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Our ref: CB10000461
Contact officer: Tessa Cramond
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30/11/2018

Dear Sir/Madam

Collective Bargaining Notification CB10000461 lodged by Rivawine Collaboration Pty Ltd —interested party consultation

Introduction

On 28 November 2018 the Australian Competition and Consumer Commission (**the ACCC**) received a collective bargaining notification from Rivawine Collaboration Pty Ltd (**Rivawine**) on behalf of a group of 11 wine grape growers in the Riverland region of South Australia, to enable:

- growers within the group to act collectively in selling wine grapes to Rivawine (Rivawine would assume ownership of the fruit) and/or
- Rivawine to collectively negotiate with wine companies and other wine grape purchasers on behalf of the growers within the group (Rivawine would not assume ownership of the fruit).

A copy of Rivawine notification is available from the [ACCC's Public Register](#).

The purpose of this letter is to invite your comments as a party who may be interested in providing a submission to the ACCC in relation to these arrangements.

Collective bargaining notification process

Collective bargaining occurs where two or more competitors come together to negotiate terms and conditions (including price) with a supplier or customer. Without the legal protection provided by a collective bargaining notification, these arrangements can breach the *Competition and Consumer Act 2010* (the Act).

The legal protection provided by a collective bargaining notification commences 14 days after the notification is lodged, unless the ACCC objects within this period.

In this case, Rivawine seeks immunity for the proposed collective bargaining conduct for up to ten years.

Request for submissions

When the ACCC receives a collective bargaining notification it will assess the likely public benefits and detriments, including any lessening of competition, to determine whether it should object to the notification.

You are invited to comment on the likely public benefits and likely effect on competition, or any other public detriment, from Rivawine's proposed collective bargaining arrangements.

Submissions should be provided by **Monday, 10 December 2018**. Please email submissions to adjudication@acc.gov.au with the subject title "CB – Rivawine Collaboration – submission."

Alternatively, if you prefer to make an oral submission please contact Tessa Cramond on 03 9658 6516 to set up a time.

Submissions received by the ACCC will be placed on a public register, subject to any requests for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

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 Tessa Cramond on 03 9658 6516.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication