

Anti-Trust Guidelines

Violations of federal anti-trust laws are considered a felony. Individual and corporate violations may be punished by fines and by jail sentences.

Trade associations such as CLCA, which by their very nature involve interaction among competitors and/or suppliers and customers, are subject to close scrutiny for anti-trust violations. Therefore, members, leadership, and staff must be careful to keep their activities within the prescribed bounds, both in appearance and in actual fact.

The following checklist has been prepared to provide guidance for members, leadership and staff in their conduct at meetings or in connection with other activities. It is important to note that federal and state anti-trust legislation is very extensive, and these guidelines are not exhaustive and do not provide a complete synopsis or summary of anti-trust legislation. Thus, confer with CLCA Executive Director Sandra Giarde, CAE, for a more complete understanding of anti-trust compliance.

DO NOT at any meeting or social gathering incidental to CLCA activities, whether seriously or in jest, discuss or exchange any information, either directly or indirectly, regarding the following subjects:

- A member company's prices (present or future), pricing patterns or policies, price differentials, price changes, other terms and conditions of sale (e.g., rates or policies, discounts, markups, credit terms), or any other topic that might be construed as proprietary information.
- A member company's costs, production, markets, capacity, inventory, or sales, or its plans regarding the design, production, distribution or marketing a specific product or service, including, but not limited to, possible customers or sales territories.
- Except to the extent necessary to further legitimate association objectives, general market conditions and general industry problems, including industry pricing policies or patterns, price levels, price differentials, or similar matters, or industry productions, capacity or inventories, including, but not limited to, planned and anticipated changes in any of the above-referenced topics.
- Anything that directly or indirectly relates to a company's bidding procedures for responding to bid invitations and or a company's bid(s) on any particular products or contract.
- Any matters related to territorial restrictions, allocations of customers, restrictions on types of products or services, or any other kind of market division.
- Matters relating to actual or potential customers or suppliers that might have the effect of excluding them from any market or of influencing the business conduct of any company toward such customers or suppliers, including the imposition of any influence of pressure from any other party or member to bring market dissidents into line or penalize non-participants in the group.