

Our Ref: 1083028
Contact Officer: George Kamencak
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Australian
Competition &
Consumer
Commission

17 August 2011

Mr. Andrew Speed
Chief Executive Officer
Cheetham Salt Limited
Level 4, 565 Bourke Street
MELBOURNE VIC 3000

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Adelaide SA 5001

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19 Grenfell Street
Adelaide SA 5000

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Dear Mr. Speed

Allegation of misuse of market power by Cheetham

I refer to previous correspondence in relation to this matter, in particular, to your letter dated 12 August 2011, in which you provided information in response to our letter of 29 June 2011. I appreciate the time taken by you to respond to our inquiries.

Our concerns

As you are aware, the Australian Competition and Consumer Commission (ACCC) received a complaint from Mulgundawa Salt (Mulgundawa) in which it was alleged that Cheetham Salt Limited (Cheetham) is misusing its market power in breach of section 46 of the *Competition and Consumer Act 2010* (the Act).

No further action

In light of the information you have provided in response to our concerns, and the information we have gathered from our own inquiries, this office intends to take no further action in relation to this matter at this time.

However, should this office receive new evidence or further complaints of a similar nature in the future which indicate a possible breach of the Act, this office may review its position in relation to the matter.

Should you wish to discuss any aspect of this letter, please contact me on (08) 8213 3453 or by email at george.kamencak@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'George Kamencak'.

George Kamencak
Regional Director
Enforcement Operations | South Australia

