

Our Ref: 43277
Contact Officer: David Seccombe
Contact Number: 02 6243 1394



**Australian
Competition &
Consumer
Commission**

30 August 2010

Mr Jamie Restas
Partner
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Dear Mr Restas

Third line forcing notification lodged by Australian Grain Growers Cooperative Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) by Kelly & Co for Australian Grain Growers Cooperative Ltd (AGG).

I note that this notification was lodged on 29 July 2010. As a result, legal immunity conferred by the notification commenced on 12 August 2010.

The immunity relates to AGG's proposal to make membership of AGG, including supplying membership benefits, conditional on growers supplying a minimum of 150 tonnes of grain in any three year period to its service provider, currently Plum Grove Pty Ltd, and to AGG's proposal to pay a rebate to members on condition that they supply grain to a service provider.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification 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. The benefit and detriment of the conduct will be assessed by the ACCC shortly.

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 do not hesitate to contact David Seccombe on (02) 6243 1394.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick'.

Dr Richard Chadwick
General Manager
Adjudication Branch