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**Rural Market Regulation and Legislation in South Australia**

Prepared for the SA History of Agriculture Group

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**Contents**

**Section A Overview**

Executive Summary 3

Introduction 5

The UK Parliament and S.A. Legislative Heritage 6

The Economic Environment and Marketing Policy 8

A Review of Marketing Policy from the 1960’s to the 2000’s 11

The Evolution of S A Agricultural Legislation and Regulation 14

* The General Situation 15
* Early S A Legislation 16
* Rail Transport 16
* Exports and Government Intervention 17
* 20th Century Marketing Legislation 17
* Impacts of Manufacturing 18
* Marketing Arrangements 19
* Soldier Settlement following WW1 and WW2 20
* Agricultural Co-operatives 22

## Section B Industry Market Legislation

## Marketing Legislation from the 1920’s

* Dried Fruits 26
* Canned Fruit 31
* Dairy 35

Marketing Legislation from the 1930’s

* Margarine 38
* Fruit and Vegetables 41
* Citrus 43

Marketing Legislation following WW2

* Potatoes 46
* Honey 48
* Wheat 51
* Barley 54
* Eggs 56
* Wine Grapes 59
* Meat 61
* Wool 63

**Conclusion**  66

**Executive Summary**

South Australian and Australian governments have an interesting history of market intervention in agriculture which has involved a wide variety of mechanisms and purposes.

Measures taken were generally based on the needs of individual industries and producers rather than on those of the broader community.

The paper traces the rise and fall of marketing regulation in agriculture, in response to economic, technological, social, and political conditions. It makes particular reference to South Australia, although much of it applies to other States.

The paper identifies major events which were the drivers of market intervention, including the establishment of organised marketing; it refers to second reading speeches (which often provide explanation and justification for proposed measures) and to the records and recollections of individuals involved at the time.

In S A, legislative measures commenced from early settlement when the need was to feed the fledging nation and then to foster exports. Regulations at this time were mainly to assist production. This prevailed through most of the 19th century.

In post- federation Australia, as S A grew, there was a need to encourage agriculture as a means to settling growers on the land, to develop exports and to meet the demands of a growing population. Most of the marketing legislation in the 20th century was under the banner of “orderly marketing” at State and Commonwealth level.

Major events such as WW1, the Depression and WW2 created both the demand for, and the need to provide, protection for agricultural industries including legislated marketing. The period from early 1900s until the middle of the 20th century saw the establishment of a large number of marketing schemes. Some had a specific purpose to limit production by supply management, such as for the wheat industry (wheat quotas). Most marketing schemes were to ensure more stable and reasonable returns to producers, such as for wool and wine grapes, or as with dried vine fruits to guarantee product quality.

Although industry and marketing authorities were cognisant for the need for promotion and better product grading to meet market needs, that was usually a secondary consideration.

Whilst these marketing arrangements sometimes achieved their desired objective, they also had unintended consequences such as encouraging overproduction, misallocating resources such as capital and water, and hindering rural adjustment.

This period also saw the rise of producer-based marketing cooperatives, usually centred around facilities such as wineries, canneries or other fruit packing and processing.

Increased production from soldier settler’s farms increased the pressure for organised marketing.

The influence of politics was strong as rural based parties sought to further the interests of their constituents in what was commonly known as a period of agrarian socialism. Powerful grower organisations also pushed hard for legislated marketing schemes.

But all of this began to change later in the 20th century as governments of the day developed policies based around freer world trade, less intervention, and less protection, especially through tariffs.

Micro economic reform ensuring competition was a policy initiative. In this period the Industries Assistance Commission conducted several reviews into agricultural (and other) industries, the main aim of which was to advise government of the wisdom of reduced protection and how to achieve it in ways which managed the impacts on industry, growers, and their communities. This period was characterised by government and grower questioning of the value of remaining intervention measures, especially marketing boards, and their subsequent demise.

With the dismantling of marketing schemes and other interventions, the latter part of the century saw general and substantial reduction in tariff protection

Combined with the impact of price variability, droughts and high interest rates, the period from the 1980s onward brought substantial hardship, especially for producers with less ability or willingness to change, and the need for rural adjustment.

Today, with the exception of biosecurity, phytosanitary and some quality assurance measures, agriculture in Australia is largely free of marketing legislation.

An overview of today’s rural industries (see Link to ‘Rural Marketing and the Industry Today’) shows that they have adjusted to a more open economic environment.

The approach to the marketing of rural products today includes more direct selling to consumers, emergence of larger corporate firms, and better use of technology, and consideration of environmental concerns.

# Introduction

# The writing of ‘Rural market legislation and regulation’ was at the suggestion of Dr Don Plowman of the Agricultural History team. He indicated that the website sought a paper which catalogued, described and evaluated South Australian rural marketing legislation throughout the 20th century.

# In his book, Professor of History Donald Sassoon wrote, 8 ‘Capitalism has no mind; no politics, and no unity, and change is its own dynamic, its history’. This quote and his depiction of government intervention in free markets provided a framework to describe the rise and decline of rural marketing legislation.

# The challenge was to document S A rural marketing Acts, of which there are hundreds, some of which mirror Commonwealth legislation and to then place them in historical perspective.

# The paper is therefore in two parts - Section A provides an overview of agricultural marketing policy including S A’s legislative inheritance. Section B provides details of the marketing arrangements of individual S A rural industries many of which mirror Commonwealth legislation. Often this legislation is brought about by policy shifts and government interventions in the wider economy.

The paper discusses marketing arrangements which were enabled by S A and Commonwealth Government legislation. Acts referred to are South Australian Acts unless marked as a Commonwealth Act.

PIRSA programs, including extension and research activities with a marketing emphasis affecting supply and demand for produce, is outside the scope of this paper. A record of these programs requires separate identification and evaluation.

Accordingly the paper does not address such a list of activities, for example functions of the PIRSA Horticultural Development Export Committee and PIRSA’s Food for the Future which were ostensibly supply and export enhancement programs without legislative backing.

Another example of a non-legislative PIRSA Program is the relocation of the East End fruit and vegetable market. The marketing of Adelaide fruit and vegetables had traditionally been transacted at the East End market.

Its relocation was major program with which PIRSA and a private company collaborated. Other non-legislative programs are the irrigated crop management service (ICMS) and fruit fly and animal disease control. These activities address production/ supply issues which had direct and indirect market implications.

Thus the purpose of the paper is to identify legislation which affected the marketing of agricultural commodities and to discuss how legislated marketed arrangements affected the relevant industries.

In writing the history of market legislation it is hoped that Departments today will be cognisant of previous attempts to organise the marketing of rural produce and that mistakes of the past will be avoided.

The Agricultural History Group has assisted me with provision of content and suggested changes. I thank Geoff Thomas and other members of the Group for their interest from the outset and for their editing. Notwithstanding the assistance of the Group, responsibility for the points of view expressed, conclusions and arguments in support my interpretation of marketing history is mine.

**Section A. Overview**

The UK Parliament and S A Legislative Heritage

# A look at UK legislation and regulation in the 18th and 19th centuries tells us of the legislative inheritance from which rural marketing legislation is derived.

# The S A colonists were fortunate to be the inheritors of a parliamentary system of government, a body of common law and the rule of law.

# In the 18th century an Act of the British Parliament set the scene for new and innovative legislation which was to follow in the 19th century.

*The Bubble Act 1720* was introduced in recognition of the shortcomings of unfettered capitalism in free markets*.* Itwas named after a phenomenon called the South Sea Bubble.

# *The Bubble Act* *1720* was an [Act](https://en.wikipedia.org/wiki/Act_of_Parliament) of the [Parliament of Great Britain](https://en.wikipedia.org/wiki/Parliament_of_Great_Britain) that prohibited the formation [joint-stock companies](https://en.wikipedia.org/wiki/Joint-stock_company) other than the South Sea Company unless approved by [royal charter](https://en.wikipedia.org/wiki/Royal_charter).

The Act was the forerunner to economic development within the free market economy. In the Act can be seen origins of government involvement in otherwise free markets.[[2]](#endnote-1)

Another Act designed to regulate commerce in the 18th was the *Regulating Act 1773 (the East India Company Act 1772),* an Act intended to overhaul the management of the East India Company's rule in India.

It marked the first step towards parliamentary control over the company and centralised administration in India and along with the *Bubble Act* foreshadowed company regulation.

Apart from these Acts, in the 19th century Britain, there were few overarching laws which governed economic action and behaviour.

However during the 19th century the UK Parliament passed reforming legislation concerning social welfare, factories, and mines. [[3]](#endnote-2)

For centuries, the UK Parliament consisted of landowning elites whose priorities were their own power and prosperity but social changes brought about by industrial growth and the relative decline of agriculture meant that the demographic landscape of Britain was altered.

With these changes came demands from working and middle class people for equality and fairness.[[4]](#endnote-3)

This led to *The Great Reform Act 1832* to be followed by *The Poor Law Amendment Act 1834* which created a more representative UK Parliament. These two Acts expanded the franchise and altered the electoral system and introduced a measure of social justice.[[5]](#endnote-4)

*The Poor Law Amendment Act 1834* regulated support for the poor and to reduce the cost to the public purse. Remarkably its influence persisted into the 20th century when it declined with the rise of the welfare state.

19th century legislation influencing economic behaviour and labour relations also comprised successive *Master and Servant Acts*.

In Australia, all States passed similar legislation in the 19th century beginning with New South Wales in 1823.[[6]](#endnote-5) This legislation was heavily biased in favour of employers.

Apart from these Acts, broad themes affecting economic development in the 19th century were undeveloped capitalism, individualism and the emergence of the joint stock companies.

# In Britain at the time it was considered that capitalism, operating in a free market, was the natural economic order and was the default position by which economies functioned.

# The idea of government involvement in markets grew only slowly during the 19th century. And socialism as an alternative to capitalism began circulating during the 19th century.[[7]](#endnote-6)

National Competition Policy was Australia's landmark microeconomic reform program. A key principle of the program was that competitive markets will generally best serve the interests of consumers and the wider community.

# As a tool of capitalism the rise of the joint stock company enabled more rapid economic development and it played an important part in the founding of South Australia.

# George Fife Angas, as a London member of the South Australian Association, formed the South Australian Company as a joint stock company which claimed 13,000 acres in what became South Australia and which enabled colonisation to proceed.

# The Colony of free settlers and assisted immigrants was established in 1834 by an Act of British Parliament.

# Within the economic system and conditions of the time, attitudes and behaviour were shaped by only by early company law, labour and poor laws. At least among the elite a desire for private ownership of land was paramount. Their values included hard work, thrift, individual enterprise and an earnest religious faith i.e. the Protestant ethic. These values influenced community social and economic practices.

# Historian and author R H Tawney lamented the division of commerce and social morality in the 19th century. He considered this was brought about by the subordination of Christianity by the pursuit of material wealth.[[8]](#endnote-7)

# In the Colony of South Australia the vast majority of settlers subscribed to the Christian faith and an associated strong work ethic.

**Economics and Marketing Policy**

When marketing systems for agricultural products were evolving in the 19th and 20th centuries they did so within a capitalistic framework.

Organised marketing, often with Government backing in the form of statutory boards, emerged throughout much of the 20th century. These arrangements remained until the free market reasserted itself by the end of the century in the name of deregulation and competition policy [[9]](#footnote-2)when marketing structures were dismantled.

The longevity of free markets and capitalism has been described in a colourful way by Professor of History at London University, Donald Sassoon who wrote,

‘Capitalism has no mind; no politics, and no unity, and change is its own dynamic, its history. Capitalism’s only criterion of success is its own survival, which in turn depends on constant change.’[[10]](#endnote-8)

Sassoon shows that with its enduring nature, capitalism has remained at the heart of Western economies, industrialisation and economic growth.

Further, capitalism has survived economic and political movements in the 19th and 20th centuries including Marxism, Socialism, Communism and National Socialism.

Despite upheavals to political systems due to these movements and to other world events, free markets remained the default economic position. However departure from free markets frequently occurred due to government intervention by way of special treatment and the political support of sectional groups.

Capitalism and a free market economy reached its zenith in the late 19th century and the 20th century in Britain and the United States. Ironically, in a free market economy, U S Government farm programs have been ever-present throughout the 20th century and farmers have received massive subsidies for many decades.

Early in the 20th century a rural co-operative movement emerged in the US, with mixed success

Author and biographer of John Maynard Keynes, Justyn Walsh, wrote,

‘Keynes had the same attitude to capitalism as Churchill had to democracy – it’s the worst possible system except for all the others.’[[11]](#endnote-9)

In his roundabout way Keynes was saying that he believed capitalism, and by implication, free markets were the best way to harness the means of production.

Whether a free market, unfettered by regulation, is the best model for agriculture and is superior to an organised system of marketing can best be judged after examining what has occurred in the latter part of the 19th century and in the 20th century.

The course of organised marketing in much of the 20th century was in line with the wishes of producers with market regulation being led by industry leaders, industries themselves and governments under the influence of rural based parties known colloquially as agrarian socialists.

However regulated and organised markets for rural products, in time, were deregulated as the free market reasserted itself.

In the latter part of the 20th century marketing policy fell in line with, and became dominated by deregulation and competitive forces, accompanied by tariff reduction and privatisation of government owned enterprises. The effects of these policies were felt across the whole economy. For agriculture, Competition Policy was the catalyst for change to organised systems of marketing.

For most of the 20th century Australia farm leaders, rural industry and influential agricultural interests whole heartedly supported government intervention in agricultural markets.

Radical intervention included domestic price setting, supply control and price equalisation between markets. Production limits (quotas) for domestic markets were a common tool in the grains, dairy, egg and dried fruit marketing schemes.

In 1960, when major rural industries had implemented organised marketing schemes, Professor of Economics JN Lewis wrote,

‘The chief instruments of agricultural marketing policy in Australia are home consumption price schemes under which products are diverted to overseas markets in order to raise domestic prices above export parity.’

He continued,

‘Many of the other measures used to support agricultural prices in this country are essentially devices to make the home price effective. These include import duties, embargos and quota restrictions on the production of substitute commodities. Industry promotion campaigns financed from producer levies are in fashion however, there has been, comparatively speaking, little interest in marketing as such’. [[12]](#endnote-10)

To the mechanisms designed to stabilise prices may be added the term ‘equalisation’. It was a common feature of marketing arrangements. For example in the 1920s the dried fruit industry applied equalisation across export and domestic markets.

Equalisation was also applied within domestic markets, e.g. the Adelaide Wholesale Milk Equalisation Scheme in which milk returns within the Metropolitan Milk Board area were equalised to producers from high priced drinking milk and low priced manufacturing milk irrespective of what an individual dairyman’s milk was used for. Dairy farmers outside the Adelaide Metropolitan Milk Board area were not included so they all received the lower manufacturing price.

Along with others, including Melbourne Professors of Economics RI Downing and PH Karmel, Jack Lewis was an early voice indicating that statutory marketing schemes, while conferring benefits on certain groups, came with significant shortcomings and costs.

The mechanics of marketing schemes was spelled out in an Industry Commission report in 1991,

‘Statutory marketing arrangements expand exports of those commodities for which producers receive an equalised return from export prices and higher domestic price ... raising domestic prices of agricultural commodities transfers incomes to producers and some food processors from others including consumers … statutory marketing arrangements, especially those dependent on powers of acquisition, production control and pricing adversely affect use of resources, land labour and capital.’[[13]](#endnote-11)

Rural industry benefited directly from these interventions but at a cost to the community and the public generally. They led to distortions through mixed price signals resulting in overproduction and misallocation of resources.

**A Review of Recent Marketing Policy**

In the 1960s there was a shift in economic thinking and the marketing environment began to change.

Marketing legislation started to receive increased critical attention from governments and growers, and academics, particularly regarding marketing arrangements for the large industries such as grains and the dairy industries.

But there was no immediate change to marketing arrangements.

Trenchant criticism of prevailing marketing schemes and price equalisation in particular was made in 1961 when Professor of Agricultural Economics JN Lewis wrote,

‘… improving marketing efficiency, in the sense of getting the operations making up the distribution process performed with the expenditure of less resources than previously, has not engaged the attention of organized agriculture or of governments to anything like the same extent …

‘I am not going to suggest that, apart from organizing for higher prices, Australia has no agricultural marketing policy … We do have a standard set of weights and measures, except when ordering draught beer outside our respective home States; we do have rudimentary grading systems for a number of agricultural commodities, and in some States market information services are not entirely undeveloped’.

He continued,

‘Moreover industry promotion campaigns financed from producer levies are in vogue. However, there has been comparatively speaking little interest in marketing as such … marketing policy has been viewed primarily as a device for price support and not as the framework for a co-ordinated programme to improve the performance of our marketing system on the basis of criteria other than sectional interests’.[[14]](#endnote-12)

These ideas, alluding to marketing generally, highlighted the foregone opportunity of conventional marketing i.e. product promotion, grading and advertising, thus avoiding the costs of elaborate schemes which led to inefficiency through overproduction of export commodities being sold at below cost of production under equalisation.

In the 1970s mining had increased export revenue, it had eased balance of payments pressure and hence the need for measures to promote agricultural exports.

From the 1970s and in the decades which followed Statutory Marketing Authorities (SMAs) began to unwind as they came under government review and questioning of industry policy.

In the 1970s came more public scrutiny of domestic pricing arrangements, the costs and income transfers of statutory marketing arrangements and efficiency gains and losses. These were examined by the Industries Assistance Commission (IAC) in 1974. Also in 1974 the Green Paper on Rural Policy provided a thorough examination of rural policy including marketing arrangements.[[15]](#endnote-13)

The 1970s saw the development of trade practices law designed to prevent abuse of market power. Thus a major rationale for domestic price maintenance for agricultural products was increasingly questioned. Pressure for change increased again in the late 1970s.

Throughout the 1970s and 1980s there was a gradual movement away from price stabilisation and support, initially to underwriting arrangements. They too were considered questionable and ultimately short-lived.

The 1980s and the 2000s were characterised by reviews and substantial changes to statutory marketing arrangements at both the Commonwealth and State levels. [[16]](#endnote-14)

In 1991 the Industry Commission stated,

‘It was becoming apparent that large producers were benefitting most from domestic pricing mechanisms and there was recognition that high domestic prices equalised with export returns had led to inefficient production levels and resource use.’ [[17]](#footnote-3)

The extent and number of reviews and reports initiated in the 1980’s is illustrated by the list below:

* a joint South Australian and Victorian review of barley,
* a review of Commonwealth SMAs,
* a Royal Commission into grain storage, handling and transport in 1988,
* a Wool Review Committee in 1991,
* an IAC inquiry into apple and pear SMAs in 1989 -1990, and
* IAC inquiries into the dried vine fruits industry (1989), the wheat industry (1988), the fresh fruit and fruit products industries (1988), the tobacco growing and manufacturing industries (1987) the rice industry (1987), and the dairy (1919) and sugar (1992) industries.

Economic rationalism and deregulation became mainstream Commonwealth government policy with the acceptance of the Hilmer Report on Competition Policy in 1993.

The reality of deregulation hit home to industry and governments in the closing decades of the century. With that reality was an awareness of the need for oversight of quality standards. The means of establishing standards and ensuring they achieved their required purpose was a challenge.

At the national level industry moved toward uniform food laws; integrity and definitional standards were being adopted along with effective food standards. Internet-based information systems were making earlier support mechanisms redundant as producers became more sophisticated in marketing.[[18]](#endnote-15)

In other words, industry and government marketing thought and action had returned to the basics of ‘marketing 101’, viz. agricultural marketing policy requires a standard set of weights and measures, grading systems for agricultural commodities and reliable market information services.

For most of the 20th century Statutory Marketing Authorities and Boards had been providers of these and other functions.

Regarding marketing arrangements from the mid 1980s onward Dr John Radcliffe wrote,

‘Increasingly, agricultural industries were being seen as a complete food and value chain from ‘paddock to plate’ with product opportunities, integrity and traceability along the entire chain.

He continued,

‘By 1986, Australia was moving to a uniform food law. All food imports were to meet Australia’s export standards … in 2010, the Australian Government committed to develop a national food plan to better integrate food policy across the food supply chain to help protect and improve Australia’s food security status, support population health outcomes and maximise food production opportunities’.

In the new century the food industry was adopting integrity and definitional issues common to other industries. [[19]](#endnote-16)

By 2010 marketing arrangements had completed a full circle from laissez faire, free markets in the 19th century to statutory authorities through the 20th century, and back to deregulated markets albeit with the benefit of modern communications including the internet.

Implementation of Competition Policy at State Government level required extensive review of legislation within the PIRSA portfolio.

Unwinding and repeal of market legislation invariably requires extensive industry consultation with the drafting of Green and White papers including evaluation of options and alternatives.

In the period 1990 to 2010 legislative reviews were completed in a timely manner according to the requirements of Competition Policy. There was pressure to comply because Competition Payments from the Commonwealth were contingent upon reviews being approved and findings being implemented.

The National Competition Council conducted multi-jurisdictional assessments of competition progress in the 1990’s. These assessments formed the basis of decisions by the Commonwealth Government to make Competition Payments to the States and Territories.

By early in the 21st century rural statutory marketing arrangements had been dismantled and repealed. [[20]](#endnote-17)

# The Evolution of S A Agricultural Regulation and Legislation

# The General Situation in Agriculture in the 19th Century

At the time of European settlement in South Australia, the agricultural economy was marked by free markets for cereals, livestock and horticultural products. Grain and wool were purchased, handled and exported by private traders which was a risky proposition for growers, as non-payment for delivered grain was a real and ever present problem. Most government involvement in the agriculture addressed production issues, animal and pest plant control and care for the land.

Agriculture was regulated selectively in the 19th century. Along with mining, agriculture proved capable of supporting the fledging colony. It not only earned foreign exchange but was able to feed a growing population.

Free markets for the growing, transport and marketing of rural products in the colony continued until the end of the 19th century and well into the 20th century. A lack of market information and slow communications were constant problems in all aspects of production and marketing. Product grading and regulation of hygiene were rudimentary at best. Due to lack of standards marketing and production were inefficient. There were losses due to non-payment by agents and marketers. The vagaries of seasons made farming a hazardous endeavour.

**Early S A Legislation**

From 1839 until the turn of the 20th century a series of rural Acts were introduced affecting farmer and stockowner agricultural production and management.[[21]](#endnote-18)

Most nineteenth century legislation, with the exception of the *Markets Act 1847, see below,* was associated with care for the land, prevention of the spread of pests, diseases, weeds and for livestock management.[[22]](#endnote-19)

Much government legislative effort focussed on the control of pest animals and weeds. This was because the impact on farming enterprises from pest animals and weeds was huge; dingoes ravaged livestock, foxes devastated lambs and poultry, a plague of rabbits swept the country destroying vegetation and crops, there was bird damage to fruit and vegetable crops, numerous weeds reduced crop yields and contaminated seed, fodder and wool.

Government intervention to support primary production in pest animal and weed control was a highlight of this period. There were 26 Acts or Amendment Acts passed by Parliament specifically aimed at pest animal control, with another 12 Acts or Amendment Acts that contained provisions that also related to pest animal control. For weed control during the same period, there were two Acts passed by Parliament. Other proposals for pest plant and animal controls were not supported.

Early rural Acts include;

* the *Prevention of Scab in Sheep and Lambs Act 1840* for the control of stock diseases, the *Slaughter Houses Act 1840* to regulate the slaughtering and prevent the stealing of cattle,
* the *Bread Act 1845* to regulate the sale of bread,
* the *Markets Act 1847* to establish and regulate of markets for the sale of cattle, corn, butchers meat, poultry, eggs, fresh butter, vegetables or other provisions,
* the *Scotch Thistle Act 1851* which was the first Act of its type in the world for preventing the further spread of the scotch thistle. The second reading states, ‘Whereas great injury and loss have been and are occasioned to the cultivated and waste lands of this Province by the spread of the plants known as the Scotch Thistle, it is desirable that measures be taken to prevent their further diffusion. No such measures can be effectual unless some provision is made for securing its destruction upon private property’.
* the *Vines Act 1857- 8* was to encourage the culture of the vine in South Australia by permitting distillation of the fermented juice of the grape,
* *The Rabbit Destruction Act 1875* was to provide for the suppression of the rabbit nuisance was the first Act of its type in the world,
* the *Ostrich Farming Act 1882* was to encourage ostrich farming,
* the *Thistle and Burr Act 1862* was for weed control,
* *the Noxious Weeds Destruction Act 1891,*
* the *Vines Protection Act 1874* provided for a ban on importing vines or parts thereof from interstate or overseas and the addition in 1878 of powers to appoint inspectors to enforce it,
* the *Vermin Destruction Act 1882 and*
* the *Agricultural Holdings Act 1891* was to enable and encourage freeholding of land in preference to leasehold as it was observed that leases led to exploiting the land whereas freehold land was conserved.[[23]](#endnote-20)

Despite the seriousness of the problems posed by pest plants and animals and willingness to grapple with these problems, administrative difficulties, communication issues and lack of knowledge about the pests and relevant control measures hampered the control measures of farmers and government.

**Rail Transport**

In the 19th century there was a concerted government effort to expand the railway throughout inland areas of the State so that farmers did not have to transport grain by road more than fifteen miles. The issue of rail transport is an early example of the contested role of government in a free market. Economists Ergas and Pincus wrote, ‘The history of rail in the 19th century shows considerable vacillation between government and private roles … some explanation is needed as to why the public ownership model 'stuck' and spread in the Australian colonies’.[[24]](#endnote-21) Although requiring large initial public outlays, rail transport for grain and stock was very beneficial for farmers.

**Exports and Government Intervention**

Export arrangements in the late 19th century were facilitated with establishment of the S A Government Produce Department (GPD).Its operations continued through most of the 20th century. The Department was established in the 1890s to negotiate lower freight rates, quality certification and achieve economies of larger scale marketing operations including frozen meat.

By 1896 it had boosted the butter trade and started new exports including eggs, fresh fruit, honey, bees wax, almonds, and frozen meat and it had established the Port Adelaide Freezing Works. Soon after an export slaughter works was established on the site.

GPD activity in 1910 included export of lamb carcasses from an Export Lamb Competition arranged by the South Australian Branch of the Society of Breeders of British Sheep to butchers in Portsmouth, England.

The GPD later had a range of other functions including purchasing meat for other government institutions including gaols and hospitals.

From the time the Commonwealth took over responsibilities for oversight of Australian export trade in the early 1900s, the GPD acted as its agent for the inspection of grain and flour exports from State ports.

During WW2 the GDP exercised Commonwealth Government control over the marketing of meat and a range of other produce. Following the War it reverted to the role of supplier of produce to government institutions and it ceased to exist in October 1975.[[25]](#endnote-22).

**20th Century Marketing Legislation**

After Federation in 1901 legislation associated with the quality control, processing and marketing of farm produce began to appear on the statute books when most rural regulatory activity in South Australia was administered by the S.A. Department of Lands.

The *Abattoirs Act 1911* marked the introduction of early regulation of livestock slaughter and processing. In the Legislative Assembly the Chief Secretary said,

‘The Bill provided for the establishment and control of abattoirs at places outside the metropolitan abattoirs area’ He continued, ‘it might, be observed that there was one important exemption not found in the *Metropolitan Act* namely, the exemption of slaughtering of healthy stock for family use provided a proper record was kept’. [[26]](#endnote-23)

The purposes of these slaughtering requirements were to protect health by attempting to improve meat hygiene in rural areas. As expressed here the legislation is silent about how the Act would be enforced or whether there were marketing implications and it does not stipulate any conditions of slaughter or premises requirements.

From 1915 marketing legislation was increasingly introduced under Department of Agriculture administration.

In 1934 the Metropolitan Export Abattoirs Board was established to control all meat processing. This resulted in significant expansion of slaughtering and freezing capacity at Gepps Cross.

WW1 and WW2 had a significant impact on agricultural production, trade and soon after the Wars on rural marketing arrangements.

Establishment of Soldier Settlement Schemes and increased production associated with the Schemes added impetus to calls for new and stronger marketing regulation.

The Wars were also a major driver of increased market legislation in the 20th century.

At the outbreak of the Great War, WW1 1914 to 1918, demand for food and fibre increased and hence the importance of agriculture. In 1914 wool was an essential product, and wheat and horticultural produce were vital national exports.

Canned foods, dried fruits, dairy and egg products were staple foods for the troops of WW1. Demand for wool for uniforms and food for Britain and its allies continued throughout the War.

From the end of WW1 and up to 1925 agricultural commodity prices remained high. Export demand was coming mainly from post-war Britain.

# Output from newly established soldier settler farms increased agricultural production and as production grew rapidly, surpluses which had to be exported were becoming a problem for growers and industry. [[27]](#endnote-24)

**Impacts of Manufacturing**

From 1921 to 1924, minimum wages rose by 35 percent, with flow on effects to farmer’s cost of production.

At the same time, pressure to protect manufacturing industry, which had expanded during the war, saw the introduction of the *Customs Tariffs Act 1921* which increased the average duty by nearly 10 percent.

This provoked demands from farmers to be protected through compulsory marketing schemes and other forms of ‘all round’ protection. [[28]](#endnote-25)

Rural export prices peaked in 1926 – 27 and began a steady decline leading into the depression years 1929 to 1932.

**Marketing Arrangements**

Pressure for the regulation of marketing of individual industries did not emerge until early in the 20th century. When it began to materialise, a receptive political climate assisted the introduction of market legislation. Farmers had political clout beyond their numbers which made possible the introduction and enactment of comprehensive agricultural legislation.

To stabilise incomes and to support grower’s returns in the 1920s, statutory marketing structures were instituted. Legislated arrangements became a marketing feature for many agricultural products. It became mandatory for the marketing of sugar, barley, wheat and rice to be undertaken by ‘statutory marketing authorities’.[[29]](#endnote-26)

Marketing arrangements for dried fruit, dairy, wheat and barley had their origins at this time as did coarse grain co-ops in Queensland and a rice co-op in NSW.[[30]](#endnote-27)

Also in the post-WW1 period, as a solution to marketing problems, co-operatives were promoted as an alternative means of increasing grower returns. The marketing role of agricultural co-operatives met with limited success despite becoming institutions when growers pressed for compulsory co-op membership by legislative means.

WW2 (1939 to 1945) was a driver of new Commonwealth Government rural marketing legislation

This legislation profoundly affected the marketing of rural produce using the mechanisms of production controls, price fixing and consumer rationing.

In the War years, Australia’s major agricultural industries exported much of their production and as with WW1, WW2 created increased demand for food and fibre

At the end of the War in 1945, Australian producers sought greater stability from fluctuating overseas prices. It was expected also that prices would collapse as they had following the boom after the WW1. Consequently, producers embraced nationally based statutory price stabilisation and marketing arrangements.

By the end of the War the Commonwealth had established boards with extensive powers including those to acquire and control marketing of wheat, meat, apples, pears, and eggs.[[31]](#endnote-28) Bounties were being paid to manufacturers of butter and cheese, initially as a means of preventing increases in consumer prices.[[32]](#endnote-29)

It is noted that barley was not covered by Commonwealth legislation, only by individual State legislation and complementary Vic-S A legislation. Later, the Australian Barley Board amalgamated with S A Cooperative Bulk Handling which was also a monopoly.

Following WW2 market forces encouraged a trend away from commercial wheat production to a livestock-based industry particularly in southern Australia.

Other factors that reinforced these trends were favourable livestock and wool prices; the availability of annual legumes, notably barrel medic in the marginal areas; and the increased use of superphosphate assisted by the superphosphate subsidy.[[33]](#endnote-30)

The post-WW2 period was a time of intense land development in SA including Soldier Settlement on Kangaroo Island, in the South East and on the River Murray.

Adding to S A production in 1949 the AMP Society launched its land development scheme in the South East of S A known as ‘The 90 mile desert’, a project that was assisted by private developers. The AMP Society was granted leases over 200,000 hectares in South Australia.

Development of the leases was assisted immeasurably by research and trials conducted by officers of the SA Department of Agriculture and CSIRO. These developments also added significantly to wool and meat production in South Australia.[[34]](#endnote-31)

With post- WW2 agricultural production rising and with thriving rural industries the stage was set for decades of regulated agricultural marketing which remained in place until the latter part of the 20th century.

