



Office of Commissioner
Mark R. Meador

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

**Statement of Commissioner Mark R. Meador
In the Matter of Southern Glazer's Wine and Spirits, LLC
Matter Number 2210155**

October 2, 2026

I would not have supported bringing this case in the first instance. For that reason, I support a resolution that ends the litigation, whether through an appropriate settlement or dismissal. The proposed consent order satisfies that objective by settling the Commission's claims and preserving the Commission's limited resources.

Alcohol distribution is an unusually poor setting in which to have restarted Robinson-Patman Act enforcement after nearly a quarter century of inactivity. The Twenty-First Amendment gives States a particularly significant role in regulating the transportation and distribution of alcohol within their borders, and the resulting regulatory regimes vary substantially from State to State. The three-tier distribution system itself, as well as many of the rules governing the relationships among suppliers, distributors, and retailers, are largely a product of these state regulatory choices as well as federal law. Those rules shape pricing and discount practices in ways that make application of the Robinson-Patman Act particularly complicated and can produce pricing differences whose motivation and legal significance depend on state-specific regulatory requirements rather than straightforward evidence of competitive injury or consumer harm.

Against that backdrop, it was ill-advised for the prior Commission to prioritize a sprawling and unnecessarily complex case involving numerous States, products, transactions, and differing regulatory requirements—particularly when the Commission had not first provided businesses with meaningful guidance about the circumstances in which it would bring an RPA case or what reasonable compliance with the statute should look like.

Before pursuing future enforcement actions, the Commission should consider developing guidance explaining its current views on the Robinson-Patman Act's requirements and the circumstances under which it would pursue an enforcement action. I would then also support a targeted inquiry into price discrimination issues in a sector that more directly impacts the cost of living for American families, such as food and groceries, focusing on instances where there is clear consumer harm.