

THE NEW YORK STATE VETERINARY MEDICAL SOCIETY, INC.

ANTITRUST POLICY

I. Purpose

To provide guidelines for ensuring compliance with applicable state and federal antitrust laws and rules by The New York State Veterinary Medical Society, Inc. (“NYSVMS”) and its directors, officers, employees, volunteers, members, and affiliates.

II. Policy

NYSVMS and its members recognize the importance of competition in a free market economy. It is NYSVMS’ policy to comply in all respects with the applicable antitrust laws, regulations and formal guidance that protect competition and foster a healthy, open market for veterinary services.

III. Application

This Antitrust Policy applies to directors, officers, employees, volunteers and members of the NYSVMS and its affiliates.

IV. Guidelines

Association meetings by their very nature bring competitors together. It is expected that all members involved in NYSVMS activities, as well as NYSVMS staff, guests, consultants and other participants, will be sensitive to the legal issues and act in compliance with applicable antitrust laws at all NYSVMS sponsored events.

Accordingly, it is necessary to avoid discussions of sensitive topics that can create antitrust concerns. Agreements to fix prices, allocate clients, engage in product boycotts, or refuse to deal with third parties are illegal under antitrust laws. At any association meeting, discussions of prices (including elements of prices such as discounts and credit terms) and discussions that may cause a competitor to cease purchasing from a particular supplier, or to cease providing veterinary services to a particular customer, should be avoided. There should never be any discussion about dividing up clients or areas from which clients come to any veterinary practice.

An antitrust violation does not require proof of a formal agreement. A discussion of a sensitive topic, such as pricing, followed by action by those involved or present at the discussion is enough to show a “price fixing conspiracy” in violation of the law, and state and federal attorneys general can start enforcement actions based on this activity. As a result, those attending any NYSVMS sponsored meeting should remember the importance of avoiding not only unlawful activities, but also activities giving the appearance of unlawful activity or unlawful discussions.

It is the intent of NYSVMS and its members to comply with the antitrust laws not only during formal meetings, but also in any informal discussions preceding and following such events, and the guidelines discussed above for meeting discussions apply to informal discussions outside formal meetings.

V. Administration of this Policy

The NYSVMS Executive Director is responsible for administering this Antitrust Policy. All directors and officers will receive a copy of this Antitrust Policy after its adoption, and new directors and officers will receive a copy as part of their orientation and training during the onboarding process. The Executive Director will annually review this Policy for any required changes, and will review this Policy with the Board from time to time to refresh the Board's understanding including any time changes are made to the Policy. The Policy will also be made available to NYSVMS members on an ongoing basis electronically through NYSVMS' website. Please direct any question regarding this Policy to the Executive Director.

Jennifer Mauer, Executive Director

Adoption Date: September 16, 2016
Amendment Dates: None