

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0103

**DEADLINE FOR RECEIPT: April 17, 2026**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*Line 12: If accurate, consider revising this to state: "... shall not affect the **Commission's [brand.] brand determination.**"*

*Line 14: Change "do" to "does".*

*Line 17: Add a comma after "Old Faithful Dry".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel  
Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0103 is readopted as published in 40:12 NCR 998 as follows:

2  
3 **14B NCAC 15C .0103 BEER FRANCHISE LAW; "BRAND" DEFINED**

4 For purposes of Article 13 of Chapter ~~18B, 18B~~ of the General Statutes, the Beer Franchise Law, a distribution  
5 agreement between a supplier and wholesaler applies to all products distributed by the supplier under the same brand  
6 name. Different categories of products manufactured and marketed under a common identifying trade name are  
7 considered to be the same brand; e.g., the "Old Faithful" brand manufactured by Yellowstone Brewery Co. would  
8 include "Old Faithful", "Old Faithful Light", "Old Faithful Draft", "Old Faithful Dry" and other products identified  
9 principally by and relying upon the "Old Faithful" name, but would not include "Old Teton" which was also  
10 manufactured by Yellowstone Brewery Co. brand. The Commission shall determine the brand Determination of a  
11 product's brand shall be made by the Commission at the time the product is approved for sale in North Carolina  
12 Carolina. Later changes to advertising strategy or labeling and shall not affect the brand. be affected by later changes  
13 in the manufacturer's advertising strategy or labeling. Differences in packaging, such as different style, type or size of  
14 container, ~~Different packaging, style, font, or container~~ do not establish different brands. The name of the  
15 manufacturer shall not be the brand name unless no other information on the label qualifies as a brand.

16 Note: As an illustration, the "Old Faithful" brand manufactured by Yellowstone Brewery Co. would include "Old  
17 Faithful", "Old Faithful Light", "Old Faithful Draft", "Old Faithful Dry" and other products identified principally by  
18 and relying upon the "Old Faithful" name, but would not include "Old Teton" which was also manufactured by  
19 Yellowstone Brewery Co.

20  
21 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1303(a);*

22 *Eff. November 1, 1994;*

23 *Amended Eff. April 1, 2011;*

24 *Transferred and Recodified from 04 NCAC 02T.0103 Eff. August 1, 2015;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
26 *2017.*

27 *[Amended] Readopted Eff. May 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0701

**DEADLINE FOR RECEIPT: April 17, 2026**

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Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel  
Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0701 is readopted as published in 40:12 NCR 998-999 as follows:

2  
3 **14B NCAC 15C .0701 DEFINITIONS**

4 For the purposes of this Section, the following definitions shall apply:

- 5 (1) "Equipment" shall include draft beer boxes, wine dispensing machines, refrigeration devices, sinks,  
6 dishwashers, dispensing trucks, trailers, caddies, and ~~any other item useful or suitable items used~~  
7 for the preparation, serving, ~~dispensing~~ dispensing, or cleaning of ~~food or beverages~~ food,  
8 beverages, or food and beverage containers.
- 9 (2) "Point-of-Sale advertising" shall mean advertising material ~~such as including~~ signs, posters,  
10 banners, and ~~decorations that bears conspicuous and substantial product advertising matter, that has~~  
11 ~~no secondary value to the retailer, and that is designed and intended to be used inside a retailer's~~  
12 ~~licensed premises where alcoholic beverage products are displayed and sold.~~ decorations:
- 13 (a) containing alcoholic beverage product advertising matter;  
14 (b) having no secondary value to the retailer; and  
15 (c) designed and intended to be used inside a retailer's licensed premises where alcoholic  
16 beverages are displayed and sold.
- 17 (3) "Promotion" shall include ~~any advertising publicity~~ advertising, publicity, or sponsorship activity in  
18 connection with ~~any a~~ special event, ~~function~~ function, or holiday ~~that is~~ outside the scope of routine  
19 sales and marketing, ~~and shall include including~~ fundraisers, concerts, sporting events, festivals,  
20 celebrations, anniversaries, ceremonies, operations, observances, ~~sweepstakes~~ sweepstakes, or  
21 contests.

22  
23 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116;*  
24 *Eff. January 1, 1982;*  
25 *Amended Eff. July 1, 1992; May 1, 1984;*  
26 *Transferred and Recodified from 04 NCAC 02T .0702 Eff. August 1, 2015;*  
27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
28 *2017.*  
29 *[Amended] Readopted Eff. May 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0702

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Christopher S. Miller  
Commission Counsel  
Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0702 is readopted as published in 40:12 NCR 999 as follows:

2

3 **14B NCAC 15C .0702 MALT BEVERAGES: ALLOWANCES FOR DAMAGE**

4 ~~No allowance shall be made by any malt~~ Malt beverage industry member members shall not provide a credit or  
5 allowance to any a retailer for flat beer or chipped or broken bottles, except ~~in instances where~~ when the retailer returns  
6 the tops of the bottles with glass attached to the industry member. ~~No refund shall be made by any industry member~~  
7 Industry members shall not provide a refund on canned malt beverages ~~that have been~~ opened by a can opener or pull  
8 tab. ~~Refunds~~ Industry members may be made give refunds on canned malt beverages if it is obvious the malt beverages  
9 ~~have been~~ damaged in during shipment to the wholesaler or retailer.

10

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

12 *Eff. January 1, 1982;*

13 *Amended Eff. May 1, 1984;*

14 *Transferred and Recodified from 04 NCAC 02T .0703 Eff. August 1, 2015;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
16 *2017.*

17 *[Amended] Readopted Eff. May 1, 2026.*

18

19

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0703

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*History Note, Authority: Is G.S. 18B-1116(b) still relevant here? Where is this practice and exemption covered by the statutes you cite?*

*History Note, line 22: Change "Readoption" to "Readopted".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel  
Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0703 is readopted with changes as published in 40:12 NCR 999 as follows:

2  
3 **14B NCAC 15C .0703 REMOVAL OR DISTURBANCE OF OTHER BRANDS PROHIBITED**

4 ~~No wholesaler~~ Wholesalers shall not remove from a retailer's premises ~~any~~ bottles, ~~cartons~~ cartons, or kegs bearing  
5 brand identification ~~except brands that are distributed by that wholesaler~~ unless the wholesaler is authorized to  
6 distribute the brand. ~~No wholesaler~~ Wholesalers shall not remove, ~~rearrange~~ rearrange, or otherwise disturb ~~any~~ malt  
7 beverages or wine displayed by another wholesaler on a retail licensed premises ~~by another wholesaler~~, except:

- 8 (1) to return merchandise to its ~~properly~~ assigned shelf space when ~~it has been inadvertently~~ placed in  
9 the wholesaler's assigned space; ~~or~~  
10 (2) to remove a competitor's product from a promotional display area ~~that has been~~ assigned to the  
11 wholesaler, ~~and wholesaler~~ if the competitor's personnel are ~~not available~~ unavailable to move their  
12 own product from the area at the time ~~when~~ the wholesaler's product is scheduled to go on  
13 ~~promotion~~ promotion; or  
14 (3) with the consent of the affected wholesaler.

15  
16 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(b);*  
17 *Eff. January 1, 1982;*  
18 *Amended Eff. July 1, 1992; May 1, 1984;*  
19 *Transferred and Recodified from 04 NCAC 02T .0704 Eff. August 1, 2015;*  
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
21 *2017.*  
22 [Amended] Readoption Eff. May 1, 2026.

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AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0704

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*Line 4: Does the "salesman" have to be working for the wholesaler? As written, there is no link between the two. For example, in 15C .0502, you state, "wholesaler's salesman".*

*Lines 5-6, second sentence: Does this mean that wholesalers are prohibited from "charging a fee for an order of less than a full case"? The wording used is slightly awkward because you're classifying the fee as a discount. Consider rephrasing.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0704 is readopted as published in 40:12 NCR 999 as follows:

2

3 **14B NCAC 15C .0704 QUANTITY DISCOUNTS PROHIBITED**

4 ~~No wholesaler or his employee~~ A wholesaler or salesman shall not give any a retailer a quantity discount on the price  
5 of malt beverages or wine, nor shall a retailer wine. A quantity discount includes charging a fee for an order of less  
6 than a full case. Retailers shall not require a wholesaler to provide these quantity discounts.

7

8 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(a);*

9 *Eff. January 1, 1982;*

10 *Amended Eff. May 1, 1984;*

11 *Transferred and Recodified from 04 NCAC 02T .0705 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. May 1, 2026.*

15

16

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AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0705

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*Lines 4-5: You state, "..., by agreement or otherwise, through direct or indirect means, ..." Is this language necessary? Couldn't you just state, "by any means"?*

*History Note, line 18: "Amended" should also be struck through.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0705 is readopted as published in 40:12 NCR 999 as follows:

2

3 **14B NCAC 15C .0705 EXCLUSIVE OUTLETS**

4 ~~No~~An industry member shall not require, by agreement or otherwise, ~~directly or indirectly, through direct or indirect~~  
5 ~~means,~~ that ~~any a~~ retailer ~~engaged in the sale of malt beverages, wine or mixed beverages~~ purchase any alcoholic  
6 beverages from ~~that person~~ the industry member pursuant to ~~any~~ of the following practices:

- 7 (1) ~~written or unwritten~~ contractual purchase agreements;
- 8 (2) threat of loss of supply;
- 9 (3) purchases made as a prerequisite for the purchase of short supply items; or
- 10 (4) ~~any form of~~ coercion by the industry member, including threats of physical or economic harm.

11

12 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(a);*

13 *Eff. January 1, 1982;*

14 *Amended Eff. May 1, 1984;*

15 *Transferred and Recodified from 04 NCAC 02T .0706 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] Readopted Eff. May 1, 2026.*

19

20

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0706

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*(9): "Pay" whom? Consider specifying for clarity.*

*(11), line 20: Add a comma after "scoreboards".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0706 is readopted as published in 40:12 NCR 999-1000 as follows:

2  
3 **14B NCAC 15C .0706 INDUCEMENTS (TIED HOUSE)**

4 ~~No industry member shall:~~ Industry members shall not:

- 5 (1) acquire or hold ~~any-an~~ interest in ~~any-a~~ license or permit ~~with respect to or~~ the premises of a retail  
6 permittee;
- 7 (2) acquire ~~any-an~~ interest in real or personal property owned, occupied, or used by a retail permittee ~~in~~  
8 ~~the conduct of his- for the retailer's~~ business;
- 9 (3) furnish, give, rent, lend, or sell to a retail permittee ~~any~~ equipment, fixtures, signs, supplies, money,  
10 services, or ~~other~~ things of value except as ~~otherwise~~ provided in these Rules;
- 11 (4) pay or credit a retail permittee for ~~any~~ advertising, display, or distribution service;
- 12 (5) guarantee ~~any-a~~ loan or the repayment of ~~any-a~~ financial obligation of a retail permittee;
- 13 (6) extend credit to a retail permittee, except as ~~otherwise~~ provided in these Rules;
- 14 (7) require a retail permittee to take and dispose of a certain quota of ~~any~~ alcoholic beverages;
- 15 (8) acquire ~~any-an~~ interest in a mortgage or deed of trust on the retailer's business or property;
- 16 (9) pay for the display of advertising on ~~any~~ signs or scorecards manufactured by a third party for a  
17 retailer;
- 18 (10) furnish free warehousing by delaying delivery of alcoholic beverage product or by providing  
19 refrigerated vehicles for a retailer; or
- 20 (11) purchase advertising on signs, scoreboards and programs at ballparks, racetracks, and coliseums  
21 from the retail concessionaire, unless the retailer is a city or county, and an exemption has been  
22 granted pursuant to G.S. 18B-1116(b).

23  
24 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(a);*

25 *Eff. January 1, 1982;*

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

27 *Transferred and Recodified from 04 NCAC 02T .0707 Eff. August 1, 2015;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
29 *2017.*

30 *[Amended] Readopted Eff. May 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0707

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*(b)(6), line 18: What qualifies as "light hors d'oeuvres and beverages"? This language alone may be ambiguous.*

*(c)(1): What is an "entertainment venue"? What constitutes a meal "in conjunction with entertainment"? Is this defined or explained elsewhere in your rules?*

*(c)(6): What does this mean? What is a "business meal in the food and non-alcoholic beverage industry provided in the ordinary course of business"? And how is the cost of that determined? This provision is not clear.*

*(c)(7), line 3: Change "an" to "the", for consistency.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0707 is readopted as published in 40:12 NCR 1000 as follows:

2  
3 **14B NCAC 15C .0707 COMMERCIAL BRIBERY**

4 (a) ~~No industry member~~ Industry members shall ~~make not give~~ gifts or ~~payoffs-payments~~ to purchasing agents, clerks,  
5 bartenders, ~~salesmen-salesmen~~, or other employees of retail permittees.

6 (b) ~~No industry member~~ Industry members shall ~~not give any a~~ bonus, ~~premium-premium~~, or compensation to ~~any a~~  
7 retailer or an officer, ~~employee-employee~~, or agent of the retailer. Prohibited acts include:

- 8 (1) monetary inducements ("push money") ~~given~~ to retailers or their employees;
- 9 (2) ~~total or partial~~ payment of any part of a retailer's employee's salary;
- 10 (3) sales promotion contests ~~in which where~~ a retailer's employees are offered or awarded ~~prizes-prizes~~  
11 ~~such as trips abroad, cash, or automobiles that are totally or partially~~ financed by an industry  
12 member;
- 13 (4) payments or gratuities to groups or associations of retailer's employees;
- 14 (5) ~~other gifts such as trips, appliances, or other items given~~ to retail corporate officers; or
- 15 (6) participation in a retailer's sales or management ~~meetings, conventions or outings-meeting,~~  
16 convention, or outing by sponsoring or underwriting ~~any events in connection with at~~ the meeting,  
17 ~~convention-convention~~, or outing, unless ~~such~~ participation is limited to ~~the~~ providing of a  
18 hospitality suite with light hors d'oeuvres and beverages, and the price paid for the suite is not greater  
19 than that paid by any other participant in the meeting, ~~convention-convention~~, or outing.

20 (c) Notwithstanding Paragraphs (a) and (b) of this Rule, an industry member may invite and pay for up to two  
21 employees or representatives of a retail permittee ~~who is permitted under pursuant to~~ G.S. 18B-1001, ~~to, and pay for,~~  
22 ~~to for~~ a business meal to discuss sales and promotions in person, ~~provided that:~~ with the following conditions:

- 23 (1) ~~the business meal, including beverages consumed with the meal, shall take place within North~~  
24 ~~Carolina and shall not take place at any entertainment venue or in conjunction with~~  
25 ~~entertainment;~~ the industry member shall conduct the business meal in North Carolina but not at an  
26 entertainment venue or in conjunction with entertainment;
- 27 (2) if the industry member provides transportation, ~~that it shall be by personal vehicle only;~~ the industry  
28 member shall use only a personal vehicle;
- 29 (3) the industry member must accompany the employees or representatives of a retail permittee for the  
30 duration of the business meal;
- 31 (4) ~~such the industry member shall provide the~~ business meal ~~shall be provided~~ without a corresponding  
32 obligation ~~on the part~~ of the retailer to purchase alcoholic beverages or to provide ~~any other a~~ benefit  
33 to ~~such the~~ industry member;
- 34 (5) ~~such the industry member shall provide the~~ business meal ~~shall be provided~~ without a corresponding  
35 obligation ~~on the part~~ of the retailer to exclude from sale the products of ~~any other another~~ industry  
36 member;



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AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0709

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*(a), line 7: Is the added language here necessary? If so, why?*

*(b): If the retailer pays market value for these services, how is this covered by § 18B-1116? Does "lend or give" include services for pay? Do "provide" and "give" have different meanings?*

*(c)(8): Add a comma after "fixtures".*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0709 is readopted with changes as published in 40:12 NCR 1001-1002 as follows:

2  
3 **14B NCAC 15C .0709 PROHIBITED TRADE PRACTICES**

4 (a) General. ~~It shall be a violation of this Rule for any~~ An alcoholic beverage (~~including malt beverages, wines and~~  
5 ~~spirituous liquors~~) industry ~~member, member for malt beverages, wine, or spirituous liquor, whether or not~~ licensed  
6 in this ~~state, state or not~~, or any officer, director, ~~employee~~ employee, or affiliate, ~~to either directly or indirectly shall~~  
7 ~~not~~ lend, give, ~~furnish~~ furnish, or ~~offer~~ offer, either directly or indirectly, to ~~any a~~ retail permittee or his permittee, a  
8 ~~retailer's~~ employee, or to the owner of the premises ~~on which~~ where the business of a retailer is conducted, or for ~~any~~  
9 ~~a~~ retail permittee, employee, or owner to demand, ~~require~~ require, or accept from ~~any an~~ industry member, ~~any~~ money,  
10 services, furniture, fixture, equipment, sign, glasses, barware, ~~supplies~~ supplies, or ~~other~~ thing of value, except as  
11 provided in this Rule.

12 (b) Prohibited Services. ~~By way of illustration, the~~ The following services shall not be furnished, given, ~~provided~~  
13 ~~provided~~, or made available to a retail permittee by an industry member, even if the retailer is charged or billed for  
14 the services for their market value:

- 15 (1) installing, ~~repairing~~ repairing, or maintaining equipment, outdoor ~~signs~~ signs, or other fixtures;
- 16 (2) promoting a retailer in advertising;
- 17 (3) reconciling inventory for a retailer;
- 18 (4) providing labor or employees to assist a retailer in the retailer's promotional events unless otherwise  
19 allowed in the rules of the Commission;
- 20 (5) loaning or renting aerial displays or outdoor inflatables to a retailer for use, whether on or off the  
21 retailer's licensed premises;
- 22 (6) pricing or repricing a product without the retailer's consent;
- 23 (7) warehousing, by:
  - 24 (A) making refrigerated vehicles available to the retailer; or
  - 25 (B) delaying delivery from a manufacturer, importer, nonresident ~~vendor~~ vendor, or warehouse  
26 ~~in order to enable the retailer to take advantage of promotional prices or for any other~~  
27 ~~reason;~~ for the retailer's advantage;
- 28 (8) affixing special retailer stamps or stickers to beer or wine ~~packaging, but a~~ packaging. A wholesaler  
29 may affix signs, stickers, stamps, or tags indicating the product's price to a container, ~~shelf~~ shelf, or  
30 display of ~~its~~ the wholesaler's products;
- 31 (9) entering delivery data on a retailer's in-store computer;
- 32 (10) providing data processing services;
- 33 (11) sponsoring sports leagues ~~that are~~ also sponsored by a ~~retailer,~~ retailer or that use the facilities of a  
34 retailer for sporting events;
- 35 (12) guaranteeing the loan of a retailer;
- 36 (13) extending credit to a retailer;
- 37 (14) failing to require a deposit equal to that charged by the supplier on kegs and returnable bottles; or

1 (15) negotiating special prices for or financing of equipment.

2 (c) Prohibited Things of Value. ~~By way of illustration, the~~ The following things of value shall not be furnished, given,  
3 loaned, ~~rented-rented~~, or sold to a retail permittee by ~~any-an~~ industry member:

4 (1) aerial displays or tethered inflatables;

5 (2) parties ~~given~~ for retailers or groups of retailers' employees, unless otherwise allowed by the rules of  
6 the Commission;

7 (3) prizes at retailer conventions;

8 (4) advertising in a retailer periodical or advertising in a retailer publication designed for distribution to  
9 consumers;

10 (5) outside signs;

11 (6) cooperative advertising, including:

12 (A) providing or assisting retailer promotions, whether on or off the retailer's premises;

13 (B) participation with a retailer in the advertising of alcoholic beverages, the retailer's ~~business~~  
14 business, or special events unless specifically approved by the Commission in the case of  
15 fundraisers for non-profit charitable organizations after consideration of the factors listed  
16 in G.S. 18B-1116(b);

17 (C) underwriting the cost of T-markers, ~~scorecards-scorecards~~, or scoreboards by the purchase  
18 of advertising from a third party; or

19 (D) customizing point-of-sale advertising materials, novelties, glassware, consumer ~~specialties~~  
20 specialties, or product displays by printing or having printed the retailer's name, slogan or  
21 logo on the item, unless otherwise specifically allowed in the rules of the Commission;

22 (7) making discounts, ~~rebates-rebates~~, or refunds to a retailer on the condition ~~that~~ the retailer use the  
23 discount, ~~rebate-rebate~~, or refund to pay off a loan;

24 (8) equipment, fixtures or furnishings; or

25 (9) clothing, except as provided in ~~Rule .0711 of this Section.~~ 14B NCAC 15C .0711.

26  
27 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116;*

28 *Eff. July 1, 1992;*

29 *Amended Eff. April 1, 2011;*

30 *Transferred and Recodified from 04 NCAC 02T .0711 Eff. August 1, 2015;*

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

33 *[Amended] Readopted Eff. May 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0710

**DEADLINE FOR RECEIPT: April 17, 2026**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*Page 1, Line 1: Change ".710" to ".0710".*

*(2)(b), line 26: Change "he" to "it".*

*(2)(b)(ii): Who determines whether "reasonable" has been met under § 25-1-205? The Commission?*

*(3)(e): To comply with § 150B-21.6, please indicate whether or not the incorporation includes subsequent amendments and editions of the referenced material.*

*(8)(b): What is a "comparable" beverage? Who makes this determination and how?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .710 is readopted with changes as published in 40:12 NCR 1002-1004 as follows:

2  
3 **14B NCAC 15C .0710 ACCEPTED TRADE PRACTICES; SERVICES**

4 ~~The following service activities are specifically allowed in transactions between alcoholic beverage (which includes~~  
5 ~~malt beverages, wines and spirituous liquors) industry member and retailers:~~Malt beverage, wine, and spirituous liquor  
6 industry members are authorized to provide the following services to retailers:

7 (1) Shelving and Pricing for Malt Beverage and Wine Wholesalers.