**Soldier Settlement**

The Acts: include the *Discharged Soldiers Settlement Act 1915,* the *Discharged Soldier Settlement Act 1934,* the *(Commonwealth) War Service Land Settlement Agreement Act 1945 and* the *(South Australian) War Service Land Settlement Agreements Act 1945*

Soldier settlement following WW1 and WW2 was a driver of market regulation. This was due to the boom in agricultural production to meet war time demand for primary products.

Soldier settlement, known as the Soldiers Settlement Scheme and administered by the Soldier Settlement Commission, was the settlement of land throughout parts of [Australia](https://en.wikipedia.org/wiki/Australia) by returning discharged soldiers under schemes administered by state governments after WW1and WW2..

Soldier settlement required substantial and significant legislation and regulation.

The South Australian government responded in 1915 with the first of the Acts of Parliament to meet a political need to accommodate returned servicemen and an economic need for increased agricultural production.

[South Australia](https://en.wikipedia.org/wiki/South_Australia) first enacted Soldiers settlement legislation in *The Discharged Soldiers Settlement Act 1915.*

Subsequently the South Australian government introduced the *Discharged Soldier Settlement Act 1934* which consolidated the *Crown Lands act 1929* and the *Irrigation Act 1930.*[[35]](#endnote-32)

In February 1916 similar legislation for returned soldier settlement schemes across Australia gained impetus when a national conference regarding the settlement of returned soldiers was held in [Melbourne](https://en.wikipedia.org/wiki/Melbourne). State governments and the Commonwealth were represented.[[36]](#endnote-33)

Schemes were established under a Commonwealth Act with complementary legislation in each participating State. It was the Australian Government's role to select and acquire land whilst State government authorities processed applications and grant land allotments.[[37]](#endnote-34)

The increased area under crops on soldier settler farms in South Australia resulted in increased agricultural output. There was rapid growth of production of dried fruits from irrigated farms along the Murray; dairy products from newly established dairies in high rainfall areas and wool and grain from mixed farming enterprises.

Much of the increased horticultural output was from crops grown along the Murray at [Waikerie](https://en.wikipedia.org/wiki/Waikerie%2C_South_Australia), [Cadell](https://en.wikipedia.org/wiki/Cadell%2C_South_Australia), [Cobdogla](https://en.wikipedia.org/wiki/Cobdogla%2C_South_Australia), [Berri](https://en.wikipedia.org/wiki/Berri%2C_South_Australia) and [Renmark](https://en.wikipedia.org/wiki/Renmark%2C_South_Australia) and in neighbouring Victoria and NSW.

At the national level increased agricultural output generated demands for orderly marketing of dried fruits and dairy products.

The reasons for failures of WW1 soldier settlers included management inexperience, lack of capital, small farm size and low prices.

Soldier settler schemes succeeded in some areas. [Red Cliffs in Victoria](https://en.wikipedia.org/wiki/Red_Cliffs%2C_Victoria) was very successful.[[38]](#endnote-35)

A Rural Reconstruction Commission in 1943 concluded that unsuitability of settlers for farm ownership was the reason for most failures and the pattern would be repeated unless WW2 settlers were apprised of this and other problems that had beset earlier schemes. The Commission emphasised that farm size, technical and management education and adequate finance were necessary for any new schemes.[[39]](#endnote-36) Settler properties in irrigated areas were established as ‘fruit salad’ blocks which whilst providing diversity of income, complicated management and which was a contributor to grower failure.

*The War Service Land Settlement Agreements Act* *1945* was an act to authorize the implementation by, or on behalf of the Commonwealth, Agreements between the Commonwealth and the States in relation to War Service Land Settlement.

Incorporated in the Act were the findings and recommendations of the 1943 Rural Reconstruction Commission. Under the Act for eligible returned servicemen land settlement was carried out in accordance with the following principles:[[40]](#endnote-37)

* ‘Settlement shall be undertaken only where economic prospects for the production concerned are reasonably sound, and the number of eligible persons to be settled shall be determined primarily by opportunities for settlement and not by the number of applicants.
* ‘Applicants shall not be selected as settlers unless a competent authority is satisfied as to their eligibility, suitability and qualifications for settlement under the scheme and their experience of farm work.
* ‘Holdings shall be sufficient in size to enable settlers to operate efficiently and to earn a reasonable labour income.
* ‘An eligible person deemed suitable for settlement shall not be precluded from settlement by reason only of lack of capital, but a settler will be expected to invest in the holding such proportion of his own financial or other resources as is considered reasonable in the circumstances by the appropriate State authority.
* ‘Adequate guidance and technical advice shall be made available to settlers through agricultural extension services’.

## The *(South Australian) War Service Land Settlement Agreements Act 1945* was repealed by the [*Crown Land Management Act 2009*](https://www.legislation.sa.gov.au/LZ/C/A/Crown%20Land%20Management%20Act%202009.aspx)

Far more attention was paid to the suitability of applicants for WW2 Soldier Settlement Schemes including relevant experience, training, practical and technical knowledge.

Even so some settlers did not succeed and being under close supervision many leases were cancelled.[[41]](#endnote-38)

Apart from the personal fortunes of individual settlers, as with WW1 settlement schemes, increased agricultural output following the War presented marketing problems and hastened the introduction of new marketing legislation and the strengthening of that already in existence.

**Agricultural Co-operatives**

The Acts: the *Industrial and Provident Societies Act 1923 and* the *Co-operatives Act 1983.*

Agricultural Co-operatives have played a significant role in the handling, transport and marketing of S A rural products. Many still do but others were unable to meet the challenges of the second half of the 20th century. Some were taken over, merged with other entities or demutualised, moving to conventional company structures. [[42]](#endnote-39)

Since the 1920s many rural co-operatives have operated in Australia. They have varied in size, type and function and carried out production, marketing, input purchase and sale activities.

Dominant rural co-operatives in South Australia were the Barossa Co-op Winery, Berri Co-p Winery, Loxton Co-op Winery, Renmano Winery, Riverland Fruit Products Co-op Ltd and Dairy Vale. [[43]](#endnote-40) Other co-operatives throughout the State included apple co-ops in the Hills (Lenswood Co-op), dairy co-ops (originally AMSCOL and SA Farmers Union), the Seed Growers Co-operative and a number of dried fruit co-operatives.

The influence of the United States Co-op Movement on the Australian experience began with publicity that Sapiro and Nourse generated. They were influential American co-operative thinkers and promoters who were active in the 1920s.

Professor of Agricultural Economics JN Lewis wrote,

‘Sapiro was aiming quite openly at producer monopolies. He said industrial firms used monopoly powers to control supply for higher prices. Agriculture should do likewise’.[[44]](#endnote-41)

In the USA in the 1920s there was widespread promotion and adoption of cooperative marketing with co-operatives as a business model to meet farmer needs. But co-ops met with mixed success and many failed while the cooperative principle lingered on.[[45]](#endnote-42)

Sapiro’s influence spread to Australia including his marketing terminology such as ‘orderly marketing’ which became the catchcry of Australian primary producers during the 1920s and 1930s.

From their origins in the 1920s rural co-operatives were always held to have the potential to play a major role in the marketing of agricultural produce and they were mooted as serious alternatives to statutory marketing authorities but without legislative enforcement their overall role eventually declined.

South Australian Co-operatives are registered under the *Co-operatives Act 1983* which provides for registration of co-ops, operation, board membership and accounting rules. This Act repealed the *Industrial and Provident Societies Act 1923* and deemed all previously registered societies to be registered under the new Act.

The 1983 Act followed a 1980 SA Government Working Party on legislation and policy affecting co-operatives in South Australia. Many of the recommendations of this Working Party were embodied in the new Act.[[46]](#endnote-43)

In 1988 the Australian Agricultural Council (AAC) commissioned a Working Party Report on Agricultural Co-operatives in Australia. The Working Party made twelve recommendations for co-operatives to enable them to reach their potential. These ranged from financing, to co-op legislative and taxation reform.[[47]](#endnote-44)

The 1988 Report took a favourable view of the potential of co-operatives. It saw in some circumstances that co-operative structured entities were a viable alternative to Statutory Marketing Authorities.

The Working Party Report identified many impediments to the successful operation of co-operatives viz. individualism over co-operative action; lack of producer commitment; weaknesses in management with regard to directors, marketing, the manager per se and financial management; negative attitudes to growth and the approach of members to control; lack of communication and financial problems.[[48]](#endnote-45)

Under the heading Structural Problems, apart from management interference by producer directors, the Report goes to the heart of co-op problems in stating,

‘... co-operatives and marketing boards generally take delivery of and market all of particular products that is produced … when there is a downturn for a product the non-co-operative firm will buy less and supply selected profitable markets whereas co-operative’s responses to market downturns is not acceptable … often they have to accept product from producers and obtain the best return possible’. [[49]](#endnote-46)

A major structural problem identified with grower boards and co-ops is that conflict of interest arises for their directors. They become captured by the organisation and are torn between its interests and that of the growers who elected them and who they represent.

As a result of Ministerial deliberations at the Australian Agricultural Council following the Report, significant legislative changes were made. For example Attorneys-General moved towards unifying state cooperatives legislation. But market forces prevailed in the following years, leading many existing cooperatives to demutualise. They moved to conventional company structures which facilitated subsequent mergers and acquisitions.[[50]](#endnote-47) An example of this is the demutualisation of wine industry co-ops in the 1990s.

For decades co-ops had played a significant role as processors, suppliers and marketers of wine and fruit especially in the Barossa, the Riverland and McLaren Vale.

The Riverland Fruit Products Co-operative cannery was located in Berri (see details of Canning Industry legislation below). From the 1960s the Southern Vales Co-operative Winery (The Vales) was located in McLaren Vale.

A downturn in the wine and grape industry in the 1970s and 1980s was caused by a lack of demand for wine and a decline of the spirits and bulk wine sectors. There was a slump in demand for non-preferred varieties and low quality fruit, in particular, a lack of demand for low quality fruit. For example varieties such as Grenache, Muscat Gordo Blanco and Pedro-Ximines were almost unsaleable.

When grape surpluses were near their peak in 1985, against the advice of the S A Department of Agriculture, a Commonwealth funded Vine Pull Scheme was implemented.

Growers throughout South Australia enthusiastically and indiscriminately embraced the offer of vine pull compensation for removal of unwanted vines.

This downturn combined with co-op management difficulties, including co-op grower members conflict of interest, were contributing factors to co-operative wineries non-viability.

Riverland co-operative wineries were located in Loxton, Berri and Renmark. The two largest, Berri and Renmano, merged in 1981. The Berri Renmano Co-operative Winery was corporatized in 1992 when it was recognised that company structures were better suited to processing and marketing of wine in a new and prosperous era for the wine industry. [[51]](#endnote-48)

The Loxton Co-op Winery and the Barossa Valley Co-op Winery (Kaiser Stuhl) were bought by Penfolds in the 1980’s.[[52]](#endnote-49)

For many years grapes had been in oversupply and, rather than being viable processors and marketers of grapes, winery co-ops became grape receivers of last resort and convenience. It is noted that the managers of these co-ops were in no doubt about the need to control stocks of wine in a time of wine grape surpluses and the necessity for growers to supply only desired varieties.

Officers of the SA Department of Agriculture worked closely with winery management during the wine industry downturn in in the 1970s and 1980s. Using computer modelling the viability of redeveloping vineyards was demonstrated in close cooperation with Co-op winery management and growers. The vineyard redevelopment proposed included adoption of improved irrigation practices and replanting to desired varieties with the facility to mechanically prune and harvest. The strategies proposed and adopted at the time laid the basis of ongoing viability of adopters.

## Section B. Industry Marketing Legislation

## Market Legislation from the 1920s

Dried Fruits

The Acts:

South Australia:the *Dried Fruits Act 1924,* the *Dried Fruits Act* *(Continuance) Act* 1927, the *Dried Fruits Act 1929, the Dried Fruits Act 1934,* the *Dried Fruits Act 1993,* the *Dried Fruits Act Amendment Act 1925,* the *Dried Fruits Act Amendment Act 1927,* the *Dried Fruits Act Amendment Act 1938,* the *Dried Fruits Act Amendment Act 1941,* the *Dried Fruits Repeal Act 2003*.

Commonwealth:the *Dried Vine Fruits Stabilization Act 1964,* the *Dried Fruits Act Amendment Act 1966*, the *Dried Fruits Act Amendment Act 1972*, the *Dried Fruits Research Act 1971,* the *Dried Fruits Levy Act 1971,* the *Dried Fruits Act Amendment Act 1980*, the *Dried Fruits Act Amendment Act 1982*.

South Australian and Commonwealth dried fruits legislation dominated the structure, operation and marketing of the State’s dried fruit industries from 1924 until the repeal of the SA dried fruits legislation in 2003.

Organised marketing, initiated and implemented by the ADFA, was initially unilateral and without legislative backing until conditions in the industry were such that eventually they needed statutory powers to enforce their practices.

By 1923, there was significant over supply of dried fruits, reducing prices to very low levels. Prior to the War the Australian Dried Fruits Association, (ADFA), had maintained higher domestic prices than export or import prices by refusing to supply wholesalers who would not sell on its terms.

At that time around three-quarters of the domestic crop was sold locally. But by 1924, with increased production, the proportion of domestic and exports sales had reversed and world prices dropped sharply. The ADFA was no longer able to extract domestic price premiums without statutory backing.[[53]](#endnote-50)

The Commonwealth Government and State Governments responded by enacting legislation to regulate production and export of dried fruit.

Powers of the State Dried Fruits Boards included compulsory quotas for domestic sales which were enforced by threat of confiscation of fruit for non-compliance. The Commonwealth also established a dried fruits export control board and legislated to prevent unregulated interstate sales which was subsequently judged unconstitutional (being contrary to Section 92 of the Constitution of Australia, which states ..: trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free).

The South Australian Parliament passed the S A *Dried Fruits Act 1924* which established the S A Dried Fruits Board in 1925. Similar dried fruit legislation and boards were established in Victoria in 1925, in New South Wales in 1927 and in Western Australia in 1926. In 1924 Commonwealth legislation was put in place to provide greater market stability and collect levies. However this only applied to dried vine fruit (currant, sultana, and lexias).[[54]](#endnote-51)

The expansion of fruit production to meet military requirements during WW1 and with the establishment of numerous Soldier Settlement Schemes in the South Australian, Victorian and New South Wales River Murray irrigation districts after WW1 resulted in a dramatic expansion of dried stone and vine fruit production.

The Australian Dried Fruits Association (ADFA) was the instigator and was dried fruits was the first industry to establish legislated marketing arrangements including features including domestic market product restriction, equalisation of returns and application of compulsory levies.

The origin of the first organised marketing scheme is recounted in a biography of the dried fruits industry by Mildura grower and industry leader Dick Johnstone. [[55]](#endnote-52)

He describes the difficulties of achieving reasonable prices in export markets when faced with world-wide surpluses of dried fruits and quotes from the 1936 Dried Fruits News,

‘Organised marketing is the axiom of today and to be successful it must be supported by organised production, an integral part of which is the avoidance of large surpluses at unpayable prices’.[[56]](#endnote-53)

At this time comprehensive Dried Fruits legislation had already been enacted.

Equalisation as applied to the dried fruits industry is

‘… equitably sharing differing dried fruit revenues from diversely valued markets …it endured as the cornerstone of ADFA’s commitment to its grower members until the 1990s … in effect, selling agents adjusted their net revenues from dried fruit sales to deliver uniformity of their returns to packers for each tonne sold whether it be exported or sold domestically … Termed “equalisation” and enshrined within ADFA’s rules, the establishment of Commonwealth and State Dried Fruit Boards in the 1920s demonstrated the belief by governments in fair sharing of market proceeds’. [[57]](#endnote-54)

Essentially, the key element of dried fruit marketing arrangements was price discrimination between markets and an equalization scheme where the prices for export were subsidized by the domestic price. Price discrimination is a strategy that charges buyers different prices for the same product. The seller separates customers into groups and charges each group a different price.

In time, despite the apparent strength of the industry’s marketing legislation, the demise of the dried fruits industry by the 1980s was due at least in part to these arrangements.

