** AGGREGATES STATISTICS COMMITTEE **

** REPORTING PROGRAM **

** PROCEDURAL MANUAL **

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AGGREGATES STATISTICS COMMITTEE (ASC)

GENERAL POLICY

1. This Procedural Manual is to be reviewed annually and updated when necessary.

2. As new pages to the Procedural Manual are issued, they will supersede previously published pages. However, minutes published subsequent to the Manual issuance date prevail and such modification will be incorporated as new pages are issued.

3. It is the responsibility and obligation of statistics recipients to treat data as proprietary information and such data is not to be divulged to any agency outside their membership category except for those within their corporate structure. Members within the corporate structure receiving copies of statistics must be made aware of this policy and comply with it. The AEM office will stamp "Confidential" or "Restricted Information" on each page of the statistical reports, and it is recommended that company generated reports utilizing these data also be identified as "Confidential" or "Restricted Information."

4. Statistical reporting will be based on unit shipments (ex-factory) rather than retail sales.

5. Expansion of the reporting program will be in accordance with AEM policy.

AEM STATISTICAL POLICY

AEM policy (as revised by vote of the AEM Board of Directors on April 28, 1992).

a. Statistics gathering is a logical trade association activity and should be encouraged as an important additional benefit to Association of Equipment Manufacturers (AEM) members.

b. The submitting of data and the receiving of related detailed reports should be entirely optional to any members. Participation in statistics programs should not be a requirement of membership in AEM or any of its Bureaus, Councils or Committees or any other unit within the Association.
AEM STATISTICAL POLICY (continued)

STATEMENT OF PURPOSE

To provide member companies with the most timely, useful and accurate market statistics possible within legal parameters.

MEMBERSHIP AND ORGANIZATION

1. Membership is open to North American manufacturers of crushing, vibrating screens and feeders which have assembled and marketed, subject to approval by the Aggregates Statistics Committee. Committee membership approval implies participation in all aspects of the statistical reporting program. Non-approval must be submitted to the AEM Board Statistics Executive Committee for their endorsement.

3. Meetings will be planned as necessary.

3.1 The AEM office will notify the committee at least thirty (30) days in advance of a scheduled meeting.

3.2 A simple majority of statistical members should be present.

4. Officers of the Aggregates Statistics Committee:

4.1 Officers of the Aggregates Statistics Committee will consist of a Chairman and a Vice-Chairman, serving a two-year term commencing on the first meeting of the calendar year.

4.2 Officers for the upcoming year will be elected at the last meeting of the calendar year.

4.3 Subcommittee organization is at the discretion of the Chairman.

5. Company Representation: Each member company will appoint one official representative to the committee. The appointment of an alternate to serve in the absence of the primary representative to the committee is recommended.

6. Voting:

6.1 Voting is limited to one (1) vote per member company.
MEMBERSHIP AND ORGANIZATION (continued)

6.2 An adoption of a motion is by simple majority of those present on all issues with the exception of financial matters where a two-thirds majority of those present is required.

REPORTING PROCEDURE AND DATA DISTRIBUTION

1. Model Identification Chart: Refer to the AEM Policy and Procedure Manual IV.E.

2. Disclosure Prevention: Refer to the AEM Policy and Procedure Manual IV.F.

CRITERIA FOR STATISTICAL REPORTING

Please adhere to the following guidelines when compiling ASC monthly shipments reports. Please print or type input forms for maximum clarity.

1. Input of Data:
   a. The data should be submitted to the Informational processor Company (IPC) no later than the 15th day of the month following the month in which shipments are made.
   b. Report shipments (ex-factory) of only new machines, on a net shipment basis. Reconditioned units are to be defined as any unit returned to the manufacturer and resold to a new customer.
   c. A unit previously sold through the U.S. office reported as shipped, which is returned to the factory as new, should be reported as a deduction.
   d. If you are able to submit your data earlier than the due date, please do so.
   e. If a due date falls on a weekend, your report will be due the following Monday.
   f. Companies should call the HAI office if they know their report will be delayed past the due date.

2. Each company shall designate a primary and a secondary contact person for any communications necessary regarding the statistical reports.

3. Distribution of Reports:
a. Reports will not be published until 100% of all reporters' data has been received.

b. Companies may only receive consolidated reports for any time frame in which they participated in the Aggregate Statistics Committee reporting program.

c. You only get consolidated reports for the programs that you report into.

4. No data will be offered for sale or given away to companies not reporting in the Aggregate Statistics Committee program. Upon request for statistical data, AEM and participating members' staff will indicate that the data are not available.
PRODUCT SIZE AND ISTAT CODES

ISTAT CODE

1. INCLINE SCREENS .......................................................... VS2B
   Under 5 feet
   5 feet through 6 feet
   7 feet through 8 feet
   Over 8 feet

2. HORIZONTAL SCREENS .................................................. VSHS
   Under 5 feet
   5 feet through 6 feet
   7 feet through 8 feet
   Over 8 feet

3. FEEDERS ......................................................................... VSFD
   All sizes

4. CONE CRUSHERS ............................................................ PSCC
   Under 4 feet
   4 feet through 5 feet
   Over 5 feet

5. HORIZONTAL IMPACT CRUSHER ..................................... PSHC
   All sizes

6. JAW CRUSHERS ............................................................. PSJC
   24 inches and under
   25 inches through 41 inches
   41 inches through 44 inches
   44 inches and over

7. VERTICAL IMPACT CRUSHER .......................................... PSVS
   All sizes
END USE AND ATTRIBUTES CLASSIFICATIONS

CRUSHING

Crushed Stone
Sand and Gravel
Recycle
Mining
Other

VIBRATING SCREENS

Crushed Stone
Sand and Gravel
Recycle
Mining
Other
SCOPE OF REPORTING

Market segments to be reported for all products:

a. United States (by state)
b. Canada (by province)
c. Mexico (sold through the U.S. office) (in total)
d. Exports from the United States (other than to Canada and Mexico) (in total)

REPORTING INSTRUCTIONS

Please adhere to the following guidelines when compiling monthly reports. You must report all machines manufactured and shipped. Therefore, all machines listed on the Model Identification Chart should also be reported in the same size ranges.
DEFINITION OF TERMS

Manufacturers Shipment:

1. Consists of the shipment of a new unit directly from the manufacturer to:
   a. An End User - any establishment or individual that puts the product to use; the consumer.
   b. A Retail Outlet - any establishment (including company stores, dealers or distributors) that sells the product to the end-user.
   c. A Wholesale Outlet - any establishment (including company branch houses) that sells to a retailer.
   d. A Leasing Pool - machinery shipped to any establishment for the purpose of subsequent placement with the end-user through a lease or rental-purchase agreement.

2. Units shipped to another reporting facility (member) are not to be reported by the receiving member. The prime objective is to avoid double reporting of the same unit.

3. Units shipped to company trans-shipment pools or staging areas shall not be reported until such time as they are shipped to parties listed under Section 1 above.

OEM Sale:
The sale of a unit from one manufacturer to another. Generally, the marketing company should report these products, as they know the details of activity with customers and dealers. Products sold on an OEM basis to non-reporting companies should be reported as an OEM sale. Products sold on an OEM basis to reporting companies should not be reported as an OEM sale. Rules regarding the reporting of OEM activity may vary by committee. It is important to prevent double reporting by the manufacturer and marketer.

CRUSHING/SCREEN PRODUCT DEFINITIONS

Jaw crusher (PSJC):
A crusher that breaks material by compressing it between two jaw plates, one moveable and one stationary forming a V shaped crushing chamber. Material is fed from the top and is reduced by the closing of jaw plates until the material is small enough to fall out of the bottom.
Horizontal Impact crusher (PSHR):  
A crusher with rotor(s) mounted on a horizontally supported shaft. Material breaks when hit by the rotating impeller bars or when the rotating impeller bars throw the material against stationary breaker components or other incoming feed within the chamber. Does not include screen bars or grates.

Vertical Shaft Impact crusher (PSVS):  
A crusher with an impeller or rotor mounted on a vertically supported shaft. Material freefalls into the center of the rotor and is thrown centrifugally against a rock bed or stationary surface.

Cone crusher (PSCC):  
A crusher that breaks material by compressing the material between an oscillating or gyrating head/mantle and a stationary concave or bowl liner. Material is discharged from the bottom. For the purpose of reporting this definition includes Gyratory crushers.

Roll crusher (PSRC-suspended):  
A crusher that breaks material by compressing between multiple revolving cylinders, with axis parallel to each other and separated by a space equal to the desired size of the finished product.

Hammermill (Suspended):  
A rock crusher that employs hammers or flails on a rapidly rotating axis. A crusher equipped with rotor to which are attached hammers normally free swinging and frequently equipped with grates. Crushing is achieved by impact, sheer and attrition.

Horizontal screen (VSHS):  
A vibrating screen used for sizing or separating material. Screen surface(s) are installed at a horizontal axis plus or minus 5 degrees. A pulsating stroke moves the material over the length of screen to achieve/enhance separation of material.

Incline screen (VS2B):  
A vibrating screen used for sizing or separating material. Screen surface(s) are installed at a horizontal axis plus more than 5 degrees. Material is fed in at the upper end and flows down the incline aided by the vibrating force and gravity.

Vibrating Feeders (VSFD):  
A vibrating device used for the combined purpose of flow rate control and conveyance of materials. Generally incorporates a section for separation such as grizzly.
Aggregate:
- Equipment sold for the intended use of producing construction materials from crushed stone or sand and gravel.

Mining:
- Equipment used to process or recover mineral ores (gold copper, iron silver or coal).

