



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2007/2197  
Contact Officer: Gavin Jones  
Contact Phone: 03 9290 1475

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19 December 2007

Erin Boyling  
Retail Operations Manager  
Aesop  
GPO Box 411  
MELBOURNE VIC 3001

Dear Ms Boyling

**Third line forcing notification N93225 – Aesop Retail Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (ACCC) on 27 November 2007.

You have described the notified conduct as Aesop offering a discount on the standard retail price of Aesop cosmetics between 10 December 2007 and 31 December 2007 to American Express services customers on condition that the customer uses their American Express services to pay for the cosmetics. You state that the promotion the subject of the notification will occur in the Qantas Club Lounge located in the domestic terminal at Tullamarine Airport.

Legal immunity conferred by the notification commenced on 11 December 2007.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

A copy of 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 Gavin Jones on 03 9290 1475.

Yours sincerely

Scott Gregson  
General Manager  
Adjudication Branch