

Chapter Ag 112

GASOLINE, UNFAIR COMPETITION

Ag 112.01 Rebates
Ag 112.02 Rental

Ag 112.03 Discrimination
Ag 112.04 Competition

Ag 112.01 Rebates. No wholesaler of gasoline who sells gasoline to retailers thereof shall pay to any such retailer a so-called "commission" which is in reality a rebate off the purchase price; no wholesaler of gasoline shall, by any other device of like effect, discriminate in the price at which such wholesaler sells gasoline to retailers thereof.

Ag 112.02 Rental. No wholesaler of gasoline who sells gasoline to retailers thereof shall pay to some retailers a so-called "rental" for certain premises upon which to operate a gasoline pump, when as a matter of fact the premises upon which such pump is to be operated are either the sidewalk or the street; no wholesaler of gasoline shall, by any other device of like effect, discriminate in the price at which such wholesaler sells gasoline to retailers thereof.

Ag 112.03 Discrimination. No wholesaler of gasoline shall enter into any agreement or arrangement whereby discrimination is made in the price at which said wholesaler sells gasoline to retailers thereof, where the effect of such discrimination may be to substantially lessen competition or to tend to create a monopoly in the marketing of gasoline in the community in which said wholesaler is thus selling at lower price; provided, that it shall be a justification for such a discrimination in price if the difference, made by said wholesaler in the price to the retailer to whom said wholesaler sells at the lower figure, is merely commensurate with an actual difference in the quality or quantity of gasoline sold to said retailer or in the transportation charges or other expense of marketing involved in the sale to said retailer.

Ag 112.04 Competition. Nothing herein shall affect the right of any wholesaler to sell gasoline to any retailer thereof at a price which is made in good faith and rendered necessary in order that said wholesaler may meet the price at which some competitor of said wholesaler is, at the time, selling gasoline to said retailer.