



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/588
Contact Officer: Sharon Clancy
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24 June 2010

*This letter, with enclosures,
was posted to the
attached list of interested
parties.*

SC

Dear

Premium Milk Ltd application for revocation and substitution A91236 - interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received an application from Premium Milk Ltd (Premium) for the revocation of an existing authorisation and its substitution with a new one (application for re-authorisation). The ACCC invites you to comment on the application for re-authorisation. A summary of the authorisation process including how to make a submission to the ACCC is enclosed.

Premium currently has authorisation (A90972) to collectively negotiate farm-gate prices and milk standards on behalf of its members (milk producers located in south-east Queensland) with Parmalat Australia Ltd (Parmalat). This authorisation expires on 1 December 2010.

Premium is seeking to substitute this authorisation with a new authorisation (A91236) that would enable it to continue to collectively negotiate on behalf of its members with Parmalat for a further five years. Premium proposes to amend its Constitution so as to expressly allow it to represent milk producers operating in northern New South Wales as well as Queensland. A copy of the application for re-authorisation is enclosed.

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 Premium's application for re-authorisation, please do so by **22 July 2010**.

Alternatively, if you would like to provide comments orally, please contact Sharon Clancy on (02) 6243 1217 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 enclosed).

Timetable

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

22 June 2010	Lodgement of application and supporting submission.
24 June 2010	Public consultation process begins.
22 July 2010	Closing date for submissions from interested parties.
6 August 2010	Applicant responds to issues raised in the public consultation process.
September 2010	Draft determination.
October 2010	Public consultation on draft determination including any conference if called.
November 2010	Final determination.

Please advise of any corrections to your address details or if you do not wish to receive further correspondence from the ACCC about this matter. You may 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 Sharon Clancy on (02) 6243 1217.

Yours sincerely

Joanne Palisi
Director
Adjudication Branch

Application for revocation and substitution A91236 lodged by Premium Milk Ltd

Interested parties 24 June 2010

Australian Bureau of Agricultural and Resource Economics
Australian Dairy Farmers Ltd
Australian Dairy Industry Council
Australian Government Department of Agriculture, Fisheries and Forestry
Coles
Dairy Australia
Fonterra Australia / New Zealand
Metcash Trading Limited
Murray Gouburn Cooperative Co. Ltd
National Association of Retail Grocers
National Farmers Federation
National Foods
New South Wales Department of Industry and Investment
Norco Co-operative Limited
NSW Farmers Association
Parmalat Australia Ltd
Queensland Dairy Farmers Organisation
Queensland Farmers Federation
Queensland Government Department of Employment, Economic Development and Innovation
Woolworths Limited