

Burgos, Alexander N

Subject: FW: Request for Changes - 14B NCAC 15C Sections 0800-1200
Attachments: 14B NCAC 15C .0801 - Definitions - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0802 - Importation and Transportation - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0804 - Application for Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0805 - Compliance - Inspection - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0901 - Distiller Supplier Brokerage Reps - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0902 - Revocation Suspension of Permits - RRCC formatting - August 2026.docx; 14B NCAC 15C .1001 - Application for Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1002 - Separate Permits Required - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1003 - Sales in Terminal - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1101 - Fuel Alcohol Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1102 - Change of Plant Location - RFC from RRC for August 2026 v2.docx; 14B NCAC 15C .1103 - Inspection of Premises - RFC from RRC for August 2026 v2.docx; 14B NCAC 15C .1201 - Administrative Action - RFC from RRC for August 2026 v2.docx

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Monday, August 17, 2026 11:13 AM
To: SVC_ABC.rules <rules@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: RE: Request for Changes - 14B NCAC 15C Sections 0800-1200

Thank you, Renee. This looks good to me. We will post the attached versions for all 13 rules to the Agenda. I anticipate recommending approval at the RRC meeting.

As for the formatting changes – it wasn't anything major. I just noticed some issues with the tracking between the updated rules vs. what was published in the Register and some other small highlighting/underling inconsistencies. Just be sure to closely follow 26 NCAC 02C .0405 when making rule changes and consult the examples on our website (<https://www.oah.nc.gov/rule-format-examples>) if you have any doubts.

Let me know if you have any questions prior the meeting on the 27th.

Best,
Chris

Chris Miller
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1 14B NCAC 15C .0801 is readopted with changes 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 as defined in G.S. 18B-106(b). ~~any [a] ship or vessel that plys [used~~
11 ~~on -] the high seas in interstate or foreign commerce in the [to -] transport of [for hire] freight,~~
12 ~~passengers, or both for hire exclusively. [both.]~~
- 13 (3) "Ship chandler" means ~~any a~~ retail or wholesale agent ~~regularly~~ engaging in the storage and sale of
14 [stocks and supplies] goods and equipment to ocean-going ~~vessels of stock and supplies vessels.~~
15 Typical goods and equipment include food, water, spare parts and tools, safety equipment, cleaning
16 materials, ropes, paints, lubricants, marine chemicals, and cabin and galley supplies.
- 17 (4) "United States Customs Bonded Warehouse" means a private bonded warehouse used ~~exclusively~~
18 for the storage of only imported ~~merchandise merchandise, either~~ belonging or consigned to the
19 ~~proprietor thereof proprietor,~~ or a public bonded warehouse used ~~exclusively~~ for the storage of only
20 imported merchandise.

21
22 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*
23 *Eff. January 1, 1982;*
24 *Amended Eff. May 1, 1984;*
25 *Transferred and Recodified from 04 NCAC 02T .0801 Eff. August 1, 2015;*
26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
27 *2017.2017;*
28 *Readopted Eff. September 1, 2026.*
29

1 14B NCAC 15C .0802 is readopted with changes 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 stored] Spirituous liquor stored at United States [Customers] Customs or Internal Revenue
20 Bonded Warehouses shall only be released pursuant to a Ship Chandler's Permit for transfer to another United States
21 Customs or Internal Revenue Bonded Warehouse or for sale and delivery to an oceangoing vessel. [or for sale and
22 delivery by a ship chandler to officers or agents of ocean going vessels for use or consumption on the vessels.]
23 Alcoholic beverages for use or consumption on oceangoing vessels shall only be sold or delivered by a Ship Chandler,
24 wholesaler, or retailer permittee to officers or agents of the oceangoing vessel.

25
26 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*

27 *Eff. January 1, 1982;*

28 *Amended Eff. May 1, 1984;*

29 *Transferred and Recodified from 04 NCAC 02T .0802 Eff. August 1, 2015;*

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

32 *Readopted Eff. September 1, 2026.*
33

1 14B NCAC 15C .0804 is readopted with changes 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-requirements set forth in ~~Rule .0102 of this~~
6 ~~Subchapter.~~ 14B NCAC [45C .0102:] 15B .0102(c) and (d).

7
8 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 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 ~~2017-2017:~~

14 *Readopted Eff. September 1, 2026.*
15

1 14B NCAC 15C .0805 is readopted with changes 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 Tobacco, Firearms and Explosives, ~~of the Department of the Treasury,~~
6 and rules of the Commission.

7 (b) ~~All documents that~~ If the United States Customs Service, the Bureau of Alcohol, Tobacco and Tobacco, Firearms
8 and Explosives, and the Internal Revenue Service require a ship chandler to maintain documents, the ship chandler
9 ~~shall be retained~~ retain the 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 a United States Customs or Internal Revenue Bond to the Commission within five days of the loss and pay state
17 taxes ~~on any loss~~ within 10 days of the loss.

18
19 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 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 ~~2017-2017.~~

25 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .0901 is readopted with changes 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-an ABC store except for the purpose of calling to call on the buyer if the buyer's
9 office is maintained in the store, for the purpose of making-make a purchase, or for the purpose of visiting-visit a store
10 to market product, build displays, or attach added value items in accordance with written permission from the local
11 Board. ~~An initial~~ A representative shall make an initial request for permission to visit a store pursuant to this Paragraph
12 ~~shall be made~~ in writing ~~by the representative~~ to the general manager of the local Board in a form acceptable to the
13 local Board. The local Board may adopt policies ~~regulating including~~ when a representative may visit the local Board's
14 ABC store, ~~which may include~~ the times, frequency, purpose, method of requesting and approving permission, and
15 ~~any~~ advance notice requirements. ~~Permission granted by the~~ The general manager, or other ~~persons designated by the~~
16 local Board, ~~Board designee, to the representative shall grant initial permission~~ to visit the local Board's ABC stores
17 ~~shall initially be made~~ in writing ~~and in accordance with any and in compliance with~~ policies adopted by the local
18 Board. The duration of the permission may be for an indefinite time. The local Board's policies may authorize the
19 general ~~manager, or his or her designee, manager or~~ manager's designee to verbally authorize subsequent specific
20 visits ~~after once~~ written permission has been given.

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

26 (c) ~~Gifts Prohibited.~~ Distiller representatives, supplier representatives, or brokerage representatives shall not give
27 liquor, including except for samples, samples pursuant to G.S. 18B-707, or ~~anything~~ things of value to local ABC
28 board members or ~~employees, including store managers and general managers, at any time. employees.~~ Local ABC
29 board members or ~~employees, which includes store managers and general managers, and employees~~ shall not accept
30 ~~gifts, either directly or through a third person, from any gifts initiated by a~~ distiller representative, supplier
31 representative, or brokerage representative.

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

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

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

This Paragraph shall not apply to a distiller representative, supplier representative, or brokerage representative ~~who has been~~ who contacts the Commission, local ABC boards, or retail permittees regarding the promotion and purchase of spirituous liquor or who has been granted an exception by the Commission to make presentations ~~of pictorial artwork or renderings of the design of the decanter and solicitation of a special order of these decanters~~ at the request of a local ABC board and non-profit, charitable corporation related to orders and sales of commemorative bottles pursuant to 14B NCAC 15A .1404. ~~Requests for an exception under this Paragraph shall be made in writing to the Commission.~~ Representatives shall submit requests for an exception in writing to pricing@abc.nc.gov.

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

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

*History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-704; 18B-807; 18B-1116;
Eff. January 1, 1982;
Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;
Transferred and Recodified from 04 NCAC 02T .0901 Eff. August 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;
Amended Eff. April 1, 2019-2019;
Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .0902 is readopted with changes 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. The Commission shall send notice ~~Notice~~ of the embargo order ~~shall be sent~~ to the
15 representative, his ~~employer~~ employer, and to the State ABC warehouse.

16
17 *History Note: Authority G.S. 18B-100; 18B-104; 18B-203; 18B-207;*

18 *Eff. January 1, 1982;*

19 *Amended Eff. May 1, 1984;*

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

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

22 *2017-2017;*

23 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1001 is readopted with changes 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.]~~
11 Commission and shall qualify pursuant to the requirements of G.S. 18B-900. The food and beverage service manager,
12 by whatever title called, shall ~~provide,~~ provide to the Commission and certify under ~~oath-oath, in addition to the~~
13 requirements of 14B NCAC 15C .0102(b) and (c). the following ~~information to the Commission; information:~~

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

20 The applicant shall also include a diagram of the location where the malt beverages, ~~wine-wine,~~ and spirituous liquor
21 will be stored.
22

23 *History Note: Authority G.S. 18B-100; 18B-107; 18B-203; 18B-207;*

24 *Eff. January 1, 1982;*

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

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

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

29 *Readopted Eff. September 1, 2026.*
30
31

1 14B NCAC 15C .1002 is readopted with changes 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 malt beverages, wine, or spirituous liquor will be purchased,
6 ~~transported~~ transported, and stored for ~~later~~ service or sale to the air carrier's passengers.

7
8 *History Note: Authority G.S. 18B-100; 18B-107; 18B-203; 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~~ 2017;*

14 *Readopted Eff. September 1, 2026.*
15
16

1 14B NCAC 15C .1003 is readopted with changes 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 alcoholic beverages in passenger rooms approved by the
6 Commission upon obtaining the appropriate retail on-premises Malt Beverage or Wine Permits permits and following
7 the application procedures set forth in 14B NCAC 15B .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,]alcoholic beverages, an air carrier offering service at airports boarding at least 150,000 passengers annually
10 qualifying pursuant to Paragraph (a) may serve complimentary alcoholic-malt beverages and wine to passengers in
11 passenger rooms under the following 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;]malt beverages and wine; and which
16 document is maintained by the 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-203; 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 *2017-2017;*

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

1 14B NCAC 15C .1101 is readopted with changes 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~~ qualifications required by G.S. 18B-900 and G.S.
7 18B-902, the application requirements of 14B NCAC 15C .0102(b) and (c). an applicant for a Fuel Alcohol Permit
8 shall ~~furnish~~ provide the following information to the Commission:

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

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

15
16 *History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-1105(b);*

17 *Eff. January 1, 1982;*

18 *Amended Eff. May 1, 1984;*

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

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

21 ~~2017-2017~~;

22 *Readopted Eff. September 1, 2026.*
23
24

1 14B NCAC 15C .1102 is readopted with changes 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-203; 18B-207; 18B-900; 18B-903(e); 18B-1105(b);

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 *2017-2017.*

17 *Readopted Eff. September 1, 2026.*
18
19

1 14B NCAC 15C .1103 is readopted with changes 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 **2017-2017:**

18 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1201 is readopted with changes 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 **2017-2017:**

15 *Readopted Eff. September 1, 2026.*

Burgos, Alexander N

Subject: FW: Request for Changes - 14B NCAC 15C Sections 0800-1200
Attachments: 14B NCAC 15C .0902 - Revocation Suspension of Permits - RRCC formatting - August 2026.docx

From: SVC_ABC.rules <rules@abc.nc.gov>
Sent: Monday, August 17, 2026 9:58 AM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; SVC_ABC.rules <rules@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Request for Changes - 14B NCAC 15C Sections 0800-1200

Good morning, Chris.

Is there a formatting matter that we are consistently doing incorrectly? I would certainly like to improve our submissions if possible.

I have changed "infer" back to "rebuttable presumption" in 15C .0902, and attached the revised rule.

Please let me know if there is anything else you need.

Kind regards,

Renee C. Metz

Assistant General Counsel
NC Alcoholic Beverage Control Commission

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Disclaimer: I represent the NC ABC Commission and any information provided in this email is not legal advice and should not be relied upon as legal advice. I can only provide you with information about alcoholic beverage control laws. You should consult your own attorney for advice.

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1 14B NCAC 15C .0902 is readopted with changes 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. The Commission shall send notice ~~Notice~~ of the embargo order ~~shall be sent~~ to the
15 representative, his ~~employer~~ employer, and to the State ABC warehouse.

16
17 *History Note: Authority G.S. 18B-100; 18B-104; **18B-203**; 18B-207;*

18 *Eff. January 1, 1982;*

19 *Amended Eff. May 1, 1984;*

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

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

22 **2017-2017:**

23 *Readopted Eff. September 1, 2026.*

Burgos, Alexander N

Subject: FW: Request for Changes - 14B NCAC 15C Sections 0800-1200
Attachments: 14B NCAC 15C .0801 - Definitions - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0802 - Importation and Transportation - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0804 - Application for Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0805 - Compliance - Inspection - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0901 - Distiller Supplier Brokerage Reps - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .0902 - Revocation Suspension of Permits - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1001 - Application for Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1002 - Separate Permits Required - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1003 - Sales in Terminal - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1101 - Fuel Alcohol Permit - RFC from RRC - August 2026 v2.docx; 14B NCAC 15C .1102 - Change of Plant Location - RFC from RRC for August 2026 v2.docx; 14B NCAC 15C .1103 - Inspection of Premises - RFC from RRC for August 2026 v2.docx; 14B NCAC 15C .1201 - Administrative Action - RFC from RRC for August 2026 v2.docx

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Friday, August 14, 2026 2:54 PM
To: SVC_ABC.rules <rules@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: Request for Changes - 14B NCAC 15C Sections 0800-1200

Renee,

Thank you for this. I made some minor formatting changes to the documents that you provided – please use the attached rule versions going forward.

I am generally fine with the edits, except I have additional feedback on **14B NCAC 15C .0902(a)**. After further consideration, I think the “rebuttable presumption” standard was clearer. I would suggest reverting back to that language. I also am worried that the new “infer” language creates a different, stronger standard that could be seen as a “substantial change” to the rule under § 150B-21.2(g).

Please provide me with the updated rule at your earliest convenience.

Regards,
Chris

1 14B NCAC 15C .0801 is readopted with changes 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 as defined in G.S. 18B-106(b). ~~any [a] ship or vessel that plys [used~~
11 ~~on -] the high seas in interstate or foreign commerce in the [to -] transport of [for hire] freight,~~
12 ~~passengers, or both for hire exclusively. [both.]~~
- 13 (3) "Ship chandler" means ~~any a~~ retail or wholesale agent ~~regularly~~ engaging in the storage and sale of
14 [stocks and supplies] goods and equipment to ocean-going ~~vessels of stock and supplies vessels.~~
15 Typical goods and equipment include food, water, spare parts and tools, safety equipment, cleaning
16 materials, ropes, paints, lubricants, marine chemicals, and cabin and galley supplies.
- 17 (4) "United States Customs Bonded Warehouse" means a private bonded warehouse used ~~exclusively~~
18 for the storage of only imported ~~merchandise merchandise, either~~ belonging or consigned to the
19 ~~proprietor thereof proprietor,~~ or a public bonded warehouse used ~~exclusively~~ for the storage of only
20 imported merchandise.

21
22 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*
23 *Eff. January 1, 1982;*
24 *Amended Eff. May 1, 1984;*
25 *Transferred and Recodified from 04 NCAC 02T .0801 Eff. August 1, 2015;*
26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
27 *2017.2017;*
28 *Readopted Eff. September 1, 2026.*
29

1 14B NCAC 15C .0802 is readopted with changes 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] Spirituous liquor stored at United States [Customers] Customs or Internal Revenue~~
20 ~~Bonded Warehouses shall only be released pursuant to a Ship Chandler's Permit for transfer to another United States~~
21 ~~Customs or Internal Revenue Bonded Warehouse or for sale and delivery to an oceangoing vessel. [or for sale and~~
22 ~~delivery by a ship chandler to officers or agents of ocean going vessels for use or consumption on the vessels.]~~
23 ~~Alcoholic beverages for use or consumption on oceangoing vessels shall only be sold or delivered by a Ship Chandler,~~
24 ~~wholesaler, or retailer permittee to officers or agents of the oceangoing vessel.~~

25
26 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*

27 *Eff. January 1, 1982;*

28 *Amended Eff. May 1, 1984;*

29 *Transferred and Recodified from 04 NCAC 02T .0802 Eff. August 1, 2015;*

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

32 *Readopted Eff. September 1, 2026.*
33

1 14B NCAC 15C .0804 is readopted with changes 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-requirements set forth in ~~Rule .0102 of this~~
6 ~~Subchapter.~~ 14B NCAC [45C .0102:] 15B .0102(c) and (d).

7
8 *History Note:* Authority G.S. 18B-100; 18B-106; 18B-203; 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 ~~2017-2017:~~

14 *Readopted Eff. September 1, 2026.*
15

1 14B NCAC 15C .0805 is readopted with changes 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 Tobacco, Firearms and Explosives, ~~of the Department of the Treasury,~~
6 and rules of the Commission.

7 (b) ~~All documents that~~ If the United States Customs Service, the Bureau of Alcohol, Tobacco and Tobacco, Firearms
8 and Explosives, and the Internal Revenue Service require a ship chandler to maintain documents, the ship chandler
9 shall ~~be retained~~ retain the 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 a United States Customs or Internal Revenue Bond to the Commission within five days of the loss and pay state
17 taxes ~~on any loss~~ within 10 days of the loss.

18
19 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 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 ~~2017-2017.~~

25 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .0901 is readopted with changes 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-an ABC store except for the purpose of calling to call on the buyer if the buyer's
9 office is maintained in the store, for the purpose of making-make a purchase, or for the purpose of visiting-visit a store
10 to market product, build displays, or attach added value items in accordance with written permission from the local
11 Board. ~~An initial~~ A representative shall make an initial request for permission to visit a store pursuant to this Paragraph
12 ~~shall be made~~ in writing ~~by the representative~~ to the general manager of the local Board in a form acceptable to the
13 local Board. The local Board may adopt policies ~~regulating including~~ when a representative may visit the local Board's
14 ABC store, ~~which may include~~ the times, frequency, purpose, method of requesting and approving permission, and
15 ~~any~~ advance notice requirements. ~~Permission granted by the~~ The general manager, or other ~~persons designated by the~~
16 local Board, ~~Board designee, to the representative shall grant initial permission~~ to visit the local Board's ABC stores
17 ~~shall initially be made~~ in writing ~~and in accordance with any and in compliance with~~ policies adopted by the local
18 Board. The duration of the permission may be for an indefinite time. The local Board's policies may authorize the
19 general ~~manager, or his or her designee, manager or~~ manager's designee to verbally authorize subsequent specific
20 visits ~~after once~~ written permission has been given.

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

26 (c) ~~Gifts Prohibited.~~ Distiller representatives, supplier representatives, or brokerage representatives shall not give
27 liquor, including except for samples, samples pursuant to G.S. 18B-707, or ~~anything~~ things of value to local ABC
28 board members or ~~employees, including store managers and general managers, at any time. employees.~~ Local ABC
29 board members or ~~employees, which includes store managers and general managers, and employees~~ shall not accept
30 ~~gifts, either directly or through a third person, from any gifts initiated by a~~ distiller representative, supplier
31 representative, or brokerage representative.

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

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

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

This Paragraph shall not apply to a distiller representative, supplier representative, or brokerage representative ~~who has been~~ who contacts the Commission, local ABC boards, or retail permittees regarding the promotion and purchase of spirituous liquor or who has been granted an exception by the Commission to make presentations ~~of pictorial artwork or renderings of the design of the decanter and solicitation of a special order of these decanters~~ at the request of a local ABC board and non-profit, charitable corporation related to orders and sales of commemorative bottles pursuant to 14B NCAC 15A .1404. ~~Requests for an exception under this Paragraph shall be made in writing to the Commission.~~ Representatives shall submit requests for an exception in writing to pricing@abc.nc.gov.

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

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

*History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-704; 18B-807; 18B-1116;
Eff. January 1, 1982;
Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;
Transferred and Recodified from 04 NCAC 02T .0901 Eff. August 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;
Amended Eff. April 1, 2019-2019;
Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .0902 is readopted with changes 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 infer 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. The Commission shall send notice ~~Notice~~ of the embargo order ~~shall be sent~~ to the
15 representative, his ~~employer~~ employer, and to the State ABC warehouse.

16
17 *History Note: Authority G.S. 18B-100; 18B-104; 18B-203; 18B-207;*

18 *Eff. January 1, 1982;*

19 *Amended Eff. May 1, 1984;*

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

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

22 *2017-2017;*

23 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1001 is readopted with changes 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.]~~
11 Commission and shall qualify pursuant to the requirements of G.S. 18B-900. The food and beverage service manager,
12 by whatever title called, shall ~~provide,~~ provide to the Commission and certify under ~~oath-oath, in addition to the~~
13 requirements of 14B NCAC 15C .0102(b) and (c). the following ~~information to the Commission; information:~~

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

20 The applicant shall also include a diagram of the location where the malt beverages, ~~wine-wine,~~ and spirituous liquor
21 will be stored.
22

23 *History Note: Authority G.S. 18B-100; 18B-107; 18B-203; 18B-207;*
24 *Eff. January 1, 1982;*
25 *Amended Eff. April 1, 2011; May 1, 1984;*
26 *Transferred and Recodified from 04 NCAC 02T .1001 Eff. August 1, 2015;*
27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
28 *2017-2017;*
29 *Readopted Eff. September 1, 2026.*
30
31

1 14B NCAC 15C .1002 is readopted with changes 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 malt beverages, wine, or spirituous liquor will be purchased,
6 ~~transported~~ transported, and stored for ~~later~~ service or sale to the air carrier's passengers.

7
8 *History Note: Authority G.S. 18B-100; 18B-107; 18B-203; 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~~ 2017;*

14 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1003 is readopted with changes 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 alcoholic beverages in passenger rooms approved by the
6 Commission upon obtaining the appropriate retail on-premises Malt Beverage or Wine Permits permits and following
7 the application procedures set forth in 14B NCAC 15B .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,]alcoholic beverages, an air carrier offering service at airports boarding at least 150,000 passengers annually
10 qualifying pursuant to Paragraph (a) may serve complimentary alcoholic-malt beverages and wine to passengers in
11 passenger rooms under the following 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;]malt beverages and wine; and which
16 document is maintained by the 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-203; 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 *2017-2017;*

25 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1101 is readopted with changes 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~~ qualifications required by G.S. 18B-900 and G.S.
7 18B-902, the application requirements of 14B NCAC 15C .0102(b) and (c). an applicant for a Fuel Alcohol Permit
8 shall ~~furnish~~ provide the following information to the Commission:

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

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

15
16 *History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-1105(b);*

17 *Eff. January 1, 1982;*

18 *Amended Eff. May 1, 1984;*

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

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

21 ~~2017-2017~~;

22 *Readopted Eff. September 1, 2026.*
23
24

1 14B NCAC 15C .1102 is readopted with changes 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-203; 18B-207; 18B-900; 18B-903(e); 18B-1105(b);

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 *2017-2017.*

17 *Readopted Eff. September 1, 2026.*
18
19

1 14B NCAC 15C .1103 is readopted with changes 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 **2017-2017:**

18 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1201 is readopted with changes 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 **2017-2017:**

15 *Readopted Eff. September 1, 2026.*

Burgos, Alexander N

Subject: FW: Request for Changes - 14B NCAC 15C Sections 0800-1200
Attachments: Form 400 - 14B NCAC 15C .0801.pdf; 14B NCAC 15C .0801 - Definitions - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .0802.pdf; 14B NCAC 15C .0802 - Importation and Transportation - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .0804.pdf; 14B NCAC 15C .0804 - Application for Permit - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .0805.pdf; 14B NCAC 15C .0805 - Compliance - Inspection - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .0901.pdf; 14B NCAC 15C .0901 - Distiller Supplier Brokerage Reps - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .0902.pdf; 14B NCAC 15C .0902 - Revocation Suspension of Permits - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .1001.pdf; 14B NCAC 15C .1001 - Application for Permit - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .1002.pdf; 14B NCAC 15C .1002 - Separate Permits Required - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .1003.pdf; 14B NCAC 15C .1003 - Sales in Terminal - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .1101.pdf; 14B NCAC 15C .1101 - Fuel Alcohol Permit - RFC from RRC - August 2026.docx; Form 400 - 14B NCAC 15C .1102.pdf; 14B NCAC 15C .1102 - Change of Plant Location - RFC from RRC for August 2026.docx; Form 400 - 14B NCAC 15C .1103.pdf; 14B NCAC 15C .1103 - Inspection of Premises - RFC from RRC for August 2026.docx; Form 400 - 14B NCAC 15C .1201.pdf; 14B NCAC 15C .1201 - Administrative Action - RFC from RRC for August 2026.docx

From: SVC_ABC.rules <rules@abc.nc.gov>
Sent: Thursday, August 13, 2026 12:31 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Request for Changes - 14B NCAC 15C Sections 0800-1200

Good afternoon, Chris.

I made the majority of the changes you requested, so I am not including specific responses for those changes.

The remaining open matters are:

14B NCAC 15C .0901(a) and (b) - Our authority for the requirement is G.S. 18B-807
(a), line 19 - instead of "local Board designee," I used "manager's designee"

14B NCAC 15C .0902(a) - question regarding Commission's authority - I changed the language from "rebuttable presumption" but we may need to discuss this further.

(b) - Commission's authority to "embargo" - I suggest our authority is 18B-203(a)(5) and (b)

Please let me know if you need anything further.

Kind regards,

Renee C. Metz

Assistant General Counsel
NC Alcoholic Beverage Control Commission

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Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307

Location: 400 East Tryon Road, Raleigh, NC 27610

Disclaimer: I represent the NC ABC Commission and any information provided in this email is not legal advice and should not be relied upon as legal advice. I can only provide you with information about alcoholic beverage control laws. You should consult your own attorney for advice.

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Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

1 14B NCAC 15C .0801 is readopted with changes 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 as defined in G.S. 18B-106(b). ~~[any a ship or vessel that plys used on~~
11 ~~the high seas in interstate or foreign commerce in the to transport of for hire freight, passengers, or~~
12 ~~both for hire exclusively.both.]~~
- 13 (3) "Ship chandler" means ~~any a~~ retail or wholesale agent ~~regularly~~ engaging in the storage and sale of
14 [stocks and supplies.] goods and equipment to ocean-going ~~vessels of stock and supplies.vessels.~~
15 Typical goods and equipment include food,water, spare parts and tools, safety equipment, cleaning
16 materials, ropes, paints, lubricants, marine chemicals, and cabin and galley supplies.
- 17 (4) "United States Customs Bonded Warehouse" means a private bonded warehouse used ~~exclusively~~
18 for the storage of only imported ~~merchandise-merchandise, either~~ belonging or consigned to the
19 ~~proprietor thereof proprietor,~~ or a public bonded warehouse used ~~exclusively~~ for the storage of only
20 imported merchandise.

21
22 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*
23 *Eff. January 1, 1982;*
24 *Amended Eff. May 1, 1984;*
25 *Transferred and Recodified from 04 NCAC 02T .0801 Eff. August 1, 2015;*
26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
27 *2017.2017;*
28 *Readopted Eff. September 1, 2026.*
29

1 14B NCAC 15C .0802 is readopted with changes 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] Spirituous liquor stored at United States [Customers] Customs or Internal Revenue~~
20 ~~Bonded Warehouses shall only be released pursuant to a Ship Chandler's Permit for transfer to another United States~~
21 ~~Customs or Internal Revenue Bonded Warehouse or for sale and delivery to an oceangoing vessel. [or for sale and~~
22 ~~delivery by a ship chandler to officers or agents of ocean going vessels for use or consumption on the vessels.]~~
23 ~~Alcoholic beverages for use or consumption on oceangoing vessels shall only be sold or delivered by a Ship Chandler,~~
24 ~~wholesaler, or retailer permittee to officers or agents of the oceangoing vessel.~~

25
26 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 18B-207;*

27 *Eff. January 1, 1982;*

28 *Amended Eff. May 1, 1984;*

29 *Transferred and Recodified from 04 NCAC 02T .0802 Eff. August 1, 2015;*

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

32 *Readopted Eff. September 1, 2026.*
33

1 14B NCAC 15C .0804 is readopted with changes 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-requirements set forth in ~~Rule .0102 of this~~
6 ~~Subchapter.~~ 14B NCAC [45C .0102; 15B .0102(c) and (d).]

7
8 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 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 *2017-2017;*
14 *Readopted Eff. September 1, 2026.*
15

1 14B NCAC 15C .0805 is readopted with changes 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 Tobacco, Firearms and Explosives, ~~of the Department of the Treasury,~~
6 and rules of the Commission.

7 (b) ~~All documents that~~ If the United States Customs Service, the Bureau of Alcohol, Tobacco and Tobacco, Firearms
8 and Explosives, and the Internal Revenue Service require a ship chandler to maintain documents, the ship chandler
9 ~~shall be retained~~ retain the 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 a~~ United States Customs or Internal Revenue Bond to the Commission within five days of the loss and pay state
17 taxes ~~on any loss~~ within 10 days of the loss.

18
19 *History Note: Authority G.S. 18B-100; 18B-106; 18B-203; 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 ~~2017-2017.~~

25 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .0901 is readopted with changes 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-an ABC store except for the purpose of calling to call on the buyer if the buyer's
9 office is maintained in the store, for the purpose of making-make a purchase, or for the purpose of visiting-visit a store
10 to market product, build displays, or attach added value items in accordance with written permission from the local
11 Board. ~~An initial~~ A representative shall make an initial request for permission to visit a store pursuant to this Paragraph
12 ~~shall be made~~ in writing ~~by the representative~~ to the general manager of the local Board in a form acceptable to the
13 local Board. The local Board may adopt policies regulating-including when a representative may visit the local Board's
14 ABC store, ~~which may include~~ the times, frequency, purpose, method of requesting and approving permission, and
15 ~~any~~ advance notice requirements. ~~Permission granted by the~~ The general manager, or other ~~persons designated by the~~
16 local Board, ~~Board designee, to the representative shall grant initial permission~~ to visit the local Board's ABC stores
17 ~~shall initially be made~~ in writing and in accordance with any and in compliance with policies adopted by the local
18 Board. The duration of the permission may be for an indefinite time. The local Board's policies may authorize the
19 general ~~manager, or his or her designee, manager or~~ manager's designee to verbally authorize subsequent specific
20 visits ~~after-once~~ written permission has been given.

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

26 (c) ~~Gifts Prohibited.~~ Distiller representatives, supplier representatives, or brokerage representatives shall not give
27 liquor, including except for samples, samples pursuant to G.S. 18B-707, or ~~anything~~ things of value to local ABC
28 board members or ~~employees, including store managers and general managers, at any time. employees.~~ Local ABC
29 board members or ~~employees, which includes store managers and general managers, and employees~~ shall not accept
30 ~~gifts, either directly or through a third person, from any gifts initiated by a~~ distiller representative, supplier
31 representative, or brokerage representative.

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

- 36 (1) solicit any-an order, agreement, or other commitment to purchase liquor, whether or not it is legally
37 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~~ contacts the Commission, local ABC boards, or retail permittees regarding the promotion and purchase of
6 spirituous liquor or who has been granted an exception by the Commission to make presentations of pictorial artwork
7 or renderings of the design of the decanter and solicitation of a special order of these decanters at the request of a local
8 ABC board and non-profit, charitable corporation related to orders and sales of commemorative bottles pursuant to
9 14B NCAC 15A .1404. ~~Requests for an exception under this Paragraph shall be made in writing to the~~
10 ~~Commission.~~ Representatives shall submit requests for an exception in writing to pricing@abc.nc.gov.

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

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

18
19 *History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-704; 18B-807; 18B-1116;*
20 *Eff. January 1, 1982;*
21 *Amended Eff. April 1, 2011; July 1, 1992; May 1, 1984;*
22 *Transferred and Recodified from 04 NCAC 02T .0901 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 *Amended Eff. April 1, 2019-2019;*
26 *Readopted Eff. September 1, 2026.*
27
28

1 14B NCAC 15C .0902 is readopted with changes 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 infer 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. The Commission shall send notice ~~Notice~~ of the embargo order ~~shall be sent~~ to the
15 representative, his ~~employer~~ employer, and to the State ABC warehouse.

16
17 *History Note: Authority G.S. 18B-100; 18B-104; 18B-203; 18B-207;*

18 *Eff. January 1, 1982;*

19 *Amended Eff. May 1, 1984;*

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

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

22 *2017-2017;*

23 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1001 is readopted with changes 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~~
11 ~~[Commission.]~~ Commission and shall qualify pursuant to the requirements of G.S. 18B-900. The food and beverage
12 service manager, by whatever title called, shall ~~provide, provide to the Commission and certify under oath~~ oath, in
13 addition to the requirements of 14B NCAC 15C .0102(b) and (c), the following ~~information to the~~
14 ~~Commission:~~ information:

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

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

23
24 *History Note:* Authority G.S. 18B-100; 18B-107; 18B-203; 18B-207;
25 Eff. January 1, 1982;
26 Amended Eff. April 1, 2011; May 1, 1984;
27 Transferred and Recodified from 04 NCAC 02T .1001 Eff. August 1, 2015;
28 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,
29 2017-2017;
30 Readopted Eff. September 1, 2026.
31
32

1 14B NCAC 15C .1002 is readopted with changes 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 malt beverages, wine, or spirituous liquor will be purchased,
6 ~~transported~~ transported, and stored for ~~later~~ service or sale to the air carrier's passengers.

7
8 *History Note: Authority G.S. 18B-100; 18B-107; 18B-203; 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~~ 2017;*

14 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1003 is readopted with changes 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 alcoholic beverages in passenger rooms approved by the
6 Commission upon obtaining the appropriate retail on-premises Malt Beverage or Wine Permits permits and following
7 the application procedures set forth in 14B NCAC 15B .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,]alcoholic beverages, an air carrier offering service at airports boarding at least 150,000 passengers annually
10 qualifying pursuant to Paragraph (a) may serve complimentary alcoholic-malt beverages and wine to passengers in
11 passenger rooms under the following 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,] malt beverages and wine; and which
16 document is maintained by the 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-203; 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 *2017-2017;*

25 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1101 is readopted with changes 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~~ qualifications required by G.S. 18B-900 and G.S.
7 18B-902, the application requirements of 14B NCAC 15C .0102(b) and (c). an applicant for a Fuel Alcohol Permit
8 shall ~~furnish~~ provide the following information to the Commission:

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

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

15
16 *History Note: Authority G.S. 18B-100; 18B-203; 18B-207; 18B-1105(b);*

17 *Eff. January 1, 1982;*

18 *Amended Eff. May 1, 1984;*

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

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

21 ~~2017-2017~~;

22 *Readopted Eff. September 1, 2026.*
23
24

1 14B NCAC 15C .1102 is readopted with changes 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-203; 18B-207; 18B-900; 18B-903(e); 18B-1105(b);

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 *2017-2017.*

17 *Readopted Eff. September 1, 2026.*
18
19

1 14B NCAC 15C .1103 is readopted with changes 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 **2017-2017:**

18 *Readopted Eff. September 1, 2026.*

1 14B NCAC 15C .1201 is readopted with changes 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 **2017-2017:**

15 *Readopted Eff. September 1, 2026.*

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0801 - Definitions	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact ($\geq$ \$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: (919) 948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: (919) 948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: _____ By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Renee Metz Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0802 – Importation and Transportation Via Custom Bonds	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: (919) 948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: (919) 948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: _____ By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Renee Metz Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0804 – Application for Permit	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: (919) 948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: (919) 948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Renee Metz Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0805 – Compliance: Inspection	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: (919) 948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: (919) 948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: _____ By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Renee Metz Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0901 – Distiller, Supplier and Brokerage Representatives: Prohibited Acts	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .0902 – Revocation or Suspension or Permits	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1001 – Application for Permit	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1002 – Separate Permits Required	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1003 – Sales of Alcoholic Beverages in Terminal	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1101 – Application for Fuel Alcohol Permit: Operation	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1102- Change of Plant Location	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1103 – Inspection of Premises: Availability of Permit	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: ☐ Agency ☐ Court order / cite: ☐ Federal statute / cite: ☐ Federal regulation / cite: ☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rulemaking ☒ Other: 9B. Explain: G.S § 150B-21.3A	
10. Rulemaking Coordinator: Renee Metz Phone: (919) 948-7919 E-Mail: rules@abc.nc.gov Additional agency contact, if any: Marilyn Smalls Phone: (919) 948-7949 E-Mail: rules@abc.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Renee Metz Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15C .1201 – Effect of Administrative Action	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒ READOPTION ☐ REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule: ☒ Notice Required Notice of Text published on: April 15, 2026 Link to Agency notice: https://abc.nc.gov Hearing on: June 10, 2026 ☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: July 8, 2026 ☐ Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: ☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

Burgos, Alexander N

From: Miller, Christopher S
Sent: Monday, August 10, 2026 2:06 PM
To: SVC_ABC.rules
Cc: Burgos, Alexander N; Miller, Christopher S
Subject: RE: ABC Commission - Rules for August 2026 RRC Meeting

Hi Renee,

While you don't *need* to add G.S. 18B-203, I suggested it because it would strengthen the authority for those rules. For example, rule 15C .0804 discusses the requirements of the application process for a Ship Chandler's Permit. § 18B-203, *Powers and duties of the Commission*, explicitly grants the Commission with authority to "issue ABC permits, and impose sanctions against permittees." So, this statute is quite relevant to the rule and gives you authority over the permitting process. However, I don't view the edit as being absolutely necessary, so you can proceed against my suggestion if that's what you want.

Chris

From: SVC_ABC.rules <rules@abc.nc.gov>
Sent: Monday, August 10, 2026 12:49 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>; SVC_ABC.rules <rules@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: ABC Commission - Rules for August 2026 RRC Meeting

Good afternoon, Chris.

We have almost completed responding to your request for changes.

I do have a question about the addition of G.S. 18B-203 as an authority as you suggested. I hesitate to add this statute because it has not been requested to be added for any other part of 14B NCAC 15C throughout the readoption process. If I start adding it now, I feel that I would need to return to 15C Sections .0100-.0700 to add to the rules there.

Could you help me understand why you now consider 18B-203 to be an authority for rulemaking for the ABC Commission? I appreciate any insight you can provide.

Kind regards,

Renee C. Metz

Assistant General Counsel
NC Alcoholic Beverage Control Commission

Phone: (919) 948-7919
Email: renee.metz@abc.nc.gov

Mail: 4307 Mail Service Center, Raleigh, NC 27699-4307
Location: 400 East Tryon Road, Raleigh, NC 27610

Disclaimer: I represent the NC ABC Commission and any information provided in this email is not legal advice and should not be relied upon as legal advice. I can only provide you with information about alcoholic beverage control laws. You should consult your own attorney for advice.

Email correspondence to and from this address is subject to the Public Records Law and may be disclosed to third parties pursuant to Chapter 132 of the NC General Statutes.



From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, August 4, 2026 2:37 PM
To: SVC_ABC.rules <rules@abc.nc.gov>; Metz, Renee <renee.metz@abc.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: ABC Commission - Rules for August 2026 RRC Meeting

Hello,

I'm the staff attorney who reviewed the rules submitted by the ABC Commission for the August 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, August 27, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is my Request for Changes pursuant to G.S. 150B-21.10. Please submit the responses, forms, and revised rules to me via email, no later than **5 p.m. on August 17, 2026.**

Let me know if you have any questions.

Best,

Chris

Chris Miller

Rules Review Commission Counsel

North Carolina Office of Administrative Hearings | Rules Division

1711 New Hope Church Road

Raleigh, NC 27609

(984) 236-1935

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