

ADVERTISING: Construction of Section 4308 R. S. Missouri 1929.

June 20, 1938

6-21



Hon. E. A. Barbour, Jr.,
Woodruff Building
Springfield, Missouri

Dear Senator Barbour:

We have your request of June 17, 1938, inquiring as to whether or not the ad of the Leader Clothing Company of your City is in violation of state law. That portion of the ad called to our attention reads as follows:

"Free--A beautiful 72 x 84, Part
Wool, Double Blanket, Absolutely
Free with purchase of \$19.85
or more."

Section 4308 R. S. Missouri 1929, prohibits untrue or false advertising. We see nothing objectionable in this form of advertising since every person who purchases \$19.85 of merchandise in the store is to receive one of these wool blankets. This in some ways may be comparable to a penny sale or eagle stamps proposition, and at best merely constitutes a fixed discount on the purchase of \$19.85 or more.

It is therefore the opinion of this office that such advertising is not in violation of any statute of this state pertaining to false advertising.

Respectfully submitted,

APPROVED:

FRANKLIN E. REAGAN,
Assistant Attorney General

J. E. TAYLOR
(Acting) Attorney General

FER:MM