

G.S. 150B-21.3A Report for 04 NCAC SubChapter 02S (RECODIFIED AS 14B NCAC 15B), RETAIL BEER: WINE: MIXED BEVERAGES: BROWNBAGGING: ADVERTISING: SPECIAL PERMITS

Agency - Alcoholic Beverage Control Commission

Comment Period - January 14, 2016 - March 18, 2016

Date Submitted to APO -

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SUBCHAPTER 02S - RETAIL BEER: WINE: MIXED BEVERAGES: BROWNBAGGING: ADVERTISING: SPECIAL PERMITS	SECTION .0100 - DEFINITIONS: PERMIT APPLICATION PROCEDURES	04 NCAC 02S .0101	DEFINITIONS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0102	APPLICATIONS FOR PERMITS: GENERAL PROVISIONS	Amended Eff. September 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	
		04 NCAC 02S .0103	CORPORATIONS HOLDING PERMITS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0104	NONRESIDENT PERMITTEE: RESIDENT MANAGER REQUIRED	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0105	SPECIAL REQUIREMENTS FOR RESTAURANTS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0106	SPECIAL REQUIREMENTS FOR HOTELS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0107	SPECIAL REQUIREMENTS FOR PRIVATE CLUBS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0108	ILLEGAL USE OF PERMITS: CHANGE OF OWNERSHIP OR NAME	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		SECTION .0200 - GENERAL RULES AFFECTING RETAILERS AND BROWNBAGGING PERMITTEES	04 NCAC 02S .0201	GENERAL GUIDELINES	Amended Eff. November 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
			04 NCAC 02S .0202	CLEARING TABLES/COUNTERS; HOURS FOR POSSESSION/REMOVAL	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0205	EMPLOYEE AGE REQUIREMENT	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		04 NCAC 02S .0206	INTOXICATED PERSONS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	

