

365.280 Sale at less than cost prohibited -- Fine.

- (1) It shall be unlawful for any wholesaler or retailer to sell, at wholesale or retail, cigarettes at less than cost to the wholesaler or retailer, as the case may be, as defined in KRS 365.260 to 365.380, for the purpose of destroying competition or substantially lessening competition.
- (2) Any wholesaler or retailer who violates the provisions of this section shall be fined not more than one thousand dollars (\$1,000). Each sale or purchase by a wholesaler or retailer, as the case may be, at less than cost, shall be treated as a separate violation.
- (3) Sale of cigarettes by any wholesaler or retailer at less than cost to him shall be prima facie evidence of intent to destroy or substantially lessen competition.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 280, sec. 3, effective July 13, 1990. -- Created 1956 Ky. Acts ch. 243, sec. 3, effective May 18, 1956.