

1 14B NCAC 15A .1603 is amended with changes as published in 33:08 NCAC 824 as follows:

2
3 **14B NCAC 15A .1603 REQUIREMENTS FOR STORAGE**

4 All privately-owned bonded warehouses holding permits for the storage of spirituous liquors are required to:

- 5 (1) store all liquor ~~separately~~separate and apart from other merchandise;
- 6 (2) store all military codes ~~separately~~separate and apart from ~~state~~State codes;
- 7 (3) store all liquor of the same code together and spaced evenly for inventory purposes;
- 8 (4) submit to the Commission monthly reports of all spirituous liquors received and delivered so that a
9 perpetual inventory may be kept at the ~~Commission, which~~Commission. The report must match the
10 inventory at the bonded warehouse at all times and upon ~~inspections for inventory~~
11 ~~purposes; inspection:~~
- 12 (5) take at their expense, and submit to the Commission, ~~[semi-annual]~~at least once every 12 months
13 inventories of all spirituous liquors being held in the bonded ~~warehouse, which~~warehouse. These
14 inventories may be observed by representatives of the Commission or the State Auditor's Office;
- 15 (6) return ~~all distressed liquor received~~ to the distiller all liquor that is distressed when received within
16 30 days of its ~~receipt, or destroy in the presence of a distiller representative; receipt; [or]~~
- 17 (7) ~~destroy, in the presence of the distiller representative for the brand involved, destroy~~ all liquor that
18 becomes distressed after it is ~~received~~received, after notifying the distiller and obtaining in writing
19 the distiller's approval to destroy the distressed liquor. The distiller, or a representative of the
20 distiller, shall be given an opportunity to:
- 21 (a) be present in person or by video conference at the [destruction,]destruction; or
- 22 (b) request proof of destruction by photographs or video recordings showing the distressed
23 liquor before and after the destruction.
- 24 [The distiller shall be provided]The warehouse shall provide the distiller with a written or electronic
25 copy of the Destruction of Unsalable Merchandise Report for the distressed liquor destroyed. [The
26 report shall contain the name and title of the distiller, or representative of the distiller, who provided
27 written approval to destroy the distressed liquor and the date the approval to destroy was given.]- A
28 written or electronic copy of the report shall be sent quarterly by the warehouse to the Commission.

29
30 *History Note: Authority G.S. 18B-100; 18B-204; 18B-207; S.L. 2018-100, Sec. 2;*

31 *Eff. January 1, 1982;*

32 *Amended Eff. May 1, 1984;*

33 *Transferred and Recodified from 04 NCAC 02R .1603 Eff. August 1, 2015;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*
35 *2015;*

36 *Amended Eff. April 1, 2019.*
37

1 14B NCAC 15A .1604 is amended with changes as published in 33:08 NCR 824 as follows:

2
3 **14B NCAC 15A .1604 PROHIBITED PRACTICES**

4 (a) The removal of any spirituous liquors except as provided for in these Rules to any place except the ~~state~~State ABC
5 warehouse, military posts, points outside the ~~State of North Carolina State~~, or the shipping distillery ~~is~~shall be
6 prohibited.

7 (b) No liquor, distressed or otherwise, shall be given to any distiller representative or employee of the warehouse ~~but~~
8 ~~but, in accordance with Rule .1603 of this Section,~~ shall be ~~returned to the distiller or~~ destroyed ~~[in accordance with~~
9 ~~Rule .1603 of this Section]~~ and recorded in the ~~Destruction of~~ Unsalable Merchandise Report ~~in the presence of a~~
10 ~~distiller representative.~~Report.

11
12 *History Note: Authority G.S. 18B-100; 18B-204; 18B-207; S.L. 2018-100, Sec. 2;*

13 *Eff. January 1, 1982;*

14 *Amended Eff. May 1, 1984;*

15 *Transferred and Recodified from 04 NCAC 02R .1604 Eff. August 1, 2015;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*
17 *2015;*

18 *Amended Eff. April 1, 2019.*
19

1 14B NCAC 15A .1701 is amended with changes as published in 33:08 NCAC 824 as follows:

2
3 **14B NCAC 15A .1701 REMOVAL OF BEVERAGES FROM ABC STORES**

4 (a) ~~Spirituous~~Except as allowed pursuant to Paragraph (b) of this Rule, spirituous liquor, either distressed or
5 otherwise, shall not leave the custody of a local board after receipt unless:

- 6 (1) The spirituous liquor is sold at retail;
7 (2) The liquor is returned to the ~~state~~State ABC warehouse; or
8 (3) The liquor is purchased, exchanged, or otherwise obtained by another local board as provided by
9 14B NCAC 15A .1301(e).

10 Any spirituous liquor otherwise leaving the local board is nontaxpaid spirituous liquor.

11 (b) Distressed Liquor. Distressed liquor shall be given to a public or private hospital for medicinal purposes only or
12 destroyed and the destruction witnessed by the manager, or ~~his designee and a distiller representative~~the manager's
13 designee in accordance with this Paragraph. The local board shall notify the distiller, or a representative of the distiller,
14 in writing of the intent to destroy the distressed liquor, and obtain the distiller's, or a representative of the ~~[distiller's,~~
15 distiller's, written approval to destroy the distressed liquor. The distiller, or a representative of the distiller, shall be
16 given an opportunity to:

- 17 (1) be present in person or by video conference at the ~~[destruction,]~~destruction; or
18 (2) request proof of destruction by photographs or video recordings showing the distressed liquor before
19 and after the destruction.

20 ~~(c)~~ A Destruction of Unsalable Merchandise Report shall be completed and signed by the ~~witnessing parties-party~~
21 destroying the distressed liquor and the party approving the destruction on behalf of the distiller. The report shall
22 contain the following:

- 23 (1) the name of the entity submitting the report;
24 (2) the date of the report;
25 (3) the name of the distiller of the distressed liquor;
26 (4) the product code and brand name of the distressed liquor;
27 (5) the quantity of bottles being destroyed;
28 (6) the cost of each bottle;
29 (7) the total cost of all bottles destroyed;
30 (8) an explanation of the type of damage that makes the liquor distressed;
31 (9) the name and title of the distiller, or representative of the distiller, who provided written approval to
32 destroy the distressed ~~[liquor]~~liquor; and
33 (10) the date the approval to destroy was given.

