

As letter sent to attached list



**Australian
Competition &
Consumer
Commission**

Our Ref: C2004/433
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17 November 2004

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Dear xx

Trade Practices Act 1974
Application for authorisation A90914
lodged by the Tasmanian Farmers and Graziers Association

The Australian Competition and Consumer Commission (the Commission) has issued a final determination in respect of the above application for authorisation lodged by the Tasmanian Farmers and Graziers Association (the TFGA) on behalf of its vegetable grower members.

The Commission has made a determination granting authorisation for an agreement between present and future TFGA vegetable grower members to collectively negotiate, through grower representatives on their various commodity group boards, terms and conditions of growing contracts with the processors to whom they supply, namely McCain Foods (Aust) Pty Ltd and Simplot Australia Pty Ltd. Authorisation has also been granted for an agreement between TFGA vegetable grower members for the TFGA to assist them in their negotiations with processors. A copy of the Commission's final determination is attached. The final determination will also be available on the Commission's website: www.accc.gov.au. The Commission has decided to grant authorisation for five years for the reasons set out in its final determination.

This determination is made on 17 November 2004. If no application for review of the determination is lodged with the Australian Competition Tribunal within the statutory period, namely by 8 December 2004, the Commission's determination will come into force on 9 December 2004.



On 21 April 2004, the Commission granted interim authorisation to the proposed arrangements. Interim authorisation will continue to protect the proposed arrangements from action under the TPA until the date the Commission's final determination comes into effect or until the Commission, or the Australian Competition Tribunal, decides to revoke interim authorisation.

A copy of this letter together with the determination will be placed on the Commission's Public Register. Your interest and input into this matter has been appreciated.

If you require further information please contact Gavin Jones on (03) 9290 1959.

Yours sincerely

Scott Gregson
Director
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