



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2012/617; C2012/630  
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5 November 2012

Andrew Widdison  
Chairman  
South East Potato Growers Association

### **By email**

Dear Mr Widdison

### **South East Potato Growers Association Application for authorisation A91322 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the South East Potato Growers Association (SEPGA) on 12 July 2012.

#### **Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant SEPGA authorisation for the proposed collective bargaining arrangements for five years. However the ACCC proposes to deny authorisation for the proposed price recommendation for seed potatoes.

#### **Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **19 November 2012**.

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 **19 November 2012**.

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. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### 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.

<b>Indicative date</b>	<b>Stage in assessment process</b>
12 July 2012	Lodgement of application and supporting submission.
18 July 2012	Public consultation process begins.
23 August 2012	ACCC decision regarding interim authorisation.
5 November 2012	Draft determination.
19 November 2012	Deadline to lodge a submission on the draft determination or call a pre-decision conference.
December 2012	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 Tanya Hobbs on 02 6243 1029 or Jasmine Tan on 02 6243 1363.

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch