



**Australian
Competition &
Consumer
Commission**

Our Ref: C2007/106
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10 April 2007

Mr Sam Ponder
General Manager
Agsafe Limited
GPO Box 816
Canberra ACT 2601

Dear Mr Ponder

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

As you are aware, 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 6th 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.

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. Please advise the ACCC of the names of Agsafe's representatives who will be attending and their position titles, and indicate who will be the Agsafe's chief spokesperson. Please provide this information by **cob 23 April 2007**. You may address this information to:

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

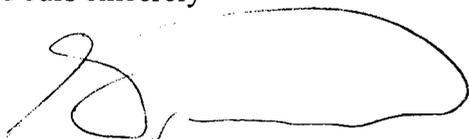
You can also notify the ACCC by e-mail to adjudication@acc.gov.au or by facsimile on 02 6243 1211.

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, please do not hesitate to contact Danielle Staltari on 02 6243 1362.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. Gregson', written over a horizontal line.

Scott Gregson
General Manager
Adjudication Branch