

Chapter ATCP 113

GASOLINE ADVERTISING

ATCP 113.01 Prohibited trade practices; gasoline.

ATCP 113.02 Test methods, standards.

Note: Chapter Ag 113 was renumbered chapter ATCP 113 under s. 13.93 (2m) (b) 1., Stats., Register, April, 1993, No. 448.

Note: This chapter is adopted under authority of s. 100.20 (2), Stats., and is administered by the Wisconsin department of agriculture, trade and consumer protection. Violations of this chapter may be prosecuted under s. 100.20 (6), 100.26 (3) or (6), Stats. A person who suffers a monetary loss because of a violation of this chapter may sue the violator directly under s. 100.20 (5), Stats., and may recover twice the amount of the loss, together with costs and reasonable attorneys' fees.

ATCP 113.01 Prohibited trade practices; gasoline.

All persons, firms and corporations, their offices, representatives, agents and employees, in advertising relating to the business of selling gasoline for use in motor cars, shall cease and desist from using any methods of competition and trade practices that mislead or tend to mislead prospective purchasers of such gasoline, and particularly the following:

(1) To state or otherwise represent that the gasoline has a specified octane value or rating when such value or rating has been determined by a test method other than one which is recognized by the American Society for Testing Materials International as standard for the industry.

(2) To use any statement, design or device which may induce prospective purchasers to believe that such gasoline is aviation

gasoline when the product is not suitable for aviation use.

(3) To use any statement, design or device which may induce prospective purchasers to believe that such gasoline is of greater value for motor car use because it contains high octane value components without clearly stating the octane value or rating of the total product advertised, as determined by a method which is recognized by the American Society for Testing Materials International as standard for the industry.

History: 1-2-56; CR 06-028: am. (1) and (3) Register November 2006 No. 611, eff. 12-1-06.

ATCP 113.02 Test methods, standards. The test methods prescribed in s. ATCP 113.01 (1) and (3) are set forth in the book "ASTM Manual for Rating Motor Fuels by Motor and Research Methods", published 1956, copies of which are on file at the offices of the state department of agriculture, trade and consumer protection and legislative reference bureau, and which may be obtained from American Society for Testing Materials International, 100 Barr Harbor Dr., P.O. Box C700, West, Conshohocken, PA 19428-2959.

History: 1-2-56; correction made under s. 13.93 (2m) (b) 6., Stats., Register, April, 1993, No. 448; CR 06-028: am. Register November 2006 No. 611, eff. 12-1-06; correction made under s. 13.92 (4) (b) 6.