



## **Capilano Honey owner Hive and Wellness are back up to their old tricks dumping imported honey in Australia putting struggling beekeepers out of business**

Capilano Honey owner, Hive and Wellness Australia, are sneakily selling imported honey in Western Australia under the Sunny Flo brand, which is 90% imported honey, but they make no mention of Sunny Flo being one of their brands on their Hive and Wellness Australia website. Add this to the Cloverdale Honey, which is also 90% imported honey and not mentioned on their website as one of their brands, which they are selling Australia wide at Woolworths then it becomes obvious why they are Australia's biggest honey importer putting struggling Australian beekeepers out of business.

Australian beekeepers in the Eastern States have been under huge pressure since last summer's bushfires destroyed many of their beehives. Hive and Wellness have taken advantage of this and are dumping literally tonnes of imported honey on the Australian market forcing the honey prices down which undermines Australian beekeepers who badly need the higher prices to help them replace their beehives lost during the fires.

I received a tip-off that Hive and Wellness were selling imported honey in WA via their Sunny Flo brand and I was sent the below picture which has Hive and Wellness's subsidiary company Honey Corporation of Australia and their address, 399 Archerfield Road, Richlands QLD 4077, on the side which is a big giveaway as per below:



I phoned the Spudshed Fresh Food Store in WA (Bently Store) at 2.52pm today (11/12/20) and I was informed that they sell the 1kg Sunny Flo Honey tubs, which are 90% imported honey, for \$8.99 which is a huge discount on Australian Honey prices.

Honey going into WA has to be treated which it says on the government website:

3. Honey purchased in WA from the east coast has been treated and meets strict quarantine requirements. It's certified as treated and is verified by our officers on arrival into WA.

Someone has advised me that the honey has to be heated to 65 degrees which would kill most of its goodness but I am still to have that confirmed.

**Why are Capilano Honey's owner Hive and Wellness Australia deliberately concealing the fact that they are selling the 90% imported Sunny Flo Honey?**

On the Hive and Wellness website, it makes no mention that it owns and sells the 90% imported Sunny Flo Honey the same that it makes no mention of the fact that they also sell the 90% imported Cloverdale Honey. Why? Because they don't want the public to know that the imported honey is part of the same company that sells Capilano Honey which they try to position as Australian made and helping Australian beekeepers. It is one of those robbing Peter to pay Paul type scenarios.

If you buy Capilano Honey, it might be Australian Honey and help Australian beekeepers, but the profit will go to Hive and Wellness Australia who will use the profit to import more honey

to dump at cheap prices on the Australian market and put more Australian beekeepers out of business.

The only honey brands they admit owning on their website are Capilano Honey, Barnes Naturals, Wescobee Honey and Beeotic Honey. Is it an oversight not to mention Sunny Flo and Cloverdale honey? No, it is a deliberate attempt to deceive customers as they know that customers do not like imported honey which former Capilano Honey CEO and now Hive and Wellness executive Ben McKee admitted in the witness stand under oath.

Cloverdale does at least have a one-page website but there is no website for Sunny Flo Honey so if you don't know that Honey Corporation of Australia is part of Hive and Wellness and they have the same address in Brisbane which is on the side of the bottle then you wouldn't know who owned it.

Capilano Honey was caught out in 2017 selling Sunny Flo Honey with dodgy country of origin labelling and issued an apology.

### **Cloverdale Honey – 90% imported honey owned by Hive and Wellness Australia**

I wrote an article on the 4th of April 2020 about the Cloverdale imported honey scam titled “Woolworths involved in a global food fraud conspiracy with Capilano Honey, Kerry Stokes, Kevin Rudd’s son-in-law, Albert Tse and others” which started off:



**Again involved in food fraud via the  
Cloverdale Honey brand which is  
90% imported fake honey.**

Woolworths is again selling fake honey in a scam involving Capilano Honey Pty Ltd (now known as Hive and Wellness Australia Pty Ltd), their owners Kerry Stokes, Kevin Rudd’s son-in-law Albert Tse and others.



The global food fraud scam conspiracy entails importing fake honey and selling it in Australia, only at Woolworths at this point, via a new brand called Cloverdale Honey which is 90% imported fake honey. They are also exporting it overseas under what seems to be the false impression it is 100% Australian Honey.

