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11 May 2023

By email

Dear Interested Party

Coles Group Limited and other participating supermarkets – application for authorisation AA1000627 – variation to the definition of conduct

As noted within our correspondence dated 30 March 2023, the ACCC issued a draft determination in respect of the application for authorisation lodged by Coles Group Limited itself, Woolworths Group Limited and ALDI Stores (together, the **Participants**) and current and future Program Partners.

For the reasons set out in its draft determination, the ACCC proposed to grant authorisation, with conditions, to allow the Participants and Program Partners to engage in certain conduct in connection with an industry-led taskforce (the **Soft Plastics Taskforce**) created to explore solutions to address the immediate effects of the suspension of REDcycle's return-to-store soft plastics recovery program.

On 26 April 2023, the Participants lodged a submission in response to the ACCC's draft determination. Within this submission, the Participants submitted that a narrower approach could be taken to defining the conduct to be authorised by limiting it to the steps contained in section 9 of the [Roadmap to Restart](#) with some minor updates to reflect the Participants' most recent planning and to ensure the steps are sufficiently clear and precise.

A copy of the ACCC's draft determination and the Participants' submission in response to the draft determination are attached and are also available on the ACCC's [public register](#).

The ACCC is seeking submissions from interested parties regarding the variation to the definition of the conduct sought by the Participants.

Making a submission


If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **18 May 2023**. Submissions should be emailed to exemptions@acc.gov.au with the subject, 'AA1000627 - Coles Group and others - submission'. If you prefer to make an oral submission, please contact Bethany White via the details at the end of this letter.

The ACCC will consider any submissions it receives within the specified timeframe and will then release a final determination in relation to this application.

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

If you wish to discuss any aspect of this letter, please do not hesitate to contact Bethany White on (03) 6215 9318 or by email at exemptions@acc.gov.au.

Yours sincerely

A handwritten signature in cursive script that reads "naemon".

Naomi Menon
Director
Competition Exemptions