

## **Antitrust Policy Statement of WateReuse Association:**

*It is and shall remain the policy of the WateReuse Association (“WRA”), and it is the responsibility of every WRA member, to comply in all respects with federal and state antitrust laws. No activity or discussion at any WRA meeting or other function may be engaged in for the purpose of bringing about any understanding or agreement among members to (1) raise, lower or stabilize prices on products or services related to water reuse; (2) regulate production of any product or service related to water reuse; (3) allocate markets related to water reuse; (4) encourage boycotts of any company that produces or provides services related to water reuse; (5) foster unfair or deceptive trade practices related to water reuse products or services; (6) assist monopolization in any water reuse-related market; or (7) in any way violate or give the appearance of violating federal or state antitrust laws.*

*Any concerns or questions regarding the meaning or applicability of this policy, as well as any concerns regarding activities or discussion at WRA meetings, should be promptly brought to the attention of WRA’s legal counsel and/or Executive Director.*

Adopted by the WateReuse Association Board of Directors on June 9, 2023

## **Antitrust Guidelines for WRA Meetings**

It is the strict policy of the WateReuse Association and its members to comply in all respects with all federal and state antitrust laws. To reduce the risk of antitrust problems occurring at WRA gatherings, the following guidelines should be adhered to at all meetings of the Executive Committee and the Board of Directors, sections, and committees, as well as all association-sponsored events, seminars, conferences, task force and working group meetings:

- **DO NOT** discuss current or future prices or competitors’ prices with a competitor (except when buying from or selling to that competitor) or anything which might affect prices such as costs, discounts, terms of sale, or profit margins, and be very cautious of any discussions regarding past prices.
- **DO NOT** discuss an increase or decrease in prices or standardizing or stabilizing prices.
- **DO NOT** discuss pricing procedures or policies or cost data with competitors.
- **DO NOT** discuss profits or what constitutes a fair profit level.
- **DO NOT** agree with competitors to uniform terms of sale, warranties, or contract terms and provisions.
- **DO NOT** discuss or agree with competitors to give or deny cash discounts or promotional allowances.
- **DO NOT** discuss controlling sales.

- **DO NOT** discuss customer sales with competitors.
- **DO NOT** agree with competitors to divide or allocate customers, markets or territories.
- **DO NOT** act jointly with one or more competitors to put another competitor at a disadvantage.
- **DO NOT** discuss refusing to deal with a company because of its pricing or distribution practices.
- **DO NOT** agree with competitors to deal or not to deal with any customer or agree on the prices to be charged to a specific customer.
- **DO NOT** complain to a competitor that its prices constitute unfair trade practices.
- **DO NOT** discuss the establishment of uniform credit terms nor should you agree with competitors to give or deny credit to a specific customer.
- **DO NOT** try to prevent your supplier(s) from selling to or dealing with your competitor.
- **DO NOT** make any statements regarding prices or matters affecting prices at association meetings.
- **DO NOT** make any statements about your future plans regarding pricing, marketing, expansion, or other policies with competitive overtones and do not participate in discussions where other members do.
- **DO NOT** propose or agree to any standardization which will injure your competitor(s).
- **DO NOT** attend or stay at any informal or unscheduled meeting where there is no agenda, no minutes are taken, and no association staff person is present.
- **DO NOT** do anything before or after association meetings, or at social events, which would be improper at a formal association meeting.

On the other hand,

- **DO** discuss ways to better educate industry association members and provide meaningful information about the industry.
- **DO** discuss technological and industry advances and better ways to utilize them.
- **DO** discuss federal and state government actions and develop industry-wide government relations efforts.
- **DO** discuss ways to improve the public image of the industry.
- **DO** alert association staff or legal counsel to anything improper.

- **DO** consult your own legal counsel or the Association's legal counsel before raising any matter which you feel might be sensitive in nature.
- **DO** send copies to an association staff member of any communications or documents sent, received, or developed by you when acting for the association.
- **DO** share with every employee of your company who deals with the Association a copy of these guidelines.
- **DO** be thoughtful and conservative. If you feel that an activity might be improper, do not do it or participate in it. Consult with association staff or its legal counsel to be sure you are on safe antitrust ground. When in doubt, play it safe and avoid discussion of the topic of concern.