

**The JFTC filed criminal accusations against 11 companies
concerning the bid-riggings in the human waste disposal facilities constructions.**

Fair Trade Commission of Japan
May 23, 2006

The Fair Trade Commission of Japan (the “JFTC”), having investigated bid-rigging in the human waste disposal facilities constructions based on criminal investigation power, found the criminal violation of the Antimonopoly Act, and filed criminal accusations with the Prosecutor General against 11 companies including Kubota Co., Ltd., in accordance with Section 74(1) of the Antimonopoly Act.

1. Accused Companies

The Accused Companies	Representative Directors
Kubota Corporation	Daisuke Hatakake
Ataka Construction & Engineering Co., Ltd.	Hiroataka Nagai
Kurita Water Industries Ltd.	Hiroshi Fujino
Ebara Corporation	Fumio Shimakawa
Sumitomo Heavy Industries, Ltd.	Yoshio Hinoh
JFE Engineering Corporation	Osamu Saito
Nishihara Environment Technology, Inc.	Toru Kukihara
Mitsubishi Heavy Industries, Inc.	Kazuo Tsukuda
Hitachi Zosen Corporation	Minoru Furukawa
Mitsui Engineering & Shipbuilding Co., Ltd.	Takao Motoyama
Takuma Co., Ltd.	Hajime Tejima

2. Ground of Criminal Accusation

(1) Fact

11 companies mentioned in item 1, in December 2004, agreed to prearrange bid winners from among participants of competitive biddings for constructing or replacing human waste disposal facilities ordered by municipalities etc. and hence to make bidding prices convenient for the prearranged winners to win.

Since then 11 companies had substantially restricted competition contrary to the public interest, in the field of constructing or replacing the human waste disposal

facilities, by mutually restricting and coordinating their business activities, deciding in advance the bid winners according to the agreement until July 2005.

(2) Laws applied to the accused

Section 89 (1) (i), Section 95 (1) (i), Section 3 (unreasonable restraint of trade) of the Antimonopoly Act (before amendment), and Section 60 of the Penal Code