



NFID ANTITRUST POLICY

NFID is a nonprofit organization dedicated to educating the public and healthcare professionals about the burden, causes, prevention, and treatment of infectious diseases across the lifespan. NFID provides a forum for the exchange of ideas in a variety of settings including educational programs and meetings. The Board of Directors recognizes the possibility that NFID and its activities could be viewed by some as an opportunity for anticompetitive conduct. Therefore, this statement clearly and unequivocally (i) supports the policy of competition served by the antitrust laws; and (ii) communicates the uncompromising policy of NFID to comply strictly in all respects with those laws, at both the federal and state level.

The antitrust laws prohibit competitors from engaging in actions that could result in an unreasonable restraint of trade. Antitrust violations do not require proof of a formal agreement. A violation may be alleged based upon the mere appearance of unlawful activity. For example, discussion of a sensitive topic, such as price, followed by parallel action by those involved or present at the discussion, may be sufficient to show a price-fixing conspiracy. It is therefore important for speakers/presenters and attendees at NFID meetings to avoid discussing confidential business plans or information that is competitively sensitive, including but not limited to the following:

- Company-specific current or future prices, including discounts, rebates, and pricing plans or policies;
- Sales or research in particular markets or sales to particular customers, including whether or how to sell in specific markets, whether to bid for specific business or participate in specific programs, conditions (such as resale restrictions) applicable to particular private or governmental customers, and whether to conduct research in particular areas;
- Advertising and promotion plans, including expected levels of advertising, which products to advertise, content of advertising, and future plans for the number of sales representatives and levels of expenditure on sales activities;
- How companies might or should respond in the marketplace (such as by changing pricing, sales, distribution, or advertising policies) in light of existing or pending laws or regulations or current business or policy climates, including the suggestion of boycotts, or refusals to deal with, particular markets or customers; and
- Boycotts in any form. Discussion relating to boycotts is prohibited, including discussions about blacklisting or unfavorable reports about particular companies including their financial situation.

This list of generally prohibited topics is not exhaustive.

By the same token, discussions concerning government regulations or policies on pricing, advertising and promotion of public awareness for the prevention, diagnosis, and treatment of infectious diseases are not prohibited, so long as the discussions are limited to matters of public policy and government advocacy.

Criminal prosecution by federal or state authorities is a very real possibility for violations of the antitrust laws. Imprisonment, fines, or treble damages may ensue. NFID and all stakeholders and guests must conduct themselves in a manner that avoids even the perception or slightest suspicion that antitrust laws are being violated. Given the severity of such penalties, any such instances of perceived or actual violations of antitrust laws should be reported immediately to the Executive Director & CEO.