

MEMBER BRIEF

ACCC CONCERNS ABOUT SUPERMARKETS NOT COMPLYING WITH THE FGCC

The Australian Competition and Consumer Commission (ACCC) has written to the Australian Food and Grocery Council about potential contraventions of the Food and Grocery Code of Conduct (FGCC) by supermarkets and are requesting further details of such alleged conduct from suppliers.

In particular the ACCC is seeking, on a confidential basis, examples of requests for goodwill payments; unreasonable payment terms; historical accounting practices; and threats of de-listing products without supporting commercial reasons.

The ACCC is encouraging suppliers experiencing such issues to contact them directly. The ACCC will protect the identity of suppliers that provide information to assist in their investigations.

The ACCC currently lists the FGCC as one of its enforcement priorities. If it receives no complaints from suppliers it may take the view that retailers are fully complying with the Code and enforcement resources may be diverted to other priorities.

Next steps

Suppliers wishing to discuss matters raised in this members brief are requested to contact:

Molly Choucair T: 029230 9116 or E: molly.choucair@acc.gov.au

Catherine Pavey T: 02 9230 9170 or E: catherin.pavey@acc.gov.au

Niels Stecher T: 02 9230 3838 or E: niels.stecher@acc.gov.au

Members are also reminded of the FGCC support material available in the members section of the website; the NextGen training program scheduled for September; and the AFGC assessment line. For general enquiries pertaining to the Code contact [Samantha Blake](#) or [Chris Preston](#).

GEOFFREY ANNISON
ACTING CHIEF EXECUTIVE