



## TERMS OF TRADE – WHAT NEEDS TO BE INCLUDED?

The 'terms of trade' sets out the basic details on how wholesalers intend to do business with growers. Under the code, wholesalers are required to prepare their terms of trade and make them publicly available. They are also required to provide copies to growers that request them.

The terms of trade **must contain** the following information:

1. Whether the wholesaler is prepared to trade as an agent or a merchant, or both.
2. Any requirements the wholesaler has regarding the delivery of produce.
3. Any quality requirements the wholesaler has for produce.
4. The reasons why a wholesaler may choose to reject a grower's produce.
5. The period in which the wholesaler will pay the grower.
6. Details of any insurance the wholesaler may have in respect of goods under his or her control.

For wholesalers **prepared to trade as agents**, the terms of trade must also include the information below.

7. The commissions, fees or extra costs charged by the wholesaler. A trader is not required to disclose any fixed dollar or percentage amounts but should state what the fees and commissions are for.
8. Whether any commissions, fees or extra costs are payable by the grower if the produce has not been sold; and
9. Whether the wholesaler is prepared to pursue bad debts on a grower's behalf and how that would be done.

The terms of trade may include other matters — so long as they are consistent with the code. This may include a wholesaler's business name, ABN, contact details and business hours.

A wholesaler may also wish to include other information that is required in Horticulture Produce Agreements.