



Department of Justice

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JAPANESE FREIGHT FORWARDING COMPANY AGREES TO PLEAD GUILTY TO CRIMINAL PRICE-FIXING CHARGE

WASHINGTON – A Japanese freight forwarder has agreed to plead guilty and to pay a \$1.84 million criminal fine for its role in a conspiracy to fix certain fees in connection with the provision of freight forwarding services for air cargo shipments from Japan to the United States, the Department of Justice announced today.

According to a charge filed today in U.S. District Court for the District of Columbia, MOL Logistics (Japan) Co. Ltd. engaged in a conspiracy with others to fix and impose certain freight forwarding service fees, including fuel surcharges and various security fees, charged to customers for services provided in connection with air freight forwarding shipments of cargo shipped by air from Japan to the United States from about September 2002 until at least November 2007.

Under the plea agreement, which is subject to court approval, MOL Logistics has also agreed to cooperate with the department's ongoing antitrust investigation.

The department said that MOL Logistics and its co-conspirators carried out the conspiracy by, among other things, agreeing during meetings and discussions to coordinate and impose certain freight forwarding service fees and charges on customers purchasing freight forwarding services for cargo shipped by air from Japan to the United States. As part of the conspiracy, MOL Logistics and its co-conspirators levied freight forwarding service fees in accordance with the agreements reached and engaged in meetings and discussions for the purpose of monitoring and enforcing adherence to the agreed-upon freight forwarding service fees.

Freight forwarders manage the domestic and international delivery of cargo for customers by receiving, packaging, preparing and warehousing cargo freight, arranging for cargo shipment through transportation providers such as air carriers, preparing shipment documentation, and providing related ancillary services.

MOL Logistics is charged with price fixing in violation of the Sherman Act, which carries a maximum \$100 million fine for corporations. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime, if either of those amounts is greater than the statutory maximum fine.

Including MOL Logistics, 13 companies have agreed to plead guilty and nearly \$100 million in criminal fines have been obtained as a result of the Antitrust Division's ongoing freight forwarding investigation. On Sept. 28, 2011, six companies – Kintetsu World Express Inc.; Hankyu Hanshin Express Co. Ltd.; Nippon Express Co. Ltd.; Nissin Corporation; Nishi-Nippon Railroad Co. Ltd.; and Vantec Corporation – agreed to plead guilty for their roles in a conspiracy to fix and impose certain freight forwarding service fees charged to customers for services provided in connection with air freight forwarding shipments of cargo shipped by air from Japan to the United States from about September 2002 until at least November 2007.

Today's charge is the result of a joint investigation into the freight forwarding industry being conducted by the Antitrust Division's National Criminal Enforcement Section, the FBI's Washington Field Office and the Department of Commerce's Office of Inspector General. Anyone with information concerning the price fixing or other anticompetitive conduct in the freight forwarding industry is urged to call the Antitrust Division's National Criminal Enforcement Section at 202-307-6694 or visit www.justice.gov/atr/contract/newcase.htm or call the FBI's Washington Field Office at 202-278-2000.

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