



## FEDERAL TRADE COMMISSION PROTECTING AMERICA'S CONSUMERS

# Alimentation Couche-Tard Inc. and CrossAmerica Partners LP Agree to Pay \$3.5 Million Civil Penalty to Settle FTC Allegations that they Violated 2018 Order

July 6, 2020

## ACT and CAPL failed to divest 10 retail gas stations as required by FTC order

FOR RELEASE

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Retail fuel station and convenience store operator Alimentation Couche-Tard Inc. (“ACT”) and its former affiliate, CrossAmerica Partners LP (“CAPL”), have agreed to pay a \$3.5 million civil penalty to the FTC to settle allegations that they violated a 2018 order requiring divestitures of 10 retail fuel stations in Minnesota and Wisconsin to Commission-approved buyers no later than June 15, 2018.

The 2018 order settled FTC charges that ACT’s and CAPL’s acquisition from Holiday Companies of approximately 380 retail fuel stations with attached convenience stores in 10 states was anticompetitive because it would have increased the risk of both unilateral and coordinated anticompetitive effects in 10 local retail fuel markets.

The FTC alleges that ACT and CAPL violated the 2018 order by:

- failing to divest to one or more Commission-approved buyers by June 15, 2018, retail fuel stations in the Minnesota divestiture markets of Aitkin, Hibbing, Minnetonka, Mora, St. Paul, and St. Peter; and the Wisconsin divestiture markets of Hayward, Siren, and Spooner;
- failing to maintain the viability, marketability, and competitiveness of the Hibbing retail fuel station, and failing to divest the retail fuel station as an on-going business;
- failing to provide accurate and detailed information in compliance reports submitted in March, April, and May of 2018 about their efforts to divest; and
- failing to provide, in compliance reports from June 18, 2018, through at least June 19, 2019, a full description of efforts to comply with the 2018 order to maintain assets with regard to the Hibbing retail fuel station.

The Commission votes to authorize the staff to file the civil penalty complaint and to approve the proposed judgment, and to issue a Commission Statement were both 5-0. The FTC filed the complaint and proposed judgment in U.S. District Court for the District of Columbia.

**NOTE:** The Commission authorizes the filing of a complaint when it has “reason to believe” that the named defendants are violating or are about to violate the law and it appears to the Commission that a proceeding is in the public interest. Judgments have the force of law when approved and signed by the District Court judge.

The Federal Trade Commission works to [promote competition](#), and protect and educate consumers. You can learn more about [how competition benefits consumers](#) or [file an antitrust complaint](#). Like the FTC on [Facebook](#), follow us on [Twitter](#), read our [blogs](#), and [subscribe to press releases](#) for the latest FTC news and resources.

**PRESS RELEASE REFERENCE:**

[FTC Requires Retail Fuel Station and Convenience Store Operator Alimentation Couche-Tard Inc. and its affiliate CrossAmerica Partners LP to Divest 10 Fuel Stations in Minnesota and Wisconsin as a Condition of Acquiring Holiday Companies](#)

## Contact Information

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