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News Release

## TURNERS & GROWERS TO APPEAL HIGH COURT RULING

Turners & Growers has today announced that it will appeal the High Court decision in its case against the privately owned monopoly kiwifruit exporter, Zespri.

Turners & Growers Chairman, Tony Gibbs said the company had reviewed the High Court judgment in detail over the weekend and will be lodging its appeal as soon as possible.

Tony Gibbs said while he appreciated that Zespri wished to avoid further scrutiny of its behaviour and its extraordinary position as a private company with a statutory monopoly, Mr Jager's call for Turners & Growers not to appeal the High Court decision was 'wishful thinking.' ENDS

### About Turners & Growers:

Turners & Growers is New Zealand's leading distributor, marketer and exporter of premium fresh produce and the largest corporate horticulture investor in New Zealand. Turners & Growers is also a large-scale grower of several fruit varieties including citrus, apples and kiwifruit.

In 1959 Turners & Growers coined the name 'Kiwifruit' as it worked to establish the export market for NZ-grown Chinese Gooseberries in the United States.

In January 2003, Turners & Growers merged with ENZA (formerly the New Zealand Apple & Pear Marketing Board). ENZA is a leading player in the global pipfruit trade, with strong global customer relationships and a history of innovation. Following the merger, Turners & Growers saw an opportunity to pursue a new kiwifruit variety development programme using ENZA's development background.

Turners & Growers remains at the forefront of the kiwifruit industry with several new varieties that it has developed and tested for production and export from New Zealand. The company holds the global Intellectual Property Rights to ENZAGold™, ENZARed™ and the regional rights to Summerkiwi.™

Turners & Growers estimates that its new kiwifruit varieties could earn New Zealand up to half a billion dollars per year in export earnings. The company wants the right to be able to export, without restriction, its own kiwifruit varieties internationally. The Kiwifruit Regulations 1999 prevent owners of Kiwifruit varieties, other than monopoly kiwifruit marketer Zespri, from exporting kiwifruit outside New Zealand and Australia.

### Contacts for more information:

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For more information on Turners & Growers new Kiwifruit varieties visit: [www.turnersandgrowers.com](http://www.turnersandgrowers.com)

