

CHAPTER NO. 69

SENATE BILL NO. 886

By Atchley

Substituted for: House Bill No. 587

By Bittle

AN ACT To amend Tennessee Code Annotated, Title 47, Chapter 26, relative to weights and measures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 47-26-919(b), is amended by designating the current language as (b)(1) and by adding the following as a new subdivision (b)(2):

(2) Notwithstanding the provisions of subdivision (1), a company that was doing business in Tennessee and using the word "certified" as part of its company name, advertising and signage prior to July 1, 1997, may continue to use the word "certified" in advertising and signage for its weights and measures and weighing and measuring equipment; provided that the company's use of the word "certified":

(A) does not intentionally defraud, deceive or mislead the consumer;

(B) does not give the false impression that the weighing or measuring equipment has met specific criteria and has been officially approved by the weights and measures division of the Department of Agriculture or any other federal, state or local governmental agency or weights and measures organization; and

(C) the company uses in conjunction with its advertising and signage a disclaimer that states in general terms that the use of the word "certified" does not signify that the weighing or measuring equipment has met specific criteria and has been officially approved by a governmental agency or weights and measures organization.

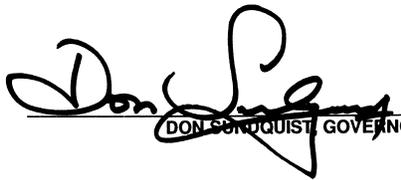
SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 22, 1999

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of April 1999

  
DON SUNDQUIST, GOVERNOR