



OREGON SOCIETY OF HEALTH-SYSTEM PHARMACISTS

Statement of Compliance With the Antitrust Laws

In order to assure continued compliance with both the letter and the spirit of the antitrust laws, participants in Oregon Society of Health-System Pharmacists (OSHP) activities are reminded of the following important policy:

Although the antitrust laws do not preclude members of the OSHP from lawfully engaging in a great variety of collective activities, the antitrust laws do encompass certain conduct, which is prohibited because it is unreasonable per se. The prime example is, of course, agreement with regard to price. Any conduct by competitors which has the purpose or effect of either raising, depressing, fixing, pegging, or stabilizing the price of a product or service is unlawful. Also, the antitrust laws likewise prohibit concerted action, which may affect a price, including matters relating to production, terms and conditions of sale, the distribution of a product or the division of markets.

Either an explicit or tacit understanding between competitors that could affect the price of products or operate to impede free and open competition is forbidden. In order to prove any such unlawful activity, it is not necessary that there be evidence of a formal agreement or understanding. More often than not, such proof is circumstantial and a violation of the antitrust laws may be found because of a course of dealing between competitors or between members and their customers.

With regard to any OSHP activity, there must never be any discussion among those attending, or any formal or informal agreement of any sort, with respect to the following:

- Any price to be charged with respect to a product or service
- Any allocation of markets of customers
- Any coordination or cooperation with respect to bids or requests for bids
- Terms or conditions of sale, including credit or discount terms
- Distribution of products or services
- Control of the production of any product or the level of production
- Profit levels or profit margins
- The basis for arriving at any price
- The exchange of price information with respect to any specific customer
- Any action which would unreasonably restrain trade

OSHP members are regularly advised and reminded of principles of antitrust law as they have evolved and may affect the industry. Should any discussion arise at a meeting, which might be construed as inappropriate, the members are instructed to alert those present that the particular topic under discussion should not be pursued further.

The Board of Directors
Oregon Society of Health-System Pharmacists