



Department of Justice

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The Department of Justice today filed a civil antitrust suit against the Niagara Frontier Tariff Bureau, Inc., of Buffalo, New York, a motor carrier rate bureau, and five motor carrier corporations.

Attorney General William French Smith said the suit, charging a violation for Section 1 of the Sherman Act, was filed in the U.S. District Court in Washington, D.C.

Members of NFTB named in the suit are Bondy Cartage Limited headquartered in Windsor, Ontario; Dominion-Consolidated Truck Lines Limited headquartered in Toronto, Ontario; ICL International Carriers, Ltd., headquartered in Windsor, Ontario; Inter-City Truck Lines (Canada), Inc., headquartered in Toronto, Ontario; and TNT Canada, Inc., headquartered in Mississauga, Ontario.

Assistant Attorney General William F. Baxter, in charge of the Antitrust Division, said the complaint alleges that from at least as early as 1966 and continuing to at least 1981, the defendants and co-conspirators engaged in an unlawful combination and conspiracy to fix prices and inhibit or eliminate competition for the transportation of freight by motor carriers between the United States and Ontario.

The defendants and co-conspirators are parties to the NFTB's collective ratemaking agreement which was approved by the Interstate

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Commerce Commission and which authorizes them to set rates collectively provided they adhere to the terms of the agreement and ICC regulations.

Baxter said the suit charges that the defendants engaged in price fixing conduct beyond the scope of the antitrust immunity conferred through the approved NFTB agreement. The suit alleges that the defendants did not comply with the terms of the NFTB agreement and interfered with the right of other motor carrier competitors to make rates independent of the NFTB agreed-upon rates.

The lawsuit seeks an injunction against the NFTB and the five motor carrier defendants to permanently enjoin them from maintaining or renewing, directly or indirectly, the alleged combination and conspiracy. The suit also seeks an order requiring the NFTB to establish rules and procedures which ensure that the NFTB does not interfere with each member's right to make rates independent of the NFTB's agreed-upon rates.

According to the complaint, the defendant motor carriers and co-conspirators account for most of the freight moved by all NFTB carriers between the United States and Ontario. For the period 1970 through approximately 1980, international traffic revenues of NFTB carriers were approximately \$2.8 billion, the complaint says.

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