

# United States Senate

WASHINGTON, DC 20510

April 13, 2026

The Honorable Omeed A. Assefi  
Acting Assistant Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Andrew N. Ferguson  
Chair  
U.S. Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

Dear Acting Assistant Attorney General Assefi and Chair Ferguson:

We write regarding our concern that corporate consolidation and anticompetitive practices in the food and agricultural sectors are squeezing American families. The Trump Administration has paid lip service to this problem through President Trump’s December 2025 executive order, which was purportedly aimed at investigating “price fixing and anti-competitive behavior in the food supply chain.”<sup>1</sup> But the Administration has yet to take any meaningful action to tackle consolidation and bring down food and farm input prices, which continue to squeeze farmers, small businesses, and consumers. And now the price of fertilizer and other inputs is rapidly increasing as a result of the President’s illegal war in Iran, threatening to cause food prices to spiral even more out of control.<sup>2</sup> Now, more than ever, it is time for the Administration to get serious about addressing these problems. The Department of Justice (DOJ) and the Federal Trade Commission (FTC) should closely scrutinize practices such as exclusionary contracting, price discrimination, bundling, and surveillance pricing and take all necessary regulatory and enforcement actions to stop these harmful practices, up to and including breaking up illegal monopolies.

Rising prices across the food supply chain continue to hurt American consumers and small businesses. Despite President Trump’s promises to bring down prices “on day one,”<sup>3</sup> Americans saw their grocery bills rise faster than overall inflation last year,<sup>4</sup> and prices are still expected to rise another three percent this year.<sup>5</sup> Staples like coffee, lettuce, and beef all saw significant price increases in 2025,<sup>6</sup> making every trip to the store that much more expensive. During President

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<sup>1</sup> The White House, “Addressing Security Risks from Price-Fixing and Anti-Competitive Behavior in the Food Supply Chain,” December 6, 2025, <https://www.whitehouse.gov/presidential-actions/2025/12/addressing-security-risks-from-price-fixing-and-anti-competitive-behavior-in-the-food-supply-chain/>.

<sup>2</sup> NBC News, “The Iran war’s looming economic threat: Higher food prices,” Allie Canal, March 13, 2026, <https://www.nbcnews.com/business/consumer/iran-war-fertilizer-prices-food-rcna263336>.

<sup>3</sup> BBC, “From gas to groceries, has Trump kept his promise to tackle rising prices?” Tod Edgington, November 5, 2025, <https://www.bbc.com/news/articles/ckgk125734go>.

<sup>4</sup> Joint Economic Committee Republicans, “Inflation Update,” March 11, 2026, <https://www.jec.senate.gov/public/index.cfm/republicans/inflation-update>; U.S. Department of Agriculture Economic Research Service, “Food Price Outlook, 2026,” Hayden Stewart and Diansheng Dong, February 25, 2026, <https://www.ers.usda.gov/data-products/food-price-outlook/summary-findings>.

<sup>5</sup> *Id.*

<sup>6</sup> CBS News, “Chew on this: U.S. food prices are up 19% since 2022,” Mary Cunningham, January 15, 2026, <https://www.cbsnews.com/news/food-prices-pain-point-december-cpi-date/>.

Trump’s first year in office, American families paid \$310 more for groceries compared to 2024.<sup>7</sup> President Trump’s illegal and reckless war of choice in Iran threatens to drive these prices up even further. The closure of the Strait of Hormuz has effectively halted the shipment of a third of global fertilizer supplies.<sup>8</sup> This supply chain disruption, in turn, has caused a spike in fertilizer prices for farmers that could be passed on to consumers in the form of higher grocery prices.<sup>9</sup>

Excessive consolidation and anticompetitive practices by dominant firms are also major drivers of these price increases. Prices for beef, an industry dominated by just four companies, rose over 16 percent last year.<sup>10</sup> And yet Tyson Foods—which just paid \$82 million to settle a price-fixing lawsuit<sup>11</sup>—closed its Nebraska processing plant, reducing U.S. beef processing capability by nearly five percent<sup>12</sup> and threatening to drive beef prices up even further. Consolidation in the fertilizer and seed markets, which are similarly dominated by just a handful of companies, are also driving up prices for farmers,<sup>13</sup> and in turn, consumers.<sup>14</sup> Dominant food retailers and suppliers also engage in exclusionary contracting practices (such as slotting fees, category captain arrangements, and volume-based rebates)<sup>15</sup> and discriminatory pricing practices<sup>16</sup> to shut out smaller suppliers and drive up prices at smaller grocery stores.

And even if customers decide to shop online and avoid going to the grocery store altogether, they are captive to delivery firms and online retailers using new artificial intelligence-driven

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<sup>7</sup> Joint Economic Committee - Minority, “New Data: Families Paid \$310 More for Groceries During Trump’s First Year in Office,” January 2026, [https://www.jec.senate.gov/public/\\_cache/files/8094f43f-cbc9-4d83-b5cc-273fac048f32/jec-grocery-costs-final-1-.pdf](https://www.jec.senate.gov/public/_cache/files/8094f43f-cbc9-4d83-b5cc-273fac048f32/jec-grocery-costs-final-1-.pdf).

<sup>8</sup> The Guardian, “From petrol to groceries: how Middle East crisis is driving up prices,” Rory Carroll, March 4, 2026, <https://www.theguardian.com/world/2026/mar/04/middle-east-crisis-petrol-groceries-rising-prices>.

<sup>9</sup> NBC News, “The Iran war’s looming economic threat: Higher food prices,” Allie Canal, March 13, 2026, <https://www.nbcnews.com/business/consumer/iran-war-fertilizer-prices-food-rcna263336>.

<sup>10</sup> New York Times, “Despite Trump’s Claims, Grocery Prices Are Rising,” Kevin Draper and Julie Crewswell, January 14, 2026, <https://www.nytimes.com/2026/01/14/business/food-prices-tariffs-trump.html>.

<sup>11</sup> Reuters, “Tyson Foods settles US beef price-fixing lawsuit for \$82.5 million,” Mike Scarcella, January 2, 2026, <https://www.reuters.com/legal/government/tyson-foods-settles-us-beef-price-fixing-lawsuit-825-million-2026-01-02/>.

<sup>12</sup> University of Nebraska-Lincoln Department of Agricultural Economics Center for Agricultural Profitability, “Economic Impacts of the Tyson Beef Plant Closure in Lexington, Nebraska,” Elliott Dennis and Eric Thompson, December 22, 2025, <https://cap.unl.edu/news/economic-impacts-tyson-beef-plant-closure-lexington-nebraska/>.

<sup>13</sup> Progressive Farmer DTN, “Ag Input Consolidation Scrutinized,” Chris Clayton, October 28, 2025, <https://www.dtnpf.com/agriculture/web/ag/columns/washington-insider/article/2025/10/28/senators-probe-market-power-behind>.

<sup>14</sup> Food Tank, “The Impact of Higher Input Prices for Farmers, Food Security, and the Planet,” Stella Nordhagen, June, 2022, <https://foodtank.com/news/2022/06/the-impact-of-higher-input-prices-for-farmers-food-security-and-the-planet/>.

<sup>15</sup> Yale Law and Policy Review, “Kickbacks and Corporate Concentration: How Exclusionary Discounts Limit Market Access for Community-Based Food Businesses,” Claire Kelloway and Matthew Jinoo Buck, December 30, 2023, [https://yalelawandpolicy.org/inter\\_alia/kickbacks-and-corporate-concentration-how-exclusionary-discounts-limit-market-access](https://yalelawandpolicy.org/inter_alia/kickbacks-and-corporate-concentration-how-exclusionary-discounts-limit-market-access).

<sup>16</sup> Institute for Local Self-Reliance, “How Corporate Consolidation Broke America’s Grocery System,” Stacy Mitchell and Katy Milani, January 28, 2026, <https://ilsr.org/article/independent-business/how-corporate-consolidation-broke-americas-grocery-system/>.

surveillance and dynamic pricing technology to manipulate grocery prices.<sup>17</sup> From farms to kitchen tables, anticompetitive behavior is squeezing American families.

The Trump Administration has done little to address these exploitative practices beyond a couple of press releases.<sup>18</sup> Indeed, the Administration has taken several actions that actively undermine antitrust enforcement in the food and agricultural industries. Last month, DOJ leaders forced out the department's top antitrust official Gail Slater, after she reportedly clashed with Trump-aligned lobbyists who pushed DOJ to settle antitrust cases.<sup>19</sup> The FTC abandoned its investigation into surveillance pricing<sup>20</sup> even after an initial report found that "retailers frequently use people's personal information to set targeted, tailored prices for goods and services."<sup>21</sup> And the U.S. Department of Agriculture ended its antitrust partnership program with state attorneys general.<sup>22</sup>

Rather than giving corporate giants a free pass to continue driving up costs for American consumers, farmers, and businesses, the DOJ and FTC should take the following specific actions to combat anticompetitive practices in the food supply chain and predatory pricing behavior:

1. The DOJ and FTC should seek robust remedies for violations of antitrust laws by dominant firms in the meatpacking, seed, fertilizer, and farm equipment sectors, up to and including breaking up these dominant companies.
2. The DOJ and FTC should scrutinize and, where appropriate, block anticompetitive mergers and acquisitions in the food and agricultural sectors, as they successfully did in the proposed deals between Kroger and Albertsons in 2024<sup>23</sup> and Sysco and US Foods in 2015.<sup>24</sup>
3. The DOJ and FTC should issue enforcement guidance on potential violations of the Robinson-Patman Act and investigate and take enforcement action where merited.

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<sup>17</sup> New York Times, "Same Product, Same Store, but on Instacart, Prices Might Differ," Ben Casselman, December 9, 2025, <https://www.nytimes.com/2025/12/09/business/instacart-algorithmic-pricing.html>.

<sup>18</sup> Civil Eats, "Trump Directs Agencies to Investigate Anticompetitive Practices in Food," Lisa Held, December 8, 2025, <https://civileats.com/2025/12/08/trump-directs-agencies-to-investigate-anticompetitive-practices-in-food/>.

<sup>19</sup> The Guardian, "US antitrust chief Gail Slater ousted from Trump justice department," Hugo Lowell, February 12, 2026, <https://www.theguardian.com/us-news/2026/feb/12/us-antitrust-gail-slater-ousted-trump-administration>.

<sup>20</sup> Retail Brew, "New FTC chair shuts down public comment on retailers' surveillance pricing," Erin Cabrey, January 24, 2025, <https://www.retailbrew.com/stories/2025/01/24/new-ftc-chair-shuts-down-public-comment-on-retailers-surveillance-pricing>.

<sup>21</sup> U.S. Federal Trade Commission, "FTC Surveillance Pricing Study Indicates Wide Range of Personal Data Used to Set Individualized Consumer Prices," press release, January 17, 2025, <https://www.ftc.gov/news-events/news/press-releases/2025/01/ftc-surveillance-pricing-study-indicates-wide-range-personal-data-used-set-individualized-consumer>.

<sup>22</sup> American Economic Liberties Project, "USDA Takes Heat off Big Ag by Ending Antitrust Collab with States," press release, September 25, 2025, <https://www.economicliberties.us/press-release/usda-takes-heat-off-big-ag-by-ending-antitrust-collab-with-states/>.

<sup>23</sup> U.S. Federal Trade Commission, "Kroger Company/Albertsons Companies, Inc., In the Matter of," last updated January 2, 2025, <https://www.ftc.gov/legal-library/browse/cases-proceedings/kroger-companyalbertsons-companies-inc-matter>.

<sup>24</sup> U.S. Federal Trade Commission, "Sysco, USF Holding Corp., and US Foods, Inc.," last updated June 29, 2015, <https://www.ftc.gov/legal-library/browse/cases-proceedings/sysco-usf-holding-corp-us-foods-inc>.

4. The FTC should pursue rulemaking and enforcement action to tackle exclusionary contracting practices by dominant firms, such as slotting fees, category captain arrangements, and volume-based rebates.
5. The FTC should reopen its investigation into surveillance pricing and pursue rulemaking and enforcement actions to address exploitative surveillance and dynamic pricing practices.

We ask that, no later than April 27, 2026, you provide us with a response indicating whether you will be taking any of the actions listed above and your timeframe for doing so, and that you provide a summary of any other efforts or initiatives by DOJ and FTC aimed at breaking up big agricultural monopolies and reducing Americans' food prices.

Sincerely,



Elizabeth Warren  
United States Senator



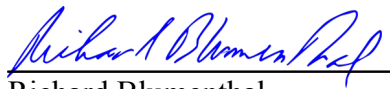
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