

To whom it may concern

Further to your call for inputs to the "Environmental sustainability and the competition and consumer law regimes Advice to the Secretary of State for Business, Energy and Industrial Strategy" document.

"It is particularly interested in hearing about specific instances where businesses or consumers felt that competition or consumer law impacted their ability to act sustainably."

I wish to contribute the following:

I am the CEO of NOT1BEAN coffee supply company, a UK limited company with offices in Weston-super-Mare UK, and Tolima Colombia. My contributions are related to daily experiences gained from working within the coffee sector.

70. We would welcome responses to the following questions:

(a) Does the current consumer protection law framework constrain or frustrate initiatives that might support the UK's Net Zero and sustainability goals?

See below

(b) What changes to business-to-business protections are required, to address the current issues of supply chain transparency?

"58. Placing obligations on businesses to provide information necessarily means that businesses must have access to the information that they are required to share. At present, however, while there are obligations on businesses further up the supply chain not to mislead the businesses to whom they sell goods and services, there is no proactive obligation to provide information."

There must be an obligation on all suppliers to provide information where a lack of such information misleads consumers or allows unscrupulous business owners to do so. In the case of supermarket coffees and other large retail outlets such as universities, charities, and hospitals, we see a combination of both. Coffee suppliers do not disclose whether coffee has been shipped in the heavier unroasted state (unroasted coffee is up to 20% heavier before roasting) leading to many millions of tonnes of excess cargo being shipped, nor do they disclose that millions of extra unnecessary road and air journeys are added to the supply chain after coffee is roasted in consumer countries.

Many millions of tonnes of coffee annually re-cross oceans in the name of profit. This is documented on the CBI website and a simple search for coffee available for re-export reveals millions of tonnes of coffee in warehouses across the globe ready for reshipping across the world's oceans. Obviously for coffee to be sold as climate friendly it must be roasted before shipping and shipped directly to the retailer whenever possible.

Consumers are unaware that the "climate friendly" coffee they purchase has undergone these unnecessary journeys, and in the case of business owners the information is neither shared nor requested.

(e) How far should the consumer protection law framework go to address: (i) the planned obsolescence of products; and/or (ii) commercial practices which promote over-consumption?

Coffee is often described as fresh for only a short period of time, sometimes as short as a week or so, this despite the same product being labelled as fresh for up to three years on supermarket shelves. This is done to both promote over-consumption and to preserve the market for roasters in consumer countries who argue that coffee cannot be roasted in producer countries and remain fresh.

I would like to address 23 d Chapter II prohibition and sustainability agreements

(d) A business with market power refuses to deal with suppliers or customers who do not meet sustainability criteria that the business with market power has set and which are not required by law.

Supermarkets and other retail outlets often refuse to buy coffees roasted in producer countries citing their obligation to buy only "certified coffees" such as Fairtrade, this despite these coffees being roasted in consumer countries and therefore the opposite of "climate friendly" as thought by consumers. These organisations derive their profits (within their coffee supply lines) from roasters primarily in consumer countries. This misleading marketing and opaqueness misinforms consumers and often the retailer who is blind to these practices.

Question 16: How can the CMA identify markets that may be particularly relevant and important in supporting the UK's strategic goals on environmental sustainability and Net Zero? Are you aware of specific examples?

The size and reach of the UK coffee market answers this question.

Thank you

email: info@not1bean.com

Web: www.not1bean.com

Twitter [@Not1Bean](https://twitter.com/Not1Bean)

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