

CHAPTER 02 – ALCOHOLIC BEVERAGE CONTROL COMMISSION

SUBCHAPTER 02A - ORGANIZATIONAL RULES

SECTION .0100 - GENERAL PROVISIONS

- 04 NCAC 02A .0101 PURPOSE**
- 04 NCAC 02A .0102 LOCATION AND ADDRESS**
- 04 NCAC 02A .0103 DEFINITIONS**

History Note: Authority G.S. 18A-1; 18A-2; 18A-10; 18A-15(14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

SECTION .0200 - STRUCTURE

- 04 NCAC 02A .0201 BOARD**
- 04 NCAC 02A .0202 BOARD MEETINGS**
- 04 NCAC 02A .0203 DIVISIONS**
- 04 NCAC 02A .0204 ADMINISTRATIVE DIVISION: FUNCTIONS**

History Note: Authority G.S. 18A-14; 18A-15(14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

- 04 NCAC 02A .0205 ENFORCEMENT DIVISION: FUNCTIONS**

History Note: Authority G.S. 18A-15(14); 18A-19; 18A-21; 18A-22; 18A-24;
Eff. February 1, 1976;
Repealed Eff. November 1, 1977.

- 04 NCAC 02A .0206 HEARINGS DIVISION: FUNCTIONS**

History Note: Authority G.S. 18A-14; 18A-15(14); 18A-44;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

SUBCHAPTER 2B - GENERAL POLICIES FOR STATE BOARD

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- 04 NCAC 02B .0101 DISTRIBUTION OF REGULATIONS**
- 04 NCAC 02B .0102 PUBLIC INSPECTION OF REGULATIONS AND RECORDS**

History Note: Authority G.S. 18A-15(14); 150B-11; 150B-62;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

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04 NCAC 02B .0203	ADMINISTRATIVE ACTION
04 NCAC 02B .0204	NOTICE OF RULE-MAKING HEARING
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History Note: Authority G.S. 18A-15(14); 150B-11(1); 150B-12; 150B-16;
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0300 - EMERGENCY RULES

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04 NCAC 02B .0302	REVOCATION OR SUSPENSION OF PERMIT

History Note: Authority G.S. 18A-15(14); 18A-54; 14-288.1 through 14-288.19;
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

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History Note: Authority G.S. 18A-15(14); 150B-11(1); 150B-17;
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0500 - PERSONNEL POLICIES: STATE BOARD

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History Note: Authority G.S. 18A-15(14); 18A-16; 126-13; 126-14; 126-34; 126-35;
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0600 - ENFORCEMENT DIVISION EMPLOYMENT POLICIES

This Section .0600 of Subchapter 2B of the North Carolina Administrative Code (4 NCAC 2B .0600); ENFORCEMENT DIVISION EMPLOYMENT POLICIES; has been transferred to the Department of Crime Control and Public Safety and recodified as Section .0000 of Subchapter 8A of Title 14A of the North Carolina Administrative Code (14A NCAC 8A .0000).

SECTION .0700 - ENFORCEMENT OF ABC LAWS AND REGULATIONS: PROCEDURES

This Section .0700 of Subchapter 2B of Title 4 of the North Carolina Administrative Code (4 NCAC 2B .0700); ENFORCEMENT OF ABC LAWS AND REGULATIONS; PROCEDURES; has been transferred to the Department of Crime Control and Public Safety and recodified as Section .0100 of Subchapter 8B of Title 14A of the North Carolina Administrative Code (14 NCAC 8B .0100).

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History Note: Authority G.S. 18A-15(14); 18A-44.1;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. January 1, 1978;
Repealed Eff. January 1, 1982.

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*History Note: Authority G.S. 18A-10; 18A-15(14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. August 1, 1980; January 15, 1979; January 1, 1978;
Repealed Eff. January 1, 1982.*

04 NCAC 02B .0918 AERIAL DISPLAYS

*History Note: Authority G.S. 18A-10; 18A-15(14);
Eff. August 1, 1980;
Repealed Eff. January 1, 1982.*

SECTION .1000 - PERMITS: APPLICATIONS

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*History Note: Authority G.S. 18A-15(14); 18A-28; 18A-29; 18A-31; 18A-31.1; 18A-37; 18A-38;
18A-39; 18A-41;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

SECTION .1100 - FUEL ALCOHOL DISTILLERS PERMITS

04 NCAC 02B .1101 APPLICATION FOR FUEL ALCOHOL PERMIT: OPERATION
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*History Note: Authority G.S. 18A-15(14); 18A-19; 18A-20; 18A-67; 18A-69;
Eff. October 15, 1980;
Repealed Eff. January 1, 1982.*

SUBCHAPTER 2C - LOCAL BOARDS OF ALCOHOLIC CONTROL

SECTION .0100 - ESTABLISHMENT: PURPOSE

04 NCAC 02C .0101 GENERAL PROVISIONS
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*History Note: Authority G.S. 18A-15(14); 18A-16(a); 18A-17;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

SECTION .0200 - PERSONNEL POLICIES

04 NCAC 02C .0201	STANDARDS FOR LOCAL ABC BOARD MEMBERS AND EMPLOYEES
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04 NCAC 02C .0203	CONSUMPTION OF INTOXICATING LIQUOR BY EMPLOYEE
04 NCAC 02C .0204	EMPLOYMENT AGE REQUIREMENTS
04 NCAC 02C .0205	WAREHOUSE: PRESENCE OF UNAUTHORIZED PERSON PROHIBITED
04 NCAC 02C .0206	REMOVAL OF LOCAL BOARD MEMBERS
04 NCAC 02C .0207	EMPLOYMENT AND DISCHARGE OF PERSONNEL
04 NCAC 02C .0208	CONFLICTS OF INTEREST

History Note: Authority G.S. 14-234; 18A-15(4), (9), (14); 18A-16(b);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

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History Note: Authority G.S. 18A-15(7), (14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

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04 NCAC 02C .0403	APPROVAL OF NEW STORES
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History Note: Authority G.S. 18A-15(10), (14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

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History Note: Authority G.S. 18A-15(13), (14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. October 15, 1980;
Repealed Eff. January 1, 1982.

SUBCHAPTER 2D - PURCHASE: DISTRIBUTION AND SALE OF SPIRITUOUS LIQUORS

SECTION .0100 - GENERAL PROVISIONS

- 04 NCAC 02D .0101 REGULATION OF SPIRITUOUS LIQUORS**
- 04 NCAC 02D .0102 DEFINITIONS**

History Note: *Authority G.S. 18A-3; 18A-15(14);*
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

SECTION .0200 - PURCHASE OF ALCOHOLIC BEVERAGES

- 04 NCAC 02D .0201 PURCHASE LIMITED TO APPROVED BRANDS**
- 04 NCAC 02D .0202 PERMIT REQUIRED TO SELL ALCOHOLIC BEVERAGES**
- 04 NCAC 02D .0203 DIRECT ORDERS BY LOCAL BOARD**
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History Note: *Authority G.S. 18A-15(14);*
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 1, 1978;
Repealed Eff. January 1, 1982.

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History Note: *Authority G.S. 18A-15(14); 18A-55;*
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 1, 1978; January 1, 1978;
Repealed Eff. January 1, 1982.

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- 04 NCAC 02D .0402 COMMERCIAL TRANSPORTATION PERMIT: PROCEDURES**
- 04 NCAC 02D .0403 TRANSPORTATION FROM STATE ABC WAREHOUSE**
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History Note: Authority G.S. 18A-15(14); 18A-29;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

SECTION .0500 - PRICING

04 NCAC 02D .0501 PRICE INCREASES
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History Note: Authority G.S. 18A-15(14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. January 1, 1978;
Repealed Eff. January 1, 1982.

SECTION .0600 - RETAIL SALES OF ALCOHOLIC BEVERAGES

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04 NCAC 02D .0606 SALE TO PERSONS UNDER 21 PROHIBITED
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History Note: Authority G.S. 18A-15(3); 18A-15(14); 18A-15(17); 18A-28; 18A-29.1;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. October 15, 1980; November 15, 1979; November 1, 1978; January 1, 1978;
Repealed Eff. January 1, 1982.

SUBCHAPTER 2E - MALT BEVERAGES: RETAIL

SECTION .0100 - PERMITS

04 NCAC 02E .0101 GENERAL REQUIREMENTS
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History Note: Authority G.S. 18A-15(14); 18A-37; 18A-38(c),(d)(1); 18A-39;
Eff. February 1, 1976;
Amended Eff. February 1, 1977; November 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. March 5, 1980; February 27, 1980;

Repealed Eff. January 1, 1982.

SECTION .0200 - RETAIL SALE OF MALT BEVERAGES

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04 NCAC 02E .0202	HOURS FOR CONSUMPTION
04 NCAC 02E .0203	SALES TO AND CONSUMPTION BY MINORS PROHIBITED
04 NCAC 02E .0204	EMPLOYEE AGE REQUIREMENTS
04 NCAC 02E .0205	SUPERVISION OF PREMISES BY MINOR PROHIBITED
04 NCAC 02E .0206	INTOXICATED PERSONS
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04 NCAC 02E .0208	SALES: CONSUMPTION DURING UNAUTHORIZED HOURS PROHIBITED
04 NCAC 02E .0209	CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED
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History Note: Authority G.S. 18A-3; 18A-15(14); 18A-33; 18A-34(a)(3),(4); 18A-43; 14-292 through 14-296; 110-7; Eff. February 1, 1976; Amended Eff. November 1, 1976; Readopted Eff. November 1, 1977; Amended Eff. November 15, 1979; January 1, 1978; Repealed Eff. January 1, 1982.

04 NCAC 02E .0222 TRADE NAME SIGNS

History Note: Authority G.S. 18A-15(14); Eff. February 1, 1977; Readopted Eff. November 1, 1977; Repealed Eff. January 1, 1982.

SECTION .0300 - GENERAL PROVISIONS

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History Note: Authority G.S. 18A-10; 18A-15(14); 18A-43; 18A-44(b); Eff. February 1, 1976;

SECTION .0300 - SALES AND DISTRIBUTION

- 04 NCAC 02F .0301 SALES ONLY TO BONA FIDE RETAILERS OR WHOLESALERS**
- 04 NCAC 02F .0302 DRAUGHT SALES**
- 04 NCAC 02F .0303 DRAUGHT EQUIPMENT SALES: TERMS OF SALE**
- 04 NCAC 02F .0304 HOLDING OF CHECKS PROHIBITED**
- 04 NCAC 02F .0305 SALES TICKETS TO BE RETAINED**
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*History Note: Authority G.S. 18A-15(14);
Eff. February 1, 1976;
Amended Eff. February 1, 1977;
Readopted Eff. November 1, 1977;
Amended Eff. March 15, 1978;
Repealed Eff. January 1, 1982.*

04 NCAC 02F .0307 PLATFORM SALES

*History Note: Authority G.S. 18A-15(14);
Eff. February 1, 1977;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

SECTION .0400 - DELIVERIES: MILITARY SHIPMENTS

- 04 NCAC 02F .0401 RESTRICTED HOURS ON SUNDAYS**
- 04 NCAC 02F .0402 REMOVAL OR DISTURBANCE OF OTHER BRANDS PROHIBITED**
- 04 NCAC 02F .0403 SHIPMENTS TO MILITARY RESERVATIONS**
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*History Note: Authority G.S. 18A-15(14); 18A-41(b);
Eff. February 1, 1976;
Amended Eff. February 1, 1977;
Readopted Eff. November 1, 1977;
Amended Eff. January 1, 1978;
Repealed Eff. January 1, 1982.*

**SECTION .0500 - PROHIBITED PRACTICES AND INDUCEMENTS BETWEEN WHOLESALER AND
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- 04 NCAC 02F .0501 EXCLUSIVE OUTLETS**
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- 04 NCAC 02F .0504 CONSIGNMENT SALES: CONDITIONAL SALES**

*History Note: Authority G.S. 18A-15(14); 18A-49;
Eff. March 15, 1978;
Repealed Eff. January 1, 1982.*

SUBCHAPTER 2G - SOCIAL ESTABLISHMENTS

SECTION .0100 - GENERAL PROVISIONS

- 04 NCAC 02G .0101 MINIMUM STANDARDS**
- 04 NCAC 02G .0102 LOCAL ORDINANCES**
- 04 NCAC 02G .0103 APPLICATION FOR PERMITS**
- 04 NCAC 02G .0104 BURDEN ON PERMITTEE TO COMPLY WITH REGULATIONS**
- 04 NCAC 02G .0105 CONSUMPTION OF LIQUORS DURING PERIOD OF SUSPENSION**
- 04 NCAC 02G .0106 DEFINITION**

History Note: Authority G.S. 18A-15(14); 18A-30(2); 18A-31; 18A-43(a);
 Eff. November 1, 1976;
 Amended Eff. February 1, 1977;
 Readopted Eff. November 1, 1977;
 Amended Eff. November 1, 1978;
 Repealed Eff. January 1, 1982.

