325G.17 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 325G.17 to 325G.20, the terms defined in this section have the meanings given them.

Subd. 2. **Consumer sale.** "Consumer sale" means a sale of new goods, or as regards an express warranty, any goods, purchased primarily for personal, family, or household purposes, and not for agricultural or business purposes.

Subd. 3. **Goods.** "Goods" are as defined in section 325G.15.

Subd. 4. **New goods.** "New goods" mean those goods which are purchased for the first time other than for purposes of resale.

Subd. 5. **Express warranty.** "Express warranty" means a written statement arising out of a consumer sale pursuant to which the manufacturer, distributor, or retailer undertakes (1) to preserve or maintain the utility or performance of the goods or provide compensation or replacement if there is a failure in utility or performance; or (2) declares that in the event of any sample or model, that the whole of the goods conforms to the sample or model. It is not necessary to the creation of an express warranty that formal words such as "warrant" or "guarantee" be used or that a specific intention to make a warranty be present, but an affirmation merely of the value of the goods or a statement purporting to be merely an opinion or commendation of the goods does not create a warranty.

History: *1973 c 692 s 1*