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By email

Dear Interested Party

## **Queensland Dairyfarmers' Organisation Limited - application for authorisation AA1000530— Draft determination and interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Queensland Dairyfarmers' Organisation Limited on 25 September 2020.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years to enable QDO's 'Fair Go Dairy' licensing scheme (the Scheme) to be implemented and given effect.

The Scheme is a voluntary licensing arrangement under which QDO will grant a licence for processors for use its "Fair Go Dairy" logo on dairy products made milk which satisfies certain milk origin and minimum farmgate price requirements.

The ACCC has decided to grant interim authorisation to enable QDO to negotiate with potential participants in the Scheme (e.g. dairy processors and farmers), advance preparations and marketing for the Scheme, and determine and announce the SFFP for 2021/22 in Queensland while the ACCC considers the application for authorisation.

Interim authorisation has not been granted for any dairy farmer or processor to enter into agreements in relation to the Scheme at this time.

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisations public register](#).

### **Next steps**

The ACCC invites submissions on the draft determination and impact of interim authorisation.

Submissions are due by **29 January 2021** by emailing [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au) with the subject "AA1000530 – Queensland Dairyfarmers' Organisation – submission". The ACCC will consider any submissions received by this date in making its final decision about whether to re-authorise these arrangements.

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 predecision 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 for the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **29 January 2021**. Any request for a conference should be emailed to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

We prefer to hold a conference in a way that enables attendees to attend in person. In the current circumstances, with the spread of COVID-19 and the need to significantly limit social contact, a face-to-face conference may not be possible. There may be options for the ACCC to hold a conference via webinar or teleconference. If you are considering requesting the ACCC hold a conference please contact us as early as possible to discuss the options for holding a conference before requesting one.

## 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.

Indicative date	Stage in assessment process
<b>25 September 2020</b>	Lodgement of application and supporting submission.
<b>18 December 2020</b>	Draft determination and ACCC decision regarding interim authorisation
<b>December – February 2021</b>	Public consultation on draft determination including any conference if called
<b>February 2021</b>	Applicant responds to issues raised in the public consultation process.
<b>February/March 2021</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 Robert Janissen on 02 6243 1387.

Yours sincerely



Darrell Channing  
Director  
Competition Exemptions