Price setting, and the signals they conveyed to growers under equalisation were not clear. As well there was pressure from several directions for the industry to grow and equalisation of returns from export and domestic markets added to oversupply. Lack of innovation and eventual non-competitiveness was also attributed to these dried fruits marketing arrangements.

In the Legislative Assembly in September 1938, the Hon. T. Playford (Member for Gumeracha, Commissioner of Crown Lands) addressed the means by which the Dried Fruits Board would deal with difficulties in the administration of the *S A Dried Fruits Act* which were created by the decision of the Privy Council in the famous case of James versus the Commonwealth. In James v. South Australia (1927) the High Court of Australia held that the State Act empowering the South Australian Dried Fruits Board to control sales beyond the State was an infringement of S 92 of the Constitution. After appeals to the High Court and to the Privy Council, James’ case was upheld.

Thomas Playford said,

‘With AAC guidance it had been decided in essence that holders of important posts of control in the dried fruits industry will only be persons, dealers and owners of packing houses who were willing to co-operate with the Board in carrying out the scheme of control. Uniformity is being sought by almost any means. The assets of one or two persons who were known to be opposed to the control were purchased at considerable expense, so that persons in the industry were almost entirely supporters of the scheme’.[[58]](#endnote-55)

Clearly, just prior to WW2, the dried fruits industry was determined to make its marketing scheme work despite Constitutional impediments.

Later, in 1956, the efforts of the industry to secure a floor price, as a part of a stabilisation scheme, are described by Dick Johnstone,

‘On 21st February 1956, the ADFA Board presented to Government what it believed at the time to be its best workable plan for stabilisation … the proposal requested the establishment of a guaranteed floor price to growers ….[[59]](#endnote-56)

The proposal was rejected by the Government but in 1957 a compromise offer was made by the Government. That offer required the approval of growers which was not forthcoming.[[60]](#endnote-57)

Negotiations with the Government did not make progress until 1963 when, in the words of Dick Johnstone,

‘With powerful grower support, legislation was introduced into Parliament to implement the plan embodying the following:

* the Industry was to be guaranteed an average return from seasonal sales from each of currants, sultanas and raisins at levels equal to £5 below the average cost of production for each variety.
* The quantities were to be guaranteed each season to be up to 13,500 tons of currants, 75,000 tons of sultanas and 11,000 tons of raisins received for packing. Growers were to contribute to separate varietal Stabilisation funds when the average return to the industry from seasonal sales of a variety exceed cost of production by more than £5 per ton, with a limit on such contributions of £10 per ton.
* Growers were not to be required to make a contribution to a Stabilisation Fund in any season when the quantity received for packing does not reach 8,000 tons in the case of currants, 50,000 tons of sultanas or 6,000 tons of raisins.
* Contributions were to be made by the Commonwealth to raise average returns to the guaranteed price, when there are insufficient moneys in a Stabilisation Fund for this purpose.
* Limits were to be set on the amounts to accumulate in each Stabilisation Fund, namely £500,000 in the case of both currant and raisin Stabilisation Funds, and £2,000,000 in the case of the sultana Stabilisation Fund.
* Where these limits were exceeded during the operation of the plan, the excess to be distributed firstly to reimburse the Government for any contribution it has previously made to a fund, and any balance to be paid to growers on a first-in first-out basis.
* At the end of the fifth year of the plan, the Government was to be reimbursed from any credit balance in a fund for any outstanding contribution previously made to that fund, and in the event of a Stabilisation Scheme not being renewed, any balance to be returned to growers on a ‘first-in first-out basis’.[[61]](#endnote-58)

This was the basis of the establishment of the Commonwealth *Dried Vine Fruits Stabilization Act* 1964. Johnstone’s first-hand account of the establishment of this piece of legislation clearly illustrates the energy that the Industry put into their marketing effort and the amount of time the ADFA put into arguing and lobbying for price stabilisation.

It is surprising that this legislation came into being given the circumstances of the time. Politics and economics had to align. Johnstone’s account of its development illustrates that legislation such as this does not ‘come out of the blue’; it is developed by close industry and government consultation.

The scheme covered seasons 1964 to 1968 inclusive during which time growers made contributions into the fund, the government contributed in the final two years and there was a credit balance at the end of the scheme.

There was a cessation of the scheme in 1969-1970 until new stabilisation plan covering the years 1971 to 1975 was introduced. The 1971- 75 plans were extended to cover the 1976 crop.

The 1974 Industries Assistance Commission Dried Vine Fruit Inquirywas a defining event for the dried fruits industry. Inquiry commissioners Boyer and Mauldon concluded that Inquiry writing,

‘The disadvantages of the equalisation system have led the Commission to recommend the introduction of a two pool entitlement (two pool quota) scheme for the marketing of dvf. Under this arrangement, the market would be separated into a domestic and an export segment. Producers would be· allocated entitlements to share in the higher priced domestic market and would be paid for their other production the average of what was received on export markets. Such a scheme would involve no restriction on output, but additional output would receive the export price, not an equalised price’.[[62]](#endnote-59)

Also in 1974, introduction of the *Trade Practices Act 1974* presented a problem for the DVF and for the citrus industry. However both industries sought and were granted exemptions to practice anti-competitive action in various forms, including domestic price setting, minimum pricing and equalisation in the case of dried fruits.[[63]](#endnote-60)

DVF industry arrangements were not operative in 1977 but a sultanas-only scheme operated for the years 1978 to 1980 inclusive.[[64]](#endnote-61) Stabilisation was replaced by underwriting in the 1980’s which extended through to 1993.

The winding down of equalisation arrangements are put this way by Dick Johnstone, ‘Within the political world, the passion for de-regulation of primary industries continued to gain momentum. The final voluntary equalisations conducted within the terms of the industry agreement were for season 1992 sultanas and raisins and for 1993 currants’. [[65]](#endnote-62)

Regarding the cessation of stabilisation plans Johnstone writes,

‘When the term of the underwriting agreement matured in 1993, no further Government support was forthcoming. … As part of commitments made in the Uruguay round of trade negotiations, the Government promised to cease its underwriting of the sultana price … the Dried Fruits Industry had taken one more step into the new world’.[[66]](#endnote-63)

Certain Commonwealth legislation relating to marketing in the 1970s, running parallel with Industry stabilisation plans, included the *Dried Fruits Research Act 1971* and the *Dried Fruits Levy Act 1971*.

This legislation enabled the collection of levies from industry and provided for matching Commonwealth funds for research and development activities. Funds were administered by the Dried Fruits Research Committee. The *Dried Fruits Research Act 1971* was repealed in October 1985.

New Commonwealth legislation was established for levy collection and managing research and development. This included the following Acts and organisations: The Horticulture Research & Development Corporation (*Horticulture Research and Development Act 1987*), Horticulture Australia Limited (*Horticulture Marketing and Research and Development Act 2000*).[[67]](#endnote-64)

Along with reviews of other industries, from 1999 to 2001, the *S A Dried Fruits Act* was scrutinised for anticompetitive elements. Following the review, steps were taken for its repeal which culminated with enactment of *The Dried Fruits Repeal Act 2003*.

When regulatory control of marketing had ceased in the early 2000s, and processor companies had merged, single desk marketing of dried fruit was effectively re-established.[[68]](#endnote-65) The only competition was from imports.

With the purchase of Angas Park and Sunbeam brands by Mildura Co-op they were merged into the dried fruit division and became a subsidiary company called Sunbeam Foods. It was the single desk processor marketer. Soon after, Sunbeam Foods was sold and became a private equity company.[[69]](#endnote-66)

The Dried Vine Fruits industry was able to introduce and maintain legislated marketing arrangements for many decades. In doing so it achieved a measure of price stability and support but at the cost of exacerbating over production, a problem it sought to solve. It is an example of a once powerful industry whose strength and resilience was in the end unable to contend with deregulation and free market policies which were personified in IAC and other reports in the 1980s and 1990s

## Canned Fruit

## The Acts:

## South Australia: the *Canned Fruit Bounty Act 1*924, the *Canned Fruits Export Control Act 1926,* the *Canned Fruits Export Control Act 1926*, the *Canned Fruits Export Charges Act 1926.*

## *Commonwealth:* the *South Australia Grant (Fruit Canneries) Act 1971 and* the *Canned Fruits Marketing Act 1979.*

The course of the Australian canned fruit industry was influenced by a wide range of legislation relating to export and marketing of canned fruit. Through the 20th century an array of assistance measures including subsidies and tariffs on imported canned fruit were operative. Levy collection for research and marketing and establishment of various organisations were associated with the industry.[[70]](#endnote-67)

Early in the century subsidies to fruit canners and peach apricot, pear, pineapple growers were provided under the *Canned Fruit Bounty Act 1*924.

The *Canned Fruits Export Control Act 1926* established the Canned Fruit Control Board which licensed exporters and coordinated the transport and sale of canned fruit.

The Canned Fruits Board operated under the *Canned Fruits Export Control Act 1926-1938*.

The 1948 Annual Report of the Australian Canned Fruits Board indicated that marketing arrangements for that year were put in place in consultation with the Australian Canners Association.

The Report indicated that,

‘ … because of inexperience, expediency, or lack of facilities, a number of processors packed little or no fruit to grade standards suitable for export trade, consequently they were unable to contribute to the industry policy of moving a sizeable percentage of the pack to overseas markets and keeping supplies for Australian domestic trade within reasonable limits’.

The Report continued,

‘… satisfactory arrangements have been made for the disposal of this season's pack, including the sale of substantial quantities to the British Ministry of Food’.

It is evident that for many years a major issue was over production and there was an ongoing requirement to preserve fruit by canning along with the necessity to export. To enable this, subsidies were needed and for many years were forthcoming for infrastructure, fruit, sugar, cans and operating costs.

Under the *Canned Fruits Export Control Act 1926-1938*, the 1959-60 Annual Report of the Australian Canned Fruits Board, stated, regarding the export levy,

‘The Board derives its revenue almost entirely from a levy on exports of canned fruits, which is imposed under the *Canned Fruits Export Charges Act 1926-1952*.’

The 1959-60 Report continued,

‘… South Australian production was sub-normal, being the lightest pack in this State since 1948. Crops were reported to have been average to good, but for economic reasons several canneries restricted their intake of fruit. … another factor contributing to the small pack was the diversion of fruit into drying’.

The latter point makes reference to dual purpose varieties mainly apricots, but also peaches and pears. With fruit being directed to either drying or canning, depending on price and seasonal conditions, the difficulty of operating a manufacturing plant such as a cannery can be appreciated.

Under marketing, the 1959-60 Report continued,

‘ … since the establishment of the Board in 1925, there has been a six-fold increase In production of canned fruits, and a twelve-fold increase in export trade. Although the requirements for Australian domestic trade have widened with growth of population and full availability of supplies at reasonable prices to consumers, the continuous upward trend in production has resulted in a steady increase in the volume of stocks surplus to the needs of the local market. For a lengthy period, exports have exceeded fifty percent of production and more recently this percentage has increased’

The Report continued,

 ‘When re-planted and new orchard areas devoted principally to growing of canning peaches come into bearing in the near future, this export percentage must further advance, consistent with the additional tonnage of fruit taken up by processors … it is pertinent to mention that domestic market prices have been steadily falling over the past three years, despite rising production costs … undoubtedly it is this knowledge of advancing global production of canned deciduous fruit, and the effect on price of unloading expanded surpluses on overseas markets, that is provoking the close attention currently being given to the introduction of a planned approach to industry stabilisation’.

The 1959-60 Report continued,

‘Representations on the subject have been made to the Minister by appropriate organizations of both growers and canners. The Board commends and supports in principle the introduction of a Stabilisation Plan, provided it is sound in structure, is generally acceptable to the industry and on implementation can justify Its existence by improving the stability and economy of the industry’.

From the tone of this 1959-60 Report it is apparent that the industry had been under pressure over a long period due to costs, lack of profitability and competition in export markets. With this pressure it is not surprising that the industry was seeking a solution in ‘price stabilisation’, a well-established marketing arrangement in other industries. It is also apparent that the canning fruit industry did not have the unity or organisational strength of the dried fruit industry for it to successfully lobby for a stabilisation plan.

Sugar concessional rebates were provided for canners to foster growth of the Australian sugar industry. To be eligible for these concessions, canners had to purchase fruit from growers at not less than minimum prices. In 1958 this effectively reduced sugar costs from approximately $171/t to $128/t.

Concessions were also provided for purchase of cans to promote Australian production of tin plated steel.

From time to time special grants and loans were provided to South Australian canneries by the Commonwealth. These grants were facilitated by special state legislation (eg *South Australia Grant (Fruit Canneries) No 127 of 1971* which provided grants to Jon Preserving Co-op Ltd and Riverland Fruit Products Co-op Ltd).

Marketing legislation was upgraded with the introduction of the Commonwealth *Canned Fruit Marketing Act 1979* enabling the formation of the Australian Canned Fruits Corporation and of the Australian Canned Fruits advisory Committee. This legislation enabled:

* Purchase or acquisition of canned fruits.
* Sale and disposal of canned fruits using a network of agents nationally and internationally.
* Management of handling, storage, protection (insurance), transfer, shipment and sale of canned fruits.
* Promotion of the sale and consumption of canned fruits in Australia and overseas.

The Australian Canned Fruits Corporation established minimum prices and quotas for canned fruits and operated equalisation pools for determining payments including advance payments to canners.

Tariffs on imported canned fruits were abolished following the Inquiry on Fruit and Fruit Products conducted by the Industries Assistance Commission in 1986.

The *Canned Fruit Marketing Act* *1979* ceased operation in December 1988.

Following the UK joining the European Union in 1973, sales of canned fruit to the UK declined and caused significant downsizing of the Australian fruit canning industry.

Changing domestic consumer preferences also contributed to decline of canned fruit sales in the 1970s and 1980s. Improved storage for new fresh stone fruit varieties and withdrawal of tariff and other assistance to the industry contributed to the decline of the canning industry.

During the early 2000s, after closure of the Riverland Fruit Products cannery at Berri, Riverland canning peach growers sold fruit to SPC Ardmona at Shepparton.

However the cost of road transport and production in the Shepparton district put Riverland growers at a disadvantage. With this, production of canned peaches virtually ceased in South Australia.

Dairy

The Acts:

the *Dairy Industry Act 1928,* the *Dairy Produce Act 1934,* the *Dairy Produce Act Amendment Act 1935,* the *Dairy Produce Act Amendment Act 1935,* the *Dairy Produce Act Amendment Act 1937,* the *Dairy Industry Act Amendment Act 1937,* the *Dairy Produce Act Amendment Act 1938,* the *Dairy Industry Act Amendment Act 1942,* the *Dairy Product Act Amendment Act 1944,* the *Dairy Product Act Amendment Act 1946,* the *Dairy Industry Act Amendment Act 1957,* the *Dairy Industry Act Amendment Act 1958,* the *Dairy Industry Act Amendment Act 1969,* the *Dairy Industry Act Amendment Act 1972,* the *Dairy Produce Act Amendment Act 1974,* the *Dairy Industry Assistance (Special Provisions) Act 1978,* the *Dairy Industry Act Amendment Act 1982,* the *Dairy Industry Act Amendment Act 1986,* the *Dairy Industry Act 1992,* the *Dairy Industry (Equalisation Schemes) Amendment Act 1995,* the *Dairy Product Act Amendment Act 1940,* the *Dairy Industry (Deregulation of Prices) Amendment Act 2000* and the *Dairy Industry Act Amendment Act 2004.*

From Federation dairy producers began receiving Commonwealth Government assistance. For example from 1901, butter producers received protection from imports in the form of a prohibition of imports of margarine and butter substitutes ‘unless coloured and branded as prescribed’.[[71]](#endnote-68)

The Commonwealth began assisting industries other than dairy with the export of dried vine fruit in 1924, canned fruits in 1926 and wine in 1929. The main objective was to encourage and regulate overseas marketing and to maintain minimum product quality standards.[[72]](#endnote-69)

The 1926 Paterson Scheme introduced a Commonwealth home consumption price scheme for butter. The scheme was intended to include cheese but lack of industry cooperation excluded it. The scheme ceased in May 1934, after it was declared invalid by a decision of the High Court. [[73]](#endnote-70) But the Paterson Plan provided a Commonwealth prototype for home consumption price schemes which was later followed by wheat and other commodities in the post‐WW2 period.

An Industry Commission Report on SMA’s in 1991 [[74]](#endnote-71) provides background to South Australian dairy industry legislation as expressed in The *Dairy Industry Act 1928.*

The Report states,

‘In the mid - to late 1920s Commonwealth export control boards were established for dairy products, canned fruits and wine (these were antecedents of later Commonwealth SMA’s). They were designed to complement other features of either State-legislated or voluntary industry ‘orderly marketing’ arrangements … for example, in 1926 the dairy industry adopted a voluntary (i.e. non statutory) plan which imposed a levy on the production of butter to finance an export subsidy. The Commonwealth Government also raised the tariff on butter to ensure that domestic price premiums were not eroded by import competition’.[[75]](#endnote-72)

In the 1920s compulsory arrangements were being accepted as a conventional means of achieving marketing goals albeit with little or only cursory understanding of their implications for industry costs and misuse of scarce water and land resources.

Speaking to the SA *Dairy Industry Bill 1928 in* the Legislative Council the Minister of Agriculture The Hon J Cowan stated,

 ‘… the Act provides in effect that outside the metropolitan area the dairies subject to the Bill are those from which milk is supplied in bulk to a factory or a milk vendor, or the milk from which is used in manufacturing dairy produce … the dairies of small retail vendors throughout the State will remain under the control of the local authorities of health. The Bill will enable the Government to supervise the dairy industry throughout the State … The proposed supervision has three objects—firstly, to safeguard public health; secondly, to improve the quality of dairy produce; and, thirdly, to ensure to the dairymen a proper return for their products. As I mentioned before, a certain amount of supervision of the dairy industry is already being carried out by county boards of health … however, no supervision is exercised over the dairyman who produces milk for manufacture intobutter or cheese. The Bill will be administered by the dairy instruction branch of the SA Department of Agriculture’.[[76]](#endnote-73)

This Act is of interest because its three objectives are clearly stated including ‘ensuring a proper return’. This objective is novel for the time and the expressed objectives of the Act are very general. However there were no specifics about the Act’s measures and exactly how the South Australian Act would achieve ‘the proper return for dairymen’.

The *Dairy Produce Act 1934* provided for the marketing of dairy produce. It established the Dairy Produce Board and from time to time set butter and cheese quotas so as to limit the amount of butter or cheese that manufacturers could place on the local market in an attempt to maintained local prices above export prices.[[77]](#endnote-74)

The South Australian Dairy Produce Equalisation Committee Limited came into existence on 1 March 1935 with SA Department of Agriculture involvement.

Under the *Prices Act 1948,* wholesale, semi wholesale and retail milk prices outside the metropolitan area were set by the Prices Commissioner.[[78]](#endnote-75)

The 1960 Report of the Commonwealth Dairy Committee of Enquiry addressed dairy industry marketing arrangements. The Enquiry recommended:

* that over a 10 year period the form of assistance be moved from a bounty on production and that the Commonwealth abandon the use of ‘costs of production’ as a basis for judging the merits of claims by the dairy industry;
* that the Commonwealth relinquish responsibility for approving of domestic prices for butter and cheese and pass this responsibility to the industry;
* that the Commonwealth support and strengthen the Equalization Plan and if necessary consider taking steps to amend the Constitution for this purpose and
* that the Commonwealth maintain the present tariff on dairy products to enable excess costs of the industry be kept under control by fixing domestic prices.[[79]](#endnote-76)

In a submission to this 1960 Committee of Enquiry, Professors of Economics RI Downing and PH Karmel, recommended that protection given to the dairying industry should be reduced significantly by adjusting the butter home price and imposing an excise on margarine, abolishing the butter subsidy, removing tariffs on dairy products and lifting restrictions on margarine production.

Further, they recommended that price equalization should continue, to maximise revenue, but with the home price set at import parity.[[80]](#endnote-77) Their submission was calling for an end to the heavily regulated dairy market and price discrimination between markets.

A trenchant critic of prevailing dairy arrangements was Professor of Agricultural Economics JN Lewis who wrote regarding existing marketing arrangements,

‘… the basic idea of my submission is the issuing of a quota to each producer entitling him to a share of the home market. Production in excess of these quotas would receive only the export price, rather than an average or equalized price as in the current two-price schemes in Australia …’[[81]](#endnote-78)

Such views were in a decided minority at this time and the Enquiry Commissioners were clearly unreceptive to this view of Lewis and to those being advanced by Karmel and Dowling. These critics of the dairy marketing plan proposed by the Committee of Enquiry were understandably dissatisfied with its recommendations.

Following the 1960 Enquiry there was little change to dairy marketing arrangements for many years. The *Dairy Industry Act Amendment Bill 1969* merely amended minor details of the principal Act including prohibiting ‘manufacturing or selling a colourable imitation of milk’.[[82]](#endnote-79)

The *Dairy Industry Act Amendment Bill 1974* enabled a new dairy product ‘dairy blend’ or dairy spread to be lawfully marketed in SA (see ‘dairy blend’ in following section).

The South Australian Dairy Produce Equalisation Committee was abolished under the *Dairy Industry Act Amendment Act 1982* on 26 March 1987. [[83]](#endnote-80)

The *Dairy Industry Act 1992* repealed the *Metropolitan Milk Supply Act 1946;* the *Dairy Industry Act 1928* and it established the Dairy Authority of South Australia with responsibility for a farm gate equalisation scheme from 1 January 1994.[[84]](#endnote-81)

On 1 July 2000 the industry was deregulated at the national level with consequent deregulation occurring in each State at the same time, along with repeal of farm gate milk pricing and equalisation legislation. [[85]](#endnote-82)

As with other industries whose proponents had been successful in achieving legislated orderly marketing schemes for their industries, misallocation of resources and inflated consumer costs were the reason for academic’s objections to domestic price/equalisation marketing schemes. These voices emerged in the 1950’s and 1960’s but it was over 40 years before their voices and deregulated markets prevailed.

**Marketing Legislation from the 1930s**

Margarine

The Acts:

The *Margarine Act 1934,* the *Margarine Act 1939,* the *Margarine Act 1939,* the *Margarine Act Amendment Act 1940,* the *Margarine Act Amendment Act 1941,* the *Margarine Act Amendment Act 1948 Margarine Act Amendment Act 1952 Margarine Act Amendment Act 1956,* the *Margarine Act Amendment Act 1973,* the *Margarine Act Amendment Act 1974,* the *Margarine Act Amendment Act 1974* and the *Margarine Act Amendment Act 1975.*

As early as the 1890s, State parliaments had sought to prevent margarine being passed off as butter.

The *Margarine Act 1939* was tough legislation containing elements of strong regulation and enforcement provisions. It stands out as a piece of heavy handed legislation. In the face of heavy regulation and consequent unpromising commercial prospects the long lasting brand, Meadow Lea, began production in 1932. Today it is a leading brand of polyunsaturated margarine. It has been owned since 1986 by the food company Goodman Fielder.

The margarine Act’s comprehensive measures of production limits, licencing and the requirement to colour the product, illustrated the power and influence of the dairy industry at the time. This came from the dairy industry’s size and political influence.

The *Margarine Act* is notable in the following respects:

* protection of the dairy industry by incorporation of an anti - competitive element, viz. specified production limits on margarine,
* containing a requirement to distinguish margarine from butter by colouring margarine to ‘saffron’, a deep orange –yellow colour, easily distinguished from butter and
* requiring licencing of margarine manufacturers.

The Act also foreshadowed ‘a proposal for an excise duty on table margarine with a view to imposing such an excise duty after ascertaining the costs of manufacture of table margarine’. [[86]](#endnote-83)

In the Legislative Council the Minister of Agriculture The Hon AP Blesing stated, ‘The object of this Bill is to carry out an arrangement agreed on at a meeting of the Australian Agricultural Council in relation to the regulation of the manufacture and sale of margarine. For some time the dairymen of Australia have been seriously perturbed by the increase in the sale of margarine and they fear that this increase will have serious effect upon the demand for butter. The matter has been brought before the Agricultural Council on several occasions and all State Governments represented at the Agricultural Council agreed in August to the following resolution: that subject to quantities and to approval of the respective State Governments, the States agree that the quantity of table margarine manufactured within the respective States shall not exceed the following quantities:—

|  |  |
| --- | --- |
| State | Tons per week |
| New South Wales | 24 |
| Victoria | 23 |
| Queensland | 9 |
| South Australia | 6 |
| Western Australia | 7 |
| Tasmania | 4 |

Further, that the present legislation in Victoria in relation to colouring of table margarine be retained and that any State has the right to pass legislation requiring the colouring of table margarine. Also it was determined that complementary State Bills would contain a provision for the licensing of margarine manufacturers’. [[87]](#endnote-84)

In response to further dairy industry submissions the *Margarine* *Amendment Bill 1941* strengthened provisions to restrict weekly quantities produced and entering S A and to allow manufacture of margarine only in licenced premises. Margarine had been imported into South Australia, or ‘dumped’ in quantities in excess than had been agreed would be produced and sold in the State.

The first amendment in the Bill dealt with the actual quantity of table margarine which may be manufactured and sold in South Australia. The second amendment was for manufacture of margarine, made from pre-approved raw materials, only in licensed premises. [[88]](#endnote-85)

As late as 1960 companies were highly restricted in their manufacture of margarine. In that year Marrickville Margarine were known to exceed thier quota of table margarine, prompting tougher regulation and enforcement. See <https://www.canberratimes.com.au/story/6608611/times-past-february-1-1967/>

The *Margarine Act* did not allow the addition of butterfat into margarine, but the Act did not apply to “dairy blend” as a result of the following later amendments.

The effect of the *Amendment Bill 1974* was to take “dairy blend” as defined for the purposes of the *Dairy Industry Act 1928*, as amended, out of the definition of ‘margarine’. As a result, the *Margarine Act* would have no application in relation to dairy blend. [[89]](#endnote-86)

The Agricultural History website states, ‘The first butter mixed with vegetable oil to make a spread with higher poly unsaturated fat was researched and later entered the market in competition to poly unsaturated margarine and was called dairy blend.’

Dairy blends were developed at the Department’s Northfield Research Laboratories in the 1970s and a wide variety of dairy blends are now on supermarket shelves.

A further *Amendment Bill 1975* proposed that the margarine quota will be increased by a further 50 per cent to the equivalent of 3,150 t a year. This increase ensured that the per capita availability for consumption of table margarine manufactured in SA would be comparable with the average per capita availability in other States. [[90]](#endnote-87)

The features of legislated marketing assistance to agricultural producers in the pre‐World War II period included income support (subsidies), income stabilisation (equalisation of returns from separate markets), export bounties, and tariffs.

These were usually aspects of whole of industry arrangements. For example dairy industry marketing plans viz the Paterson Plan and relief payments during the 1930’s and later a price equalisation scheme.

Wheat industry arrangements included relief payments during the 1930’s and a price equalisation scheme that operated from 1939.[[91]](#endnote-88)

Major Commonwealth measures involving quantitative restrictions on trade were the tobacco content plan, the colouring of butter substitutes and a sugar import ban.

Other forms of financial assistance to agricultural producers were provided by the Commonwealth bearing losses on various equalisation pools for a range of commodities and the guarantee of advances to Statutory Marketing Authorities and Boards under the *Export Guarantee Act 1924*.[[92]](#endnote-89)

The following are significant industries affected by post WW1 marketing legislation.

Fruit and Vegetables

*The Acts:*

The *Fruit and Vegetables (Prevention of Injury) Act 1927,* the *Fruit and Vegetables (Grading) Act, 1934,* the *Fruit Fly Act, 1947* andthe [Fruit and Plant Protection Act, 1992](https://www.legislation.sa.gov.au/LZ/C/A/Fruit%20and%20Plant%20Protection%20Act%201992.aspx).

Grading and marketing standards were addressed in successive Acts of the S A Parliament from 1927 onwards.

Speaking to *the Fruit and Vegetables (Prevention of Injury) Bill 1927* in the Legislative Assembly, in October 1927, the Minister of Agriculture (Hon. J Cowan) said

‘This short bill has been brought down by the Government as the result of representations made to the Minister of Agriculture by the fruit growers and fruit merchants of the State. These parties complain that a great deal of damage has been done to fruit and vegetables by rough handling in the course of transport, and this damage is particularly serious just now owing to the scarcity and high price of fruit. The requirements of the market demanded that the growers should consign the fruit to the merchants when fairly mature, so that the consumers would obtain fresh fruit, and mature fruit was particularly liable to injury.

A Bill is a proposed Act of Parliament that has been introduced into the Parliament. It becomes a new Act of Parliament (or amends an existing Act) when assented to by the Governor after having passed through both Houses.

The Minister of Agriculture continued,

‘The Government has acceded to the request of the growers and merchants for a measure of protection and by the Bill seeks the necessary power to give this protection. The Government's proposal is to avail itself of the services of the inspectors who are already appointed under the Vine, Fruit, and Vegetable Protection Acts in order to prevent damage to fruit and vegetables … I am sure this little measure will be helpful, and I move the second reading’.

Also of significance to the marketing of fruit and vegetables was the *Fruit and Vegetables (Grading) Act, 1934,* which introduced the mandatory grading of fruit and vegetable produce as a marketing measure.

In the Legislative Council the Minister of Agriculture the Hon AP Blesing stated,

‘This Bill is introduced for the purpose of setting up machinery whereby standards may be laid down for the grading of fruit sold in this State. … In 1929 the South Australian Fruit Growers and Market Gardeners’ Association asked that the Government take action to prevent inferior fruit from entering the State’.

The Minister continued,

‘Since that time other requests have been made by the Murray Citrus Growers’ Association that legislation should be enacted to enable grading standards of fruit to be established … it being pointed out that quantities of immature and rubbishy fruit is at times placed on the market to the prejudice of both producers and consumers … the legislation cannot, of course, apply to interstate trade as such, but will apply to sales made by one person to another within the State … the regulation of standards should result in benefit both to producers and consumers in the local market. The Bill proposes that power should be given whereby standards of various fruits, vegetables and nursery stock may be fixed and supplies the necessary provisions to enable these standards to be enforced.’[[93]](#endnote-90)

The speech is of interest in the following respects; by referencing the role of grower bodies in seeking to introduce conventional marketing functions (grading by standard), in acknowledging that the measures would not apply between States (due to S. 92 of the Constitution) and by being clear that the measures would be enforced.

In 1947 an Act relating to the destruction and control of certain insects affecting fruit and vegetables was enacted (the *Fruit Fly Act, 1947).*

This was followed by amending and compensation legislation over the next 45 years leading up to 1993 when the Act was repealed and replaced by the [Fruit and Plant Protection Act, 1992](https://www.legislation.sa.gov.au/LZ/C/A/Fruit%20and%20Plant%20Protection%20Act%201992.aspx) which incorporated phytosanitary measures including fruit fly control which are of such significance in production, trading and marketing of fruit and vegetables.[[94]](#endnote-91)

For years the marketing of immature fruit continued to be a problem, particularly with fresh stone fruit at the start of the harvest season.

Over the past fifty years there has been a transition from many small growers to today’s few large corporate marketing entities.

Use of maturity measurement technology, computer driven automated packing lines, and quality assurance systems geared to retailer and consumer demand has largely eliminated the immature fruit issue and has obviated the need for grading and marketing legislation.

Citrus

### The Acts:

### The *Loans to Producers Act 1927,* the *Citrus Marketing Act 1931*, the Citrus Industry Organisation Act 1965, the *Commonwealth Primary Industries Levies and Charges (Citrus) Regulations 1991,* theCitrus Industry Act 1991, the Citrus Industry Act 2005, the Primary Industry Funding Scheme (Citrus Growers Fund Regulations) 2005, the Citrus Industry (Winding up) Amendment Act 2012 and the Primary Industry Funding Scheme (Citrus Growers Fund Regulations) 2017.

Since 1965, when a new citrus industry marketing Act was enacted, South Australian Department of Agriculture/PIRSA staff have played key roles in development of legislation, managing the appointment of board members and reviewing legislation.

South Australian citrus legislative marketing arrangements have been of particular significance in South Australia because of the size of the citrus industry, minimal Commonwealth legislation and a continuing threat of cheap imports in the form of frozen concentrated orange juice. When a call for industry protection was at its height in the mid 1980’s the value of farm gate production was $25m. There were 7500 hectares under citrus in the irrigated areas producing 200,000 tonnes of oranges, mandarins and lemons annually.

