



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia
Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: C2004/433
Contact Officer: Stefanee Lovett
Contact Phone: (02) 6243 1359

21 April 2004

Mr John Rich
Executive Officer
Tasmanian Farmers & Graziers Association
PO Box 193
Launceston TAS 7250

Dear Mr Rich

**Tasmanian Farmers & Graziers Association
Application for Authorisation A90914
– request for interim authorisation**

The Australian Competition and Consumer Commission (the Commission) has considered your request for interim authorisation in respect of the above application for authorisation as expressed in your application of 23 March 2004.

The Commission has decided to grant interim authorisation to permit vegetable grower members of the Tasmanian Farmers and Graziers Association (TFGA) to collectively negotiate the terms and conditions of growing contracts with two processors – McCain Foods (Aust) Pty Ltd and Simplot Australia Pty Ltd (the Processors). Interim authorisation has also been granted for the TFGA to assist growers in their negotiations with the Processors.

In assessing the request for interim authorisation it is relevant to note that, the Commission considered that:

- granting interim authorisation was unlikely to adversely impact on other parties such as customers and competitors; and
- there was likely to be little if any public detriment in allowing the arrangements to proceed in the short term.

For your information, the next step in the process is for the Commission to release a draft determination which will indicate the Commission's views on the merits of the application. The Commission will provide both the TFGA and interested parties with the opportunity of making a submission on the draft determination before the Commission issues its final decision. The Commission anticipates releasing a draft determination shortly.



Should you wish to discuss any of the above, or any other aspect of this matter further please contact Stefanee Lovett on (02) 6243 1359.

Yours sincerely



Tim Grimwade
General Manager
Adjudication Branch