



**FOOD STANDARDS**  
Australia New Zealand  
Te Mana Kounga Kai - Ahitereiria me Aotearoa

55 Blackall St., Barton  
ACT 2600 Australia  
PO Box 7186  
Canberra BC ACT 2610  
Australia  
Tel + 61 2 6271 2222  
Fax +61 2 6271 2278  
www.foodstandards.gov.au

Mr S Gregson  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

FAXED 26 APRIL 2007.

Dear Mr Gregson

Attention: Ms Danielle Staltari

**Agsafe's Application for Revocation and Substitution A91027 and A91028 – Draft Determination**

Thank you for your letter and Draft Determination of 28 March 2007 concerning Agsafe's Application for revocation and substitution of A91027 and A91028 in relation to its Code of Conduct (the Agsafe Guardian Program).

I have noted that the Australian Competition and Consumer Commission proposes to grant authorisation for certain provisions of the Agsafe Code of Conduct for a period of 18 months and that authorisation for the remaining provisions are proposed to be granted for five years.

As stated in the letter of 17 January 2007 from Ms Lydia Buchtmann, A/g General Manager, Food Standards (Canberra), the Agsafe Application has limited relevance to Food Standards Australia New Zealand (FSANZ). While FSANZ is supportive of the objectives of the Agsafe Guardian Program, FSANZ also acknowledges that the public benefits of any trading sanctions applied under the Program must outweigh the public detriment of any sanctions. FSANZ has therefore noted that the ACCC proposes to grant authorisation for a transitional period of 18 months for the Program provisions that relate to refusing supply of agricultural and veterinary chemical products to non-accredited businesses, and that the authorisation will no longer apply after this time.

Thank you for the opportunity to provide comment on the Draft Determination and should you wish to discuss this matter further then please do not hesitate to contact Rob Keane on (02) 6271 2236.

Yours sincerely

MELANIE FISHER  
GENERAL MANAGER  
FOOD STANDARDS (CANBERRA)

24 April 2007