In 1924–25, loans to assist construction of cooperative citrus packing sheds were provided at Moorook, Mypolonga, Cadell, Barmera and Kingston. This support was also provided to other packing sheds in subsequent years.

Following industry expansion after WW1, assistance to establish citrus marketing cooperatives was provided through the Loans to Producers Board (these loans were made under *The Loans to Producers Act, 1927* which, ‘enabled loans to be made by the Government for the encouragement of rural production and of effective land settlement’. [[95]](#endnote-92)

The earliest legislation governing citrus markets was the *Citrus Marketing Act 1931* which was in force for over thirty years. Itestablished the constitution and powers of the Citrus Marketing Board of South Australia. These powers were wide ranging and included enforceable provisions for marketing S A citrus. For example section 24. (1) states, ‘The Board shall have power in its absolute discretion by general or particular notice to direct where and in what quantities or proportions citrus fruit or any specified supplies of citrus fruit are to be marketed (including power to fix quantities or proportions to be exported from South Australia), and to give any consequential directions necessary or convenient for the purpose of ensuring compliance … ’.

The marketing implications for the industry of the 1931 Act were substantial but they did not hinder the rapid expansion of citrus plantings on the River Murray such as establishment of new areas down-river from Berri at Waikerie.

There was significant expansion of the citrus industry in the post-WW2 period.

The 1931 Act exerted considerable control and influence over industry for 35 years until a significant enquiry into the South Australian industry was conducted in 1965 to provide more organised marketing and industry funding. A new Act and Regulations were enacted in 1965.[[96]](#endnote-93)

The enquiry was led by Professor Murray McCaskill (1926-1999) Foundation Professor of Geography at Flinders University from 1965 until 1991. This enquiry led to the *Citrus Industry Organisation Act 1965.*

This enquiry was initiated because distribution and marketing of citrus had become chaotic due to increased citrus production, variable quality, and high dependence on fresh domestic markets. Market oversupply and rising production costs caused grower returns to recede below economic levels.

The Citrus Organisation Committee was appointed to administer the Citrus Industry Organisation Act 1965. An orderly market was created by controlling the supply of fruit onto the South Australian market.

In December 1977, the Minister announced an Inquiry into citrus marketing in South Australia, but from 1978, the Act remained basically unchanged.

The S A Department of Agriculture was an active participant in Commonwealth enquiries into the industry including the 1986 IAC Enquiry which focussed on tariff protection.

A volatile global financial situation along with reduced government intervention and reduced tariff protection in the 1980s and 1990s placed considerable pressure on Riverland horticultural industries including citrus.

Regional management worked closely with industry to manage difficult conditions for producers and processors.

S A Government submissions to the Enquiry balanced rational economics views with the maintenance of a profitable and sustainable citrus industry. This was the focus of a departmental submission to the Industry Commission Enquiry in 1986 which focussed on the frozen concentrated orange juice tariff. At that time imported concentrated frozen orange juice was threatening the viability of fresh juice producers.

The S A Department’s response to the Commission's recommendations were to minimise impact on the industry by urging redevelopment, restructuring to reduce dependence on juice markets and to increase domestic and exports of fresh fruit.

Another comprehensive review of citrus industry regulation commenced in 1988. The Government’s intentions were stated in a White Paper released in May 1990. Most groups supported certain aspects, with controversy around setting of prices and terms of payment for processing fruit. The Citrus Board continued to have reserve power for the setting of prices and terms of payment when ‘markets were disorderly’ and with approval of the Minister of Agriculture.

A new Citrus Industry Bill was tabled in Parliament in 1991. A new Board called the Citrus Board of South Australia (CBSA) was established under the Citrus Industry Act 1991. Marketing initiatives were expanded with weekly market reports and a greater array of fruit promotion activities.

The legislation required registration of growers, packers and wholesalers. Maintaining a database of industry participants enabled direct communication about issues and activities influencing the industry gathering of detailed grower information. Planting areas by variety and tree age enabled detailed crop forecasting. Packing and sales volumes gathered from packers and wholesalers enabled preparation of weekly market statistics and assisted wholesalers in setting their prices in wholesale markets.

The Act prescribed how fruit should move through the marketing chain and the Board employed inspectors to enforce the marketing process. However many smaller growers wanted the right to sell fruit direct to consumers and strongly objected to the Board constraining free trading. Regulations were subsequently amended to enable growers to be registered to sell directly to consumers and the Board ceased using inspectors. Consumer education to increase consumption of citrus was a major role of the Citrus Board of South Australia.

In 2001 a National Competition Policy review of the Citrus Industry Act 1991 revealed that the Act had a number of anticompetitive elements and required reform. It was intended only to amend the Citrus Industry Act 1991 by removing anticompetitive marketing elements.

In March 2004, a draft Bill to make these amendments and sunset the Act was presented to industry via a public consultation process. Overall, industry indicated that it wanted to retain some basic legislation and not repeal the Act.

Subsequently the *Citrus Industry Act 2005* moved the legislative focus from marketing control to industry development. This included gathering of crop statistics, crop forecasting, biosecurity issues and industry development activities.

In 2011, the Minister for Agriculture and Fisheries appointed retired District Court Judge, Mr Alan Moss to conduct a Citrus Industry Review. As a result of this review, South Australia’s citrus industry legislation was repealed in 2012 via the Citrus Industry (Winding up) Amendment Act 2012.The Act provided for residual assets left after winding up of the Act to be applied by the Minister to the benefit the industry

It is apparent that following the winding up of legislated marketing arrangements the citrus has thrived. Citrus Australia is the peak industry body for the national citrus industry which is one of Australia’s largest horticulture industries, Citrus exports totalled almost 300,000 tonnes in 2019 (160,000 tonnes in 2014). In 2020 the Riverland in South Australia, including Renmark and Loxton, comprised 20 per cent of the nation’s area under production.[[97]](#endnote-94)

**Marketing Legislation following WW2**

Potatoes

The Acts:

The *Potato and Onion (Grading) Act 1927,* the *SA Potato Marketing Act 1948,* the *Potato Marketing Act Amendment Act 1964,* the *Potato Industry (Commonwealth Levies) Act 1964,* the *Potato Marketing Act Amendment Act 1966,* the *Potato Marketing Act Amendment Act 1970,* the *Potato Marketing Act Amendment Act 1973,* the *Potato Marketing Act Amendment Act 1974,* the *Potato Marketing Act Amendment Act 1985 and* the *Potato Marketing Act Amendment Act 1986.*

## In the Legislative Council in November 1927 the Minister of Agriculture (Hon J Cowan) introduced the *Potato and Onion (Grading) Bill 1927* and stated,

## ‘This Bill is introduced at the request of the majority of the potato growers of the South-East to provide for Government inspection and grading of potatoes and onions produced in that part of the State. In order to carry out this request it is necessary to introduce legislation making it compulsory for growers in the district concerned to comply with the requirements fixed … this is largely a question of the marketing of the produce ….’.

## The feature of the Bill is the intention for measures to be enforced by inspectors and for penalties to be imposed for non-compliance.

During WW2 potato production was encouraged for food security under the guidance of The Australian Potato Committee.

Inspection and acceptance of potatoes from contracted growers on behalf of the Commonwealth Potato Controller (for the Australian Potato Committee) was carried out by the S A Department of Agriculture.

Contract purchase of potatoes by the Australian Potato Committee continued until the 1947-48 season when cessation of contracted marketing of potatoes in 1948 resulted in oversupply which, together with low prices, led to new S A potato marketing legislation. [[98]](#endnote-95)

In December 1948, South Australia’s *Potato Marketing Act 1948* was enacted which provided for establishment of the South Australian Potato Board. Other major potato growing states also established potato marketing boards after 1948.

The Act gave the S A Potato Board powers to:

* register growers and license merchants,
* market all potatoes grown and marketed in South Australia (potatoes grown in South Australia but sold outside of the state were not subject to control of the Board),
* fix the quantities of potatoes or proportion of a grower’s crop that could be marketed at any time,
* fix maximum and minimum prices for potatoes (taking account of grade, quality, quantity and other circumstances), and terms and conditions under which they may be sold, including a maximum retail margin,
* administer the fining of people (summarily) who fail to comply with the Act and
* arrange polls of growers and merchants to decide whether the Act should continue.

The *Potato Marketing Act Amendment Bill 1973,* introduced in the Legislative Assembly in October 1973, provided for increased penalties for unlawful actions up to the value of the potatoes involved. This was in line with changed provisions in the Citrus Industry Organisation Act which had been ‘been found most helpful by those responsible for the administration of that Act’.

The Potato Marketing Act Amendment Bill 1974 had also strengthened the *Potato Marketing Act, 1948,* as amended by requiring ‘potato washers’ to be licenced. As signs of the times these are further examples of government acting with alacrity to strengthen marketing laws at the request of industry.

Speaking to the *Potato Marketing Act Amendment Bill 1985* in the Legislative Council in May 1985 the Hon. Frank Blevins (Minister of Agriculture) introduced a Bill for an Act to amend the *Potato Marketing Act, 1948.* The Bill proposed the insertion in the principal Act of a sunset clause which would render the legislation inoperative on and from 1 July 1987.

In providing for the cessation of the statutory marketing of potatoes on that date, the government indicated that it was not convinced of the continuing need to intervene in the marketing of potatoes.

Speaking to the *Potato Marketing Act Amendment Bill 1986* in the Legislative Assembly in February 1986 The Hon MK Mayes (Minister of Agriculture) introduced a Bill for an Act to amend the *Potato Marketing Act 1948.* He stated that, ‘the South Australian Potato Board would be disbanded in March 1986. After that date, a free market would operate for potatoes in South Australia just as for other vegetable crops in this State’.

The reasons given for Board abolition were complaints from growers and dissatisfaction about Board operation at all stages of the potato marketing chain.

Further, that recent tightened control over the potato washers/packers was contrary to the requirement for the board to move towards a less regulated marketing environment. Legislation was introduced in 1986 for its repeal.

During its tenure the Board had served its purpose of providing an orderly marketing system and a source of information for growers.

Residual assets from winding up of the SA Potato Board were transferred to a Potato Industry Trust Fund in 1987. Earnings from the trust fund continued to be used for potato industry development projects and research which directly benefited the industry for many years after the legislation had been repealed.

Honey

The Acts:

South Australia: the *Apiaries Act 1931*, the *Honey Marketing Act 1949,* the *Honey Marketing Act Amendment Act 1953,* the *Honey Marketing Act Amendment Act 1959,* the *Honey Marketing Act (Revival and Amendment) Act 1964.*

Commonwealth:the *Honey Levy Act (No.1) 1962,* the *Honey Levy Act (No. 2) 1962,* the *Honey Industry Act 1972,* the *Honey Export Charge Act 1973* and the *Honey Marketing Act 1988.*

The S A Honey Board, established in 1949 illustrates the longevity of legislated marketing schemes, often with wide ranging marketing powers many of which included equalisation and stabilisation mechanisms.

In October 1949, in the Legislative Assembly, the Hon. Sir George Jenkins (Minister of Agriculture) said in the second reading speech,

‘For some years those interested in the production and marketing of honey in South Australia have been urging the Government to introduce a Bill for the marketing of honey. Until the Government was satisfied that there was a genuine desire on the part of both honey producers and those marketing it, it was not prepared to accede to the request for legislation. The Government is satisfied that there is a desire today on the part of those engaged in production and marketing of honey for a Bill and has had one prepared. It is a marketing Bill of the usual type and provides the setting up of a Board for the marketing of honey produced in South Australia. Producers of honey will be required to deliver to the board all honey produced, except such as is exempted for the purpose of local sales. The board will sell the Honey, pool the proceeds and pay the producers an equalized price’.

Evidently strong pressure from the industry was the catalyst for introduction of the Act and market intervention including establishment of a single desk, acting as a monopoly marketer which exercised pooling and equalisation powers.

In 1964 an Act to revive and amend *the Honey Marketing Act 1949-1959* and for other purposes, was enacted by the S A Governor with the advice and consent of the Parliament thereof, as follows,

‘This act may be cited as the ‘Honey Marketing Act or The Revival and Amendment Act, 1964. The *Honey Marketing Act, 1949-1959*, is hereinafter referred to as the principal Act’.

The Act affirmed the appointment of The South Australian Honey Board and established registered agents for receipt of honey and its sale. In doing so the Act diminished the monopoly status of the Board as the single desk marketer.

Under Schedule 2 of the Livestock Bill 1977 *repeal and transitional provisions*, the *Apiaries Act 1931* was repealed.

At Commonwealth level the Australian Honey Board was established in 1962 to co-ordinate the marketing and export activities of the Australian honey industry.

The objectives of the Board were to maximise returns to the Australian honey industry from the export of honey and to generate a greater demand for Australian honey both in Australia and overseas.

To achieve these objectives the activities of the Board were:

* to assist in the export marketing of Australian honey,
* to control, in accordance with the Act, the export of honey from Australia,
* to keep under review the control over the export of honey
* to recommend to the Minister any changes in those controls that the Board considers appropriate and
* to promote the consumption and sale of Australian honey both in Australia and overseas.[[99]](#endnote-96)

The 1968-69 Interim Report of the Australian Honey Board stated,

‘such functions in relation export and the sale and distribution of export honey as are conferred by or under the Act … the Board has continued to operate pools, set minimum grade values for bulk honey exports to the UK’.

The Report continues,

‘These subjects are detailed separately in this report, together with information concerning payments made to beekeepers as Government compensation for sterling devaluation losses’.

It is evident that at a national level there were strong marketing arrangements administered by the Honey Board including pooling of export returns and setting of minimum export prices.[[100]](#endnote-97)

From 1 January 1989, the Board operated under *the Honey Marketing Act 1988.* In April 1991, the Minister for Primary Industries and Energy announced that this legislation would not be extended beyond its sunset date of 11 May 1994. As a result of industry negotiations with Government, the Board closed in December 1992 and the apiculture industry joined the Australian Horticultural Corporation in January 1993.

It is evident from information below that the industry is growing. Private companies are active in the market. One of the largest and a long established company, Capilano, was taken over in 2018 for a consideration of $190 million by a private equity group specialising in China-focused agricultural exports.[[101]](#endnote-98)

The Australian honey bee industry is a small but vital component of the Australian economy. In 2000–01 the gross value of the industry was $63 million, in 2007 production of honey and associated bee products was $80 million rising to $101million 2014. In 2017 the Australian honey market grew at 6.1% to $156.9m and 7.1% in volume to 10,749t [[102]](#endnote-99)

Taking into account all plant based industries and wool, meat and dairy production, it is estimated that honey bees contribute directly to between $4 billion and $6 billion worth of agricultural production. The majority of beekeeping income comes from honey sales, 85 per cent in 2014–15. Biosecurity issues are chalkbrood and the small hive beetle, and the greatest financial impacts were caused by the small hive beetle and American foulbrood.[[103]](#endnote-100)

South Australia is currently estimated to produce in excess of $11 million worth of honey products, primarily high quality honey. The most significant contribution honeybees provide however is in pollinating agricultural and horticultural crops. In Australia sixty five per cent of all plant based industries depend to some extent on honeybee pollination. Plant industries most reliant on honeybee pollination include almonds, apples, cherries, blueberries, lucerne and clover.[[104]](#endnote-101)

At present S A beekeepers have a number of responsibilities under *the Livestock Act 1997* relating to payment of registration fees including the hive contribution to the South Australian Apiary Industry Fund.[[105]](#endnote-102)

Wheat

The Acts:

South Australia: the *War Precautions Act 1914*, the *Wheatgrower Relief Act 1933,* the *Wheat Industry Assistance Act 1938* and the *Wheat Industry Stabilisation Act 1948.*

Commonwealth*:* the *South Australian Wheat Industry Stabilization Act 1948* and the *Wheat Marketing (Expiry) Amendment Act 2013.*

The history of wheat marketing arrangements was the pacemaker for other industries and set the standard in government intervention. 1948 wheat industry legislation included arrangements for price stabilisation and equalisation, financial assistance and a home consumption price. This legislation for the wheat industry illustrates how Commonwealth and complementary State legislation guided the growth of a major industry.

