

1 14B NCAC 15C .0801 is readopted as published in 40:20 NCR 1595 as follows:

2
3 **SECTION .0800 - SHIP CHANDLER'S PERMIT**

4
5 **14B NCAC 15C .0801 DEFINITIONS**

6 As used in this Section:

- 7 (1) "Export Warehouse" or "Internal Revenue Warehouse" means ~~any a~~ warehouse ~~under with an~~
8 Internal Revenue Bond and ~~conforming to all subject to~~ Internal Revenue Service ~~rules and~~
9 regulations.
- 10 (2) "Ocean-going vessel" means ~~any a~~ ship or vessel ~~that plys used on~~ the high seas in interstate or
11 foreign commerce ~~in the to~~ transport ~~of for hire~~ freight, passengers, or ~~both for hire exclusively both.~~
- 12 (3) "Ship chandler" means ~~any a~~ retail or wholesale agent ~~regularly~~ engaging in the storage and sale of
13 stocks and supplies to ocean-going ~~vessels of stock and supplies, vessels.~~
- 14 (4) "United States Customs Bonded Warehouse" means a private bonded warehouse used ~~exclusively~~
15 for the storage of only imported merchandise, ~~merchandise~~, either belonging or consigned to the
16 ~~proprietor thereof proprietor,~~ or a public bonded warehouse used ~~exclusively~~ for the storage of only
17 imported merchandise.

18
19 *History Note: Authority G.S. 18B-100; 18B-106; 18B-207;*
20 *Eff. January 1, 1982;*
21 *Amended Eff. May 1, 1984;*
22 *Transferred and Recodified from 04 NCAC 02T .0801 Eff. August 1, 2015;*
23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
24 *2017.*
25 *Readopted Eff. September 1, 2026.*
26

1 14B NCAC 15C .0802 is readopted as published in 40:20 NCR 1596 as follows:

2
3 **14B NCAC 15C .0802 IMPORTATION AND TRANSPORTATION UNDER VIA CUSTOMS BONDS**

4 ~~(a) Alcoholic beverages may be imported into North Carolina under United States Customs Bonds or United States~~
5 ~~Internal Revenue Bonds and held in North Carolina in United States Customs or Internal Revenue Bonded Warehouses~~
6 ~~and those alcoholic beverages may be removed from such a warehouse and transferred to any other similarly bonded~~
7 ~~warehouse, wherever situated.~~

8 ~~(b) Alcoholic beverages so imported or removed to these warehouses in North Carolina shall be released from~~
9 ~~Customs or Internal Revenue Bonds in North Carolina only on a Ship Chandler's Permit issued by the Commission~~
10 ~~for transfer to another United States Customs or Internal Revenue Bonded Warehouse or delivery by a ship chandler~~
11 ~~to officers or agents of ocean going vessels for use or consumption on those vessels.~~

12 ~~(c) A ship chandler holding a Ship Chandler's Permit may make withdrawals of alcoholic beverages from United~~
13 ~~States Customs or Internal Revenue Warehouses for sale or transfer in reasonable quantities. If an unreasonable~~
14 ~~quantity is sold, the Commission may limit sales.~~

15 (a) Alcoholic beverages shall be imported into North Carolina only pursuant to United States Customs Bonds or
16 United States Internal Revenue Bonds.

17 (b) Alcoholic beverages imported into this State shall be held at either a United States Customs or Internal Revenue
18 Bonded Warehouse. Alcoholic beverages may be transferred between warehouses subject to the same bond.

19 (c) Alcoholic beverages store at United States Customers or Internal Revenue Bonded Warehouses shall only be
20 released pursuant to a Ship Chandler's Permit for transfer to another United States Customs or Internal Revenue
21 Warehouse or for sale and delivery by a ship chandler to officers or agents of ocean-going vessels for use or
22 consumption on the vessels.

23
24 *History Note: Authority G.S. 18B-100; 18B-106; 18B-207;*

25 *Eff. January 1, 1982;*

26 *Amended Eff. May 1, 1984;*

27 *Transferred and Recodified from 04 NCAC 02T .0802 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 *Readopted Eff. September 1, 2026.*
31

1 14B NCAC 15C .0804 is readopted as published in 40:20 NCR 1596 as follows:

2
3 **14B NCAC 15C .0804 APPLICATION FOR PERMIT**

4 ~~Every person desiring to~~ To obtain a Ship Chandler's ~~Permit-Permit~~, a person shall file an application on a form
5 provided by the Commission and comply with the procedures set forth in ~~Rule .0102 of this Subchapter.~~ 14B NCAC
6 15C .0102.

7
8 *History Note: Authority G.S. 18B-100; 18B-106; 18B-207;*

9 *Eff. January 1, 1982;*

10 *Amended Eff. May 1, 1984;*

11 *Transferred and Recodified from 04 NCAC 02T .0804 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 *Readopted Eff. September 1, 2026.*
15

1 14B NCAC 15C .0805 is readopted as published in 40:20 NCR 1596 as follows:

2
3 **14B NCAC 15C .0805 COMPLIANCE: INSPECTION**

4 (a) Holders of Ship Chandler's Permits shall comply with ~~all regulations promulgated by~~ of the United States Customs
5 Service, the Bureau of Alcohol, Tobacco and Firearms of the Department of the Treasury, and rules of the
6 Commission.

7 (b) ~~All documents that~~ If the United States Customs Service, the Bureau of Alcohol, Tobacco and Firearms and the
8 Internal Revenue Service require a ship chandler to maintain documents, the ship chandler shall be retained retain the
9 documents for inspection for a period of three years.

10 (c) ~~A United States Customs officer shall supervise the delivery~~ Delivery of alcoholic beverages ~~will be under the~~
11 ~~supervision of a United States Customs officer~~ to ocean-going vessels under seal that shall not be broken until the ship
12 is outside the territorial waters of the United States. Consumption of tax-exempt alcoholic beverages is forbidden
13 within the territorial waters of the United States except as authorized by United States Customs in release of sea stores
14 ~~from under seal for immediate consumption on board a vessel by the officers and crew thereof.~~ Customs.

15 (d) A ship chandler holding a Ship Chandler's Permit shall report ~~all losses of alcoholic beverages held under pursuant~~
16 to United States Customs or Internal Revenue Bond to the Commission within five days of the loss and pay state taxes
17 ~~on any loss~~ within 10 days of the loss.

18
19 *History Note: Authority G.S. 18B-100; 18B-106; 18B-207;*

20 *Eff. January 1, 1982;*

21 *Amended Eff. May 1, 1984;*

22 *Transferred and Recodified from 04 NCAC 02T .0805 Eff. August 1, 2015;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
24 *2017.*

25 *Readopted Eff. September 1, 2026.*
26

1 14B NCAC 15C .0901 is readopted as published in 40:20 NCR 1596-1597 as follows:

2
3 **SECTION .0900 - DISTILLERS: REPRESENTATIVES**
4

5 **14B NCAC 15C .0901 DISTILLER, SUPPLIER AND BROKERAGE REPRESENTATIVES:**
6 **PROHIBITED ACTS**

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

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

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

31 (d) ~~Soliciting and Advertising Prohibited. Except for contact with the Commission, local ABC boards, and retail~~
32 ~~permittees, with regards to~~ Except regarding the promotion and purchase of spirituous liquor, liquor to the
33 Commission, local ABC boards, and retail permittees, no distiller representative, supplier representative, or brokerage
34 representative shall:

- 35 (1) solicit ~~any an~~ order, agreement, or other commitment to purchase liquor, whether or not it is legally
36 enforceable; or

1 (2) advertise, promote, or encourage purchases ~~by any means or method of spirituous liquor~~ or furnish
2 ~~any means by which spirituous liquor may be obtained,~~ to obtain spirituous liquor, except as
3 provided in 14B NCAC 15B .1008.

4 This Paragraph shall not apply to a distiller representative, supplier representative, or brokerage representative ~~who~~
5 ~~has been granted an exception by the Commission to make presentations of pictorial artwork or renderings of the~~
6 ~~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 14B NCAC 15A
8 .1404. ~~Requests for an exception under this Paragraph shall be made in writing to the Commission.~~ Representatives
9 shall submit requests for an exception in writing to pricing@abc.nc.gov.

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

13 (f) ~~Gifts and Inducements Prohibited.~~ Except as permitted pursuant to Rules .0710 and .0711 of this Subchapter, ~~no~~
14 ~~employee or representative of any industry member may~~ employees or representatives of industry members shall not
15 give or lend to ~~any~~ a mixed beverage permittee or the permittee's employee ~~any~~ a gift, money, services, equipment,
16 furniture, fixture, or other thing of value.

17
18 *History Note: Authority G.S. 18B-100; 18B-207; 18B-704; 18B-807; 18B-1116;*
19 *Eff. January 1, 1982;*
20 *Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;*
21 *Transferred and Recodified from 04 NCAC 02T .0901 Eff. August 1, 2015;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
23 *2017;*
24 *Amended Eff. April 1, 2019.*
25 *Readopted Eff. September 1, 2026.*
26
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1 14B NCAC 15C .0902 is readopted as published in 40:20 NCR 1597 as follows:

2
3 **14B NCAC 15C .0902 REVOCATION OR SUSPENSION OF PERMITS**

4 (a) The suspension or revocation of the permit of ~~any a~~ representative for a violation of these Rules shall raise a
5 rebuttable presumption that the ~~unlawful activity by the representative was done with the knowledge and consent of~~
6 ~~his employer.~~ employer had knowledge and consent of the unlawful activity of the representative.

7 (b) Upon a hearing and finding that the employer or distiller had knowledge of the employee's violation ~~of any~~ of
8 these Rules and that the employer failed to take appropriate disciplinary action, the permit of the employer or distiller
9 to do business in North Carolina may be suspended or revoked or ~~any~~ alcoholic beverages listed by the Commission
10 may be put on embargo by the Commission for a specific period of time.

11 (c) For purposes of this Rule, an order of embargo issued by the Commission shall have the effect of barring the
12 particular code from shipment by the distiller to the state ABC warehouse and from the warehouse to local systems.
13 ~~Therefore items~~ Items affected by an order of embargo shall not be available to fill orders placed by local boards with
14 the State ABC warehouse.

15 The Commission shall send notice ~~Notice~~ of the embargo order ~~shall be sent~~ to the representative, his ~~employer~~
16 employer, and to the State ABC warehouse.

17
18 *History Note: Authority G.S. 18B-100; 18B-104; 18B-207;*

19 *Eff. January 1, 1982;*

20 *Amended Eff. May 1, 1984;*

21 *Transferred and Recodified from 04 NCAC 02T .0902 Eff. August 1, 2015;*

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

24 *Readopted Eff. September 1, 2026.*
25
26

1 14B NCAC 15C .1001 is readopted as published in 40:20 NCR 1597 as follows:

2
3 **SECTION .1000 - AIR CARRIERS**
4

5 **14B NCAC 15C .1001 APPLICATION FOR PERMIT**

6 An air carrier shall apply for and obtain an Air Carrier Permit ~~desiring to purchase malt beverages, wine-wine, or~~
7 ~~spirituous liquor for resale to its passengers while those passengers are in transit aboard an aircraft shall apply for and~~
8 ~~obtain an Air Carrier Permit-aircraft. Application shall be on a form provided by the Commission and shall be made~~
9 ~~by the air carrier's employee responsible for purchases of food and beverages for service to passengers. The air carrier's~~
10 employee responsible for purchases of food and beverages shall apply on a form provided by the Commission. The
11 food and beverage service manager, by whatever title called, shall provide, provide to the Commission and certify
12 under oath the following information to the Commission: information:

- 13 (1) name of air carrier;
14 (2) name of airport where permit will apply;
15 (3) address of airport;
16 (4) mailing address of carrier at airport;
17 (5) state ~~in which where~~ air carrier ~~corporation~~ is incorporated; and
18 (6) residence of food and beverage manager.

19 The applicant shall also include a diagram of the location where the malt beverages, ~~wine-wine,~~ and spirituous liquor
20 will be stored.
21

22 *History Note: Authority G.S. 18B-100; 18B-107; 18B-207;*

23 *Eff. January 1, 1982;*

24 *Amended Eff. April 1, 2011; May 1, 1984;*

25 *Transferred and Recodified from 04 NCAC 02T .1001 Eff. August 1, 2015;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
27 *2017.*

28 *Readopted Eff. September 1, 2026.*
29
30

1 14B NCAC 15C .1002 is readopted as published in 40:20 NCR 1597 as follows:

2
3 **14B NCAC 15C .1002 SEPARATE PERMITS REQUIRED**

4 An air carrier shall obtain a separate Air Carrier Permit for each airport where the carrier operates in this State ~~at~~
5 ~~which the carrier operates~~ when malt beverages or wines will be purchased, ~~transported~~ transported, and stored for
6 ~~later~~ service or sale to the air carrier's passengers.

7
8 *History Note: Authority G.S. 18B-100; 18B-107; 18B-207;*

9 *Eff. January 1, 1982;*

10 *Amended Eff. May 1, 1984;*

11 *Transferred and Recodified from 04 NCAC 02T .1002 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 *Readopted Eff. September 1, 2026.*
15
16

1 14B NCAC 15C .1003 is readopted as published in 40:20 NCR 1597-1598 as follows:

2
3 **14B NCAC 15C .1003 SALES OF ALCOHOLIC BEVERAGES IN TERMINAL**

4 (a) Malt Beverages and Wine. An air carrier offering service at airports boarding at least 150,000 passengers ~~annually~~
5 per calendar year may sell malt beverages or wine in passenger rooms ~~approved by the Commission~~ upon obtaining
6 ~~the appropriate~~ retail on-premises Malt Beverage or Wine Permits and following the application procedures set forth
7 in 14B NCAC15B .0102 ~~of the Commission's Rules.0102.~~

8 (b) Providing Complimentary Alcoholic Beverages. ~~An~~ Instead of obtaining retail permits to sell malt beverages and
9 wine, an air carrier offering service at airports boarding at least 150,000 passengers annually qualifying pursuant to
10 Paragraph (a) may serve complimentary alcoholic beverages to passengers in passenger rooms under the following
11 conditions:

- 12 (1) the air carrier submits a detailed diagram of the carrier's passenger room, showing its exact location
13 in the airport; ~~and~~
14 (2) the Commission provides the air carrier obtains with written authorization ~~from the Commission to~~
15 serve complimentary alcoholic ~~beverages, beverages; and which document is maintained by the~~
16 ~~carrier in its principal office at the airport.~~
17 (3) the air carrier maintains the written authorization in its principal office at the airport.

18
19 *History Note: Authority G.S. 18B-100; 18B-107; 18B-207;*

20 *Eff. January 1, 1982;*

21 *Amended Eff. May 1, 1984;*

22 *Transferred and Recodified from 04 NCAC 02T .1003 Eff. August 1, 2015;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
24 *2017.*

25 *Readopted Eff. September 1, 2026.*
26
27

1 14B NCAC 15C .1101 is readopted as published in 40:20 NCR 1598 as follows:

2
3 **SECTION .1100 - FUEL ALCOHOL PERMITS**

4
5 **14B NCAC 15C .1101 APPLICATION FOR FUEL ALCOHOL PERMIT: OPERATION**

6 (a) ~~Required Information.~~ In addition to the information required by G.S. 18B-900 and G.S. 18B-902, an applicant
7 for a Fuel Alcohol Permit shall ~~furnish~~ provide the following information to the Commission:

- 8 (1) Federal Operating Permit number and a photocopy of the Federal Operating Permit; and
9 (2) detailed diagram of the fuel alcohol plant premises, identifying roads, streams, lakes, buildings, and
10 other structures on or features of the land that will ~~show locate exactly the precise location place~~
11 where plant operations will occur.

12 (b) No person shall ~~commence the operation of operate~~ a fuel alcohol plant without first applying for and ~~obtaining~~
13 receiving a Fuel Alcohol Permit from the Commission.

14
15 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1105(b);*

16 *Eff. January 1, 1982;*

17 *Amended Eff. May 1, 1984;*

18 *Transferred and Recodified from 04 NCAC 02T .1101 Eff. August 1, 2015;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
20 *2017.*

21 *Readopted Eff. September 1, 2026.*
22
23

1 14B NCAC 15C .1102 is readopted as published in 40:20 NCR 1598 as follows:

2
3 **14B NCAC 15C .1102 CHANGE OF PLANT LOCATION**

4 (a) ~~Change of Less Than 100 Yards. Whenever any~~ When a facility for the manufacture of fuel alcohol is moved less
5 fewer than 100 yards from the original site, the permittee shall amend his original application by submitting to the
6 Commission a new diagram, providing the information required by Rule .1101 of this Section.

7 (b) ~~Change of More Than 100 Yards; Change of Location. Any~~ A move of a plant facility of 100 yards or more shall
8 be considered a change of location requiring a new ~~application and application~~, new application ~~fee and fee~~, and
9 compliance with the provisions of G.S. 18B-900 and Rule .1101 of this Section.

10
11 *History Note: Authority G.S. 18B-100; 18B-207; 18B-900; 18B-903(e);*

12 *Eff. January 1, 1982;*

13 *Amended Eff. May 1, 1984;*

14 *Transferred and Recodified from 04 NCAC 02T .1102 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 *Readopted Eff. September 1, 2026.*
18
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1 14B NCAC 15C .1103 is readopted as published in 40:20 NCR 1598 as follows:

2
3 **14B NCAC 15C .1103 INSPECTION OF PREMISES: AVAILABILITY OF PERMIT**

4 (a) ~~The premises of a fuel alcohol plant shall be open to inspection by law enforcement officers as provided by~~
5 ~~law.~~ Law enforcement officers shall have access to the premises of a fuel alcohol plant for inspection as provided by
6 law.

7 (b) ~~A permittee holding a permit for the manufacture of fuel alcohol shall produce his permit and make it available~~
8 ~~for inspection upon request of any law enforcement officer under Article 5 of Chapter 18B of the General Statutes or~~
9 ~~any representative of the Commission.~~ The fuel alcohol permit shall be available for inspection by law enforcement
10 officers or employees of the Commission as authorized by G.S. 18B-502.

11
12 *History Note: Authority G.S. 18B-100; 18B-207; 18B-502;*

13 *Eff. January 1, 1982;*

14 *Amended Eff. May 1, 1984;*

15 *Transferred and Recodified from 04 NCAC 02T .1103 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 *Readopted Eff. September 1, 2026.*
19
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1 14B NCAC 15C .1201 is readopted as published in 40:20 NCR 1598 as follows:

2
3 **SECTION .1200 - ADMINISTRATIVE ACTION BY COMMISSION**

4
5 **14B NCAC 15C .1201 EFFECT OF ADMINISTRATIVE ACTION**

6 The provisions of ~~Rules 14B NCAC 15B .1101, .1104, and .1105 of Subchapter 15B of these Rules shall~~ apply to all
7 permittees covered by this Subchapter.

8
9 *History Note: Authority G.S. 18B-100; 18B-104; 18B-207;*

10 *Eff. January 1, 1982;*

11 *Amended Eff. May 1, 1984;*

12 *Transferred and Recodified from 04 NCAC 02T .1201 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 *Readopted Eff. September 1, 2026.*
16
17