



Department of Justice

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AISAN INDUSTRY CO. LTD. AGREES TO PLEAD GUILTY TO PRICE FIXING ON AUTOMOBILE PARTS INSTALLED IN U.S. CARS

Company Agrees to Pay \$6.86 Million Criminal Fine

WASHINGTON – Aisan Industry Co. Ltd., an Obu, Japan-based company, has agreed to plead guilty and to pay a criminal fine of \$6.86 million for its role in a price-fixing conspiracy involving electronic throttle bodies sold in the United States and elsewhere, the Department of Justice announced today.

According to a one-count felony charge filed today in U.S. District Court for the Eastern District of Michigan in Detroit, Aisan engaged in a conspiracy to rig bids for, and to fix, stabilize and maintain the prices of electronic throttle bodies sold to Nissan Motor Co. Ltd. and certain of its subsidiaries in the United States and elsewhere. In addition to the criminal fine, Aisan has also agreed to cooperate with the department's ongoing auto parts investigations. The plea agreement is subject to court approval.

“The Antitrust Division will continue to hold companies accountable for anticompetitive conduct that impacts the automobile industry in the United States,” said Brent Snyder, Deputy Assistant Attorney General of the Antitrust Division's criminal enforcement program. “To date, 25 companies have been charged as part of the Antitrust Division's ongoing auto parts investigation.”

According to the charges, Aisan and its co-conspirators carried out the price-fixing conspiracy through meetings and conversations in which they discussed and agreed upon bids and price quotations for electronic throttle bodies. Aisan's involvement in the conspiracy to fix prices of electronic throttle bodies lasted from at least as early as October 2003 until at least February 2010.

Aisan manufactures and sells automotive electronic throttle bodies, which are part of the air intake system in an engine that controls the amount of air flowing into an engine's combustion chamber. By controlling air flow within an engine, the electronic throttle body controls engine speed.

Including Aisan, 25 corporations have pleaded guilty or agreed to plead guilty in the department's investigation into price fixing and bid rigging in the auto parts industry. The

companies have agreed to pay a total of more than \$1.8 billion in fines. Additionally, 28 individuals have been charged.

Aisan is charged with price fixing in violation of the Sherman Act, which carries a maximum penalty of a \$100 million criminal 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.

Today's prosecution arose from an ongoing federal antitrust investigation into price fixing, bid rigging and other anticompetitive conduct in the automotive parts industry, which is being conducted by each of the Antitrust Division's criminal enforcement sections and the FBI. Today's charges were brought by the San Francisco Office of the Antitrust Division with assistance provided by the National Criminal Enforcement Section of the Antitrust Division, the Detroit Field Office of the FBI, and the FBI headquarters' International Corruption Unit. Anyone with information concerning this investigation should contact the Antitrust Division's Citizen Complaint Center at 1-888-647-3258, visit www.justice.gov/atr/contact/newcase.html or call the Detroit Field Office of the FBI at 313-965-2323.

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