An [Australian Wheat Board](https://en.wikipedia.org/wiki/Australian_Wheat_Board) had been established in 1915 under the *War Precautions Act 1914* to administer a wheat pooling scheme. The scheme was designed to assist wheat growers and ensure food supplies during WW1. It ceased operation in 1921.

Regional wheat pools were established, often managed by farmer cooperatives.[[106]](#endnote-103) In 1933 the Commonwealth introduced the Wheat Grower Relief Act and in 1935 set up a Royal Commission into the wheat, flour and bread industries.

Referring to the 1935 Royal Commission Allan Callaghan wrote that it led to adoption of the principal home consumption prices funded by a tax on flour and to the *Wheat Industry Assistance Act 1938.[[107]](#endnote-104)*

Assented to 2nd December, *the Wheat Industry Assistance Act 1938* was an Act to provide financial assistance to the States for assistance to the wheat Industry and for other purposes. [[108]](#endnote-105)

In 1939 the Australian Wheat Board was re-established as a war time measure. It was created as a [statutory authority](https://en.wikipedia.org/wiki/Statutory_authority) with a [monopoly](https://en.wikipedia.org/wiki/Monopoly) over purchasing and exporting all Australian wheat.

In 1948 single desk legislation was established by the *Wheat Industry Stabilisation Act 1948.* The objective of the Act was to stabilise volatile wheat prices by establishing:

* guaranteed prices, a home consumption price and a stabilisation fund;
* compulsory pooling and coordinated marketing; and
* power to acquire all wheat produced in Australia and the sole domestic and export marketing rights. [[109]](#endnote-106)

With the enactment of the Commonwealth *Wheat Industry Stabilisation Act 1948* and the complementary South Australian *Wheat Industry Stabilization Act 1948* a Statutory Marketing Board was established.

With this Act, wheat had a formalised system of statutory marketing arrangements. At this time dried fruit and dairy industries had similar arrangements in place. A 1991 Industry Commission Report on Statutory Marketing Arrangements stated,

‘The prototype stabilisation scheme was for wheat which commenced in 1948 and continued with modifications (underwriting replaced a contributory buffer fund arrangement in 1979) until 1989. The arrangements involved a number of statutory features including compulsory acquisition of all wheat by the Australian Wheat Board, a stabilised Home Consumption Price and marketing cost pooling from all wheat sales, contributions to or withdrawals from a stabilisation fund, and a return to producers guaranteed by the Commonwealth Government. No other commodity had such a formalised system of statutory marketing arrangements … ’ [[110]](#endnote-107)

In a Presidential Address to the Fifth Annual Conference of the Australian Agricultural Economics Society, February, 1961, JN Lewis spelled out essential aspects of prevailing marketing arrangements,

‘A home consumption priceis a device under which supplies of export products are diverted to overseas markets in order to raise domestic prices above export parity. To be effective, other measures, including import duties, embargos and quota restrictions are placed on the production and import of substitute commodities. Efficacy is improved when a market for the product is divided into two or more distinct parts or separate markets e.g. domestic and export and to be able to enforce the diversion of supplies from the market of less elastic demand (e.g. domestic) to the more elastic (export). Under these circumstances industry revenue is increased. Equalization is dividing the gains by pooling. [[111]](#endnote-108)

The Green Paper on Rural Policy notes that evidence for a period in the 1970s (wheat quotas were applied and in force from seasons 1969-70 to 1971-72) the wheat price stabilisation scheme failed to reduce price variability (though the dairy stabilisation scheme did much better in stabilising incomes).[[112]](#endnote-109)

The wheat stabilisation scheme which commenced in 1948 continued with modifications until 1989 including a significant change in 1979 when underwriting replaced a contributory buffer fund.

The arrangements involved a number of statutory features including;

* compulsory acquisition of wheat by the Australian Wheat Board,
* a stabilised home consumption price,
* price and marketing cost pooling from all wheat sales,
* contributions to or withdrawals from a stabilisation fund, and
* a Commonwealth Government guaranteed return to producers [[113]](#endnote-110)

World oversupply of wheat in the 1960s and early 1970s and the introduction of wheat quotas applied to Australian growers signalled the beginning of the end of regulation of wheat marketing.

In the Legislative Council in May 2013, the Hon. GE Gago (Minister for Agriculture) said in speaking to the *Wheat Marketing (Expiry) Amendment Bill 2013,*

*‘*The *Wheat Marketing Act 1989* was enacted to regulate the marketing of wheat. It complemented the Commonwealth *Wheat Marketing Act 1989* by conferring on the Australian Wheat Board functions in addition to those conferred on it by the Commonwealth Act … the industry's grain storage and handling assets are now primarily owned by public companies, with global grain marketing and processing interests. domestic grain marketing controls were removed during the 1990’s and passage of the Commonwealth's *Wheat Export Marketing Amendment Act 2012* in November 2012 ended government regulation of export grain marketing’.

As a result of these changes, there was now no reason to retain an Act relating to the marketing of wheat.

Barley

The Acts

*The Barley Marketing Act 1947,* the [Barley Marketing Repeal Act 1993](https://www.legislation.sa.gov.au/LZ/C/A/Barley%20Marketing%20Act%201993.aspx), amending Acts up to the *Barley Marketing (Miscellaneous) Amendment Act 2000* and the *Barley Export Marketing Bill 2007.*

A distinguishing feature of barley market regulation is that barley was not covered by Commonwealth legislation, only by individual State legislation, and later complementary Victoria-S A legislation.

However a Commonwealth Board had been established for barley in 1938. This was the precursor to The Australian Barley Board established under South Australian legislation.

*The Barley Marketing Act 1947* effectively reinstated the Australian Barley Board to handle the present year’s crop; it recognised that the Commonwealth had no power to maintain a permanent marketing scheme for barley; it made provision for a South Australian Board to handle next year’s crop and subject to agreement made provision for a joint marketing board with Victoria.

Speaking to *the Barley Marketing Bill 1947* in the Legislative Council in November 1947 The Hon. R. J. Rudall, Attorney-General said,

‘Since the beginning of the war the barley crop of South Australia and Victoria has been marketed by the Australian Barley Board constituted under the National Security Regulations. Until the recent political crisis in Victoria occurred it was generally agreed that these regulations would not be needed after the end of this year, and that in future a scheme for the organized marketing of barley would be conducted under State legislation by a joint board representing South Australian and Victorian growers. The dissolution the Victorian Parliament made it impossible to have a joint State scheme for coming barley crop. Thereupon the Commonwealth Government agreed to extend the National Security Regulations for another year and this season’s barley crop will accordingly be marketed by the Australian Barley Board. The present Bill will apply to next season’s crop and those of subsequent years. It is clear that the Commonwealth has no power to maintain a permanent marketing scheme for barley. The Commonwealth itself realizes this and does not intend to keep the scheme in existence after this season. The Government therefore is proceeding with this Bill so that it will be available in the event that growers desiring a State marketing for next season’s crop’.

The ABB functioned for many years through to and beyond the turn of the century when its single desk marketing arrangements came under increasing scrutiny from sections of the private sector and from pressure derived from Competition Policy requirements.

But with considerable grower support and consequent lack of political will for change the present arrangements evolved but remained in place until 2007.

In defiance of pressure from some quarters for deregulation of barley exports the Hon. KT Griffin (Attorney-General) said in the Legislative Council in November 2000,

‘ The Bill to amend the Barley Marketing Act 1993 has one purpose—to extend the single desk export powers of ABB Grain Export Ltd and that amendments to the Act contained in the Bill allow ABB Grain Export Ltd to continue with those arrangements indefinitely, with no sunset clause included. But there is an understanding that the legislation may be reviewed ….

# In the Legislative Council in March 2007, speaking to the *Barley Exporting Bill 2007* The Hon. Carmel Zollo (Minister for Emergency Services) said,

# ‘The South Australia's *Barley Marketing Act 1993 (the Act)* restricts the export of bulk barley from this State to one entity, ABB Grain Export Ltd, a subsidiary of ABB Grain Ltd. Pressure to change this arrangement has been building for several years.

‘In particular, the arrangement does not comply with National Competition Policy, to which all State and Territory Governments and the Commonwealth Government remain committed.

The *Barley Export Marketing Bill 2007* established a three-year licensing scheme for exporters of barley to operate from 1 July 2007 with an independent regulator, the Essential Services Commission of South Australia (ESCOSA), administering the licensing scheme’.

The Bill also repealed the *Barley Marketing Act 1993*, allowing South Australian barley growers to deliver bulk barley to whomever they chose, including exporters licensed by ESCOSA. In justifying an export licensing scheme and repeal of single desk marketing the Act indicated that many reviews of single desk marketing arrangements, including that of South Australia, have found little or no benefit from the single desk.

It was also indicated in the second reading speech that continuation of the *Barley Marketing Act* until this time had resulted in loss of competition policy payments from the Commonwealth of over $9m.

As a monopoly exporter ABB dominated barley exports under successive *Barley Marketing Acts* for sixty years from 1947. With unquestioned grower and political support, for most of ABB’s existence, its activities were an example of widespread acceptance of government backed market intervention. This was in common with many other commodities, such as dried fruits, dairy and wheat.

However ABB marketing arrangements were solely as a monopoly exporter and it did not have equalisation or stabilisation functions as was the case with the previously mentioned commodities.

ABB demutualised to become ABB Grain in 1999. In 2004, ABB Grain merged with the South Australian storage and handling company AusBulk (formerly CBH). Its monopolistic practices viz. single desk marketing of barley continued until 2007.

ABB's supply chain involved operations in storage and handling and logistics. This includes a significant network of [silos](https://en.wikipedia.org/wiki/Silo) and export shipping terminals in South Australia and the eastern states of Australia, incorporating joint ownership of Australian Bulk Alliance, or ABA, with Japanese trading company [Sumitomo](https://en.wikipedia.org/wiki/Sumitomo_Corporation).

ABB's malting division, Joe White Maltings, was Australia’s largest producer of malt with the capacity to produce 500,000 [tonnes](https://en.wikipedia.org/wiki/Tonne) per annum. [[114]](#endnote-111)

In 2009 ABB was acquired by [Viterra](https://en.wikipedia.org/wiki/Viterra), the largest grain handler in Canada and in 2013 Glencore International acquired Viterra.

#### At present a representative body for the barley industry is Barley Australia. It is the peak industry body for barley. It was established in early 2005, and seeks to represent the interest of all stakeholders of Australia’s barley industry.

#### Barley Australia, does not trade, sell, or export barley or malt. This is a function of some member companies.[[115]](#endnote-112)

Eggs

The Acts

The *Marketing of Eggs Act 1941,* the *Marketing of Eggs Act Amendment Act 1942,* the *Marketing of Eggs Act Amendment Act 1945,* the *Marketing of Eggs Act Amendment Act 1949,* the *Marketing of Eggs act Amendment Act 1954,* the *Marketing of Eggs Act Amendment Act 1957,* the *Marketing of Eggs Act Amendment Act 1959,* the *Marketing of Eggs Act Amendment Act 1963,* the *Marketing of Eggs Act Amendment Act 1965,* the *Marketing of Eggs Act Amendment Act 1966, the Marketing of Eggs Act Amendment Act 1972,* the *Marketing of Eggs Act 1980,* the *Marketing of Eggs Act Amendment Act 1980,* the *Marketing of Eggs Act Amendment Act 1983,* the *Marketing of Eggs Act Amendment Act 1987,* the *Egg Industry Stabilization Act 1973,* the *Egg Industry Stabilization Act Amendment Act 1974,* the *Egg Industry Stabilization Act Amendment Act 1980,* the *Egg Industry Stabilization Act Amendment Act 1984,* the *Egg Industry Stabilisation Act Amendment Act 1987* and the *Statutes Repeal (Egg Industry) Act 1992.*

In 1942 domestic rationing of essential food was introduced. Rationing was applied by use of coupons; eggs and milk were included during periods of shortage under the general provisions of National Security Regulations and rationing was administered by the Commonwealth Rationing Commission.

Speaking to S A Egg marketing in the Legislative Council in October 1945 The Hon. GF Jenkins, Minister of Agriculture said,

‘The only object of this Bill is to remove the time limit on the operation of the *Marketing of Eggs Act, 1941* and to make it permanent’.

This Act had established the South Australian Egg Board which for its four years of operation was agent for the Commonwealth Controller of Egg Supplies who operated under National Security (Egg Industry) Regulations.

During WW2 egg supplies and prices had fluctuated greatly.

The Minister added,

‘The Board’s operations have created a stabilized and more reasonable price to the producer and the consumer has not had to pay extreme prices at certain periods of the year’.

To smooth out prices the Board had operated an informal stabilization scheme. The Minister, in justification of the Board’s operations explained that post war was a time of transition for the industry as egg products were switched from dried product used by the forces, and egg pulp product, to the export of fresh eggs.

In reply the Leader of the Opposition made revealing comment on prevailing attitudes to free markets versus government backed market management. The Hon. RS Richards said,

‘I go back to the period just before the war and during the war when the policy enunciated by my Party of a planned economy, stabilized prices and control of markets was ridiculed and condemned by members opposite and their supporters outside’.

This is reference to free market aspirations of a (liberal) Government which were overtaken by war time imperatives for control and stability and which were then embraced by both sides of the Parliament.

In the Legislative Assembly in August 1949, The Hon. Sir George Jenkins (Minister of Agriculture) said,

‘The amendment of this Bill extends the operation of the principal Act to September 30, 1954. Under the present law the Act, if not extended, will expire at the end of September of this year. There is a general demand for the continuance of the present marketing scheme, which is now firmly established, and the Government has decided to ask Parliament to extend it for a further five years. The Bill, if approved, will effect such an extension’.

He also referred to the operation of price equalisation, at State level, in saying,

‘ For the year prior to the board’s taking over the control of marketing, the system of purchasing eggs adopted by the Egg Equalization Committee Ltd. came under two categories: one, the graded return to producers, and the other the flat rate’. The effect of equalisation was to disguise incentive to produce graded, higher quality eggs.

The functions of the Egg Board were stated by the Minister of Agriculture when speaking to the *Marketing of Eggs Act Amendment Bill 1987* in the Legislative Assembly,

‘The board has powers to control egg marketing, set egg prices, administer egg weight and quality regulations and carry out promotional activities. The board generally does not handle eggs other than to manufacture egg pulp; the majority of shell eggs are graded, packed and distributed by packers and producers registered with the board. The board operates the only egg pulping facility in South Australia and all eggs surplus to local shell requirements are pulped and either sold on the local market or exported’.

In 1965 with the introduction of a Commonwealth hen levy a market stabilisation and equalisation scheme was introduced. Its operation led to increased returns to growers and by 1972 severe over supply. The Minister also foreshadowed introduction of production controls, via tradable hen quotas, subject to a poll of growers prior to their introduction. A majority of growers voted in favour of hen quotas and *the Egg Industry Stabilisation Act 1973* was proclaimed to control egg production by means of hen quotas. Of interest is Clause 5 which,

‘exempts from the application of the Act persons who or partnerships which do not own or keep 20hens. Such persons and partnerships do not pay hen levy to the Commonwealth and will accordingly not be affected by this Act. In addition, certain educational institutions will also be exempted from the operation of the Act’.

In the Legislative Assembly in February 1992 the Hon. Lynn Arnold (Minister of Agriculture) introduced a Bill for an Act to repeal the *Marketing of Eggs Act 1941* and the *Egg Industry Stabilization Act 1973*. He stated that,

‘ due to deregulation of the industry in NSW and the sale of NSW eggs in S A the Government considers that it is no longer possible to sustain the existing legislation if South Australia is to continue to have a competitive egg industry’.

The Minister added,

‘The repeal of both Acts will mean that egg marketing and production will be deregulated and egg packers and producers will be free to market their eggs where they wish and to negotiate prices’.

Market regulation of the egg industry had turned the full circle from freely marketed eggs prior to the war to a return to a free market after repeal of the *Marketing of Eggs Act 1941* and the *Egg Industry Stabilization Act 1973* in 1992.

