



COMMERCE COMMISSION

06 NOV 2000

PLEASE REFER TO
Wellington
J 4120

2 November 2000

Mr M Fitzpatrick
PO Box 33-849
Takapuna
AUCKLAND

Dear Mr Fitzpatrick

Isomil

I refer to your letter dated 11 July 2000 to the Commerce Commission in relation to representation on Isomil (ready to feed) infant soy formula cans that was liable to mislead consumers into believing that the product was the "1st choice of doctors for common feeding problems such as fussiness, gas and spit-up."

As you are aware, the Commerce Commission conducted an investigation to determine whether by making the representations in question, Abbot Laboratories (NZ) Limited was liable to breach the Fair Trading Act 1986.

As a result of this investigation, Abbot Laboratories (NZ) Limited has given voluntary undertakings to the Commerce Commission which include withdrawing this product from the New Zealand market and ceasing to import this product into New Zealand in the future.

The Commerce Commission has accepted the undertakings as a settlement of the issue.

Please note that though the Commerce Commission will not be proceeding any further in this case, you are free to take private action against Abbot Laboratories (NZ) Limited if you so desire.

Thank you for bringing this matter to the notice of the Commerce Commission.

Yours sincerely

Uddhav Kirtikar
Investigator
Fair Trading Division