

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 1169

S. P. 567

In Senate, April 23, 1941.

Reported by Majority of Committee of Conference and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT to Prevent Fraudulent Advertising.

Be it enacted by the People of the State of Maine, as follows :

Sec. 1. Fraudulent advertising constitutes misdemeanor. Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, label, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact, which is untrue, and designed to be deceptive or misleading, shall be guilty of a misdemeanor.

Sec. 2. Exemptions. This act shall not apply to any radio station, publisher of a newspaper, magazine or other publication or printer, who pub-

lishes or prints said advertisements without actual knowledge of its falsity. The fact of the publishing or printing of such advertisement shall not be prima facie evidence of such actual knowledge of falsity.