Wine Grapes

The *Wine Grapes Industry Act 1991*

In the Legislative Council in November 1991 The Hon. Barbara Wiese (Minister of Tourism) moved that the Wine Grapes Industry Bill 1991 be read a second time. She said,

‘Wine grape prices legislation has existed in South Australia since 1966, under sections 22a to 22e of *the Prices Act 1948*. Minimum prices were set continuously in South Australia from 1966 to 1985. Terms of payment have been determined each vintage since 1977.

‘The system of setting prices had been modified over that period. Until the latter years of the period, the recommended prices were usually determined by an Industry and Departmental Committee which took into account both the cost of production and market forces.

‘The prices were set under the Prices Act and as such were legally enforceable with fines being imposed for soliciting or offering wine grapes at less than the gazetted prices.

For some time prior to the 1985 vintage there had been dissatisfaction by growers and wine makers at the effectiveness of the minimum prices legislation both within this State and in relation to the trading of wine grapes between South Australia, Victoria and New South Wales’.

In 1991 the grape industry and winemakers had been expressing dissatisfaction with market intervention at a time when Australian industry was entering a decade of deregulation.

Competition Policy was being applied across the economy. It required review of all marketing legislation to identify anti-competitive elements. By that time minimum grape pricing was seen as anachronistic and the legislation had become redundant.

From a market intervention perspective the feature of *the 1991 Wine Grapes Industry Act* was that it went to great lengths to limit its reach and degree of intervention. The speech referred to dissatisfaction with the effectiveness of the minimum prices legislation.

The second reading speech concludes with the main provisions of the Bill. They were to…

* limit ‘production area’, included for the purposes of limiting the application of recommended prices to wine grapes grown in the Riverland area.
* exempt sales of wine grapes by a member of a registered co-operative to the co-operative from the operation of the measure.
* provide for the Minister to recommend a price for each variety of wine grapes grown in the production area.
* enable the Minister to fix terms and conditions relating to the time within which payment for wine grapes must be made by processors and payments to be made by processors in default of payment within that time. The terms and conditions must not differentiate between purchasers. ‘
* require the Minister to consult representatives of both producers and processors before recommending prices or fixing terms and conditions. The clause expressly contemplates parties discussing and negotiating prices.
* include administrative provisions relating to the making of orders under clauses 5 or 6.
* provide that a processor must not accept delivery of grapes if he or she has not paid in full for any grapes received in a previous season.
* provide that offences against the Act are summary offences and that prosecutions must be commenced within 12 months and must be authorised by the Minister.
* the provisions relating to the fixing of prices and terms and conditions of payment with respect to wine grapes are removed.

The Act established a committee of the wine making and wine grape growing industries to advise the Minister of Agriculture on the indicative prices and the terms and conditions of payment to apply for the ensuing vintage.

The Act contained consequential amendments to the *Prices Act 1948*. The provisions relating to the fixing of prices, and terms and conditions of payment, with respect to wine grapes were removed.

Notably, the Act represented a watering down of minimum grape pricing by limiting the geographic area where minimum grape price legislation applied i.e. it was applicable only to minimum prices in the Riverland, exempting other major wine grape growing areas. It maintained the exemption of co-operative wineries from the provisions of the Act and it removed the fixing of prices and terms of payment from the legislation.

Minimum pricing was of no consequence to industry fortunes toward the turn of the century. There was enormous growth of the SA and national grape and wine industry in the 1990’s and in the years 2000 to 2020.

In the last decade of the century the grape and wine industry grew rapidly with SA maintaining its share of national production with industry growth overwhelming any residual impact minimum pricing may have had.

Wine exports increased rapidly in the 10 years to 2000 with the national industry reaching its goal of $1 billion in exports early in the new century. The industry has since exceeded its own expectations with the value of exports to China being a feature of industry growth in the past 20 years.

Meat

The Acts.

An Act to Regulate the Slaughtering and Prevent Stealing of Cattle 1840, the Metropolitan Abattoirs Act 1908, the Abattoirs Act 1911, the *South Australian Meat Corporation Act 1936,* the *Metropolitan and Export Abattoirs Act 1936,* the *Poultry Processing Act 1969,* the *South Australian Meat Corporation Act Amendment Act 1974,* theAbattoirs and Pet Food Works Bill 1978, the Meat Hygiene Bill 1980, the Poultry Meat Industry Act *1969*, the Meat Hygiene Act 1994, the Primary Produce (Food Safety Schemes) Act 2004 and the *Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006.*

A comprehensive account of the way the SA meat industry has been regulated, in the main by the SA Department of Agriculture (PIRSA), is presented in the SA Aggricultural History website, in an article by Dr Don Plowman, former Deputy Chief Executive, PIRSA.[[116]](#endnote-113) The account is from the perspective of meat hygiene.

Central to the regulation of meat hygiene and Safe marketing of meat was The South Australian Meat Corporation Act 1936 established the SA Meat Corporation (SAMCOR), replacing the Metropolitan and Export Abattoirs Board. The Metropolitan Abattoirs area was established and gave SAMCOR the sole right to slaughter stock within the Area.

This resulted in restricting the development of abattoirs outside the metropolitan area as these works could only sell to local outlets or, if they had a permit from the Minister, to export.

An amendment to the SAMCOR Act in 1976 and the repeal of the Port Lincoln Abattoirs Act 1937 saw the Pt Lincoln works transferred to SAMCOR in 1977).[[117]](#endnote-114) This and numerous other SA Acts were the basis of meat hygiene regulation.

At Commonwealth level a number of Acts were indicative of meat processing and marketing legislation, viz. The *Commonwealth Meat Industry Act 1964* which repealed all previous Commonwealth Meat Export Control Acts from 1935 to 1964.

The objects of *the 1964 Act* had been to,

‘promote and control the export and the sale and distribution after export of meat from Australia, to promote trade and commerce in meat among the States, and to encourage the production and consumption of meat … ’.

In this significant Act there was an absence of any reference to significant market intervention.

The *Meat Industry Control Act 1946* was an Act to provide for the transfer of the powers exercised by the Controller of Meat Supplies and the Meat Canning Committee, appointed under the National Security (Meat Industry Control) Regulations and the National Security (Meat Industry) Regulations respectively, to the Australian Meat Board during the continuance of the *National Security Act 1939*.

Commonwealth meat marketing legislation is in marked contrast to other industries because of absence of Acts which specify market intervention arrangements. S. A. meat legislation is notable also for the absence of establishment of, or reference to, organised marketing schemes.

Regarding the meat industry, author EJ Donath states,

‘meat products of the are marketed with almost no government interference; differing from other Boards, the Meat Board is not a selling authority. Any company can buy meat and export it. The meat industry has never been subsidised which is very different to other industries. [[118]](#endnote-115)

Successive S A Acts affecting meat products have regulated hygiene with the establishment of a long lived Meat Board and successors. At Commonwealth level meat authorities have engaged primarily in mainstream aspects of marketing viz. grading, promotion and communication and information services.

Why the meat industry did not adopt market intervention schemes, which were almost universal, is not clear. It may have been that strong demand for meat and beef particularly made interventionist schemes unnecessary. Overseas demand for meat was frequently high including during and after the Wars and there was not frequently an oversupply of meat, beef particularly. As referenced earlier, in the middle of the 20th century, dairy production was crowding out beef production in areas of eastern Australia due arguably to the price distorting effects of dairy stabilisation and equalisation arrangements.

Wool

The Acts:

Commonwealth: the *Wool Industry Act 1962* and the *Wool Marketing Act 1987.*

The forerunner to the Reserve Price Scheme was the *Wool Industry Act* 1962 which established the Australian Wool Board whose members were appointed by the nomination of the Australian Wool Industry Conference.

It is noted that this was Commonwealth legislation. It had a lot to do with S A woolgrowers, but there was no S A wool marketing legislation.

The following account of the fortunes of the wool industry is a graphic illustration of the impact of radical market intervention in a major industry in the second half of the 20th century.

The objects of the *Wool Industry Act* 1962 were;

* to promote exports and trade and commerce in wool and wool products from Australia;
* to encourage the production and the use, of wool and wool products, and
* to ensure the availability of wool stocks in crises such as war and times of emergency.

A ‘wool (reserve prices) fund’ was established in 1950 though there is little known of it.[[119]](#endnote-116)

The prominent wool industry leader in the 1960’s, Sir William Gunn, had advocated for some time for increased levies on wool to fund marketing and a wool reserve price scheme.

After several attempts to introduce a scheme it was approved by the industry as an emergency measure in 1970. [[120]](#endnote-117) At that time wool prices were very low and with record sheep numbers, prices for sheep were below $10 per head.

The Wool Reserve Price Scheme (RPS) was a [floor](https://en.wikipedia.org/wiki/Price_floor) price scheme for [wool](https://en.wikipedia.org/wiki/Wool) that operated between 1970 and 2001.

The scheme was set up by the Australian Wool Commission, created in November 1970, which was succeeded in January 1973 by the [Australian Wool Corporation](https://en.wikipedia.org/w/index.php?title=Australian_Wool_Corporation&action=edit&redlink=1) (AWC). The scheme was set up to smooth out fluctuations in prices for wool. [[121]](#endnote-118)

The introduction of the Reserve Price Scheme represented radical marketing intervention and its significance was heightened because of the size of the wool industry.

In 2014 Economics Professor Warren Musgrave wrote,

‘Until 1970, the wool industry had avoided most of the interventions in pricing and marketing that then characterised most agricultural industries.

‘That changed with the introduction of a market intervention floor price scheme and an associated buffer stock, when supporters of intervention achieved by political means what they had been unable to achieve via referenda of woolgrowers in 1951 and 1965.

‘The scheme was set up to smooth out fluctuations in prices for wool. The AWC bought wool when its price was below the floor price and then was to sell it later when the market recovered’.

‘The economics of the RPS is and always was straightforward in its technical and empirical dimensions. Not so were resolving questions of public administration necessary to ensure independence in setting the reserve price and neutralising the giant egos that dominated wool industry politics. In 1991, following reckless price setting in the mid‐1980s, the scheme collapsed’.[[122]](#endnote-119)

After 1987 the reserve price was set by the [Wool Council of Australia](https://en.wikipedia.org/w/index.php?title=Wool_Council_of_Australia&action=edit&redlink=1), a grower body.[[123]](#endnote-120) Over the two following years, the floor price was increased by 70% from 508 to 870 cents/kg greasy.

Growers responded to these prices with alacrity, by increasing production by nearly 20% in 1989-1990 while manufacturers were responding by moving more to pure synthetics and to wool blends.

The Reserve Price Scheme was funded by a levy on wool sold by growers.

The Reserve Price Scheme is a standout piece of Commonwealth marketing legislation for the following reasons:

the existence of a buffer stock,

the setting of reserve price by a growers dominated body,

the dimensions of the scheme and

the size of the wool industry that the scheme regulated.

The RPS collapse in 1991 was a matter of high drama politically and economically. Not the least of the drama was the impact on the wool industry and the livelihoods of woolgrowers.

As an observer of RPS, Professor JN Lewis pointed out that potential gains from wool promotion had been compromised by tailoring promotion strategies and expenditure to the composition of the wool stockpile, thereby breaking every rule in the agricultural policy book about separation of policy objectives and instruments.[[124]](#endnote-121)

Lewis’ view was that a buffer scheme was wrong in the first place and that a preferable strategy was properly applied wool promotion and marketing strategies.

Lewis had said many years earlier, ‘Marketing policy has been viewed primarily as a device for price support and not as the framework for a co-ordinated programme to improve the performance of our marketing system on the basis of criteria other than sectional interests’.[[125]](#endnote-122) What Lewis pointed to here was spelled out at length some years later in the 1974 Green Paper on Rural Policy.

This is a graphic instance when critical, but prescient, views held in academia was ignored but later proved right.

Despite a dramatic decline in sheep numbers currently the industry is worth 3.6 bn annually. The collapse of the reserve price scheme (RPS) has had a massive effect on growers.

Australia remains one of the world's largest wool producers, producing around 25 per cent of greasy wool sold on the world market. In 1970 there were 180 million sheep, 170 million in 1990 and 103 million in 2003. Currently, 74 million sheep are shorn in Australia.

**Conclusion**

The paper discussed legislated marketing arrangements for SA agriculture’s rural industries over the past century and a half. It also discusses the part that PIRSA, formerly the S A Department of Agriculture, has played in the formulation of marketing legislation that has underpinned agricultural production in South Australia.

Over the period there has been continual economic change and an ebb and flow of government intervention at State and Commonwealth level and associated changes in marketing arrangements

In 1900 there was little government involvement in the regulation of agriculture generally and even less in market regulation. Free markets existed for agricultural products.

By the middle of the 20th century marketing arrangements, mostly with State and Commonwealth backing, had reached their zenith. Marketing schemes were very elaborate.

However in a relatively short period of time and with the backing of governments of both political persuasions, markets were deregulated and marketing arrangements were dismantled. The marketing wheel had turned full circle.

There were free markets in agricultural commodities in 1900 and now free markets again prevail albeit with a raft of regulations of various kinds such as those specifying phytosanitary and hygiene conditions, and on another level, occupational health and safety standards.

When rural enterprises were expanding in the early years of the century financial conditions were not promising and marketing difficulties were foremost in producer’s minds.

Advocacy of market regulation by rural industries and farmer organisations and its successful introduction met the deeply felt needs of pioneer rural producers for greater income surety and stability.

Evaluation of marketing arrangements which cover a many industries over a long time period is not straightforward. Each scheme conferred certain benefits and incurred costs.

When looking at the agricultural sector of the SA economy in 1900 and again in the year 2000, obvious differences in the scale of production, technology and the range of crops and livestock produced. These differences make assessment of the merits of marketing schemes difficult, but must be considered, when evaluating the schemes.

It is easy to take a dispassionate view and to emphasise the faults and costs of market legislation. But the introduction of market legislation during the first half of the 20th century reflected the struggle of primary producers to stabilise incomes and receive better returns through organised marketing.

Ironically, due to the measures introduced, overplanting, excess production and misuse of land and water resources resulted. These outcomes were not what the architects of the marketing schemes had planned.

Nevertheless for the times many of these marketing schemes were appropriate and aspects of the schemes are adjudged a success and as justifiable.

Whether these policies were of net benefit is open to debate. Some were appropriate for the times. Mostly however rural industries themselves benefited directly from these market interventions but often at a cost to the community and the public generally. Some led to production distortions through mixed price signals resulting in overproduction, and misallocation of resources.

Despite setbacks and challenges throughout the 20th century, the industry legacy is one of a thriving agriculture as it enters the new deregulated century.

The circumstances facing rural industries today are entirely different to those that existed in the 20th century. It is not surprising then that marketing policies now are also quite different.

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2. #  A ‘bubble’ is jargon for an economic cycle that is characterized by the rapid escalation of market value, particularly in the price of assets. This inflation is followed by a quick contraction, called a crash or a bubble burst.

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5. Ibid. [↑](#endnote-ref-4)
6. Davidson A. P., University of Tasmania Law Review, ‘*A Skeleton in the Cupboard; master and servant legislation and the industrial torts in Tasmania’.* [↑](#endnote-ref-5)
7. Hudis, Peter, ‘[*The Oxford Handbook of Karl Marx’,* Jun 2019, *‘Marx’s Concept of Socialism’*.](https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780190695545.001.0001/oxfordhb-9780190695545)  [↑](#endnote-ref-6)
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17. Industry Commission, ‘*Statutory Marketing Arrangements for Primary Products’*, Report no. 10, 1991 [↑](#footnote-ref-3)
18. John Radcliffe, Extract from *Influence of Australian Agricultural Council and successors on Australian Agriculture, 1980-2014* *Operation, marketing and Responses to the Risks of farming, 2020,* Agric Sci 31, <http://hdl.handle.net/102.100.100/365169?index=1> p.7 [↑](#endnote-ref-15)
19. Ibid. p. 8. [↑](#endnote-ref-16)
20. Ibid. p.8. [↑](#endnote-ref-17)
21. Radcliffe, p.8. [↑](#endnote-ref-18)
22. Kevin Gogler, personal communication, May 2021. [↑](#endnote-ref-19)
23. *Agricultural Holdings Act 1891* - [Second Reading](https://pir.sa.gov.au/__data/assets/word_doc/0005/355145/Agricultural_Holdings_Act_1891_.docx). [↑](#endnote-ref-20)
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