Dear Brendan

Thank you for providing Mr Bacina’s correspondence.

We are continuing our assessment in this matter and hope to be in a position to outline our preliminary findings shortly. However, I would caution the relevant parties against relying on the ACCC investigation in court proceedings that we are not a party or privy to.

Relevant parties should also be cognizant of our previous advice that any product safety assessment can take significant time and that the court proceedings will have no bearing on how we carry out our investigation.

Regards

Simon

Simon Haslock

Director | Inspections and Hazard Analysis | Consumer Product Safety Branch
Australian Competition & Consumer Commission
Level 17 | Casselden | 2 Lonsdale Street Melbourne 3000
T: (03) 9290 6919

I work from home on Fridays from 9am – 3.30pm.

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

From: Brendan May <BMay@piperalderman.com.au>
Sent: Friday, 1 February 2019 4:05 PM
To: Hinchcliffe, Gregory <gregory.hinchcliffe@acc.gov.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Badewitz, David <david.badewitz@acc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>; Haslock, Simon <simon.haslock@acc.gov.au>; 'Alyssa Antcliffe' <alyssa@antcliffes.com.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383] [DLM=Sensitive:Legal]

Dear Gregory,

I refer to the above matter. Please see attached our letter of today’s date.
Dear Gregory,

I refer to your email of 4 December 2018. Please see attached our letter of today's date.

Kind regards

Brendan May
Associate | Piper Alderman

From: Brendan May
Sent: Wednesday, 12 December 2018 4:48 PM
To: 'Hinchcliffe, Gregory' <gregory.hinchcliffe@acc.gov.au>; Michael Bacina <mbacina@piperalderman.com.au>
Cc: Badewitz, David <david.badewitz@acc.gov.au>; Sarah Saad <ssaad@piperalderman.com.au>; 'Haslock, Simon' <simon.haslock@acc.gov.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383] [DLM=Sensitive:Legal]

Hi Gregory,

Thank you for your email. We will pass this on to our client and be in touch shortly.

Kind regards

Brendan May
Associate | Piper Alderman
From: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>
Sent: Tuesday, 4 December 2018 10:10 AM
To: Brendan May <BMay@piperalderman.com.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>; Haslock, Simon <simon.haslock@accc.gov.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383]
[DFM=Sensitive:Legal]

Dear Brendan,

Thank you for providing the SAI Global certification details for the new C02 Portable Fire extinguishers supplied by Flame Stop.

Simon has requested that I seek further clarification to his request previously outlined in email 28 November 2018.

While I appreciate that the SAI GLOBAL certification provides some evidence of compliance it references the Voluntary 2007 standard for portable fire extinguishers.

The Mandatory standard references Australian/New Zealand standard AS/NZS 1841.1:1997. Below is a link to the legislative instrument that outlines the exact details of the mandatory standard.


Could you please request Flame Stop provide evidence of compliance to the mandatory standard? This usually takes the form of a test certificate undertaken by an independent test laboratory.

Alternatively I am happy to discuss the issue direct with a nominated person from Flame Stop.

Regards

Greg Hinchcliffe

Greg Hinchcliffe
Assistant Director | Inspections and Hazards I Consumer Product Safety Branch
Australian Competition & Consumer Commission
Level 18 | 2 Lonsdale Street, Melbourne, 3000
T: +61 3 9290 1415 | F: +61 3 9663 3699

From: Brendan May <BMay@piperalderman.com.au>
Sent: Friday, 30 November 2018 10:33 AM
To: Haslock, Simon <simon.haslock@accc.gov.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383]
[SEC=UNCLASSIFIED]

Dear Simon,

Please see attached our letter of today’s date and enclosure.

Kind regards
Dear Simon,

Thank you for your email. We are liaising with our client to provide you with these and will respond shortly.

Kind regards

Brendan May
Associate | Piper Alderman

From: Haslock, Simon <simon.haslock@accc.gov.au>
Sent: Wednesday, 28 November 2018 2:14 PM
To: Brendan May <BMay@piperalderman.com.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383] [SEC=UNCLASSIFIED]

Dear Brendan

Thank you for providing the information we requested. For completeness, can Flamestop please provide test reports demonstrating the compliance of its new CO2 fire extinguishers with the mandatory standard?

Regards

Simon

From: Brendan May <BMay@piperalderman.com.au>
Sent: Friday, 16 November 2018 3:17 PM
To: Haslock, Simon <simon.haslock@accc.gov.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah
Dear Simon,

We refer to your email below.

Please see attached our correspondence of today's date, enclosing our client's response also dated today.

Kind regards

Brendan May
Associate | Piper Alderman

PiperAlderman

t +61 2 9253 9931 | f +61 2 9253 9900
bmay@piperalderman.com.au | www.piperalderman.com.au
Adelaide | Brisbane | Melbourne | Sydney

From: Haslock, Simon <simon.haslock@accc.gov.au>
Sent: Thursday, 8 November 2018 4:28 PM
To: Brendan May <BMay@piperalderman.com.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383] [SEC=UNCLASSIFIED]
Importance: High

Dear Brendan

Given the circumstances outlined in Mr Bacina's letter, I grant Flamestop an extension to Friday 16 November to respond to our information request.

Regards

Simon

Simon Haslock

Director | Inspections and Hazard Analysis | Consumer Product Safety Branch
Australian Competition & Consumer Commission
Level 17 | Casselden | 2 Lonsdale Street Melbourne 3000
T: (03) 9290 6919

www.accc.gov.au

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures, and to their Elders past, present and future.
Dear Mr Haslock,

Please see attached our letter of today's date.

We would be grateful for your response as soon as possible given the deadline.

Kind regards

Brendan May
Associate | Piper Alderman

PiperAlderman

T +61 2 9253 9931 | F +61 2 9253 9900
bmay@piperalderman.com.au | www.piperalderman.com.au
Adelaide | Brisbane | Melbourne | Sydney

From: Haslock, Simon <simon.haslock@accc.gov.au>
Sent: Thursday, 8 November 2018 2:10 PM
To: Brendan May <BMay@piperalderman.com.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>
Subject: RE: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383] [SEC=UNCLASSIFIED]

Dear Michael and Brendan

Please see attached letter outlining the particulars we require to assess the complaint we have received regarding Flamestop products.

We have considered your request for an extension and now seek your response by Friday 9 November 2018.

Regards

Simon

Simon Haslock

Director | Inspections and Hazard Analysis | Consumer Product Safety Branch
Australian Competition & Consumer Commission
Level 17 | Casselden 2 Lonsdale Street Melbourne 3000
T: (03) 9290 6919

www.accc.gov.au
From: Brendan May <BMay@piperalderman.com.au>
Sent: Tuesday, 23 October 2018 12:50 PM
To: Haslock, Simon <simon.haslock@accc.gov.au>; Michael Bacina <MBacina@piperalderman.com.au>
Cc: Hinchcliffe, Gregory <gregory.hinchcliffe@accc.gov.au>; Badewitz, David <david.badewitz@accc.gov.au>; Sarah Saad <SSaad@piperalderman.com.au>
Subject: Flamestop Australia Pty Ltd - Complaint by Firebox Australia Pty Ltd [402989-0001] [PA-A.FID1505383]

Dear Sirs,

We refer to the above matter and attach our letter of today’s date.

Kind regards

Brendan May
Associate | Piper Alderman

PiperAlderman

t +61 2 9253 9931 | f +61 2 9253 9900
bmay@piperalderman.com.au | www.piperalderman.com.au

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"WARNING: This e-mail is from Piper Alderman. The contents are confidential and may be protected by legal professional privilege. If you have received this e-mail in error, please reply to us immediately and delete the document."

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