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		04 NCAC 02S .0207	GAMBLING: GAMBLING DEVICES PROHIBITED	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0208	ILLEGAL DRUG USE PROHIBITED	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0210	DISORDERLY CONDUCT PROHIBITED	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0211	UNLAWFUL POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0212	CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0213	COOPERATION WITH LAW ENFORCEMENT OFFICERS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0214	EMPLOYMENT OF UNSUITABLE PERSONS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0215	SUPERVISION OF PREMISES	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0218	COIN VENDING MACHINES TO DISPENSE BEVERAGES PROHIBITED	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0220	TRADE NAME SIGNS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0222	SALES ONLY OF APPROVED PRODUCTS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0223	SPECIAL ORDERS FOR WINES	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0224	FILL OR REFILL ORIGINAL CONTAINERS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0226	ADULTERATION OF MALT BEVERAGES AND WINE PROHIBITED	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		04 NCAC 02S .0227	CONTAINER SIZES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0228	DISPENSING ALCOHOLIC BEVERAGES: PRODUCT IDENTIFICATION	Amended Eff. June 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0229	DESTRUCTION OF UNCONSUMED BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0231	SALES ON APPROVED PREMISES ONLY: ALTERATION	Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0232	HAPPY HOURS REGULATED	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0233	CONSUMPTION BY UNDERAGE PERSONS	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0234	PRIVATE CLUBS: GENERAL PROHIBITIONS; GUESTS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0235	PRIVATE CLUBS; RECIPROCAL MEMBERSHIPS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0236	TRANSFER OF PRODUCTS BETWEEN PREMISES PROHIBITED	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0237	KEG PURCHASE-TRANSPORTATION PERMIT	Amended Eff. December 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0300 - MALT BEVERAGE AND WINE RETAILER/WHOLESALER RELATIONSHIP	04 NCAC 02S .0301	RETAILER/WHOLESALER RELATIONSHIPS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400- ADDITIONAL REQUIREMENTS FOR BROWNBAGGING PERMITTEES	04 NCAC 02S .0402	PRIVATE CLUBS: POSSESSION OF ALCOHOLIC BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0403	PRIVATE CLUBS: STORAGE OF ALCOHOLIC BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0404	RESTAURANTS: HOTELS: DISPLAY: CONTROL OF BEVERAGES	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0405	RESTAURANTS AND HOTELS: MIXING DRINKS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0407	CONGRESSIONALLY CHARTERED VETERANS ORGANIZATIONS	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - ADDITIONAL REQUIREMENTS FOR MIXED BEVERAGES PERMITTEES	04 NCAC 02S .0502	PURCHASE TRANSPORTATION PERMIT/PURCHASE INVOICE FORM	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		04 NCAC 02S .0503	PRE-ORDERS	Amended Eff. July 6, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0507	CONFLICTS OF INTEREST	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0508	DISPENSING EQUIPMENT	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0509	MINIMUM CONTENTS OF MIXED BEVERAGES	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0510	PRICE LISTS: MISREPRESENTATION	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0511	PRE-MIXING DRINKS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0512	STORAGE AND DISPOSAL OF SPIRITUOUS LIQUOR CONTAINERS	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0513	PROHIBITED ACTS: HANDLING AND STORAGE OF LIQUOR	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0514	PROHIBITED ACTS: SERVING ALCOHOLIC BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0516	PRIVATE CLUBS: MEMBERS' LIQUOR KEPT SEPARATE	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0517	PRIVATE CLUBS: STORAGE OF MEMBERS' BEVERAGES	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0518	PRIVATE CLUBS: FINANCIAL STATEMENTS: RECORD KEEPING	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0519	RESTAURANTS: INCOME FROM SALES	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0520	RESTAURANTS, HOTELS, AND TOUR BOATS: RECORD KEEPING	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0523	HOTELS: INCOME FROM SALES	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0524	GUEST ROOM CABINET PERMITTEES: PURCHASES OF LIQUOR	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0525	GUEST ROOM CABINETS; INVENTORY AND RECORDS	Amended Eff. November 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0526	GUEST ROOM CABINETS; SALES OF ALCOHOLIC BEVERAGES	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0527	GUEST ROOMS CONSIDERED RESIDENCE	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0528	MIXED BEVERAGES CATERING PERMITS; GENERAL	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		04 NCAC 02S .0529	MIXED BEVERAGES CATERING PERMITS IN "DRY AREAS"	Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 SPECIAL REQUIREMENTS FOR CONVENTION CENTERS, COMMUNITY THEATRES, SPORTS CLUBS, AND NONPROFIT AND POLITICAL ORGANIZATIONS	04 NCAC 02S .0612	RECORD KEEPING	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0613	SPORTS CLUB: DEFINITIONS	Eff. February 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0614	SPORTS CLUB: REQUIREMENTS FOR RECEIVING AND HOLDING PERMITS	Eff. February 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0615	SPORTS CLUB: CLUB ACTIVITY FEES	Eff. February 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0616	SPORTS CLUB: RECORD KEEPING REQUIREMENTS	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0700 - SPECIAL OCCASIONS PERMITS	04 NCAC 02S .0703	STORAGE OF ALCOHOLIC BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0704	NOTICE TO BE POSTED	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0705	NO PERMIT REQUIRED AT APARTMENT CLUBHOUSE	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0706	WHEN PERMITS INVALID: MIXED BEVERAGE SALES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0707	DESTRUCTION OF LEFTOVER BEVERAGES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0708	TYPES OF PERMITS REQUIRED	Amended Eff. November 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0800 - CULINARY PERMITS	04 NCAC 02S .0801	GENERAL REQUIREMENTS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0805	SUSPENSION OF MIXED BEVERAGES PERMIT	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0900 - WINE AND BEER TASTINGS	04 NCAC 02S .0901	TASTINGS HELD BY RETAILERS FOR CONSUMERS	Amended Eff. November 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0902	TASTINGS HELD BY INDUSTRY MEMBERS FOR CONSUMERS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		04 NCAC 02S .0903	TASTINGS HELD BY INDUSTRY MEMBERS FOR RETAIL PERMITTEES: SAMPLES	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .0904	TASTINGS HELD BY INDUSTRY MEMBERS FOR ABC BOARDS	Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1000 - ADVERTISING	04 NCAC 02S .1001	DEFINITIONS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1004	GENERAL PROVISIONS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1005	PROHIBITED STATEMENTS IN ADVERTISING OR ON LABELS	Amended Eff. July 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		04 NCAC 02S .1006	GENERAL PROHIBITIONS	Amended Eff. January 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1007	COOPERATIVE ADVERTISING PROHIBITED	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1008	ADVERTISING OF MALT BEVERAGES, WINE AND MIXED BEVERAGES BY RETAILERS	Amended Eff. March 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1009	ADVERTISING OF MALT BEVERAGES AND WINE BY INDUSTRY MEMBERS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1011	ADVERTISING OF SPIRITUOUS LIQUORS	Amended Eff. November 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1012	NOVELTIES UTILIZING TRADEMARKS/NAMES: OTHER MATERIALS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1013	BOTTLE NECK HANGERS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1014	RECIPES AND BOOKLETS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1015	REVOCATION OR SUSPENSION OF PERMITS	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1020	REFUND OFFERS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1100 - EFFECT OF ADMINISTRATIVE ACTION: FINES: OFFERS IN COMPROMISE	04 NCAC 02S .1101	PROHIBITED ACTIVITY DURING PERIOD OF SUSPENSION	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1102	PROHIBITED ACTIVITY DURING SUSPENSION: BROWNBAGGING	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		04 NCAC 02S .1103	MEMBERSHIP REQUIREMENTS STILL APPLICABLE	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1104	ADMINISTRATIVE FINES: PAYMENT	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		04 NCAC 02S .1106	OFFER IN COMPROMISE	Amended Eff. May 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest