Press Release

FTC Prepares Robinson-Patman Enforcement Lawsuit

PAULINA ENCK | JUNE 12, 2024

The Federal Trade Commission is reportedly preparing to file a lawsuit against America's largest alcohol distributor, Southern Glazer's Wine and Spirits, for pricing practices that allegedly violate the Robinson-Patman Act (RPA). Director of Competition Policy Fred Ashton walks through what the RPA does, discusses criticism of the law, and considers what recent calls for its revival could mean for future antitrust enforcement.

Ashton concludes:

> *The FTC's potential lawsuit against Southern Glazer's Wine and Spirits would be the first enforcement action of the RPA in more than 20 years. It would be another indication that the enforcement agencies are returning to an era of antitrust largely focused on the size of firms and harm to competitors rather than consumer welfare.*
>
> *Despite the recommendations of past enforcers, practitioners, and the findings of congressionally charged commissions, the RPA remains on the books as valid law. Proponents of the RPA have vowed to enforce the law. Any success would likely come with higher prices for consumers.*

Read the analysis