



**Australian
Competition &
Consumer
Commission**

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Our Ref: TRACKIT 54342
Contact Officer: Gina D'Ettorre
Contact Phone: 03 9290 1483

10 April 2014

Dear Sir/Madam

**NSW Farmers' Association application for authorisation A91417
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from the NSW Farmers' Association on behalf of their Contract Poultry Group members. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The NSW Farmers' Association is seeking authorisation, on behalf of its members who provide chicken, turkey and duck growing services, to collectively bargain the terms and conditions of contracts (including price) with chicken, turkey and duck processors.

As background, chicken and turkey (but not duck) growers are currently able to collectively bargain with processors under the *Poultry Meat Industry Act 1986 (NSW)*. The NSW Farmers' Association has been advised that the NSW Government intends to repeal the *Poultry Meat Industry Act* in the near future.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>. Alternatively, you can contact Gina D'Ettorre to obtain a hard copy of the application and supporting submission.

Request for submissions

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application, in particular, the ACCC seeks your views on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements. . Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

If you intend to provide a submission in relation to the NSW Farmers' Association's application for authorisation, please do so by **Monday, 28 April 2014**. Submissions should be emailed to adjudication@acc.gov.au with the subject "A91417 – NSW Farmers' Association – submission".

Alternatively, if you would like to provide comments orally, please contact Gina D'Ettorre on - to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Submissions, including a record of oral 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 progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

7 April 2014	Lodgement of application and supporting submission.
10 April 2014	Public consultation process begins.
28 April 2014	Closing date for submissions from interested parties.
14 May 2014	Applicant responds to issues raised in the public consultation process.
May/June 2014	Draft determination.
May/June 2014	Public consultation on draft determination including any conference if called.
July 2014	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Gina D'Ettorre on 03 9290 1483 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Hatfield', is placed over a light yellow rectangular background.

David Hatfield
Director
Adjudication Branch

List of Interested Parties

Inghams Enterprises Pty Ltd
Baiada Poultry Pty Ltd
Red Lea Chickens Pty Ltd
Cordina Chicken Farms Pty Ltd
Pepes Ducks
Department of Agriculture (Cth)
NSW Department of Primary Industries
Australian Chicken Meat Federation
NSW Food Authority