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16 April 2003

Mr Tim Grimwade
General Manager
Adjudication Branch
Australian Competition and Consumer Commission
PO Box 1199
DICKSON ACT 2602

FILE No:
DOC:
MARS/PRISM:

Dear Mr Grimwade

**REVOCATION AND SUBSTITUTION OF THE AUTHORISATION NO. A30194
UNWANTED EMPTY AGRICULTURAL AND VETERINARY CHEMICAL
CONTAINERS**

Agsafe Limited wishes to apply for revocation and substitution of authorisation number A30194 dated 2 September 1998 with a new authorisation effective 2 September 2003 for another five years. It is requested that the new authorisation should include the substance of the two minor variations which were made on 1 November 2000 and 14 August 2002.

Authorisation number A30194 dated 2 September, 1998 was initially granted for a period of five years.

Agsafe Limited was requested to make this application by the *drumMUSTER* Advisory Committee on behalf of the partners of the Industry Waste Reduction Agreement, NFF, Avcare, VMDA, and ALGA. The Industry Waste Reduction Agreement (IWRA) was endorsed by ANZECC.

The *drumMUSTER* program, which is how the unwanted empty agricultural and veterinary chemical container program is known, has become well established and is meeting its objectives as a significant environmental initiative with significant participation by all the partners to the IWRA.

**AUST. COMPETITION &
CONSUMER COMMISSION
CANBERRA**
17 APR 2003

The original ACCC determination (2 September 1998) authorised two aspects of the program with the potential to lessen competition. These were:

1. imposition of a levy on non returnable containers; and
2. reduced scope for collection and inspection agencies to negotiate the terms of their contracts with Agsafe.

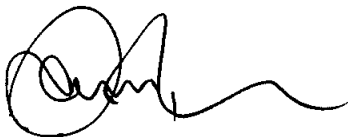
Two minor variations were made to the authorisation. These in summary were:

1. **1 November 2000** - Allowance for the participation of non-Avcare and VMDA members.
2. **14 August 2002** - Extension of the eligibility to include containers which have held products of a non-hazardous nature. These products include surfactants, wetting agents, stickers, spreaders, spray markers, dye, foam markers, dairy detergents, farm disinfectants, teat dip, udder wash, foliar fertilizer, spray oils and animal nutrition products. Manufacturers of the products for which the program has been widened (products of a non-hazardous nature) can choose whether to include these products on a discretionary basis. This variation also allowed for inclusion of a notice on invoices to show purchasers that they have paid a *drumMUSTER* levy and permitted the program to accept containers of 1 L or less in size.

Some background information is enclosed to support the application. This information describes the program's scope, infrastructure and its current achievements. I also enclose a list of *drumMUSTER* Advisory Committee members and their representation for your information.

If you believe there is any further information that we need to supply in support of this application, can you please advise me accordingly by return post or email gm@agsafe.com.au.

Yours sincerely



Sam Ponder
General Manager

enc

drumMUSTER Advisory Committee

Wayne Cornish	National Farmers' Federation
Peter Cone	National Farmers' Federation
Mike Craft	Veterinary Manufacturers & Distributors Association
Marie Illman	Australian Local Government Association
Peter Cone	National Farmer's Federation representative
John Bishop	National Farmer's Federation representative
Steve Bennett	Avcare representative
Claude Gauchat	Avcare Observer