

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Lina M. Khan, Chair**
 Rebecca Kelly Slaughter
 Alvaro M. Bedoya

In the Matter of

RITE AID CORPORATION,
a corporation.

DOCKET NO. C-4308

DECISION

The Federal Trade Commission (“Commission”) issued a Decision and Order against Rite Aid Corporation in Docket C-4308 on November 12, 2010 (“2010 Order”).¹ On December 19, 2023, the Commission filed a complaint (“2023 Complaint”) in federal district court alleging that Rite Aid Corporation and Rite Aid Hdqtrs. Corp. (collectively, “Rite Aid”) engaged in unfair practices in violation of the FTC Act by using facial recognition technology in their retail stores without taking reasonable steps to address the risks that their deployment of such technology was likely to result in harm to consumers and by violating the 2010 Order by failing to implement or maintain a comprehensive information security program.

On February 26, 2024, Judge Kelley B. Hodge in the District for the Eastern District of Pennsylvania entered a Stipulated Order for Permanent Injunction and Other Relief (“Stipulated Order”) resolving the 2023 Complaint. In Section II of the Stipulated Order, Rite Aid consented to: (1) reopening the 2010 proceeding in FTC Docket No. C-4308; (2) waiving its rights under the show cause procedures set forth in Section 3.72(b) of the Commission’s Rules of Practice, 16 C.F.R. § 3.72(b); and (3) modifying the 2010 Order with the new Decision and Order set forth below.

In view of the foregoing, the Commission has determined that it is in the public interest to reopen the proceeding in Docket No. C-4308 pursuant to Commission Rule 3.72(b), 16 C.F.R. § 3.72(b), and to issue a new order as set forth below. Accordingly,

IT IS ORDERED that this matter be, and it hereby is, reopened; and

¹ *In the Matter of Rite Aid Corporation*, C-4308, 2010 FTC LEXIS 87 (F.T.C. Nov. 12, 2010)

IT IS FURTHER ORDERED that, Rite Aid having consented to modifying the 2010 Order as set forth below, the Commission hereby modifies the 2010 Order with the attached Decision and Order.

By the Commission.

April J. Tabor
Secretary

SEAL:

ISSUED: March 5, 2024