

CANADIAN COMPETITION POLICY RECORD

TABLE OF CONTENTS

Canadian Competition Law Developments

Director Seeks Contempt Citation Against Chrysler Canada	1
Flour Mills Charged with Bid-rigging and Conspiracy under Competition Act	2
Shell Canada Fine Increased	2
The Sheets are Finally Hung out in the Imperial/Texaco Merger	3
Xerox Refusal to Deal Update	6
Nutrasweet Update	6
Wetston Talks About Competition Policy in the 1990's	7
Ontario Court of Appeal Strikes Down Misleading Advertising Provisions	8
Merger Statistics Update	11

Regulatory and Policy Developments

NEB Affirms Faith in Free Market in Face of Storm of Controversy	12
Rafferty Alameda Fallout: NEB Directed to Comply with EARP Guidelines Order	14
Federal Court Expands Scope of Environmental Review	14
Federal Court Addresses Role of Policy Directives and Guidelines	16
CRTC Permits Resale and Sharing of Private Line Services	17
CRTC Hearings Examine Cable Rates	19
Communications Competition Finds Newfoundland	20
Federal Court Changes TransCanada Pipelines Agenda for Northeast Expansion	20
Patented Medicine Prices Review Board Update	21
Director Tackles Competition Issues in Chicken Marketing	23

Trade Policy Developments

Canadian Trade Update	26
U.S. Foreign Trade Zones	28

Foreign and International Competition Law Developments

U.S. Developments	32
EC Antitrust Law Update	35

Comment and Analysis

Morrow: Resale Price Maintenance Under Review	39
Mathewson and Winter: Resale Price Maintenance Under Review - A Response to J.W. Morrow	45

CANADIAN COMPETITION POLICY RECORD

EDITOR IN CHIEF

Lawson A.W. Hunter, Q.C.
Fraser & Beatty, Ottawa

ASSOCIATE EDITOR

Eric A. Milligan LL.B., LL.M.
Milligan & Company, Ottawa

EDITORIAL BOARD

William Morrow

Past Editor, Canadian Competition Policy Record

Ivan Feltham

McMillan, Binch

William A.W. Neilson

*Dean of the Faculty of Law,
University of Victoria*

Donald Affleck

Fasken & Calvin

Leon Courville

*Senior Vice-President, Economic and International Affairs,
National Bank of Canada*

Douglas E. Rosenthal, Esq.

Coudert Bros.

Stuart Benson

McCutchen, Doyle, Brown & Enersen (San Francisco and Washington)

Michael Flavell

Clarkson, Tetrault

Roger Martin

Monitor Company

Sheldon B. Richman

The Bureau of National Affairs, Inc.