



# Agriculture UTP Act in practice: food product buyers

I&O Research Report

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# Executive summary

## Background

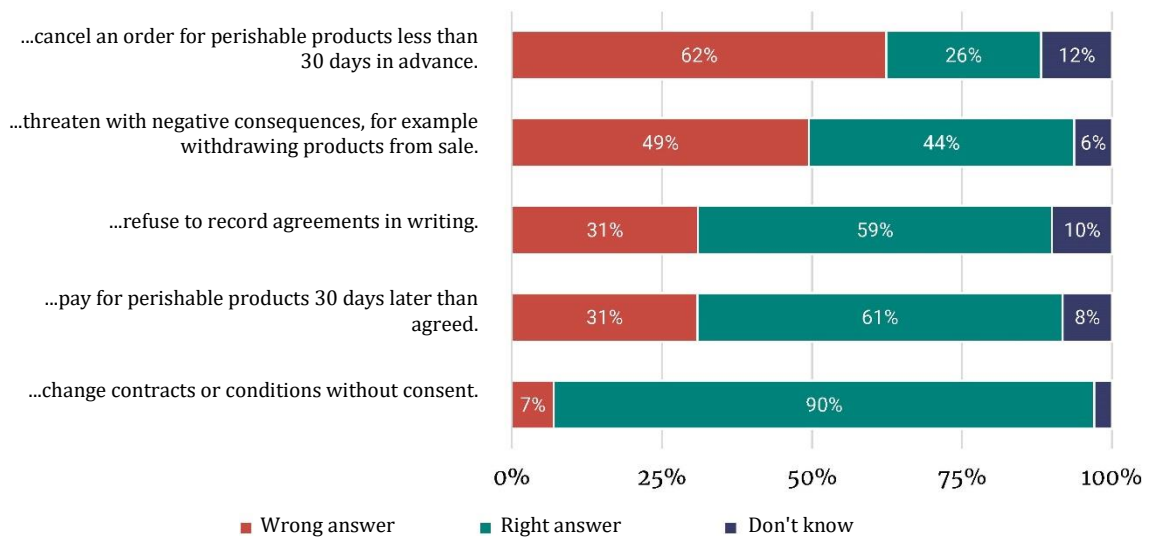
The Agriculture and Food Supply Chain Unfair Trading Practices Act (hereinafter: Agriculture UTP Act) introduced on November 1, 2021 is intended to strengthen the negotiating position of farmers, market gardeners and fishers against larger, concentrated market participants. Examples of unfair practices are where farmers, market gardeners, and fishers are paid late by buyers for perishable products or where orders for such products are canceled at short notice. On behalf of the Netherlands Authority for Consumers and Markets (ACM), I&O Research conducted a survey of knowledge of the Agriculture UTP Act and experience of unfair trading practices among larger buyers of food products (at least €2 million in turnover). A total of 226 businesses in the target group were interviewed by telephone in the period from October 2 to November 9, 2023.

## Knowledge of the Agriculture UTP Act

### Six out of ten buyers think short-notice cancellations are permitted

The buyers were presented with five different unfair trading practices. A large proportion wrongly think it is permissible to cancel orders for perishable goods less than 30 days in advance (62% are wrong and believe it permissible) and to threaten with negative consequences (49% wrong). Buyers tend to be more correct in understanding that they cannot refuse to record agreements in writing (31% wrong), pay more than 30 days later than agreed (31% wrong), and change contracts or conditions without consent (7% wrong). In addition to the wrong answers, for each commercial practice 3% to 12% do not know whether it is permitted or not.

#### By law, are you permitted as a buyer to... (n=226)



### Three-quarters of buyers are not yet familiar with the Agriculture UTP Act

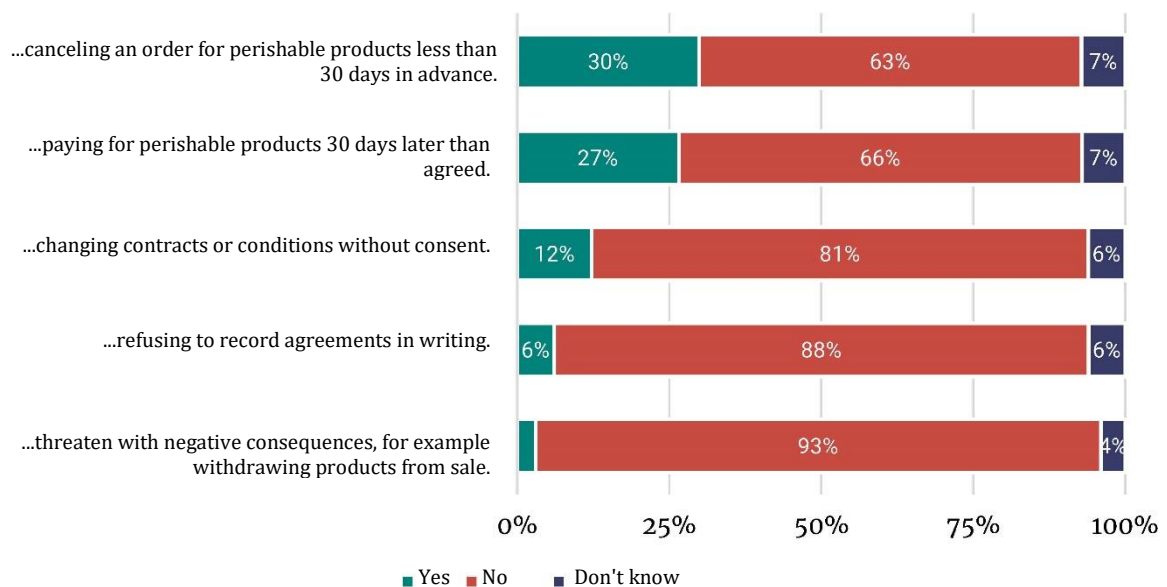
Three out of four buyers (76%) had not heard of the Agriculture UTP Act before the survey. A quarter of buyers were already familiar with the Act: 6% say they are very familiar with it and 18% have heard of it but do not know the precise content of the Act. Buyers who were already familiar with the Act before the survey mainly heard about it through newsletters (23%), advertisements (19%), and/or social media (19%).

### Experience of unfair trading practices

#### Three out of ten buyers see short-notice cancellations or late payments in their sector

Buyers were presented with five examples of unfair trading practices (see figure below). Last year, buyers heard most frequently of other buyers in the sector canceling orders for perishable products less than 30 days in advance (30%). This is also the unfair commercial practice that most (62%) think is permitted. Almost as many buyers (27%) heard of payments for perishable products being made more than 30 days late, even though significantly fewer buyers (31%) believe this is permitted. Short-notice cancellations and late payments are therefore the most commonly reported unfair trading practices.

*In your sector over the past year, have you seen or heard of other buyers...* (n=226)



### **Wholesalers are more likely to have heard about unfair trading practices**

On average, wholesale buyers are more likely to have heard about unfair trading practices. More than other buyers, they saw or heard of orders being canceled at short notice (47%), payments being made later than agreed (46%), and contracts or conditions being changed without consent (20%) in their sector. Buyers in the supermarket sector have less experience of these three trading practices: 19%, 13%, and 5% respectively have seen or heard of them in the sector in the past year.

### **Paying more than 30 days late is the most common unfair commercial practice**

The buyers who had experience of unfair trading practices were asked how often they had experienced them in the past two years. Six percent of all buyers in the survey state that late payments (more than 30 days late) occur frequently. According to 4%, short-notice cancellations occur frequently. The other unfair trading practices occur less frequently.

## **Implementation of the Agriculture UTP Act**

### **UTP compliance mainly assigned to board of directors or management**

A third of buying organizations (33%) have assigned compliance with the Agriculture UTP Act to a specific person or department. The owner, director, or manager is mentioned most often. Next come the purchasing or sales department and the quality department or individual quality officers.

### **Half of buyers made no changes in response to the Agriculture UTP Act**

Eight percent of buyers made one or more changes to comply with the Agriculture UTP Act. These include changing conditions in delivery contracts, setting up or making changes to a complaints desk, and introducing a compliance course. Buyers that did nothing had by no means always heard of the Act. Many buyers also said they did not need to make any changes because they were already compliant with the Act.

## **Familiarity with the Netherlands Authority for Consumers and Markets**

### **ACM little known as the regulator of the Agriculture UTP Act**

When asked, 8% of buyers spontaneously mention ACM as the regulator of the Agriculture UTP Act. More often (16%), people think it is regulated by the Netherlands Food and Consumer Product Safety Authority (NVWA). When respondents can choose from a list of possible regulators (only those who did not know at first), the NVWA and the Dutch Trade Authority (a made-up authority) are also mentioned more often than ACM.

### **Four out of five buyers not very familiar with ACM's activities**

Twenty percent of buyers said they were already very familiar with ACM and its activities before the survey. Half (46%) had not heard of ACM and a third (34%) knew ACM by name, but did not know exactly what it did.



# 1 Background

## 1.1 Reason for the survey

The Agriculture and Food Supply Chain Unfair Trading Practices Act (Agriculture UTP Act) came into force on November 1, 2021. The purpose of the Act is to strengthen the negotiating position of farmers, market gardeners, and fishers against larger, concentrated market participants. Under the Act, buyers are no longer permitted to:

- pay for supplied products later than 30 days after the agreed date;
- change supply contracts unilaterally;
- cancel orders at the last minute.

The Netherlands Authority for Consumers & Markets (ACM) regulates the Agriculture UTP Act. If suppliers find or believe that buyers are not complying with the rules, they can report them to ACM. They can also do so anonymously.

In October-November 2022, I&O Research conducted a survey of food producers on behalf of ACM to understand how the Act was functioning in practice. A year later, ACM asked I&O Research to repeat the survey among buyers of food products.

## 1.2 Aim of the survey

This survey commissioned by ACM aims to assess and increase knowledge of the Agriculture UTP Act among buyers of food products, based on the principle that knowledge is an essential precondition for complying with the Act. This survey shows the extent to which buyers are aware of the Act and what their organizations are doing to comply with it.

### Survey questions

The survey addresses the following research questions:

- 1 How much knowledge do buyers have of unfair trading practices, the relevant law, and ACM?
- 2 How have buyers implemented the Agriculture UTP Act in their organization?
- 3 To what extent do buyers (in a broad sense) comply with the Agriculture UTP Act?

The survey therefore focuses primarily on knowledge, application, and compliance.



## 1.3 Method, context, and response

### Method

The survey is aimed at larger buyers of food products. This target group was chosen because the Agriculture UTP Act only applies if there is an unequal power relationship between a buyer and a supplier. The turnover limit was set at €2 million.<sup>1</sup> Since business turnover was not known at the time of sampling, businesses with at least ten employees were selected instead. To reach this target group as effectively as possible, it was decided to conduct telephone interviews. The questions and possible answers (see annex) are preprogrammed and visible on the interviewers' computer screens to be read out directly over the telephone. The interviewers were instructed to be reticent about naming ACM as the body commissioning the survey. The announcement letter similarly did not mention the precise subject (the Agriculture UTP Act), so as to conduct the purest possible test of knowledge and familiarity with the Act. The interviewers called buyer organizations and asked for the owner or director or a person 'who deals with regulation and/or supply agreements' and who could talk about the subject. Where this report refers to buyers of food products, they are therefore representatives of these undertakings.

### Period and context

The telephone interviews took place between October 2 and November 9, 2023. In the year prior to data collection, food prices rose rapidly. For example, consumers paid 7.9% more in October 2023 than a year earlier.<sup>2</sup>

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<sup>1</sup> <https://www.acm.nl/nl/onderwerpen/concurrentie-en-marktwerking/concurrentie-en-afspraken-tussen-bedrijven/concurrentie-de-landbouw-en-voedselketen/verbod-oneerlijke-handelspraktijken-de-landbouwketen>

<sup>2</sup> <https://www.cbs.nl/en-gb/news/2023/45/inflation-down-to-0-4-in-october-5-1-excluding-energy>



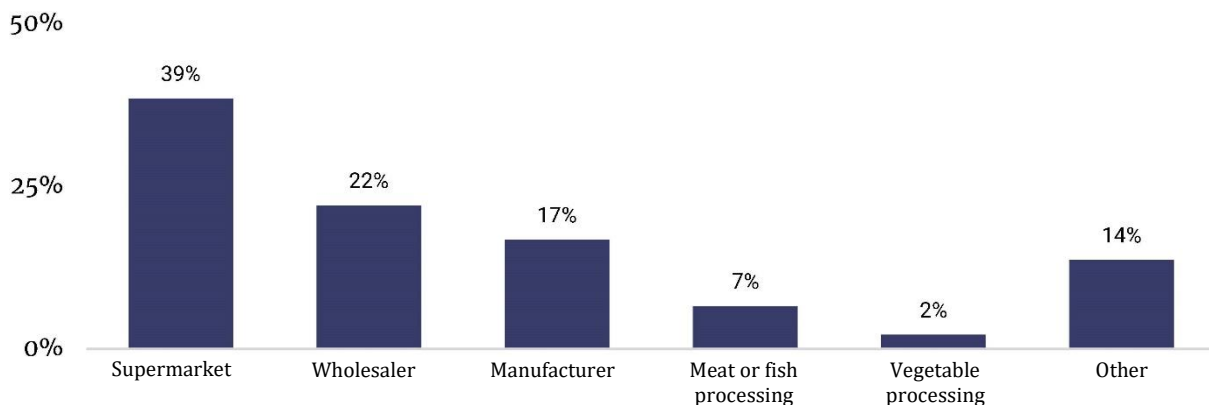


### Sample and response rate

Buyers of food products were selected from the National Information System of Employment (LISA<sup>3</sup>). This is a nationwide register of paid employment in the Netherlands. It contains information on all business locations in the Netherlands. Based on the distribution of businesses in the target group sectors, 4,000 business locations were selected. After an initial check, some of the businesses turned out to be outside the target group because they had a turnover of less than €2 million. Some also declined to participate or the right person in the organization could not be reached. Within the sample of 4,000 businesses, a total of 226 successful interviews were conducted with businesses within the target group (6% response rate).

Two out of five buyers (39%) who participated in the survey were supermarkets, in many cases franchises with a main branch (Figure 1.1). One-fifth (22%) represent wholesalers and 17% are manufacturers. A small proportion of respondents are processors of meat, fish, or vegetable products. The 14% of buyers in the 'other' category are diverse range including pastry shops, nurseries, and catering companies.

**Figure 1.1 - Which group does your company fall into? (n=226)**

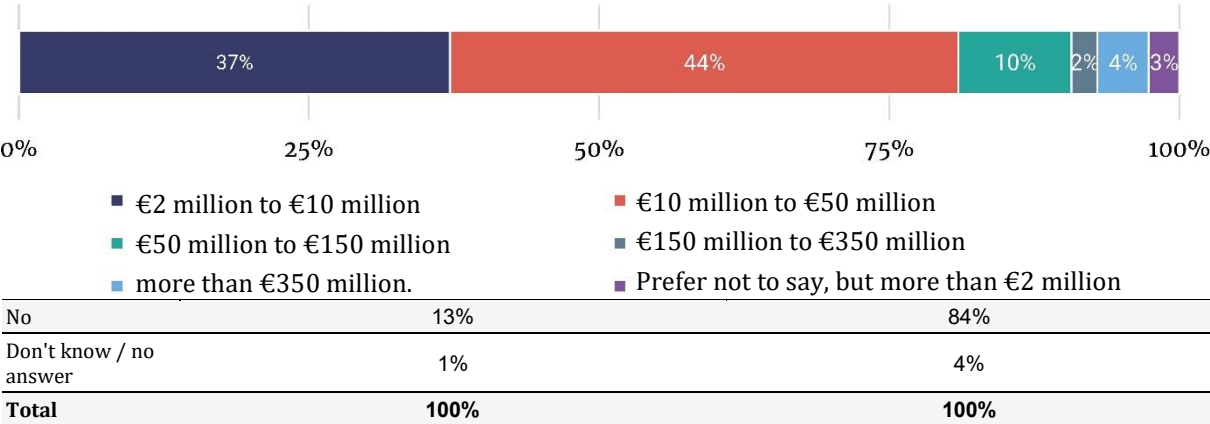


<sup>3</sup> [www.lisa.nl](http://www.lisa.nl)



All buyers in the survey have a turnover of at least €2 million. More than a third (37%) fall into the €2 to €10 million turnover category and 44% have a turnover of €10 to €50 million (Figure 1.2). A minority (16%) have an annual turnover exceeding €50 million.

**Figure 1.2 - Which turnover category does your company fall into? (n=226)**



**Weighting and reliability**

The survey results have not been weighted because there are no reliable figures for the number of companies per sector with at least €2 million in turnover. However, all results have been analyzed for differences between sectors, turnover category, and cooperatives versus non-cooperatives. All differences identified in this report are significant (p<0.05). In some cases we show results for supermarkets, wholesalers, and manufacturers. We do not show the other sectors separately due to a low participation rate.

**Structure of this document**

In Section 2 we discuss buyers' knowledge of the Agriculture UTP Act. Section 3 describes people's experiences of unfair trading practices. In Section 4 we focus on buyers' implementation of the Agriculture UTP Act. The report concludes with Section 5, which concerns familiarity with ACM. The annexes contain the questionnaire used and the preliminary announcement that was sent out.



