



**Australian  
Competition &  
Consumer  
Commission**

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16 November 2009

[name]  
[address]

Dear [name]

**Tasmanian Farmers & Growers Association application for re-authorisation A91197  
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for re-authorisation (revocation and substitution) from the Tasmanian Farmers & Graziers Association. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The Tasmanian Farmers & Graziers Association is seeking re-authorisation of an arrangement between present and future vegetable grower members to collectively negotiate the terms and conditions of growing contracts with Processors and to assist vegetable grower members in their negotiations.

A full copy of the application for authorisation is available from the ACCC's website <[www.accc.gov.au](http://www.accc.gov.au)>. Alternatively, you can contact Erin Donohue to obtain a hard copy of the application.

**Interim authorisation**

Since its existing authorisation expires on 9 December 2009, the Tasmanian Farmers & Graziers Association has requested interim authorisation to collectively negotiate the terms and conditions of growing contracts with Processors and to assist vegetable grower members in their negotiations.

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. Should an

applicant request interim authorisation, 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.

### **Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to Tasmanian Farmers & Graziers Association application for re-authorisation, please do so by **11 December 2009**.

Any response to the request for interim authorisation should be provided by **25 November 2009**.

Alternatively, if you would like to provide comments orally, please contact Erin Donohue on (02) 6243 1291 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

### **Timetable**

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

<b>13 November 2009</b>	Lodgement of application and supporting submission.
<b>16 November 2009</b>	Public consultation process begins.
<b>25 November 2009</b>	Closing date for submissions on interim authorisation.
<b>December 2009</b>	ACCC decision regarding interim authorisation.
<b>11 December 2009</b>	Closing date for submissions on substantive application.
<b>December 2009</b>	Applicant responds to any issues raised in the public consultation process.
<b>February 2010</b>	Draft determination.

<b>February/March 2010</b>	Public consultation on draft determination including any conference if called.
<b>March/April 2010</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely



David Hatfield  
Director  
Adjudication Branch