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Dear Madam/Sir

### **Infant Nutrition Council application for re-authorisation A91506 & A91507—final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of an application for re-authorisation lodged by the Infant Nutrition Council on 26 October 2020.

The Infant Nutrition Council sought re-authorisation for current and future manufacturers in, and importers into, Australia of infant formula to make and give effect to the Marketing in Australia of Infant Formula: Manufacturers and Importers Agreement (MAIF Agreement). The MAIF Agreement is a voluntary self-regulatory code of conduct governing the marketing of infant formula for infants up to 12 months.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant re-authorisation for three years. The ACCC's assessment is set out in Chapter 4 of its determination.

### **Application for review**

Pursuant to section 101 of the *Competition and Consumer Act 2010* (Cth), a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 17 August 2021. If no application to review is lodged by this date, the ACCC's determination will come into force on 18 August 2021.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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.

Yours sincerely

David Hatfield  
Director  
Competition Exemptions