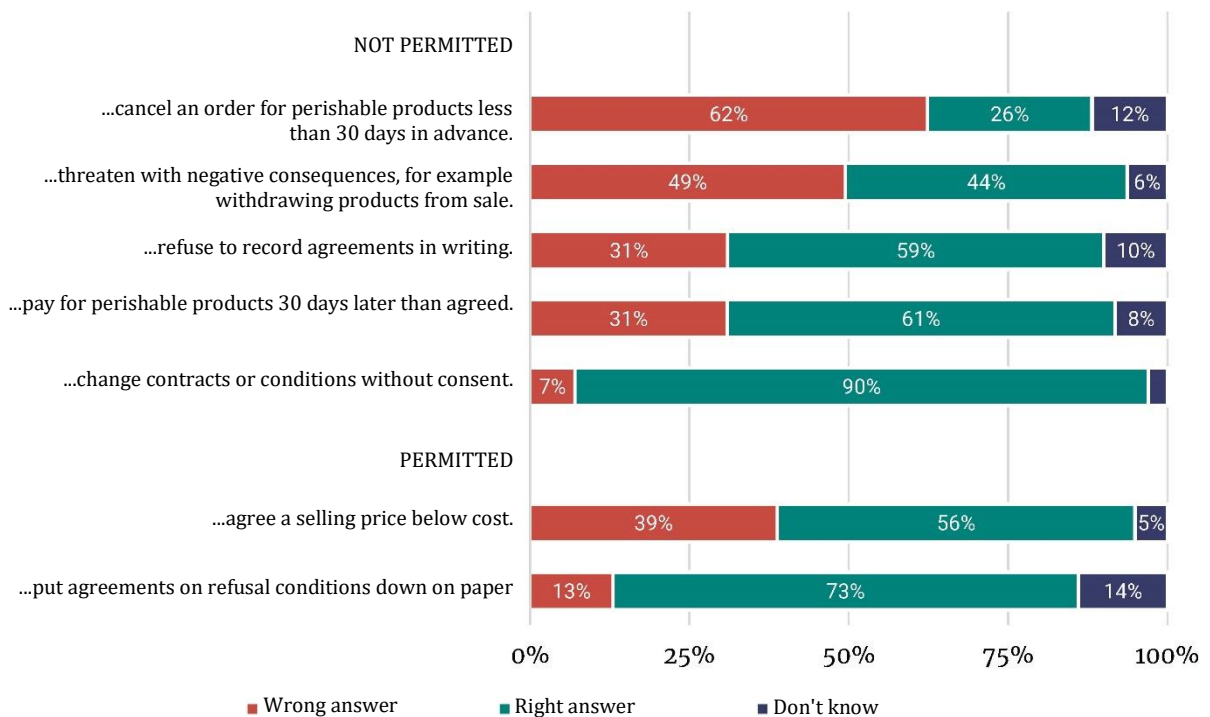
## 2 Knowledge of the Agriculture UTP Act

### 2.1 Six out of ten buyers think short-notice cancellations are permitted

The buyers were presented with five prohibited and two permitted trading practices in random order. In particular, a large proportion of buyers incorrectly believe that buyers are permitted to cancel orders for perishable products at short notice (62%) and to threaten with negative consequences (49%) (Figure 2.1). In addition, 12% and 6% respectively do not know whether these practices is permitted or not. People are less likely to be unaware that refusing to record agreements (31% wrong, 10% don't know) and paying late (31% wrong, 8% don't know) are prohibited. A large majority (90%) of buyers understand correctly that contracts or conditions must not be changed unilaterally.

With regard to permitted trading practices, it is striking that 39% of buyers wrongly believe that they are not permitted to agree a selling price below cost.

**Figure 2.1 - By law, are you permitted as a buyer to...** (n=226)

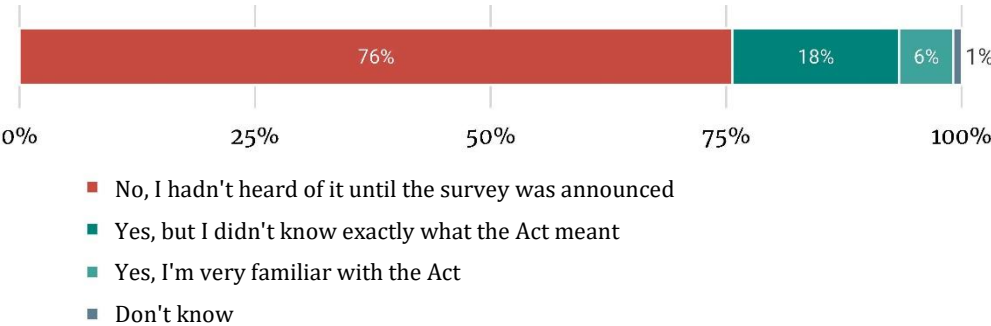


### 2.2 Three-quarters of buyers are not yet familiar with the Agriculture UTP Act

Three out of four buyers (76%) had not heard of the Agriculture UTP Act before the survey (Figure 2.2). This may be because ACM has mainly focused on suppliers in its communications. A quarter of buyers were already familiar with the Act: 6% say they are very familiar with it and 18% have heard of it but do not know the precise content of the Act.

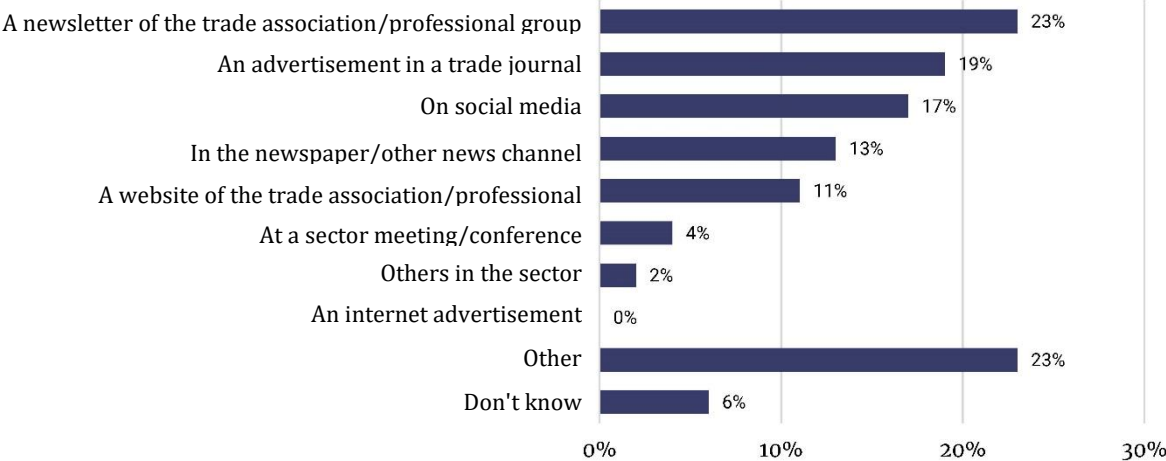


**Figure 2.2 - Had you ever heard of the Agriculture and Food Supply Chain Unfair Trading Practices Act before this questionnaire? (n=226)**



Buyers who were already aware of the Act mainly heard about it through newsletters (23%), advertisements (19%), and/or social media (19%). A quarter gave a different answer than the channels presented to them. A number of franchisees in the supermarket sector mentioned that they had heard about it from their head office (or their head office intranet) Other answers included 'through a buyer' and 'from my previous job'.

