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The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Sir

I am writing to you on behalf of the Inghams growers in relation to the recent applications for authorisation by the Victorian processors including Inghams Enterprises Pty Ltd.

The Ingham Growers Association is of the view that the ACCC should not grant the Authorisations sought on an interim basis, or a full authorisation, for the following reasons.

These applications have been made without consultation with, or the permission of growers. In fact they have been made with the in the face of direct opposition of the growers who are purported to be the beneficiaries of such an authorisation. If the growers are in need of such an authorisation then they are quite capable of applying for their own. The VFF is I understand in the process of making such an application.

In this climate it is difficult to see why any growers would be using the Processors Authorisation even if it were granted. Given the fact that growers will not use the authorisation it appears very unlikely that any nett public benefit could be obtained by its granting

I would also like to highlight grower's experience under the previous authorisation, which despite the efforts of growers in protracted negotiations did not result in suitable growing contracts being agreed. This has left growers in an unacceptable position with probably unenforceable contracts on batch to batch basis. The failure of the previous authorisation to deliver its stated outcomes was as a result of insufficient mechanisms to encourage the parties to conclude negotiations in a reasonable timeframe. As the current application is identical to the last it appears to have no better chance of success and would only assist processors in their endeavours to force growers into individual growing arrangements.

Thank you for the opportunity to comment.

Yours sincerely

Michael Shaw