

G.S. 150B-21.3A Report for 14B NCAC 15C, INDUSTRY MEMBERS: RETAIL/INDUSTRY MEMBER RELATIONSHIPS: SHIP CHANDLERS: AIR CARRIERS: FUEL ALCOHOL

Agency - Alcoholic Beverage Control Commission

Comment Period - October 19, 2016 - January 13, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0100 - DEFINITIONS: APPLICATION PROCEDURES	14B NCAC 15C .0101	DEFINITIONS	Transferred and Recodified from 04 NCAC 02T .0101 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0102	APPLICATION PROCEDURES	Transferred and Recodified from 04 NCAC 02T .0102 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0103	BEER FRANCHISE LAW; "BRAND" DEFINED	Transferred and Recodified from 04 NCAC 02T .0103 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0104	WINE PRODUCT BRAND	Transferred and Recodified from 04 NCAC 02T .0104 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0200 - PRODUCT APPROVALS: LISTING PROCEDURES: PRODUCT LISTS	14B NCAC 15C .0201	MALT BEVERAGE PRODUCT APPROVAL: LISTING IN STATE	Transferred and Recodified from 04 NCAC 02T .0201 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0202	WINE APPROVALS; LISTING IN STATE	Transferred and Recodified from 04 NCAC 02T .0202 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0203	SPIRITUOUS LIQUOR PRODUCT APPROVALS	Transferred and Recodified from 04 NCAC 02T .0203 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0204	SPIRITUOUS LIQUOR PRODUCT LISTS	Transferred and Recodified from 04 NCAC 02T .0204 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0205	SAMPLES REQUIRED ON REQUEST	Transferred and Recodified from 04 NCAC 02T .0205 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0206	NEW FILING REQUIRED UPON TRANSFER OF BRAND	Transferred and Recodified from 04 NCAC 02T .0206 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0300 - PACKAGING AND LABELING OF MALT BEVERAGES AND WINE	14B NCAC 15C .0301	PACKAGING REQUIREMENTS	Transferred and Recodified from 04 NCAC 02T .0301 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0302	LABELS TO BE SUBMITTED TO COMMISSION	Transferred and Recodified from 04 NCAC 02T .0302 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0303	LABEL CONTENTS: MALT BEVERAGES	Transferred and Recodified from 04 NCAC 02T .0303 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 7.20-7.29; 16.20-16.22	No	Necessary without substantive public interest
		14B NCAC 15C .0304	LABEL CONTENTS: WINE	Transferred and Recodified from 04 NCAC 02T .0304 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 4.30-4.39; 16.20-16.22	No	Necessary without substantive public interest
		14B NCAC 15C .0305	ALL CONTAINERS TO HAVE LABEL	Transferred and Recodified from 04 NCAC 02T .0305 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		14B NCAC 15C .0306	LABEL ALTERATION	Transferred and Recodified from 04 NCAC 02T .0306 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0307	GROWLERS	Transferred and Recodified from 04 NCAC 02T .0308 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0308	GROWLERS: CLEANING, SANITIZING, FILLING AND SEALING	Transferred and Recodified from 04 NCAC 02T .0308 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	FDA Food Code 2009, Sections 3-304.17 and 4-204.13	No	Necessary without substantive public interest
	SECTION .0400 - STANDARDS OF IDENTITY FOR WINE: CONTAINERS	14B NCAC 15C .0401	APPLICATION OF STANDARDS	Transferred and Recodified from 04 NCAC 02T .0401 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 4.20-4.27	No	Necessary without substantive public interest
		14B NCAC 15C .0402	PROHIBITED PRACTICES	Transferred and Recodified from 04 NCAC 02T .0409 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0403	CONTAINERS	Transferred and Recodified from 04 NCAC 02T .0410 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0404	SEIZURE OF SUBSTANDARD WINE	Transferred and Recodified from 04 NCAC 02T .0411 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - INDUSTRY MEMBERS: GENERAL PROVISIONS	14B NCAC 15C .0501	INSPECTION OF PREMISES	Transferred and Recodified from 04 NCAC 02T .0501 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0502	RECORD KEEPING REQUIREMENTS: SALES TICKETS	Transferred and Recodified from 04 NCAC 02T .0502 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0503	SANITATION	Transferred and Recodified from 04 NCAC 02T .0503 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0504	OPERATION OF LICENSED PREMISES: EMPLOYEES	Transferred and Recodified from 04 NCAC 02T .0504 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 - SALES AND DELIVERIES OF MALT BEVERAGES AND WINE	14B NCAC 15C .0601	APPROVED BRANDS ONLY	Transferred and Recodified from 04 NCAC 02T .0601 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0602	SALES AND PURCHASE RESTRICTIONS: RECORDS	Transferred and Recodified from 04 NCAC 02T .0602 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0603	HOLDING OF CHECKS PROHIBITED	Transferred and Recodified from 04 NCAC 02T .0603 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0604	COLLECTION OF AMOUNT OF SALE	Transferred and Recodified from 04 NCAC 02T .0604 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 158C .0605	PLATFORM SALES	Transferred and Recodified from 04 NCAC 02T .0606 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		14B NCAC 15C .0606	DRAUGHT MALT BEVERAGE SALES: ACCESSORIES: DELIVERIES	Transferred and Recodified from 04 NCAC 02T .0607 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0607	MALT BEVERAGE AND WINE SHIPMENTS TO MILITARY BASES	Transferred and Recodified from 04 NCAC 02T .0609 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0608	REFUSAL TO SELL; PRICING; SERVICING ACCOUNTS	Transferred and Recodified from 04 NCAC 02T .0610 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0700 - ALCOHOLIC BEVERAGES: RETAILER/INDUSTRY MEMBER RELATIONSHIP: TRADE PRACTICES	14B NCAC 15C .0701	DEFINITIONS	Transferred and Recodified from 04 NCAC 02T .0702 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0702	MALT BEVERAGES: ALLOWANCES FOR DAMAGE	Transferred and Recodified from 04 NCAC 02T .0703 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0703	REMOVAL OR DISTURBANCE OF OTHER BRANDS PROHIBITED	Transferred and Recodified from 04 NCAC 02T .0704 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0704	QUANTITY DISCOUNTS PROHIBITED	Transferred and Recodified from 04 NCAC 02T .0705 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0705	EXCLUSIVE OUTLETS	Transferred and Recodified from 04 NCAC 02T .0706 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0706	INDUCEMENTS (TIED HOUSE)	Transferred and Recodified from 04 NCAC 02T .0707 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0707	COMMERCIAL BRIBERY	Transferred and Recodified from 04 NCAC 02T .0708 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0708	CONSIGNMENT SALES: CONDITIONAL SALES: RETURNS	Transferred and Recodified from 04 NCAC 02T .0709 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 11.1-11.46	No	Necessary without substantive public interest
		14B NCAC 15C .0709	PROHIBITED TRADE PRACTICES	Transferred and Recodified from 04 NCAC 02T .0711 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0710	ACCEPTED TRADE PRACTICES; SERVICES	Transferred and Recodified from 04 NCAC 02T .0712 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 6.83, 6.100, 6.101	No	Necessary without substantive public interest
		14B NCAC 15C .0711	ACCEPTED TRADE PRACTICES; THINGS OF VALUE; RETAIL PERMITTEES	Transferred and Recodified from 04 NCAC 02T .0713 Eff. August 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	27 CFR 6.81-6.102	No	Necessary without substantive public interest
		14B NCAC 15C .0712	TRANSACTIONS WITH GOVERNMENT AND SPECIAL ONE-TIME PERMITTEES	Transferred and Recodified from 04 NCAC 02T .0714 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0713	TOURNAMENTS	Transferred and Recodified from 04 NCAC 02T .0715 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		14B NCAC 15C .0714	CONSUMER CONTESTS; SWEEPSTAKES	Transferred and Recodified from 04 NCAC 02T .0716 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0715	CONDITIONS WHEN COMMISSION APPROVAL REQUIRED FOR PROMOTIONS	Transferred and Recodified from 04 NCAC 02T .0717 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0800 - SHIP CHANDLER'S PERMIT	14B NCAC 15C .0801	DEFINITIONS	Transferred and Recodified from 04 NCAC 02T .0801 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0802	IMPORTATION AND TRANSPORTATION UNDER CUSTOMS BONDS	Transferred and Recodified from 04 NCAC 02T .0802 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0803	TAXES	Transferred and Recodified from 04 NCAC 02T .0803 Eff. August 1, 2015	Unnecessary	No		No	Unnecessary
		14B NCAC 15C .0804	APPLICATION FOR PERMIT	Transferred and Recodified from 04 NCAC 02T .0804 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0805	COMPLIANCE: INSPECTION	Transferred and Recodified from 04 NCAC 02T .0805 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0900 - DISTILLERS: REPRESENTATIVES	14B NCAC 15C .0901	DISTILLER REPRESENTATIVES: PROHIBITED ACTS	Transferred and Recodified from 04 NCAC 02T .0901 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .0902	REVOCATION OR SUSPENSION OF PERMITS	Transferred and Recodified from 04 NCAC 02T .0902 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1000 - AIR CARRIERS	14B NCAC 15C .1001	APPLICATION FOR PERMIT	Transferred and Recodified from 04 NCAC 02T .1001 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .1002	SEPARATE PERMITS REQUIRED	Transferred and Recodified from 04 NCAC 02T .1002 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .1003	SALES OF ALCOHOLIC BEVERAGES IN TERMINAL	Transferred and Recodified from 04 NCAC 02T .1003 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1100 - FUEL ALCOHOL PERMITS	14B NCAC 15C .1101	APPLICATION FOR FUEL ALCOHOL PERMIT: OPERATION	Transferred and Recodified from 04 NCAC 02T .1101 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .1102	CHANGE OF PLANT LOCATION	Transferred and Recodified from 04 NCAC 02T .1102 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		14B NCAC 15C .1103	INSPECTION OF PREMISES: AVAILABILITY OF PERMIT	Transferred and Recodified from 04 NCAC 02T .1103 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .1200 - ADMINISTRATIVE ACTION BY COMMISSION	14B NCAC 15C .1201	EFFECT OF ADMINISTRATIVE ACTION	Transferred and Recodified from 04 NCAC 02T .1201 Eff. August 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest