

FTC Announces Settlement with Whole Foods

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The Federal Trade Commission ("FTC") announced on Friday, March 6, 2009, its settlement of charges that Whole Foods Market, Inc.'s 2007 acquisition of Wild Oats, Inc. violated antitrust laws by significantly hindering competition in the market for "premium natural and organic supermarkets." The settlement requires Whole Foods to divest the Wild Oats brand, as well as "a significant portion of the Wild Oats stores [it] acquired," comprised of "13 currently operating and 19 formerly operating stores," including stores currently operating under the names of Whole Foods, Wild Oats, and Alfalfa's. The settlement was reached after significant litigation in federal district and appellate courts and administrative courts, more than two years after the announcement of the merger, and over 18 months after the merger closed.