
From: Michael Deegan [REDACTED]
Sent: Friday, 11 March 2022 10:05 AM
To: Exemptions; Exemptions
Cc: Bill McKinley; Kylie Johnson; ALRTA Executive Director
Subject: RE: Application for authorisation AA1000598 – Brenntag Australia Pty Ltd (AdBlue Manufacturers) – interested party consultation [SEC=OFFICIAL]

Dear ACCC

The Australian Trucking Association (ATA) represents some 50,000 operators of trucking businesses across Australia. Arguably this group and their customers were the ones most at risk of the AdBlue debacle.

This submission raises three issues. One, the time delay by government in the original response. Two, the need for transparency under this authorisation. Three, the current practices of AdBlue price gouging need to be addressed.

The delay

The ATA advised the federal Government on November 11, 2021, of the then looming crisis associated with AdBlue supply. It took almost a month before the various Government mechanisms kicked in to have the supply chain working together. This delay exacerbated the serious crisis affecting operators and added to the alleged run on supply. Operators with significant investments were rightly concerned that without access to a reliable supply of AdBlue their businesses may have been destroyed. We suggest the ACCC review their own response times in this regard and more generally with government agencies.

Transparency

The trucking industry was deeply concerned at the lack of transparency about supply responses in the first few weeks of the crisis. This did lead to more operators doing everything they could to secure supply. This pressure adversely affected the supply chain, and understandably so. As the proposed determination runs through to December 2022, the ATA requests that the ACCC ensure transparent and regular flow of information to operators about the steps being taken to secure medium- and long-term supply of AdBlue. We recommend the determination be adjusted where possible to insist on this information flow to trucking operators.

Price gouging

The ATA has written separately to the ACCC seeking assistance with many clear cases of price gouging from AdBlue suppliers. While the draft determination does not allow manufacturers and suppliers to discuss future price arrangements, there is clear evidence of gouging currently being practiced by some. The ATA requests again as part of this determination process that this issue be addressed by the ACCC.

Please feel free to contact me should you wish to discuss

Michael Deegan
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Australian Trucking Association