Contracting in Fresh Produce: Wave of the Future?
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The data gathered from this year’s FreshTrack 2001 retail respondents 
corroborate a trend established in virtually all of the previous FreshTrack studies: buyers 
and sellers of fresh produce are departing from traditional practices of transacting sales 
through daily spot sales in favor of engaging in a wide range of contractual agreements. 
Of course, this is not happening overnight, but the evidence collected in this year’s study 
demonstrates that it is happening relatively quickly for a number of reasons. 
Opportunistic buying and selling of merchandise, where one or the other party finds itself 
facing unusually unfavorable short-term conditions, is not part of the long-term mission 
and operating strategy of the ever larger, sometimes multinational, companies now part of 
the community of produce buyers and sellers. Indeed, many of these large companies are 
now playing a channel-dominant role. These companies have been more aggressive in 
adopting supply-chain management practices where the objective is year-end, not
weekend, results. Their interest is net returns, not gross returns. What’s more, in recent years, the produce industry has experienced more “long” than “short” situations. Such a condition generally shifts the advantage of contracting to the buying side of the market, once again providing retail buyers additional motivation over the past several years to increase their contracting.

Despite a number of considerable disadvantages, in general, today’s buyers and sellers alike appear to be won over by the greater price certainty that contracting makes possible. It facilitates their ad planning, sales, planting, harvesting, and packing decisions. Moreover, it ensures sellers an outlet for at least a portion of their produce and it ensures buyers a source of produce, particularly in difficult supply conditions.

However, high degrees of product perishability, weather uncertainty and resulting price volatility, and structural differences between and among produce buyers and sellers create significant challenges to the design of the produce contract. Contract characteristics range widely from those that are concerned only with quantities and product specifications to those that focus more narrowly on price. Additionally, a growing number of contracts today specify various fees and services that one or the other participant will perform.

A contract developed during the 2001 marketing season prominently cites prices to be paid as well as packaging specifications, quarterly and annual volume targets and, importantly, rebates and promotion. Advertising schedules are laid out, including so-called BOGO (“buy-one get-one” free) allowances. Finally, it should be noted that natural disasters, crop failures, and “acts of God” clauses are now being routinely included in fresh produce contracts to protect buyers and especially sellers.

"Smart Marketing" is a monthly marketing newsletter for extension publication in local newsletters and for placement in local media. It reviews the elements critical to successful marketing in the food and agricultural industry. Articles are written by faculty members in the Department of Applied Economics and Management at Cornell University.

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