

## **Western Alfalfa Seed Growers Association Antitrust Policy**

Adopted

In the conduct of its business the Western Alfalfa Seed Growers Association (WASGA) brings together competitors in alfalfa seed production, bee keeping, forage alfalfa production and allied industries. It is important for board members to remember that any discussion or agreement about prices or price levels at board meetings is strictly forbidden.

The Federal laws regulating anti-competitive activity include the Sherman Act, Federal Trade Commission Act, Clayton Act and the Robinson-Patman Act. Penalties could result in fines and prison sentences.

Antitrust lawsuits require no direct evidence of an agreement between competitors. Consequently any meeting or communication between competitors is risky. ***Accordingly, no discussion of the type listed below may be undertaken at or between WASGA meetings.*** Any communications between board members outside of a meeting must be conducted in full compliance with antitrust laws.

### **Forbidden Activity**

Under Antitrust Laws, competitors may not:

- Agree on prices charged for goods or services.
- Agree on terms of sale.
- Agree to avoid competition by allocating territories, markets or customers.
- Agree to avoid competing on bids (bid rigging).
- Join a boycott of suppliers or customers to accomplish anti-competitive ends.

Furthermore, companies may not use dominant market position to monopolize a market, control prices or exclude competition.

Antitrust laws apply to all board, committee and educational meetings sponsored by the WASGA and all meetings attended by WASGA members in that capacity. An agenda must be prepared and strictly adhered to. Minutes of each meeting should be prepared by a designated person and circulated to all attendees. All participants should conduct themselves in meetings as though they were open to the public. WASGA board members will be required to sign a statement attesting they have read and understand this policy.

The Western Alfalfa Seed Growers Association believes strongly in competition. Antitrust laws are the rules under which our competitive economic system operates. Western Alfalfa Seed Growers Association policy is to comply in all respects with State and Federal antitrust laws.