



23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

adjudication@acc.gov.au

www.acc.gov.au

Our ref: AA1000429
Contact officer: Hannah Ransom
Contact phone: (02) 6243 1255

24/08/2018

By email

Dear Sir or Madam

AgStewardship Australia Limited application for revocation of authorisation A91382 and substitution of new authorisation AA1000429 – interested party consultation

The Australian Competition and Consumer Commission (the ACCC) is currently conducting a consultation process on an application for re-authorisation (application for revocation and substitution) received from AgStewardship on 21 August 2018.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application. Please see the ACCC's publication [Guidelines for Authorisation of conduct](#) for a summary of the authorisation process and how to make a submission to the ACCC.

Application for 're-authorisation'

The application for re-authorisation relates to the operation of AgStewardship's drumMUSTER and ChemClear programs, which provide for the collection of used, unwanted, empty agricultural and veterinary chemical containers and chemicals, funded by a voluntary levy on manufacturers and suppliers of the chemicals.

The current application seeks re-authorisation of the arrangements for a further five years. AgStewardship seeks to increase the levy, which has been 4 cents per litre/kg since it was first imposed in 1999, to 6 cents per litre/kg. No further changes are proposed to the authorised conduct.

A copy of the application is available on the ACCC's website www.acc.gov.au/AuthorisationsRegister.

Background

The drumMUSTER program involves collection and recycling of used containers for crop production and on-farm animal health chemicals (agvet chemicals). The ChemClear program involves collection and disposal of unwanted agvet chemicals.

The ACCC first authorised the drumMUSTER program in September 1998. The program was funded by a 4 cent per litre/kilogram levy on the sale of agvet chemicals. Chemclear began operating in July 2004, funded by the same levy.

The current authorisation was granted authorisation on 29 January 2014 until 19 February 2019.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

Submissions on the substantive application for re-authorisation should be provided by **Friday, 7 September 2018**. Submissions should be emailed to adjudication@acc.gov.au with the subject "AA1000429 – AgStewardship – submission".

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

Indicative date	Stage in assessment process
21 August 2018	Lodgement of application and supporting submission, [including request for interim authorisation – delete if irrelevant].
24 August 2018	Public consultation process begins.
7 September 2018	Closing date for submissions from interested parties.
September 2018	Applicant responds to issues raised in the public consultation process.
October 2018	Draft determination.
October/November 2018	Public consultation on draft determination including any conference if called.
November/December 2018	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Hannah Ransom on (02) 6243 1255 or adjudication@acc.gov.au.

Yours sincerely



David Hatfield
Director
Adjudication