

Raising an Issue with or providing information to the Groceries Code Adjudicator

Thank you for your interest in the Groceries Code Adjudicator (GCA). The Adjudicator is here to ensure that the [Groceries Supply Code of Practice](#) (the Code) is upheld. The Adjudicator is not able to consider issues that do not relate to the Code.

THE ROLE OF THE GCA

- The GCA was set up to ensure that suppliers are treated fairly and lawfully by investigating suspected breaches of the Code and arbitrating in disputes
- The GCA will encourage and monitor compliance with, and enforce, the Code
- The Code only applies to some larger retailers, which are listed. It also only applies to those retailers' relationships with their direct suppliers. Indirect suppliers are not covered
- The GCA is not able to deal with individual cases, other than by arbitration
- We will add issues raised with the Office to our pot of evidence which will inform decisions about what to focus on over the year, including whether to launch an investigation into a particular practice or range of practices
- The GCA will discuss issues raised with the retailers' Code Compliance Officers, with a view to ensuring retailers are aware of and can rectify bad practice, whether by a sole buyer or more widespread. Where supplier anonymity cannot be safeguarded simply by contacting one CCO, the issue may be raised with all CCOs

ADVICE TO SUPPLIERS

- Suppliers should make Code Compliance Officers (CCOs) aware of issues relating to the Code. CCOs are independent of the buying chain and almost all report at Board level. They can only improve practice if they are given the information about what is happening
- Seek independent legal advice if you want help interpreting your contract or prospects of success in any dispute
- If negotiations with the buying department are not resolved to your satisfaction, you can formally refer disputes to the Code Compliance Officer to allow them to fully investigate and resolve the dispute. This process is set out in Article 11 of the [Groceries \(Supply Chain Practices\) Market Investigation Order 2009](#)
- Provide full information to the CCO together with relevant correspondence or they will find it difficult to help you
- We have seen instances where CCOs have been able to address supplier concerns within a week, including financial aspects. They can get results fast

ADVICE TO INDIRECT SUPPLIERS

- The Adjudicator can receive information from anyone, not only direct suppliers. However, the issue raised must be about the direct supply agreement with the retailer
- The Adjudicator is unlikely to launch any investigation or other action without evidence from direct suppliers about the practice

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To help you (and us) decide whether your issue is within the Adjudicator's powers to address, please consider the following questions **before** you submit your issue.

1. Does the incident concern the supply of a grocery item? Yes/No

The Code defines groceries as:

| Included | Excluded |
|--|--|
| <ul style="list-style-type: none">• Food (other than that sold for consumption in the store)• Pet food• Drinks (alcoholic and non-alcoholic, other than that sold for consumption in the store)• Cleaning products• Toiletries• Household goods | <ul style="list-style-type: none">• Petrol• Clothing• DIY products• Financial services• Pharmaceuticals• Newspapers, magazines and books• Greetings cards• CDs, DVDs, videos and audio tapes• Toys• Plants and flowers• Perfumes• Cosmetics• Electrical appliances• Kitchen hardware• Gardening equipment• Tobacco and tobacco products |

If the item being supplied is not defined as a grocery, the Adjudicator will not be able to consider the issue.

2. Does the incident concern supply of groceries to one of the retailers listed below? Yes/No

The Code only applies to certain retailers, specified by the independent competition authorities. These retailers are listed below.

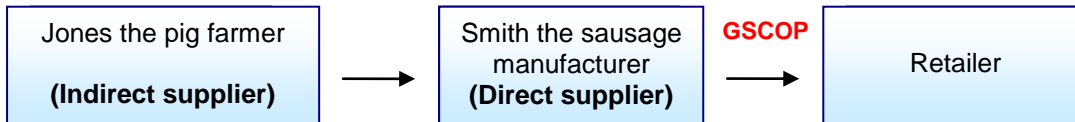
- **Asda** Stores Limited, a subsidiary of Wal-Mart Stores Inc
- **Co-operative** Group Limited
- **Marks & Spencer** plc
- Wm **Morrison** Supermarkets plc
- **J Sainsbury** plc
- **Tesco** plc
- **Waitrose** Limited, a subsidiary of John Lewis plc
- **Aldi** Stores Limited
- **Iceland** Foods Limited, a subsidiary of the Big Food Group
- **Lidl** UK GmbH

If your issue does not relate to one of these retailers, the Adjudicator will not be able to consider the issue.

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3. Does the incident concern the DIRECT supply of groceries to one of the retailers listed above? Yes/No

For example, say Jones the pig farmer sells meat to Smith the sausage manufacturer, who then sells the sausages to one of the ten retailers above.



Thus, Smith the sausage manufacturer is a **direct** supplier to the retailer. Jones the pig farmer is NOT a direct supplier to the retailer.

The Code only covers **direct** suppliers to the specified retailers. Indirect suppliers are not covered by the Code.

Suppose also that Jones the pig farmer feels he has been mistreated by Smith the sausage maker. That would not be covered by the Code.

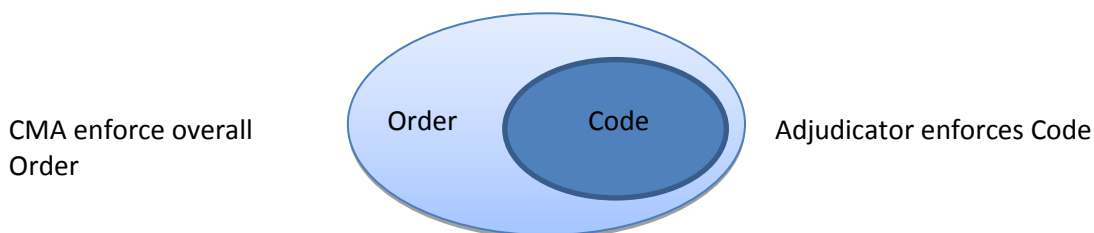
It is important to note that the Adjudicator can receive information from anyone – you do not have to be a direct supplier to raise an issue. However, the issue must be about the direct supply agreement with the retailer, not about practices further up the chain.

If your issue does not concern the direct supply of groceries to a retailer on the list above, the Adjudicator will not be able to consider it.

4. In your opinion, to which section of the Code does your issue relate?

The Code is contained within a wider Order, known as the Groceries (Supply Chain Practices) Market Investigation Order 2009.

The overall Order is enforced by the Competition and Markets Authority, while the Groceries Code Adjudicator only enforces the Code itself (page 11 and onwards of the linked document above).



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INSERT DETAILS OF YOUR ISSUE OR THE INCIDENT BELOW

Please set out your issue or describe the incident beginning with which element of the Code you think relates to your case

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| YOUR CONTACT DETAILS | |
|-------------------------------------|--------|
| Name: | |
| Address: | |
| Email: | |
| Telephone Number: | |
| NAME OF THE RETAILER THIS REFERS TO | |
| | |
| Signed: | Dated: |
| | |

Please submit this form via:

Email: enquiries@gca.gsi.gov.uk

Or

Post to:

Groceries Code Adjudicator
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Victoria House
Southampton Row
London, WC1B 4DA