



ANTITRUST GUIDELINES FOR ASSOCIATION MEETINGS

These are excerpts from *Antitrust Guidelines for Associations* written by James Anderson of the law firm of Loomis, Owen, Fellman & Howe, based in Washington, D.C.

What You Can Do

1. Discuss better ways to educate and provide meaningful information to association members about the industry.
2. Discuss economic trends, business forecasts, and materials availability, emphasizing that each company is free to use this information in the way it sees fit and should make its own business decisions.
3. Provide a properly structured environment for the exchanging of credit information to protect association members against the financial loss generated by bad credit risks.
4. Discuss federal and state governmental actions and develop industry-wide lobbying efforts.
5. Discuss technological advances and better ways to utilize them.
6. Discuss ways to improve the public image of the industry.

What You Cannot Do

1. Do not enter into any agreements with competitors regarding or affecting prices.
2. Do not discuss your company's current prices with competitors.
3. Do not agree with competitors on pricing or profit levels.
4. Do not agree with competitors to give or deny cash discounts or promotional allowances.
5. Do not agree with competitors to give or deny credit to a specific customer, or to establish uniform credit terms.
6. Do not agree with competitors to deal or not to deal with any customer or agree on the prices to be charged to a specific customer.
7. Do not discuss allocation of markets.
8. Do not enter into agreements with competitors concerning price quotations or bids.

It is extremely important that association members understand that their conduct at association meetings is regulated by the provisions of the antitrust laws. A thoughtless violation of the antitrust laws by a few members who are competitors could result in expensive protracted litigation, which could destroy the association and/or result in the prosecution of individual members.