



**Australian
Competition &
Consumer
Commission**

Our Ref: C2012/617; C2012/630
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12 December 2012

Laura Bowles
Executive Officer
Victorian Potato Growers Council

By email: ljbowles@bigpond.com

Dear Ms Bowles

Victorian Potato Growers Council Application for authorisation A91321 and South East Potato Growers Association Application for authorisation A91322 – final determinations

The Australian Competition and Consumer Commission (the ACCC) has issued determinations in respect of the application for authorisation lodged by the Victorian Potato Growers Council (VPGC) on 10 July 2012 and the application for authorisation lodged by the South East Potato Growers Association (SEPGA) on 12 July 2012.

Copies of the ACCC's determinations are attached.

For the reasons set out in its determination, the ACCC has decided to grant authorisation until 3 January 2018 to:

- collectively negotiate the terms and conditions of supply contracts with processors and other potato buyers, and
- assist its members in their negotiations with processors and other potato buyers (including in relation to dispute resolution)

The ACCC has decided not to grant authorisation to enable the VPGC to establish a price recommendation for the supply of seed potatoes to other potato growers in Australia.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal (the Tribunal) for a review of the determination. An application for review must be made within 21 days of the date of this determination; that is, on or before 2 January 2013. If no application for a review is lodged by this date, the ACCC's determination will come into force on 3 January 2013.

An application for a review of the ACCC's determination should be lodged directly with the Tribunal. The Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the Tribunal's process to hear applications for review of ACCC determinations please refer to the Tribunal's website at www.competitiontribunal.gov.au.

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

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch