

Sorghum class action for Advanta

BY GREGOR HEARD

HIGH profile grain seed business Advanta is being taken to court in a class action over alleged contamination of its certified sorghum seed.

The class action, served on behalf of Mallonland Pty Ltd, alleges the Advanta sorghum variety MR 43 Elite was contaminated with the noxious weed shattercane. The action will be handled by Brisbane based legal firm Creevey Russell.

Partner in the business Dan Creevey said the lawsuit was looking to take advantage of new laws regarding class actions in Queensland.

"We want to take advantage of the new regime to obtain proper compensation for everybody who purchased this seed because it has had quite devastating consequences in many cases," he said.

"I've grown sorghum myself and the impact that this weed can have on yields would be just devastating."

However, Advanta, still perhaps better known within the grains industry by its former name, Pacific Seeds, has said it intends to defend the charges.

Advanta managing director, Nick Gardner, said the company could not comment as the matter was before the courts, apart from

to say it would vigorously defend all charges.

"Advanta values its reputation as one of Australia's leading seed breeders and suppliers with over 50 years' experience in the Australian grain industry and looks forward to continuing to meet the needs of its existing and new customers at the high standards for which it is known," he said.

The case centres around the presence of shattercane, a grass weed closely related to Johnson grass.

It is a summer active weed that competes strongly with sorghum and is difficult to eradicate, with its seed pod living up to its name and shattering when mature, depositing thousands of seeds across paddocks.

The seeds can also remain viable in a dormant state for up to 12 years.

The alleged contamination occurred between 2010 and 2014, with the plaintiff claiming that Advanta Seeds actions were misleading and deceptive and/or negligent in that the MR43 seed purchased contained the shattercane weed seed.

The class action is proceeding in the Supreme Court of Queensland following amendments to the Civil Proceedings Act in November last year allowing such types of legal action.



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Manufactured from high grade rolled steel
and is break, bend and twist resistant