

#### **411.240 Definitions for KRS 411.240 to 411.243.**

As used in KRS 411.240 to 411.243:

- (1) "Apparently fit grocery product" means a grocery product that meets all consumer safety standards imposed by federal, state, and local laws and regulations even though the product may not be readily marketable because of appearance, age, date labeling, freshness, grade, size, surplus, or other conditions;
- (2) "Apparently wholesome food" means food that meets all consumer safety standards imposed by federal, state, and local laws and regulations even though the food may not be readily marketable because of appearance, age, date labeling, freshness, grade, size, surplus, or other conditions;
- (3) "Donate" means to give without requiring anything of monetary value from the recipient. The term donate includes giving by a nonprofit organization to another nonprofit organization, even if the donor organization has charged a fee to the donee organization, if the ultimate recipient or user is not required to give anything of monetary value;
- (4) "Food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption;
- (5) "Gleaner" means a person who harvests an agriculture crop that has been donated by the owner for:
  - (a) Free distribution to people; or
  - (b) Donation to a nonprofit organization for ultimate distribution to people;
- (6) "Grocery product" means a nonfood grocery product, including but not limited to a disposable paper or plastic product, household cleaning product, laundry detergent cleaning product, or miscellaneous household item;
- (7) "Intentional misconduct" means conduct by a person with actual knowledge at the time of the conduct that the conduct is harmful to the health and well-being of another person;
- (8) "Nonprofit organization" means an incorporated or unincorporated entity that:
  - (a) Is operating for religious, charitable, or educational purposes; and
  - (b) Does not provide net earnings to, or operate in any manner that inures to the benefit of, any officer, employee, or shareholder of the entity; and
- (9) "Person" means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, restaurant, caterer, farmer, nonprofit food distributor, or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

**Effective:** June 29, 2017

**History:** Created 2017 Ky. Acts ch. 19, sec. 1, effective June 29, 2017.