WEST VIRGINIA CODE: §47-11A-8

§47-11A-8. Sales exempt.

The provisions of this article shall not apply to any sale, offer for sale, or advertisement to sell made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing trade in any such stock or commodity;

(b) When perishable merchandise must be sold promptly to avert loss to the retailer or wholesaler by spoilage or depreciation;

(c) When the goods are damaged or deteriorated in quality or when merchandise is sold in bona fide clearance sales and, in each case, merchandise is advertised, marked and sold as such;

(d) By an officer acting under the orders of any court;

(e) To meet the price of a competitor;

(f) Involving a discount or rebate earned by purchases through the use of a bonus, loyalty or rewards program or involving the redemption of credits, discounts or rebates through a bonus, loyalty or rewards program;

(g) For charitable purposes or to relief agencies;

(h) Where merchandise is sold on contract to departments of the government or governmental institutions; and

(i) During and for fifteen days after a business grand opening as determined by the completion date.

WV Legislature