

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Lina M. Khan, Chair  
Noah Joshua Phillips  
Rebecca Kelly Slaughter  
Christine S. Wilson

FTC Matter No. P162318

ORDER TO FILE A SPECIAL REPORT

3 X U V X R D Q U H W R O X W K L H ) H G H U D L O V L P D O H & B P W K H & R P P L V V I  
dated November 24, 2021, entitled "Supply Chain Disruptions in Consumer Goods Retail Markets"  
W K H & R P S H W L W L Y H , P S D F W R I 6 X S S \* O R & K V D L a C o p y o f W K H & R P S W L R Q V  
enclosed, > F R P S D Q \ W K P H 3 @ H i s t o r y o f S e r v i c e t o W e' with the Commission, no later  
than 45 days after date of service, a Special Report containing the information and Documents  
specified herein.

The Commission is seeking information concerning the source supply chain  
disruptions and the impact of such disruptions on competition in consumer goods retail  
markets. The Special Report will assist the Commission in conducting a study of these supply  
chain issues.

The Special Report is required to be subscribed and sworn by an official of the Recipient  
who has prepared or supervised the preparation of the report from books, records,  
correspondence, and other data and material in your possession. Your written report  
restate each item of this Order with which the corresponding answers identified. If any question  
cannot be answered fully, give the information that is available and explain in what respects and  
why the answer is incomplete. The Special Report and all accompanying documentary responses  
must be Bates-stamped. You should provide information relating to separately incorporated subsidiary  
Recipient already has possession, custody, or control of information. No later than 14 days  
from the date of service, the Recipient should contact Commission staff and indicate whether all  
of the information required to respond to this Order is W K H 5 H F L S L H Q W ¶ V

possession, custody, or  
control. If certain information is not in W K H 5 H F L S L H Q W ¶ V possession, custody, or control, no later  
than 14 days from the date of service, the Recipient also must (1) Identify, both orally and in  
writing, each question or sub-question that the Recipient is not able to fully answer because  
information is not in W K H 5 H F L S L H Q W ¶ V possession, custody, or control, and (2) for each, provide the  
full names and addresses of all entities and individuals who have possession, custody, control  
of such missing information.

Confidential or privileged commercial or financial information will be reported by the Commission on an aggregate or anonymous basis, consistent with Sections 6(f) and 21(d) of the FTC Act. Individual submissions responsive to this Order ~~Do~~ <sup>3</sup> FR Q I L G H Q W L be disclosed without first giving the recipient

2. Produce all documents prepared by or submitted to

- a. the identity of your logistics service provider;
  - b. a description of the services provided to you; and
  - c. how your use of such services has been affected by supply chain disruptions.
10. Produce all reports, analyses, and studies provided to you by any third party logistics provider.
  11. Describe your supply chain procurement, and distribution strategy prior to the COVID 19 pandemic, including with respect to the elements of the supply chain identified in Specification 1(b). Explain why you chose that strategy and the efficiencies and risks associated with the decision.
  12. Describe how you have altered or plan over the next five years to alter your supply chain, procurement, and distribution strategy including with respect to the elements of the supply chain identified in Specification 1(b). Explain why you made plan to make those changes and the efficiencies and risks associated with those decisions

### Definitions

D8. 7KH WHUP ~~³VSSOXFWDRQ´~~ UHIHUV WR DQ\ GHOD\ GHOD\ associated with the delivery of products you have ordered from a supplier or shipped to a customer.

D9. 7KH WHUP ~~³VWRUH´~~ UHIHUV ~~WR DQ\ GHOD\ GHOD\~~ associated with the delivery of products you have ordered from a supplier or shipped to a customer.

this Order to confer regarding our response Upon request, an extension of no more than

Metadata/Document Information	Description
Beg Attach	First Bates number of attachment range.
End Attach	Ending Bates number of attachment range.
Custodian	Name of the person from whom the email was obtained.

Email BCC

- iii. Submit email attachments other than those described in subpart (a)(i) in TIFF (Group IV) format. For all email attachments, provide extracted text and the following metadata and information as applicable:

Metadata/Document Information	Description
Alternative Custodian	List of custodians where the document has been removed as a duplicate.
Bates Begin	Beginning Bates number of the document.
Bates End	Last Bates number of the document.
Beg Attach	First Batesnumber of attachment range.
End Attach	Ending Bates number of attachment range.
Custodian	Name of person from whom the file was obtained.
Date Created	Date the file was created [MM/DD/YYYY]
Date Modified	Date the file was last changed and saved. [MM/DD/YYYY]
Page count	Number of pages in record.
File size	Size of document in KB.
File Extension	File extension type (e.g., docx, xlsx).
Filename with extension	Name of the original native file with file extension.
Hash	Identifying value used for deduplication typically SHA1 or MD5.
Native Link	Relative file path to submitted native or near native files. Example:\NATIVES\001\FTC0003090.xls
Parent ID	Document ID or beginning Bates number of the parent email.



Metadata/Document

Metadata/Document Information	Description
Originating Path	File path of the file as it resided in its original environment.
Production Link	Relative path to submitted native or near native files. Example:\NATIVES\001\FTC0003090.xls
Text Link	Relative path to submitted text file. Example:\TEXT\001\FTC-0003090.txt
Time Created	Time file was created [HH:MM:SS AM/PM]
Time Modified	Time file was saved [HH:MM:SS AM/PM]

- i. For productions over 10 gigabytes, use hard disk drives, formatted in Microsoft Windows compatible, uncompressed data in USB 2.0 or 3.0 external enclosure.
    - ii. For productions under 10 gigabytes, ~~CD~~ CD-ROM (CD-R, CD-RW) optical disks and DVD-ROM (DVD+R, DVD+RW) optical disks for Windows compatible personal computers, and USB 2.0 Flash Drives are acceptable storage formats.
    - iii. All documents produced in electronic format shall be scanned for and free of viruses prior to submission. The Commission will return any infected media for replacement, which may affect the timing of your compliance with this Order.
    - iv. Encryption of productions using NIST FIPS compliant cryptographic hardware or software modules, with passwords sent under separate cover, is strongly encouraged.
  - d. Each production shall be submitted with a transmittal letter that includes the FTC matter number; production volume name; encryption method/software used; list of custodians and document identification number range for each; total number of documents; and a list of load file fields in the order in which they are organized in the load file.
6. Before using software or technology including search terms, predictive coding, de duplication, email threading or similar technologies to identify or eliminate documents, data, or information potentially responsive to this Order you must submit a written description of such software or technology and any related processes and workflows in addition:
- a. if you use Technology Assisted Review to identify documents and information responsive to this Order or to exclude documents and information from further review describe your collection and review methodology, including: (a) how any software is used to identify responsive documents or exclude nonresponsive documents; (b) the process to identify and validate any seed set documents, if applicable; (c) the process to determine and validate accuracy of the automatic determinations of responsiveness and nonresponsiveness; and (d) the collection and review process for foreign language documents, whether reviewed manually or by some technology assisted method
  - b. if you use search terms to identify documents and information responsive to this Order or to exclude documents and information from further review for each custodian, search location, or document population provide (a) a list of proposed terms; (b) a tally of all the terms that appear in the collection and the number of documents containing each term; (c) a list of stop words and operators for the platform being used; and (d) a glossary of industry and company acronyms and terminology



- b. The full title (if the withheld material is a document) and the full file name (if the withheld material is in electronic form);
- c. A description of the material withheld (for example, a letter, memorandum, or email), including any attachments;
- d. The date the material was created;
- e. The date the material was sent to each recipient (if different from the date the

