**Section 470.120 Definitions**

Except as hereinafter stated and unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall be the same as those used in the Consumer Fraud and Deceptive Business Practices Act (Ill. Rev. Stat. 1987, ch. 121½, par. 261 et seq.).

"Advertisement" (including the terms "advertise" and "advertising"), as defined in Section 1 of the Act, means any oral, written, graphic, or pictorial statement made by a seller in any manner in the course of the solicitation of business. Advertisement includes, without limitation, any statement or representation made in a newspaper, magazine, or other publication or on radio or television or contained in any notice, handbill, sign, billboard, banner, poster, display, circular, pamphlet, or letter, or printed on or contained in any tag or label which is attached to or accompanies any product offered for sale.

"Clear and conspicuous" (including the terms "clearly and conspicuously") means that the statement, representation or term being disclosed is in such size, color contrast, or audibility and is so placed and presented as to be: in close proximity to the information it modifies, readily noticeable, and reasonably understandable by the person or persons to whom it is being disclosed.

"Comparative price" means the price or value of a product to which a seller is comparing its current price in any advertisement.

"List price or manufacturer's suggested retail price" means the prices issued to retailers by national brand manufacturers as a suggested retail price for the manufacturer's product.

"Person" means any association, corporation, individual, institution, natural person, organization, partnership, trust or any other legal entity.

"Price comparison" means the direct or indirect comparison in any advertisement (whether or not expressed wholly or in part in dollars, cents, fractions, or percentages) of a seller's current price for a product with any other price or statement of value, whether or not such price is actually stated in the advertisement. Price comparison includes any price reduction claim or savings claim which a seller makes with respect to the seller's current price for any product.

"Product" means any and all goods, whether tangible or intangible, real, personal or mixed and any and all services or franchise or distribution system of any nature.

"Seller" means any person who offers any product for retail sale, rental or lease at any location and disseminates advertisements for that product in Illinois. Seller may include any officer, agent, employee, salesperson, or representative of a seller and any advertising agency employed by a seller.

"Trade area" means the geographic area where the seller's outlets are located and where the seller's advertisements are disseminated.