



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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25 March 2010

Dear Sir/Madam

**The Tasmanian Farmers & Graziers Association application for re-authorisation
A91197 - final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the Tasmanian Farmers & Graziers Association on 13 November 2009.

The TFGA is seeking re-authorisation of an agreement between present and future vegetable grower members to collectively negotiate the terms and conditions of growing contracts with McCain Foods (Aust) Pty Ltd and Simplot Australia Pty Limited and any future vegetable processor in Tasmania. The TFGA also seeks authorisation to assist vegetable grower members in their negotiations.

A copy of the ACCC's determination is attached. For the reasons set out in its draft determination, the ACCC proposes to re-authorise the collective bargaining arrangements, subject to a condition, for five years.

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 15 April 2010. If no application to review is lodged by this date, the ACCC's determination will come into force on 16 April 2010.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line that extends to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch

**Tasmanian Farmers & Graziers Association Revocation & Substitution A91197 -
Final Determination**

**Interested Parties Consulted
25 March 2010**

1. Tasmanian Farmers & Graziers Association – Vegetable Council
2. Simplot Australia Pty Limited
3. McCain Foods (Aust) Pty Ltd
4. Department of Primary Industry, Parks, Water and Environment
5. Department of Agriculture, Fisheries and Forestry