



July 28, 2025

The Honorable Cory Booker  
Ranking Member, Subcommittee on Antitrust  
United States Senate  
306 Hart Senate Office Building  
Washington, DC 20510

The Honorable Maxine Waters  
United States House of Representatives  
2221 Rayburn House Office Building  
Washington, DC 20515

**Re: Small business coalition support for the *Fair Competition for Small Business Act***

Dear Ranking Member Booker and Representative Waters,

As representatives of independently-owned, small businesses from a range of Main Street industries across the nation, the undersigned associations write in support of the bicameral *Fair Competition for Small Business Act*—which will strengthen enforcement of unfair corporate pricing practices that are driving small businesses out of local communities. Small Business Rising is a coalition of more than 40 small business groups and provides a united voice for more than 300,000 independent businesses on issues of fair competition and monopoly harms. Under-enforcement of existing antitrust laws, specifically the Robinson-Patman Act (RPA), has significantly harmed small businesses while enabling larger corporations to consolidate power. Decades of non-enforcement allowed dominant retailers and wholesalers to extract discriminatory concessions from suppliers, creating a tilted playing field that independent businesses cannot overcome.

Our coalition has [long advocated](#) for federal enforcers at the Federal Trade Commission (FTC) and Department of Justice (DOJ) to take on the rampant price discrimination in our economy. We applauded the Commission's RPA complaints against [PepsiCo](#). and [Southern Glazer's](#) — a critical step toward reviving enforcement of this vital law. The recent dismissal of the FTC's complaint against PepsiCo. is a significant setback to federal enforcers' commitment to fair markets for our nation's independent grocers, retailers, restaurants, pharmacies, farmers, and all Main Street businesses.

For this reason, we urge Congress to take action and are encouraged by the introduction of the *Fair Competition for Small Business Act*. This important bill would provide state-level antitrust enforcers

greater tools to address predatory pricing practices by enabling state attorneys general to seek damages under the RPA. This is a significant improvement from current law, which limits AGs to injunctive relief in RPA enforcement actions. By better resourcing our states to address price discrimination, we expand our nation's ability to fulfill the RPA mandate set by Congress to ensure fair markets, rather than relying solely on the federal antitrust agencies. The bill is a simple and effective remedy to foster fair competition and enforce existing antitrust law.

In a recent congressional briefing hosted by Small Business Rising partners, including the National Grocers Association (NGA) and the Institute for Local Self-Reliance (ILSR), Michael Gay testified to his experience operating his family-owned, independent grocery store, Food Fresh, in rural Evans County, Georgia: "We provide jobs, support local initiatives, and serve diverse customer needs in our communities," Gay explained. "But we can't compete when we're paying more for products at wholesale than our customers can buy them for at big box stores." Mr. Gay's experience as an independent business owner is commonplace across industries.

We have small businesses of many stripes suffering from price discrimination from suppliers for the same truckload of goods because the biggest retailers are using their market power to bully suppliers. We need enforcement of the RPA to right these wrongs. The *Fair Competition for Small Business Act* is an important step and we urge Congress to pass the bill this legislative session.

Signed,

American Booksellers Association

American Independent Business Alliance

Astra (American Specialty Toy Retailing Association)

Cambridge Local First (MA)

Independent Restaurant Coalition

Independent Shopkeepers Association (OK)

Institute for Local Self-Reliance

Local Business Institute

Local First Arizona

Local Return (RI)

Louisville Independent Business Alliance (KY)

Lowcountry Local First (SC)

National Bicycle Dealers Association  
National Community Pharmacists Association  
National Grocers Association  
National Hardware and Paint Association  
National Sporting Goods Association  
North American Marine Alliance  
Provender Alliance  
Slow Flowers Society  
Small Business Majority  
StayLocal, an initiative of Urban Conservancy (LA)  
Workplace Solutions Association



Dear Members of Congress:

On behalf of thousands of Main Street businesses and agricultural producers across the United States, the Main Street Competition Coalition (MSCC) writes in strong support of the *Fair Competition for Small Business Act* (S. \_\_\_\_), sponsored by Senator Cory Booker (D-NJ). This important legislation would allow State Attorneys General to seek damages under the Robinson-Patman Act (RPA)—a significant improvement from current law, which limits AGs to injunctive relief or damages in their capacity as private parties in RPA enforcement actions.

The Main Street Competition Coalition is a national coalition of main street businesses and agriculture producers committed to increasing competition in retail and wholesale markets and giving consumers real choice. Price discrimination, channel discrimination, and exclusionary conduct that dominant firms use to limit competition are illegal under existing laws like the Robinson-Patman Act. Unfortunately, decades of inaction by antitrust enforcers have allowed a handful of companies to amass incredible power and influence at the expense of the businesses and farmers we represent, and ultimately, consumers. As a result, our members are increasingly subject to discriminatory terms and conditions, including less favorable price and price terms, less favorable retail packaging, and sometimes an inability to access products in short supply that are available to their competitors. Farmers and ranchers also suffer from economic discrimination as dominant firms make unreasonable producer demands that drive down the prices paid to farmers and ranchers to anticompetitive lows. But consumers do not see the advantages of those low acquisition costs because price discrimination among retailers reduces price competition in the retail marketplace. The anticompetitive effects of economic discrimination ripples through the entire supply chain – harming producers, suppliers, wholesalers, retailers, and consumers.

MSCC supports recent efforts by the Federal Trade Commission to reinvigorate enforcement of the Robinson-Patman Act after more than two decades of inaction. However, additional action is needed from all enforcement authorities, particularly State Attorneys General (AGs). While State AGs already possess the authority to enforce the RPA, granting them the ability to seek damages would meaningfully strengthen that enforcement.

First, economic discrimination is so widespread that Main Street businesses require far more robust enforcement than the FTC alone can provide—especially given the agency’s chronic underfunding and historic reluctance to use RPA. Second, enabling AGs to pursue damages would make RPA enforcement more feasible, as litigation is often prohibitively expensive for state enforcers. Finally, this reform would strengthen the deterrent effect of the law by exposing violators to the risk of treble damages.

We urge Congress to support the *Fair Competition for Small Business Act* and take meaningful steps to strengthen America’s antitrust laws. All American businesses deserve a level playing field—free from marketplace abuses, coercion, and economic discrimination.

Thank you for your continued support of Main Street.

Sincerely,

Main Street Competition Coalition

**Members of the Main Street Competition Coalition:**

American Beverage Licensees  
American Main Street Products  
Asian American Hotel Owners Association  
Energy Marketers of America  
Farm Action  
Florida Independent Spirits Association  
Independent Restaurant Coalition  
Indiana Food and Fuel Association  
Midwest Independent Retailers Association  
Minnesota Grocers Association  
Missouri Grocers Association  
National Association of Truckstop Operators  
National Community Pharmacists Association  
National Grocers Association  
National Supermarket Association  
Nebraska Grocery Industry Association  
North Dakota Grocers Association  
Oklahoma Grocers Association  
Organic Farmers Association  
Petroleum and Convenience Marketers of Alabama  
Protect Our Restaurants  
R-CALF USA  
Retail Grocers Association of Greater Kansas City  
Rocky Mountain Food Industry Association  
Small Business Majority  
Texas Food and Fuel Association  
US Cattlemen Association  
Washington Food Industry Association  
Western Growers Association  
Wisconsin Grocers Association