I put questions to Woolworths, their CEO Brad Banducci and Hive and Wellness Australia Pty Ltd (formerly Capilano Honey Pty Ltd) but they failed to respond even though they knew I would be making the allegations that I am in this article.

Hive and Wellness Australia (Capilano Honey) and Woolworths have a long history of selling fake honey which is worth reviewing but let's deal with their latest scam first, the new Cloverdale Honey.

I sent Woolworths media division and the CEO Mr Brad Banducci the below email a few days ago. They haven't responded. I also sent the same email to the CEO Ryan d'Almeida and COO Ben McKee at Hive and Wellness Australia Pty Ltd and they have also not responded which is consistent for them.

**From:** SHANE DOWLING

**Sent:** 31 March 2020 13:25

**To:** bbanducci@woolworths.com.au; media@woolworths.com.au

**Subject:** Media questions: Woolworths selling fake honey again via the Cloverdale Honey brand

Dear Mr Banducci

I have some questions for an article I will be publishing regarding Woolworths again selling fake honey in conjunction with Hive and Wellness Australia Pty Ltd (formerly Capilano Honey Pty Ltd) via the Cloverdale Honey brand which is 90% imported honey. The working title for the article is "Woolworths involved in global food fraud scam conspiracy with Capilano Honey, Kerry Stokes, Kevin Rudd's son-in-law, Albert Tse and others"

My questions are:

1. Why is Woolworths again selling imported honey from the same supplier, Hive and Wellness Australia Pty Ltd (formerly Capilano Honey Pty Ltd), who previously supplied the fake honey brand Allowrie Honey.
2. Given Allowrie Honey was proven to be fake imported Chinese honey by independent testing in 2018, which led to Capilano to cease production of Allowrie Honey, what precaution have Woolworths taken to make sure the Cloverdale Honey is not fake?
3. Will Woolworths again start selling the fake Woolworths owned Macro brand honey which Woolworths previously had Hive and Wellness Australia Pty Ltd (formerly Capilano Honey Pty Ltd) produce for Woolworths.
4. Given Coles started selling only Australian Honey in July 2018 why has Woolworths again started selling fake imported honey?

Can you please respond by 5pm today (Queensland time) in case I have further follow-up questions.

Regards

Shane Dowling

I also wrote to Hive and Wellness CEO Ryan d'Almeida and COO Ben McKee on the 14th of March asking some questions after I was leaked their plans for a new fake imported honey and they once again refused to respond.

Woolworths, their CEO Brad Banducci, Hive and Wellness, Kerry Stokes and Albert Tse and the other owners and managers obviously have designs of making huge profits from selling fake honey but it is time the government and proper authorities stepped up to stop it. But while we have a weak government Woolworths, Banducci, Stokes, Tse and the others will continue food fraud they have profited from for years. They might go silent for a while like when they were caught selling the fake Allowrie Honey but as per the above, they will just start up again later using different brands and names etc.

### **Capilano Honey's Australian made scam**

Capilano Honey is currently running a campaign heavily leveraging off the Australian made angle as per the below picture while the parent company Hive and Wellness Australia are trying to conceal from the public that they are Australia's biggest importers of honey putting Australian beekeepers out of business.

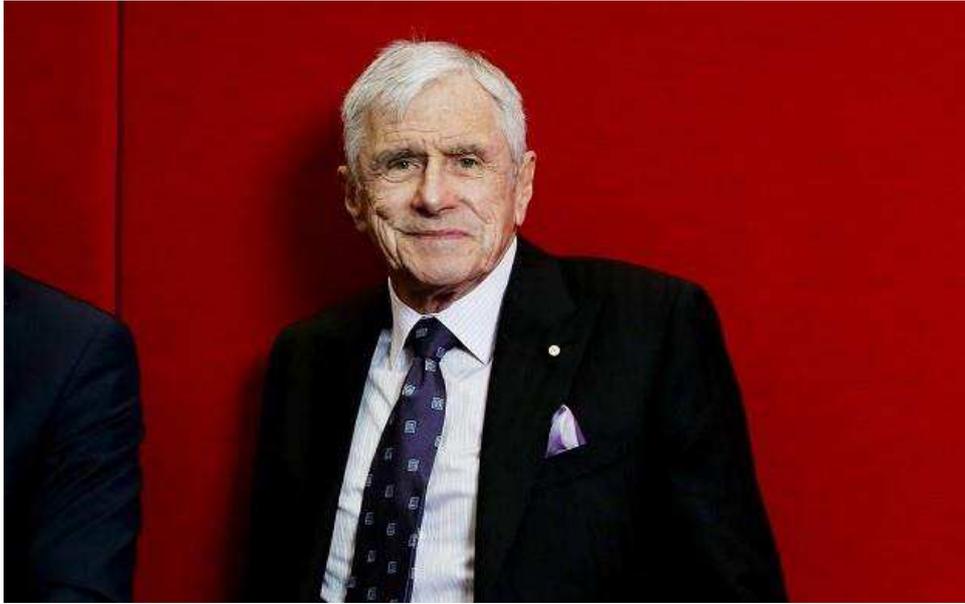


Remember that if you buy Capilano Honey that is helping the profitability of the parent company Hive and Wellness Australia who will use that profit to import more honey and put Australian beekeepers out of business.

### **Capilano Honey's frivolous and vexatious court case**

My injurious falsehood and defamation legal battles with Capilano Honey and Ben McKee that have been afoot since October 2016 were heard in May/June 2020 and Justice Richard Button reserved his decision. They had no real evidence to support their injurious falsehood claim which also highlights what a joke the defamation case is as well. At this point, it looks like there won't be a judgment until next year.

It's long overdue for the Australian Competition and Consumer Commission (ACCC) to investigate the dodgy dealings of Hive and Wellness Australia and their shareholders.



## **Billionaire Kerry Stokes caught illegally giving Capilano Honey suppressed documents for court trying to help stitch-up journalist Shane Dowling**

By Shane Dowling on June 13, 2020

Capilano Honey and their COO (Chief Operating Officer) Ben McKee have illegally obtained suppressed documents and information, from 2 other unrelated court cases, and filed the documents in their court case against me and all roads lead back to Kerry Stokes being the decision-maker behind it. I've started asking some serious questions and everyone, including the judge, are now ducking and weaving.

This is probably one of the most powerful articles I have ever written because the evidence comes straight from Capilano Honey's and Ben McKee's barrister's mouth which is in the court transcript below and it is very easy to understand the crimes.

All you need to know about the background is that Capilano Honey and Ben McKee started suing me in in October 2016 after I wrote about them suing beekeeper Simon Mulvany for claiming they were selling poisonous and fake honey.

In October 2019 Capilano Honey served me with numerous folders full of documents in preparation for the final hearing which was set down from Monday the 25th to 27th of May 2020 but ran over time to include the 28th and the afternoon of the 3rd of June.

On Wednesday the 27th of May 2020 Capilano Honey's and Ben McKee's barrister Ms Monique Cowden said to Justice Richard Button in the Supreme Court of NSW in the Capilano Honey & Anor v Shane Dowling matter in relation to documents in folders labelled RMK6:

“In relation to RMK6, it’s been brought to my attention by my very assiduous instructing solicitors that there is likely in fact some material contained in RMK6 that may, if published by Mr Dowling, be in contravention of existing injunctions that have been put in place in other proceedings by which I mean for example the **Munsie v Dowling proceedings and the Doe v Dowling proceedings**. Your Honour doesn’t need to make in my respectful submission any order in relation to that, save that we would ask your Honour to treat RMK6 as confidential at this stage and **what we propose to do is to provide a list to both the Court and to Mr Dowling by the end of the week identifying those documents which in our opinion, if published, would be in contravention of the existing injunctions**, to assist really Mr Dowling to help ensure that he won’t be in breach.”

Justice Button in effect decided to order that journalists couldn’t access volume RMK6 of their evidence until there was further argument by both parties which I agreed. But that was only meant to be short-term which I expected to be a day or two.

Then on Wednesday the 10th of June a journalist from The Sydney Morning Herald requested access to the court file which made me reflect on what happened in court with the RMK6 volume of evidence that they said had material with injunctions on it from the Munsie v Dowling proceedings and the Doe v Dowling proceedings.

I started to think about how did they legally get the suppressed material and who granted them access to it. Only a judge in the Munsie v Dowling proceedings and the Doe v Dowling proceedings could lift the suppression orders and non-publication orders and give them permission to access it. If that had happened I should have been in court which hadn’t happened nor had Capilano Honey’s lawyer claimed it had happened.

I knew how they got the material because it is the same lawyer for all matters but that doesn’t mean the lawyer can legally use suppressed material from one court matter in another unrelated matter. Even if the material wasn’t suppressed it still raised the question how did they access other clients files to get the documents. The key link is Kerry Stokes.

It’s worth quickly explaining a bit more about the background to understand where the suppressed documents came from. My first interaction with Kerry Stokes was in May 2011 when he had his lawyer, Justine Munsie from Addisons Lawyers, send me a threatening legal letter in relation to an article I had written about him.

The Munsie v Dowling matter started in April 2014 when Kerry Stokes and his lawyer Justine Munsie sued me for defamation in relation to an article I wrote about them. Kerry’s son Ryan was added as an applicant in 2015 for other articles I wrote about him abusing his position as Chairman of the Australian National Library to benefit his father. They dragged out the defamation case and the final hearing was in April 2017 with a judgment in their favour in May 2018. They all refused to give evidence.

The Capilano Honey and Ben McKee matter was instituted against me in October 2016 by the same lawyers, same barrister (Sandy Dawson SC) and same legal strategy of an ex parte hearing with a super-injunction issued that Kerry Stokes used in Munsie v Dowling matter. Given Kerry Stokes owned about 20% of Capilano Honey at the time it was obvious to me he was behind it.

The Jane Doe v Dowling matter was instituted against me in December 2016 by the same lawyers and barrister as the other two matters by a well-known on-air host at Channel Seven

and a well-known actress at Seven. Two other women joined the case in February 2017. All four women were named in a legal document, filed with the Australian Human Rights Commission by Amber Harrison, and were alleged to have had sexual relationships with the then Seven CEO Tim Worner. Final Judgement was handed down in their favour in September 2019 after Justice Fagan claimed the Australian Human Rights Commission legal documents were filed as evidence which was a lie. All four women refused to give evidence.

Given no judge issued orders lifting the suppression orders and non-publication orders in the Munsie v Dowling and Jane Doe v Dowling matters so the suppressed documents could be used by Capilano Honey the next question to ask is if the parties to those two matters gave Capilano Honey permission to use the suppressed documents? That is a question that none of them will want to admit to as they would be admitting to breaching court orders and it is also evidence of the crime of “conspiracy to pervert the court of justice” in that they are breaking the law to try and stitch me up.

I wrote an email to Kerry Stokes, Ryan Stokes and Justine Munsie and asked them about it but they have so far refused to respond.

I wrote an email to Ben McKee and the Directors of Capilano Honey’s parent company Hive and Wellness Australia and they have also refused to respond.

When the Sydney Morning Herald journalist requested access to the court file on Wednesday the 10th of June Justice Button’s associate wrote to us asking if we objected and said “The initial thought of Justice Button is that it is appropriate” for the journalist to have access and giving us until 10am the next day to respond. I responded immediately saying I agreed.

I knew Capilano’s lawyers would take until the next day to respond and I knew they would object so I prepared a response and when they objected to the journalist having access to the court file I sent the below email to the court.

**From:** SHANE DOWLING <shanedowling@hotmail.com>  
**Sent:** 11 June 2020 09:10  
**To:** Richard Keegan <richard.keegan@addisons.com>; Ellen Stiles <Ellen.Stiles@courts.nsw.gov.au>  
**Subject:** RE: Capilano & Anor v Dowling (2016/29952) – Media access

Dear Ms Stiles

The same allegations are all over the internet made by many other media companies and individuals which are still there now and will still be there after a judgment is handed down in this matter so the applicants request that the media do not have access is scandalous and the original summons with basically the same information is already published on my website and has been since October 2016 which is part of the evidence filed by the applicants.

Also, it is the applicant’s second request to limit the media’s access to the court file as per below which after further consideration by me also raises a number of questions relevant to journalists access and the current request that needs to be addressed.

The stance by Capilano Honey and Ben McKee for journalists to be refused access to certain parts of the court file in the Capilano Honey v Shane Dowling matter greatly undermines open justice and it raises many questions that should be addressed.

1. Why was suppressed information from two other court matters tendered in this matter when that information could not possibly help in this matter? The only inference that can be drawn is that Capilano Honey are trying for a back-door attempt to have certain information in this matter suppressed by putting it in the same folder as suppressed information from other matters. This inference is supported by the fact that Capilano Honey and Ben McKee commenced these proceedings at an ex parte hearing (secret hearing) and had a super-injunction, wide-ranging suppression orders and non-publication orders issued that had no legal basis as they were eventually lifted. Capilano Honey and Ben McKee have continued to have Google block articles on my website using the same suppression orders and non-publication orders that have been lifted. Capilano Honey and Ben McKee also took legal action so their witness statements were not made public last year before the hearing.
2. Given Capilano Honey and Ben McKee claim there are documents filed and served in this matter that have suppressed information from the Munsie v Dowling matter and the Jane Doe v Dowling matter then Capilano Honey and Ben McKee should be charged with contempt of court for breaching those suppression orders.
3. How did Capilano Honey and Ben McKee legally access information that is suppressed in the Munsie v Dowling matter and the Jane Doe v Dowling matter? Who gave them permission to look at those files? And who gave them permission to file the information in open court in this matter?
4. Would Capilano Honey and Ben McKee illegally access information that is suppressed in the Munsie v Dowling matter and the Jane Doe v Dowling matter be an attempt to pervert the course of justice? And should the lawyers and the other people who helped them be charged with conspiracy to pervert the course of justice?
5. The Munsie v Dowling matter was Kerry Stokes, his son Ryan Stokes and their lawyer Justine Munsie suing me for defamation and the Jane Doe v Dowling matter was 2 former and 2 current female staff members at Channel 7 suing me which lawyer Richard Keegan confirmed that Seven West Media paid for the matter and he also confirmed Kerry Stokes was in regular direct contact with him during the course of the matter.
6. Kerry Stokes is the only one who could have granted access to the suppressed information in the Munsie v Dowling matter given it was his matter and it is highly likely that he is also the one who granted access to the suppressed information in the Jane Doe matter given Seven West Media paid for it and given he took a very close interest in the matter as per Richard Keegan's evidence under oath.
7. Ben McKee did a big song and dance in his witness statement claiming how Kerry Stokes has had nothing to do with these proceedings but Kerry Stokes is the only one who would have been able to give consent for at least part, if not all, of the suppressed information used in this matter. It is also certain that Kerry Stokes gave permission for his name to be used in these proceedings in relation to the applicants claim that I had malice for writing what I did because of my dislike for Kerry Stokes. This evidence raises the point of should Ben McKee be charged with perjury given he wrote several paragraphs claiming that Kerry Stokes had nothing to do with these proceedings when clearly he has.

If the above is not addressed by the court in open court it scandalises the court given the gravity of what is written above and the open admissions by Capilano Honey's barrister in court as per

the below transcript. This matter clearly needs to be set down for further hearing and further cross-examination of the witnesses and Kerry Stokes should be subpoenaed to give evidence.

Justice Button had his associate respond after 5pm that day saying he was refusing the journalist access to the court file and that the journalist would have to file a Notice of Motion if he wanted access to the court file but another judge would have to hear it "Due to the imminent absence of Justice Button on leave." In other words, Justice Button did a dodgy and then went on holidays.

The suppressed documents Capilano Honey and Ben McKee are using from the Munsie and Jane Doe matters are stolen and none of the applicants in those matters will ever admit they gave permission for Capilano and McKee to access them because then they are admitting they committed a crime. And it highly likely that the four women in the Jane Doe matter don't even know about it.

But it has Kerry Stokes fingerprints all over it otherwise we have to believe that Kerry Stokes lawyer Richard Keegan has accessed the Munsie v Dowling file at Addisons Lawyers without Kerry Stokes approval and used documents from that file in the Capilano Honey matter. And we have to believe Richard Keegan has done the same in the Jane Doe matter.

I also sent an email to Richard Keegan and he did respond but he only managed to dig a bigger hole for himself and everyone else. Keegan refused to answer most questions but said: "that material is material that has been previously published by you and in any event has not been provided to anyone other than the Court and you." I responded to his email "You are lying. It has been provided to Capilano Honey and Ben McKee, so on what legal basis has that been done and with who's authority?" and asked him for a response by 5pm 13/3/20 which has failed to do.

Justice Richard Button has plenty of questions to answer as well but he has conveniently gone on holidays. Justice Button had already reserved his judgment in the main matter so a decision could be a while. Capilano's case against me is shockingly bad which I have written about many times so let's wait and see what Justice Button does.

A journalist had approached the court the week before the hearing asking for permission to be able to dial into the hearing and given most media companies have published stories over the last 2 years about Capilano Honey allegedly selling fake honey then it always likely other media would ask for permission to inspect the court file. So much for open justice in Australia.