



GEMI Antitrust Compliance Program Guidelines

It is the policy of GEMI to comply fully with the antitrust laws. The Sherman Act and other applicable antitrust laws are intended to promote vigorous and fair competition and to combat various restraints of trade.

Each person who participates in GEMI activities has a responsibility to his/her employers and to GEMI to avoid any improper conduct from an antitrust standpoint. The following guidelines will assist in meeting this responsibility:

1. GEMI meetings and discussions generally cover environmental, health and safety activities of member companies. Should related discussions ever have any potential for competitive impact, all due care shall be taken to avoid such discussion between competitors.
2. In view of antitrust considerations and to avoid any possible restraints on competition, the following legally sensitive subjects must be avoided during any discussion between competitors:
 - (a) Future marketing plans of individual competitors should not be discussed between competitors;
 - (b) Any complaints or business plans relating to specific customers, specific suppliers, specific geographic markets or specific products, should not be discussed between competitors;
 - (c) Purchasing plans or bidding plans of companies in competition should not be discussed (except privately between two parties with a vertical commercial relationship such as supplier and customer); and
 - (d) Current and future price information and pricing plans, bidding plans, refund or rebate plans, discount plans, credit plans, specific product costs, profit margin information and terms of sale should not be discussed between competitors. All of the above are elements of competition.
3. Any question regarding the legality of a discussion topic or business practice should be brought to the attention of GEMI legal counsel or a company's individual legal counsel for advice.