

Stewart, Liam

From: Stewart, Liam
Sent: Wednesday, 9 November 2005 5:00 PM
To: 'eddie_scuderi@corrs.com.au'
Cc: 'david.starkoff@corrs.com.au'
Subject: Premium Milk Ltd - Application for revocation and substitution

Attachments: PREMIUM - FINAL DETERMINATION.pdf

Our Ref: C2005/798
Contact Officer: Liam Stewart
Contact Phone: 02 6243 1275

9 November 2005

Dear Mr Scuderi

Application for revocation and substitution lodged by Premium Milk Ltd

I refer to the above application for revocation and substitution lodged with the Australian Competition and Consumer Commission (the ACCC) by Premium Milk Ltd (Premium).

The ACCC has issued a final decision granting Premium's substitute authorisation for a period of 5 years. A copy of the determination outlining the reasons for the ACCC's decision is attached to this email.



**PREMIUM -
DETERMINA**

The determination will also be available on the ACCC's website: www.accc.gov.au.

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 30 November 2005. If no application to review is lodged by this date, the ACCC's determination will come into force on 1 December 2005.

A copy of this email will be placed on the ACCC's public register.

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

(Liam Stewart for)
Scott Gregson

General Manager
Adjudication Branch



Australian
Competition &
Consumer
Commission

Our Ref: C2005/798
Contact Officer: Liam Stewart
Contact Phone: 02 6243 1275

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9 November 2005

Addr
Addr
Addr

Dear

**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). In short, 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.

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 granted Premium's application for a substitute authorisation for a period of five years.

A copy of the determination outlining the reasons for the ACCC's decision is attached to this letter and the determination will also be available on the ACCC's website: www.accc.gov.au.

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 30 November 2005. If no application to review is lodged by this date, the ACCC's determination will come into force on 1 December 2005.

A copy of this email will be placed on the ACCC's public register.

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



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 Co-op	Fonterra Centre 9 Princes St Private Bag 92032 Auckland	Mr Mathews

		New Zealand	
Mr Jason Sandford Senior Corporate Counsel	Fonterra Co-op	Fonterra Centre 9 Princes St Private Bag 92032 Auckland New Zealand	Mr Sandford
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
Mr Alan Burgess	Australian Dairy Industry Council	84 William St Melbourne VIC 3000	Mr Burgess
The President	Australian Milk Producers Association	RMB 1640 Tongala VIC 3621	Sir/Madam