

Attorney General Raoul Files Lawsuit Challenging Proposed Albertsons, Kroger Merger

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CHICAGO – Attorney General Kwame Raoul, along with the Federal Trade Commission (FTC) and a bipartisan coalition of nine attorneys general, filed a lawsuit today in federal court challenging the proposed merger between Albertsons and Kroger.

“The proposed merger between Albertsons and Kroger would greatly reduce competition in the grocery market while leading to fewer choices for consumers and increased grocery prices at a time many families are struggling to keep up,” Raoul said. “Corporate profits and shareholder payouts should not come at the expense of consumers.”

In their lawsuit, filed today in the U.S. District Court for the District of Oregon, Raoul and the coalition argue the proposed merger between the nation’s two largest national supermarket chains presents a significant risk of reduced competition and higher food prices nationwide.

Raoul and the coalition argue the merger would violate the federal Clayton Act, which prohibits the acquisition of assets where the effect of such acquisitions may substantially lessen competition or create a monopoly. Raoul and the coalition argue businesses facing less competition have the ability to charge higher prices without providing improvements to the quality of goods. Anticompetitive supermarket mergers can impose other harms, including a reduction in labor market competition, which may lower wages or slow wage growth, worsen benefits or working conditions, or result in other degradations of workplace quality.

The proposed merger would directly impact Illinois, since two of the Chicago area’s major grocery chains, Jewel-Osco and Mariano’s, are owned by Albertsons and Kroger.

[In November of 2022](#), Raoul and the attorneys general of California and the District of Columbia filed a lawsuit against Albertsons and Kroger to stop a nearly \$4 billion payout to Albertsons’ shareholders, which represented a payout 57 times great than the dividends Albertsons has historically provided.

Joining Raoul in filing today’s lawsuit are the attorneys general of Arizona, California, the District of Columbia, Maryland, Nevada, New Mexico, Oregon and Wyoming.

Assistant Attorneys General Paul J. Harper, Alice Riechers and Brian M. Yost are handling the case for Raoul’s Antitrust Bureau.