



**Australian  
Competition &  
Consumer  
Commission**

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14 May 2013

Mr Troy R Williams  
Australian Dental Industry Association Inc  
GPO Box 960  
Sydney NSW 2001

*Via email to: [national.office@adia.org.au](mailto:national.office@adia.org.au)*

Dear Mr Williams

**Request for access under the *Freedom of Information Act 1982 (Cth)***

I refer to your Fax of 10 May 2013 in which you request access, under the *Freedom of Information Act 1982* (the FOI Act), to the following:

- *“Documents referenced by Mr Peter Wallner (ACCC Director Chemicals & Regulated Products) in a meeting between ADIA and the ACCC held on Friday, 13 April 2012 that provides data on the number and type of complaints / reports / injuries concerning the purchase and use of tooth whitening products in Australia.*
- *Documents referenced by Mr Peter Wallner (ACCC Director Chemicals & Regulated Products) in a meeting between ADIA and the ACCC held on Monday, 25 March 2013 that provides data on the number and type of complaints / reports / injuries concerning the purchase and / or use of tooth whitening products in Australia.*
- *Other data held by the ACCC collected from state / territory governments on the number and type of complaints / reports / injuries concerning the purchase and / or use of tooth whitening products in Australia.*
- *Documents held by the ACCC relating to patient injury in Australia associated with the use of teeth whitening products containing greater than 6% hydrogen peroxide and I or 18% carbamide peroxide”.*

Providing that the documents sought can be reasonably identified, the statutory period for processing your request will commence the date your request was received by the ACCC, being 10 May 2013.

D13/62536

Once a valid FOI request is received by the ACCC, it will be processed in the following manner.

1. If appropriate, the ACCC will prepare and send you a cost estimate summarising how many files, documents and third parties fall within the scope of the request, and outlining the likely cost of processing the request (please note the statutory timeframe is placed on hold from when this is sent to you).
2. You will normally be required to either pay a 25% deposit of the estimated charges, or make an application for the waiver of the fees in accordance with the FOI Act.
3. Once the deposit has been paid (or an agreement reached on a waiver application) the statutory timeframe resumes.
4. Third party consultation will be conducted if required and the statutory timeframe extended if necessary.
5. The ACCC then assesses the documents to decide if they can be release, or should be exempt from release.
6. You will be notified of a formal decision, any assessed charges that are payable and any review rights.
7. Any documents to which access has been granted will be released after the remainder of the assessed charge has been paid. (Note that these charges must be paid even if you no longer require the documents or if no documents are granted.)

You will be notified of any charges in relation to your request or of a decision as soon as practicable.

#### **Important Information**

As you may be aware, the FOI Act underwent significant reforms during 2010. In accordance with paragraph 8(2)(g) of the current FOI Act, please be aware that any information released to you in response to your FOI request may be published on the ACCC's website ([foi.accc.gov.au](http://foi.accc.gov.au)). Information relating to your identity or the personal, business, commercial, financial or professional affairs of yourself and others will not be published **if it would be unreasonable to do so**. The ACCC will not publish any exempt information.

Further detail on the FOI Act publication requirements can be found at [foi.accc.gov.au](http://foi.accc.gov.au).

If you would like to comment on the possible publication of your information (including your identity as the FOI applicant), please contact me on the phone number listed above.

Yours sincerely

Sonya Petreski  
FOI Administration Assistant  
ACCC Legal Group