



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/221
Contact Officer: Gina D'Ettorre
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18 March 2010

Dear Sir/Madam

**Victorian Farmers Federation Application for revocation and substitution (A40093)
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for revocation and substitution of authorisation A40093 lodged by the Victorian Farmers Federation (VFF).

The VFF has applied for revocation of authorisation A40093, due to expire on 24 March 2010, and substitution with a new authorisation on substantially the same terms, for a further five years. The re-authorisation relates to Victorian chicken grower groups collectively bargaining the terms and conditions of agreements with the chicken meat processors to whom they supply growing services.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant re-authorisation, subject to the same three conditions as authorisation A40093 for a further five years. The ACCC's assessment is set out in Chapter 4 on pages 8 to 19.

Interim authorisation

The ACCC has also granted interim authorisation to allow chicken grower groups to continue to collectively bargain with their processors while the ACCC considers the application for re-authorisation. Interim authorisation will remain in place until the ACCC's final decision comes into effect or until the ACCC decides to revoke interim authorisation.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **Thursday, 1 April 2010**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **Friday, 9 April 2010**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to this application.

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

Timetable

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

18 February 2010	Lodgement of application and supporting submission.
23 February 2010	Public consultation process begins.
5 March 2010	Closing date for submissions from interested parties on interim authorisation and the substantive application.
18 March 2010	Draft determination issued and interim authorisation granted.
1 April 2010	Deadline to request a conference.
9 April 2010	Closing date for submissions from interested parties
April 2010	Final determination.

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 Gina D'Ettoire on 03 9290 1483.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gavin Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication Branch