

Member Policies for the Oregon Aquaculture Association

I. Antitrust Statement

Fair and vigorous competition is essential to the maintenance of this country's free enterprise system. In furtherance of this principle, all activities are to be conducted in strict compliance with antitrust laws. Staff, officers, directors, members, and committee members are reminded that they are required to comply with the spirit and requirements of the antitrust laws.

A free exchange of ideas on matters of mutual interest to representatives of the aquaculture community and others is necessary for the success of all meetings. Such an exchange of views is essential to the success of each meeting. It is not the purpose of this policy to discourage the exploration in depth of any matters of legitimate concern to meeting participants. Nevertheless, to ignore certain antitrust ground rules, either through ignorance or otherwise, is to create a hazard business people cannot afford.

The Sherman Antitrust Act, the Clayton Act, the Federal Trade Commission Act, and the Robinson-Patman Act comprise the basic federal antitrust laws, which set forth the broad areas of conduct considered illegal as restraints of trade. In general, agreements or understandings between competitors that operate as an impediment to free and open competition are forbidden. The broad language of the Clayton Act suggests the scope of federal antitrust prohibitions by forbidding any "agreement or understanding...to substantially lessen competition or tend to create a monopoly in any line of commerce."

This is, at best, only a general outline of some of the areas that pose antitrust dangers in discussions between competitors and between sellers and their customers. They are provided to guide discussions during meetings, and in connection with social or other gatherings on those occasions.

If any question arises about an item on a meeting agenda, it should be reviewed by legal counsel before the meeting. If the question does not arise until the meeting has begun, or if a questionable topic is about to be discussed in connection with any gathering, whether or not a formal meeting, that discussion should be immediately stopped and not resumed until approved by legal counsel.

II. Ethical Conduct

a. Mutual Assistance

Members shall work to assist one another by sharing of best practices for fish health management, working together on the sustainable development of existing and new

fisheries, development of joint education and outreach programs to pond owners in Oregon, and in the development of joint marketing campaigns to expand the markets for our products. Members are encouraged to work together on joint projects for the benefit of the members and the industry as a whole.

b. Confidentiality of information

Members shall not use any confidential or client information obtained at membership functions to the economic detriment of another member. Members shall not obtain client information contained in the Transportation Permits submitted to the Oregon Department of Fish and Wildlife for the purposes of marketing to the clients of other members.

c. Identification and reporting of illegal activities

Members recognize the people of Oregon, through legislation and the rules making authority of various agencies, including the Oregon Department of Fish and Wildlife, have put in place a significant regulatory structure governing the movement of food fish in Oregon. We also recognize the existence of operators inside and outside of Oregon who choose to operate outside the framework of this regulatory structure. This illegal activity not only causes potential harm to the fisheries, it creates economic harm to operators who are complying with existing laws and regulations. Members who become aware of operators who are operating outside of the regulatory framework will notify appropriate regulatory authorities of such activity.

Approved November 15, 2005