



Our ref: CB10000469
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5/08/2019

Dear Sir/Madam

Collective Bargaining Notification (CB10000469) lodged by Highlands Potatoes and Ag Incorporated — interested party consultation

Introduction

The Australian Competition and Consumer Commission (**the ACCC**) has received a collective bargaining notification from Highlands Potatoes and Ag Incorporated (**HPAI**). Existing and future members of HPAI intend to share information amongst the group and collectively bargain with potato processors.

A copy of the notification is available from the [ACCC's public register](#).

The purpose of this letter is to invite your comments as a party who may be interested in providing a submission to the ACCC in relation to these arrangements.

Collective bargaining notification process

Collective bargaining occurs where two or more competitors come together to negotiate terms and conditions (including price) with a supplier or customer. Without the legal protection provided by a collective bargaining notification, these arrangements can breach the *Competition and Consumer Act 2010* (the Act).

The legal protection provided by a collective bargaining notification commences 14 days after the notification is lodged, unless the ACCC objects within this period.

Request for submissions

When the ACCC receives a collective bargaining notification it will assess the likely public benefits and detriments, including any lessening of competition, to determine whether it should object to the notification.

You are invited to comment on the likely public benefits and likely effect on competition, or any other public detriment, from HPAI members' proposed collective bargaining arrangements.

Submissions should be provided by close of business **16 August 2019**. Please email submissions to adjudication@acc.gov.au with the subject title "*CB10000469 – Highlands Potatoes and Ag Incorporated – submission.*"

Alternatively, if you prefer to make an oral submission please contact Simon Bell on 02 6243 1232.

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

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 Simon Bell on 02 6243 1232.

Yours sincerely

A handwritten signature in blue ink that reads "Susie Black".

Susie Black
A/g Director
Adjudication Branch

Interested parties

McCain Foods Australia Pty Ltd

Marvel Packers Pty Ltd

Ready Meals Pty Ltd

AUSVEG VIC

AuSPICA

Potatoes South Australia

SA Potato Company