

No. 393, S.]

[Published July 28, 1955.

CHAPTER 460

AN ACT to renumber 100.18 (2) to (7); to amend 100.30 (2) (j) and (3); and to create 100.18 (2) of the statutes, relating to fraudulent advertising and the unfair sales act.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 100.18 (2) to (7) of the statutes are renumbered 100.18 (3) to (8), respectively.

SECTION 2. 100.18 (2) of the statutes is created to read:

100.18 (2) It shall be deemed deceptive advertising within the meaning of this section, to advertise anything as "free" when the gift is contingent upon a purchase unless the fact that such purchase is necessary is clearly stated in the advertisement. No person shall advertise, offer to give, or give any item of merchandise contingent upon the sale of petroleum products at retail.

SECTION 3. 100.30 (2) (j) and (3) of the statutes are amended to read:

100.30 (2) (j) When one or more items are advertised, offered for sale, sold or offered as a gift, or given tied in or combined with the sale of one or more other items, the price of * * * *all items* shall be subject, *on the basis of aggregate cost*, to the requirements of * * * *par.* (a) or (b) * * *.

(3) Any advertising, offer to sell, or sale of any item of merchandise either by retailers or wholesalers, at less than cost as defined in this section * * * with the intent, or effect of inducing the purchase of other merchandise or of unfairly diverting trade from a competitor, impairs and prevents fair competition, injures public welfare, and is unfair competition and contrary to public policy and the policy of this section.

Approved July 21, 1955.
