

THE FOOD INDUSTRY ASSOCIATION EXECUTIVES ASSOCIATION'S ANTITRUST POLICY STATEMENT

Antitrust Policy Statement

It is the policy of the *Food Industry Association Executives* and its members to strictly comply with all laws applicable to Association activities. Because our Association activities involve cooperative undertakings and meetings of competitors, which may be viewed critically by antitrust enforcement agencies, it is important to emphasize the unwavering commitment of our members and FIAE to full compliance with the Federal and State antitrust laws. This statement is being distributed as a confirmation and reminder of the long-standing commitment and as a general guide to those antitrust principles which have particular significance to our activities and meetings.

Association Meetings, Conference Calls, and Workshops

Association meetings or workshops by their very nature bring competitors together. It is expected that all member representatives involved in FIAE activities, as well as staff, consultants and other participants, will be sensitive to the legal issues and act in compliance with applicable antitrust and competition laws both at FIAE meetings and FIAE-sponsored events.

Responsibilities for Antitrust Compliance

In general, the antitrust laws seek to preserve free and open competition in the United States and in commerce with foreign countries. Competitors may not restrain competition among themselves with reference to price, the quantity or the distribution of their products, and they may not agree or act together to restrict the competitive capabilities or opportunities of other competitors, their suppliers or their customers. In all Association activities, prices, discounts or other terms of sale of industry products must not be discussed at FIAE meetings or at social gatherings incidental to FIAE meetings. Communication regarding or exchange of confidential competitive information of other kinds may also be improper.

Violations

An antitrust violation does not require proof of a formal agreement. A discussion of a sensitive topic, such as price, followed by action by those involved or present at the discussion is enough to show a price fixing conspiracy. Therefore, those attending an association-sponsored meeting should remember the importance of avoiding not only unlawful activities, but even the appearance of unlawful activity.

Conclusion

The Food Industry Association Executives will not knowingly be a party to conduct that restricts in any way a member's freedom to make independent decisions in matters that affect competition. As a member, you have an important responsibility to make sure that all Association activities conform to this standard. If, at any point during an FIAE meeting, you feel the discussion has drifted into inappropriate areas, you should bring this to the attention of the person chairing the meeting.