



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: 33623  
Contact Officer: Simon Mitchell  
Contact Number: 03 9290 6909

28 August 2008

Margaret Brown  
Minter Ellison Lawyers  
Waterfront Place  
1 Eagle St  
Brisbane QLD 4000

Dear Ms Brown

**Exclusive dealing notifications N93546 – N93547 lodged by the  
Galleon Grains Pty Ltd & Maralong Pty Ltd**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 14 August 2008. The notifications have been placed on the ACCC's public register.

Galleon Grains Pty Ltd (Galleon Grains) and Maralong Pty Ltd (Philp Brodie Grains) propose to supply eight licensed varieties of commercial wheat seed to:

- (i) distributors on condition that they have a current Distribution Agreement with Pacific Seeds; or
- (ii) growers on condition they have entered into a Variety Licence and Royalty Agreement with Pacific Seeds.

Legal immunity conferred by the notification comes into force on 28 August 2008.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

This assessment has been made on the basis that Galleon Grains and Philp Brodie Grains disclose all terms and conditions to prospective customers.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

A copy of this letter has been placed on the ACCC's public register.

If you wish to discuss any aspect of this matter, please contact Simon Mitchell on 03 9290 6909.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch