

1 14B NCAC 15C .0201 is readopted with changes as published in 40:02 NCR 220 as follows:

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3 **SECTION .0200 - PRODUCT APPROVALS: LISTING PROCEDURES: PRODUCT LISTS**

4

5 **14B NCAC 15C .0201 MALT BEVERAGE PRODUCT APPROVAL: LISTING IN STATE**

6 (a) ~~All malt beverage products offered for sale in this State shall first be approved by the Commission. The~~ The
7 ~~Commission shall approve malt beverage products prior to the products being offered for sale in this State. The~~ Commission shall provide ~~blank Label/Product Application Forms~~ ~~Application for Malt Beverage Label and Products~~
8 ~~Approval~~ forms through the Commission's public website or upon request. Thereafter, any approved ~~Approved~~ malt
9 beverage ~~product~~ products sold in this State shall conform to the analysis of the samples submitted as submitted on
10 the application form.

11 (b) The Commission shall approve malt beverage products if:

12 (1) the procedure for approval is complied with as required in Paragraph (c) of this Rule;

13 (2) the analysis is within the limits as required in Paragraph (d) of this Rule;

14 (3) the malt beverage product meets or exceeds the packaging requirements ~~as required in 14B NCAC~~
15 ~~15C .0301; of Rule .0301 of this Subchapter;~~ and

16 (4) at the time of consideration, the Commission does not have evidence ~~to suspect that~~ the product:
17 (A) contains harmful or impure substances;
18 (B) contains an improper balance of substances, based on studies by universities, laboratories,
19 the Commission or other scientific studies;
20 (C) is a spurious or imitation product; or
21 (D) is unfit for human consumption.

22 (c) Procedure for Approval. To receive consideration for approval by the Commission for a new malt beverage
23 product, an industry member shall comply with the following procedures:

24 (1) submit a completed ~~Label/Product Approval Form~~ ~~Application for Malt Beverage Label and~~
25 ~~Products~~ with a list of ~~all~~ container sizes being offered;

26 (2) attach ~~all~~ malt beverage product labels ~~that are~~ specified on the ~~Label/Product Approval Form~~
27 ~~application~~ to the ~~Label/Product Approval Form~~ ~~form~~;

28 (3) upon request from the Commission, submit a sample of the product in a marketable container;

29 (4) attach a copy of the Federal Label Approval Form (COLA) to the ~~Label/Product Approval~~
30 ~~Form; application form~~; and

31 (5) submit required items to the Commission Product Section at ~~products@abc.nc.gov~~
32 ~~product@abc.nc.gov~~ a non refundable analysis fee in the form of a certified check, cashier's check
33 or money order in the amount of twenty five dollars (\$25.00) for each new malt beverage product
34 submitted, except if an analysis certified by a laboratory of the product is submitted, submit a non-
35 refundable administrative fee as set out in G.S. 18B-206(e) in the form of a certified check, cashier's
36 check or money order; and

37

(6) forward all required items to the North Carolina Alcoholic Beverage Control Commission, 4307
Mail Service Center, Raleigh, North Carolina 27699-4307.

(d) All malt Malt beverage analyses shall be within the following limits:

- (1) a maximum 15 percent alcohol by volume;
- (2) a maximum 25 parts per million of total sulphur dioxide content; and
- (3) a maximum 100 parts per million of gallo tannins.

(e) ~~All analyses~~Analyses of products submitted by industry members shall provide the following information in English:

- (1) the measured amounts listed in Paragraph (d) of this Rule;
- (2) the calories per 360 milliliters (12 ounces);
- (3) the specific gravity; and
- (4) the amount of ~~any~~ fortified stimulant per 360 milliliters (12 ounces).

(f) The Commission shall withdraw approval of a malt beverage product when the Commission has evidence to suspect that the product:

- (1) contains harmful or impure substances;
- (2) contains an improper balance of substances;
- (3) is a spurious or imitation product; or
- (4) is unfit for human consumption.

~~The malt beverage product shall not be reapproved until the Commission has evidence that proves otherwise. The Commission shall not re-approve a malt beverage product until receipt of evidence that the basis for withdrawal of approval was corrected.~~

(g) A person possessing malt beverage products that have had the with approval withdrawn by the Commission shall have 60 days after notice of the withdrawal to sell or otherwise dispose of the malt beverage products.

(h) Each Application for Malt Beverage Label and Products shall include the following information:

- (1) the trading as name of the applicant;
- (2) the applicant's North Carolina ABC permit number;
- (3) the mailing address of the applicant;
- (4) the name, email address, and telephone number of the contact person for the applicant;
- (5) whether the application is for a new malt beverage, a transfer of a malt beverage brand to a new product code number on the form; or a revision of a previously approved malt beverage product which requires the inclusion of the North Carolina product code number on the form;
- (6) the brand name of the malt beverage;
- (7) the fanciful name of the malt beverage if indicated on the label;
- (8) the type of malt beverage as identified in Subpart I of 27 CFR Part 7, available free of charge at www.ecfr.gov/current/title-27/chapter-I/subchapter-A/part-7/subpart-I;
- (9) the types and sizes of containers included for approval;

(10) if the supplier is a North Carolina brewery, the applicant must indicate whether the malt beverages will be sold only in North Carolina or will be sold in other states to determine whether a COLA must be included with the application:

(11) the applicant must indicate whether the malt beverage does not include malt or hops, referenced in the industry as IRC beer, to determine whether a COLA must be included with the application;

(12) the applicant must indicate whether the brand is a private label that is owned by a specific retail permittee; and,

(13) the product analysis certification on the application must include the name of the certifier, the alcohol by volume resulting from the certifier's analysis, and the signature and title of the certifier.

History Note: Authority G.S. 18B-100; 18B-203(a)(5); 18B-206; 18B-207;

Eff. January 1, 1982;

Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;

Transferred and Recodified from 04 NCAC 02T .0201 Eff. August 1, 2015;

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

Amended Readopted Eff. January February 1, 2026.

1 14B NCAC 15C .0202 is readopted with changes as published in 40:02 NCR 221 as follows:

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3 **14B NCAC 15C .0202 WINE APPROVALS; LISTING IN STATE**

4 (a) Except as provided in 14B NCAC 15B .0216 for special orders, ~~all wine products offered for sale in this State~~
5 ~~shall first be approved by the Commission.~~~~the Commission shall approve wine products prior to the wine products~~
6 ~~being offered for sale in the State.~~ The Commission shall provide blank Label/Product Application Forms
7 for Wine Label and Products forms through the Commission's website or upon request. Thereafter, ~~any~~ approved wine
8 product sold in this State shall conform to the analysis ~~of the samples submitted as submitted on the application form.~~

9 (b) The Commission shall approve a wine product if:

10 (1) the procedure for approval is complied with as required in Paragraph (d) of this Rule;

11 (2) it is a fortified wine product that the alcohol by volume is above 16 percent and no more than 24
12 percent;

13 (3) it is an unfortified wine product that the alcohol by volume is 16 percent or less;

14 (4) the wine product meets or exceeds the packaging requirements as required in 14B NCAC 15C .0301,
15 and

16 (5) at the time of consideration, the Commission does not have evidence to suspect that the product:
17 (A) contains harmful or impure substances;
18 (B) contains an improper balance of substances, based on studies by universities, laboratories,
19 the Commission or other scientific studies;
20 (C) is a spurious or imitation product; or
21 (D) is unfit for human consumption.

22 (c) Procedure for Approval. To receive consideration for approval by the Commission for a new wine product, an
23 industry member shall comply with the following procedures:

24 (1) submit a completed Label/Product Application Form; Application for Wine Label and Products;
25 (2) submit separate Label/Product Application Formsapplications for fortified and unfortified wine
26 products;
27 (3) attach all wine product labels that are specified on the Label/Product Application Formapplication
28 to the Label/Product Application Formform;
29 (4) upon request from the Commission, submit a 500 milliliter (or a larger size if 500 milliliter is not
30 available) bottle of each product offered; and
31 (5) attach a copy of the Federal Label Approval Form (COLA) (COLA), found for free at
32 <https://www.ttb.gov/alfd/certificate-of-label-aproval-cola>, to the Label/Product Application
33 Form; Form application; and
34 (6) submit a non refundable analysis fee in the form of a certified check, cashier's check or money order
35 in the amount of twenty five dollars (\$25.00) for each new wine product submitted, except if an
36 analysis certified by a laboratory of the product is submitted, submit a non refundable administrative

fee as set out in G.S. 18B-206(e) in the form of a certified check, cashier's check or money order; and submit required items to the Commission Product Section at product@abc.nc.gov.

(7) forward all required items to the North Carolina Alcoholic Beverage Control Commission, 4307
Mail Service Center, Raleigh, North Carolina 27699-4307.

(d) If an analysis of a product is submitted, it shall provide at least the following information in English:

- (1) alcohol by volume (percent);
- (2) total acidity (g/100 cc as tartaric acid);
- (3) total sulphur dioxide content (ppm);
- (4) volatile acidity, exclusive of sulphur dioxide (g/100 cc as acetic acid);
- (5) alcohol-free soluble solids (degrees/Brix degrees/Balling);
- (6) identity and quantity of any added chemical preservative; and
- (7) the amount of any fortified stimulant per container.

(e) The Commission shall withdraw approval of a wine product when the Commission has evidence to suspect that the product:

- (1) contains harmful or impure substances;
- (2) contains an improper balance of substances;
- (3) is a spurious or imitation product; or
- (4) is unfit for human consumption.

The wine product shall not be reapproved until the Commission has evidence that proves otherwise.

(f) A person possessing wine products that have had the approval withdrawn by the Commission shall have 60 days after notice of the withdrawal to sell or otherwise dispose of the wine products.

(g) Each Application for Wine Label and Products shall include the following information:

(1) the trading as name of the applicant;

(2) the applicant's North Carolina ABC permit number;

(3) the mailing address of the applicant;

(4) the name, email address, and telephone number of the contact person for the applicant;

(5) whether the application is for a new wine, a transfer of a wine brand to a new supplier; or a revision previously approved wine product which requires the inclusion of the North Carolina product code number on the label;

(6) the brand name of the wine;

(7) the fanciful name of the wine;

(8) the class or type of wine as identified in Subpart C of 27 CFR Part 4, available free of charge at www.ecfr.gov/current/title-27/chapter-I/subchapter-A/part-4/subpart-C;

(9) the grape varietal if indicated on the label;

(10) the appellation of the wine;

(11) the types and sizes of containers included for approval;

(12) indicate whether the applicant is the primary source of supply in the United States for the product;

(13) indicate whether the wine is a Bordeaux to determine whether a negociant form is required;

(12) the applicant must indicate whether the brand is a private label that is owned by a specific retail
e; and.

(13) the product analysis certification on the application must include the name of the certifier, the alcohol by volume resulting from the certifier's analysis, and the signature and title of the certifier.

History Note: Authority G.S. 18B-100; 18B-203(a)(5); 18B-206; 18B-207;

Eff. January 1, 1982;

Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;

Transferred and Recodified from 04 NCAC 02T .0202 Eff. August 1, 2015;

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

Amended Readopted Eff. JanuaryFebruary 1, 2026.

1 14B NCAC 15C .0203 is readopted with changes as published in 40:02 NCR 221-222 as follows:

2

3 **14B NCAC 15C .0203 SPIRITUOUS LIQUOR PRODUCT APPROVALS**

4 (a) All brands of spirituous liquor sold in this State shall have first been approved for listing and resale by the
5 Commission.~~The Commission shall first approve spirituous liquor brands sold in this state for listing and~~
6 ~~resale.~~ Spirituous suppliers shall receive approval from the Commission prior to selling spirituous liquor products in
7 this state.

8 (b) ~~Listing Policy. In view of the fact that North Carolina is a monopoly state, the Commission is responsible for~~
9 ~~maintaining a wide range of spirituous liquor products and prices and a balanced selection between the various types~~
10 ~~of products. It is the Commission's responsibility to ensure that the various types of products, including specialty items~~
11 ~~and imports, are available to the North Carolina consumer, as well as the more popular products. To this end, the~~
12 ~~Commission shall, at least once a year, Once a year, the Commission shall consider new spirituous liquor products for~~
13 ~~placement on the state's approved list. Listings shall be in the discretion of the Commission The Commission shall~~
14 ~~have discretion of listings after considering sales trends of the type of product, sales trends of the product in other~~
15 ~~states, and the need for the product in the North Carolina market. The Commission shall also, at least once a year,~~
16 ~~Once a year, the Commission shall consider delisting items from the approved list. Items maintaining adequate sales~~
17 ~~histories for type and price range will not be considered for delisting unless the delisting is part of a penalty invoked~~
18 ~~after hearing, pursuant to this Chapter.~~

19 (c) ~~(b) Items shall be submitted to the Commission for consideration for listing, and will be considered only if they~~
20 ~~are offered on the prescribed forms by the distiller, rectifier, bottler or importer. The distillery, rectifier, bottler, or~~
21 ~~importer shall submit items to the Commission for consideration for listing on the prescribed forms by the New Item~~
22 ~~form.~~

23 (c) If a spirituous liquor supplier has the proper permits to conduct business in North Carolina, Pricing Section staff
24 will assign login credentials for the ABC Pricing System at <https://pricing.abc.nc.gov/>. A supplier must use the ABC
25 Pricing System to access the New Item form referenced in Paragraph (b).

26 (d) Each New Item form submitted for consideration shall include the following information:

27 (1) brand name of the spirituous liquor;
28 (2) category of spirituous liquor as identified in Subpart I of 27 CFR Part 5, available free of charge at
29 <https://www.ecfr.gov/current/title-27/chapter-I/subchapter-A/part-5/subpart-I>.
30 (3) Universal Product Code for the package of spirituous liquor;
31 (4) shipping container code and shipping point;
32 (5) whether the spirituous liquor is imported or domestic;
33 (6) age of the spirituous liquor in either years or months;
34 (7) alcohol proof amount;
35 (8) case length, height, width, and weight, including the unit of measurement;
36 (9) type of pallet;
37 (10) cases per layer of the pallet;

1 (11) size of the individual container;

2 (12) bottles or units per case;

3 (13) case cost Free On Board;

4 (14) freight cost; and,

5 (15) name of supplier.

6

7 *History Note: Authority G.S. 18B-100; 18B-203(a)(5); 18B-206; 18B-207;*

8 *Eff. January 1, 1982;*

9 *Amended Eff. July 1, 1992;*

10 *Transferred and Recodified from 04 NCAC 02T .0203 Eff. August 1, 2015;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
12 *2017.*

13 *Amended-Readopted Eff. JanuaryFebruary 1, 2026.*

1 14B NCAC 15C .0204 proposed to be amended as published in 40:02 NCR 222 is now repealed as follows:

2

3 **14B NCAC 15C .0204 SPIRITUOUS LIQUOR PRODUCT LISTS**

4

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

6 *Eff. January 1, 1982;*

7 *Amended Eff. May 1, 1984;*

8 *Transferred and Recodified from 04 NCAC 02T .0204 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 ***[Amended] Repealed Eff. January 1, 2026.***

1 14B NCAC 15C .0205 is readopted with changes as published in 40:02 NCR 222 as follows:

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3 **14B NCAC 15C .0205 SAMPLES REQUIRED ON REQUEST**

4 ~~Every industry member shall, upon~~ Upon demand of the Commission, ~~an industry member shall~~ furnish samples at
5 no cost to the Commission of ~~any~~ alcoholic beverage products manufactured, sold, or offered for sale in this State, for
6 the purpose of analysis.

7

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

9 *Eff. January 1, 1982;*

10 *Amended Eff. May 1, 1984;*

11 *Transferred and Recodified from 04 NCAC 02T .0205 Eff. August 1, 2015;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
13 *2017.*

14 *[Amended] Readopted Eff. January***February** *1, 2026.*

1 14B NCAC 15C .0206 is readopted with changes as published in 40:02 NCR 222 as follows:

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3 **14B NCAC 15C .0206 NEW FILING REQUIRED UPON TRANSFER OF BRAND**

4 When ~~any a~~ malt beverage or wine brand ~~or product~~ is transferred from one nonresident vendor, manufacturer or
5 importer to another, the new vendor, manufacturer or importer shall, within 30 days of the acquisition of the brand or
6 product, submit the following ~~items~~ items, as defined in 14B NCAC 15C .0201-.0203, to the Commission:

7 (1) label approval application ~~forms~~ form (BWL008), with labels attached;

8 (2) copies of Federal Label Approval forms;

9 (3) a certified laboratory analysis of the product, in English, showing alcohol content by volume, ~~with~~
10 ~~a non refundable administrative fee as set out in G.S. 18B-206(e) in the form of a certified check,~~
11 ~~cashier's check or money order;~~ and

12 (4) the wholesaler territorial designations for the brand and product that were in effect on the date the
13 product was acquired by the vendor, manufacturer or importer.

14 Compliance with this Rule is mandatory notwithstanding ~~the fact that~~ the product has been previously approved by
15 the Commission.

16

17 *History Note: Authority G.S. 18B-100; 18B-203(a); 18B-206; 18B-207; 18B-1203; 18B-1303(a); 18B-1305(d);*

18 *Eff. July 1, 1992;*

19 *Amended Eff. April 1, 2011;*

20 *Transferred and Recodified from 04 NCAC 02T .0206 Eff. August 1, 2015;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
22 *2017.*

23 *[Amended] Readopted Eff. January-February 1, 2026.*

1 14B NCAC 15C .0301 is readopted with changes as published in 40:02 NCR 222 as follows:

2

3 **SECTION .0300 - PACKAGING AND LABELING OF MALT BEVERAGES AND WINE**

4

5 **14B NCAC 15C .0301 PACKAGING REQUIREMENTS**

6 No industry member shall sell, offer for sale, or possess for the purposes of sale in this State wine or malt beverages
7 ~~shall be sold, offered for sale, or possessed for the purpose of sale in this State~~ unless:

8 (1) The alcoholic beverage product is packaged, marked, branded, ~~sealed~~ sealed, and labeled in
9 conformity with these ~~Rules~~ and Rules.

10 (2) The label on ~~each a product truthfully~~ describes the contents of the container in accordance with
11 standards of ~~identity, identity, and the industry member responsible for labeling or product approval~~
12 ~~furnishes the Commission with adequate proof that a valid certificate of label approval for the label~~
13 ~~has been obtained from the Bureau of Alcohol, Tobacco and Firearms, U.S. Treasury Department~~.

14 (3) The industry member responsible for label or product approval provides the Commission with a
15 valid certificate of label approval from Alcohol and Tobacco Tax and Trade Bureau of the US
16 Department of the Treasury.

17

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

19 *Eff. January 1, 1982;*

20 *Amended Eff. May 1, 1984;*

21 *Transferred and Recodified from 04 NCAC 02T .0301 Eff. August 1, 2015;*

22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
23 *2017.*

24 *[Amended] Readopted Eff. January February 1, 2026.*

25

1 14B NCAC 15C .0302 is readopted with changes as published in 40:02 NCR 222 as follows:

2

3 **14B NCAC 15C .0302 LABELS TO BE SUBMITTED TO COMMISSION**

4 (a) All Industry members shall submit labels for malt beverage and wine products shall be submitted in duplicate to
5 the Commission on an "Application for Label Approval Form,"application for label and products form as required by
6 Rule .0201 or .0202 of this Subchapter.

7 (b) Each person requesting label approval application shall furnish, in the application for label approval, contain the
8 names and addresses of the manufacturer, bottler, and importer of the product.

9 (c) Notwithstanding Paragraphs (a) and (b) of this Rule, holders of retail permits pursuant to G.S. 18B-1001(1), (2),
10 (3), (4), or (16), or (16a) that fill or refill growlers on demand shall not be required do not need to submit the
11 labels required by Rules .0303(b) or (c) or .0304(d) or (e).0303(b)-(c) or .0304(d)-(e) of this Section.

12

13 *History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-1001;*

14 *Eff. January 1, 1982;*

15 *Temporary Amendment Eff. October 25, 2013;*

16 *Amended Eff. September 1, 2014;*

17 *Transferred and Recodified from 04 NCAC 02T .0302 Eff. August 1, 2015;*

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

19 *2017;*

20 *Temporary Amendment Eff. November 28, 2017;*

21 *Amended Eff. August 1, 2018.*

22 *Readopted Eff. January**February* *1, 2026.*

1 14B NCAC 15C .0303 is readopted with changes as published in 40:02 NCR 222-223 as follows:

2

3 **14B NCAC 15C .0303 LABEL CONTENTS: MALT BEVERAGES**

4 (a) ~~Containers that are pre-filled by the manufacturer shall be affixed with Breweries that prefill containers with malt~~
5 ~~beverage labels that beverages shall affix labels that contain the following information in a form legible to the~~
6 ~~consumer: in compliance with Subpart D of 27 CFR Part 7:~~

- 7 (1) brand name of product;
- 8 (2) name and address of brewer or bottler;
- 9 (3) class of product (e.g., beer, ale, porter, lager, bock, stout, or other brewed or fermented beverage); as
10 identified in Subpart I of 27 CFR Part 7;
- 11 (4) net contents;
- 12 (5) if the malt beverage is fortified with any stimulants, the amount of each (milligrams) ~~stimulant by~~
13 ~~milligrams~~ per container; and
- 14 (6) the alcoholic beverage health warning statement as required by the Federal Alcohol Administration
15 Act, ~~27 C.F.R. Sections 16.20 through 16.22. Subpart C of 27 CFR Part 16.~~

16 (b) ~~Growlers that are filled or refilled on demand with malt beverages pursuant to Rule .0308 of this Section shall be~~
17 ~~affixed with a label or a tag. Permittees who fill growlers with malt beverages, or refill on demand, pursuant to Rule~~
18 ~~.0308 of this Section shall affix a label or tag to the growler containing the following information in type not smaller~~
19 than 3 millimeters in height and not more than 12 characters per inch:

- 20 (1) brand name of the product dispensed;
- 21 (2) name of brewer or bottler;
- 22 (3) class of product (e.g., beer, ale, porter, lager, bock, stout, or other brewed or fermented beverage); as
23 identified in Subpart I of 27 CFR Part 7;
- 24 (4) net contents;
- 25 (5) if the malt beverage is fortified with any stimulants from the original manufacturer, the amount of
26 each (milligrams) ~~stimulant in milligrams~~ per container;
- 27 (6) name and address of business that filled or refilled the growler;
- 28 (7) date of fill or refill;
- 29 (8) if the malt beverage is more than six percent alcohol by volume, the amount of alcohol by volume
30 pursuant to G.S. 18B-101(9); and
- 31 (9) the following statement: "This product may be unfiltered and unpasteurized. Keep refrigerated at all
32 times."

33 (c) ~~Growlers that are filled or refilled on demand pursuant to Rule .0308 of this Section shall be affixed. Permittees~~
34 ~~who fill growlers with malt beverages, or refill on demand, pursuant to Rule .0308 of this Section shall affix a label~~
35 ~~or tag to the growler containing with the alcoholic beverage health warning statement as required by the Federal~~
36 ~~Alcohol Administration Act, 27 C.F.R. Sections 16.20 through 16.22. The provisions of 27 C.F.R. Sections 16.20~~

1 through 16.22 referenced in this Section are hereby incorporated by reference, including subsequent amendments and
2 editions, and may be accessed for free at <https://www.gpo.gov> as required by 27 CFR Part 16.

3 (d) All provisions of the CFR mentioned in this rule are incorporated by reference, including subsequent
4 amendments and editions, and may be accessed for free at <https://www.ecfr.gov/current/title-27/chapter-I/subchapter-A>.

5
6 *History Note: Authority G.S. 18B-100; 18B-101(9); 18B-206(a); 18B-207; 18B-1001;*

7 *Eff. January 1, 1982;*

8 *Amended Eff. April 1, 2011;*

9 *Temporary Amendment Eff. October 25, 2013;*

10 *Amended Eff. September 1, 2014;*

11 *Transferred and Recodified from 04 NCAC 02T .0303 Eff. August 1, 2015;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
13 *2017;*

14 *Temporary Amendment Eff. November 28, 2017;*

15 *Amended Eff. August 1, 2018;*

16 *Readopted Eff. January February 1, 2026.*

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18

1 14B NCAC 15C .0304 is readopted with changes as published in 40:02 NCR 223 as follows:

2

3 **14B NCAC 15C .0304 LABEL CONTENTS: WINE**

4 (a) ~~All wine labels shall contain the following information, in a form legible to the consumer: Wineries that prefill~~
5 ~~containers with wine shall affix labels that contain the following information in compliance with Subpart D of 27 CFR~~
6 Part 4;

7 (1) brand name of product;

8 (2) class and ~~type, in conformity with Section .0400 of this Subchapter; type;~~

9 (3) name and address of manufacturer, or bottler, except as otherwise provided in these Rules;

10 (4) ~~on for blends consisting of foreign and domestic wine, if any a reference is made to the presence of~~
11 ~~foreign wine, wine must include the exact percentage by volume of the foreign wine;~~

12 (5) ~~net contents (unless blown or otherwise permanently inscribed in the container); unless otherwise~~
13 ~~permanently blown or inscribed on the container; and~~

14 (6) the alcoholic beverage health warning statement as required by the Federal Alcohol Administration
15 Act, 27 C.F.R. Sections 16.20 through 16.22. Subpart C of 27 CFR Part 16.

16 (b) Exception for Retailer's Private Brand. ~~In the case of wine bottles If wine is~~ packaged for a retailer or other person
17 under the person's private brand, the name and address of the bottler may be stated on another label affixed to the
18 ~~container, container~~ if the name and address of the person for whom the wine was bottled or packed appears on the
19 label. The net contents shall be stated on the brand label or on a separate label affixed ~~thereto~~ on the same side of the
20 container ~~in legible form, unless otherwise permanently blown or otherwise permanently inscribed in on~~ the container.

21 (c) Imported Wines. The name and address of the importer of a foreign wine need not be stated on the brand label if
22 it is stated upon another label affixed to the container.

23 (d) ~~Growlers that are filled or refilled on demand with unfortified wine pursuant to Rule .0308 of this Section shall~~
24 ~~be affixed with a label or a tag Permittees who fill growlers with unfortified wine, or refill on demand, pursuant to~~
25 ~~Rule .0308 of this Section shall affix a label or tag to the growler containing the following information in type not~~
26 smaller than 3 millimeters in height and not more than 12 characters per inch:

27 (1) brand name of the product dispensed;

28 (2) name of manufacturer or bottler;

29 (3) class and type of product;

30 (4) net contents;

31 (5) name and address of business that filled or refilled the growler;

32 (6) date of fill or refill; and

33 (7) the following statement: "This product may be unfiltered and unpasteurized. Keep refrigerated at all
34 times."

35 (e) ~~Growlers that are filled or refilled on demand pursuant to Rule .0308 of this Section shall be affixed with Permittees~~
36 ~~who fill growlers with unfortified wine, or refill on demand, pursuant to Rule .0308 of this Section shall affix a label~~

1 or tag to the growler containing the alcoholic beverage health warning statement as required by the Federal Alcohol
2 Administration Act, 27 C.F.R. Sections 16.20 through 16.22 as required by 27 CFR Part 16.

3 (f) All provision of the CFR cited in this rule are incorporated by reference, including subsequent amendments
4 and editions, and may be accessed for free at https://www.ecfr.gov/current/title-27/chapter-I/subchapter-A/part-
5 4/subpart-D.

6

7 *History Note: Authority G.S. 18B-100; 18B-206(a); 18A-207; 18B-1001;*

8 *Eff. January 1, 1982;*

9 *Amended Eff. May 1, 1984;*

10 *Transferred and Recodified from 04 NCAC 02T .0304 Eff. August 1, 2015;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
12 *2017;*

13 *Temporary Amendment Eff. November 28, 2017;*

14 *Amended Eff. August 1, 2018.*

15 *Readopted Eff. January February 1, 2026.*

1 14B NCAC 15C .0305 is readopted with changes as published in 40:02 NCR 224 as follows:

2

3 **14B NCAC 15C .0305 ALL CONTAINERS TO HAVE LABEL**

4 ~~Every container of wine or malt beverages, including bottles, Bottles, barrels, casks, kegs, cans-cans, or other closed~~
5 ~~receptacles, containers, irrespective of size or of the material from which made, composition, that is sold or offered~~
6 ~~for sale in this State or that is used for the transportation, importation-importation, or sale of malt beverages or wine~~
7 shall bear a brand label (or a brand label and other permitted labels) containing the information required by Rules

8 .0303 and .0304 of this Section.

