



**Australian
Competition &
Consumer
Commission**

Our Ref: 49544
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22 August 2012

Mr Peter Campbell
Partner
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By email: PCampbell@kellyco.com.au

Dear Mr Campbell

Third line forcing notification N96070 lodged by San Remo Macaroni Company Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 21 August 2012. The notification has been placed on the ACCC's public register.

San Remo proposes to offer customers entry into a competition on condition the customer acquires any five San Remo products from participating Foodland stores in South Australia.

Legal immunity conferred by the notification will commence on 4 September 2012.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage 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.

This assessment has been made on the basis that San Remo will disclose all relevant terms and conditions to prospective customers.

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 Tess Macrae on (03) 9290 1835.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch