



What does the Horticulture Code of Conduct mean for GROWERS?

Under the Horticulture Code of Conduct:

1. Growers will have access to **terms of trade documents** which contain basic information about how wholesalers intend to do business with growers. This will help growers to find a wholesaler appropriate to their trading needs.
2. Growers and wholesalers will use **written agreements** setting out how trade will be conducted.
 - It is anticipated that the terms of trade and written agreements will be relatively standard across the industry.
3. Growers will have clarification about whether a wholesaler is trading as an **agent**, who sells produce on behalf of a grower, or as a **merchant**, who buys a grower's produce for resale.
4. Growers and wholesalers will have **clarification** about when ownership of produce transfers and when prices are agreed.
5. **Prices will be agreed in writing** under merchant trading arrangements.
6. Wholesalers will provide **written reports** to growers with basic information about the purchase of the grower's produce, under a merchant transaction, or the sale of the grower's produce, under an agent transaction.
7. Growers and wholesalers can appoint **Horticulture Assessors** to investigate and report on produce quality or transaction details.

8. Wholesalers and growers can access a **low cost dispute resolution** process and mediators appointed by the **Horticulture Mediation Advisor** if a dispute occurs.
9. Growers and wholesalers have the opportunity to **strengthen existing trading relationships**.

The Horticulture Code of Conduct is a mandatory code under the *Trade Practices Act 1974* (the Act) and as such, has the force of law. The Australian Competition and Consumer Commission ensures compliance with the Horticulture Code of Conduct and the Act by informing growers and wholesalers of their rights and obligations under the law and enforcing the law if necessary.

For more information, please visit the:

Department of Agriculture, Fisheries and Forestry website at www.daff.gov.au/hortcode.

Australian Competition and Consumer Commission website at www.accc.gov.au/industrycodes or call the ACCC Infocentre on **1300 302 502**.