

[Trade Regulation Reporter - Trade Cases \(1932 - 1992\), United States v. American Cyanamid Co., U.S. District Court, S.D. New York, 1983-1 Trade Cases ¶65,433, \(Oct. 11, 1973\)](#)

Federal Antitrust Cases

60 Civ. 3857

Trade Regulation Reporter - Trade Cases (1932 - 1992) ¶65,433

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United States v. American Cyanamid Co.

1983-1 Trade Cases ¶65,433. U.S. District Court, S.D. New York, Civil Action No. 60 Civ. 3857, Filed October 11, 1973 Case No. 1565, Antitrust Division, Department of Justice.

Sherman and Clayton Acts

Headnote

Allocation of Markets: Production Limitation: Melamine Products: Modification of Consent Decree..–

A 1964 consent decree was modified to permit a manufacturer of melamine to increase production of melamine from 30 million pounds per year to 44 million pounds per year. Until the end of the year, the manufacturer was required to sell melamine at the same price it had charged during the first six months of 1973.

Modifying (by consent) [1964 Trade Cases ¶71,166](#) (subsequently modified, [1982-83 Trade Cases ¶65,152](#)).

Order

BRIEANT, D. J.: Defendant, American Cyanamid Company, having moved on August 8, 1973 for relief from Section V(A)(2) of the Judgment entered by this Court on August 4, 1964 which required that American Cyanamid Company produce no more than thirty (30) million pounds of melamine in the United States in any calendar year until November 1, 1974, and it appearing that it is in the public interest to have an adequate supply of melamine, and Plaintiff, the United States of America, and Defendant, American Cyanamid Company, by their respective attorneys, having each consented to the making and entry of this Order, it is hereby

Ordered, Adjudged and Decreed that the Defendant, American Cyanamid Company, immediately and forthwith shall:

1. Be permitted to produce an amount of melamine not to exceed forty-four (44) million pounds in the calendar year ending December 31, 1973.
2. Subject to *force majeure*, supply its melamine customers until December 31, 1973 at the same rate those customers were purchasing melamine from American Cyanamid Company during the first six months of 1973. American Cyanamid Company shall notify all its customers of this provision and of the fact that it may not be in a position to supply them in 1974.
3. Release Ashland Oil and Refining Company from its obligations under its agreement with American Cyanamid Company dated July 8, 1968, as amended.