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Eighth Circuit: antitrust conspiracy allegations fail due to group pleading and speculative inferences

by [James F. Bogan III]

Takeaway: The Eighth Circuit recently issued a significant decision in favor of antitrust defendants, affirming the dismissal with prejudice of a sprawling class action alleging that manufacturers, wholesalers, and retailers of seeds and crop-protection chemicals conspired to boycott e-commerce sales platforms and inflate prices. *See In re Crop Inputs Antitrust Litigation*, 172 F.4th 570 (8th Cir. 2026). The *Crop Inputs* decision reinforces antitrust pleading standards under *Twombly* and *Iqbal* while offering a roadmap for defendants facing conspiracy claims built on group pleading and speculative inferences.

The appeal arose from multidistrict litigation consolidated in the Eastern District of Missouri. The plaintiffs—farms and farmers—sought to represent classes of persons who purchased "crop inputs" (seeds and crop-protection chemicals) from the defendants or their authorized retailers beginning in 2014. *Id.* at 576.

The plaintiffs' consolidated amended complaint alleged claims under the Sherman Act, federal RICO, and various state laws. The core theory was that emerging e-commerce platforms, including the Farmers Business Network ("FBN") platform, threatened the defendants' market position by providing farmers with pricing transparency and direct purchasing channels. According to the plaintiffs, the defendants conspired to cut off the e-commerce platforms' supply of crop inputs, thereby preserving the defendants' alleged ability to maintain artificially inflated prices through an opaque distribution system. *Id.*

After the district court granted the defendants' motion to dismiss and dismissed the claims with prejudice, the plaintiffs appealed only the dismissal of the Sherman Act § 1 claim. *Id.*

Writing for the panel, Chief Judge Colloton affirmed the dismissal because the complaint failed to adequately plead parallel conduct, a threshold requirement for any § 1 conspiracy claim. The panel first identified a category of allegations that amounted to nothing more than "threadbare recitals of the elements" of a Sherman Act claim. *Id.* at 577 (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). For example, assertions that the

“Retailer Defendants and the Wholesaler Defendants ... conspired to eliminate the platforms’ product supply” were deemed legal conclusions, not factual allegations. *Id*. As “naked assertions devoid of further factual enhancement,” they could not support a reasonable inference that any individual defendant was liable. *Id*. (quoting *Iqbal*, 556 U.S. at 678).

The aspect of *Crop Inputs* that may be the most useful to class action defendants on the complaint’s pervasive use of group pleading. Because “[l]iability is personal,” a complaint must specify “which of the defendants are responsible for which acts or omissions.” *Id*. (citations omitted). Allegations lumping the defendants together under labels like “Manufacturer Defendants,” “Wholesaler Defendants,” and “Retailer Defendants” failed to give fair notice to each defendant of the specific claim being made against it. *Id*. at 578.

Focusing on the complaint’s individualized allegations, the *Crop Inputs* court found those allegations insufficient to support an inference of parallel conduct because they were not “sufficiently similar to each other as to ‘substance, timing, or effect,’” as necessary to support an inference of parallel conduct. *Id*. (citation omitted). The panel noted the disparity of alleged conduct by the defendants, whose actions varied individually from sending a letter discouraging the use of FBN, forming an internal task force to study FBN’s competitive impact, and initiating an audit of a defendant’s retailers to determine whether its authorized retailers sold to e-commerce platforms. These disparate, unilateral actions by individual defendants did not amount to the parallel conduct required to state a plausible conspiracy claim.

The *Crop Inputs* court also rejected the plaintiffs’ argument that membership in trade associations (CropLife America and the Agricultural Retailers Association) served as evidence of a conspiracy. *Id.* at 579. In particular, the complaint failed to allege that any specific defendant attended a particular meeting where a boycott of e-commerce platforms was discussed. *Id.*

Allegations regarding the defendants’ Canadian counterparts pressuring manufacturers not to supply a platform acquired by FBN did not save the plaintiffs’ conspiracy claim, because the conduct was taken by entities other than the named defendants. The panel concluded that evidence of a conspiracy in a foreign market “may be considered a ‘plus factor,’ but it does not establish parallel conduct in the market at issue.”*Id*. at 580.

In light of these multiple deficiencies, the Eighth Circuit upheld the district court’s dismissal with prejudice, noting that the amended complaint was the plaintiffs’ third attempt to state viable claims and that plaintiffs never submitted a proposed amended complaint or proffered the substance of potential amendments. “Fleeting references to amendment” in response to motions to dismiss are insufficient. *Id*. at 580.

Key Takeaways for Defense Practitioners

Always challenge group pleading. The decision reaffirms that defendants in multi-party class actions should challenge group pleading head-on. Courts should not permit plaintiffs to attribute collective responsibility to named defendants without identifying who did what, to whom, where, and when.

Disaggregated conduct does not show parallel conduct. Even where a complaint identifies defendant-specific acts, those acts must be similar in substance, timing, and effect to constitute parallelism. Isolated, dissimilar actions by different defendants—even if all arguably disfavored a common target—do not plausibly suggest a conspiracy.

Standard business practices do not amount to antitrust violations. Contractual audit rights, confidentiality provisions, and selective distribution arrangements do not, without more, support an inference of a conspiracy, particularly where the complaint fails to allege those provisions are unusual in the industry.