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supermarketprices.sen@aph.gov.au

Sarah Redden

Acting Committee Secretary

PO Box 6100, Parliament House Canberra ACT

Dear Sir/Madam,

The Global Centre for Preventive Health and Nutrition (GLOBE) welcomes the opportunity to provide input to the Senate Select Committee on Supermarket Prices consultation. We note that we have prepared our response in close collaboration with other major public health organisations in Australia, as part of efforts to maximise alignment in the nature of our submissions, based on the best available scientific evidence and best practice from a public health perspective.

GLOBE is a world-class research group based in the Institute for Health Transformation at Deakin University. GLOBE is a World Health Organization Collaborating Centre for Obesity Prevention, with strong links to governments, civil society organisations, and a diverse range of collaborators nationally and internationally. Our vision is to catalyse improvements in population health, with a focus on prevention, nutrition and obesity, through innovative research that empowers people and enables healthier environments. GLOBE is national leaders in food pricing and affordability – featuring regularly in all [mainstream media](#) outlets to discuss trends in food prices and the implications for government policy over the last 2 years. GLOBE is considered a trusted source of expertise, with hundreds of published research papers on the topic of supermarkets and food prices, and its influence on population health.

Our research, and research from our collaborators, show that appropriate Government regulations and enforcement are missing in the Australian supermarket landscape. Industry self-regulation of pricing and discounts affects access to nutritious options for all Australians. Higher prices at the supermarket most impact Australians who live on low incomes, people in rural areas, refugees, Aboriginal and Torres Strait Islander peoples, single mothers, and people with disabilities. Many of these Australians are already at an increased risk of adverse health outcomes and supermarket price hikes risk widening these health inequities - directly (by influencing what and how much people buy and consume) and indirectly (by reducing the available budget for other living costs).

GLOBE works to develop evidence and identify policy solutions for all Australians to access, afford and consume healthy and nutritious foods. We have a large and ongoing database monitoring the price and affordability of foods and beverages in Australia and would be happy to assist with any queries.

We summarise the evidence available for the following TOR: TOR A) the effect of market concentration and the exercise of corporate power on the price of food and groceries; TOR D) the prevalence of opportunistic pricing, price mark-ups and discounts that are not discounts; TOR E) The contribution of home brand products to the concentration of corporate power; TOR G) Improvements to the regulatory framework to deliver lower prices for food and groceries.

Yours sincerely

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GLOBE Co-Director

Professor Gary Sacks
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On behalf of the Global Centre for Preventive Health and Nutrition, Deakin University



Background

Food and drink price trends – a public health crisis

Access to affordable, healthy food and drinks for all is undermined by the power of major supermarkets, which set prices that are typically out-of-reach for many segments of the Australian population. Research has indicated that the price of foods and drinks is one of the most influential determinants of what people choose to eat and therefore their health and wellbeing across the life course (1). The price of foods and drinks can also influence health and well-being indirectly by increasing the overall price of a food shop, meaning shoppers buy less or have less budget available for other living costs like rent, fuel and bills. Specifically, research by Deakin University's team at GLOBE and the University of Queensland has shown that the cost of basic healthy foods and drinks:

1. Is perceived by consumers to be more expensive than unhealthy food and drink options – therefore encouraging excessive consumption of these foods (2).
2. In major Australian cities, can cost a family of four > \$600 per fortnight (Figure 1) (3, 4). This is equivalent to approximately one-fifth of the median family income and one-third of the incomes of families on low-incomes in Australia (3, 4).
3. In remote areas can cost a family of four >\$800 per fortnight (Figure 1) (3).
4. In regional Aboriginal communities can cost 40-50% of family incomes (5).
5. Can be reduced by price promotions (i.e., specials) and generic brands (6) but this is less frequent (half as much) and discounted less than unhealthy alternatives (Figure 2) (7-9).