- 04 NCAC 02G .0107 TRADE NAME SIGNS**
- 04 NCAC 02G .0108 LIVING QUARTERS PROHIBITED**

History Note: Authority G.S. 18A-15(14);
 Eff. February 1, 1977;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0200 - REGULATIONS GOVERNING SOCIAL ESTABLISHMENTS: PROHIBITED ACTS

- 04 NCAC 02G .0201 POSSESSION OF INTOXICATING LIQUORS**
- 04 NCAC 02G .0202 STORAGE OF INTOXICATING LIQUORS**
- 04 NCAC 02G .0203 HOURS OF OPERATION: CLEARING COUNTERS AND TABLES**
- 04 NCAC 02G .0204 MINORS: AGE REQUIREMENTS**
- 04 NCAC 02G .0205 INTOXICATED PERSONS: DISORDERLY CONDUCT**
- 04 NCAC 02G .0206 GAMBLING: GAMBLING DEVICES PROHIBITED**
- 04 NCAC 02G .0207 CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED**
- 04 NCAC 02G .0208 USE OF PROFANITY PROHIBITED**
- 04 NCAC 02G .0209 POSSESSION OF INTOXICATING LIQUORS**
- 04 NCAC 02G .0210 SALES OF INTOXICATING LIQUORS**
- 04 NCAC 02G .0211 EMPLOYMENT OF UNSUITABLE PERSON**
- 04 NCAC 02G .0212 COOPERATION WITH LAW ENFORCEMENT OFFICERS**
- 04 NCAC 02G .0213 ENTERTAINERS AND CONDUCT**
- 04 NCAC 02G .0214 VISUAL DISPLAYS**
- 04 NCAC 02G .0215 ILLEGAL USE OF PERMITS**

History Note: Authority G.S. 18A-15(14); 18A-27(a); 18A-30(2),(6); 18A-35.1; 18A-43;
 Eff. February 1, 1976;
 Amended Eff. February 1, 1977; November 1, 1976;
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 Repealed Eff. January 1, 1982.

SUBCHAPTER 2H - RESTAURANTS AND RELATED PLACES

SECTION .0100 - GENERAL PROVISIONS

- 04 NCAC 02H .0101 DEFINITIONS: GENERAL REQUIREMENTS**
- 04 NCAC 02H .0102 LOCAL ORDINANCES**
- 04 NCAC 02H .0103 APPLICATION FOR PERMITS**
- 04 NCAC 02H .0104 BURDEN ON PERMITTEE TO COMPLY WITH REGULATIONS**

*History Note: Authority G.S. 18A-13; 18A-15(14); 18A-30(4); 18A-31; 18A-43(a);
Eff. February 1, 1976;
Amended Eff. February 1, 1977; November 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. May 1, 1979; November 1, 1978;
Repealed Eff. January 1, 1982.*

- 04 NCAC 02H .0105 TRADE NAME SIGNS**
- 04 NCAC 02H .0106 LIVING QUARTERS PROHIBITED**

*History Note: Authority G.S. 18A-15(14);
Eff. February 1, 1977;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

- 04 NCAC 02H .0107 FINANCIAL STATEMENTS AND RECORD KEEPING**

*History Note: Authority G.S. 18A-15(14); 18A-30(4);
Eff. May 1, 1979;
Repealed Eff. November 15, 1979.*

**SECTION .0200 - REGULATIONS GOVERNING RESTAURANTS AND RELATED PLACES:
PROHIBITED ACTS**

- 04 NCAC 02H .0201 DISPLAY OF BEVERAGES**
- 04 NCAC 02H .0202 MIXING OF ALCOHOLIC BEVERAGES: SALE OF SET-UPS**
- 04 NCAC 02H .0203 CONTROL OF ALCOHOLIC BEVERAGES**
- 04 NCAC 02H .0204 HOURS OF OPERATION**
- 04 NCAC 02H .0205 MINORS: AGE REQUIREMENTS**
- 04 NCAC 02H .0206 INTOXICATED PERSONS: DISORDERLY CONDUCT**
- 04 NCAC 02H .0207 GAMBLING: GAMBLING DEVICES PROHIBITED**
- 04 NCAC 02H .0208 CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED**
- 04 NCAC 02H .0209 USE OF PROFANITY PROHIBITED**
- 04 NCAC 02H .0210 POSSESSION OF INTOXICATING LIQUORS**
- 04 NCAC 02H .0211 SALES OF INTOXICATING LIQUORS**
- 04 NCAC 02H .0212 EMPLOYMENT OF UNSUITABLE PERSON**
- 04 NCAC 02H .0213 COOPERATION WITH LAW ENFORCEMENT OFFICERS**
- 04 NCAC 02H .0214 ENTERTAINERS AND CONDUCT**
- 04 NCAC 02H .0215 VISUAL DISPLAYS**
- 04 NCAC 02H .0216 ILLEGAL USE OF PERMITS**

*History Note: Authority G.S. 18A-15(14); 18A-30(4),(6); 18A-43; 14-292; 14-293;
Eff. February 1, 1976;
Amended Eff. November 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 15, 1979;*

Repealed Eff. January 1, 1982.

SUBCHAPTER 2I - SPECIAL PERMITS

SECTION .0100 - SPECIAL OCCASIONS

04 NCAC 02I .0101	APPLICATION FOR PERMIT
04 NCAC 02I .0102	STORAGE PROHIBITED: EXCEPTIONS
04 NCAC 02I .0103	LOCAL ORDINANCES
04 NCAC 02I .0104	NOTICE TO BE POSTED
04 NCAC 02I .0105	EXCEPTIONS
04 NCAC 02I .0106	HOURS OF OPERATION: CLEARING COUNTERS AND TABLES
04 NCAC 02I .0107	MINORS: AGE REQUIREMENTS
04 NCAC 02I .0108	INTOXICATED PERSONS: DISORDERLY CONDUCT
04 NCAC 02I .0109	GAMBLING: GAMBLING DEVICES PROHIBITED
04 NCAC 02I .0110	CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED
04 NCAC 02I .0111	USE OF PROFANITY PROHIBITED
04 NCAC 02I .0112	POSSESSION OF INTOXICATING LIQUOR BY PERMITTEE: MEMBER
04 NCAC 02I .0113	SALES OF INTOXICATING LIQUOR
04 NCAC 02I .0114	EMPLOYMENT OF UNSUITABLE PERSON
04 NCAC 02I .0115	COOPERATION WITH LAW ENFORCEMENT OFFICERS
04 NCAC 02I .0116	ENTERTAINERS AND CONDUCT
04 NCAC 02I .0117	VISUAL DISPLAYS
04 NCAC 02I .0118	ILLEGAL USE OF PERMITS
04 NCAC 02I .0119	DEFINITION

*History Note: Authority G.S. 18A-13(d); 18A-15(14); 18A-30(3),(6); 18A-31; 18A-43; 14-292; 14-293;
Eff. November 1, 1976;
Amended Eff. February 1, 1977; November 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 15, 1979; November 1, 1978;
Repealed Eff. January 1, 1982.*

04 NCAC 02I .0120 WHEN SPECIAL OCCASIONS PERMIT INVALID

*History Note: Authority G.S. 18A-15(14); 18A-30;
Eff. November 1, 1978;
Repealed Eff. January 1, 1982.*

SECTION .0200 - SPECIAL OCCASION STORAGE AND TRANSPORTATION PERMIT

04 NCAC 02I .0201	CONDITIONS FOR PERMIT
04 NCAC 02I .0202	INFORMATION REQUIRED ON PERMIT
04 NCAC 02I .0203	ACTIVITY AUTHORIZED UNDER PERMIT
04 NCAC 02I .0204	DESTRUCTION OF LEFTOVER BEVERAGES

*History Note: Authority G.S. 18A-15(14), (17);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 15, 1979; January 1, 1978;
Repealed Eff. January 1, 1982.*

SECTION .0300 - CULINARY PERMIT

04 NCAC 02I .0301	GENERAL REQUIREMENTS
04 NCAC 02I .0302	POSSESSION OF ALCOHOLIC BEVERAGES
04 NCAC 02I .0303	RECORDS REQUIRED
04 NCAC 02I .0304	USE OF ALCOHOL
04 NCAC 02I .0305	STORAGE
04 NCAC 02I .0306	APPLICATION FOR PERMIT
04 NCAC 02I .0307	SUSPENSION OF PERMIT

History Note: Authority G.S. 18A-15(14); 18A-31.1;
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 15, 1979; January 1, 1978;
Repealed Eff. January 1, 1982.

