



**Australian
Competition &
Consumer
Commission**

Our Ref: 50928 & 50872
Contact Officer: Luke Griffin
Contact Number: 02 6243 1114

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

18 March 2013

Mr Mark McCowan
Partner
Corrs Chambers Westgarth

By email: mark.mccowan@corrs.com.au

Dear Mr McCowan

Third line forcing notifications N96645 & N96646 lodged by Muffin Break Pty Ltd & Jamaica Blue Pty Ltd – request for material to be excluded from the public register

I refer to your submission regarding the above notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 13 March 2013.

I have considered your request that the confidential submission titled 'Exclusive dealing notification: Supporting submission' including Annexure 1 and 2, be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the confidential submission titled 'Exclusive dealing notification: Supporting submission' including Annexure 1 and 2, will not be placed on the public register.

This letter has been placed on the ACCC's public register.

I note that you also provided a public version of your clients' submission. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact Luke Griffin on 02 6243 1114.

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