8 (a) Malt beverage and wine wholesalers ~~who have been~~ assigned space in retail permittee  
9 outlets may price or re-price their stock as ~~designated~~ requested by the retail permittee.

10 (b) Malt beverage and wine wholesalers may rearrange and place their brand or brands in their  
11 assigned shelf space ~~so as to rotate their stock and~~ to keep their assigned space clean and  
12 neat.

13 (c) Malt beverage and wine wholesalers may rearrange or reset a retail permittee's alcoholic  
14 beverage shelf space, display area, or department pursuant to that retail permittee's plan  
15 and ~~direction, direction.~~ but that industry Industry members shall not move or disturb  
16 brands sold by other industry ~~members~~ members except as authorized in 14B NCAC 15C  
17 .0703.

18 ~~(2) — Coil Cleaning Service. An industry member may render coil cleaning services to a retailer.~~

19 ~~(3)~~ (2) Shelf Management Plans; Notice Prior to Reset.

20 (a) An industry member may discuss with a retailer shelf-management concepts and programs  
21 and may provide, publish, and make available data on market sales and analysis.

22 (b) An industry member may provide and suggest shelf-management plans which are  
23 customized for a specific retail permittee or group of retail permittees. The retail permittee  
24 shall remain solely responsible for implementing ~~any a~~ suggested shelf-management plan.  
25 If an industry member provides a suggested shelf-management plan to a retail permittee or  
26 group of retail permittees, he must provide a suggested plan to ~~any other retail permittee~~  
27 permittees upon request. Shelf-management plans shall meet the following conditions:

28 (i) no retail permittee or person acting on ~~its~~ the retail permittee's behalf shall  
29 implement a shelf-management plan unless the retail permittee sends notice of the  
30 plan to all wholesalers ~~that service that~~ servicing the location who have ~~provided~~  
31 ~~a request to the retail permittee to receive such notice;~~ requested notification from  
32 the retail permittee;

33 (ii) the retail permittee shall provide the notice to wholesalers required under this Sub-  
34 ~~item~~ SubItem at least two weeks prior to implementation of the plan and the notice  
35 shall include the date and time of the contemplated plan ~~implementation and shall~~  
36 ~~be provided at least two weeks before such time.~~ implementation. In the event of  
37 an exigent or other unforeseen circumstance in which such If notice cannot be

1 provided within the two week period, the retail permittee shall provide ~~such~~ notice  
2 within a reasonable period of time ~~as referenced by~~ pursuant to G.S. 25-1-205(a);

3 (iii) the retail permittee shall include the proposal in a notice if an industry member  
4 assists in the creation of a proposed plan, the notice provided by the retail  
5 permittee shall also include the proposal; plan; and

6 (iv) if a retail permittee develops a shelf-management plan without assistance from an  
7 industry member or makes adjustments to less than 15 percent of the current shelf-  
8 management plan, the retail permittee is not required to send the notice to  
9 wholesalers required under this Sub item does not apply to a retail permittee that  
10 independently develops or designs his own shelf management plan without the  
11 assistance of an industry member, or who makes adjustments to less than 15  
12 percent of the current self management plan. SubItem.

13 (c) A wholesaler may provide physical labor to implement a shelf-management plan.

14 (d) For purposes of this Rule, a shelf-management plan includes shelf resets.

15 (e) For purposes of this Rule, ~~notice from either~~ a retail permittee or an industry member shall  
16 ~~be provided~~ provide notice by verifiable electronic mail, certified mail, or other delivery  
17 service ~~which requires~~ requiring written verification of delivery, and shall include a  
18 ~~designated person and contact~~ contact person's information for return correspondence.

19 **(4)(3)** Participation in Retailer Association Activities. An industry member may participate in retailer  
20 association activities by:

21 (a) displaying product at association conventions or trade shows;

22 (b) renting display or booth space ~~so long as~~ only if the rental fee is the same ~~as the~~ fee paid  
23 by all exhibitors;

24 (c) providing hospitality events which are independent from association sponsored activities;

25 (d) purchasing tickets to functions and paying registration fees only if ~~such fees are~~ the same  
26 fees are ~~as~~ paid by all exhibitors; and

27 (e) making payments for advertisements in programs or brochures at association shows within  
28 the dollar limits established by ~~27 C.F.R. 6.100 and the Bureau of Alcohol, Tobacco and~~  
29 ~~Firearms which is incorporated herein by reference. Cost adjustment increases authorized~~  
30 ~~by 27 C.F.R. 6.83 are also incorporated herein by reference but subsequent amendments to~~  
31 ~~27 C.F.R. 6.100 are not incorporated. Copies of these regulations are available for~~  
32 ~~inspection and copying as provided by 14B NCAC 15C .0401.~~ Subpart D of 27 CFR Part  
33 6, incorporated herein by reference and available for free at  
34 <https://www.ecfr.gov/current/title-27/chapter-I/subchapter-A/part-6/subpart-D>.

35 **(5)(4)** Educational Seminars. An industry member may provide or sponsor seminars for retailers and their  
36 employees in the following areas:

37 (a) the proper use of equipment;

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0711

**DEADLINE FOR RECEIPT: April 17, 2026**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*(a)(6): I don't understand the interplay with 14B NCAC 15B .1006. You state here, sales are allowed for "menus that exceed the number of food items pursuant" to that rule. And then going to 14B NCAC 15B .1006, that rule states that industry members are permitted to supply menus to retailers that may "include up to six items from the retailer's food menu". Is your rule now saying that industry members can actually sell to retailers longer menus? Wouldn't this contradict your other rule?*

*(b)(6)(A): Consider defining what constitutes "conspicuous and substantial" advertising matter. Otherwise, the rule may be unclear.*

*(b)(8), line 8: Add a space before "so long".*

*(c), lines 13 and 14: Submit to whom for approval?*

*(c), line 14: Again, you may want to define what "conspicuous" means.*

*(d): Please indicate the price to obtain the material (if free, please state this).*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0711 is readopted with changes as published in 40:12 NCR 1004-1005 as follows:

2  
3 **14B NCAC 15C .0711 ACCEPTED TRADE PRACTICES; THINGS OF VALUE; RETAIL PERMITTEES**

4 (a) Items That Must Be Sold. ~~The following things of value shall not be given, loaned or rented by any alcoholic~~  
5 ~~beverage (which includes malt beverages, wines and spirituous liquors) industry member~~ Malt beverage, wine, and  
6 spirituous liquor industry members shall not give, lend, or rent to a retail permittee, but may be sold ~~sell~~ to the retail  
7 permittee at the price paid for the item by the first industry member who acquires the item; following things of value:

- 8 (1) novelties, ~~such as~~ coolers, umbrellas, ice chests, beach towels, towels, and sports equipment, so long  
9 as the novelty item if the item has not been customized for a retail permittee with the retail  
10 permittee's name or logo;
- 11 (2) glassware and cups, ~~so long as the items have if the item has~~ not been customized for a retail  
12 permittee with the retail permittee's name or logo;
- 13 (3) carbon dioxide;
- 14 (4) ice;
- 15 (5) beer tapping accessories, ~~including~~ faucets, rods, vents, taps, hoses, washers, couplings, gas gauges,  
16 vent tongues, shanks, and check valves; and
- 17 (6) menus that exceed the number of food items ~~provided in pursuant to~~ 14B NCAC 15B .1006(a)(3).

18 (b) Items That May Be Provided at No Charge. Industry members may give, provide, loan, rent, or sell the ~~The~~  
19 ~~following things of value may be given, furnished, loaned, rented or sold by an industry member to a retail permittee:~~

- 20 (1) samples of malt beverage, ~~wine~~ wine, and spirituous liquor products in the following quantities:
- 21 (A) no more than three gallons of any brand of malt beverages;
- 22 (B) no more than three liters of any brand of wine; and
- 23 (C) no more than 50 milliliters of any brand of spirituous liquor.

24 Industry members may only give samples ~~Samples may be given only~~ to a retail permittee who has not previously  
25 purchased those brands from the industry member within the previous calendar year.

- 26 (2) recipes, ~~booklets~~ booklets, and brochures for cooking with ~~wine, malt beverages~~ malt beverages,  
27 wine, or spirituous liquors as described in pursuant to 14B NCAC 15B .1006(a)(3); .1006(a)(3);
- 28 (3) malt beverage, ~~wine~~ wine, and mixed beverage lists, ~~in accordance with lists pursuant to~~ 14B NCAC  
29 15B .1006(a)(3); .1006(a)(3);
- 30 (4) combination packaging, ~~as provided in packaging pursuant to~~ 27 C.F.R., CFR 6.93;
- 31 (5) consumer specialty items such as bottle or can openers, cork screws, ash trays, shopping bags,  
32 individual can coolers, hats, caps, visors, t-shirts (without collars or buttons), or key chains. Such  
33 items may be given to retail permittees for distribution to consumers, or may be provided by industry  
34 member personnel directly to consumers at the retail permittee's place of business during visits that  
35 are not announced or advertised to consumers. Consumer specialty items shall not be customized  
36 for a retail permittee with the retail permittee's name or logo; and,

1 (6) product displays, to include wine racks, bins, barrels, casks and shelving from which malt beverage,  
2 wine or spirituous liquor are displayed and sold, so long as:

3 (A) each display bears conspicuous and substantial advertising matter; and

4 (B) the dollar limitations per brand do not exceed ~~one hundred sixty dollars (\$160.00);~~ those  
5 established in G.S. 18B-105.

6 (7)(6) point of sale advertising materials which have value only as advertising, so long as the pieces have  
7 not been customized for any individual retail ~~permittee; and~~ permittee.

8 (8) retail permittee advertising specialty items as described in 14B NCAC 15B .1006(a)(4), so long as  
9 the items have not been customized for an individual retail permittee, and so long as the dollar  
10 limitations per brand do not exceed ~~three hundred dollars (\$300.00) per year;~~ those established in  
11 G.S. 18B-105.

12 (c) Point-Of-Sale Advertising Materials. Notwithstanding having a secondary value, the following items are  
13 considered to be point-of-sale materials and ~~an industry member is not required to submit~~ need not be submitted by  
14 ~~an industry member~~ for approval prior to use, so long as the items bear conspicuous advertising matter:

15 (1) clocks;

16 (2) lamps;

17 (3) lighted displays;

18 (4) blackboards;

19 (5) bulletin boards;

20 (6) dart board backgrounds;

21 (7) menu and price boards;

22 (8) tap standards;

23 (9) calendars;

24 (10) mirrors; and

25 (11) prizes offered in a consumer sweepstakes or contest pursuant to 14B NCAC 15C .0714(b). ~~The~~  
26 ~~prizes shall bear a sticker that shows it is the property of the industry member. Industry members~~  
27 ~~shall place a sticker on prizes to show the prize is the property of the industry member. The prizes~~  
28 ~~shall be picked up by the industry member shall pick up the prize~~ at the conclusion of the  
29 sweepstakes or contest.

30 (d) The provisions of ~~27 C.F.R.~~ CFR 6.93 referenced in this Rule are incorporated by reference, but such incorporation  
31 ~~does not include subsequent amendments. Copies of this regulation are available for inspection and copying as~~  
32 ~~provided in 14B NCAC 15C .0401.~~ reference including subsequent amendments and editions that may be accessed at  
33 <https://www.ecfr.gov/current/title-27/section-6.93>.

34 (e) Nothing ~~within~~ ~~in~~ this Rule applies to ABC boards.

35  
36 *History Note:* Authority G.S. 18B-100; 18B-105; 18B-207; 18B-1116(b);  
37 *Eff. July 1, 1992;*

1                    *Amended Eff. April 1, 2011;*  
2                    *Transferred and Recodified from 04 NCAC 02T .0713 Eff. August 1, 2015;*  
3                    *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
4                    *2017.*  
5                    ~~Amended~~ Readopted Eff. May 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0712

**DEADLINE FOR RECEIPT: April 17, 2026**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*(b): It looks as if your mark up of the current rule is off. The current code states: "No sponsorship agreement or advertising contract between an industry member and a city, county, the state, or a Special One-Time permittee shall contain any agreement, either express or implied, that the industry member's products will be sold to the exclusion, in whole or in part, of other brands of alcoholic beverages offered by competitors." Please check this. Something seems off here.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0712 is readopted with changes as published in 40:12 NCR 1005-1006 as follows:

2  
3 **14B NCAC 15C .0712 TRANSACTIONS WITH GOVERNMENT AND SPECIAL ONE-TIME**  
4 **PERMITTEES**

5 (a) Permitted Activities. Notwithstanding the restrictions contained in 14B NCAC 15C .0709, ~~the following activities~~  
6 ~~by alcoholic beverage (which includes malt beverages, wines and spirituous liquors)~~ malt beverage, wine, and  
7 spirituous liquor industry members are ~~allowed, as described in this Rule, authorized to conduct the following~~  
8 activities in transactions with cities, counties, the ~~state, or State,~~ in transactions with nonprofit or political  
9 organizations that have obtained a Special One-Time permit under the provisions of G.S. 18B-1002(a)(2) or (5), or in  
10 transactions with nonprofit organizations that do not hold an ABC permit:

- 11 (1) sponsorships of festivals, concerts, ~~fundraisers~~ fundraisers, or special events cosponsored by the  
12 local government, the ~~state~~ State, or nonprofit or political organizations, including payments of  
13 advertising fees;
- 14 (2) loaning or renting portable equipment to a local government, the ~~state~~ State, or a nonprofit or  
15 political organization so long as the equipment loaned or rented is for a single event of limited  
16 duration;
- 17 (3) contracts to provide payment for permanent advertising on signs or scoreboards when the industry  
18 member has submitted a request ~~for and received an exemption pursuant to G.S. 18B-1116(b); to~~  
19 legal@abc.nc.gov and received approval;
- 20 (4) providing labor or employees to assist in the setting up or changing of draft beer kegs and equipment  
21 which has been loaned or rented pursuant to Subparagraph (a)(2) of this Rule;
- 22 (5) loaning or renting ~~previously approved~~ aerial displays or outdoor ~~inflatables~~ inflatables, approved  
23 prior to the event by submission to legal@abc.nc.gov, for the duration of a special event;
- 24 (6) loaning or allowing the use of refrigerated vehicles;
- 25 (7) providing novelties, ~~prizes~~ prizes, or prize money to nonprofit organizations that have obtained a  
26 Special One-Time Permit;
- 27 (8) providing cash contributions, product ~~donations~~ donations, and other consumer goods, ~~provided on~~  
28 the condition that any donated product remaining after the event is ~~not supplied~~ provided by the  
29 Special One-Time Permittee to a ~~regular~~ retail permittee;
- 30 (9) participation with a local government or the ~~state~~ State in the advertising of events cosponsored by  
31 the local government or ~~state~~; State; and
- 32 (10) ~~accepting after the event is over, accepting, for cash or credit, the return of alcoholic beverages not~~  
33 sold, for cash or credit, after the event is over.

34 (b) Sponsorship/Advertising Agreements Restricted. ~~No~~ Industry members shall not enter a sponsorship agreement  
35 or advertising contract ~~between an industry member and with~~ a city, county, the ~~state~~, State, or a Special One-Time  
36 permittee ~~shall contain any agreement, either express or implied, where, either express or implied, that~~ the industry

1 member's products will be sold to the exclusion, in whole or in part, of other brands of alcoholic beverages offered by  
2 competitors.

3 (c) Cosponsorship with Retail Permittee. ~~In any promotion by an~~ An industry member shall not promote or sponsor  
4 an event with a local government, the ~~state, State,~~ or a nonprofit organization ~~in which there is cosponsorship by where~~  
5 a retailer other than the local government or the ~~state, State~~ has a cosponsorship unless the industry member ~~shall~~  
6 ~~obtain~~ obtains prior written approval from the Commission at [legal@abc.nc.gov](mailto:legal@abc.nc.gov) and as provided in 14B NCAC 15C  
7 .0715.

