

Decision to Commence Hearing Procedures against Polypropylene  
Manufacturers and Sellers  
( Tentative Translation )

August 29, 2008

Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC) decided on August 28, 2008 to commence the hearing procedures against four polypropylene manufacturers and sellers in accordance with the provision of Paragraph 2, Article 49 of the Antimonopoly Act before amendment as specified by the interim measure under the Antimonopoly Act as amended (2005 Law No. 35) .

In this case, Idemitsu Kosan and other three companies (hereinafter referred to as the Four Companies) requested for commencement of hearing procedures on the surcharge payment orders the JFTC issued on June 20, 2008 to the Four Companies.

1. Outline of the Case

(1) Applicable entrepreneurs

Hearing Case No.	Entrepreneur	Principal Office	Representative
2008 (Judgment) No. 18	Idemitsu Kosan Co., Ltd.	1-1, Marunouchi 3-chome, Chiyoda-ku, Tokyo	Masakatsu Tanaka
2008(Judgment) No. 19	Sumitomo Chemical Co., Ltd.	27-1, Shinkawa 2-chome, Chuo-ku, Tokyo	Hiromasa Yonekura
2008 (Judgment) No. 20	SunAllomer Ltd.	2-24, Higashi-shinagawa 2-chome, Shinagawa-ku, Tokyo	Godard von Ilsemann
2008 (Judgment) No. 21	Tokuyama Corporation	1-1, Mikage-cho, Shunan-shi, Yamaguchi	Shigeaki Nakahara

(2) Violation Related to Surcharge (Hearing decision on August 8, 2007)

The Four Companies, in cooperation with other three entrepreneurs, decided to raise the sale price of polypropylene (except for those covered by agreements executed to set the sale price corresponding to the price of naphtha, the raw material. This also applies hereafter.) and thereby substantially restrained the competition in the sales field of polypropylene in Japan contrary to the public interest (These acts were in violation of Article 3 under the Antimonopoly Act and the term

“Pertaining to consideration of goods” in Paragraph 1, Article 7-2 applied to them).

2. Date and Place of the First Hearing

- (1) Date and time: Tuesday, October 14, 2008 10:30 a.m.
- (2) Place: Hearing court of JFTC (19<sup>th</sup> floor of Central Government Building No. 6-B)