

Executive Director
Waitrose Limited

From: Adam Land
*Senior Director – Remedies
Business and Financial Analysis*

2 September 2022

Seven breaches of the Groceries Market Investigation (Controlled Land) Order 2010 (the Order)

I am writing to express the CMA's concern that Waitrose has breached one of the two Orders put in place following the Groceries Market Investigation.

As part of our monitoring and enforcement of the Order, in February 2020 following breaches of the Order by Tesco, the CMA wrote to all retailers within the scope of the Order to ask them to assess their own compliance with the Order and report to the CMA. The results of this work have identified seven breaches of the Order by Waitrose since the Order came into force (five of which are no longer ongoing, and two that remain ongoing).

As you know, the Order was put in place in 2010 to stop Large Grocery Retailers benefitting from long exclusivity arrangements and restrictive covenants. It is therefore a source of concern to the CMA to have found that Waitrose has breached the Order on these seven occasions since it came into force.

I recognise that Waitrose has cooperated with the CMA in taking forward its analysis and is taking remedial action to address the breaches identified. However, in my view, these breaches demonstrate significant shortcomings in compliance for a company of Waitrose's size and standing.

This letter has been published on the CMA website, which contains further details on these seven breaches and the improvements Waitrose has agreed to take to prevent future breaches.

Yours sincerely

Adam Land
Senior Director – Remedies, Business and Financial Analysis