34 A written or electronic copy of the report shall be sent to the distiller and a written or electronic copy shall be sent
35 quarterly to the ~~Commission~~Commission by the local board. The original shall be retained by the local board for a
36 period of three years.

(e)(d) No sales of alcoholic beverages shall be made to employees, board ~~members~~members, or other retail customers on credit. This does not prohibit purchases made by the use of credit cards.

History Note: Authority G.S. 18B-100; 18B-207; 18B-806; 18B-807; S.L. 2018-100, Sec. 2;

Eff. January 1, 1982;

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

Transferred and Recodified from 04 NCAC 02R .1701 Eff. August 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;

Amended Eff. April 1, 2019.

1 14B NCAC 15A .2206 is adopted with changes as published in 33:09 NCR 927 as follows:

2
3 **14B NCAC 15A .2206 NONPROFIT SALES AT RAFFLE OR AUCTION**

4 (a) Sales of alcohol under a special one-time permit pursuant to G.S. 18B-1002(a)(5) by a nonprofit organization as
5 a prize in a raffle or at auction shall be sold for off-premises consumption and shall not be consumed on the permitted
6 premises.

7 (b) Possession of the alcohol sold as a prize at a raffle or at auction pursuant to this ~~rule~~ **Rule** shall not be given by
8 the nonprofit organization to the raffle prize winner or buyer at auction until the conclusion of the event or until the
9 time the buyer leaves the event.

10 (c) Sales of alcohol pursuant to G.S. 18B-1002(a)(5) by a nonprofit organization shall be subject to the following
11 conditions:

- 12 (1) sales shall only be made to persons at least 21 years of age;
- 13 (2) no sales shall be made to a person who is intoxicated as defined in 14B NCAC 15B .0101(2); and
- 14 (3) delivery of possession of a quantity of alcohol sold pursuant to this Rule to a single buyer in excess
15 of the limits set forth in G.S. 18B-303 shall not be permitted unless the raffle prize winner or buyer
16 at auction of the alcohol has a valid permit issued pursuant to G.S. 18B-1002(a)(4) or otherwise
17 complies with the provisions of G.S. 18B-303.

18
19 *History Note: Authority G.S. 18B-100; 18B-207; 18B-303; 18B-1002;*
20 *Eff. April 1, 2019.*

1 14B NCAC 15B .0101 is amended with changes as published in 33:08 NCR 826 as follows:

2
3 **14B NCAC 15B .0101 DEFINITIONS**

4 In addition to the definitions found in Sections 18B-101 and 18B-1000 of the North Carolina General Statutes, the
5 following definitions apply to this Subchapter:

- 6 (1) "Employee" means any person who performs a service for any person holding an ABC permit,
7 regardless of whether that person is compensated for the performance of those services.
- 8 (2) "Intoxicated" means the condition of a person whose mental or physical functioning appears to be
9 presently substantially impaired as a result of the use of alcohol or other substance, such as set forth
10 in G.S. 122C-3(18), and shall be when the person appears to a reasonable observer to be so far under
11 such influence that:
- 12 (A) the person's emotions are conspicuously uncontrolled; or
- 13 (B) the person's intelligence, sense-perceptions, judgment, continuity of thought or of ideas,
14 speech and coordination of volition with muscular action, or some of these faculties or
15 processes are materially impaired.
- 16 (3) "Modified Plan Permits," as used in 14B NCAC 15B Rules .0105 and 14B NCAC 15B .0106, .0106
17 of this Section, mean on-premise malt beverage permits authorized by elections held pursuant to
18 G.S. 18B-602(a)(4).
- 19 (4) "Original container" means a bottle, can, or other alcoholic beverage product container filled by
20 a manufacturer or bottler that has been approved for sale within this State.
- 21 (5) "Premises" means the same as defined in G.S. 18B-101(12a). A diagram attached to the
22 investigative report and kept in the permittee's file is prima facie evidence of the premises covered
23 by that permit and for which the permittee and his the permittee's employees are responsible.
24 Permits shall authorize the sale and possession or consumption of alcoholic beverages only on the
25 premises described in the investigative report and diagram furnished by the investigating agent.
- 26 (6) "Private dining area" means any area of a restaurant or hotel that is or can be substantially closed
27 off from public view.
- 28 (7) "Sports and entertainment [venue], venue," as used in G.S. 18B-1000(7a) and in this Subchapter,
29 shall include a building, structure, or place in which sporting competitions or contests are held, or
30 shows, performances, or other entertainment is provided.

31
32 *History Note:* Authority G.S. 18B-100; 18B-207; 18B-1000; 18B-1008; 122C-3(18);
33 Eff. January 1, 1982;
34 Amended Eff. January 1, 2011; July 1, 1992; May 1, 1984;
35 Transferred and Recodified from 04 NCAC 02S .0101 Eff. August 1, 2015;
36 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,
37 2016;

1 14B NCAC 15B .0209 is amended with changes as published in 33:09 NCAC 928 as follows:

2
3 **14B NCAC 15B .0209 CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED**

4 (a) No permittee or ~~his~~the permittee's employees shall be on ~~the licensed premises~~premises permitted under G.S. 18B-
5 1001, 18B-1002, 18B-1114.1 or 18B-1114.5 after consuming alcoholic beverages except under the following
6 conditions:

- 7 (1) The permittee or employee is off duty for the remainder of that day or night during which ~~he~~the
8 permittee or employee consumes any alcoholic beverage;
- 9 (2) The permittee or employee is out of uniform when uniforms are required to be worn while
10 performing any on duty services; and
- 11 (3) The permittee or employee shall not perform any on duty services of any nature while or after
12 consuming alcoholic beverages.

13 (b) Notwithstanding Paragraph (a) of this Rule, a malt beverage or wine permittee or its employee who is of legal age
14 and who is responsible for ordering or serving ~~beverage alcohol~~alcoholic beverages may sample new malt beverage
15 or wine products as provided by 14B NCAC 15C .0711(b) on the licensed premises. Samples shall not exceed two
16 ounce servings of individual products and the total of the samples shall not exceed eight ounces in one calendar day.

