

Competition Law & Information Exchange Guidance

1. Purpose & Scope

This guidance applies to all Biochar Europe (BCE) meetings, working groups, events, and related exchanges (in-person or virtual). It exists to prevent anticompetitive information exchange and any form of coordination between competitors.

2. Guiding Principle

BCE is a forum for technical, sustainability, research, and policy collaboration. **It is not a forum for exchanging competitively sensitive information or coordinating market behaviour.**

3. Prohibited Information

The following topics must **not** be discussed, requested, hinted at, or coordinated within BCE settings. This applies to past, present, or future information, whether specific, aggregated-but-identifiable, or inferable:

- **Prices & pricing elements:** current/future prices, price ranges, discounts/rebates/surcharges, pricing formulas, intended price changes.
- **Costs & margins:** cost breakdowns, cost passthrough plans, profit margins, profitability.
- **Volumes & capacity:** current/planned production/output volumes, capacity utilisation, expansion/closure plans tied to output.
- **Sales, customers, or territories:** customer identities/lists/terms, demand forecasts, market or customer allocation.
- **Bids & tenders:** whether/what to bid, bid levels, rotations, cover bids.
- **Strategic commercial plans:** timing of market entry/exit, go-to-market, competitively sensitive launch timing, specific contracting strategies.
- **Coordination signals:** e.g., “maintain price discipline”, “no one supply below X”, “pause expansions”, “don’t poach”.
- If a discussion drifts here, **say “Stop — antitrust” and move on.**

4. Generally Permitted

- Technical/quality and safety standards that are **open and voluntary**.
- Sustainability, climate, LCA methods, and noncommercial ESG practices.
- Pre-competitive research/science that does **not** reveal company-level sensitive data.
- Public policy and regulatory discussions (**no** commercial strategy).
- Information that is already public, **without** adding private company details.

5. Participation & Meeting Reminder

By joining any BCE meeting, participants confirm they have read and will follow this guidance and will not share or solicit red-line information. Organisers should include this one-line reminder in the invite/agenda where practical:

Competition Law Reminder: In BCE settings, do not discuss prices, costs, margins, sales, customers, volumes/capacity, bids/tenders, market allocation, or strategic commercial plans. If such a topic arises, we will stop and move on.
(No separate chair script or mandatory ceremony required)

6. Surveys / Statistics / Benchmarking

BCE may publish aggregated industry statistics only if:

- Individual companies cannot be identified (directly or by inference),
- data are collected by BCE (or a third party) and reported only in aggregate,
- inputs are sufficiently aged/non-granular, and
- no raw company data is shared among participants.

If these safeguards cannot be met, **do not run or publish**.

7. Reporting & Review

- **Reporting:** Raise any concerns to the BCE Office. Good-faith reports will not result in retaliation.
- **Review:** This guidance is reviewed continuously and updated as needed.