**Figure 2.3 - Where/through which channel did you hear about the Unfair Trading practices Act? (multiple answers possible; asked in the case of buyers who had heard of the Act; =53)**



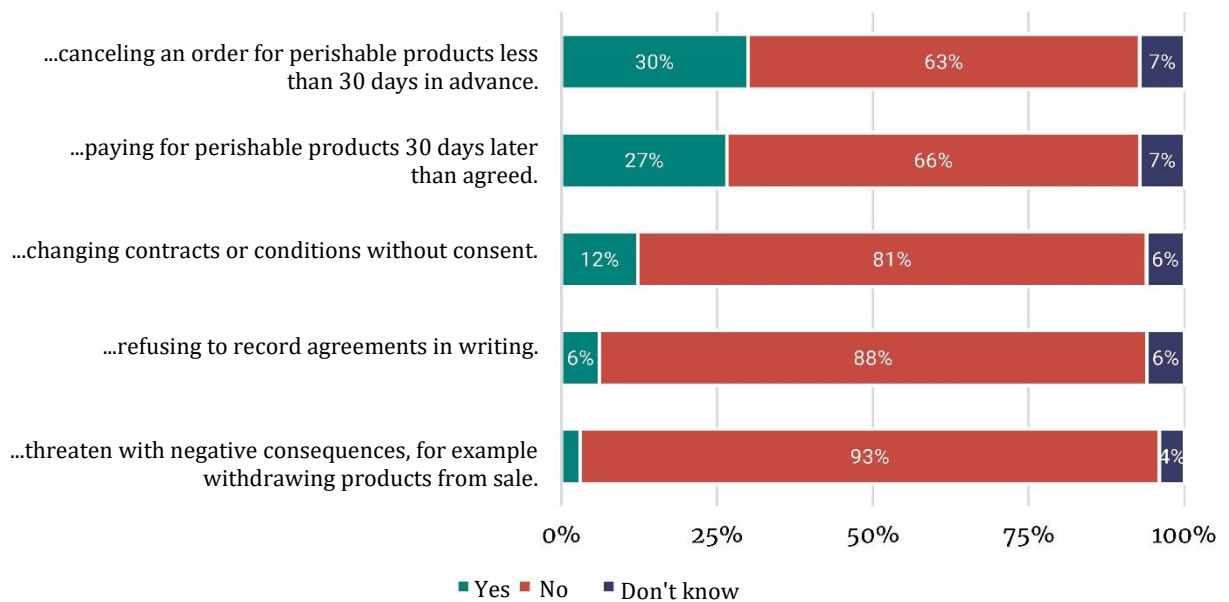
### 3 Experience of unfair trading practices

#### 3.1 Three out of ten buyers see short-notice cancellations or late payments in their sector

Three out of ten buyers (30%) heard in the past year that other buyers in the sector canceled an order for perishable products less than 30 days in advance (Figure 3.1). Almost as many buyers (27%) heard of payments for perishable products being made more than 30 days late. People heard less about the following unfair trading practices: 'changing contracts or conditions without consent' (12%), 'refusing to record agreements in writing' (6%), and 'threatening with negative consequences such as withdrawing products from sale' (3%).

Buyers are more likely to know of actual examples of 'changing contracts or conditions without consent' if they also think these practices are permitted (7% wrongly believe they are permitted, see Figure 2.1).

Figure 3.1 - In your sector over the past year, have you seen or heard of other buyers... (n=226)



### Wholesalers are more likely to have heard about unfair trading practices

Table 3.1 shows whether supermarkets, wholesalers, and manufacturers have heard about various unfair trading practices in the past year. On average, wholesale buyers are more likely to have heard about unfair trading practices. Almost half of wholesalers have experienced cases of short-notice cancellations (47%) and late payments (46%). A fifth (20%) saw or heard that buyers changed contracts or conditions unilaterally. In the supermarket sector, buyers are less likely to encounter these unfair trading practices. Unfair trading practices also appear to be more prevalent among manufacturers, but due to the low number of manufacturers this cannot be determined statistically (the difference is not significant).

**Table 3.1 - In your sector over the past year, have you seen or heard of other buyers... (broken down by sector)**

	Total (n=226)	Supermarket (n=87)	Wholesaler (n=50)	Manufacturer (n=38)
...canceling an order for perishable products less than 30 days in advance.	30%	19% -	47% +	42%
...paying for perishable products 30 days later than agreed.	27%	13% -	46% +	29%
...changing contracts or conditions without consent.	12%	5% -	20% +	19%
...refusing to record agreements in writing.	6%	3%	6%	11%
...threaten with negative consequences, for example withdrawing products from sale.	3%	3%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Red '+ '= significantly higher than average.

Green '- '= significantly lower than average.