Additionally, data since the COVID-19 pandemic and cost-of-living crises tell us that:

1. Food and drink prices steadily rose after 2020 (Table 1) – with the Consumer Price Index for grocery products peaking at 9.4% in late 2022 compared to the previous year (10).
2. The supermarket prices of many healthy food groups have increased more than unhealthy foods since the COVID-19 pandemic and associated economic downturn (Figure 3) (11).
3. An estimated 1 in 2 Australians in 2023 reported that they experienced some difficulty being to access or afford basic foods (12).
4. Years of progress made against food insecurity rates has been lost during this period, with the United Nations estimating that an additional 120 to 150 million people experienced hunger globally in 2021 compared to 2018 (13). This was felt most by people in rural areas, people on low incomes, people with disabilities, women, youth and children, and older persons (14).



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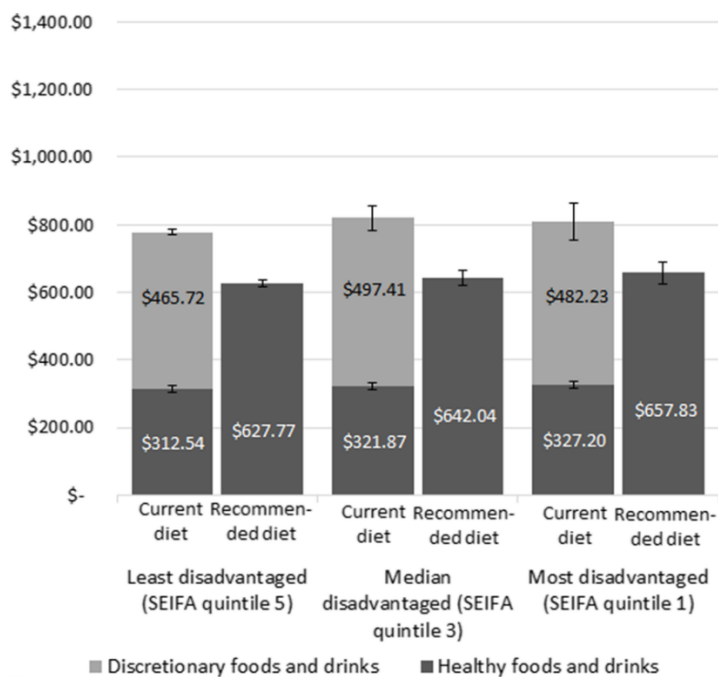
Table 1: Average Annual Rates of Price Change (including prepared meals)

	2003-13 (%)	2013-23 (%)	2021-23 (%)
Grains & cereals	2.6	1.7	10.0
Vegetables	3.2	2.6	4.3
Fruit	3.1	3.1	5.2
Milk & alt.	2.0	3.1	10.7
Meats & alt.	1.6	3.6	4.2
Discretionary	3.0	2.3	5.6
Oils and fats	3.4	4.6	14.2
CPI	2.7	2.6	6.1
CPI Food (all)	2.9	2.6	6.6
CPI Restaurants	3.1	2.6	5.6
CPI Take away	3.6	2.9	6.7

Source: Australian Bureau of Statistics, Australian Dietary Guidelines Price Indexes 31/01/2024

Figures 1A and B sourced from Lewis Lee et al. (3): 1A Cost of current and recommended diets for reference household per fortnight by area socioeconomic disadvantage.

A





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1B Costs of current and recommended diets for the reference household per fortnight by remoteness

