

## An Exclusive CIAA Member Update



## Kroger - Albertson's Proposed Grocery Store Merger

CIAA Board Members,

We wanted to give board members advance notice that Kroger and Albertsons are likely to submit regulatory filings very soon with the federal antitrust authorities in connection with the proposed merger of the two companies. The combination of Kroger and Albertsons is said to create the second largest retail grocery chain in the U.S. after Walmart. Federal antitrust enforcers (likely, the Federal Trade Commission (FTC)) and possibly some state Attorneys General are predicted to launch an investigation of the proposed transaction.

The potential federal/state antitrust investigation might affect your companies in the following ways:

1. Your company could receive interview or document requests from the FTC and/or state AGs and/or be asked to serve as third party witnesses if the matter proceeds to litigation, and your company is a major supplier to either entity.
2. Certain geographies like the Dallas-Fort Worth, Washington, DC, Chicago, Southern California and Denver (and perhaps others) will receive closer scrutiny because of the number of geographic areas where Kroger and Albertsons are located in the same vicinity.
3. Your company may want to proactively reach out to the FTC to provide their views about the potential effect of the merger on them or their customers.

If your company is contacted by the FTC, state AGs, and/or merging parties, your company should reach out to its legal counsel to determine what, if any, response it should give to the inquiry. CIAA will continue to monitor the merger and evaluate the impact on the cheese importing industry. If appropriate, CIAA may decide to file comments regarding the impact of the merger on cheese importing businesses.

For your information, Kroger does retail grocery business under other trade names including: Fred Meyer, King Soopers, Mariano's, Ralph's, QFC, and Harris Teeter. Albertson's operates under various trade names including: Safeway, Jewel-Osco, Tom Thumb, Vons, Randall's.



## DATES TO REMEMBER

### OCTOBER 31, 2022

Exporting countries that are designating U.S. importers for calendar year 2023 must submit their designations to FAS by this date.

### NOVEMBER 10, 2022

CIAA Member Meeting  
9:30am – 11:30am  
Saddle Brook Marriot  
Saddle Brook, NJ

### DECEMBER 20, 2022 (approximately)

FAS issues first notice of calendar year 2023 licenses to licensees.

### DECEMBER 31, 2022

Last day for licensees to make entries to fulfill the requirement to use 85% of their calendar year 2022 license amount. Last day for which calendar year 2022 licenses are valid. or "only 7 remaining"!

### JANUARY 15, 2023

Winter Fancy Food Show Reception  
5:00 pm -- 7:30 pm  
Gordon Biersch Restaurant  
Las Vegas, NV

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CONTACT US



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