



**Australian
Competition &
Consumer
Commission**

Contact Officer: Erin Donohue
Contact Phone: (02) 6243 1291

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

16 June 2011

Mr David Losberg
Policy Manager
Australian Dairy Farmers Ltd
Level 2, Swann House
22 William Street
Melbourne VIC 3000

Dear Mr Losberg

**The Australian Dairy Farmers Ltd application for re-authorisation A91263
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for re-authorisation lodged by the Australian Dairy Farmers Ltd (ADF) on 8 March 2011.

Draft determination and interim authorisation

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 authorisation subject to conditions for a further 10 years.

Authorisation A90966 previously granted to the ADF is due to expire on 30 June 2011. As such, the ACCC grants interim authorisation to enable the status quo to continue while the ACCC is considering the application for re-authorisation. Interim authorisation is granted subject to the conditions of the current authorisation (A90966).

Next steps

Once the ACCC issues a draft determination, the ADF 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 **1 July 2011**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **8 July 2011**.

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 these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion.

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.

8 March 2011	Lodgement of application and supporting submission.
11 March 2011	Public consultation process begins.
16 June 2011	Interim authorisation granted.
16 June 2011	Draft determination.
June - July 2011	Public consultation on draft determination including any conference if called.
July - August 2011	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 Erin Donohue on (02) 6243 1291.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch