

1993 Senate Bill 156

Date of enactment: **August 20, 1993**  
Date of publication\*: **September 3, 1993**

## 1993 WISCONSIN ACT 34

AN ACT *to amend* 100.37 (1) (c) 4 and 100.37 (7); and *to create* 100.37 (2) (e) 2. d. of the statutes, **relating to:** the sale or distribution of toys containing toxic substances.

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

**SECTION 1.** 100.37 (1) (c) 4. of the statutes is amended to read:

100.37 (1) (c) 4. Any toy or other article intended for use by children which the department by rule determines in accordance with this section to present an electrical, mechanical or thermal hazard or to contain a toxic substance either in or on the toy or other article.

**SECTION 2.** 100.37 (2) (e) 2. d. of the statutes is created to read:

100.37 (2) (e) 2. d. Any toy containing elemental mercury.

**SECTION 3.** 100.37 (7) of the statutes is amended to read:

100.37 (7) Any manufacturer, distributor or retailer of a misbranded or banned package containing a hazardous substance shall, on demand of any person purchasing such products from it, if the package is misbranded ~~or banned~~ at the time of sale or banned, repurchase such product and refund the full purchase price thereof to the purchaser making the demand for refund. If the purchaser is required to return the product to the manufacturer, distributor or retailer as a condition to the repurchase and refund, the purchaser shall be reimbursed for any reasonable and necessary charges incurred in its return.

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