17 (c) No permittee or ~~his~~the permittee's agents or employees shall be or become intoxicated on the licensed premises.

18 (d) Notwithstanding Paragraph (a) of this Rule, a permittee or the permittee's employees may be on licensed premises
19 ~~[permitted under G.S. 18B 1001, 18B 1002, 18B 1114.1 or 18B 1114.5]~~ after consuming alcoholic beverages
20 pursuant to ~~[G.S. 18B 1121, provided the permittee or permittee's employees do not]~~ G.S. 18B-1121(3) and (4) and
21 ~~may~~ serve or pour alcoholic beverages for other persons for the remainder of the day ~~[while or after consuming~~
22 ~~alcoholic beverages.]~~ provided the alcohol concentration of the permittee or the permittee's employees who serve or
23 pour remains less than 0.03. The serving or pouring of alcoholic beverages for other persons pursuant to this Paragraph
24 constitutes implied-consent to a chemical analysis of the person's alcohol concentration consistent with G.S. 20-16.2
25 and G.S. 20-139.1. The failure to submit to a chemical analysis pursuant to this Paragraph shall constitute a violation
26 of the ABC laws.

27
28 *History Note: Authority 18B-100; 18B-207; 18B-1005(b); 18B-1006(d); 18B-1121;*

29 *Eff. January 1, 1982;*

30 *Amended Eff. May 1, 1984;*

31 *Pursuant to G.S. 150B-33(b)(9), Administrative Law Judge James L. Conner, II declared Rule 04*
32 *NCAC 02S .0212(b) void as applied in North Carolina Alcoholic Beverage Control Commission v.*
33 *Midnight Sun Investments, Inc. t/a Tiki Cabaret (03 ABC 1732);*

34 *Amended Eff. January 1, 2011;*

35 *Transferred and Recodified from 04 NCAC 02S .0212 Eff. August 1, 2015;*

36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,*
37 *2016;*

1 14B NCAC 15B .1006 is amended with changes as published in 33:08 NCR 827 as follows:

2
3 **14B NCAC 15B .1006 ADVERTISING OF MALT BEVERAGES, WINE AND MIXED BEVERAGES BY**
4 **RETAILERS**

5 (a) Interior Advertising.

- 6 (1) Point-of-Sale. Retail malt beverage, winewine, and mixed beverage permittees may utilize any
7 amount of point-of-sale advertising for malt beverage, winewine, and mixed beverage products
8 offered for sale in the establishment. This advertising may be supplied by the industry member
9 unless it constitutes a fixture or has value other than as advertising ~~material; except that~~ material.
10 However, an industry member may give a retailer brand-identified items listed in 14B NCAC 15C
11 .0711(c) for use as point-of-sale advertising;
- 12 (2) Price Boards. Retail malt beverage, winewine, and mixed beverage permittees may display inside
13 price boards showing the brand names and prices of malt beverage, winewine, and mixed beverage
14 products offered for sale in the establishment;
- 15 (3) Menus and Beverage Lists. Retail on-premise malt beverage, winewine, and mixed beverage
16 permittees may place on the menu and beverage lists the brand names and prices of malt beverage,
17 winewine, and mixed beverage products offered for sale in the establishment. Beverage lists may
18 be supplied by an industry member and may include up to six items from the retailer's food menu
19 but shall not include the name, legologo, or other identifier of the retail permittee on the
20 advertisement. A table tent ~~is~~ shall be considered a beverage list for purposes of this Rule;
- 21 (4) Retailer Advertising Specialty Items. ~~Retailer~~ "Retailer" advertising specialty ~~items~~ items are items
22 such as trays, coasters, mats, meal checks, paper napkins, glassware, cups, foam scrapers, back bar
23 mats, ~~thermometers~~ thermometers, and other similar items that bear advertising matter. Advertising
24 specialty items may be provided to a retailer by an industry member as provided in 14B NCAC 15C
25 .0711(b)(8);
- 26 (5) Window Displays. Retail malt beverage, winewine, and mixed beverage permittees may arrange
27 unopened malt beverage, winewine, or spirituous liquor products in a window display;
- 28 (6) Location. ~~No~~ Except as permitted pursuant to Paragraph (e) of this Rule, no point-of-sale
29 advertising, advertising specialty item or price board shall be displayed in a manner designed or
30 intended to advertise malt beverages, winewine, or mixed beverages on the outside of the
31 establishment; and
- 32 (7) T-shirts. A retailer's employees shall not wear alcoholic beverage brand identified t-shirts while
33 working on the retailer's licensed ~~premises; and~~ premises.
- 34 ~~(8) Removal of Signs. A permittee shall remove any sign, display or advertisement in or about his~~
35 ~~licensed premises if the Commission finds it is contrary to public interest and orders its removal.~~

36 (b) Exterior Advertising.

- 37 (1) Outside signs on the premises.

