

**365.040 Exceptions to KRS 365.030.**

The provisions of KRS 365.030 do not apply to any sale made:

- (1) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such stock or commodity, or in disposing of seasonable goods to prevent loss to the vendor by depreciation, or in disposing of perishable goods to prevent loss to the vendor by spoilage, if notice is given to the public thereof.
- (2) When the goods are damaged or deteriorated in quality and notice is given to the public thereof.
- (3) By an officer acting under the orders of any court.
- (4) In an endeavor made in good faith to meet the legal prices of a competitor selling the same article or product, or service or output of a service trade, in the same locality or trade area.

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4748h-6.