



ANTITRUST POLICY STATEMENT

The National Ready Mixed Concrete Association assigns the highest priority to full compliance with both the letter and the spirit of the antitrust laws. Agreements among competitors that unreasonably limit competition are unlawful under federal and state antitrust laws, and violators are subject to criminal fines and incarceration, civil fines and private treble-damage actions. Even the successful defense of antitrust litigation or an investigation can be very costly and disruptive. It is thus vital that all meetings and activities of the Association be conducted in a manner consistent with the Association's antitrust policy.

Examples of illegal competitor agreements are those that attempt to fix or stabilize prices, to allocate territories or customers, to limit production or sales, or to limit product quality and service competition. Accordingly, it is inherently risky and potentially illegal for competitors to discuss under Association auspices, or elsewhere, the subjects of prices, pricing policies, other terms and conditions of sale, individual company costs (including planned employee compensation), the commercial suitability of individual suppliers or customers, or other factors that might adversely affect competition.

It is important to bear in mind that those in attendance at Association meetings and activities may include competitors, as well as potential competitors. Any discussion of sensitive antitrust subjects with one's competitors should be avoided at all times before, during, and after any Association meeting or other activity. This is particularly important because a future adversary may assert that such discussions were circumstantial evidence of an illegal agreement, when viewed in light of subsequent marketplace developments, even though there was, in fact, no agreement at all.

If at any time during the course of a meeting or other activity, Association staff believes that a sensitive topic under the antitrust laws is being discussed, or is about to be discussed, they will so advise and halt further discussion for the protection of all participants. Member attendees at any meeting or activity should likewise not hesitate to voice any concerns or questions that they may have in this regard.

Adopted by the NRMCA Membership, April 3, 2006, and reaffirmed by legal counsel January 19, 2024.