



Ohio Revised Code

Section 1333.12 Selling at less than cost.

Effective: September 30, 2021

Legislation: Senate Bill 40

No retailer shall, with intent to injure competitors, destroy substantially or lessen competition, advertise, offer to sell, or sell at retail cigarettes at less than cost to the retailer.

No wholesaler shall recklessly, with intent to injure competitors or destroy substantially or lessen competition, advertise, offer to sell, or sell at wholesale cigarettes at less than cost to the wholesaler, unless the lower cost has been approved by the tax commissioner pursuant to division (C) of section 1333.11 of the Revised Code.

Evidence of advertisement, offering to sell, or sale of cigarettes by any retailer or wholesaler at less than cost to the wholesaler or retailer, is prima-facie evidence of intent to injure competitors or destroy substantially or lessen competition.
