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Australian Competition and Consumer Commission
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Monday May 5, 2025

Re: Public consultation – Soft Plastics Stewardship Australia application for authorisation AA1000695. Interim authorisation – draft determination

The Australian Dairy Products Federation (ADPF) appreciates the opportunity to provide further comment to the interim authorisation at the draft determination stage of Soft Plastics Stewardship Australia (SPSA) application to the Australian Competition and Consumer Commission (ACCC) – AA1000695.

That being:

- To seek information from the market to negotiate potential contracts for services and to share operational information and data between SPSA and the Soft Plastics Taskforce (Coles, Woolworths and ALDI) and to allow SPSA to prepare to take over the operation of the instore collection pilot program and expand on these pilots, prior to the ACCC's final determination in relation to the substantive application for authorisation.

ADPF has consulted with our members in the development of our response and worked collaboratively with Dairy Australia.

This submission builds on our first response to the urgent interim authorisation.

The Australian dairy processing industry acknowledges the need for a national soft plastics product stewardship scheme and appreciates the role that SPSA is seeking to play in advancing this objective.

We recognise the importance of building a credible and coordinated soft plastics product stewardship scheme that is effective, equitable, and reflective of the needs of the entire packaging supply chain.

To that end – and as per the asks of this stage of consultation – we support the sharing of operational information and data between SPSA and the Soft Plastics Taskforce (Coles, Woolworths, and ALDI) to ensure a well-informed approach to designing future programs.

This kind of collaboration is critical to avoiding duplication, improving transparency, and preparing for a product stewardship scheme that is well informed and appropriately scoped.

However, we do not support the expansion of interim authorisation at this stage to include the negotiation of contracts, nor the commencement of operational arrangements.

The same unresolved concerns raised in our first submission relating to the governance structure, fee transparency, alignment with APCO, levy pass-through and equity, and potential duplication of obligations remain unaddressed.

Allowing SPSA to negotiate service agreements or make financial commitments in the absence of clarity and updated documentation on these issues would be premature.

Until there is greater clarity on the long-term stewardship framework, we believe any interim authorisation should remain limited to non-binding preparatory activities such as information sharing and planning only.

We do appreciate the ACCC's ongoing effort and engagement with Australian dairy processors in contributing to the co-design of a fair, efficient, and effective stewardship framework for soft plastics, as part of the broader packaging reforms being considered.

We remain available and willing to discuss next steps.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Williams'.

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A handwritten signature in black ink, appearing to read 'Janine Waller'.

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Contact for Service

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