

NASMA Antitrust Statement

Trade associations have long been recognized as serving a valuable, pro-competitive and entirely lawful role in promoting the economic development and consumer welfare of our country. However, serious antitrust problems can arise if a trade association's activities are not properly conducted. Accordingly, NASMA assigns the highest priority to full compliance with both the letter and the spirit of the antitrust laws. It is thus vital that all meetings and activities of NASMA be conducted in a manner consistent with that policy.

Agreements among competitors that unreasonably limit competition are unlawful under the antitrust laws, and violators are subject to criminal fines and incarceration, civil fines and private treble damage actions - as well as substantial administrative disruption, defense costs and adverse publicity.

Examples of such illegal agreements by competitors are agreements to fix or stabilize prices, agreements to allocate territories or customers, and agreements to limit output or even investments in innovation and regulatory compliance.

Accordingly, it is inherently risky and potentially illegal for competitors to discuss any prices, pricing policies, specific terms and conditions of sale, profit margins, problems experienced with individual customers or suppliers, individual company costs, production or R&D plans, specific market shares of any competitor, or any other elements or factors that may affect competition.

Any discussion of sensitive antitrust subjects with one's competitors should be avoided at all times before, during, and after any NASMA meeting or activity. If at any time during the course of any meeting or activity, you believe that a sensitive topic under the antitrust laws is being discussed, or is about to be discussed, please advise those present and halt further discussion. Attendees at any NASMA meeting or other activity should likewise not hesitate to voice any concerns they may have in this regard.