



Department of Justice

FOR IMMEDIATE RELEASE
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The Department of Justice today filed a civil antitrust suit against The American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors.

The complaint alleged that the rules, regulations, and activities of ASME and the National Board unreasonably restrained importation of foreign made boilers and pressure vessels into the United States.

Attorney General John N. Mitchell said that the suit, which charges that Sections 1 and 2 of the Sherman Act were violated, was filed in the United States District Court for the Southern District of New York.

Sales of boilers and pressure tanks in the United States amount to over \$1 billion annually, Department statistics show.

Assistant Attorney General Richard W. McLaren, in charge of the Antitrust Division, explained that the ASME, whose National headquarters are located in New York City, has formulated and promulgated a code for safe construction of boilers and pressure vessels. The code sets minimum construction requirements, including specifications on materials for the design, fabrication, and inspection of boilers and pressure vessels.

The ASME Code Symbol Stamp is issued to authorized manufacturers who use it to impress the symbol upon boilers or

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pressure vessels after they have been inspected to certify that they have been manufactured in accordance with the provisions of the ASME Code.

The National Board, which is a private association of chief boiler inspectors with headquarters in Columbus, Ohio, also has a stamp which it authorizes manufacturers to use on boilers and pressure vessels which bear the ASME Stamp. The Board also registers boilers and pressure vessels. The effect of such registration is that boilers and pressure vessels which have been approved by one state can easily be moved into another.

Mr. McLaren stated that many states require the ASME or the National Board Stamp mark to be on all boilers and pressure vessels submitted for approval, and that many industrial purchasers also require these stamp marks on boilers and pressure vessels they buy.

The suit alleges that beginning at least as early as 1949, the defendants combined to discriminate against and exclude from sale within the United States qualified boilers and pressure vessels manufactured outside the United States and Canada. This was accomplished, the suit said, by unreasonably and arbitrarily refusing to authorize the use of the ASME or National Board Stamps by manufacturers of foreign boilers and pressure vessels and to register such boilers and pressure vessels with the National Board.