



U. S. Department of Justice

Antitrust Division

FRITO-LAY/EAGLE

60-2096-0002

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HALE

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GILLESPIE

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CASE

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mek

325 7th Street, N.W., Suite 500

Washington, DC 20530

February 4, 1998



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Dear [redacted]

Thank you for your letter of October 21, 1997, and your follow-up letter dated January 19, 1998. I apologize for the delay in responding to your concerns about Frito-Lay's efforts to dominate shelf space in your area. This matter is currently under investigation by the Washington, D.C. office of the Antitrust Division of Justice Department, and it took a bit of time for your letter to the San Francisco field office to find me. Because we have an open investigation, I cannot comment specifically on our views on Frito's conduct and how it affects competition. I can tell you, however, that you are not alone in your concerns about Frito's purchase of shelf space and the resulting lack of choice. Others, including Frito's competitors, have brought such concerns about other areas of the country to our attention and we are assessing them. We very much appreciate the useful information you have provided about [redacted]. Thank you for your interest in the work of the Antitrust Division.

Sincerely yours,

Nina Hale
Trial Attorney