

From: Jamie Erceg <[REDACTED]>
Sent: Wednesday, May 1, 2024 5:43 PM
To: Grocery Code Review <GroceryCodeReview@TREASURY.GOV.AU>
Cc: Lyn Erceg <[REDACTED]>
Subject: Re: Food and Grocery Code of Conduct Review - J & A Erceg

Good afternoon

I wondered if the Independent Review of the Good and Grocery Code of Conduct was still taking submissions in response to the consultation questions set out in its Interim Report? If so, I was hoping to make the below submission in response to Questions 1.

I've read the Interim Report, and I'm very concerned the Review seems hesitant to extend the application of a mandatory Code beyond the major supermarkets to the distributors and intermediaries that small growers often deal with when supplying the major supermarkets. Our experience has proven the conduct of distributors to the major supermarkets can be equally problematic and damaging, as they often do the "dirty work" of the major supermarkets. The major supermarkets shield themselves and otherwise escape their obligations under the Code by refusing to deal directly with small growers. Instead, the major supermarkets engage distributors, wholesalers, and other intermediaries to drive a protective wedge between them and small growers. A mandatory Code will be a farce, unless the obligations imposed on the supermarkets flow down all stages of the supply chain so small growers have recourse against each offending party. Alternatively, the Code should be amended so the major supermarkets are responsible for any damages sustained by small growers when any distributor or intermediary acts in a way inconsistent with the Code.

Thank you for your time.

Kind regards
Jamie Goode