefer to spend their funds on a far more positive project. As a consumer what is frustrating is after doing the "Google" thing and reading about the amazing properties of the honey, if it is not true to label then we really are being duped. The higher UMF is not a cheap product and it could seem like a good, crooked plan to put ordinary manuka into jars and sell them as higher UMF. One can only imagine the extra fat in those margins, tempting Mr Watson and Son.

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Posted by Christina (not verified) at 07:30 am on December 24, 2008

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