



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

Office of the Secretary

May 19, 2003

Diana Dietrich, Esq.  
Baker Botts  
1299 Pennsylvania Ave., N.W.  
Washington, D.C. 20004

Re: *Save Mart Supermarkets, FTC File 031-0017*

Dear Ms. Dietrich:

The Federal Trade Commission's Western Region Office has been conducting a nonpublic investigation to determine whether the acquisition of six Food 4 Less supermarkets in California by Robert M. Piccinini, the ultimate parent entity of Save Mart Supermarkets, from Richmar Foods Inc., a wholly owned subsidiary of Fleming Companies Inc., may violate Section 7 of the Clayton Act or Section 5 of the Federal Trade Commission Act.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

By direction of the Commission.

Donald S. Clark  
Secretary