

Stewart, Liam

From: Stewart, Liam
Sent: Wednesday, 5 October 2005 1:51 PM
To: 'david.starkoff@corrs.com.au'
Subject: Premium Milk Ltd - Application for revocation and substitution
Attachments: PREMIUM - DRAFT DETERMINATION.pdf

Dear Mr Starkoff

**Application for revocation of authorisation A90745 and substitute by replacement
authorisation A90972 lodged by Premium Milk Ltd**

I refer to the abovementioned application for revocation and substitution lodged with the Australian Competition and Consumer Commission (the ACCC) by Premium Milk Ltd (Premium). The proposed substitute authorisation (A90972) seeks to continue to allow the collective bargaining of farm-gate prices and milk standards through the representative body – Premium – in direct negotiations with Parmalat (formerly Pauls) for a further period of five years.

In short, the ACCC considers that the public benefits which may arise from the proposed collective bargaining arrangements are likely to outweigh the potential anti-competitive detriments of the proposed arrangements. Consequently, the ACCC has issued a draft determination which proposes to grant Premium's application for a substitute authorisation.

A copy of the ACCC's draft determination is attached.



**PREMIUM -
DETERMINA**

Further submissions

Before the ACCC makes a final decision regarding Premium's application, it would like to provide an opportunity for Premium (and interested parties) to make submissions in relation to the draft determination. The processes for providing submissions, both oral and written, are provided below.

Pre-determination conference

In accordance with section 90A of the TPA, an interested party may notify the ACCC in writing by close of business on **Wednesday, 19 October 2005** if that party wishes the ACCC to hold a pre-determination conference in relation to the draft determination. The TPA does not allow the ACCC to extend this deadline.

A pre-determination conference provides the opportunity for interested parties, particularly in the event they are dissatisfied with the ACCC's draft determination, to make oral submissions in response to the draft determination. The TPA requires that the conference be held no later than 30 days after it is requested.

Submissions

The ACCC encourages Premium (and other interested parties) to provide written submissions commenting on its draft determination. Unless confidentiality is requested, submissions will be publicly available and placed on a public register for that purpose. If you wish to lodge a submission, would you please address it to:

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

Alternatively, submissions may be faxed to (02) 6243 1211 or emailed to adjudication@accc.gov.au

Submissions should be provided to the ACCC no later than close of business on **Wednesday 19 October 2005**.

If you have any queries or if you wish to discuss any aspect of this application further, please contact Liam Stewart on (02) 6243 1275

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

Our Ref: C2005/780
Contact Officer: Liam Stewart
Contact Phone: 02 6243 1275

5 October 2005

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Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

Name	Company	Address	Salutation
Mr Rodney Willson		681 Ackland – Sabine St OAKEY QLD 4401	Mr Willson
Mr Ron Turnbridge		20 McLean Rd Mt Mee QLD 4521	Mr Turnbridge
Mr George Freeck		MS 126 Muldapilly QLD 4307	Mr Freeck
Mr Hans Gerick		308 Mullins Rd Goomboorian QLD 4570	Mr Gerick
M & B Quinn	Sunny Brae	MS 571 Murgon QLD 4605	M & B Quinn
PA & RG Braithwaite		PO Box 145 Murgon QLD 4605	PA & RG Braithwaite
Mr Jim Varghese Director General	Dept of Primary Industries and Fisheries	GPO Box 46 Brisbane Qld 4001	Mr Varghese
Mr Andrew Reitz Chief Executive Officer	Metcash	4 Newington St Silverwater NSW 2128	Mr Reitz
Mr Peter Margin Managing Director	National Foods	Pura House 5 Queens Rd Melbourne VIC 3004	Mr Margin
Mr John Fletcher	Chief Executive Officer Coles Myer	800 Toorak Rd Tooronga VIC 3000	Mr Fletcher
The President	Queensland Dairyfarmers	183 North Quay Brisbane QLD 4000	Si/Madam
Mr Roger Corbett Chief Executive Officer	Woolworths Ltd	Level 5 540 George St Sydney NSW 2000	Mr Corbett
Mr Brian Fisher	Executive Director ABARE	Edmund Barton Building Broughton & Macquarie Streets BARTON ACT 2600	Mr Fisher
Mr Paul Sutton	Department of Agriculture Fisheries and Forestry	GPO Box 858 CANBERRA ACT 2601	Mr Sutton
Dr Mike Ginnivan	Managing Director Dairy Australia	Locked Bag 104, Flinders Lane Victoria 8009	Dr Ginnivan
Mr John McQueen	Chief Executive Officer Australian Dairy Farmers Ltd	6 th Floor, 84 William Street MELBOURNE VIC 3000	Mr McQueen
Mr David Mathews	General Counsel Fonterra	Level 7, 636 St Kilda Rd Melbourne Victoria 3004	Mr Mathews
Mr Bruce Donnison	General Manager Bonlac Foods Ltd	PO Box 4313 MELBOURNE VIC 3004	Mr Donnison

Mr Brett Wright	Group Secretary Dairy Farmers	PO Box 72 Lidcombe NSW 1825	Mr Wright
The Group Secretary	Dairy Farmers Co-operative	1/60 Enterprise Pl TINGALPA QLD 4173	Sir/Madam
The Company Secretary	Murray Goulburn Co-operative Co Ltd	140 Dawson Street BRUNSWICK VIC 3056	Sir/Madam
The Chief Executive	Norco Co-operative	PO Box 486 LISMORE NSW 2480	Sir/Madam
Mr Ben Fargher	Chief Executive Officer National Farmers Federation	PO Box E10 Kingston ACT AUSTRALIA 2604	Mr Fargher
Ms Brianna Casey	Executive Director Queensland Farmers Federation	PO Box 12009 George St Brisbane QLD 4003	Ms Casey
Mr Ray Johnson	Chief Executive NSW Farmers Association	GPO Box 1068 Sydney NSW 2001	Mr Johnson
Mr DJ Lord	Managing Director Parmalat Australia	PO Box 3012 South Brisbane Qld 4101	Mr Lord
Mr Peter Kell	Chief Executive Officer Australian Consumers' Association	57 Carrington Rd MARRICKVILLE NSW 2204	Mr Kell
Ms Helen Dorman	Australian Dairy Industry Council	84 William St Melbourne VIC 3000	Ms Dorman
The President	Australian Milk Producers Association	RMB 1640 Tongala VIC 3621	Sir/Madam

<p>Approved for Public Register <input checked="" type="radio"/> YES / <input type="radio"/> NO</p> <p>Approved for Internet <input checked="" type="radio"/> YES / <input type="radio"/> NO</p> <p>.....</p> <p>/ /</p>
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