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ISSUE DATE: **AUGUST** 20, 2012

RULE ADOPTIONS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
GENERAL ADVERTISING**

44 N.J.R. 2131(a)

Adopted Amendment: N.J.A.C. 13:45A-9.2

General Advertising Practices

Proposed: April 16, 2012 at 44 N.J.R. 1184(a).

Adopted: July 18, 2012 by Eric T. Kanefsky, Acting Director, **Division of Consumer Affairs**.

Filed: July 23, 2012 as R.2012 d.146, **without change**.

Authority: N.J.S.A. 45:14-57 and 56:8-1 et seq., specifically 56:8-4.

Effective Date: August 20, 2012.

Expiration Date: December 14, 2018.

Summary of Public Comment and Agency Response:

The official comment period ended June 15, 2012. **The Division received no comments.**

Federal Standards Statement

A Federal standards analysis is not required because the amended rule is subject to State statutory requirements and is not subject to any Federal requirements.

Full text of the adoption follows:

SUBCHAPTER 9. GENERAL ADVERTISING

13:45A-9.2 General advertising practices

(a) Without limiting the application of N.J.S.A. 56:8-1 et seq., the following practices shall be unlawful with respect to all advertisements:

1.-4. (No change.)

5. The use of any type, size, location, lighting, illustration, graphic depiction, or color resulting in the obscuring of any material fact. Disclaimers permitted or required under this section, such as "terms and conditions apply" and "quantities limited," shall be set forth in a type size and style that is clear and conspicuous relative to the other type sizes and styles used in the advertisement.