Recycling:
- Crushing equipment sold for the intended use of recycling concrete, asphalt, slag or glass for reuse, recovery or for convenience of disposal.

Other:
- Including but not limited to industrial mining.
STATEMENT OF POLICY
ON
ANTI-TRUST CONSIDERATIONS

As a trade association, AEM is subject to both federal and state antitrust laws. As a matter of law, a trade association and its members stand in the same position under the antitrust laws as any other group of persons or firms. Thus, the legality of association activities is judged by the same standards as are applied to other entities.

AEM recognizes the need to be constantly vigilant to assure full compliance in all respects with the antitrust laws and in furtherance thereof hereby endorses the basic principles contained in this guide for members and staff of the Association.

The purpose of the antitrust laws is to preserve a competitive economy in which free enterprise can flourish. The Association’s long insistence upon full compliance with all legal requirements in the antitrust field is based not only on a desire to stay within the bounds of the law, but also on the Association's conviction that the preservation of a free competitive economy is essential to the welfare of the Association, the industry it represents and the nation.

This statement is intended to codify the Association’s existing policy and to provide guidelines for compliance with the law.

The Association unequivocally supports the policy of competition served by the antitrust laws and reaffirms its uncompromising intent to comply strictly in all respects with those laws.

It is the responsibility of every member and staff person of AEM to be guided by AEM's policy of strict compliance with the antitrust laws in all AEM activities. It shall be the special responsibility of Association officers, Bureau, Council and committee chairmen to insure that this policy is known and adhered to in the course of activities pursued under their leadership.

To assist the staff and all officers, Bureau, Council and committee chairmen in recognizing situations which may raise the appearance of an antitrust problem, the Association shall furnish to each of such persons a copy of this antitrust guide for AEM Members and Staff and will make available general legal counsel when questions arise as to the manner in which the antitrust laws may apply to the activities of AEM or to any Bureau, Council or committee of AEM.
ANTITRUST GUIDELINES

MEMBERSHIP

(1) Any firm meeting the requirements of membership as set forth in the By-Laws shall be admitted to membership in AEM on a non-discriminatory basis.

(2) Participation in any and all Association activities by a member company is wholly voluntary.

(3) No member of the Association shall have authority to represent that he is communicating on behalf of and as an official representative of the Association without prior approval of the Association.

(4) No firm shall be expelled from membership except for just cause, and in such manner as is established in the By-Laws to assure that such expulsion is fair, objective, reasonable and non-discriminatory.

MEETINGS

(1) All Association meetings shall be regularly scheduled, and attended by AEM staff. Secret or "rump" meetings shall be strictly avoided.

(2) In conducting AEM meetings, the chairman thereof shall follow a formal agenda which shall be reviewed in advance by legal counsel.

(3) Minutes of all meetings shall be kept by a designated party who shall accurately record what actions were taken at the meeting. Minutes of all meetings shall be approved by the chairman and legal counsel and shall be submitted to the group for approval at its next meeting.

(4) Legal counsel shall be present at all meetings of the Association's Board of Directors and at any other meeting at which sensitive issues may be discussed.

(5) In informal or social discussions at the site of a AEM meeting, which are beyond the control of its officers and chairmen, all members and staff are expected to observe the same standards of personal conduct required of the Association in its compliance with these antitrust guidelines.
ANTI-TRUST CONSIDERATIONS continued

TOPICS OF DISCUSSION

(1) AEM activities or communications shall include discussion or action on matters of interest to the industry.

(2) No AEM activity or communication shall include any discussion or action, for any purposes or in any fashion, of prices or pricing methods, production quotas or other limitations on production or sales.

(3) No AEM activity or communication shall include discussion or action which might be construed as an attempt to prevent any person or entity from gaining access to any customer, goods or services, to boycott any person or entity, or to prevent any person or entity from purchasing goods or services freely in the market.

(4) No AEM activity or communication shall include discussion or action which might be construed as an agreement or understanding to refrain from purchasing materials, equipment, services or other supplies from any supplier.

(5) No AEM activity or communication shall include any other discussion or action which would tend to restrict competition in any manner between members or within the industry.

GENERAL OPERATING PROCEDURES

(1) Guest speakers at Association functions and authors of Association materials shall be informed of the need to comply with Association antitrust guidelines in the preparation and presentation of matters to the membership.

(2) Handouts at meetings conducted by the Association, and, when possible, outlines or texts of presentations, shall be reviewed in advance by legal counsel.

(3) In making this guide available to Association members, AEM intends it to serve as a practical aid to members and staff in dealing with the antitrust laws which have particular application to Association activities. The guide is by no means an attempt to provide a detailed analysis of the antitrust laws or as a substitute for individual legal advice in handling specific matters.

(4) Just as membership and participation in AEM activities is a good investment for members, so too is an effective antitrust compliance program a good investment for the members of the Association.