Grange Testifies **Against Market** Manipulation

WASHINGTON, D.C. testimony before the Senate Judiciary Committee here today, Mark C. Nestlen, Legislative Representative for the National Grange, warned Congress that farmers are likely to be victimized by price reductions caused by market manipulation in the agriculture marketing system and that failure to permit farmers to sue in those circumstances causes

a grave injustice.

Nestlen's remarks were in support of the proposed Antitrust Improvement Act of 1986, which will, in part, provide for indirect seller suits to be brought by State Attorneys General on behalf of farmers and ranchers who produce and sell agricultural products. The legislation is in response to the 1977 Supreme Court decision in Illinois Brick which prohibits all but the direct buyer or seller to sue for damages that have been passed on due to anticompetitive activities.

'This decision unfairly affects farmers because it fails to recognize the unique competitive structure of the food and fiber system," said the Grange spokesman. The perfectly competitive farmer is sandwiched between an imperfectly-structured input market and an oligoponistic out-put market. Nestlen said, "In short, agricultural producers have little control over the prices they pay or the prices they receive while non-agricultural industries have varying degrees of market power and, within limits, the capacity to adjust their prices."

While the Grange accuses no one of price fixing or market manipulation, Nestlen described how the food manufacturing industry could act collusively in its pricing. He said, "This legislation will maintain the strict standards of proof and the procedures of antitrust litigation and indicts no one for antitrust offenses." Nestlen concluded, "Simply, the farmer would have his day in court if the producer and the Attorney General feel that there has been a

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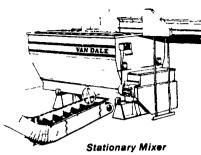
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