9

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

11 *Eff. January 1, 1982;*

12 *Amended Eff. May 1, 1984;*

13 *Transferred and Recodified from 04 NCAC 02T .0305 Eff. August 1, 2015;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
15 *2017.*

16 *[Amended] Readopted Eff. January February 1, 2026.*

17

1 14B NCAC 15C .0306 is readopted with changes as published in 40:02 NCR 224 as follows:

2

3 **14B NCAC 15C .0306 LABEL ALTERATION**

4 ~~No permittee nor his employee~~ Permittees and their employees shall not alter, mutilate, destroy, ~~obliterate or remove~~
5 ~~obliteration, remove, or cover a any mark, brand or~~ label on wine or malt beverages kept for sale in this ~~State, State,~~
6 ~~except for~~ Permittees may affix an additional labeling or relabeling label or relabel a container to comply with the
7 requirements of this Section or of federal or state laws and regulations.

8

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

10 *Eff. January 1, 1982;*

11 *Amended Eff. May 1, 1984;*

12 *Transferred and Recodified from 04 NCAC 02T .0306 Eff. August 1, 2015;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
14 *2017.*

15 *[Amended] Readopted Eff. January February 1, 2026.*

1 14B NCAC 15C .0307 is readopted with changes as published in 40:02 NCR 224 as follows:

2

3 **14B NCAC 15C .0307 GROWLERS**

4 (a) As used in this Section, a "growler" is a rigid glass, ceramic, plastic, aluminum, or stainless steel ~~container with a~~
5 ~~closure or cap with a secure sealing container, with a secured seal closure or cap,~~ that is no larger than 4 liters (1.0567
6 gallons) into which a malt beverage or unfortified wine is prefilled, filled, or refilled on demand for off-premises
7 consumption.

8 (b) Malt beverages may be sold in growlers as follows:

9 (1) Holders of only a brewery permit may sell, deliver, and ship growlers prefilled with the brewery's
10 malt beverage for off-premises consumption provided ~~a label is affixed to the growler has an~~
11 attached label that provides the information as required by Rules .0303(a) and .0305 of this Section.

12 (2) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), ~~or (16)~~(16), or (16a) who do not hold
13 a brewery permit shall not prefill growlers with malt beverage.

14 (3) Holders of a brewery permit who also have retail permits pursuant to G.S. 18B-1001(1) may fill or
15 refill growlers on demand with the brewery's malt beverage for off-premises consumption, provided the growler has an attached label as required by Rules .0303(b) and (c) and .0305 of this ~~Section is affixed to the growler~~Section.

16 (4) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), ~~or (16)~~(16), or (16a) may fill or refill
17 growlers on demand with draft malt beverage for off-premises consumption, provided the growler has an label as required by Rules .0303(b) and (c) and .0305 of this ~~Section is affixed to the growler~~Section.

22 (c) Unfortified wine may be sold in growlers as follows:

23 (1) Holders of only an unfortified winery permit may sell, deliver, and ship growlers prefilled with the
24 winery's unfortified wine for off-premises consumption provided ~~a label is affixed to the growler has an attached label~~ that provides the information as required by Rules .0304(a), (b), and (c), and
25 .0305 of this Section.

27 (2) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), ~~or (16)~~(16), or (16a) who do not hold
28 an unfortified winery permit shall not prefill growlers with unfortified wine.

29 (3) Holders of an unfortified winery permit who also have retail permits pursuant to G.S. 18B-1001(3)
30 may fill or refill growlers on demand with the winery's unfortified wine for off-premises
31 consumption, provided the growler has an attached label as required by Rules .0304(d) and (e) and
32 .0305 of this ~~Section is affixed to the growler~~Section.

33 (4) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), ~~or (16)~~(16), or (16a) may fill or refill
34 growlers on demand with unfortified wine for off-premises consumption, provided the growler has an attached label as required by Rules .0304(d) and (e) and .0305 of this ~~Section is affixed to the growler~~Section.

1 (d) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), ~~or (16)~~, ~~(16)~~, or (16a) shall affix a label to the
2 growler as required by Rules .0303(b) and (c), .0304(d) and (e), and .0305 of this Section ~~to the growler~~ when filling
3 or refilling a growler.

4 (e) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), ~~or (16)~~, ~~(16)~~, or (16a) may, in their discretion,
5 refuse to fill or refill a growler, except in matters of discrimination pursuant to G.S. 18B-305(c).

6

7 *History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-305; 18B-1001;*

8 *Eff. April 1, 2011;*

9 *Temporary Amendment Eff. October 25, 2013;*

10 *Amended Eff. September 1, 2014;*

11 *Transferred and Recodified from 04 NCAC 02T .0308 Eff. August 1, 2015;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
13 *2017;*

14 *Temporary Amendment Eff. November 28, 2017;*

15 *Amended Eff. August 1, 2018-2018;*

16 *Readopted Eff. January-February 1, 2026.*

17

1 14B NCAC 15C .0308 is readopted with changes as published in 40:02 NCR 224-225 as follows:

2

3 **14B NCAC 15C .0308 GROWLERS: CLEANING, SANITIZING, FILLING AND SEALING**

4 (a) Except as permitted pursuant to Rules .0307(b) and (c) of this Section, permittee and permittee's employee shall
5 fill and refill filling and refilling growlers ~~shall only occur~~ on demand by a consumer.

6 (b) ~~Growlers shall only be filled or refilled by a permittee or the permittee's employee. Only a permittee or a~~
7 permittee's employee shall fill or refill a growler.

8 (c) Prior to filling or refilling a growler, a permittee or the permittee's employee shall clean and sanitize the growler
9 and its cap ~~shall be cleaned and sanitized by the permittee or the permittee's employee~~ using one of the following
10 methods:

11 (1) Manual washing in a three compartment sink:

12 (A) prior to starting, clean sinks and work area to remove any chemicals, oils, or grease from
13 other cleaning activities;

14 (B) empty residual liquid from the growler to a drain. Growlers shall not be emptied into the
15 cleaning water;

16 (C) clean the growler and cap in water and detergent. Water temperature shall be at a minimum
17 110°F or the temperature specified on the cleaning agent manufacturer's label instructions.
18 Detergent shall not be fat or oil based;

19 (D) remove any residues on the interior and exterior of the growler and cap;

20 (E) rinse the growler and cap in the middle compartment with water. Rinsing may be from the
21 spigot with a spray arm, from a spigot, or from the tub as long as the water for rinsing is
22 not stagnant and continually refreshed;

23 (F) sanitize the growler and cap in the third compartment. Chemical sanitizer shall be used in
24 accordance with the EPA-registered label use instructions and shall meet the minimum
25 water temperature requirements of that chemical; and

26 (G) a test kit or other device that accurately measures the concentration in mg/L of chemical
27 sanitizing solutions shall be provided and be accessible for use; or

28 (2) Mechanical washing and sanitizing machine:

29 (A) mechanical washing and sanitizing machines shall be provided with an easily accessible
30 and readable data plate affixed to the machine by the manufacturer and shall be used
31 according to the machine's design and operation specifications;

32 (B) mechanical washing and sanitizing machines shall be equipped with chemical or hot water
33 sanitization;

34 (C) concentration of the sanitizing solution or the water temperature shall be accurately
35 determined by using a test kit or other device; and

36 (D) the machine shall be ~~regularly~~ serviced based upon the manufacturer's or installer's
37 guidelines.

1 (d) Notwithstanding Paragraph (c) of this Rule, a permittee or the permittee's employee may fill or refill a growler
2 ~~may be filled or refilled~~ without cleaning and sanitizing the growler, as follows:

3 (1) Filling or refilling a growler with a tube as referenced by Paragraph (e) of this Rule:

4 (A) food grade sanitizer shall be used in accordance with the EPA-registered label use
5 instructions;

6 (B) a container of liquid food grade sanitizer shall be maintained for no more than 10 malt
7 beverage taps that will be used for filling and refilling growlers;

8 (C) each container shall contain no fewer than five tubes that will be used only for filling and
9 refilling growlers;

10 (D) the growler is inspected visually for contamination;

11 (E) after each filling or refilling of a growler, the tube shall be immersed in the container with
12 the liquid food grade sanitizer; and

13 (F) a different tube from the container shall be used for each fill or refill of a growler; or

14 (2) Filling a growler with a contamination-free process:

15 (A) the growler shall be inspected visually for contamination;

16 (B) for growlers that can be refilled, the process shall be otherwise in compliance with the FDA
17 Food Code 2009, Section 3-304.17(C); and

18 (C) for growlers that are for single use, the process shall be otherwise in compliance with the
19 FDA Food Code 2009, Sections 4-903.11 and 4-903.12.

20 (e) Permittee or permittee's employee shall fill or refill growlers ~~Growlers shall be filled or refilled~~ from the bottom
21 of the growler to the top with a tube that is attached to the malt beverage or unfortified wine faucet and extends to the
22 bottom of the growler or with a commercial filling machine.

23 (f) ~~When not in use, tubes to fill or refill growlers shall be immersed and stored in a container with liquid food grade~~
24 ~~sanitizer. Permittee or permittee's employee shall immerse and store tubes to fill or refill growlers in a container with~~
25 liquid food grade sanitizer.

26 (g) After filling or refilling a growler, a permittee or the permittee's employee shall seal the growler ~~shall be sealed~~
27 with a closure or cap.

29 *History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-1001;*

30 *Temporary Adoption Eff. October 25, 2013;*

31 *Eff. September 1, 2014;*

32 *Transferred and Recodified from 04 NCAC 02T .0309 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 *Temporary Amendment Eff. November 28, 2017;*

36 *Amended Eff. August 1, 2018.*

37 *Readopted Eff. January/February 1, 2026.*