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FTC Inadvertently Reveals Whole Foods' Plans

ASSOCIATED PRESS
 August 15, 2007; Page B8

Federal regulators filed court documents outlining concerns that stores in competitive markets would close and consumers would face higher prices if [Whole Foods Market Inc.](#)'s \$565 million purchase of Wild Oats Markets Inc. is completed.

The Federal Trade Commission documents claimed that Whole Foods plans to close 30 or more Wild Oats stores, a move that the company believes would nearly double revenue for some Whole Foods stores.

Regulators are trying to block the deal on antitrust grounds, arguing that it would mean higher prices for organic and natural food. A judge is considering whether to temporarily block the deal.

Many of the details in the documents, which FTC lawyers filed electronically, weren't meant to be released publicly, but words intended to be redacted were actually just electronically shaded black. The words could be searched, copied, pasted and read in versions downloaded from court computer servers.

Court officials realized the mistake and replaced the filing with a version using scanned pages of the redacted documents. The Associated Press downloaded the document from the public server before it was replaced by a properly redacted version.

In a statement late yesterday, Whole Foods said it was investigating the "apparent improper release by the Federal Trade Commission of confidential proprietary business information."

"All information shared with the FTC was done so with the reasonable understanding that it would be handled appropriately," the statement said.

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Dow Jones, Reuters

Whole Foods Market Inc. (WFMI)	
PRICE	41.17
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	8/16

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FTC spokesman Mitchell Katz declined to comment on the matter.

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