



The Online Shopping Paradox: *Congress Targets Amazon with Stricter Antitrust Laws, But What Do Consumers Think?*

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June 2, 2022



The American Consumer Institute
Center for Citizen Research

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Summary

As Congress and federal regulators consider several harsh antitrust laws to rein in a few large technology companies, a number of reports have questioned what the impact would be on consumers. Reports have suggested some legislative proposals would put an end to some online tech services, such as Amazon Prime, a popular subscription service that includes online shopping with free 2-day delivery, free video and music, and other bundled services.¹ Absent from this debate, however, is the attitude of those who would be most affected by such proposals – consumers. This report summarizes the results of a survey of consumer attitudes related to online shopping and the use of Amazon Prime services.

Overall, the survey results show that online customers have a very high level of satisfaction with Amazon services, citing lower prices, ease of use, free delivery, wide selection of products, return policy, customer service, and trustworthiness. In addition, while 22% strongly agreed that Amazon was too big, only 14% strongly favored breaking up Amazon and just 13% strongly supported legislation that might eliminate Prime services. In fact, 67% opposed such reform of antitrust legislation, including 47% of respondents strongly opposing it. These results were similar across party lines.

The major takeaway from the survey is that while consumers recognize Amazon to be large, they are highly satisfied with Prime service and do not want to lose its benefits as a result of misguided legislative actions. Because respondents generally believe that shopping with

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¹ Nihal Krishan, "Antitrust Bill Would Destroy Amazon Prime, Critics say," *Washington Examiner*, January 14, 2022, <https://www.washingtonexaminer.com/news/antitrust-bill-would-destroy-amazon-prime-critics-say>; Danielle Letenyei, "Is Amazon Prime Coming to an End?" *Market Realist*, April 11, 2022, <https://marketrealist.com/p/grassley-amazon-bill-explained/>; and Adam Kovacevich, "A Closer Look: How Senator Klobuchar's Bill Would Ban Amazon Prime," *Medium*, November 2, 2021, <https://medium.com/chamber-of-progress/a-closer-look-how-senator-klobuchars-bill-would-ban-amazon-prime-aa57dd5d22c0>.

Amazon Prime saves money, without these services, if consumer prices were to rise, this would add to the inflationary spiral currently underway.

With that in mind, Congress should re-evaluate its consideration of proposals to revamp the nation's antitrust laws or, at a minimum, consider the adverse consequences on the public. As elections approach, Congress should pay careful attention to issues that consumers and voters care about, and not destroy the competitive online marketplace that offers consumers more options often at lower prices.

Political Rhetoric: Is Big Tech Bad?

With increasing attention on large U.S. technology companies, legislative and regulatory “techlash” appears to be growing. Recently, the President issued an executive order, some Democrats and Republican lawmakers have endorsed legislative proposals, and the Department of Justice (DOJ) and the Federal Trade Commission (FTC) are considering revising regulations – all with the focus of revising antitrust laws to reign in big U.S. technology companies.² Various proposals have dealt with making mergers more costly and difficult, breaking up large corporations, or changing enforcement guidelines -- even blocking industry actions and business practices that benefit consumers.³

Introduced by Senator Klobuchar, one “big tech-focused” legislative proposal would significantly change antitrust laws, including ending the well-established “consumer welfare standard” that focuses enforcement actions on instances where consumers are harmed.⁴ In addition, the Senator’s proposal arbitrarily focuses on only five firms – Apple, Microsoft, Amazon, Google (Alphabet) and Facebook (Meta), while their competitors are not considered under the proposed legislation. For example, China’s TikTok is not considered in the legislation,

² “Fact Sheet: Executive Order on Promoting Competition in the American Economy,” White House statement and press release, July 9, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/09/fact-sheet-executive-order-on-promoting-competition-in-the-american-economy/>, John D. McKinnon, “Lawmakers Want Biden to Play a Bigger Role Pushing Tech Legislation,” *Wall Street Journal*, December 26, 2021, https://www.wsj.com/articles/lawmakers-want-biden-to-play-bigger-role-pushing-tech-legislation-11640514605?mod=tech_lead_pos3; Jessica Chasmar, “Rand Paul Quits YouTube Citing Censorship,” *Fox Business News*, January 3, 2022, <https://www.foxbusiness.com/politics/rand-paul-quits-youtube-censorship>; “Justice Department Issues Statement on the Vertical Merger Guidelines,” Department of Justice, <https://www.justice.gov/opa/pr/justice-department-issues-statement-vertical-merger-guidelines>; and Jonathan M. Barnett, “FTC Strays from Fact-Based Enforcement and Rule of Law,” *The Hill*, November 16, 2021, <https://thehill.com/opinion/finance/581768-FTC-strays-from-fact-based-enforcement-and-rule-of-law/>.

³ Jennifer Huddleston, “Is the FTC’s Antitrust Enforcement Still Focused on Consumers?” *The Technology Liberation Front*, July 12, 2021, <https://techliberation.com/2021/07/12/is-the-ftcs-antitrust-enforcement-still-focused-on-consumers/>.

⁴ “Senator Klobuchar Introduces Sweeping Bill to Promote Competition and Improve Antitrust Enforcement,” Senator’s news release, February 4, 2021, <https://www.klobuchar.senate.gov/public/index.cfm/2021/2/senator-klobuchar-introduces-sweeping-bill-to-promote-competition-and-improve-antitrust-enforcement>.

but has more traffic than either Google or Facebook.⁵ Similarly, Amazon is targeted, even though it is smaller than the retail giant Walmart.

As regulators and legislators prepare to take down big tech, what is the potential impact on the economy? The five companies in question contribute directly and indirectly to thirteen million jobs and add \$3.7 trillion to global economic output, according to the American Consumer Institute. By targeting the technology sector, these efforts to impose onerous regulations and limit growth could be very costly to the economy.⁶ In fact, a study by NERA Economic Consulting estimated that proposals in Congress aimed at breaking up the five largest tech companies would lead to a \$300 billion total welfare loss.⁷ Clearly, congressional efforts focused on these five companies would be very costly to society.

If the new rules take effect, they will significantly alter the business models of these companies and reduce consumer welfare. The legislative provisions would end the ability of Amazon to offer its own private labels, just as Walmart, Costco, and other stores do.⁸ The use of private labels is pervasive in our economy and present across many markets, such as grocery stores, other retail goods, and generic prescription drugs, as well as bundled services, such as car dealerships offering their own financing options.

In addition, under the proposed rules, Amazon might be viewed as discriminating against certain vendors if it gives better page placement to other vendors with lower prices and higher customer rankings, which may subject consumers to more costly products. Other provisions may require Amazon to share consumer data with vendors. For instance, these provisions would require Amazon to give consumer credit card and contact information to third-parties without any privacy protections, including to Chinese vendors.

Provisions in the bill may also deem Amazon's 2-day free fulfillment process as discriminatory. This is because Amazon delivers its own products with service guarantees, as well as the products of qualified vendors, provided these vendors meet strict standards and conditions for 2-day delivery. Those vendors not meeting these standards are responsible for

⁵ Rebecca Cohen and Lindsay Dodgson, "TikTok got more traffic than Google in 2021, showing the app's meteoric rise" *Inside Sources*, December 22, 2021, <https://www.businessinsider.com/tiktok-got-more-traffic-than-google-in-2021-ranking-2021-12>, and Joseph Pisani, "TikTok was the Internet's most Visited Site in 2021, Even Beating Google," *Wall Street Journal*, December 22, 2021, <https://www.wsj.com/articles/tiktok-was-the-internets-most-visited-site-in-2021-even-beating-google-11640204147>.

⁶ Kristina Pusok and Edward Longe, "The Perils of Restructuring the Tech Landscape," American Consumer Institute, February 2022, <https://www.theamericanconsumer.org/wp-content/uploads/2022/02/Final-Tech-Landscape-Briefing.pdf>.

⁷ Christian M. Dippon and Matthew D. Hoelle, "The Economic Costs of Structural Separation, Line of Business Restrictions, and Common Carrier Regulations of Online Platforms and Marketplaces," NERA Economic Consulting, Washington, DC, https://www.nera.com/content/dam/nera/publications/2021/Platform_Regulation_Conceptual_10_20_21.pdf.

⁸ This can be found in Section 3(a)(6) of the Klobuchar bill, which states that it is illegal for a covered platform to use private data to create a product or service that "would compete with products or services offered by business users on the covered platform." See <https://www.congress.gov/bill/117th-congress/senate-bill/2992/text>.

shipping their own products. If Amazon's fulfillment process is deemed discriminatory, then Amazon cannot guarantee 2-day delivery for itself or qualified vendors. Proposals, such as these, would be the end of Amazon Prime services as we know it today.

If the proposed regulations lead to the downfall of Amazon Prime, what would the impact on consumers be? Would customers be fine with reducing the size and influence of these large companies, if it meant losing some of these services and their benefits? To consider these questions, the American Consumer Institute commissioned a survey to gauge consumer attitudes related to online shopping and their use of Amazon's products, as well as opinions on legislative proposals to restrain its online presence.

Methodology

In conjunction with Strategic Opinion Research, the American Consumer Institute conducted an online survey of U.S. adults, aged 18 and over, to assess attitudes toward online shopping with an emphasis on Amazon Prime and recent regulatory proposals aimed at restricting business practices. Collected through an opt-in panel, a random sample of 5,000 individuals, pulled from five regions across the United States, were invited to take this survey.

The online survey went live on March 30th and closed on April 4th after 1,012 survey completions. Provisions were put in place using a quality control program to ensure that respondents took ample time and attention when responding to the survey questions. The respondents' average completion time was four minutes.

The survey captured a diverse demographic and geographic cross-section of the country. In terms of political leanings, 38% of respondents identified with the Democratic Party, 29% with the Republican Party and 23% as independents. The survey questions, demographic characteristics, and results for each question can be found in the Appendix in the back of this report.

Prevalence of Online Shopping

Of the 939 survey respondents who reported shopping online last year, Amazon was the most frequently cited, accounting for 88% of respondents, followed by Walmart at 66% and Target at 43%, as Table 1 (below) outlines. While Amazon was most popular, because the average respondent reported five different online services (on average), Amazon represented less than 20% (842 of 4,257) of the total locations identified in the survey. The fact that consumers use multiple online platforms and marketplaces suggests that there is competition and Amazon, while large, is far from dominant.

Figure 1: Which Online Services Has Your Household Used in the Last Year?
(Check All That Apply)

	Percent	Number
Amazon (Y/N)	88%	842
Walmart (Y/N)	66%	634
Target (Y/N)	43%	412
Facebook (Y/N)	35%	335
eBay (Y/N)	35%	329
Apple (Y/N)	28%	268
Best Buy (Y/N)	28%	264
Home Depot (Y/N)	21%	203
Etsy (Y/N)	21%	201
Kohl's (Y/N)	20%	186
Sam's Club (Y/N)	18%	170
Costco (Y/N)	18%	169
Wayfair (Y/N)	12%	111
Lowe's (Y/N)	8%	78
All others not listed (Y/N)	6%	55

Amazon Usage and Satisfaction

More than four out of every ten (43%) adults said they shopped at Amazon online at least weekly, and 4% of respondents reported shopping at Amazon daily, as Figure 2 shows. In fact, only 15% of respondents used Amazon less than once a month. The major reasons for using Amazon, according to the survey's respondents, was because of ease of use (68%), free delivery (60%), wider selection of goods (56%), and its website was deemed "trustworthy" (55%).⁹ Other reasons for using Amazon included – one stop shopping (48%), lower retail prices (44%), easy return policy (43%), and better quality (31%).

**Figure 2: Of those using Amazon,
How Often Does Your Household Use Amazon to Shop Online?**

Less than once a month	15% (130)
Monthly	42% (350)
Weekly	29% (243)
Once Every 2 to 3 Days	10% (84)
Daily	4% (35)

⁹ These survey results are available in this report's Appendix, Question #5, and reflects respondents who reported using Amazon services.

Prime Usage and Satisfaction

While 88% of online shoppers reported using Amazon, 80% reported that someone in their household had an Amazon Prime membership – a subscription plan that gives users access to exclusive services such as Prime Video and expedited shipping, as Figure 3 shows.

**Figure 3: Of Those Shopping Online,
Is Anyone in Your Household an Amazon Prime Member?**

Yes	80% (763)
No	17% (166)
DK/Other	3% (25)

Regarding specific online Prime services, Prime Video and Amazon Music Prime were the most utilized with 87% using Prime Video and 67% using Amazon Music Prime. Many respondents made frequent use of these services, including 57% using Prime Video at least weekly and 38% using Prime Music at least weekly. In addition, more than half of respondents used Whole Foods Grocery, Amazon Fresh Delivery, Prime Wardrobe and Amazon 4 Star and Books, while less than half used Prime Gaming (Figure 4).

**Figure 4: Of Amazon Prime Members,
How Often Survey Respondents Used Various Amazon Prime Services?**

	Never	Less than Once a Month	Once Monthly	Weekly	Every 2-3 days	Daily
Prime Video	13%	12%	18%	26%	14%	17%
Prime Music	33%	17%	12%	16%	9%	13%
Prime Gaming	55%	15%	11%	12%	4%	3%
Whole Foods Grocery	47%	17%	16%	13%	4%	3%
Amazon Fresh Delivery	47%	16%	17%	12%	5%	4%
Prime Wardrobe	49%	19%	17%	8%	4%	3%
Amazon 4 Star and Books	49%	19%	15%	11%	4%	2%

Amazon Prime Satisfaction

As Figure 5 shows, only 1% of respondents were somewhat or very dissatisfied with Amazon Prime, while satisfaction with Amazon Prime is exceptionally high – near 97% – with 77% of respondents saying they were “very satisfied” and 20% saying they were “somewhat satisfied.” In contrast, Ballotpedia’s Polling Index reports the average approval rating of Congress is just 21%.¹⁰

Figure 5: Of those Using Amazon Prime, How Would You Rate Your Overall Satisfaction with Amazon Prime’s Services?

Very satisfied	77% (584)
Somewhat satisfied	20% (153)
Neither satisfied nor unsatisfied	2% (18)
Somewhat dissatisfied	1% (5)
Very dissatisfied	> 0% (3)

Compared to other online retailers, Amazon fared very well.¹¹ Specifically, most Prime members regarded Amazon’s offerings as either competitively priced (49%) or less expensive (31%) than brick-and-mortar stores. Similarly, compared to other online retailers, respondents generally viewed Amazon as either competitively priced (50%) or less expensive (32%).

As Figure 6 shows, general attitudes on customer satisfaction with shopping on Amazon were reasonably strong with the majority strongly agreeing that they benefit from shopping on Amazon, and its service is convenient, has good customer service, is trustworthy, and offers multiple services. When asking Amazon users, 46% strongly agreed that Amazon Prime saved them money, with only 4% saying they strongly disagreed. Interestingly, while the respondents indicated their satisfaction with Amazon services, they were evenly split on the question of whether Amazon is too big, though large proportions of respondents were undecided. The takeaway is that Amazon may be big, but consumers are clearly saying that these services benefit them.

¹⁰ “Ballotpedia’s Polling Index: Congressional approval rating: Ballotpedia’s congressional approval polling average: 21%,” Ballotpedia, May 31, 2022, at https://ballotpedia.org/Ballotpedia%27s_Polling_Index:_Congressional_approval_rating.

¹¹ The figures here are available in the Appendix at the end of this report, specifically citing questions #8 and #9, and reflects respondents who reported using Amazon services.

Figure 6: Survey Respondents' Views of Amazon

	Strongly Agree		3	4	Strongly Disagree
	1	2			5
I benefit from shopping at Amazon	57%	20%	15%	6%	3%
Amazon is convenient	65%	18%	8%	6%	3%
Amazon has good customer service	51%	22%	16%	7%	4%
I trust Amazon	51%	21%	15%	8%	5%
I like having one company offers multiple services	57%	20%	13%	6%	4%
Amazon is too big	22%	13%	22%	18%	24%
Prime saves people money	46%	23%	20%	8%	4%

Policy Proposals Affecting Amazon Customers

Despite some concern (as noted above) that Amazon may be too large, there is little appetite among the public for government intervention that would force Amazon to split into several smaller companies or eliminate Prime services. As Figure 7 shows, nearly half of respondents (52%) opposed breaking up Amazon, with 25% voicing strong opposition. Barely one-third (31%) support such action, and only 14% did so strongly. Figure 8 shows that 67% of respondents oppose any legislation that might eliminate Prime Services.

Figure 7: Of those using Amazon, Some Legislators and Regulators Have Proposed Breaking Up Amazon into Smaller Companies. Would You Favor or Oppose This Change?

Strongly Favor	14% (117)
Favor	17% (142)
Oppose	27% (231)
Strongly Oppose	25% (208)
DK/Other	17% (144)

Figure 8: Of Those Using Amazon Prime, Legislators and Regulators Have Proposed Rules That Could Eliminate Amazon Prime Services? Would You Favor or Oppose This Change?

Strongly Favor	13% (103)
Favor	12% (94)
Oppose	20% (153)
Strongly Oppose	47% (358)
DK/Other	7% (55)

Consumers Are Saying: Its Not About the Politics

An examination of the survey cross-tabulations reveals only small differences in the opinions of Democrats versus Republican voters, indicating that the issue should not be partisan. Across party lines, many more respondents claimed they receive benefits and savings from shopping on Amazon Prime than those concerned about reining in its size.

Specifically, on a scale of one to five (with one denoting strong agreement), respondents strongly agreed that shopping on Amazon was beneficial (53% Democrats and 56% Republicans), saved them money (46% Democrats and 48% Republicans), and was convenient (59% Democrats and 64% Republicans). Yet, only 28% of respondents wanted to see legislation or regulation that could risk the elimination of their Amazon Prime services.

Based on these consumer opinions, the current focus of regulatory and legislative efforts appears to be grossly misplaced if they are intended to benefit the public's interest. With elections approaching this November, it is worth noting that these results are statistically significant and should carry weight in the arena of public debate. Regardless of political party, lawmakers should be mindful that voters do not see this as an issue for legislators or regulators to address.

Conclusion: Big, But Don't Touch My Prime

Amazon is clearly the country's leader in online shopping, and the perks of Prime membership – which most U.S. households subscribe to – constitutes much of its appeal. Our survey reveals that customer satisfaction is very high and people have a positive attitude with regard to shopping on Amazon – citing lower prices, higher quality, wider product selection, and convenience as major draws.

While some respondents expressed concern that Amazon was too big, the majority do not support legislation that would break up Amazon or impact their Amazon Prime Services. Clearly, without these services, consumer prices could increase, thereby adding to the inflationary spiral currently underway.

To summarize and based on the empirical evidence, proposals to target Amazon appear to be anti-consumer in general. With elections fast approaching, lawmakers should cautiously prioritize their initiatives with their constituents in mind.

APPENDIX:
ONLINE QUESTIONNAIRE

We are conducting a short confidential survey on consumer attitudes related to Amazon and other online shopping services. Your name will not be used in reporting the results. The figures below show the percentages and the number of respondents to each question:

1. Does anyone in your household currently shop online?

Yes	93% (939)
No	6% (60)
DK/Other	1 % (13)

2. Of those shopping online: Which online service has your household used in the last year? (Check all that apply)

Amazon (Y/N)	88% (842)
Walmart (Y/N)	66% (634)
Target (Y/N)	43% (412)
Facebook (Y/N)	35% (335)
eBay (Y/N)	34% (329)
Apple (Y/N)	28% (268)
Best Buy (Y/N)	28% (264)
Home Depot (Y/N)	21% (203)
Etsy (Y/N)	21% (201)
Kohl's (Y/N)	19% (186)
Costco (Y/N)	18% (169)
Sam's Club (Y/N)	18% (170)
Wayfair (Y/N)	12% (111)
Lowe's (Y/N)	8% (78)
All others not listed (Y/N)	6% (55)

3. Of those shopping online: Is anyone in your household an Amazon Prime member?

Yes	80% (763)
No	17% (166)
DK/Other	3% (25)

4. Of those using Amazon: How often does your household use Amazon to shop online?

Less than once a month	15% (130)
Monthly	42% (350)
Weekly	29% (243)
Once Every 2 to 3 Days	10% (84)
Daily	4% (35)

5. Of those using Amazon: Why do you use Amazon? (Check all that apply)

Ease of use	68% (570)
Free delivery	60% (547)
Wider selection	56% (470)
Trustworthy site	55% (459)
One stop shopping	48% (407)
Lower retail prices	44% (369)
Easy return policy	43% (364)
Better quality	31% (265)

