

NAPO

Antitrust Compliance - Quick Reference

Update Complete NAPO Antitrust Policy Approved - September 12, 2016

NAPO has in effect an Antitrust Compliance Policy (“Policy”). It is intended for the guidance of NAPO’s member company representatives, officers, directors and staff, when engaged in any activity conducted in the name of, or on behalf of, NAPO. All such persons are expected to be familiar with the Policy and to follow it both in letter and spirit.

The following cautionary statements are taken from the full Policy and are intended to be used as a quick reference tool. This document is not a substitute for the full Policy, which is available from the Association’s office and with which all are expected to be conversant.

At NAPO gatherings, all NAPO members, their representatives and guests should avoid discussion of competitively sensitive subjects. Please be advised that the Policy applies not only while the meeting is in session, but also during breaks and particularly during receptions, meals and other social events surrounding the meeting.

The following topics should be scrupulously avoided in all cases:

1. Current or future prices, price levels, costs or margins.
2. What is a fair or rational profit level.
3. Actions which could lead to standardizing or stabilizing prices.
4. Pricing or bidding methodologies or procedures, including the timing of implementation of price changes and whether or how prices are advertised.
5. Price discounts, rebates, service charges or other terms and conditions of sale.
6. Credit terms.
7. Product warranty terms.
8. Actual, planned or projected production, production capacity, capacity utilization or demand, including confidential company plans for new products.
9. Allocating geographic or product markets or customers.
10. Whether to do business with a supplier, competitor or customer.

We hope the above rules will be helpful as you participate in NAPO meetings and other activities. If you have any questions about antitrust compliance, do not hesitate to contact a Member of the Board or NAPO HQ Team.

Info provide by NAPO’s General Counsel:

C. Michael Deese
Howe & Hutton, Ltd.
Tel: (202) 466-7252 x103
Fax: (202) 466-5829
Email: cmd@howehutton.com