



Department of Justice

FOR IMMEDIATE RELEASE
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The Department of Justice today filed a civil antitrust suit charging the nation's dominant breeder of chrysanthemums with conspiring with one of its subsidiaries and a nonprofit corporation to monopolize trade in chrysanthemum cuttings.

Attorney General John N. Mitchell said the suit charging violations of Sections 1 and 2 of the Sherman Act was filed in the U.S. District Court in San Francisco.

Named as defendants were Yoder Brothers, Inc., Barberton, Ohio; its subsidiary, Yoder Brothers of California, Inc., Salinas, California; and a nonprofit corporation formed by Yoder, BGA International, Inc., Akron, Ohio.

The suit said Yoder required purchasers of cuttings to sign agreements restricting their use and disposition, to pay royalties on cuttings that were not patented, and to resell cuttings at prices and terms set by Yoder.

As a result, Assistant Attorney General Richard W. McLaren, head of the Antitrust Division, said, commerce in chrysanthemum cuttings was unreasonably restrained and monopolized, competition among distributors of Yoder cuttings was curtailed, and purchasers of cuttings were required to pay high and artificially fixed prices.

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The suit asked the court to enjoin the defendants from violating Sections 1 and 2 of the Sherman Act and to grant such relief as necessary to restore competition in the breeding of chrysanthemums and propagation of chrysanthemum cuttings.

Chrysanthemum cuttings are sections or parts of chrysanthemum plants which are grown to mature plants by growers and sold as cut flowers or potted plants by florists. Chrysanthemums are one of the most popular ornamental flowers sold commercially in the United States.

The sales of chrysanthemum cuttings by Yoder and its subsidiaries in 1968 were approximately \$9 million -- more than 75 percent of all such sales in the nation.