- (A) Malt Beverages. Retail malt beverage permittees may display the term ~~"beer","beer,"~~ "cold ~~beer","beer,"~~ "draught ~~beer","beer,"~~ "specialty ~~beer","beer,"~~ "craft ~~beer","beer,"~~ "North Carolina ~~beer","beer,"~~ "local ~~beer","beer,"~~ or "imported ~~beer","beer,"~~ on a single, non-mechanical outside sign. This sign may be neon illuminated. The letters and figures on the sign shall not be more than 5 inches in height and 2 inches apart and the sign shall be attached to the building on the licensed premises. Retail malt beverage permittees may also display the term ~~"beer","beer,"~~ "cold ~~beer","beer,"~~ "draught ~~beer","beer,"~~ "specialty ~~beer","beer,"~~ "craft ~~beer","beer,"~~ "North Carolina ~~beer","beer,"~~ "local ~~beer","beer,"~~ or "imported beer" or a similar term on a single, portable, non-mechanical sidewalk sign that is no larger than 25 inches by 45 inches on each of its two sides. The sidewalk sign shall be displayed only during the hours of ~~operation;operation.~~
- (B) Wine. Retail wine permittees may display the term "wine permit-off ~~premise","premise,"~~ "wine permit-on ~~premise","premise,"~~ "fine ~~wine","wine,"~~ or a similar term on a single non-mechanical outside sign. This sign may be neon illuminated. The letters and figures on the sign shall not be more than 5 inches in height and 2 inches apart and the sign shall be attached to the building on the licensed premises. Instead of the sign described in this Paragraph, retail wine permittees engaged in off-premise sales of wine may display the term "Wine ~~Shop","Shop,"~~ "Wine and ~~Cheese","Cheese,"~~ or a similar term on a single non-mechanical sign. This sign may be neon illuminated. The letters and figures on the sign shall not be more than 18 inches in height and the sign shall be attached to the building on the licensed premises. Retail wine permittees may also display the term "wine permit-off ~~premise","premise,"~~ "wine permit-on ~~premise","premise,"~~ "fine ~~wine","wine,"~~ or a similar term on a single, portable, non-mechanical sidewalk sign that is no larger than 25 inches by 45 inches on each of its two sides. Instead of the sidewalk sign described in this Paragraph, retail wine permittees engaged in off-premise sales of wine may display the term "Wine ~~Shop","Shop,"~~ "Wine and ~~Cheese","Cheese,"~~ "fine ~~wine","wine,"~~ or a similar term on a single, portable, non-mechanical sidewalk sign that is no larger than 25 inches by 45 inches on each of its two sides. A sidewalk sign shall be displayed only during the hours of ~~operation;operation.~~
- (C) Restriction. Retail malt beverage, ~~wine~~wine, and mixed beverage permittees shall not allow price advertising or additional signs advertising malt beverages, ~~wine~~wine, and mixed beverages on the outside of their premises. Outside signs alluding to malt beverages, ~~wine~~wine, or mixed beverages by slang descriptions such as "brew," "suds," "six-pack," ~~"vino","vino,"~~ or "booze" are ~~prohibited;prohibited.~~
- (D) ~~Exceptions; Menus; Trade Names.Exceptions for Menus.~~ The placement of a food menu that also contains a list of alcoholic beverages by brand and price in a window, on the exterior of the retailer's building or on a sidewalk sign that is no larger than 25 inches by

45 inches on each of its two sides is not a violation of this Rule. A sidewalk sign shall be displayed only during the hours of ~~operation;~~operation.

(E) Mixed Beverages. Retail mixed beverage permittees may display the term "mixed beverages," "all ABC permits," "mixed drinks," "cocktails," or "spirits," on a single non-mechanical, non-neon, or otherwise self-illuminated outside sign. The letters and figures on the sign shall not be more than five inches in height and two inches apart and the sign shall be attached to the building on the licensed ~~premises; and~~premises.

(F) Private Club. A private club shall not display any exterior sign advertising the availability of malt beverages, ~~wine~~wine, or mixed ~~beverages;~~beverages.

(2) Billboards. Retail permittees shall not advertise malt beverage, ~~wine~~wine, or mixed beverage products or the availability of alcoholic beverages by means of a billboard or outdoor sign except as provided in this Section. Industry members with retail permits may advertise tastings;

(3) Aerial Displays. Retail permittees shall not advertise malt beverage, ~~wine~~wine, or mixed beverage products or the availability of alcoholic beverages by means of an aerial display or an inflatable item that is tethered; and

(4) ~~Only exterior advertising permitted by local ordinances is authorized. This Rule permits only exterior advertising allowed by local ordinances.~~

(c) Removal of Signs. A permittee shall remove any sign, display, or advertisement in or about ~~his~~the permittee's licensed premises if the Commission finds following a hearing it is contrary to public interest and orders its removal.

(d) Media Advertising. A retail malt beverage, ~~wine~~wine, or mixed beverage permittee may advertise price and brand of malt beverage, ~~wine~~wine, and mixed beverage products offered for sale by means of circular, newspaper, magazine, radio, ~~television~~television, and internet.

(e) Notwithstanding Paragraphs (a)(6) and (c) of this Rule, a sports or entertainment venue with a permanently constructed seating capacity of 3,000 or more, which is not located on the campus of a school, college, or university, may display point-of-sale advertising for malt beverages and unfortified wine inside the venue that is visible from the outside of the venue, and shall not be required by the Commission to move or remove the advertising.

History Note: Authority G.S. 18B-100; 18B-105; 18B-207; ~~18B-1116(b);~~ S.L. 2018-65, Sec. 5.1; Eff. January 1, 1982; Amended Eff. March 1, 2012; January 1, 2011; July 1, 1992; May 1, 1984; Transferred and Recodified from 04 NCAC 02S .1008 Eff. August 1, 2015; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20, 2016; Amended Eff. April 1, 2019.

1 14B NCAC 15C .0101 is amended with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .0101 DEFINITIONS**

4 The following terms shall have the following meanings when used in this Chapter:

- 5 (1) "Brand," in relation to wines, means the name under which a wine is produced and includes trade
6 names or trademarks. A brand shall not be construed to mean a class or type of wine, but all classes
7 and types of wines sold under the same brand label ~~are~~shall be considered a single brand.
8 Differences in packaging such as a different style, ~~type~~type, or size of container ~~are not~~shall not be
9 considered different brands.
- 10 (2) "Branded merchandise" means items, including glassware, cups, signs, t-shirts, hats and other
11 apparel, that bears the brand of the alcoholic beverage being served, or the brand of the brewery,
12 winery, or distiller whose alcoholic beverages is being served, at a tasting conducted pursuant to
13 G.S. 18B-1114.1, 18B-1114.5 or 18B-1114.7.
- 14 (3) "Brokerage" means a business that brokers in the State the sale of spirituous liquor on behalf of a
15 spirituous liquor supplier.
- 16 (4) "Brokerage representative" means an individual who promotes spirituous liquor on behalf of a
17 brokerage.
- 18 (5) "Distiller representative" means an individual who promotes spirituous liquor on behalf of a
19 distiller, or otherwise represents a distiller.
- 20 (6) "Industry member" means any wholesaler, salesman, brewery, winery, bottler, importer, liquor
21 importer/bottler, distiller, distiller representative, brokerage, brokerage representative, supplier
22 representative, rectifier, nonresident vendor, vendor representative, or affiliate thereof, that sells or
23 solicits orders for alcoholic beverages, whether or not licensed in this ~~state.~~State.
- 24 (7) "Rectifier" means a permittee that processes spirituous liquor by cutting, blending, mixing, or
25 infusing **it** with any ingredient that reacts with the constituents of the distilled spirits and changes
26 the character and nature, or standards of identity, of the distilled spirits, but does not include a person
27 who extracts spirituous liquor by original or continuous distillation, or who mixes spirituous liquor
28 with other ingredients for immediate consumption.
- 29 ~~(3)(8)~~ (8) "Retail permittee" or "retailer" means any permittee holding a retail alcoholic beverage permit
30 issued pursuant to the authority of G.S. 18B-1001, but does not include a non-profit or political
31 organization that has been issued a Special One-Time permit pursuant to the provisions of G.S. 18B-
32 1002(a)(2) or (5).
- 33 (4) ~~"Representative" means any vendor representative, as that term is used in G.S. 18B-1112, or any~~
34 ~~other person selling or soliciting orders for alcoholic beverages on behalf of a manufacturer, bottler,~~
35 ~~vendor, or importer.~~
- 36 ~~(5)(9)~~ (9) "Spirituous liquor supplier" means a distiller, liquor importer/bottler, or rectifier.

1 (10) “Supplier representative” means, as the term is used in G.S. 18B-1114.7, an individual who
2 promotes on behalf of a spirituous liquor supplier, or otherwise represents a spirituous liquor
3 supplier.

4 (11) “Vendor” means any brewery, winery, bottler, malt beverages or wine importer, or nonresident malt
5 beverage vendor or nonresident wine vendor, vendor as those terms are used in G.S. 18B-1113 and
6 18B-1114.

7 (12) “Vendor representative” means any person who holds a permit issued pursuant to G.S. 18B-1112.

8 (6)(13) “Wine” means both fortified wine and unfortified wine, as those terms are defined in G.S. 18B-
9 101(7) and (15)-wine.

11 History Note: Authority G.S. 18B-100; 18B-101; 18B-207; ~~18B-1112; 18B-1113; 18B-1114; [18B-1114.7;]~~ ~~18B-~~
12 ~~1116;~~
13 Eff. January 1, 1982;
14 Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;
15 Transferred and Recodified from 04 NCAC 02T .0101 Eff. August 1, 2015;
16 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,
17 2017;
18 Amended Eff. April 1, 2019.

1 14B NCAC 15C .0102 is amended with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .0102 APPLICATION PROCEDURES**

4 (a) Who Files. Before any winery, brewery, distiller, wholesaler, importer, bottler, ~~representative, vendor,~~ distiller
5 representative, brokerage representative, salesman, supplier representative, or vendor representative sells, solicits
6 orders for, or manufactures, ~~bottles~~bottles, or imports any alcoholic beverage in this State, that person shall first file
7 written application for the appropriate permit and pay ~~the~~any required fees, as described in ~~G.S. 18B-902, G.S. 18B-~~
8 902, and as set forth in this Rule. Applications for permits for businesses shall be filed by those individuals listed in
9 G.S. 18B-900(c).

10 (b) ~~Who Files. Application for permits shall be filed by those individuals listed in G.S. 18B-900(c).~~Application.
11 Application forms for all ABC permits may be obtained from the North Carolina Alcoholic Beverage Control
12 Commission's office or website as set forth in 14B NCAC 15A .0102.

13 Each person shall provide in the application, under oath, the following ~~information:~~information, as applicable:

- 14 (1) ~~name, address, and residence of applicant;~~ the name, address, email address, last four digits of social
15 security number, and telephone number(s) of the applicant;
- 16 (2) the mailing address and ~~of~~ location address of the business for which a permit is desired, and the
17 county and state in which ~~where the business is located;~~
- 18 (3) ~~corporate or partnership name;~~ the name of the business and whether the business is a sole
19 proprietorship, corporation, limited liability company, or partnership;
- 20 (4) the trade name of business;
- 21 (5) ~~name and address of owner of premises;~~
- 22 (6)(5) the applicant's date and place of birth;
- 23 (7)(6) ~~if the business is a corporation,~~ corporation or limited liability company, the name and address of
24 the agent or employee person authorized to serve as process agent; accept service of process of
25 Commission notices or orders under G.S. 1A, [Rule 4(j).]Rule 4(j).
- 26 (8)(7) ~~if a nonresident,~~ the applicant is a non-resident intending to operate a business in the ~~State of North~~
27 ~~Carolina,~~State, the name and address of ~~person~~ a resident of the State appointed as the applicant's
28 attorney-in-fact by virtue of a duly executed and registered power of attorney; ~~in accordance with~~
29 Chapter 32C of the General Statutes for purposes of G.S. 18B-900(a)(2)b.; and
- 30 (9)(8) ~~if the application is for a vendor representative,~~ brokerage representative, distiller
31 representative, or supplier representative permit, authorization from the commercial
32 ~~permittee,~~ permittee, brokerage, distiller, or spirituous liquor supplier to represent ~~it;~~ it; and
- 33 (9) that the applicant is in compliance with G.S. 18B-900(a)(3) through (8).

34 ~~In addition the applicant shall certify, under oath, that he has not been convicted of a felony within three years, an~~
35 ~~alcohol or drug law violation within two years, nor had any permit authorizing the sale, importation, or manufacture~~
36 ~~of alcoholic beverages revoked by this State, any other state, or the federal government revoked within the past three~~
37 ~~years.~~

(c) Additional documentation. The following documents completed, signed, notarized, and recorded, as applicable, shall be attached to and submitted with an application, and shall be incorporated as part of the application:

- (1) for applicants applying on behalf of a business pursuant to G.S. 18B-900(c), the fingerprint card, Authority for Release of Information Form, and certified check, cashier check, money order, electronic payment, or credit card payment made payable to the North Carolina ABC Commission in the amount of thirty-eight dollars (\$38.00) for payment of a state and national fingerprint-based criminal history record check pursuant to 14B NCAC 18B .0405;
- (2) for applicants applying for brokerage representative, distiller representative, or supplier representative permits, a certified copy of the applicant's State criminal history record check;
- (3) payment of applicable permit fees as authorized in 14B NCAC 15A .0104;
- (4) for businesses located in this State, a certified copy of any recorded power of attorney registered in the county where the proposed licensed premises is located;
- (5) for corporations not already holding a permit in this State, a copy of the Articles of Incorporation and notarized corporate certification of shareholders holding 25 percent or more of the shares of the corporation;
- (6) for limited liability companies not already holding a permit in this State, a copy of Articles of Organization and notarized organizational certification of members owning 25 percent or more interest in the company. Additionally, if manager-managed, a copy of the Operating Agreement;
- (7) a black and white copy of applicant's current photo identification;
- (8) for a business located in this State, a copy or memorandum of the lease showing the applicant as tenant, a copy of the deed showing the applicant as the grantee or owner, or a copy of a management agreement with the owner or lessee of the permitted property showing the applicant has the authority to operate the business at the permitted location; and
- (9) a Federal Employer Identification/Social Security Number Verification Form.

(d) Salesmen, Representatives, Vendors To State Companies. All salesmen, vendor representatives, distiller representatives, brokerage representatives, supplier representatives, and vendors shall further state on the permit application the name of every manufacturer, importer, wholesaler, distiller, brokerage, spirituous liquor supplier, or vendor that the applicant will represent in the State of North Carolina. The persons listed in this Paragraph shall notify the Commission when their authorization to represent an industry member ceases. The manufacturer, importer, wholesaler, distiller, brokerage, spirituous liquor supplier, or vendor shall notify the Commission whenever any of the persons listed in this Paragraph are no longer their authorized representative. Notification required pursuant to this Paragraph shall be made to the Commission in writing within 30 days of the termination of the authorization to represent.

~~(d)(c)~~ Resident Wholesalers. In addition to the requirements set forth in Paragraphs ~~(a) and (b)~~ (a), (b), and (c) of this Rule, every applicant for a permit to sell malt beverages or wine at wholesale shall submit with the permit application before a wholesaler receives, possesses, transports, sells, delivers, or ships wine or malt beverages in the State, the vendor shall file with the Commission a separate distribution agreement filing form specifying the brands for

each brand authorized to be sold by the wholesaler and the specific territory in which where the product may be sold.
sold for each wholesaler location. The distribution agreement filing form shall contain the vendor's and wholesaler's
names, trade names if applicable, addresses, telephone numbers, ABC permit numbers, and the name of the brand and
territory where the sales may take place in the State, by county or parts of counties. For wine vendors, the form shall
also state whether the vendor ships 1,250 cases or more of wine in the State each year. The form shall be signed and
dated by the vendor and the wholesaler. If any changes in the distribution agreement affect the information on the
distribution agreement filing form filed with the Commission, the wholesaler shall amend the form and file it with the
Commission on a revised distribution agreement filing form before the changes become effective.

(f) Liquor Importer/Bottler. In addition to the requirements set forth in Paragraphs (a), (b), and (c) of this Rule, a
liquor importer/bottler applying for a permit shall submit a description of the operations of its business, which shall
include the location address of any storage facility or bottling plant, if different than the address shown on the permit
application, and any associated federal alcoholic beverage permit numbers.

(g) Nonresident Vendors. In addition to the requirements set forth in Paragraphs (a), (b), and (c) of this Rule, a
nonresident malt beverage vendor or a nonresident wine vendor applying for a permit shall submit the following:

- (1) a copy of the Federal Basic Permit or Brewers Notice;
- (2) a statement of whether the business is a malt beverage vendor or a wine vendor;
- (3) a statement whether the applicant has ever been disapproved by any government agency for any
application to manufacture, use, store, rectify, bottle, distribute, sell, import, or transport distilled
spirits, [beer]beer, or wine;
- (4) a statement whether the applicant has ever compromised, by payment of penalties or otherwise, any
violation of any federal or state laws relating to internal revenue or customs taxation of alcoholic
beverages; and
- (5) certification of understanding that the applicant can only engage in activities authorized by the ABC
laws of this State for the permit issued, and that before any wine or malt beverage can be offered
for sale in the State, the product and label must be approved by the Commission.

(h) Wine Producers. In addition to the requirements set forth in Paragraphs (a), (b), and (c) of this Rule, a wine
producer applying for a permit shall submit a copy of the recorded deed or lease for the farming establishment that
meets the requirements set forth in G.S. 18B-1000(10), including the address of the farm and one of the following:

- (1) a survey or diagram of the farm, indicating the areas and acreage used in the production of grapes,
berries, or other fruits for the manufacture of unfortified wine; or
- (2) an affidavit stating that the farm consists of at least five acres committed to the production of grapes,
berries, or other fruits for the manufacture of unfortified wine, listing the acreage used for this
purpose and its function.

(i) Wine Shippers. In addition to the requirements set forth in Paragraphs (a), (b), and (c) of this Rule, a wine shipper
applying for a permit shall submit the following:

- (1) a description of the operation of the business;
- (2) a website address through which orders will be received;

- (3) a statement whether the applicant has ever been disapproved by any government agency for any application to manufacture, use, store, rectify, bottle, distribute, sell, import or transport distilled spirits, beer, or wine;
- (4) a statement whether the applicant has ever compromised, by payment of penalties or otherwise, any violation of any federal or state laws relating to internal revenue or customs taxation of alcoholic beverages;
- (5) a statement whether the business entity holds a valid Federal Basic Permit, either as a Bonded Wine Cellar or Bonded Winery, and a copy of the Federal Basic Permit; and
- (6) a wine shipper brand listing consisting of all brands of fortified and unfortified wines identified to be shipped into the State by the wine shipper, including the names of the common carriers used for shipping. The permitted wine shipper may amend the brands of wine permitted to be shipped into the State by filing an amended wine shipper brand listing with the ~~Commission.~~ Commission prior to shipping. Only brands identified by the wine shipper to the Commission in writing may be legally shipped into the State.

History Note: Authority G.S. 18B-100; 18B-109; ~~18B-201;~~ 18B-207; 18B-900; 18B-902; 18B-1000; 18B-1001.1; 18B-1105.1; ~~18B-1109(b); 18B-1200 through 18B-1216; 18B-1113; 18B-1114; 18B-1114.3; 18B-1114.7; 18B-1203; 18B-1303;~~

Eff. January 1, 1982;

Amended Eff. May 1, 1984;

Transferred and Recodified from 04 NCAC 02T .0102 Eff. August 1, 2015;

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

Amended Eff. April 1, 2019.