8  
9 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(b);*  
10 *Eff. July 1, 1992;*  
11 *Amended Eff. November 1, 2012; April 1, 2011;*  
12 *Transferred and Recodified from 04 NCAC 02T .0714 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. May 1, 2026.  
16  
17

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0713

**DEADLINE FOR RECEIPT: April 17, 2026**

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*(b), first sentence: What does this mean? How does one determine whether "the tournament and its purpose are the main theme"? Who makes this determination? What is a "main theme"?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0713 is readopted as published in 40:12 NCR 1006 as follows:

2  
3 **14B NCAC 15C .0713 TOURNAMENTS**

4 (a) General. ~~Sponsorship by an~~ An industry member may sponsor of a regional, ~~statewide~~ statewide, or national sports  
5 ~~tournament, when the tournament is held~~ on the property or premises of a retail ~~permittee, is permissible~~ permittee  
6 only if all of the following conditions are met:

7 (1) The tournament is promoted or sanctioned by the official governing body of the sport, or is promoted  
8 and sponsored by a ~~bona fide~~ nonprofit organization for the purpose of raising funds for a civic,  
9 scientific, ~~charitable~~ charitable, or educational cause;

10 (2) An industry member does not give, rent, or loan ~~No~~ money, novelty ~~items~~ items, or other prohibited  
11 ~~services~~ services, or things of value ~~are given, rented or loaned by an industry member~~ to the retailer;  
12 and

13 (3) An industry member gives all ~~All~~ sponsorship ~~money or fees and other~~ money, fees, and things of  
14 value ~~from the industry member are given~~ to the official governing body of the sport or the nonprofit  
15 organization.

16 (b) Advertising. An industry member may advertise ~~via mass media~~ or pay for the advertising of a tournament when  
17 the ~~primary theme of the advertisement is the~~ tournament and its ~~purpose~~ purpose are the main theme. ~~The naming of~~  
18 Citing the retailer's premises as the location of a tournament shall not be construed to be cooperative advertising in  
19 violation of 14B NCAC 15B .1005 ~~of this Chapter~~ when the retailer's ~~tradename~~ trade name is stated in substantially  
20 smaller ~~typeface~~ typeface than the majority of the advertisement.

21 (c) Sponsorship/Advertising Agreements Restricted. No industry member agreeing to sponsor a tournament shall  
22 enter into any agreement or contract, either express or implied, that a retailer or special one-time permittee will sell  
23 that industry member's products to the exclusion, in whole or in part, of other brands of alcoholic beverages offered  
24 by competitors.

25 (d) Joint Sponsorships. An industry member shall not agree to cosponsor ~~any a~~ tournament with ~~any a~~ retail permittee  
26 unless the proceeds from the tournament are paid to a nonprofit civic, scientific, ~~charitable~~ charitable, or educational  
27 organization.

28 (e) Prohibited Sponsorships. An industry member shall not sponsor or aid a retailer in the promotion of ~~any a~~  
29 tournament held ~~primarily~~ to benefit the retailer, its employees, ~~members~~ members, or guests.

30  
31 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(b);*

32 *Eff. July 1, 1992;*

33 *Amended Eff. November 1, 2012;*

34 *Transferred and Recodified from 04 NCAC 02T .0715 Eff. August 1, 2015;*

35 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
36 *2017.*

37 *[Amended] Readopted Eff. May 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alcoholic Beverage Control Commission

RULE CITATION: 14B NCAC 15C .0714

**DEADLINE FOR RECEIPT: April 17, 2026**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Form 0400: In box 6, in response to "Link to Agency notice," you provided the following: "July 15, 2025". What is this date referring to? Also, please provide us with a hyperlink to the posting on the agency's website that complies with § 150B-19.1(c).*

*History Note, Authority: Is § 18B-105 also relevant here? If so, consider adding.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel  
Date submitted to agency: April 7, 2026

1 14B NCAC 15C .0714 is readopted as published in 40:12 NCR 1006 as follows:

2

3 **14B NCAC 15C .0714 CONSUMER CONTESTS; SWEEPSTAKES**

4 (a) General. ~~Malt beverage, wine, and spirituous liquor industry members may offer consumer~~ Consumer contests or  
5 sweepstakes ~~may be offered by an alcoholic beverage (which includes malt beverages, wines and spirituous liquors)~~  
6 ~~industry member so long as only if~~ no purchase is required. Entry forms may be attached to or part of an alcoholic  
7 beverage label or package so long as ~~alternative methods of entry are available to the consumer by means of a tear~~  
8 pad of entry forms is available to the consumer at the point of purchase or ~~by means of~~ electronic entry forms are  
9 available on the internet.

10 (b) Point-of-Sale Permissible; Restriction on Retailer Involvement. An industry member may provide to a retailer  
11 point-of-sale advertising materials promoting a sweepstakes or contest. An industry member shall not offer or promote  
12 ~~any a~~ sweepstakes or contest in conjunction with ~~any a~~ retailer as a cosponsor or as the provider of ~~any a~~ prize. No  
13 prizes may be drawn or awarded on the premises of ~~any a~~ retailer. Officers, ~~employees~~ employees, and representatives  
14 of industry members and retailers are excluded from participating in a consumer sweepstakes or contest offered under  
15 this Rule.

16

17 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1116(b);*

18 *Eff. July 1, 1992;*

19 *Amended Eff. April 1, 2011;*

20 *Transferred and Recodified from 04 NCAC 02T .0716 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. May 1, 2026.*

24

25