B





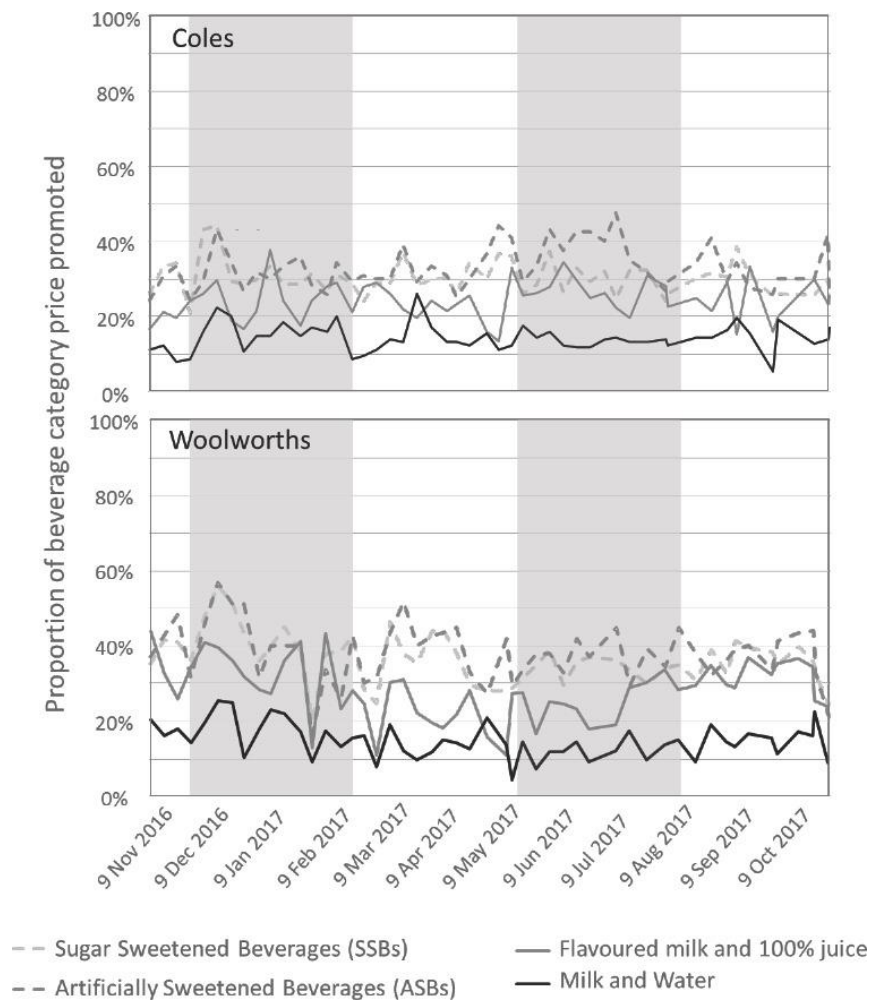
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Figure 2 sourced from Zorbas C et al (8): Weekly variation in the proportion of each beverage category price promoted at Coles and Woolworths.





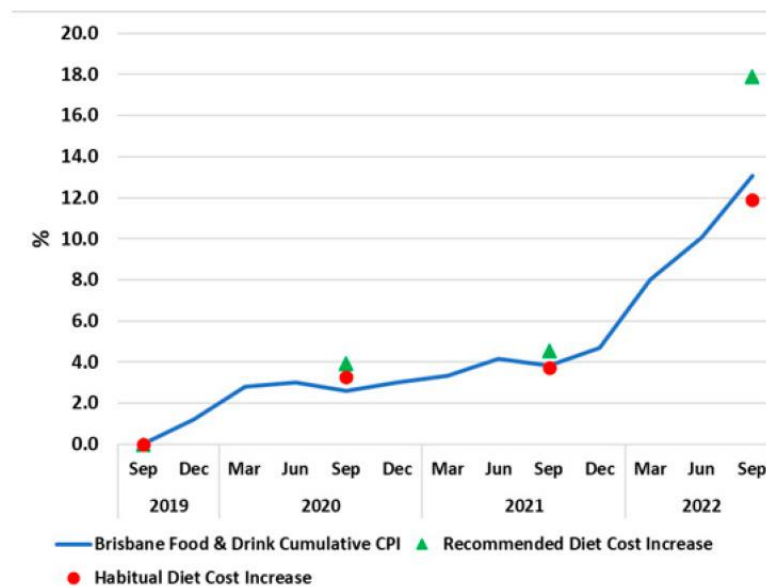
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Figure 3: Cumulative increase in the costs of recommended and unhealthy (i.e., current habitual) diets and Consumer Price Index (CPI) increases, Brisbane, 2019 to 2022 (11)



TOR A) The effect of market concentration and the exercise of corporate power on the price of food and groceries

Commonly publicised reasons for increased food and beverage prices in recent years have included: COVID-19 food system disruptions and economic demands, climate and extreme weather events affecting crops, and conflicts such as the Ukraine war which disrupted fuel and other commodity prices (15). However, the role of supermarkets in determining food and beverage prices has been unclear, with their powerful position remaining largely unscrutinised in the public until recently.

Nevertheless, a systematic review of all the available evidence on the power of Australian supermarkets by Pulker et al. (16), found that supermarkets have **multiple forms of power** that are likely to ensure their dominance in price setting. This evidence-base includes:

1. **Instrumental power** – the power to influence decisions of other actors. This includes using lobbying, sponsorship, financial incentives, relationships with policymakers, public-private partnerships, legal action, technology and their ability to set trading terms with suppliers and consumers.
2. **Structural power** – the power to limit the range of choices of actors via agenda and rule-setting. E.g., by using market position (market share, market concentration, monopsony, etc.), market restructuring (i.e., own brands, vertical integration, international sourcing, consolidation, etc.), promoting deregulation and the burden of regulation, private governance of food standards, and voluntary codes of conduct and self-regulation, and financialisation.
3. **Discursive power** – the power to communicate in a way that influences norms and values across society. This includes framing issues to draw attention away from health and wellbeing, promoting value and convenience, or describing regulation as nanny state interference. Moreover, supermarkets can use their discursive power to showcase their



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community involvement, build relationships with media and celebrities, promote their corporate social responsibility, and criticise public health actors.

4. **Political legitimacy** – supermarkets are known to use their authority to appeal to policymakers and processes, advocating for their need to be democratically included in any attempt to hold them accountable. This power overshadows the voices and experiences of other actors who do not hold the same power. This legitimacy is unchallenged by consumers and governments.

Australia has a strong agricultural sector, producing the majority of our own primary products, which has distinct advantages for health and the environment. However, supermarket concentration threatens the viability of this sector, particularly for independent and small farmers – who are key for ensuring biodiversity (17). Supermarkets have the power to negotiate poor prices to farmers, threatening their livelihoods and undermining the nutrient content of food, the type of food produced, the level of food waste, and the responsible use of production resources such as water (17).

The role of “supermarketization” and mainstreaming food production and supply ultimately pushes out small scale producers and local avenues for food, which are also critical in rural areas and areas that often serve people who are most marginalised (18). It is important to support diversity in store types and where food is sourced from to ensure fair opportunities for everyone to access healthy and affordable food.

TOR D) The prevalence of opportunistic pricing, price mark-ups and discounts that are not discounts

Many Australians make purchasing decisions based off what items are on special (or discounted) (19). Although there is nothing inherently wrong with this, research suggests that supermarkets are taking advantage of their customer’s preference for discounted items. Research from Deakin University (Institute for Health Transformation) shows that in the two major Australian supermarkets, unhealthy foods and discounted twice as often and with a larger discount compared to healthier foods and beverages (20, 21).

Unpublished evidence from Pulker’s PhD analysis showed that of all (n=3940) supermarket own brand foods/home brands present in Coles, Woolworths, and IGA in Perth in 2017, only 7.8% were discounted (22). Yet over half (54.8%) carried price promoting messages on packaging or shelf edge labels. That is to say that home brands can appear to be on special even if they are not.

This scale of the misguidance clearly indicates that any guidelines (e.g., Price display guidelines by the [ACCC](#) to ensure that prices are clear, accurate and not misleading) regarding price promotion are not being adhered to. Mandatory guidelines and criteria as to what can be advertised as a discount must be enforced by the ACCC but currently lack monitoring to understand non-compliance.

TOR E) The contribution of home brand products to the concentration of corporate power

With the growth of supermarket home brands, supermarkets such as Woolworths and Coles have extended their operations to also include food manufacturing, often at the expense of small and medium sized brands (16).

