



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Office of the Secretary

November 12, 2010

Susan Katherine Lapp  
State of New Jersey

Re: In the Matter of Rite Aid Corporation, File No. 072-3121, Docket No. C-4309

Dear Ms. Lapp:

Thank you for your letter commenting on the Federal Trade Commission's consent agreement in the above-captioned proceeding. Your letter was placed on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and was given serious consideration by the Commission.

Your comment asked whether your personal information was found in an unsecured dumpster used by Rite Aid Corporation ("Rite Aid"). Consumers whose information was found in the dumpsters are not reasonably identifiable, because most of the documents have been destroyed and the Commission did not have access to all of the documents in the first place. Thus, we do not currently have information that would enable us to identify the affected consumers. You may wish to contact the company directly to request a listing of those pharmacies in which personal information was disposed of inappropriately.

In any event, the Commission believes that the proposed order will ensure that Rite Aid uses reasonable and appropriate procedures to protect its customers' and employees' personal information going forward. Among other things, the proposed consent order requires Rite Aid to implement and maintain a comprehensive information security program reasonably designed to protect the security, confidentiality, and integrity of personal information and obtain independent assessments of the program's effectiveness every other year for 20 years. Further, the Commission will monitor Rite Aid's compliance with the order, and, if the company is found in violation, it could be subject to civil monetary penalties of up to \$16,000 per violation.

In the future, if you have any specific information suggesting that Rite Aid is not maintaining reasonable security of customer or employee information, you may contact the Consumer Response Center at (877) 382-4357, or file a complaint online at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

Your letter suggests you may be concerned that you could become a victim of identity theft as a result of Rite Aid's practices. The best way to detect identity theft is to monitor your financial accounts and bank statements each month, and to check your credit report on a regular basis. In addition, the law requires each of the major nationwide consumer reporting agencies to

provide you with a free copy of your credit report at your request, once every 12 months.<sup>1</sup> If an identity thief is opening new credit accounts in your name, they are likely to show up on your credit report. Please visit our website to obtain additional information on how to deter, detect, and defend against identity theft. See <http://www.ftc.gov/bcp/edu/microsites/idtheft/>.

After considering your comment, the Commission has determined that the public interest would best be served by accepting the consent order. Thank you again for your letter.

By direction of the Commission.

Donald S. Clark  
Secretary

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<sup>1</sup> To order your free annual credit report from one or all of the national consumer reporting companies, visit [www.annualcreditreport.com](http://www.annualcreditreport.com), call toll-free 877-322-8228, or complete the Annual Credit Report Request Form and mail it to: Annual Credit Request Form Service, P.O. Box 105281, Atlanta, GA, 30348-5281.