

### Special Sessions

In addition to the more generalist topics we will also be presenting sessions focusing on more specific areas of practice and specific case studies.

We are very pleased to have Justice Murray Wilcox from the Federal Court leading a panel session on representative actions. The session will cover ethical and legal duties of the representative of the class and will include local and international practitioner perspectives.

Another session which will be of general interest is a panel discussion regarding a Bill of Rights. Can a Bill of Rights protect or enhance meaningful access to the civil justice system in Australia? Panellists will include Justice R Sackville from the Federal Court, The Hon Peter Breen (NSW Legislative Council) and Kirsteen Andrews (Constitutional Convention Delegate).

### Beyond the conference room...

Apart from the educational value of the sessions, the National Conference is a great opportunity for members from around the country to meet in a relaxed and informal atmosphere. This year delegates will enjoy a welcome cocktail party hosted by major sponsor, IPAC Securities, overlooking the sparkling view of Cockle Bay. In addition, the Conference dinner will be held on the final night of the Conference in the stunning new ballroom of the Westin Hotel.

Delegates will also have some free time scheduled in the program to spend exploring the harbour city with family and friends.

### Registration

The APLA National Conference is open only to APLA members. As with previous years we have kept the cost to delegates low and we hope to welcome both old and new friends to Sydney in October.

All members should have received their full conference program by now. If you have not yet received one, or would like additional copies, please contact Michael Trinidad at Yarran & Baxter, on (02) 9904 8200 or e-mail to: mtrinidad@yarranbaxter.com.

The special early registration rates expire on 1st September, so register now to take advantage of this saving.

See you in October! ■

Jane Staley is the Executive Officer of APLA.

Phone (02) 9261 5277, fax (02) 9261 5859

# Vitamin giants in \$100m law suit

### KATHERINE TOWERS

**A LAW firm launched a multi-million-dollar class action yesterday against the world's largest vitamin manufacturers, claiming their price-fixing conspiracy had cost Australian consumers more than \$100 million.**

Melbourne lawyers Maurice Blackburn and Cashman yesterday said hundreds of thousands of Australian consumers, businesses and primary producers could potentially be part of the class action after paying too much for vitamins for 10 years.

The lawyers claim the \$1 billion-a-year Australian vitamin market was artificially inflated by European pharmaceutical giants who operated as an illegal cartel from January 1990 to February this year.

The cartel was uncovered when an executive of Rhone-Poulenc turned witness for the US Department of Justice.

The companies — Hoffman-La Roche, BASF Atkiengesellschaft and Rhone-Poulenc — control more than 75 per cent of the world vitamin market.

Describing the Federal Court claim as the largest consumer litigation ever launched in Australia, lawyer Bernard Murphy said the class action would seek more than \$100 million in compensation.

Mr Murphy said the suit covered sales of vitamins A, B2, B5, B9, B12, C, E, beta carotene and vitamin mixes.

He said the cartel had increased the price of Australian orange juices, milk, breakfast cereals, pet food and other processed food by pushing up the cost of vitamin additives.

"Virtually every Australian has been paying too much for basic food items to feed the greed of company executives

in Switzerland, Germany and France," Mr Murphy said.

"Australian businesses and consumers have been ripped off and they are entitled to be compensated."

Hoffman and BASF were fined more than \$US700 million (\$1.5 billion) in Texas earlier this year after pleading guilty to the conspiracy, which led to high worldwide prices, artificial markets and rigged supply bids.

Mr Murphy said the behaviour of the three multinational companies had been "disgraceful", with the conspiracy including secret hotel meetings in Europe and the US, forged receipts and travel documents, false testimony to US regulators and annual meetings to

**6 Every Australian has been paying too much for basic food items ?**

Lawyer BERNARD MURPHY

carve up world markets. "It was conspiracy ... typified by the sorts of clandestine meetings you would expect from criminals," he said.

He stressed that Australian vitamin companies and health food distributors were blameless in the affair.

Managing director of health food company Musaschi Pty Ltd, Tim Horewood, who is a party to the action, said he had suspected the price-fixing conspiracy for many years.

Mr Horewood said health industry business and representatives were taking action to recover markets lost due to high prices.

"The manufacturers have put us in a position where the prices have been artificially elevated," he said.

"That's restricted our ability to take health-food concepts to the marketplace."

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