This ultimately means that large supermarkets are able to exert more control across the supply chain, from food production to consumption. This also provides supermarkets with power over



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suppliers by strengthening their bargaining position and provides valuable information about food production which strengthens their knowledge about the supply base (23). The cost of competing with supermarket home brands potentially impacts product innovation and the financial viability of other brands (24).

Indeed, supermarket own brands are a source of several forms of power that impact public health:

Supermarket own brands are a source of instrumental power:

Supermarket own brands from Coles, Woolworths and Aldi were identified in all food categories included in the Food and Health Dialogue in 2012 which aimed to reformulate commonly consumed products that did not meet health targets (25). There is little evidence that supermarket products have become healthier since this public-private dialogue (26, 27).

Supermarkets also become de facto manufacturers when developing own brands, and have access to consumer information via shopper data, which is not available to suppliers or other public stakeholders (28) – thereby hindering competition and efforts to promote fair access to good quality foods. Supermarkets further gain access to information about manufacturing costs by developing own brand products. This information can be used to screen cost price requests made by other branded manufacturers (29).

Supermarket own brands are a source of structural power:

Home brands also impact on competition within the market, placing pressure on wholesale prices, which can be positive or negative for consumers. Whilst supermarket own brands can be up to 30% cheaper, many of these cheaper alternatives are unhealthy rather than healthy options (30). In effect, the cost of unhealthy diets comprised of these cheaper options is reduced more so than the cost of basic healthy diets which constitute fruits vegetables, wholegrains, dairy and unprocessed meats. Indeed, Australians on low incomes may end up relying on 'cheaper' unhealthy options than Australians who can afford more unprocessed food options (30).

Development of supermarket own brands has led to a shift in power relations between supermarkets and manufacturers (31, 32). By developing own brands, supermarkets are not only buyers, but competitors to their suppliers. The dual role of supermarkets as customer and direct competitor means there is a risk that abusive practices may be imposed on branded manufacturers (33). Development of own brands allows supermarkets to translate instrumental power to set terms of trade for suppliers, into structural power to set and enforce private standards, and effectively become regulators of the food system (34).

Supermarkets value own brands because they increase their leverage in negotiations with manufacturers of branded products (29, 35). Supermarket own brands are extremely unpopular amongst many branded suppliers, who face loss of brand status, reduced profit margins, or reduced shelf space (36). Suppliers believe that supermarket own brands are a threat, and add to the power of supermarkets by allowing them to demand more from suppliers and remove branded products (37).

As supermarkets' negotiating power against branded suppliers increases, dependence on any individual branded product is reduced which gives the supermarket greater flexibility to reduce branded products' shelf space or stock a more limited range, and increases the credibility of supermarket threats to delist branded products (29). Supermarkets own brand products are allocated more prominent shelf space than branded products, and suppliers have to compete directly with their retail outlet for space (38).

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Overall, development of supermarket own brands contributes to the process of domination by supermarkets, called ‘supermarketisation’ (39). One of the most important consequences of supermarket domination of the food system is growth in supermarket own brand products, which allow supermarkets to exert greater control over their supply chains, and get greater returns (28). By 2020-21, it is unlikely there will be a branded product range completely safe from own brand competition (40).

Supermarket own brands are a source of discursive power:

There is often a lack of transparency regarding supermarket practices due to their discursive power – including through their self-reported own brand practices. For example, a report prepared for Coles states that a common perception of supermarket own brands is that they are detrimental to supplier welfare because they allow supermarkets to consolidate market power and monopolise the entire supply chain. However, Coles does not produce the product but instead relies on food manufacturers (41). The report prepared for Coles also states that shelving preference is a contentious issue, whereby supermarkets are accused of deliberately locating supermarket own brand products in more visible locations, so that consumers are more likely to choose own brands. Coles’ data on ranging and space allocation shows that own brand products are treated the same as branded products, based on consumer demand (41). Whilst private standards for supermarket own brands are not communicated to consumers – including via packaging – supermarkets communicate through their own brand products to create a loyal and stable customer base (42).

