

FBA Antitrust Compliance Stoplight



FIBRE BOX ASSOCIATION®

The FBA Antitrust Compliance Stoplight

Refreshing your understanding of trade association activities ensures that you and others are complying with the FBA Antitrust Guidelines.

- **Red Light** – Always prohibited
- **Yellow Light** – Requires caution and guidance
- **Green Light** – Always permissible

Red Lights

Avoid communicating with your competitors – both in formal and informal contexts – regarding any of the following topics:

- Pricing, including discounts, bids, and other terms of sale
- Capacity or production levels
- Margins or cost information
- Market share
- Confidential customer and marketing information
- Confidential R&D initiatives

Red Lights

- Market divisions on the basis of customers, products, or territories
- Joint refusal to do business with any supplier or customer
- Position-specific wage, salary, and benefits information

Do not take any actions which could be seen as (or even mistaken for) express or implied agreements, invitations to agree, or attempts to agree with competitors on any of the topics listed on this or the previous card.

Yellow Lights

Make sure FBA leadership and antitrust counsel are involved in any of the following activities, which are recognized as benefitting competition and consumers when undertaken pursuant to the FBA Antitrust Guidelines:

- Standard setting, including input to government regulators or other organizations

Yellow Lights

- Participation in or discussion of FBA's data program
- Joint lobbying or industry advocacy
- Discussion of FBA membership criteria

Green Lights

Activity addressing common industry issues that result in improvement in any of the following areas is always pro-competitive and permissible when conducted in compliance with the FBA Antitrust Guidelines:

- Quality, utility and sustainability of corrugated products
- Customer experience and the benefits of corrugated

Green Lights

- Long-term or overarching well-being of the industry
- Continuing to improve safety for industry workers
- Improving the strong environmental record of the industry

Consulting Counsel

Retaining antitrust counsel to monitor FBA meetings and programs and to provide advice about FBA activities to all members is an important benefit offered by FBA. If at any time you have a question or concern related to antitrust issues, please do not hesitate to contact David Simon, FBA's outside counsel, at dsimon@foley.com.

Find the FBA Antitrust Guidelines at www.fibrebox.org/info/Governance.aspx.



FIBRE BOX ASSOCIATION®

Data. Issues. Connections.

*The corrugated packaging
industry's most trusted voice.*

www.fibrebox.org