

**AMENDMENT TO COMMITTEE PRINT OF H.R. 1108****OFFERED BY** Mr. *Byer*

At the end of title I of the committee print, add the following:

1 **SEC. 104. TOBACCO INDUSTRY CONCENTRATION.**

2 (a) STUDY.—The Secretary of Health and Human  
3 Services, in consultation with the Bureau of Competition  
4 of the Federal Trade Commission, shall study the causes  
5 and effects of concentration in the tobacco industry.

6 (b) PUBLIC REPORT.—The Secretary of Health and  
7 Human Services shall—

8 (1) on an annual basis, issue a public report on  
9 whether the actions of the Food and Drug Adminis-  
10 tration under this Act and the amendments made by  
11 this Act have—

12 (A) increased the market share for any  
13 dominant tobacco product manufacturer in any  
14 class of tobacco products; or

15 (B) substantially lessened competition or  
16 tended to create a monopoly; and

17 (2) make recommendations to the Bureau of  
18 Competition of the Federal Trade Commission and  
19 the Assistant Attorney General in charge of the

1 Antitrust Division of the Department of Justice on  
2 any corrective actions that should be taken to ad-  
3 dress tobacco industry concentration.