1 14B NCAC 15C .0901 is amended with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .0901 ~~DISTILLER~~DISTILLER, SUPPLIER AND BROKERAGE REPRESENTATIVES:**
4 **PROHIBITED ACTS**

5 (a) Representatives Prohibited from Entering Store. Distiller ~~representatives~~representatives, supplier representatives,
6 or brokerage representatives shall not enter any ABC store except for the purpose of calling on the buyer if the buyer's
7 office is maintained in the store, for the purpose of making a purchase~~purchase~~, or ~~unless given permission by a local~~
8 Board for the purpose of visiting a store to market product, build displays, or attach added value ~~items~~items in
9 accordance with written permission from the local Board. An initial request for permission to visit a store pursuant
10 to this Paragraph shall be made in writing by the representative to the general manager of the local Board in a form
11 acceptable to the local Board. The local Board may adopt policies regulating when a representative may visit the local
12 Board's ABC store, which may include the times, frequency, purpose, method of requesting and
13 [approving, approving permission, and any advance notice requirements. Permission granted by the general manager,
14 or other persons designated by the local Board, to the representative to visit the local Board's ABC stores shall initially
15 be made in writing and in accordance with any policies adopted by the local Board. The duration of the permission
16 may be for an indefinite time. The local Board's policies may authorize the general manager, or his or her designee,
17 to verbally authorize subsequent specific visits after written permission has been given.

18 (b) Representatives Prohibited from Contacting Store Personnel. Distiller ~~representatives~~representatives, supplier
19 representatives, or brokerage representatives shall not ~~contact, either directly or indirectly, or call upon~~contact store
20 personnel while store personnel are off duty for the purpose of promoting their ~~merchandise~~merchandise while store
21 personnel are off-duty. Store personnel shall not allow distiller ~~representatives~~representatives, supplier
22 representatives, or brokerage representatives to contact them, ~~either directly or indirectly, or allow the distiller~~
23 representatives to call upon them in any manner while they are off duty for the purpose of promoting their
24 merchandisemerchandise while store personnel are off-duty.

25 (c) Gifts Prohibited. ~~Representatives~~Distiller representatives, supplier representatives, or brokerage representatives
26 shall not give liquor, including samples, or anything of value to local ABC board members or employees, ~~which~~
27 includes including store managers and general managers, at any time. Local ABC board members or employees, which
28 includes store managers and general managers, shall not accept gifts, either directly or ~~indirectly, or through a third~~
29 person, from any distiller representative, supplier representative, or brokerage representative.

30 (d) Soliciting and Advertising Prohibited. ~~Except for purchases made by state or local officials for supply of ABC~~
31 stores, salesmen of spirituous liquor shall not with regard to purchases of spirituous liquor by any person:
32 Except for contact with the Commission, local ABC boards, and retail permittees, with regards to the promotion and
33 purchase of spirituous liquor, no distiller representative, supplier representative, or brokerage representative shall:

- 34 (1) solicit any order, agreement, or other commitment to purchase liquor, whether or not it is legally
35 enforceable; or
36 (2) advertise, ~~promote~~promote, or encourage purchases by any means or method or furnish any means
37 by which spirituous liquor may be obtained, except as provided in 14B NCAC 15B .1008.

1 ~~Exceptions shall be made upon notification from the Commission to a distiller representative when there is expressed~~
2 ~~interest by a fraternal or civic group in the purchase of a ceramic or commemorative decanter. Upon notice, distiller~~
3 ~~representatives may present pictorial art work or renderings in solicitation and a presentation to that group. This~~
4 ~~Paragraph shall not apply to a distiller representative, supplier representative, or brokerage representative who has~~
5 ~~been granted an [exemption]exception by the Commission to make presentations of pictorial artwork or renderings of~~
6 ~~the design of the decanter and solicitation of a special order of these decanters at the request of a local ABC board and~~
7 ~~non-profit, charitable corporation related to orders and sales of commemorative bottles pursuant to Rule 14B NCAC~~
8 ~~15A .1404. Requests for an exception under this Paragraph shall be made in writing to the Commission.~~

9 (e) Relationship With Mixed Beverages Permittee. No employee or representative of any distiller, importer,
10 ~~rectifier~~~~rectifier~~, or bottler may promote or solicit orders by a mixed beverages permittee or aid the permittee in placing
11 orders for any spirituous liquor or for any other alcoholic beverages.

12 (f) Gifts and Inducements Prohibited. ~~No~~ Except as permitted pursuant to Rules .0710 and .0711 of this Subchapter,
13 ~~no~~ employee or representative of any ~~rectifier~~ or industry member may give or lend to any mixed beverage ~~permittee~~,
14 ~~or his permittee or the permittee's~~ employee any gift, money, services, equipment, furniture, ~~fixtue~~~~fixture~~, or other
15 thing of value.

16
17 *History Note:* Authority G.S. 18B-100; 18B-207; 18B-704; 18B-807; 18B-1116;

18 *Eff. January 1, 1982;*

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

20 *Transferred and Recodified from 04 NCAC 02T .0901 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 Eff. April 1, 2019.*

1 14B NCAC 15C .1301 is adopted with changes as published in 33:08 NCR 829 as follows:

2
3 **SECTION .1300 – SPECIAL EVENT PERMITS**
4

5 **14B NCAC 15C .1301 DEFINITIONS**

6 As used in G.S. 18B-1114.7 and in this Section:

- 7 (1) “Charitable, nonprofit organization” means a nonprofit organization that is a charitable organization
8 as defined in G.S. 1-539.11(1).
9 (2) “Local fund-raiser” means a special event sponsored or cosponsored by a local government, a local
10 charitable, nonprofit organization, or a local political organization for the purpose of raising funds
11 for a governmental, ~~charitable~~ charitable, or political purpose.
12 (3) “Special event” means either:
13 (a) an event ~~in which~~ the spirituous liquor special event permittee participates in that is a trade
14 show, convention, street festival, holiday festival, agricultural festival, balloon race, local
15 fund-raisers, or other similar events approved pursuant to Rule .1302 of this Section, that
16 is for a limited duration of no more than 10 days and organized or sponsored by a person
17 other than the spirituous liquor special event permittee; or
18 (b) an event of limited duration of no more than 60 days at a shopping mall that is organized
19 and sponsored by the shopping mall or an association of shopping mall merchants as part
20 of a promotion or sale for all merchants in the shopping mall.
21

22 History Note: Authority G.S. 18B-100; 18B-207; 18B-1114.7;

23 Eff. April 1, 2019.

1 14B NCAC 15C .1302 is adopted with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .1302 OTHER SIMILAR EVENTS APPROVAL**

4 (a) For other events not specifically listed in G.S. 18B-1114.7, the holder of a spirituous liquor special event permit
5 issued pursuant to G.S. 18B-1114.7 shall obtain approval of that other similar event from the Commission prior to the
6 permit holder participating in the event. The Commission's approval of other events under this Rule shall be in
7 writing.

