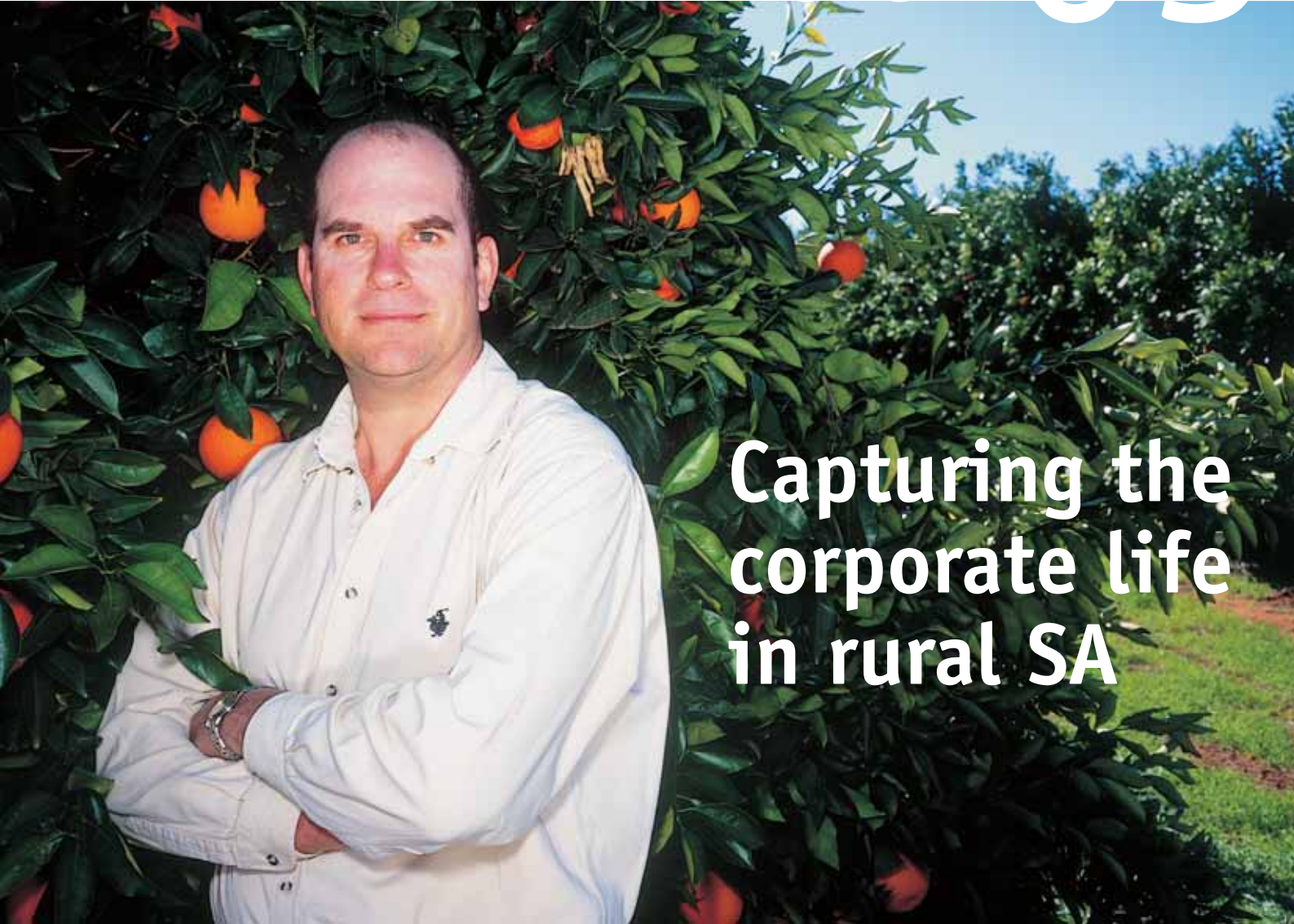


SOUTH AUSTRALIAN
Food TALK



ISSUE 19

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Capturing the
corporate life
in rural SA

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This Issue

We're kicking off the New Year with a new look and a slight name change - the result, South Australian Food Talk.

Our quarterly publication will keep you up to date with what's happening in the South Australian Food Centre as well as the news and views of our food industry. From the State's regional food groups right through to our world-class export companies, there's always something worth talking about. For previous issues check out Food Talk online at www.safoodcentre.com/foodtalk

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Government
of South Australia

SOUTH AUSTRALIAN
Food CENTRE
one centre
many
places

New boss has vision for South Australia being the best food state



A passion for South Australia and a desire to contribute to its future prosperity are among the things driving the recently appointed Executive Director of Food South Australia, Grahame Tonkin.

After growing up in South Australia, Grahame spent 20 years interstate in Victoria where he held a number of senior management positions including Managing Director of the Australian Dairy Corporation.

"It was reinforced by my return to South Australia, that whilst Victoria, and Melbourne in particular, has a reputation as one of the food and restaurant capitals of the world and it is, Adelaide is its match and in fact I think it has the upper hand in terms of the quality of raw materials," Grahame said.

"The raw materials from South Australia are unsurpassed in comparison with the rest of the world. At the agricultural level we have done wonderfully well.

"But we have to continue our focus on the other end, the market demand end and do much more market intelligence, market analysis and market research to identify gaps in the market."

The time spent at the Dairy Corporation as well as years of working in the wine industry have honed Grahame's personal love of food and wine.

On a professional level his goal is to position and grow South Australia's reputation as the leading food state.

"We have this wonderful raw material, we have fantastic people within the industry, we have an enormous amount of expertise, we have regulations in place to control quality and where necessary, quotas are in place to ensure sustainability.

"All of these factors are in place so that we can just grab the nettle and reach for great heights. This state can be the best food state in Australia and I think it can be the best food state full stop. I think we can stand up to anywhere in the world."

In his new role with Food South Australia Grahame will nurture the innovative partnership between food industry organisations and government agencies to provide a 'one stop shop' for food companies who want to grow their businesses.

Food South Australia also oversees the recommendations made by the Premier's Food Council and the implementation of the State Food Plan 2004-2007, which aims to grow the value of the State's food industry to \$15 billion by 2010.

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"To be the best at it we don't have to be the biggest."

Face of food

Capturing the corporate life

in rural SA



For South African-born Clifford Ashby, his move to regional South Australia was an unusual stepping stone in a career as a corporate accountant.

Securing a job as financial controller at the Renmark-based citrus company, Yandilla Park Limited, was well removed from the boardrooms of Cape Town, London and Melbourne.

But his New Zealand-born wife Robin was used to country living, Yandilla Park was a progressive company with a solid reputation – and the move didn't have to be long term.

That was 13 years ago. Clifford soon realised he enjoyed the rural lifestyle and in late 1996 he was offered the position of managing director.

Since that time Clifford has overseen the growth of Yandilla Park into Australia's most successful citrus business – a leading innovator in horticultural management, packing and marketing through its Vitor brand.

Strong growth in recent years has seen turnover increase to \$60 million, 55 per cent of which comes from overseas, and it has the equivalent of 450 full-time employees.

Clifford says an ability to anticipate and respond to changes in an unpredictable market has helped the company succeed where many others have failed.

“The citrus industry has always been challenging. You're susceptible to the vagaries of nature and a market that can alter very quickly for all sorts of reasons, so you always have to keep one step ahead to survive.”

“The reason we are still here today is because of the foresight of Yandilla’s founder, Andrew Weigall, who made sure the company remained in a healthy position during some very turbulent times.”

During the early 1990s, when the Australian citrus industry was buckling under the weight of cheap frozen orange juice concentrate from Brazil, Yandilla held fast while other growers ripped out their fruit trees and planted vines.

“We planted about 150 hectares of vines, on land unsuitable for citrus, which served us very well, but we remained faithful to citrus because fresh fruit has always been our core business.” Clifford said.

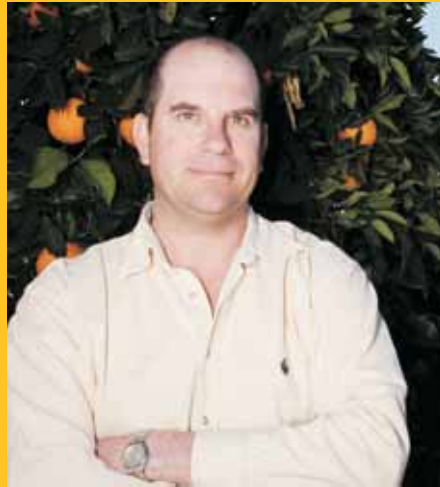
However, the company watched market trends very closely and came to the conclusion that the future was in navels and easy peelers, not the traditional valencias.

It adopted an aggressive replacement strategy, reducing valencias from nearly 60 per cent of total plantings down to just 16 per cent.

It was about this time that the Ashbys’ made another lifestyle decision and moved into fruit-growing themselves. They bought a property planted with citrus and avocados and Robin took over its management.

A former secretary with no previous experience in horticulture, Robin soon became familiar with the challenges of growing commercial fruit.

“It really gave us an insight into what growers have to put up with, and how reliant they are on the elements, the markets and everything else,” Clifford said. “There is no doubt that I can better empathise with growers today because of that experience.”



The Ashbys’ sold their property when it was thought they were being transferred to South Africa to work with Yandilla Park’s holding company, a move that never eventuated because Clifford was appointed managing director instead.

Eight years later, Clifford has just overseen the sale of the majority of horticultural farms owned by Yandilla Park in a major restructuring of the company.

“Yandilla Park had \$40 million tied up in land-holdings and was very reliant on the sale of commodities, which created difficulties in terms of managing revenue and profitability,” he said.

“On the other hand, we have great expertise in the added-value areas of managing farms, packing and marketing of fruit, and it was felt this was where we have the greatest opportunity for future growth and how we can provide consistent returns to our shareholders.”

East African Coffee Plantations Limited, Yandilla Park’s parent company, is listed on the Australian Stock Exchange.

Under the terms of the sale, Yandilla Park will continue to manage its former properties and aims to further expand its farm management, packing and Vitor Marketing business.

The company currently owns two large fruit packing facilities in Renmark and Sunraysia and is leasing a third in Renmark with an option to buy. The packing business has doubled over the past decade from one million cartons annually to two million, and this is expected to increase to 2.5 million by 2006.

Vitor Marketing is also enjoying strong growth, with exports throughout the United States, Europe and New Zealand, and an increasing market share in many Asian countries. Yandilla Park is the majority shareholder of Vitor, which is jointly owned by major citrus fruit and avocado growers in the region.

After living in Renmark for nearly 13 years, Clifford feels strongly about the local community and is committed to helping it succeed – but there are major issues to overcome.

One of the biggest challenges facing the local economy is encouraging other professionals as well as unskilled workers to the Riverland.

“Even though the Riverland has been thriving in recent years, it’s still a huge struggle to encourage people to make this their home.”

“We need more qualified people and every year we struggle to find casual workers during our busy fruit picking and packing season. Many other businesses in the area are in the same boat.

“It seems young people today do not want to pick fruit or do manual labour on local farms and in our packing sheds – and our workforce is ageing. This is a problem not only in our industry and area, but throughout rural South Australia.

“I’ve no doubt that Yandilla Park would have experienced even greater success if we hadn’t been held back by a shortage of workers willing to settle in the region.”

Want to know more?

Yandilla Park

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Australian food exports audition for leading role

(l-r) Laki Kondylas, Whyalla Trade Start; Shaya Nettle, Food Adelaide; and Justin Ross, Austrade; represented SA companies in California.



Los Angeles is already inundated with Aussie exports of the silver screen like Nicole Kidman, Kate Blanchett and Russell Crowe. Now Australian food and wine are auditioning for a spot on the shelves of Californian specialty stores.

Food Adelaide, in conjunction with Austrade and the Whyalla Economic Development Board organised a display of products from 12 South Australian companies at the Australian Consulate's Australia Week Food and Beverage Trade Day celebrations in January.

"This was a great opportunity for showcasing a range of products from small Whyalla-based food producers to larger established exporters," Food Adelaide's Manager International, Shaya Nettle said.

Celebrity chef Ian Parmenter and South Australian television personalities Michael Angelakis and Michael Keelan were amongst the Australian contingent, preparing a barbecue featuring Australian lamb and seafood for the event.

Overseen by former South Australian Premier John Olsen, who is now the Los Angeles-based Consul-General, the Trade Day introduced Californian food industry contacts and media to a range of Australian wines, fine foods and beverages.

The South Australian producers were amongst more than 70 Australian exhibitors who are keen to take advantage of the Free Trade Agreement between Australia and the United States of America, which was introduced on January 1, 2005.

Austrade Export Advisor Justin Ross says Australian food and beverage producers were well received in California and the market has huge potential.

"The Californian market alone consists of 23 million people in the greater Los Angeles basin and approximately 8 million in the San Francisco Bay area."

"The buyers were particularly impressed by the quality of our products and the high standard of packaging."

Following the Los Angeles event the portfolio of products travelled to San Francisco for the 30th Fancy Foods Show.

Shaya Nettle says the trade show, which attracts 30 000 visitors over three days, is the ideal venue to promote our products as it is focused on speciality and artisan food.

"Our display attracted interest from USA importers because of the number of products, variety and range," Ms Nettle said.

"The Fancy Foods show is a much better fit for the small production run speciality food and beverages we produce in this State."

California is the fifth largest economy in the world.

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In every issue we'll take you on a guided tour of our virtual home www.safoodcentre.com. Since we're talking food let's take a look at **Food Talk** online.

Have you got news and events that you'd like to tell the world? Then make the most of our new website that on average receives more than 1000 visits a week.

Imagine having that many people come through your front door! You can add your own news stories and events, which will then automatically be showcased on our homepage. Go to 'Food Talk' and follow the simple instructions to add news and events. People love talking about food and you just never know who is watching on the worldwide web!

Want to hear some Food-e-News?

There's no doubt we live in an information age and keeping up to date with what's happening in the world around us is a vital part of doing business.

So that you know what's going on in the food industry locally, interstate and overseas the South Australian Food Centre is now sending out an e-newsletter.

Food-e-News will keep you posted on upcoming events, trade promotions, grant application opportunities, workshops, seminars and much more.

Be kept in the loop

Subscribe to Food-e-News by sending an email with the subject words 'Subscribe me' to foodenews@safoodcentre.com



Seafood struts the catwalk with fashion and fast cars

Seafood, fast cars and fashion may seem an unlikely combination, but at the February launch of the South Australian Seafood Food Plan they were paraded as perfect partners.

The theme was premium, luxury goods, positioning South Australian seafood on the same stage as the threads of Sydney-based, Adelaide-bred designer Tim O'Connor and the epitome of sports cars, the Ferrari.

Behind the marketing machine though is a plan to raise the value and standard of the State's seafood industry.

The plan sets an ambitious target of increasing the value of the industry to \$2 billion by 2015.

Seafood Council (SA) Director, Michael Angelakis AM, who is responsible for the development of the Plan, says the aim is to take advantage of the State's

competitive advantages to see greater returns from markets offering a price premium for outstanding products.

"While there is potential for volume growth in many sectors of the State's aquaculture industry and some of the fishing sectors, the opportunity for significant growth in the value of the industry lies in increasing the pre unit value of South Australian seafood.

"The Plan outlines how we will position our superior product into premium food markets in the world's leading economies to ensure that South Australia becomes the preferred supplier of premium seafood products.

"We plan to target markets which offer a premium price for a premium product, adopt professional strategic marketing and further value add to our products through innovation.

"We have worked with government over the last decade to develop and support the

sustainability of our seafood, both in the fishing and aquaculture sectors, and can now market this as one of our most important competitive advantages.

"We also have reliable suppliers who process to the highest standards of accreditation.

"Add this to our amazing pristine environment and diverse range of quality seafood products and we think we have every chance of increasing the value of our industry to \$2 billion by 2015."

The Plan has been developed in consultation with industry members and is endorsed by the Seafood Council (SA) Ltd, South Australian Fishing Industry Council (SAFIC), the South Australian Aquaculture Council Inc. and the Tuna Boat Owners Association of South Australia Inc.

There has also been liaison with the State Government through Primary Industries and Resources SA Fisheries and Aquaculture divisions and Food South Australia.



Want a copy of the plan?

Contact

Seafood Industry Development Steering Committee

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Food integrity is an important issue for the food industry and of increasing importance to consumers. Food South Australia's Manager of Food Integrity Systems, Michael Stone, is working on demonstration projects to better inform industry about what it means.

Food Integrity - what does it mean?

Food Integrity is extremely subjective and how it is defined varies between countries, industries and industry sectors.

The Rural Industries Research and Development Corporation (RIRDC) in 2004 came up with a very broad definition of what food integrity is and what it includes.

Their definition states: "Food integrity applies to all aspects of the supply chain that support the acceptance of food by the consumer. Ensuring food integrity therefore encompasses the biological, chemical and physical aspects of food safety; the food production systems including animal welfare and potential environmental matters and aspects of foods including nutrition value, functionality claims and food characteristics".



Food integrity may therefore include the following elements

- Food safety and hazard systems used by different industry sectors and their production systems;
- Quality assurance systems used by different industry sectors and their production systems;
- Environmental management and Environmental Management Systems (EMS) issues relating to South Australia's / Australia's clean and green image;
- Traceability concerns from producer to plate;
- Animal welfare issues and the underpinning South Australia/ National compliance framework;
- Labour issues relating to fair and equitable work practices in SA; and
- The microbiological aspects that cause public health food safety hazards.

Food with integrity

Traceability

Traceability is often recognised as the centrepiece of a firm's integrity management system. There are two components of traceability that provide incentives for companies to introduce traceability systems:

1

The need to differentiate and market foods with subtle and undetectable quality attributes (so-called "credence" attributes).

For example, farming processes that are more focused on animal welfare than others e.g. free range eggs versus those produced by battery hens. There is no external detectable difference between the eggs.

Another example is that of juice that has health additives compared with one that hasn't. There is no discernable difference and yet consumers may be willing to pay a premium for the juice with the health additive.

The only way to verify the integrity of these foods is through a bookkeeping record that establishes their creation and preservation.

2

To provide assistance to minimise the production and distribution of unsafe or poor quality product. The better and more precise the tracing system, the faster a company can identify and resolve food safety or quality issues.

EU Consumer concerns

The concerns of EU consumers have been recognised as the most advanced. As a result Australia has looked to the EU for indications of what we might expect Australian consumers to become concerned about over the next five to ten years. EU consumers' concerns, including those about food safety, quality and methods of food production were identified as early as 1996, as falling into two categories:

1

Content concerns such as those regarding:

- Pesticide contamination;
- The use of antibiotics in animal feed;
- Genetic modification; and
- Hormone content with the absence of hormones is seen as an indicator of food safety even though they occur naturally in many foods.

2

Process concerns including the effect of food production on:

- The environment;
- Animal welfare; and
- Perceived benefits of the rural way of life and other rural amenities i.e. production that does not concern social damage.

Want to know more?

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Michael Stone

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Australian Pavilion reaches milestone

The Australian Pavilion project in Singapore celebrated its third anniversary in September 2004, capping off the year with a 64 percent increase in purchases from South Australian companies.

To mark the milestone promotions ran for two weeks in all 12 Australian Pavilion stores, with a dozen South Australian companies supplying approximately 60 products.

The promotion included recipes, advertisements in newspapers, in-store cooking demonstrations and product tastings, product specials and giveaways.

The Australian Pavilion project is a partnership between Food South Australia, Singapore-based retailer NTUC Fairprice and Melbourne-based distributor Bemco, to assist South Australian producers export to Singapore.

Want to know more about the project?

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What have we achieved so far?

- Currently there are eight NTUC Fairprice stores operating Australian Pavilion sections in Singapore. Another four stores are running Pavilion bays with another two Australian Pavilion bays expected to be opened in 2005 and two in 2006
- Since the inception of the Australian Pavilion project Bemco has established links with more retailers across South East Asia and has started to implement the successful Singapore platform model in countries such as Thailand and Malaysia.
- Most importantly, there has been an increase in the number of participating companies and an increase in sales. Recently, South Australia's first full container order was placed for Mountain Fresh Fruit juice.
- There has been a 64 percent increase in purchases from South Australia between July and December 2004 compared with the same six-month period in 2003.

Food scheme aims to end hunger

An innovative program to end hunger among South Australia's poor is helping thousands of people after receiving generous support from the State's food sector.

About 500 companies have joined Foodbank SA to supply more than two million kilograms of food to the State's needy over the past four years.

The effort has provided an estimated six million meals for more than 120,000 underprivileged people across the State.

Acknowledged for its contribution at the 2004 Premier's Food Awards, Foodbank SA has provided a crucial link between industry and about 330 charitable agencies responsible for distributing the food throughout the State.

Foodbank SA chairman Stephen Gerlach said the aid program had triggered a huge response from industry across the supply chain, from growers and manufacturers through to distributors and freight companies.

"In just over four years Foodbank SA has become the State's largest organisation working in hunger relief.

"Of course, this would have been impossible without the support of industry, which has demonstrated enormous generosity and compassion to help those in need."

Despite the success, demand for food relief continues to rise and there are plans for further expansion

(l-r) Foodbank SA Chairman Stephen Gerlach is congratulated by Premier Mike Rann at the 2004 Premier's Food Awards.



into regional areas, so Foodbank SA is looking for new food donors.

The idea of tapping into surplus food supplies to end hunger began in the USA in the 1960s and arrived in Australia about 12 years ago.

The scheme has grown rapidly in South Australia since Foodbank opened a modern distribution centre at Edwardstown in September 2000. The first regional SA centre was launched at Mt Gambier in February.

Foodbank SA general manager Leigh Royans said food donations in South Australia were growing at an annual rate of 20-30 per cent, with more than 700,000 kilograms expected to be distributed in 2005.

"One of the keys to this strong growth is a unique alliance scheme brokered by Foodbank SA with major players in the supply of staple foods," he said.

The scheme involves different companies providing one link in the supply chain, such as raw materials, manufacturing, packaging or distribution.

Lend a hand

Contact

Foodbank SA

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Food Diva takes a bow on behalf of South Australian producers

In this and coming editions of Food Talk, chef, food writer and South Australian ambassador Dorinda Hafner shares her thoughts on our food industry.

Before you read this article, may I crave your indulgence and ask you to do something simple for me? Please find yourself a comfortable chair, make yourself at home. Sit back and relax, then, close your eyes and open your mind's eye to reveal a big, monochromatic, outlined map of Australia, just its external outline no territorial borders. Imagine Australia in the shape of a baby, curved in the womb. Now slowly and carefully sketch in the rugged border of South Australia around the position of the umbilical cord. Pull back a little and take in the full picture from afar. Ask yourself: "What is the umbilical cord representative of?" Sustenance, life source, a vital connection to the mother, a unique gift of natural nurturing. South Australia, in my opinion, is the umbilical cord of Australia. This state has nurtured some of the most distinguished talents nationally and internationally, not to mention innumerable valuable contributions to science and the like. Next time you think of South Australia, these are the images that should spring to mind.

"South Australia is not just a state, it is a lifestyle, yes, an enviable lifestyle of abundance."

I have suspected for some time Australian export food, drinks, products and cuisine collectively are really taking off in many countries overseas. The first time I took this fact seriously was back in July 1998 whilst I was filming a food documentary in Britain for Channel Four. An article appeared in the Telegraph titled "Some Bush Tucker, Darling?" The writer, Sybil Kapoor wrote: "Put away your tagine - the next big thing comes from the outback" and I quote, "Fashion moves fast in the food world. One minute everyone is raving about sun-dried tomatoes and polenta; the next it's couscous and tagines and you cannot be seen dead near sun-dried tomato. Such fickleness creates a hunger for novelty." Much writing followed, but what got me going was the announcement that Sainsburys chain of stores, the Mecca of middleclass trendy shoppers in Britain, had taken the lead by introducing Australian Bush Foods into its Special Selections before any British chef, writer or supplier had set the scene. So lemon myrtle, wattleseed, mountain pepper, bush tomato and numerous Australian food imports are taking up residence on shelves in British supermarkets.

In January last year, I had the honour to prepare a menu featuring mainly South Australian produce for a two day dinner at The Four Seasons Hotel in Singapore for 240 of Singapore Airlines' premier passengers. I supplemented my ingredients list by shopping locally at NTUC

Fairprice, which stocks Australian products. I felt comforted that here was another market for our excellent products but now, where is the follow up in volume and consistency?

My work takes me to many countries around the world, particularly, my food anthropology television series and public speaking but few things equal the pleasure I get when I come across Australian products on retail shelves overseas and if the products turn out to be from South Australia,

I shamelessly launch into my hurrah for South Australian products boast mode,

to any and every unwitting shopper who happens to be within hearing. On behalf of fellow South Australians, I take a public bow because I know what we've got here. I visit many produce growers around my state and I see how hard they work and how committed they are. So to encounter their products for sale overseas fills me with pride.

Harking back to the umbilical cord metaphor, our government needs to nurture even more closely, the 'amniotic fluid' which ultimately will feed not just our local hunger, but also the international interest in regional, seasonal foods that our state has the potential to provide.

Dorinda is contracted by Food South Australia to work with the State's regional food groups.

Wine strategy to drive \$3 billion industry

A new wine strategy to increase South Australia's annual wine industry revenue above \$3 billion by 2010 has been launched by Premier Mike Rann.

Wine: A Partnership 2005-2010 documents industry challenges and aims to help the sector grow during the next five years.

"This is all about strengthening the Government's partnership with the wine industry and we are leading the charge by contributing \$2 million over the next four years through the South Australian Wine Industry Council," the Premier said.

The strategy has been jointly developed to resolve any issues that could stand in the way of South Australia's wine industry reaching the targeted \$3 billion mark within five years. It also outlines the roles of all the groups who are dedicated to achieving this goal.

"The wine industry is a major driver of our State's economy and, if followed through, the strategy will further ensure continuing success and help strengthen the reputation of South Australia as a leader in wine innovation and quality.

"This strategy also links the wine industry with vital food and tourism sectors, to help meet our targets outlined in the South Australia Strategic Plan."

Want a copy of the Plan?

Contact

South Australian Wine Industry Council Executive

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w www.pir.sa.gov.au/wine



Events March to May 2005

1 to 3 March, 2005 China

Food Ingredients Asia - China

Chinese New Year starts with the first and most complete food ingredients show for China.

4 March, 2005 Adelaide, SA

7:30 to 11:00am

Premier's Food Council

March meeting of the Premier's Food Council.

11 to 12 March, 2005

Pinnaroo, SA

Pinnaroo Spud Fest

Get along to the Pinnaroo Spud Fest for some festive family fun including mashed potato wrestling, fireworks and country music.

12 March, 2005 Tanunda, SA

9:00am to 7:00pm

92nd Tanunda Show

A chance for the Barossa community to gather and celebrate the region's rural heritage.

13 March, 2005 Norwood, SA
12:00 noon to 8:00pm

The Parade Food, Wine and Music Festival 2005

The Parade Food, Wine and Music Festival is one of Adelaide's most popular street events, and you'll be among an estimated 60,000 who make it a priority to experience the gourmet cuisines, fine wine and great entertainment on offer.

13 March, 2005 Brighton, SA
11:00am to 8:00pm

Brighton Jetty Festival 2005

Winner of the Holdfast Bay Australia Day community event 2003, this main street wine and food festival is for the young and young at heart.

16 March, 2005 Tarlee, SA

8:30am to 5:30pm

Tarlee Country Markets 2005

The Tarlee Country Markets attract excellent stalls of local food produce, crafts and more.

17 March, 2005 Adelaide, SA

5:00 to 7:30pm

The Costs Of Food What Price Australia's Appetite?

The Don Dunston Foundation's public forum celebrates Don's personal, professional and strategic interests in food and wine.

26 to 28 March, 2005

Fleurieu Peninsula, SA

Fleurieu Easter Festival

Easter visitors to the Fleurieu Peninsula in 2005 are in for a feast of music, food, wine and crafts.

28 March, 2005 to 3 April, 2005
Barossa Valley, SA

Barossa Vintage Festival

The Barossa's world-renowned wine and fresh, regional food combine with the traditions and culture of the region.

30 March, 2005 Adelaide, SA

6:00 to 7:30pm

Flavour SA Networking Night with Shane Radbone

Come along to Flavour SA's Networking Night with Shane Radbone, CEO of Wendy's and winner of the Young Leader of the Year Award at the 2004 Premier's Food Awards.

1 April, 2005 9:00am

to 2 April, 2005 4:00pm

Karoonda, SA

Karoonda Farm Fair

Experience the heart of the Murraylands at the annual Karoonda Farm Fair.

9 April, 2005 Renmark, SA

Rivafest 2005

Rivafest celebrates the culture, local produce, beer and wines.

24 April, 2005

Langhorne Creek, SA

11:00am to 6:00pm

E-type On The Bremer 2005

Enjoy a fun day of fine food, local wine and jazz music at Langhorne Creek.

1 to 3 May, 2005 California, USA
2005 Food & Beverage Summit

The 2005 Food & Beverage Summit will bring together Senior Executive decision makers in Food & Beverage Manufacturing.

6 May, 2005 9:00am
to 7 May, 2005 4:00pm
Adelaide, SA

Careers and Employment Expo

The Careers and Employment Expo is South Australia's largest careers, education and employment event.

7 to 8 May, 2005

Adelaide Hills, SA

Chocolate & Nut Festival

Indulge yourself at the Adelaide Hills Chocolate & Nut Festival.

9 May, 2005

Kangaroo Island, SA

9:00am to 5:00pm

Regional Food Workshop

The Regional Food Workshop provides a forum for shared learning and networking between the regional food groups.

10 to 13 May, 2005 Hong Kong

HOFEX 2005

The 11th Asian International Exhibition of Food & Drink, Hotel, Restaurant & Food service Equipment, Supplies & Services.

14 May, 2005 10:00am
to 15 May, 2005 5:00pm

Clare Valley, SA

Clare Gourmet Weekend 2005

The Clare Valley Gourmet Weekend, held annually in May, sees the region at its most extravagant.

25 May, 2005 Adelaide, SA
6:00 to 7:30pm

Flavour SA Networking Night with Alan Green

Come along to Flavour SA's Networking Night with Alan Green from Hayes Knight speaking about succession planning.

**Add your event
by visiting our
website**

www.safoodcentre.com

Why should you protect your intellectual property?

Arthur Braiotta

Minter Ellison Lawyers

Food and beverage brands are some of the most important assets of any food business. It comes as no surprise, therefore, that the protection of intellectual property is becoming an increasingly important area. Those involved in the manufacture and supply of food related products, packaging design, and fast-food generally are realising the benefits that can be derived from the protection of their intellectual property.

Why is protection important?

From manufacturers to food retailers, and those involved in development, licensing or franchising, each business is likely at some stage to develop some form of intellectual property, whether in the form of a unique packaging design, recipes, manufacturing processes, or even a distinctive name or logo. Although the needs of each business will differ, the competitive advantage gained from securing the rights associated with innovative and unique business ideas will be vitally important to the business' success.

Registration of your intellectual property rights will ensure that your business is in a better position to enforce those rights in the event of an infringement or an ownership dispute.

Business owners should think about protecting their rights as soon as possible in the development phase or marketing process. This early stage planning is critical to ensure proper protective measures are taken. For example, what use is a catchy new product name, if you discover later on that the use of that name is prohibited because somebody else has rights to it? That might seem simplistic, but a lot of creative effort can be undone very quickly by a failure to make even the most basic of legal enquiries.

In other examples, businesses involved in the development or marketing of food products, or those planning a move into the value-added sector, will often enter into strategic business relationships with other organisations. In these cases, owners should carefully consider the extent to which trade secrets, manufacturing techniques and even know-how will be disclosed to the other contractual party and how this might be protected.

How can these rights be protected?

The protection of intellectual property can add considerable value to a business, and can reduce the likelihood that a competitor will infringe your rights. Intellectual property should be seen - and treated - as a crucial business asset, deserving of proper protection.

More commonly, food businesses seek to protect their intellectual property by way of trade marks, patents, and confidentiality agreements. In particular, trade marks are a great way for a business to protect brands, and can include signs, logos, or images used on packaging or shop-fronts.

To be registered, a trade mark must be capable of distinguishing the goods or services in question. Although a trade mark can be protected without being registered, in such a case, a business will usually need to prove it has established a sufficient reputation in the marketplace in order to warrant protection. Alternatively, when registered, the owner of a trademark will have the exclusive right to use the trademark in respect of the goods or services to which it applies, in the class of trade marks in which it has been registered.

Further, businesses that are required to, or see a commercial advantage in, disclosing information about certain trade secrets, techniques, recipes or methods of production during the development or marketing phase, should consider protecting these rights, perhaps initially by way of a confidentiality agreement.

However, it is important to note that it is usually only possible to impose confidentiality obligations in respect of information that is not already in the public domain.

Nevertheless, disputes commonly arise regarding the ownership of intellectual property rights, and lawyers can advise on the type of protection required and the likely benefits and risks associated. They can also assist with resolving disputes and managing exposure associated with claims by advising on written agreements to ensure that a business' interests are adequately protected.

Last word

As mentioned above, food brands can be one of the most important and valuable assets owned by a business. They commonly require a considerable amount of time and money spent on research and development. It makes sense to ensure that any ideas or concepts developed in the course of your business are protected so that they will ultimately add value to your business.

For more information

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