

112TH CONGRESS  
1ST SESSION

# H. R. 3406

To restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the price below which the manufacturer's product or service may not be sold violates the Sherman Act.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2011

Mr. JOHNSON of Georgia (for himself and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the price below which the manufacturer's product or service may not be sold violates the Sherman Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Discount Pricing Con-  
5 sumer Protection Act of 2011".

1 **SEC. 2. PROHIBITION ON MINIMUM RESALE PRICE MAINTENANCE.**  
2

3 Any agreement setting a price below which a product  
4 or service may not be sold by a retailer, wholesaler, or  
5 distributor shall violate section 1 of the Sherman Act (15  
6 U.S.C. 1).

7 **SEC. 3. EFFECTIVE DATE.**

8 This Act shall take effect 90 days after the date of  
9 the enactment of this Act.

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