



23 Marcus Clarke Street  
Canberra ACT 2601

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

GPO Box 3131  
Canberra ACT 2601

tel: (02) 6243 1111  
[adjudication@acc.gov.au](mailto:adjudication@acc.gov.au)

9/11/2018

[www.accc.gov.au](http://www.accc.gov.au)

*By email*

Dear Sir/Madam

### **AgStewardship Australia Limited application for re-authorisation AA1000429 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for re-authorisation lodged by AgStewardship Australia Limited on 21 August 2018.

AgStewardship Australia Limited is seeking re-authorisation in relation to the continued operation of its 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 1998, to 6 cents per litre/kg.

### **Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for a further five years.

### **Making a submission**

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **23 November 2018**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA1000429 – AgStewardship – submission".

The ACCC will consider any submissions it receives, and will then release a final determination in relation to these applications.

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](#).

### **Optional pre-decision conference**

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to the draft determination. If a conference is called in this matter it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and

while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **23 November 2018**.

### **Timetable**

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

<b>Indicative date</b>	<b>Stage in assessment process</b>
<b>21 August 2018</b>	Lodgement of application and supporting submission.
<b>24 August 2018</b>	Public consultation process begins.
<b>9 November 2018</b>	Draft determination.
<b>November/December 2018</b>	Public consultation on draft determination including possible pre-decision conference (if called).
<b>Prior to 21 February 2019</b>	Final determination.

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](mailto:adjudication@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Adjudication