



# PRODUCE & GROCERY INDUSTRY CODE OF CONDUCT



PROMOTING FAIR  
TRADING PRACTICES  
IN THE PRODUCE  
AND GROCERY  
INDUSTRY

[www.produceandgrocerycode.com.au](http://www.produceandgrocerycode.com.au)

## ABOUT THE CODE

The Produce and Grocery Industry Code of Conduct (the code) is a voluntary code that promotes good commercial relationships along the produce and grocery industry supply chain.

The objects of the code are to:

- promote fair and equitable trading practices among industry participants
- encourage fair play and open communication between industry participants as a means of avoiding disputes
- provide a simple, accessible and non-legalistic dispute resolution mechanism in the event of a dispute.



## COVERAGE OF THE CODE

The code is intended to cover all industry participants (except consumers) in the Australian produce and grocery industry, including;

- primary producers
- processors
- wholesalers
- distributors
- retailers—including those selling produce through restaurants and other retail outlets, such as supermarkets and grocery stores.

## KEY PRINCIPLES OF THE CODE

The code is built on four key principles addressing a range of industry issues. These principles underpin strong business relationships by encouraging cooperation and mutual understanding between all industry participants.

### PRINCIPLE 1

#### Produce standards and specifications

Both suppliers and retailers respect each others right to have produce fairly evaluated, and to purchase the best produce at the best price.

### PRINCIPLE 2

#### Contracts

All industry participants accept the right of suppliers and retailers to freely negotiate the terms and conditions of any supply contract.

The code provides a checklist of Terms of Trade that may be included in contracts.



### **PRINCIPLE 3**

#### Labelling, packaging and preparation

All industry participants accept retailers' right to outline labelling, packaging and preparation requirements, and retailers agree to communicate to suppliers any changes to these requirements in clear, meaningful and accurate terms at the time of ordering.

### **PRINCIPLE 4**

#### Dispute resolution scheme and procedures

All industry participants support a two-stage dispute resolution scheme that encourages industry participants to resolve disputes under internal procedures and with any unresolved disputes referred to the Produce and Grocery Industry Ombudsman.

**These four principles will strengthen business relationships by encouraging fair, equitable and open relationships, and help to minimise disputes within the industry.**

# THE OMBUDSMAN AND DISPUTE RESOLUTION PROCESS

The code provides for a two-stage dispute resolution scheme that:

1. Encourages applicants to raise disputes with the respondent.
2. Encourages unresolved disputes to be raised with the Produce and Grocery Industry Ombudsman.

In Stage 1, the code encourages both parties to resolve the matter in good faith, without prejudice and in keeping with any internal procedures one of the parties may have in place.

In Stage 2, parties may apply to the Ombudsman for assistance in resolving any dispute that can not be resolved internally.

The Ombudsman provides a confidential mediation service which is subsidised by the Australian Government.



## INDUSTRY ENDORSEMENT

The following organisations and businesses commit to promoting the code and their own internal dispute resolution mechanisms:

- Aldi Stores
- Australian Chamber of Fruit and Vegetable Industries Limited
- Australian Chicken Growers Council
- Australian Dairy Farmers
- Australian Egg Corporation Limited
- Australian Food and Grocery Council
- Australian Retailers Association
- Coles Myer Limited
- Horticulture Australia Council
- Murray Valley Winegrape Growers
- National Association of Retail Grocers of Australia
- National Farmers' Federation
- National Retail Association
- Queensland Retail Traders and Shopkeepers Association
- Woolworths Limited.

### For more information contact:

Produce and Grocery Industry Code of Conduct  
[www.produceandgrocerycode.com.au](http://www.produceandgrocerycode.com.au)

Produce and Grocery Industry Ombudsman  
[www.produceandgroceryombudsman.com.au](http://www.produceandgroceryombudsman.com.au)  
Freecall™ 1800 206 385

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