



I want to thank the Chair and members of the Committee for the opportunity to share our perspectives on the Grocery Code of Conduct.

My name is Massimo Bergamini and I am Executive Director of the Fruit and Vegetable Growers of Canada. Through our 80 plus members, FVGC represents growers across the country producing more than 120 different crops on over 14,000 farms.

My remarks will focus on a fundamental flaw in the design of the Grocery Code of Conduct and on a practical solution.

Let me begin by stating the obvious: growers want a fair, competitive and transparent marketplace.

And in theory, the Grocery Code of Conduct — and the Office that administers it — represent an important step toward that goal.

In practice, however, it may be another matter.

The problem is simple: the Code's dispute resolution architecture relies on individual suppliers bringing individual complaints about retailer conduct.

On its face this looks reasonable. In practice it risks being unworkable.

Canada's grocery supply chain is vast and complex.

Many of the practices deemed problematic by the growers we represent are systemic — affecting dozens or hundreds of growers at once — yet the current process asks each grower, one at a time, to invest scarce time and money to bring a complaint -- and to do so under the shadow of potential commercial retaliation.

Two fundamental realities make this model suspect:

First, capacity.

Let's start with growers.

They do not have legal teams. They operate on tight margins and most spend more time in the field than they do in the office.

Pursuing an individual claim risks being costly and time consuming. And given the toothless nature of a voluntary Code, the results risk being hypothetical at best.

Let's look at the Office now.

The Office itself is small with few staff and limited resources. If many growers filed one-off claims, it could quickly be overwhelmed. The result is either a clogged system or an under-used one where bad practices persist unchallenged and unaddressed.

Second, retaliation risk: growers fear being delisted. That alone will silence complaints.

Unless the issue at hand is one of commercial survival, the rational response for most growers will be to go along to get along.

The practical fix is straightforward: allow credible producer associations to file representative, systemic complaints on behalf of affected members.

Think of it like a kind of class action suit.

Associations can aggregate anonymized data, present patterns instead of anecdotes, and bear legal and investigative costs that individual growers cannot.

This reduces the risk to growers, improves evidence quality, and lets the Office triage and investigate a manageable number of high-value systemic cases rather than hundreds of small, repetitive ones.

Representative complaints are not a radical idea — they are a pragmatic design choice that would align the Code's operational model with the realities of scale and market power. They also create efficiencies: fewer files, richer evidence, and remedies that can apply across a class of suppliers rather than to a single farm.

Our ask of this Committee is twofold: first, support changes to the Code's operating rules and bylaws that explicitly allow registered producer associations to bring representative complaints under clear governance and verification rules; second, press for membership conditions that require formal commitment to anti-retaliation protections.

If we want the Code to be more than a public relations instrument — if we want it to actually protect growers and improve supply chain predictability, transparency and fair dealing — we must match its procedures and operating requirements to on-the-ground realities.

Representative complaints are the single most powerful, practical change that will make that happen.

Thank you.