

AN ACT TO PENALIZE FRAUDULENT ADVERTISING, MISLABELING OR MISBRANDING OF ANY PRODUCT, STOCKS, BONDS, ETC.

Act No. 3740, November 22, 1930

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. It shall be unlawful for any person, firm or corporation, either as principal or agent, to sell, barter, or exchange, or to offer or expose for sale, barter, or exchange in the Philippine Islands; or to cause to be sent, carried or brought for sale, barter, or exchange from any foreign country into the Philippine Islands, or from the Philippine Islands into any foreign country, any article which is falsely labeled, marked, or branded, or is labeled, marked, or branded in such a way as to misrepresent the character, value, or properties of the article or of the materials of which it is composed; or any article the container of which is mislabeled or misbranded or is labeled, marked, or branded in such a way as to misrepresent the character, value, properties or condition of the article contained or of the materials of which the article is composed; or any article which is accompanied by advertising matter which misrepresents the character, value, properties or condition of the article advertised or of the materials of which it is composed whether or not the article or the container thereof is mislabeled or misbranded.

SEC. 2. It shall be unlawful for any person, firm, or corporation, either as principal or agent, to insert or cause to be inserted in any newspaper, book or periodical printed in the Philippine Islands any advertising which misrepresents the character, value, properties or condition of the article advertised or of the materials of which it is composed.

SEC. 3. It shall be unlawful for any person, firm, or corporation, either as principal or agent, in any handbill, billboard, sign, pamphlet, circular, projected lantern slides, or any other form of advertising whatsoever printed, displayed, or circulated in the Philippine Islands, to misrepresent the character, value, properties or condition of any article offered or exposed for sale, barter, or exchange, or of the materials of which the article is composed.

SEC. 4. It shall be unlawful for any person, firm, or corporation, either as principal or agent, in any prospectus, handbill, billboard, sign, pamphlet, circular, projected lantern slides, or any other form of advertising whatsoever printed, displayed, or circulated in the Philippine Islands, to misrepresent the character or value of any stocks, bonds, or shares of any firm or corporation or of the properties or prospects of any firm or corporation.

SEC. 5. It shall be unlawful for any person, firm, or corporation, whether as principal or agent, to use the mails of the Philippine Islands for the circulation of any advertising matter prohibited by this Act; but nothing in this Act shall be interpreted as prohibiting the sale or delivery through the mails in the Philippine Islands of standard books, magazines or periodicals published in the United States or foreign countries, but all the provisions of this Act shall apply to all classes of publications issued by persons, firms or corporations, either as principal or agent, for the advertisement or the promotion of the sale of their own merchandise, stocks, bonds, shares, etc.

SEC. 6. Any person who shall violate any provisions of this Act shall, upon conviction, be penalized by a fine of not more than five thousand pesos, or by imprisonment for not to exceed six months, or both such fine and

imprisonment in the discretion of the court.

SEC. 7. This Act shall take effect six months after approval.

Approved, November 22, 1930.

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