



**Australian
Competition &
Consumer
Commission**

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By email

Dear Madam or Sir

Infant Nutrition Council applications for authorisation A91506 & A91507 - final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the Infant Nutrition Council on 20 July 2015.

The Infant Nutrition Council sought 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 copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for five years.

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 for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 5 August 2016. If no application to review is lodged by this date, the ACCC's determination will come into force on 6 August 2016.

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

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://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 Hannah Ransom on (02) 6243 1255 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "D. Hatfield". The signature is written in a cursive style with a blue highlight behind it.

David Hatfield
Director
Adjudication Branch