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ANTITRUST

The Pennsylvania Chamber of Business and Industry does not believe a state antitrust statute is needed for the Commonwealth and will vigorously oppose any proposal to create one.

Federal law prohibits contracts, combinations or conspiracies in restraint of interstate commerce. Violation under the federal law may result in criminal prosecution, and persons injured by the unlawful action(s) may bring a civil suit to recover treble damages and attorney fees from parties engaging in such activities. The Pennsylvania Attorney General may proceed under the federal law to recover damages on behalf of the citizens of the Commonwealth.

The history of actions by the Pennsylvania Attorney General filed under federal antitrust laws shows that a state law is not necessary to protect consumers as federal law already offers adequate protection. The creation of any new antitrust causes of actions at the state level would create yet another unnecessary economic regulation of business.

Approved by the Policy Committee on September 2, 2011.