6. Of those using Amazon Prime: How often do you use these Amazon Prime services?

	Never	Less than Once a month	Once Monthly	Weekly	every 2-3 days	Daily
Prime Video	13% (103)	12% (94)	18% (140)	26% (195)	14% (105)	17% (126)
Amazon Music Prime	33% (254)	17% (127)	12% (92)	16% (120)	9% (72)	13% (98)
Prime Gaming	55% (421)	15% (118)	11% (81)	12% (88)	4% (30)	3% (25)
Whole Foods Grocery	47% (360)	17% (129)	16% (123)	13% (99)	4% (32)	3% (20)
Amazon Fresh Delivery	47% (359)	16% (119)	17% (129)	12% (89)	5% (36)	4% (31)
Prime Wardrobe	49% (373)	19% (148)	17% (133)	8% (61)	4% (28)	3% (20)
Amazon 4 Star and Books	49% (372)	19% (146)	15% (114)	11% (81)	4% (32)	2% (18)

7. Of those using Amazon Prime: How would you rate your overall satisfaction with Amazon Prime's services?

Very satisfied	77% (584)
Somewhat satisfied	20% (153)
Neither satisfied nor unsatisfied	2% (18)
Somewhat dissatisfied	1% (5)
Very dissatisfied	> 0% (3)

8. Of those using Amazon: Comparing shopping online at Amazon to driving to and shopping at physical stores, are Amazon's prices generally –

Much more expensive	8% (64)
Somewhat more expensive	13% (108)
Competitively priced	49% (413)
Somewhat less expensive	22% (185)
Much less expensive	9% (72)

9. Of those using Amazon: Compared to shopping at other online stores, are Amazon's prices generally –

Much more expensive	7% (55)
Somewhat more expensive	12% (99)
Competitively priced	50% (419)
Somewhat less expensive	23% (196)
Much less expensive	9% (73)

10. Of those using Amazon: Some legislators and regulators have proposed breaking up Amazon into smaller companies. Would you favor or oppose this change?

Strongly Favor	14% (117)
Favor	17% (142)
Oppose	27% (231)
Strongly Oppose	25% (208)
DK/Other	17% (144)

11. Of those using Amazon Prime: Some legislators and regulators have proposed legislation that could eliminate Amazon Prime services? Would you favor or oppose this change?

Strongly Favor	13% (103)
Favor	12% (94)
Oppose	20% (153)
Strongly Oppose	47% (358)
DK/Other	7% (55)

12. Of those using Amazon: Please tell me your level of agreement with the following statements. (1 means you strongly agree and 5 means you strongly disagree)

	Strongly Agree		Strongly Disagree		
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
I benefit from shopping at Amazon	57% (480)	20% (167)	15% (114)	6% (54)	3% (26)
Amazon is convenient	65% (549)	18% (148)	8% (69)	6% (49)	3% (27)
Amazon has good customer service	51% (428)	22% (185)	16% (138)	7% (57)	4% (34)
I trust Amazon	51% (428)	21% (178)	15% (125)	8% (66)	5% (45)
I like having one company offer multiple services	57% (482)	20% (169)	13% (107)	6% (51)	4% (33)
Amazon is too big	22% (213)	13% (127)	22% (206)	18% (175)	24% (233)
Amazon Prime saves people money	46% (440)	23% (215)	20% (187)	8% (76)	4% (36)

13. Of those that shop online: Which political party do you consider yourself most aligned with?

Democrat	38% (388)
Republican	29% (298)
Independent	23% (230)
Something else	4% (45)
DK/Refused	5% (51)

14. Of those that shop online: What of the following categories includes your age?

18-25	25% (250)
26-30	14% (139)
31-40	24% (239)
41-45	8% (82)
46-50	7% (69)
51-55	6% (60)
56-60	4% (45)
61-65	3% (34)
over 65	9% (89)
Dk/Na/Ref	> 0% (5)

15. Of those that shop online: Which of the following best describes your household's income in 2021?

Less than \$25,000	22% (223)
\$25,000 to \$49,999	30% (304)
\$50,000 to \$74,999	19% (194)
\$75,000 to \$100,000	15% (152)
Greater than \$100,000	11% (108)
DK/REFUSED	3% (31)

16. Of those that shop online: How would you describe your community

Urban	39% (391)
Rural	22% (222)
Suburban	39% (398)

Thank you for your time.