

NOTICE 190 OF 2006**APPLICATION FOR AN EXEMPTION IN TERMS OF SECTION 10 OF THE
COMPETITION ACT 89 OF 1998 (AS AMENDED)**

Notice is hereby given in terms of section 10 (6) (a) of the Competition Act, No 89 of 1998 as amended ("the Act"), read with rule 19(4) (a) of the Rules for the Conduct of Proceedings in the Competition Commission ("the Commission") published in Gazette No 22025 of 1 February 2001, that the Western Cape Citrus Producers Forum ("CPF") has applied to the Commission in terms of section 10(1) of the Act for an exemption from certain provisions of Chapter 2 of the Act. CPF is a proposed voluntary association of citrus producers based predominantly in the Western Cape Province and certain parts of the Northern Cape Province (the Vaalharts/Hartwater area).

In particular the Applicant has requested that it be permitted to engage in the following activities;

1. Limiting the quantity of citrus fruit to be exported to the United States of America ("USA) by allocating maximum quotas per producer;
2. Collection and exchange of market related information between its members. Such information will include weekly average prices of citrus fruit in the USA; and
3. Setting the minimum prices of citrus fruit that is exported to the USA.

The aforementioned practices may constitute prohibited practices in terms of section 4(1)(b)(i) and 4(1)(b)(ii) of the Act.

The application is based on the premise that the activities of the CPF are required for the economic stability of the export citrus industry, economic growth, the creation of employment opportunities, and the maintenance or promotion of exports in terms of section 10(3)(b)(i) of the Act.

The Competition Commission is currently evaluating and assessing the application, Any interested party may, within 20 business days from the date of this Notice, file any document, affidavit, statement of his/her views or other relevant information with respect to the exemption application,

Such representations may be directed to the Manager, Enforcement and Exemptions Division, Private Bag X23, Lynwood Ridge, 0040, or by facsimile to number 012 394 4255. Case number: 2005Sep1851