



3rd March 2010

The Editor
Fresh Produce Journal
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For publication

Dear Sir

Stephen Robertson asks why we need a new enforcer to oversee the new Groceries Code of Practice (Opinion, 26th February 2010). The answer is straightforward.

The Competition Commission's remedy to the anti-competitive practices it found is a stronger Code monitored and enforced by an ombudsman. This is a single, holistic remedy, not a composite that can be cherry-picked.

The way the new Code has been introduced means that retailers are under no duty to comply with its provisions. Yes, they must include the Code in supply agreements but that is not the same thing.

Without an ombudsman, it is down to individual suppliers to enforce compliance, either through contract law or by bringing a complaint under the arbitration procedure. The last eight years have shown that to do so is simply not in suppliers' interests.

A code without proper monitoring and enforcement is pointless. We learned that under the last Supermarket Code of Practice and don't need to learn that lesson again.

Yours faithfully

A handwritten signature in black ink, appearing to read "John Noble".

John Noble