

Our Ref: 50002  
Contact Officer: Tanya Hobbs  
Contact Number: 02 6243 1029



**Australian  
Competition &  
Consumer  
Commission**

31 October 2012

Jennifer Gennoni  
Marketing and Communications Manager  
Bobbi Brown Cosmetics Australia  
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Dear Ms Gennoni

**Third line forcing notification N96222 lodged by Bobbi Brown Cosmetics Australia**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 24 October 2012. The notification has been placed on the ACCC's public register.

Between October 30 and November 26, Bobbi Brown Cosmetics Australia (Bobbi Brown) proposes to offer customers a master class in makeup application for \$150 that includes a lunch at Otto Restaurant and up to \$150 in free products on condition the customer pay for the class with their MasterCard credit card.

The ACCC notes that Bobbi Brown's notification indicates that it proposed to commence its offer on 30 October 2012. However, statutory protection conferred by the notification will commence on 7 November 2012.

On the basis of the information that you have provided, it is not intended that further action by the ACCC be taken in this matter at this stage. The ACCC notes that private parties may have a right of action in relation to any conduct not covered by the relevant statutory protection.

As with any notification, please note that the ACCC may act to remove the statutory protection 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 Bobbi Brown and Mastercard 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 Tanya Hobbs on (02) 6243 1029.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Dr Richard Chadwick'.

Dr Richard Chadwick  
General Manager  
Adjudication Branch