



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2007/106  
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[www.accc.gov.au](http://www.accc.gov.au)

10 April 2007

«name»  
«Title»  
«Address»

Dear «sal»

**Re: Agsafe's application for authorisation A91027 – A91030  
- PRE-DECISION CONFERENCE**

Agsafe has requested that the Australian Competition & Consumer Commission (the ACCC) convene a conference in relation to the draft determination issued by the ACCC on 28 March 2007.

The draft determination follows an application by Agsafe for authorisation in respect of the 6<sup>th</sup> edition of its Code of Conduct.

The draft determination proposes to grant authorisation for a period of 18 months to those provisions of the Code of Conduct which allow Agsafe, CropLife and Animal Health Alliance members to refuse supply of agricultural and veterinary chemicals to businesses because they have not obtained accreditation from Agsafe under the Guardian Program.

The ACCC also proposes to grant authorisation to the remainder of Agsafe's Code of Conduct which includes the requirement that members of Agsafe, CropLife and Animal Health Alliance are to be accredited under the Agsafe Guardian Program for a period of 5 years.

A copy of the application and draft determination can be found on the ACCC's website <[www.accc.gov.au](http://www.accc.gov.au)>.

**Details about the pre-decision conference**

A pre-determination conference provides a valuable opportunity for applicants and interested parties to make oral submissions to the ACCC about its draft determination.



The ACCC will hold the conference on 1 May 2007, at the Quality Hotel Dickson, at the corner of Cape Street and Badham Street, Dickson, Canberra. The conference will commence at 1.30pm. Dr Stephen King, Commissioner, will chair the conference.

Under the *Trade Practices Act 1974* (the Act), the conference may be attended by the applicant and other interested parties. If you wish to attend, you should notify the ACCC of your intention by **cob 23 April 2007** and briefly indicate why you or your company or organisation has an interest in the matter. Notifications must be in writing and addressed to:

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

Whether or not you choose to attend the conference you can also lodge a written submission in response to the ACCC's draft determination. Written submissions are also due on **23 April 2007**.

You can also notify the ACCC by e-mail to: [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) or by facsimile on 02 6243 1211.

You should provide details of a contact name, telephone number, mailing address and, if possible, a facsimile number or e-mail address so that you can be notified of any late changes to conference arrangements.

If you represent a company or organisation you should also provide a list of attendees and their position titles, and indicate who will be the chief spokesperson.

I would also note that, while conference participants may bring outside legal or other professional advisers to assist them, the Act prohibits these advisers from participating in conference discussions.

Attached for your information are procedures usually followed at pre-decision conferences.

A copy of this letter has been placed on the ACCC's public register. If you require any further information in regard to the conference or wish to clarify whether you may be considered an 'interested person' within the terms of the Act, please do not hesitate to contact Danielle Staltari on 02 6243 1362.

Yours sincerely

Scott Gregson  
General Manager  
Adjudication Branch

National Transport Commission  
Department of the Environment and Water  
Department of Industry, Tourism and Resources  
ACT Emergency Services Agency  
Victoria State Emergency Service  
State Emergency Service of South Australia  
National Drugs and Poisons Schedule Committee  
Department of Human Services  
Office of the Australian Safety and Compensation Council - Department of  
Employment and Workplace Relations  
EPA VICTORIA  
Department of Environment and Conservation NSW  
Department of Environment and Conservation WA  
Environmental Protection Agency-SA  
Environmental Protection Agency QLD  
Department of Primary Industries and Water Tasmania  
Department of Primary Industry, Fisheries and Mines Northern Territory  
Department of Primary Industries NSW  
Department of Primary Industries VIC  
Queensland Health  
Environment ACT  
Department of Agriculture, Fisheries and Forestry  
Department of Health Western Australia  
Department of Industry and Resources  
Department of Emergency Services  
NT Worksafe  
ACT WorkCover  
QLD Department of Industrial Relations  
WorkSafe Victoria  
WA Department of Consumer and Employment Protection  
WorkCover NSW  
SafeWork SA  
NSW Department of Health  
Department of Employment, Education and Training NT  
Territory Health  
Department of Primary Industries and Fisheries QLD  
Queensland Transport  
Food Standards Australia New Zealand  
Comcare  
Australian Pesticides & Veterinary Medicines Authority  
Therapeutic Goods Administration  
Australian Quarantine and Inspection Service  
National Health and Medical Research Council  
Department of Health SA  
ACT Health  
Department of Health and Ageing - Office of Chemical Safety  
Department of Agriculture and Food WA  
Primary Industries and Resources SA  
Department of Health and Human Services Tasmania  
Department of Justice Tasmania

Workplace Standards Tasmania  
Workplace Health & Safety Queensland  
Department of Employment and Industrial Relations Queensland  
Environment Protection Agency Board NT  
Productivity Commission  
Australian Federal Police  
Attorney-General's Department  
CSIRO  
Department of the Prime Minister and Cabinet  
Australian Bureau of Agricultural and Resource Economics  
Australian Centre for International Agricultural Research  
Grains Research and Development Corporation  
Land and Water Australia  
Australian Health Ministers' Advisory Conference  
Biodiesel Association of Australia  
Biodynamic Agriculture Australia  
Central West Conservation Farming Association  
Croplife Australia  
Fertilizer Industry Federation of Australia  
Murrumbidgee Horticulture Council  
AusBiotech Ltd  
Agribusiness Employers' Federation  
Agforce Queensland  
Australian Chamber of Commerce and Industry  
Australian Consumers Association  
Australian Consumer Specialty Products Association  
Australian Retailers Association  
Small Business Association of Australia  
National Farmers Federation  
NSW Farmers Association  
SA Farmers Federation  
Victorian Farmers Federation  
Western Australian Farmers Federation  
Queensland Farmers Federation  
Tasmanian Farmers and Graziers Association  
VIRBAC Australia Pty Ltd  
Ruralco Holdings Limited  
Tylers Hardware & Rural Supplies  
Mike Barrett and Associates  
Mabons Timber Protection (Australia) Pty Ltd  
WG Welch Consultants  
Australian Association of Agricultural Consultants  
Agricultural Chemicals Retailers Association  
Veterinary Manufacturers & Distributors Association  
Savage Baker & Backhouse Pty Ltd  
Southern Farm Supplies, Bega  
SAI Global Limited  
Guyra Rural Services  
Bowa Organics Pty Ltd  
Mellor Olsson

The Aerial Agricultural Association of Australia  
Mrs Mathew and Liz Staples  
Elders  
Kerang Rural Supplies  
Horsfield Trading Pty Ltd  
Bayer Australia Ltd  
Becker Underwood Pty Ltd  
Du Pont (Australia) Ltd  
Farmoz Pty Ltd  
Pfizer Animal Health  
Monsanto Australia Limited  
Sipcam Pacifica Australia Pty Ltd  
Summit Agro Australia Pty Ltd  
Sumitomo Chemical Australia Pty Ltd  
Agrisearch Services Pty Ltd  
Australian Cane Growers Council Ltd  
Cotton Australia  
Australian Dried Fruit Association Inc  
Australian Environmental Pest Managers Association Ltd  
NSW Fire Brigade Employees Union  
Medicines Australia  
David Gray & Co Pty Ltd  
Pharmacy Guild of Australia  
Queensland Graingrowers Association  
Ricegrowers' Association of Australia  
Rural Marketing and Supply Association Inc  
Ancare Australia Pty Limited  
OzBioPharm Pty Ltd  
CSL Limited  
Association of Australian Port & Marine Authorities Inc  
Boehringer Ingelheim Pty Limited  
Elanco Animal Health  
Intervet Australia Pty Limited  
Merial Australia Pty Ltd  
Novartis Animal Health Australasia Pty Ltd  
Syngenta Crop Protection Pty Limited  
FMC Australasia Pty Ltd  
Chemtura Australia Pty Ltd  
Dow AgroSciences Australia Ltd  
Accensi Pty Ltd  
BASF Australia Ltd  
Nufarm Limited  
Grains Council of Australia  
NT Cattlemen's Association  
Growcom  
SA Chamber of Fruit & Vegetable Industries  
Vegetable Growers Association of Victoria  
Pastoralists & Graziers Association of WA  
WA Vegetable Growers Association  
Landmark – An AWB Company

CRT  
IHD Pty Ltd  
Fort Dodge Australia Limited  
Schering-Plough Pty Limited  
Landcare Australia  
Australian Veterinary Association  
FG Blockey & Associates  
Fertilizer Industry Federation of Australia  
Country Fire Authority of Victoria  
Animal Health Alliance  
Mr Phil Sayer  
Ospray Pty Ltd  
Kenso Agcare  
Victorian Chemicals  
Spraygro Liquid Fertilizers  
Aerosol Association of Australia Inc  
ACCORD Australasia Ltd  
Generic Agricultural Chemical Association  
Nursery and Garden Industry Australia  
Plastics and Chemicals Industries Association  
Swimming Pool and Spa Association of Australia