



**CANBERRA OFFICE - ADJUDICATION
MEMO**

File number:	C2005/1970	TRIM:	23269
Date:	8 May 2006	Participants:	Richard Anderson (Nestlé Australia Ltd) Peter Kelly (Nestlé Australia Ltd) Lance Barnes (Nestlé Australia Ltd) Mark Mackaness (Nestlé Australia Ltd) Dave Poddar (Mallesons Stephen Jaques) Kate Newman (Mallesons Stephen Jaques) Jacki Cremer (Mallesons Stephen Jaques) Jennifer McNeill (ACCC) Scott Gregson (ACCC) David Hatfield (ACCC) Tim Scott (ACCC)
ACCC Officer:	Tim Scott	Time:	9.30am – 11.50am approx
Subject:	Nestlé Australia Ltd Notification N31488 and Draft Notice to Revoke		

Jennifer McNeill, Scott Gregson, David Hatfield and Tim Scott met with representatives of Nestlé Australia Ltd (“Nestlé”) and their lawyers at the Sydney offices of the ACCC to discuss the draft notice proposing to revoke notification N31488, which the ACCC issued on 3 April 2006. The following matters were discussed:

- Nestlé’s views on the purpose and effect of the notified conduct
- Nestlé’s views on appropriate market definitions
- reasonable steps to differentiate imported coffee products
- the level of consumer complaints resulting from Aldi’s supply of the imported Nescafé coffee