

Burgos, Alexander N

Subject: FW: 14B NCAC 15C .0606 typo
Attachments: 14B NCAC 15C .0606 - final typo corrected.docx

From: Metz, Renee <renee.metz@abc.nc.gov>
Sent: Tuesday, January 27, 2026 11:11 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 14B NCAC 15C .0606 typo

Thank you for pointing this out.

Please see attached, and let me know if you need anything further.

Kind regards,

Renee C. Metz

Assistant General Counsel
NC Alcoholic Beverage Control Commission

Phone: (919) 948-7919

Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307

Location: 400 East Tryon Road, Raleigh, NC 27610

Disclaimer: I represent the NC ABC Commission and any information provided in this email is not legal advice and should not be relied upon as legal advice. I can only provide you with information about alcoholic beverage control laws. You should consult your own attorney for advice.

Email correspondence to and from this address is subject to the Public Records Law and may be disclosed to third parties pursuant to Chapter 132 of the NC General Statutes.



1 14B NCAC 15C .0606 is readopted as published in 40:07 NCR 634 as follows:

2

3 **14B NCAC 15C .0606 DRAUGHT-DRAFT MALT BEVERAGE SALES: ACCESSORIES: DELIVERIES**

4 (a) Delivery to Retailer; Consumer. For each sale of draught beer, the A wholesaler shall transport the beer draft malt
5 beverages in kegs to the premises of a licensed retailer. There The wholesaler shall collect for the sale, and the
6 retailer shall complete and sign his the sales ticket, writing on it ticket and add the name of the purchaser and the
7 delivery address to which the beer is to be delivered for the draft malt beverages. If the purchaser of the draught draft
8 malt beverages beer can not transport the beer keg or does not know how to set up and tap the beer keg, the purchaser
9 he may request that the wholesaler assist him wholesaler's assistance. Upon receiving such a request, a request for
10 assistance, the wholesaler may deliver the beer keg from the retailer's premises to the person and place purchaser and
11 delivery address designated on the sales ticket and may set it up.

12 (b) Assisting Consumer. Upon arrival at At the designated place of delivery, the wholesaler may set up the equipment,
13 tap the keg keg, and test to see that it is working properly. the keg is functioning. The wholesaler may pick up his kegs
14 and equipment at any time.

15 (c) Tapping Accessories. Hand A wholesaler may deliver to a consumer hand pumps, carbon dioxide cylinders, related
16 gauges, tubs, ice ice, and cups may be delivered with the kegs by a wholesaler to a consumer kegs. Such accessories
17 Accessories may be left with a retailer only upon the filling of an order from a retailer who when the retailer has a
18 specific and current order from a consumer, and either the retailer will deliver or the purchaser will pick up the kegs
19 and accessories are to be delivered by the retailer or picked up by the consumer accessories. Nothing in this This Rule
20 shall be construed to allow does not authorize a wholesaler to loan or rent tubs or tapping accessories to a retailer for
21 any period of time retailer.

22 (d) Keg Deposits. Any deposit charged by a brewer to a wholesaler for a draught malt beverage keg shall be charged
23 to and collected from the retailer upon delivery of the keg to the retailer. If a brewery charges a wholesaler a deposit
24 for a draft malt beverage keg, the wholesaler shall charge and collect the deposit from the retailer when the keg is
25 delivered to the retailer.

26

27 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116;*

28 *Eff. January 1, 1982;*

29 *Amended Eff. July 1, 1992; May 1, 1984;*

30 *Transferred and Recodified from 04 NCAC 02T .0607 Eff. August 1, 2015;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
32 *2017.*

33 *Readopted Eff. February 1, 2026.*

Burgos, Alexander N

From: Ascher, Seth M
Sent: Tuesday, January 27, 2026 10:29 AM
To: Metz, Renee
Cc: Burgos, Alexander N
Subject: 14B NCAC 15C .0606 typo

Renee,

One of the Commissioners caught a small typo in one of your rules. It is the more recently filed set under tab 4 for permanent rules.

14B NCAC 15C .0606 (line 15): "~~and test to see that it is working properly.~~the keg is functioning"

Your deletion left the rule grammatically awkward saying "and test the keg is functioning". The easiest solution would be to unstrike out "to see that" and get "and test to see that the keg is functioning."

Note that if you are restoring language that was published as a deletion, it should be plain text (no underline or brackets) highlighted. See <https://www.oah.nc.gov/documents/rules/permanent-amendment-existing-text-restored/download?attachment>.

If possible, please get me an updated rule by noon tomorrow.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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Burgos, Alexander N

Subject: FW: Formatting question

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, January 23, 2026 2:51 PM
To: Metz, Renee <renee.metz@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Formatting question

Thanks. This looks good.

I anticipate recommending approval of these rules at next Thursday's meeting.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Metz, Renee <renee.metz@abc.nc.gov>
Sent: Friday, January 23, 2026 12:54 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Formatting question

Happy Friday.

Please see attached.

I hope you both retain power through whatever Mother Nature sends our way this weekend.

Kind regards,

Renee C. Metz

Assistant General Counsel

NC Alcoholic Beverage Control Commission

Phone: (919) 948-7919

Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307

Location: 400 East Tryon Road, Raleigh, NC 27610

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1 14B NCAC 15C .0606 is readopted with changes as published in 40:07 NCR 634 as follows:

2

3 **14B NCAC 15C .0606 DRAUGHT DRAFT MALT BEVERAGE SALES: ACCESSORIES: DELIVERIES**

4 Notwithstanding the prohibitions in 14B NCAC 15C .0706, a wholesaler is authorized to do the following:

5 **(a)(1)** Delivery to Retailer; Consumer. For each sale of draught beer, the A wholesaler shall transport the beer draft
6 malt beverages in kegs to the premises of a licensed retailer. There the The wholesaler shall collect for the
7 sale, and the retailer shall complete and sign his the sales ticket, writing on it ticket and add the name of the
8 purchaser and the delivery address to which the beer is to be delivered for the draft malt beverages. If the
9 purchaser of the draught draft malt beverages beer can not transport the beer keg or does not know how to
10 set up and tap the beer keg, the purchaser he may request that the wholesaler assist him. wholesaler's
11 assistance. Upon receiving such a request, a request for assistance, the wholesaler may deliver the beer keg
12 from the retailer's premises to the person and place purchaser and delivery address designated on the sales
13 ticket, and may set it up.

14 **(b)(2)** Assisting Consumer. Upon arrival at At the designated place of delivery, the wholesaler may set up the
15 equipment, tap the keg keg, and test to see that it is working properly the keg is functioning. The wholesaler
16 may pick up his kegs and equipment at any time.

17 **(c)(3)** Tapping Accessories. Hand A wholesaler may deliver to a consumer hand pumps, carbon dioxide cylinders,
18 related gauges, tubs, ice ice, and cups may be delivered with the kegs by a wholesaler to a consumer kegs.
19 Such accessories Accessories may be left with a retailer only upon the filling of an order from a retailer who
20 when the retailer has a specific and current order from a consumer, and either the retailer will deliver or the
21 purchaser will pick up the kegs and accessories are to be delivered by the retailer or picked up by the
22 consumer accessories. Nothing in this This Rule shall be construed to allow does not authorize a wholesaler
23 to loan or rent tubs or tapping accessories to a retailer for any period of time.

24 **(d)(4)** Keg Deposits. Any deposit charged by a brewer to a wholesaler for a draught malt beverage keg shall be
25 charged to and collected from the retailer upon delivery of the keg to the retailer. If a brewery charges a
26 wholesaler a deposit for a draft malt beverage keg, the wholesaler shall charge and collect the deposit from
27 the retailer when the keg is delivered to the retailer.

28

29 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116;*

30 *Eff. January 1, 1982;*

31 *Amended Eff. July 1, 1992; May 1, 1984;*

32 *Transferred and Recodified from 04 NCAC 02T .0607 Eff. August 1, 2015;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
34 *2017.*

35 *Readopted Eff. February 1, 2026.*

Burgos, Alexander N

Subject: FW: Formatting question

From: Metz, Renee <renee.metz@abc.nc.gov>
Sent: Thursday, January 22, 2026 1:15 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Formatting question

Thank you, Seth. I will get that fixed.

Kind regards,

Renee C. Metz

Assistant General Counsel
NC Alcoholic Beverage Control Commission

Phone: (919) 948-7919

Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307

Location: 400 East Tryon Road, Raleigh, NC 27610

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Burgos, Alexander N

From: Ascher, Seth M
Sent: Thursday, January 22, 2026 12:55 PM
To: Metz, Renee
Cc: Burgos, Alexander N
Subject: Fw: Formatting question

Renee,

See Julie's email below.

You and I both missed that the bullets need to change from letters to numbers, which communicates the indent change.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Julie B. Eddins <julie.eddins@oah.nc.gov>
Sent: Wednesday, January 21, 2026 8:15 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: RE: Formatting question

Hey Seth,

Yes, they would need to highlight as you have shown, additionally, the indentations would also need to change from (a), (b), (c) and (d) to (1), (2), (3) and (4). This would be show by striking through the letters and underlining the numbers and highlight them.

Like this....

Notwithstanding the prohibitions in 14B NCAC 15C .0706, a wholesaler is authorized to do the following:

(a)(1) Delivery to Retailer; Consumer. For each sale of draught beer, the A wholesaler shall transport the beer draft malt beverages in kegs to the premises of a licensed retailer. There the The wholesaler shall collect for the sale, and the retailer shall ecomplete and sign his the sales ticket, writing on it ticket and add the name of the purchaser and the delivery address to which the beer is to be delivered.for the draft malt beverages. If the purchaser of the draught draft malt beverages beer can not transport the beer keg or does not know how to set up and tap the beerkeg, the purchaser he may request that the wholesaler assist himwholesaler's assistance. Upon receiving such a request,a request for

assistance, the wholesaler may deliver the beer keg from the retailer's premises to the person and place purchaser and delivery address designated on the sales ticket and may set it up.

Let me know or give me a call if you have any questions.

Julie B. Eddins
Publications Coordinator
NC Office of Administrative Hearings
Phone 984-236-1937 (direct)
julie.eddins@oah.nc.gov



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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, January 20, 2026 5:40 PM
To: Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: Formatting question

Julie,

I'm not sure how or if this rule needs additional highlighting from changes to the indenting.

The agency added a clarifying intro sentence (and no other text), and as a result changed the indenting of the rule. Do they need to highlight anything other than the new opening line?

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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Burgos, Alexander N

Subject: FW: ABC Rules RFC - January 2026

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, January 20, 2026 5:37 PM
To: Metz, Renee <renee.metz@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: ABC Rules RFC - January 2026

Renee,

I have reviewed these changes and they address the concerns and questions I raised.

I will have to ask our publications staff about what is supposed to be highlighted in .0606. I'll get back to you on that one.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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Burgos, Alexander N

Subject:

Attachments:

FW: ABC Rules RFC - January 2026

14B NCAC 15C .0402 - Prohibited Practices - RRC - 20 December 2025 - counsel
RFC.docx; 14B NCAC 15C .0404 - Seizure of Substandard Wine - RRC - 20 December
2025 - counsel RFC.docx; 14B NCAC 15C .0606 - Draught Malt Beverage Sales
Accessories Deliveries - RRC counsel changes.docx; 14B NCAC 15C .0606 - Signed 0400
- 20 December 2025.pdf; 14B NCAC 15C .0404 - Signed 0400 - 20 December 2025.pdf;
14B NCAC 15C .0402 - Signed 0400 - 20 December 2025.pdf

From: Metz, Renee <renee.metz@abc.nc.gov>
Sent: Tuesday, January 13, 2026 12:23 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: ABC Rules RFC - January 2026

Request regarding **14B NCAC 15C .0402**

- **line 17** — I could not find a definition in the federal regulations either regarding must or Balling, so I contacted someone in the industry. This is what he provided:

--(b)(4) - What are "must" and "Balling" --

Once you start the processing where you put it into a tank , stems removed, this is called must. It is the juice, skins, the seeds and the pulp. This is all before fermentation.

Balling, measurement of the sugar level, once the fermentation starts. Alcohol and sugar, alcohol going up, sugar going down.

- **line 23** - I have made the correction

(c)(2) - (20 degrees Centigrade) — Should this be "measured at 20 degrees Centigrade"? YES, standard for any laboratory tests.

- **p. 2, line 8** - I have made the correction

Request regarding **14B NCAC 15C .0404**

- repetitive to 18B-503 - move to repeal now

Request regarding **14B NCAC 15C .0602**

- There is no form. An email is sufficient.

Request regarding **14B NCAC 15C .0606**

-Lines 7-14 - use of word "may" -- I added an intro sentence, which now changes the formatting of the following paragraphs, which I'm not sure how to highlight just the new indents.

Please let me know if you have any additional requests for changes. Thank you.

Kind regards,

Renee C. Metz

Assistant General Counsel

NC Alcoholic Beverage Control Commission

Phone: (919) 948-7919

Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307

Location: 400 East Tryon Road, Raleigh, NC 27610

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1 14B NCAC 15C .0402 is readopted with changes as published in 40:07 NCR 630-631 as follows:

2

3 **14B NCAC 15C .0402 PROHIBITED PRACTICES**

4 (a) ~~The production, importation or sale within this State of any product as or under the designation of wine that fails~~
5 ~~to conform to the standards prescribed in these Rules, or of any imitation or substandard wine is prohibited. Industry~~
6 ~~members are prohibited from producing, importing, or selling in this State wine, or a product designated under a wine~~
7 ~~category, that is imitation, substandard, or fails to conform to the standards of these Rules.~~

8 (b) Imitation Wine. Imitation wine includes:

- 9 (1) ~~any~~ wine containing synthetic materials;
- 10 (2) ~~any~~ wine made from a mixture of water ~~with residues remaining~~ ~~containing residue~~ after thorough
11 pressing ~~of~~ grapes, ~~fruit~~ ~~fruit~~, or other agricultural products;
- 12 (3) ~~any class or type of wine, the taste, aroma, color or other characteristics of which have been acquired~~
13 ~~in whole or in part by treatment with methods or materials of any kind, if the taste, aroma, color or~~
14 ~~other characteristics of normal wines of any such class or type are acquired without that~~
15 ~~treatment; wine treated to acquire the taste, aroma, color, or characteristics of a class or type of wine~~
16 ~~that would occur without treatment; or~~
- 17 (4) ~~any~~ wine made from must concentrated ~~at any time~~ to more than 80 degrees (Balling).

18 (c) Substandard wine includes:

- 19 (1) ~~any~~ wine ~~having~~ ~~with~~ ~~a volatile acidity~~ ~~acidity, calculated as acetic acid and exclusive of sulphur~~
20 ~~dioxide, in excess of the maximum prescribed therefor established in these Rules;~~
- 21 (2) ~~any~~ wine ~~for which no~~ ~~that does not have~~ a maximum volatile acidity is prescribed in these Rules
22 ~~having a~~ ~~shall have a maximum~~ volatile acidity, calculated as acetic acid and exclusive of sulphur
23 ~~dioxide, in excess~~ ~~acidity~~ of 0.14 gram per 100 cubic centimeters ~~(20 degrees Centigrade); (measured~~
24 ~~at 20 degrees Centigrade);~~
- 25 (3) ~~any~~ wine ~~for which~~ ~~wine with~~ a standard of identity is prescribed in these Rules that ~~through disease,~~
26 ~~decomposition or otherwise~~ fails to have the composition, ~~color and clean vinous taste~~ ~~color, taste,~~
27 ~~and aroma of~~ ~~normal~~ wines conforming to that standard;
- 28 (4) ~~wine of any class or type containing added~~ ~~water~~ ~~water, or a sugar and water solution~~ ~~solution, in~~
29 ~~excess of the quantities expressly authorized for standard wine made from the same kind or kinds~~
30 ~~of materials as prescribed in these Rules;~~
- 31 (5) ~~any~~ wine containing monochloracetic acid or ~~any~~ other substance ~~or preservative~~ prohibited by the
32 United States Food and Drug Administration or the ~~Federal Alcoholic Tax Unit; United States~~
33 ~~Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau; or~~
- 34 (6) ~~any~~ wine containing deleterious, ~~harmful~~ ~~harmful~~, or impure substances ~~or elements~~ or an improper
35 balance of elements.

36 (d) Coined Names

- (1) ~~Mixture of Wines. The sale in this State of wines identified on labels or in advertisements by a type or brand designation that implies mixtures of wines for which standards of identity are established in these Rules, or which identifying type or brand designation resembles an established wine type name such as "Angelica," "Madeira," "Muscatel," "Claret," "Burgundy," etc., is prohibited.~~

(2) ~~Combinations of Alcoholic Beverages. The sale in this State of wines or combinations of wine and other alcoholic beverages that contain on the labels statements such as "whiskey wine," "rum and wine," "gin and wine," "beer and wine" or similar combinations is prohibited.~~

Industry members are prohibited from identifying wine on labels or in advertisements as a mixture of wine with other types of alcoholic beverages or as a mixture of wines that have standards of identity established in Subpart C of 27 CFR Part 4, 4, incorporated by reference including any subsequent amendments and editions.

History Note: *Authority G.S. 18B-100; 18B-206(a); 18B-207;*

Eff. January 1, 1982;

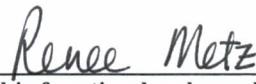
Amended Eff. July 1, 1992; May 1, 1984;

Transferred and Recodified from 04 NCAC 02T .0409 Eff. August 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017.

Readopted Eff. February 1, 2026.

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission			
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0402 Prohibited Practices			
3. Action: <input type="checkbox"/> <input type="checkbox"/> ADOPTION <input type="checkbox"/> <input type="checkbox"/> AMENDMENT <input type="checkbox"/> <input type="checkbox"/> REPEAL <input type="checkbox"/> <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> <input type="checkbox"/> REPEAL through			
4. Rule exempt from RRC review? <input type="checkbox"/> <input type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> <input type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No		
6. Notice for Proposed Rule:			
<input type="checkbox"/> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 1, 2025 Link to Agency notice: https://abc.nc.gov Hearing on: November 5, 2025 Adoption by Agency on: December 10, 2025			
<input type="checkbox"/> <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:			
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.		
<input type="checkbox"/> <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	<input type="checkbox"/> <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> <input type="checkbox"/> State funds affected <input type="checkbox"/> <input type="checkbox"/> Local funds affected <input type="checkbox"/> <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> <input type="checkbox"/> Approved by OSBM <input type="checkbox"/> <input checked="" type="checkbox"/> No fiscal note required		
9. REASON FOR ACTION			
9A. What prompted this action? Check all that apply: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> <input type="checkbox"/> Agency <input type="checkbox"/> <input type="checkbox"/> Court order / cite: <input type="checkbox"/> <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input type="checkbox"/> Federal regulation / cite: </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other: </td> </tr> </table>		<input type="checkbox"/> <input type="checkbox"/> Agency <input type="checkbox"/> <input type="checkbox"/> Court order / cite: <input type="checkbox"/> <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other:
<input type="checkbox"/> <input type="checkbox"/> Agency <input type="checkbox"/> <input type="checkbox"/> Court order / cite: <input type="checkbox"/> <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other:		
9B. Explain: Periodic review and expiration of existing rules per G.S. 150B-21.3A			
10. Rulemaking Coordinator: Renee Metz Phone: 919-948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: 919-948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator:  <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Renee Metz Title: Rule-making Coordinator / Assistant General Counsel		

RRC AND OAH USE ONLY

Action taken:

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

1 14B NCAC 15C .0404 is repealed as published in 40:07 NCR 631 as follows:

2

3 **14B NCAC 15C .0404 SEIZURE OF SUBSTANDARD WINE**

4

5 *History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-503;*

6 *Eff. January 1, 1982;*

7 *Amended Eff. May 1, 1984;*

8 *Transferred and Recodified from 04 NCAC 02T .0411 Eff. August 1, 2015;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*

10 *2017.*

11 *Repealed Eff. February 1, 2026.*

12

13

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0404 Seizure of Substandard Wine	
3. Action: <input type="checkbox"/> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> <input type="checkbox"/> AMENDMENT <input type="checkbox"/> <input type="checkbox"/> REPEAL <input type="checkbox"/> <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> <input type="checkbox"/> REPEAL through	
4. Rule exempt from RRC review? <input type="checkbox"/> <input checked="" type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> <input checked="" type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 1, 2025 Link to Agency notice: https://abc.nc.gov Hearing on: November 5, 2025 Adoption by Agency on: December 10, 2025 <input type="checkbox"/> <input checked="" type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> <input checked="" type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> <input checked="" type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply:	
<input type="checkbox"/> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> <input checked="" type="checkbox"/> Court order / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input checked="" type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other:
9B. Explain: Periodic review and expiration of existing rules per G.S. 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: 919-948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: 919-948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator:  <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Renee Metz Title: Rule-making Coordinator / Assistant General Counsel

RRC AND OAH USE ONLY

Action taken:

- RRC extended period of review:
- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

1 14B NCAC 15C .0606 is readopted with changes as published in 40:07 NCR 634 as follows:

