

## Chapter ATCP 113

### GASOLINE ADVERTISING

ATCP 113.01 Prohibited trade practices; gasoline.

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**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 spec-

ified octane value or rating when such value or rating has been determined by a test method other than one which is authorized under ch. ATCP 94.

(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 for the total product advertised, as determined by a method authorized under ch. ATCP 94.

**History:** 1-2-56; CR 06-028: am. (1) and (3) Register November 2006 No. 611, eff. 12-1-06; CR 13-043: am. (1), (3) Register February 2014 No. 698, eff. 5-1-14; corrections in (1), (3) made under s. 13.92 (4) (b) 7., Stats., Register February 2014 No. 698.