

Publications

FTC Reportedly Pursuing Robinson-Patman Act Violations

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Yesterday morning the *Wall Street Journal* reported that the Federal Trade Commission is investigating the pricing practices of Coca-Cola and PepsiCo. The WSJ reports that “the probe is looking for violations of [the Robinson-Patman Act,] a law that prohibits suppliers from offering advantageous prices to favored customers or to customers in a specific geographic market.”

This investigation means that the FTC is abandoning decades of not enforcing the Robinson-Patman Act and that the federal government will be looking at the pricing practices of manufacturers. Given this change in enforcement priority, our clients should have antitrust counsel review their downstream pricing programs for Robinson-Patman Act compliance.

Vorys has deep antitrust experience. Vorys will continue to monitor this matter and will provide updates as warranted. Should you have questions about this or other antitrust matters, please don't hesitate to contact your Vorys attorney.