2

3 **14B NCAC 15C .0606 DRAUGHT DRAFT MALT BEVERAGE SALES: ACCESSORIES: DELIVERIES**

4 Notwithstanding the prohibitions in 14B NCAC 15C .0706, a wholesaler is authorized to do the following:

- 5 (a) Delivery to Retailer; Consumer. For each sale of draught beer, the A wholesaler shall transport the beer draft
6 malt beverages in kegs to the premises of a licensed retailer. There the The wholesaler shall collect for the
7 sale, and the retailer shall complete and sign his the sales ticket, writing on it ticket and add the name of the
8 purchaser and the delivery address to which the beer is to be deliveredfor the draft malt beverages. If the
9 purchaser of the draught draft malt beverages beer can not transport the beer keg or does not know how to
10 set up and tap the beer keg, the purchaser he may request that the wholesaler assist himwholesaler's
11 assistance. Upon receiving such a request, a request for assistance, the wholesaler may deliver the beer keg
12 from the retailer's premises to the person and place purchaser and delivery address designated on the sales
13 ticketand may set it up.
- 14 (b) Assisting Consumer. Upon arrival at At the designated place of delivery, the wholesaler may set up the
15 equipment, tap the keg keg, and test to see that it is working properlythe keg is functioning. The wholesaler
16 may pick up his kegs and equipment at any time.
- 17 (c) Tapping Accessories. Hand A wholesaler may deliver to a consumer hand pumps, carbon dioxide cylinders,
18 related gauges, tubs, ice ice, and cups may be delivered with the kegs by a wholesaler to a consumer kegs.
19 Such accessories Accessories may be left with a retailer only upon the filling of an order from a retailer who
20 when the retailer has a specific and current order from a consumer, and either the retailer will deliver or the
21 purchaser will pick up the kegs and accessories are to be delivered by the retailer or picked up by the
22 consumeraccessories. Nothing in this This Rule shall be construed to allowdoes not authorize a wholesaler
23 to loan or rent tubs or tapping accessories to a retailer for any period of time.retailer.
- 24 (d) Keg Deposits. Any deposit charged by a brewer to a wholesaler for a draught malt beverage keg shall be
25 charged to and collected from the retailer upon delivery of the keg to the retailer.If a brewery charges a
26 wholesaler a deposit for a draft malt beverage keg, the wholesaler shall charge and collect the deposit from
27 the retailer when the keg is delivered to the retailer.

28

29 *History Note:* Authority G.S. 18B-100; 18B-207; 18B-1116;

30 *Eff. January 1, 1982;*

31 *Amended Eff. July 1, 1992; May 1, 1984;*

32 *Transferred and Recodified from 04 NCAC 02T .0607 Eff. August 1, 2015;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
34 *2017.*

35 *Readopted Eff. February 1, 2026.*

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission			
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0606 Draught Malt Beverage Sales: Accessories: Deliveries			
3. Action: <input type="checkbox"/> <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> <input checked="" type="checkbox"/> REPEAL <input type="checkbox"/> <input checked="" type="checkbox"/> READOPTION <input type="checkbox"/> <input checked="" type="checkbox"/> REPEAL through			
4. Rule exempt from RRC review? <input type="checkbox"/> <input checked="" type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> <input checked="" type="checkbox"/> Yes. Cite authority: <input type="checkbox"/> <input checked="" type="checkbox"/> No		
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7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.		
<input type="checkbox"/> <input checked="" type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	<input type="checkbox"/> <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> <input checked="" type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> <input checked="" type="checkbox"/> No fiscal note required		
9. REASON FOR ACTION			
9A. What prompted this action? Check all that apply: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <input type="checkbox"/> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> <input checked="" type="checkbox"/> Court order / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal regulation / cite: </td> <td style="width: 50%;"> <input type="checkbox"/> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input checked="" type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other: </td> </tr> </table>		<input type="checkbox"/> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> <input checked="" type="checkbox"/> Court order / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input checked="" type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other:
<input type="checkbox"/> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> <input checked="" type="checkbox"/> Court order / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal statute / cite: <input type="checkbox"/> <input checked="" type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> <input checked="" type="checkbox"/> Petition for rule-making <input type="checkbox"/> <input checked="" type="checkbox"/> Other:		
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- RRC determined substantial changes:
- Withdrawn by agency
- Subject to Legislative Review
- Other:

Burgos, Alexander N

From: Ascher, Seth M
Sent: Wednesday, January 7, 2026 1:30 PM
To: Metz, Renee
Cc: Burgos, Alexander N
Subject: ABC Rules RFC - January 2026
Attachments: ABC RFC Jan 26.docx

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the Alcoholic Beverage Control Commission for the January 2026 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, January 29, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Attached is my initial Request for Changes Pursuant to G.S. 150B-21.10. Please submit your responses, the revised Rules, and forms to me via email, no later than 5 p.m. on January 21, 2026.

Please let me know if you have any questions or concerns.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.