

## **DBA Anti-Trust Policy**

### **Statement**

The Wisconsin Dairy Business Association (“DBA” or the “Association”) is a trade association comprised of dairy producers, corporate and allied industry supporters. It is organized to promote the growth and success of all dairy farms in Wisconsin by fostering a positive business and political environment. DBA is not intended to become involved, and will not become involved, in the competitive business decisions of its member companies, nor will it take any action, which would tend to restrain competition in the dairy industry.

Nevertheless, it is recognized by the Board of Directors of DBA that the Association is an organization of competitors and its varied activities could be regarded by some as a forum or opportunity to promote anti-competitive conduct. For this reason, the DBA sets forth this statement of policy to make clear its unequivocal support for the policy of competition served by the antitrust laws as well as its uncompromising intent to comply strictly in all respects with those laws.

In addition to the Association’s firm commitment to the principle of competition served by the antitrust laws, the penalties which may be imposed upon both the Association and its individual and corporate members involved in any violation of such laws are now so severe that good business judgment demands that every effort be made to avoid any such violation. Certain violations of the Sherman Act are felony crimes for which individuals may now be imprisoned for up to ten (10) years or fined up to \$1,000,000 for each offense.

It shall be the responsibility of every member of DBA to be guided by DBA’s policy of strict compliance with the antitrust laws in all activities. It shall be the special responsibility of Association officers and committee chairmen to ensure that this policy is known and adhered to in the course of activities pursued under their leadership.

To assist the DBA staff and all its officers, directors and committee chairmen in recognizing situations which may raise the appearance of an antitrust problem, the Board will, as a matter of policy, furnish to each of such persons copies of the Association’s General Rules of Antitrust Compliance. The Association will also make available general legal advice when questions arise as to the manner in which the antitrust laws may apply to the activities of DBA or to any committee thereof.

Antitrust compliance is the responsibility of every DBA member. Any violation of the DBA General Rules of Antitrust Compliance (contained below) or of this general policy will result in immediate suspension from membership in the Association and immediate removal from any Association held by any official representative violating the same.

### **General Rules of Compliance**

The following rules are applicable to all DBA activities and must be observed in all situations and under all circumstances without exception of qualification other than as noted below:

1. Neither DBA nor any committee or activity of DBA shall be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, expressed or implied, among competitors with regard to prices, terms or conditions of sale, discounts, distribution, volume of production, territories or customers or other competitively sensitive information.
2. No DBA activity or communication shall include discussion or action for any purpose or any fashion, or prices or prices or pricing methods, production quotas or other limitations on either the timing or volume of production or of sales, or involve allocation of territories or markets or customers in any way.
3. No DBA committee shall undertake any activity which involves exchange or collection and dissemination among competitors, of any information regarding prices, pricing methods, costs of production, labor, sales, distribution or individual company statistics of any kind without first obtaining the advice of legal counsel.
4. No DBA activity or communication shall include any discussion or action which might be constituted as an attempt to prevent any person or business entity from gaining access to any market or to any customer or goods or services, or to prevent or boycott any business entity from obtaining a supply of goods or otherwise purchasing goods or services freely in the market.
5. Neither DBA, nor any committee of DBA shall make any effort to bring about the standardization of any product or method of manufacture or certification of any product or program, for the purpose of preventing the manufacture or sale of any product not conforming to a specified standard of which would tend to have the overall effect of either lessening competition or resulting in a degree of price stabilization.
6. No person or company shall be unreasonably excluded from DBA membership or participation in any DBA activity or committee where such exclusion may impair such person's or company's ability to compete effectively in the dairy industry.
7. Association speakers shall be informed of the need to comply with the Association's antitrust policy in the preparation and presentation of their papers.
8. In informal or social discussions at the site of a DBA meeting, which are beyond the control of its officers and chairmen, all representatives are expected to observe the same standards of personal conduct required of the Association in its compliance with the Antitrust Policy Statement and General Rules of Antitrust Compliance.