

UNIFORM COMMERCIAL CODE (EXCERPT)
Act 174 of 1962

440.2865 Inconsistent warranties; intent; rules of construction.

Sec. 2A215.

Warranties, whether express or implied, must be construed as consistent with each other and as cumulative, but if that construction is unreasonable, the intention of the parties determines which warranty is dominant. In ascertaining that intention, the following rules apply:

- (a) Exact or technical specifications displace an inconsistent sample or model or general language of description.
- (b) A sample from an existing bulk displaces inconsistent general language of description.
- (c) Express warranties displace inconsistent implied warranties other than an implied warranty of fitness for a particular purpose.

History: Add. 1992, Act 101, Eff. Sept. 30, 1992