

**Chisholm, Shane**

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**From:** Allana Smith [smith@bhf.com.au]  
**Sent:** Monday, 11 August 2008 2:20 PM  
**To:** Chisholm, Shane  
**Subject:** Notification N93250 by NESTLE AUSTRALIA LIMITED

**Attachments:** Annexure C\_08.08.11.doc



Annexure  
08.08.11.doc (99 KiB)

Dear Mr Chisholm

I refer to our conversation earlier today in relation to the notification No. N93250 lodged by Nestlé Australia Limited on 21 December 2007.

As discussed, we act for Nestlé Australia Limited. I attach an amended Annexure C to our client's Notification, reflecting the updated list of products and approved suppliers. I would be grateful if this amended annexure could be placed on the register.

We are instructed that Nestlé will notify the Franchisee's of the updated list (in accordance with the Franchise Agreement) once we receive notification from you that the updated information appears on the ACCC's public register.

If you have any queries or require further information, please do not hesitate to contact me.

Kind regards

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## Annexure C

### List of products and approved suppliers

Product/Service	Is there a specific approved supplier?	Can franchisees obtain from another supplier if quality is sufficient?	Discount of List Price	Free In Store Delivery \$	Payment Terms	Brand Names
Emma & Tom's Life Juices – Straight OJ, Green Power, Karmarama, Extreme C, Racial Action, Go Girl	G & K Fine Foods Pty Ltd Jessica White 03 9702 4166	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	None	\$100 minimum delivery or 48 bottle minimum	7 days from invoice	Emma & Tom's
English Breakfast/Lavender Grey/Peppermint/Camomile/Honeydew Green/Malabar Chai/Preium Blend Coffee/Decaffeinated Blend Coffee/Syrups-Vanilla, Caramel, Irish Cream, Hazelnut, Chai Tea/Cappuccino Chocolate	Di Bella Coffee Neita Wilson 07 3252 5858	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Chocolate Powder 5.50 ↓ 4.00 Sugar 16.00 ↓ 5.00 Syrups 12.00 ↓ 1.90 Tea 14.90 ↓ 8.00  (1 <sup>st</sup> \$ is wholesale 2 <sup>nd</sup> \$ is Movenpick)	Less than 5kg Coffee or no coffee – 7.50 Delivery charge	28 days	Teadrop Teas Da Vinci Syrups Di Bella Coffee Di Bella Chocolate Powder
Natural Waffle Cone / Mini Flat Top Sugar Cones / Natural Wafers	Altimate Foods Pty Ltd Michael Rizzo 03 9357 0148	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	\$500 minimum order - \$30 delivery charge metro Melbourne	14 days	Altimate
Panna Water / San Pelligrino – Mineral Water, Limonatta, Rossa, Chinotto, Mandarino	Bruno Distributors Pty Ltd Tony Muratore 03 9387 5733	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Wholesale price	\$100 minimum delivery - \$10.50 delivery charge	30 days	Panna San Pelligrino
Bonsoy	Soulfresh Sonia Dyster 03 9416 7168	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Buy 10 get 1 free	No delivery charges for metropolitan area	7 days from invoice	Bonsoy
Procal Full Cream Milk / Procal Lite / Procal Thickened Cream / Vita Soy Regular	Procal Dairies Pty Ltd 03 9689 2499	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	1 crate minimum delivery	7 days from invoice	Procal
Campagnard Bloomer / Pane Toscano Loaf / Vinefruit rosemary Bloomer / Wholewheat Honey Bloomer / Plain Croissant / Fruit Muffin / Savoury Muffin	Phillippa's Bakery and Provisions Kayla Blackmore 03 9428 5363	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Wholesale price	\$35 absolute minimum order  \$50 minimum order or else \$4 delivery charge	7 days from date of statement	

