



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91064
Contact Officer: Gavin Jones
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14 November 2007

Dear Sir/Madam

Application for authorisation A91064 lodged by Victorian Farmers Federation Sunraysia Branch – draft determination and request for interim authorisation

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Victorian Farmers Federation Sunraysia Branch (the Branch) on 18 October 2007.

The Branch is seeking authorisation to collectively negotiate the terms and conditions (including price) of dried vine fruit with present and future dried vine fruit process on behalf of present and future members of the VFF Sunraysia Branch.

Having considered the application and submissions from the Branch and interested parties, the ACCC proposes to grant authorisation for five years. A copy of the draft determination is attached.

Interim authorisation

The ACCC has also decided to grant interim authorisation to the Branch to allow them to commence collective negotiations with dried vine fruit processors for the 2008 harvest.

In making this decision, the ACCC was influenced by the voluntary nature of the arrangements and the absence of collective boycotts.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Trade Practices Act 1974* (the Act) until the ACCC issues a determination in this matter (unless circumstances warrant revocation or amendment of the interim authorisation at an earlier stage).

Next steps

Once the ACCC issues a draft determination, the Branch or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Under the Act, the

ACCC must set a date within 14 days of which any pre-decision conference must be requested. Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **close of business Wednesday, 28 November 2007**. Conferences are conducted informally, without the participation of legal or other professional advisers.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **Wednesday, 5 December 2007** at the following address:

The General Manager
Adjudication Branch
Australian Competition & Consumer Commission
PO Box 3131
CANBERRA ACT 2601

Submissions can also be lodged by e-mail to adjudication@acc.gov.au or by facsimile on 02 6243 1211.

Persons lodging a submission with the ACCC may request that information included in the submission be excluded from the public register in certain circumstances. Submissions which are excluded from the public register may still be taken into account by the ACCC when conducting its assessment of an authorisation application. Guidelines for seeking exclusion from the public register are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-determination conference be called, and will then release a final determination in relation to the Branch's application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact me on 03 920 1475.

Yours faithfully



G Gavin Jones
Director
Adjudication Branch