



**Australian
Competition &
Consumer
Commission**

Our Ref: 57888
Contact Officer: Hannah Ransom
Contact Phone: (02) 6243 1255

23 July 2015

By email

Dear Sir or Madam

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

**Infant Nutrition Council Limited applications for authorisation A91506 and A91507
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for revocation of authorisations A90539 and A90540 and their substitution with authorisations A91506 and A91507, from the Infant Nutrition Council. The ACCC invites you to comment on the applications. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The Infant Nutrition Council seeks re-authorisation for current and future manufacturers in, and importers into, Australia of infant formula to make and give effect to the Marketing in Australia of Infant Formula: Manufacturers and Importers Agreement (MAIF Agreement).

The MAIF Agreement is a voluntary self-regulatory code of conduct which governs the marketing of infant formula for infants up to 12 months. It constitutes Australia's official application of the World Health Organization's International Code of Marketing of Breast Milk Substitutes.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>.

Request for submission

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to the Infant Nutrition Council's applications for authorisation, please do so by 14 **August 2015**. Submissions should be emailed to adjudication@accc.gov.au with the subject "A91506 – A91507 – Infant Nutrition Council – submission".

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

Timetable

The ACCC will progress its assessment of the applications in a timely manner. An indicative timetable is set out below for your information.

20 July 2015	Lodgement of applications and supporting submission
23 July 2015	Public consultation process begins.
14 August 2015	Closing date for submissions from interested parties.
August 2015	Applicant responds to issues raised in the public consultation process.
September 2015	Draft determination.
October 2015	Public consultation on draft determination including any conference if called.
October 2015	Final determination (if no conference is called)

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 applications 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 applications.

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 Hannah Ransom on (02) 6243 1255 or adjudication@accc.gov.au.

Yours sincerely



David Hatfield
Director
Adjudication Branch

List of parties consulted

ACT Health

Australian Breastfeeding Association

Australian College of Midwives

Australian College of Nursing

Australian Medical Association

Australian Nursing and Midwifery Council

Australian Nursing and Midwifery Federation

Baby Friendly Health Initiative Australia

Child and Family Health Nurse Association

Consumer Health Forum of Australia

Department of Health (Commonwealth)

Department of Health and Families (Northern Territory)

Department of Health and Human Services (Tasmania)

Dieticians Association of Australia

Early Childhood Australia

Lactation Consultants of Australia and New Zealand

National Health & Medical Research Council

NSW Health

Queensland Health

Royal Australasian College of Physicians - Paeditrics and Child Health Division

SA Health

VicHealth

WA Health