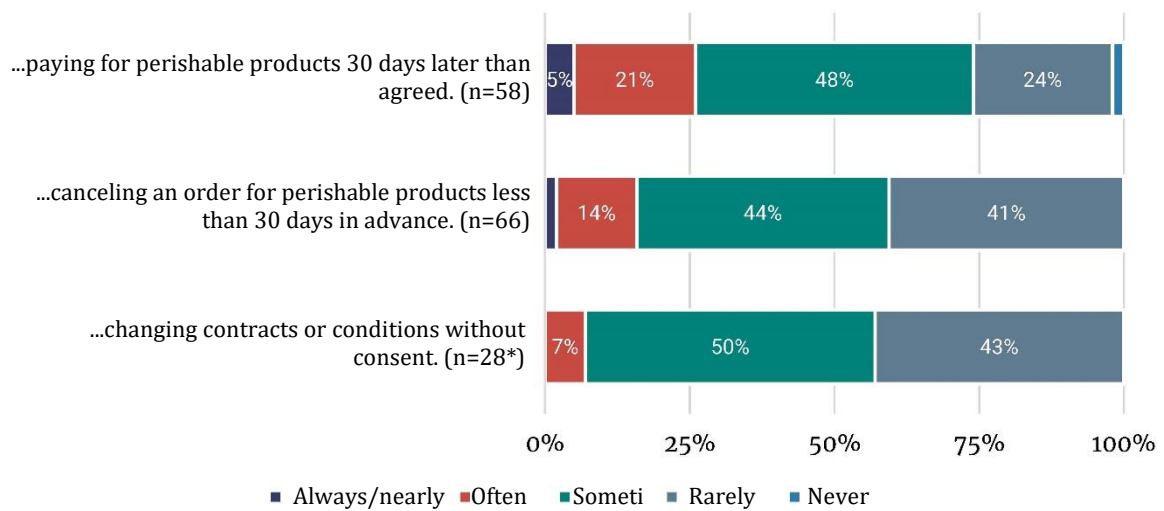


### 3.2 Paying thirty days after the agreed date is relatively common

We asked buyers who knew of cases of unfair trading practices how often they had experienced them in the past two years. Late payments in particular are not uncommon: a quarter of buyers (26%) say that this happens often or almost every time. On the other hand, a quarter (24%) also say that although they have experienced late payment, it rarely happens. Short-notice cancellations of orders for perishable products (16% saw this often or nearly always in the past two years, 41% rarely) and changing contracts or conditions without consent (7% often; 43% rarely) are less common.

Of all the buyers in the survey, 6% always or often experienced late payments among buyers. Four percent had experience of buyers canceling orders too late and 1% often saw buyers changing contracts or conditions without consent.

**Figure 3.2 - Approximately how often have you experienced this in the past two years?**  
(follow-up question for unfair trading practices that the respondent has seen or heard of)



\* Indicative results. There are insufficient observations for the unfair practices 'refusing to record agreements in writing' and 'threatening with negative consequences such as withdrawing products from sale' to include them in this figure.



## 4 Implementation of the Agriculture UTP Act

### 4.1 Compliance with Agriculture UTP Act mainly assigned to board of directors or management

A third of buyers (33%) have assigned compliance with the Agriculture UTP Act to a specific person or department in the organization (Table 4.1). The owner, director, or manager is mentioned most often. Next come the purchasing or sales department and the quality department or individual quality officers.

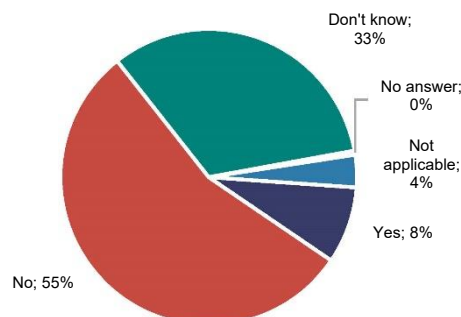
**Table 4.1 - Is there anyone in your company who is responsible for compliance with the Agriculture UTP Act? (n=226)**

	%
Yes	33%
No	39%
Don't know	25%
No answer	3%
<b>Total</b>	<b>100%</b>

### 4.2 Half of buyers made no changes in response to the Agriculture UTP Act

Eight percent of buyers made one or more changes to comply with the Agriculture UTP Act (Figure 4.1). These include changing conditions in delivery contracts, setting up or making changes to a complaints desk, and introducing a compliance course. Buyers whose organization is a cooperative are more likely than others to have made changes.

**Figure 4.1 - Has your company made changes to its business operations to comply with the Agriculture UTP Act? (n=226)**



#### Many buyers do nothing because they do not know about the Agriculture UTP Act

More than half of buyers have done nothing in response to the new Agriculture UTP Act. Many of these buyers say they did nothing because they were not aware of the change in the law. Many buyers also said they did not need to make any changes because they were already compliant with the provisions of the Act.





## 5 Familiarity with the Netherlands Authority for Consumers and Markets

### 5.1 Eight percent spontaneously name ACM as the regulator of the Agriculture UTP Act

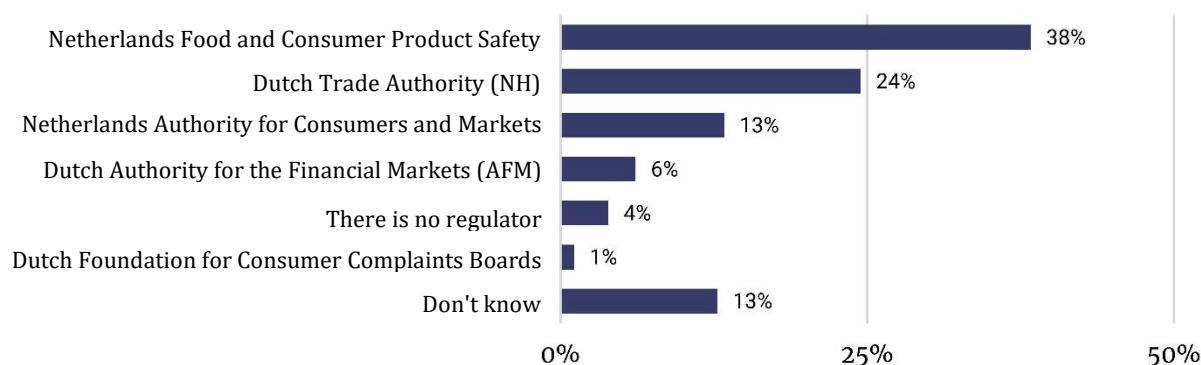
The buyers were asked in an open question whether they knew who the regulator was for the Unfair Trading Practices Act. Eight percent of buyers identified ACM as the regulator without any prompting. However, people are more likely to think the regulator is the Netherlands Food and Consumer Product Safety Authority (NVWA) (16%). Six percent are unsure, but think that the regulation is carried out by a ministry. Five percent also mention 'the government' in general.

**Table 5.1 - Which organization do you think regulates the Agriculture and Food Supply Chain Unfair Trading Practices Act? (open question; n=226)**

Answer	Given by
NVWA	16%
ACM	8%
Ministry (Agriculture, Nature and Food Quality, Economic Affairs and Climate Policy or unspecified ministry)	6%
Government (unspecified)	5%

Buyers who did not spontaneously name ACM as the regulator were presented with a list of possible regulators. Even when this list was presented, the NVWA was the most frequent answer (36%) (Figure 5.1). ACM (13%) comes in third place after the Dutch Trade Authority (a made-up authority) (24%). Six percent of buyers think the AFM is the regulator and 4% think there is no regulator. 13% say they really do not know.

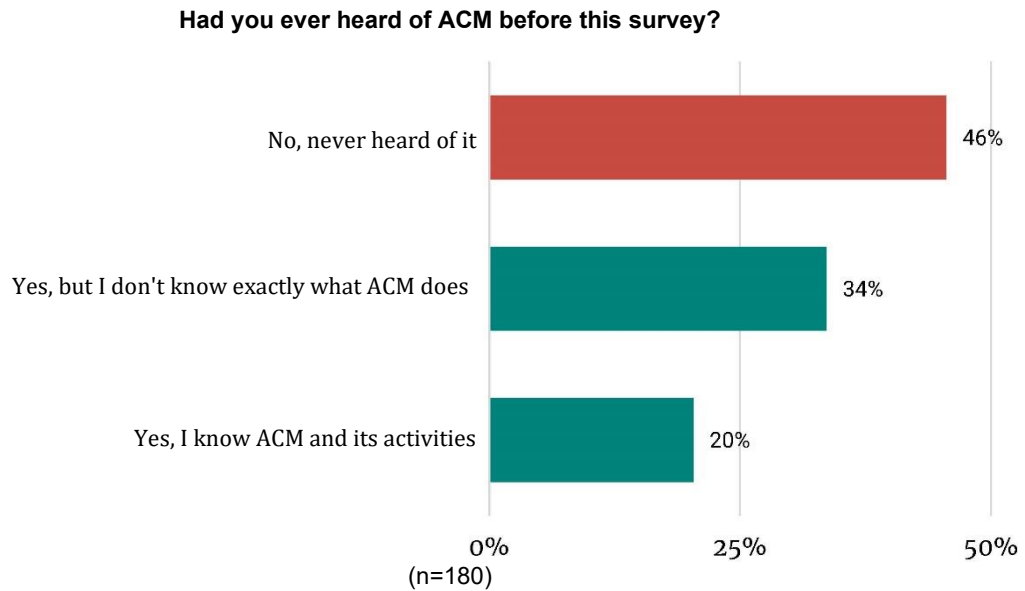
**Figure 5.1 - The organization that regulates the Act is keen to know whether businesses know that it does so. It is one of the following organizations. Which do you think it is? (question asked in the case of buyers who do not spontaneously name ACM; n=180)**



## 5.2 Four out of five buyers not very familiar with ACM's activities

Half of buyers (46%) had not heard of ACM before the survey (Figure 5.2) When people do know ACM, they often do not know precisely what ACM does (34%). One-fifth of buyers (20%) are already well acquainted with ACM and its activities.

**Figure 5.2 - Had you ever heard of ACM before this survey? (n=226)**



# A Annex: questionnaire

## Questionnaire for buyer survey

<n.b. deze introtekst printen we ook op apart blad dat enquêteurs bij de hand hebben>

Good morning/afternoon/evening, I am .... of I&O Research.

I am calling you about a survey we are conducting. It concerns the practical implementation of the rules that are intended to strengthen the negotiating position of suppliers of food products. This survey gives you an opportunity to share your perspective as a buyer. You should have received a letter about this recently.

Are you willing to take part in the survey? Answering the questionnaire will take approximately 10 minutes. Your answers will be treated confidentially and cannot be traced back to you or your company.

**Interviewer:** if respondent asks more about the purpose of the survey

The aim of this survey is to gain a better understanding of how the rules are working in practice. The goal is therefore to increase knowledge and improve supervision, not to detect violations.

If the respondent really does want to ask further questions, it is possible to say that the survey is on behalf of the Netherlands Authority for Consumers and Markets (ACM), an independent regulatory authority. There will be a few questions about this later. **N.B. interviewer: please record whether this information has been disclosed!**

### Company check questions

I will start by asking a few general questions to check whether the rules apply to your company.

1. What group does your company fall into? If several apply, give the main activity of your company.
  - a. Meat or fish processing
  - b. Vegetable processing
  - c. Manufacturer
  - d. Wholesaler
  - e. Supermarket
  - f. Other, namely,



2. Which turnover category does your company fall into?
  - a. Less than €2 million. → end of questionnaire. 'Unfortunately, that means you are not in the target group for this survey. Thank you for your time anyway.'
  - b. Between €2 million and €10 million. → V4
  - c. Between €10 million and €50 million. → V4
  - d. Between €50 million and €150 million. → V4
  - e. Between €150 million and €350 million. → V4
  - f. More than €350 million. → V4
  - g. I don't want to say (do not actively offer this option) → V3
  
3. To determine whether you fall within the target group for this survey, I would like you to answer the following question. Can you tell me whether your company's turnover is more or less than €2 million?
  - a. More
  - b. Less → end of questionnaire. 'Unfortunately, that means you are not in the target group for this survey. Thank you for your time anyway.'
  - c. I don't want to say (do not actively offer option) → continue questionnaire
  
4. Does your company have supply contracts with Dutch suppliers?
  - d. Yes
  - e. No
  
5. Is your organization a cooperative?
  - a. Yes
  - b. No

## Knowledge of the Agriculture UTP Act

Now we are going to talk about the rules.

For each situation, can you please indicate whether the described behavior is permitted or not?

By law, are you permitted as a buyer to...

6. ... pay for perishable products 30 days later than agreed.
  - a. Yes
  - b. No
  - c. Don't know
  
7. ...cancel an order for perishable products less than 30 days in advance.
  - a. Yes
  - b. No
  - c. Don't know
  
8. ...agree a selling price below cost.
  - a. Yes
  - b. No
  - c. Don't know
  
9. ...change contracts or conditions without consent.
  - a. Yes



- b. No
  - c. Don't know
10. ...refuse to record agreements in writing.
- a. Yes
  - b. No
  - c. Don't know
11. ...put agreements on refusal conditions down on paper
- a. Yes
  - b. No
  - c. Don't know
12. ...threaten with negative consequences, for example withdrawing products from sale.
- a. Yes
  - b. No
  - c. Don't know

**The only permitted practices are agreeing a lower selling price and putting agreements on refusal conditions down on paper. All other practices are prohibited. The prohibited practices are included in the Agriculture and Food Supply Chain Unfair Trading Practices Act, also known as the Agriculture UTP Act.**

**This Act has been protecting suppliers of agriculture and food products since the end of last year and is intended to strengthen the negotiating position of relatively small suppliers vis-à-vis larger market participants. This means that if you do business with relatively small suppliers, you have to comply with a number of legal requirements. Your company's obligations include:**

- **Paying within the agreed period**
  - **Cancelling orders at least 30 days in advance**
  - **Only changing contracts or conditions with consent**
  - **Agreeing to record agreements in writing**
  - **Not threatening with negative consequences**
13. Had you heard of the Agriculture and Food Supply Chain Unfair Trading Practices Act before this questionnaire?
- a. No, I had never heard of it until the survey was announced → V15
  - b. Yes, but I didn't know exactly what the Act meant
  - c. Yes, I'm very familiar with the Act
14. Where/through which channel did you hear about the Unfair Trading Practices Act?
- a. A newsletter of the trade association/professional group
  - b. A website of the trade association/professional group
  - c. An internet advertisement
  - d. An advertisement in a trade journal
  - e. In the newspaper/other news channel



- f. On social media
- g. Others in the sector
- h. At a sector meeting/conference
- i. Other, namely...

## **Preventing unfair trading practices**

To understand how often unfair trading practices occur, I would like to ask you a few questions about the rules. You can answer 'yes' or 'no'.

15. In your sector over the past year, have you seen or heard of other buyers:
- a. ...paying for perishable products 30 days later than agreed
  - b. ...canceling an order for perishable products less than 30 days in advance
  - c. ...changing contracts or conditions without consent
  - d. ...refusing to record agreements in writing
  - e. ...threatening to remove products from sale because a supplier would report unfair trading practices

If answer is yes, an immediate follow-up question: How often have you experienced this in the last two years? *Never / rarely / sometimes / often / always or nearly always*



## Implementation of the Agriculture UTP Act

No we are going to talk about the Implementation of the rules.

16. Is there anyone in your company who is responsible for compliance with the Agriculture UTP Act?
- Yes
  - No → V18
17. What post is it assigned to? ...  
(Open)
18. Has your company made changes to its business operations to comply with the Agriculture UTP Act?
- Yes
  - No → V20
  - Don't know → V21
19. What changes has your company made to comply with the Agriculture UTP Act? You can select multiple answers
- Changes to conditions in supply contracts
  - Complaints desk set up or adapted to the new situation
  - Provided a compliance course or similar on the Agriculture UTP Act
  - Distributed information on the Agriculture UTP Act internally to employees
  - Other, namely,

After question 18 go to question 21.

20. Why not?
21. Could you say more about what your company is doing to comply with the Agriculture UTP Act?
- Yes, namely...
  - No



## Familiarity with ACM

Now there are some questions about the regulator.

22. Which organization do you think regulates the Agriculture and Food Supply Chain Unfair Trading Practices Act? ...  
(open)

If don't know or wrong answer:

The organization that regulates the Act is keen to learn whether businesses know that it does so. It is one of the following organizations. Which do you think it is?

23. Is it the...
- Dutch Authority for the Financial Markets (AFM)
  - Netherlands Authority for Consumers and Markets (ACM)
  - Dutch Trade Authority (NH)
  - Dutch Foundation for Consumer Complaints Boards
  - Netherlands Food and Consumer Product Safety Authority (NVWA)
  - There is no regulator
  - I don't know

**The correct answer is the Netherlands Authority for Consumers and Markets (ACM). ACM regulates unfair trading practices in the agriculture and food supply chain and, following a report, can initiate an investigation and impose fines.**

24. Had you ever heard of ACM before this survey?
- No, never heard of it
  - Yes, but I don't know exactly what ACM does
  - Yes, I know ACM and its activities

More information on the Agriculture and Food Supply Chain Unfair Agricultural Trading Practices Act can be found on the ACM website: [www.acm.nl](http://www.acm.nl)





## **Other questions**

Finally... Do you have any comments on this questionnaire or is there anything else you would like to say?

(open)

Thank you very much for taking part in the telephone survey. The answers will be analyzed and included in a report.



## B Annex: preliminary announcement

<<adrsnaam, Verdana 9>>  
Attn. Owner/Management  
<<adres>>  
<<poco7>> <<woonplaats>>

Date	Reference	Enclosed	Contact
September 26, 2023	EOHP2023	-	0800-0191

### Announcement of survey on rules for suppliers and buyers in the agriculture and food supply chain

Dear owner or director,

Suppliers and producers of food products have a business relationship with their buyers. Problems sometimes arise between the supplier and the buyer, for example when payments are late. Since November 1, 2021, rules have been in force to strengthen the negotiating position of suppliers. I&O Research has been asked to conduct a survey to find out whether this has happened in practice. The aim of the survey is to gain insights and not to detect violations. Have you heard about the rules? This is one of the questions the survey will include. There is no need to prepare for it. Your answers will be treated confidentially.



#### How can you take part?

You do not need to do anything. From **October 2**, you may receive a call from an interviewer at I&O Research asking whether you (or someone else in your organization who deals with regulation and/or supply agreements) would be able to answer a few questions by telephone. This will take around **10 minutes**. If you would like to book an appointment right away, you can contact the I&O Research helpdesk at **helpdesk@iosurvey.nl** or on **0800-0191**.



#### Why take part?

Last year, I&O Research conducted a survey among suppliers of food products to find out whether they were familiar with the rules and their rights. This survey is an opportunity for you as a buyer to share your perspective. In this way, you will help ensure a fairer market.



#### How did we find you?

For this survey, 4,000 food product buyers were randomly selected from the National Information System of Employment (www.lisa.nl). You are one of them. Your participation is therefore very important: you represent many other businesses that have not been invited. Your address will only be used to send this letter and will not be associated with the answers you give. Your answers will therefore be treated entirely confidentially.

### **Who or what is I&O Research?**

I&O Research is an independent research firm that conducts research for a range of clients (See also: [www.iosurvey.nl](http://www.iosurvey.nl)). I&O Research complies with the General Data Protection Regulation (GDPR) and will use your data only for this survey.



### **Do you have any further questions?**

If so, please contact the I&O Research helpdesk. You can do so in various ways:

- by sending an email to [helpdesk@iosurvey.nl](mailto:helpdesk@iosurvey.nl)
- by calling (free) **0800-0191**
- by sending a WhatsApp message to **06-86826208**

Please quote the reference on this letter.

Yours truly,

[name],

I&O Research

## Contact details

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