8 (b) The holder of the permit shall submit a written application for approval to the Commission no less than seven
9 business days prior to the date of the event. The application, available on the Commission's website, includes:

- 10 (1) the permit holder's name, business name, spirituous liquor special event permit number, email
11 address, and telephone and fax numbers;
12 (2) the name, dates, time, location, address, and county of the event;
13 (3) whether an admission fee will be charged of the attendees by the event sponsor;
14 (4) the event sponsor's name, address, contact information, event or sponsor's social media link or
15 webpage, and whether the event sponsor is a non-profit organization;
16 (5) whether the event sponsor holds a special one-time ABC permit pursuant to G.S. 18B-1002(a)(2) or
17 (5) and whether alcohol will otherwise be sold or given away at the event; and
18 (6) the names of other co-sponsors, supporters, vendors, or exhibitors who are expected to participate
19 in the event, and whether those persons hold ABC permits.

20 (c) The Commission shall not approve events sponsored exclusively by the holder of the permit. Tastings of spirituous
21 liquor shall not be allowed pursuant to a spirituous liquor special event permit on the premises of a retail permittee or
22 an ABC store.

23
24 History Note: Authority G.S. 18B-100; 18B-207; 18B-1114.7;
25 Eff. April 1, 2019.
26

1 14B NCAC 15C .1303 is adopted with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .1303 TASTINGS HELD FOR CONSUMERS**

4 (a) Tasting Area Designation. Tastings permitted pursuant to a spirituous liquor special event permit shall only be
5 conducted within a designated tasting area, delineated by vertical markings no less than 24 inches in height that the
6 consumer would recognize as indicating the boundaries that physically separate the tasting area from the remainder
7 of the special event. ~~[Only tastings, sale of branded merchandise, and advertising authorized pursuant to G.S. 18B-~~
8 ~~1114.7 may be conducted in the tasting area. No unrelated activities may be conducted in the designated tasting area.]~~

9 Consumers shall not be permitted to take tasting samples outside the designated tasting area. The permittee shall
10 ensure that designated tasting area signs are displayed at the permittee's tastings serving tables and at the entrances
11 and exits to the designated tasting area, with lettering of at least 2 inches in height, informing consumers that they
12 must be 21 years of age to participate in the tastings and that no tasting samples are allowed to be taken out of the
13 designated tasting area. A designated tasting area may include one or more permittees. A special event may have
14 multiple designated tasting areas.

15 (b) Each permittee conducting a tasting may give each consumer tasting samples up to the limits set forth in G.S.
16 18B-1114.7(b)(3).

17 (c) Training. Any employee of a permittee who will be conducting or supervising any tasting conducted pursuant to
18 a spirituous liquor special event permit shall be given training, including:

- 19 (1) identification of potential underage consumers;
20 (2) recognition of fictitious identification;
21 (3) identification of consumers who are visibly intoxicated;
22 (4) service of correct sample sizes; and
23 (5) methods to ensure compliance with G.S. 18B-1114.7 in accordance with Rule .1304 of this Section.

24 (d) Consumption prohibited. The permittee, the permittee's agent, or employee shall not be in the designated tasting
25 area after consuming alcoholic beverages except under the following conditions:

- 26 (1) the permittee, agent, or employee is off duty for the remainder of that day or night during which the
27 individual consumes any alcoholic beverage;
28 (2) the permittee, agent, or employee is out of uniform when uniforms are required to be worn while
29 performing any on duty services; and
30 (3) the permittee, agent, or employee shall not perform any on duty services of any nature while or after
31 consuming alcoholic beverages.

32 (e) Limitations. Spirituous liquors provided as tastings pursuant to a spirituous liquor special event permit shall not
33 be mixed with any other alcoholic or non-alcoholic beverage. No non-alcoholic beverages, other than water, shall be
34 made available to the consumer in the designated tasting area.

35 (f) Source of spirituous liquor. All spirituous liquor used for tasting samples given in accordance with this Rule shall
36 be purchased by the permittee from an ABC store.

- 1 *History Note:* *Authority G.S. 18B-100; 18B-207; 18B-1114.7;*
- 2 *Eff. April 1, 2019.*

1 14B NCAC 15C .1305 is adopted with changes as published in 33:08 NCR 829 as follows:

2
3 **14B NCAC 15C .1305 SPECIAL EVENT SALE OF BRANDED MERCHANDISE, POINT-OF-SALE**
4 **ADVERTISING MATERIALS AND ADVERTISING SPECIALTIES**

5 (a) In addition to the tastings permitted under this Section, a spirituous liquor special event permit holder may sell
6 branded merchandise and provide point-of-sale advertising materials and advertising specialties to consumers at
7 consumer tastings only within the designated tasting area. No other unrelated activities shall be conducted within the
8 designated tasting area.

9 (b) For purposes of this Section: Rule:

10 (1) “Point-of-sale advertising materials” means advertising that is located inside the designated tasting
11 area established in accordance with Rule .1303 of this Section where the product is displayed or
12 sampled. Advertising materials may include signs, posters, banners, and decorations that bear
13 product advertising matter. Point-of-sale advertising materials as used in this Section shall not
14 include items listed in 14B NCAC 15C .0711(c).

15 (2) “Advertising specialties” means coasters, shot glasses, bottle or can openers, cork screws, ash trays,
16 shopping bags, individual can coolers, hats, caps, visors, t-shirts (without collars or buttons), and
17 key chains.

18
19 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1114.7;*
20 *Eff. April 1, 2019.*