



**Australian
Competition &
Consumer
Commission**

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2 December 2013

Dear Sir/Madam

AgStewardship Australia Limited application for revocation of authorisation A91105 and substitution of new authorisation A91382 – draft determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for re-authorisation (application for revocation and substitution) received from AgStewardship Australia Limited (the **Applicant**) on 27 August 2013.

AgStewardship applied for re-authorisation on behalf of itself, its members, Agsafe Limited and current and future participants of the drumMuster® and ChemClear® programs to impose a four cent levy per litre/kilogram on the sale of agricultural and veterinary (**AgVet**) chemicals. The levy will be ultimately passed on to end users. The Programs provide for the collection of unwanted, empty AgVet chemical containers and chemicals.

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 re-authorisation for five years.

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 **23 December 2013**.

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 **23 December 2013**.

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* attached.

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.

Indicative date	Stage in assessment process
27 August 2013	Lodgement of application and supporting submission.
4 September 2013	Public consultation process began.
2 December 2013	Draft determination issued.
December 2013 / January 2014	Public consultation on draft determination including any conference if called.
January / February 2014	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 Megan Cunningham on (03) 9290 1856 or megan.cunningham@acc.gov.au.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch