



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2007/1426
Contact Officer: Ilona Balint
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30 August 2007

Peter Kelly
Director, Corporate & External Relations
Nestlé Australia Limited
GPO Box 4320
SYDNEY NSW 2001

Dear Mr Kelly

**Application for minor variation of authorisations A90539 and A90540 relating to the
Marketing in Australia of Infant Formula Agreement
- determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination varying authorisations A90539 and A90540. A copy of the ACCC's determination is attached.

Application for review

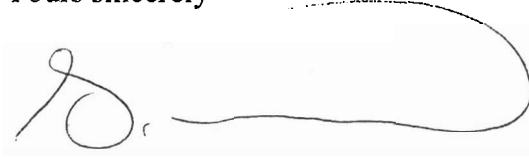
Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 20 September 2007. If no application to review is lodged by this date, the ACCC's determination will come into force on 21 September 2007.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Iлона Balint on (02) 6243 1113.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'S' followed by a long horizontal line that loops back to the right.

Scott Gregson
General Manager
Adjudication Branch