



**Australian Competition & Consumer Commission**

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Australia

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Our Ref: C2003/422-02  
Your Ref: CJ:Winnie Ching: 34H  
Contact Officer: Kathryn Kerr  
Contact Phone: 02 6243 1050

29 May 2003

Mr Chris Jose  
Partner, Freehills  
GPO Box 4227  
SYDNEY NSW 2001

Dear Mr Jose

**Notifications N91092 and N91095  
Lodged by Muffin Break Pty Ltd and Jamaica Blue Pty Ltd**

I refer to the above third line forcing notifications lodged by Muffin Break Pty Ltd (Muffin Break) and Jamaica Blue Pty Ltd (Jamaica Blue) with the Australian Competition and Consumer Commission (the Commission) on 31 March 2003.

**The notified conduct**

You have described the notified conduct as:

- the grant of a Muffin Break franchise on condition that the franchisee acquire certain products (such as food supplies and branded packaging items) from approved suppliers (N91092); or
- the grant of a Jamaica Blue franchise on condition that the franchisee acquires certain products (such as food supplies and branded packaging items) from approved suppliers (N91095).

Legal immunity provided by the notifications commenced on 15 April 2003.

**Conclusion**

On the basis of the information that you have provided, it is not intended that further action be taken in these matters at this stage.

As with any notification, please note that the Commission may act to remove the immunity afforded by these notifications at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.



This letter has been placed on the Commission's Public Register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Kathryn Kerr on (02) 6243 1050.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T. Grimwade', written in a cursive style.

Tim Grimwade  
General Manager  
Adjudication Branch