



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: C2008/850  
Contact Officer: Monica Bourke  
Contact Phone: 02 6243 1351

5 June 2008

Ms Kathryn Edghill  
Partner  
Addisons  
Lawyers  
Level 12, 60 Carrington St  
Sydney NSW 2000

Dear Ms Edghill

**Authorisation Application lodged by Dairy Farmers Milk Co-operative Limited  
(DFMC) and Australian Co-operative Foods Limited (ACF)**

I refer to the above mentioned application for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 22 May 2008 and the request for interim authorisation.

As you would be aware, the ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. In doing so, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

The ACCC seeks your comments addressing the reasons why interim authorisation is necessary at this time. I understand that it is once DFMC and ACF cease to become related parties that the legal protection afforded authorisation is required.

It would be appreciated if you could respond by **Tuesday 10 June 2008**. This would enable the ACCC to respond to the request for interim authorisation within 28 days from lodgement.

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 Monica Bourke on (02) 6243 1351.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Chadwick', written on a light grey rectangular background.

Dr Richard Chadwick  
General Manager  
Adjudication Branch