TOR G) Improvements to the regulatory framework to deliver lower prices for food and groceries

Supermarket power remains ineffectively unregulated

In 2022, Coles and Woolworths [ranked #23 and #35](#) of 250 global powers in retailing, boasting consistent profits in the hundreds of millions of dollars. It is known in the literature that supermarkets and other food industry actors use their ‘unprecedented political and economic power’ to influence efforts to regulate their practices and therefore minimise public health benefits (16).

The grocery retail sector has a clear conflict of interest when it comes to regulating practices that will affect their profitability (such as prices). Clear evidence across the world shows that when these conflicts exist, self-regulation is almost always ineffective (27, 43-45).

Other work by Pulker and colleagues demonstrating supermarkets’ inability to self-regulate their practices at the risk of public health and wellbeing includes:

1. Not setting meaningful nutrition and affordability targets for their own brands and supermarket policies (46)
2. Placing junk food such as confectionary, snacks and sugary drinks on special and in prominent locations to promote their sale and consumption (47).
3. Inconsistent use of Health Star Ratings and Front-Of-Pack Nutrition labelling systems (48)
4. Not transparently reporting on food waste (47)

Some other problematic issues exemplifying issues with the inadequate supermarket regulation within the Australian context include Coles and Woolworths obtaining produce from [only a few major producers](#), thereby pushing out smaller growers from the market; [supermarkets setting new definitions and standards](#) for ‘free-range’ eggs to suit their profitability; and [supermarket own brands being sourced overseas and pushing out local brands](#).



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Regulating supermarket power to address rising food prices – the need for policy action

Australian families think that supermarkets should assist them to purchase and consume healthy, affordable foods and drinks (49). There is a clear need to set better regulatory standards to ensure supermarkets are not jeopardising the health of our nation.

A 2022 study by Deakin University (50) that interviewed supermarket representatives found that supermarket price promotions were most likely to be supportive of public health if: (i) mandatory regulation was enforced; (ii) compliance was extensively monitored; (iii) additional emphasis was placed on discounting the price of healthier food and beverage options; and (iv) sufficient lead time and retailer support was given to enable implementation. However, the interviewees also reported several barriers that hindered implementation of policies to regulate supermarket specials, including: (i) fear of losing competitive advantage; (ii) perceived financial losses to retailers and consumers; and (iii) a perceived lack of impact on public health – none of which are supported by a robust evidentiary basis (23).

Evidence from Deakin University shows that grocery settings can shift towards healthy and affordable retailing by prioritising their efforts to disrupt the supply-side status quo by (i) sourcing healthier and sustainable products from a more diverse range of suppliers and (ii) demonstrating leadership through corporate social responsibility actions that genuinely respond to the concerns of consumers and stakeholders (e.g., small-scale producers) who have been most marginalised by their profit-making practices (23, 51). For example, this can include investing in initiatives that improve the availability and affordability of healthy options for all and reporting on the sale of affordable healthy foods using evidence-based definitions and metrics (47).

Policy recommendations for the Select Committee:

1. Fully fund and implement the National Preventive Health Strategy 2021-2023, which includes ongoing access to adequate and affordable healthy food options and restricted promotion of unhealthy foods and drinks at point of sale and at the end-of-aisle in prominent food retail environments.
2. Fully fund and implement the National Obesity Strategy 2022-2023.
3. Create enhanced regulatory frameworks that hold food retailers accountable to provide healthy and affordable foods, for all Australian's, now and into the future. These must be:
 - Government-led
 - Mandatory
 - Are
 - Include clear monitoring and enforcement processes for compliance
4. Retain the Goods and Services Tax exemption on basic healthy foods
5. Ensure regular monitoring and reporting of the the CPI (healthy foods) as well as CPI (foods),(14) by the Australian Bureau of Statistics
6. Ensure regular monitoring of food insecurity and the costs of healthy basic foods



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