



Press Release

DOJ Revs Up Scrutiny of Information Exchanges

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In September, the Antitrust Division of the Department of Justice (DOJ) sued meat industry data provider Agri Stats alleging the competitively sensitive data disseminated via its information exchange operation enabled meat processors to raise prices and reduce output in violation of antitrust law. In a new insight, Competition Economics Analyst Fred Ashton discusses the antitrust concerns surrounding information exchanges, explains the DOJ's revocation of antitrust safety zones for these exchanges, and walks through the antitrust claims against Agri Stats.

Key points:

- In February 2023, the DOJ withdrew several decades-old policy statements outlining information exchange antitrust safety zones – circumstances under which the DOJ will not challenge certain activity.
- Withdrawing the policy statements – and with no plans to replace them – leaves information exchange operators unable to properly assess the risk profile of their operations.
- The withdrawn policy statements and subsequent lawsuit against Agri Stats will serve as a clear warning to other information exchange operators that the DOJ is prepared to investigate and litigate potential antitrust infractions of information exchanges.

[*Read the analysis*](#)