

MEMORANDUM OF UNDERSTANDING
Between
THE ANTITRUST DIVISION, DEPARTMENT OF JUSTICE
And
THE FEDERAL TRADE COMMISSION
And
THE DEPARTMENT OF AGRICULTURE
Relative To
COOPERATION WITH RESPECT TO MONITORING
COMPETITIVE CONDITIONS
IN THE AGRICULTURAL MARKETPLACE

1. The Antitrust Division of the United States Department of Justice and the Federal Trade Commission have cooperated closely with the United States Department of Agriculture in recent years with respect to monitoring competitive conditions in the agricultural marketplace. This cooperative relationship has proven to be of substantial benefit to these agencies in carrying out their separate respective enforcement responsibilities.

2. It is in the public interest that this cooperative relationship be maintained. The agencies intend to maintain this relationship in the future and, where possible, to build on it.

3. The agencies will confer regularly, as appropriate and consistent with applicable confidentiality restrictions, to discuss and review law enforcement and regulatory matters related to competitive conditions in the agricultural marketplace, for the purpose of increasing each agency's understanding and improving each agency's effectiveness in carrying out its respective legal responsibilities. Each agency shall designate a primary contact person to facilitate communications between and among attorneys, economists, and technical experts of the agencies.

4. Each agency will share information, consistent with applicable confidentiality restrictions, in order to provide the others with information believed to be potentially relevant and useful to the others' enforcement responsibilities. Such information may include legal, economic, and technical assistance.

5. This Memorandum of Understanding may be amended in the future by agreement among the agencies. Any agency may rescind it by notifying the other

agencies in writing at least 30 days before the date the notifying agency wishes the rescission to become effective.

6. This Memorandum of Understanding does not modify or supersede any protocol, agreement, or memorandum of understanding in effect between the Antitrust Division and the Federal Trade Commission regarding their dual enforcement responsibilities under the federal antitrust laws.

EFFECTIVE this 31st day of August, 1999.

_____/s/_____
JOEL I. KLEIN
Assistant Attorney General, Antitrust Division
United States Department of Justice

_____/s/_____
RICHARD E. ROMINGER
Deputy Secretary
United States Department of Agriculture

_____/s/_____
ROBERT PITOFSKY
Chairman
Federal Trade Commission