Product/Service	Is there a specific approved supplier?	Can franchisees obtain from another supplier if quality is sufficient?	Discount of List Price	Free In Store Delivery \$	Payment Terms	Brand Names
Movenpick Ice Cream – Swiss Chocolate/Maple Walnut/Stracciatella/Vanilla Dream/Caramelita/Lemon Sorbet/Mint Chocolate/Mango Sorbet/Cappuccino/Strawberry Sorbet/Crème Brulee/Lemon Lime Sorbet/Tiramisu/ Gingerbread/Hazelnut/Grapefruit Orange Sorbet/Raspberry Sorbet/White Chocolate/Vanilla	Nestlé Ice Cream	Not currently available from other suppliers. Stores could obtain from other distributors if it were.		1. \$500 minimum order scheduled – Free in store 2. > \$500 scheduled - \$14 delivery fee 3. Non scheduled weekday < \$500 - \$14 delivery fee 4. Non scheduled weekday > \$500 - \$26 delivery fee 5. Non scheduled week end/public holiday - \$200 delivery fee	30 days from invoice	Movenpick
Trendy Gel Products / Toppings / White & Milk Chocolate Shavings / Sponge Fingers	Creative Ingredients Pty Ltd Claudio Pinto 03 9388 8999	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	\$180 minimum order or else \$33 delivery charge	7 days from date of invoice	Trendy Gel / MEC
Paper Coffee Cups / Gelati Cups / Serviettes / Milkshake Cups / Spoons / Sugar Sticks / Straws / Paper Bags / Kitchen items	Aberdeen Paper Merchants P/L Mark Franks 03 9317 5000	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price		30 days from invoice	Movenpick
Panna Water / San Pelligrino – Mineral Water, Limonatta, Rossa, Chinotto, Mandarino	F. Mayer Imports  02 9669 2211	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Wholesale Price	Every 20 cases, get 1 case free	COD then 7, 14 or 30 days - negotiated	Panna San Pelligrino
Coca Cola Products	Coca Cola Amatil (Aust) P/L Field Representative	Not currently available from other suppliers. Stores could obtain from other distributors if it were.		Minimum 5 cases Weekly/Fortnightly deliveries	Within 30 days from invoice date	Coca Cola / Sprite / Fanta / Nestea
Mixes – Pancake / Belgian Waffle / Cone	Equinox Services Pty Ltd Amel Bailette 0400 010 035	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	Minimum 5 bag order Add delivery charge	7 days	
Fruit Juices	Karma Goods Grant 0405 761 165	Not currently available from other suppliers. Stores could obtain from other distributors if it were.		Minimum order \$150 or 5 boxes  If minimum not ordered \$4.50 delivery fee	COD then once credit established, 7 days after end of month	Phoenix
Natural Waffle Cone / Mini Flat Top Sugar Cones / Natural Wafers / Plain Rolled Wafers	Bidvest Lez Shearer 07 4035 8801	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	Minimum order \$500	Nearest Friday plus 14 days	

Product/Service	Is there a specific approved supplier?	Can franchisees obtain from another supplier if quality is sufficient?	Discount of List Price	Free In Store Delivery \$	Payment Terms	Brand Names
Panna Water / San Pelligrino – Mineral Water, Limonatta, Rossa, Chinotto, Mandarino	Global Food & Wine Alessandro Solazzi 0437 357 639 1300 362 673	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Wholesale Price	Every 20 cases, get 3 cases free	COD then 7, 14, 21 or 30 days - negotiated	Panna San Pelligrino
Whole Milk 2L / Lite Milk 2L / Soy 1L / Thickened Cream 2L	Dairy Farmers Local Milk Vendor	Not currently available from other suppliers. Stores could obtain from other distributors if it were.				Dairy Farmers
Natural Waffle Cone / Mini Flat Top Sugar Cones / Natural Wafers / Plain Rolled Wafers	Suprema Foods Nino Macri 02 9693 5877	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	Minimum order \$100 or delivery fee added based on distance traveled	COD then depending on purchase quantity and payment history manager can change to negotiated credit account	
Natural Waffle Cone / Mini Flat Top Sugar Cones / Natural Wafers / Plain Rolled Wafers	Gelati Tropicanna Rosalie Bonariggo 03 9486 1288	Not currently available from other suppliers. Stores could obtain from other distributors if it were.	Negotiated best price	Minimum order \$100 or delivery fee added	QLD Rep – Euan 0432 211 572  7 days	