SECTION .0400 - SHIP CHANDLER'S PERMIT

04 NCAC 02I .0401	DEFINITIONS
04 NCAC 02I .0402	IMPORTATION AND TRANSPORTATION UNDER CUSTOMS BONDS
04 NCAC 02I .0403	TRANSPORTATION INTO STATE UNDER INTERNAL REVENUE BONDS
04 NCAC 02I .0404	TAXES
04 NCAC 02I .0405	APPLICATION FOR PERMIT
04 NCAC 02I .0406	COMPLIANCE: INSPECTION

History Note: Authority G.S. 18A-15(14); 18A-29(c); 18A-38(g);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.

SUBCHAPTER 2J - RETAIL WINE

SECTION .0100 - GENERAL PROVISIONS

04 NCAC 02J .0101	DEFINITIONS
04 NCAC 02J .0102	GENERAL REQUIREMENTS
04 NCAC 02J .0103	TYPES OF PERMITS
04 NCAC 02J .0104	ISSUANCE OF PERMITS

History Note: Authority G.S. 18A-15(14); 18A-37; 18A-38(e),(f); 18A-39; 18A-40;
Eff. February 1, 1976;
Amended Eff. February 1, 1977; November 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. November 15, 1979;
Repealed Eff. January 1, 1982.

04 NCAC 02J .0105	LOSS OF GRADE A RATING
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History Note: Authority G.S. 18A-15(14); 18A-39(e); 18A-38(g);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. March 1, 1978;
Repealed Eff. November 15, 1979.

04 NCAC 02J .0106 RELATIONSHIP WITH WHOLESALER: BOTTLER: MANUFACTURER
04 NCAC 02J .0107 SEIZURE OF SUBSTANDARD WINE
04 NCAC 02J .0108 SANITATION STANDARDS
04 NCAC 02J .0109 SUSPENSION OR REVOCATION OF PERMIT: EFFECT
04 NCAC 02J .0110 SHIPMENT TO MILITARY BASES

*History Note: Authority G.S. 18A-15(14); 18A-43; 18A-47(a)(2);
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Amended Eff. March 15, 1978;
 Repealed Eff. January 1, 1982.*

04 NCAC 02J .0111 RETURN OF MILITARY ITEMS
04 NCAC 02J .0112 TRADE NAME SIGNS
04 NCAC 02J .0113 PLATFORM SALES

*History Note: Authority G.S. 18A-15(14);
 Eff. February 1, 1977;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.*

SECTION .0200 - RETAIL SALE OF WINE

04 NCAC 02J .0201 HOURS FOR SALE: CLEARING TABLES: REMOVAL FROM PREMISES
04 NCAC 02J .0202 HOURS FOR CONSUMPTION
04 NCAC 02J .0203 SALES TO AND CONSUMPTION BY MINORS PROHIBITED
04 NCAC 02J .0204 EMPLOYEE AGE REQUIREMENTS
04 NCAC 02J .0205 SUPERVISION OF PREMISES BY MINOR PROHIBITED
04 NCAC 02J .0206 INTOXICATED PERSONS
04 NCAC 02J .0207 GAMBLING: GAMBLING DEVICES PROHIBITED
04 NCAC 02J .0208 SALES: CONSUMPTION DURING UNAUTHORIZED HOURS PROHIBITED
04 NCAC 02J .0209 CONSUMPTION: INTOXICATION BY PERMITTEE PROHIBITED
04 NCAC 02J .0210 USE OF PROFANITY PROHIBITED
04 NCAC 02J .0211 DISORDERLY CONDUCT PROHIBITED
04 NCAC 02J .0212 POSSESSION OR CONSUMPTION OF INTOXICATING LIQUOR
04 NCAC 02J .0213 EMPLOYMENT OF UNSUITABLE PERSON
04 NCAC 02J .0214 COOPERATION WITH LAW ENFORCEMENT OFFICERS
04 NCAC 02J .0215 ILLEGAL USE OF PERMITS
04 NCAC 02J .0216 SUPERVISION OF PREMISES
04 NCAC 02J .0217 ENTERTAINERS AND CONDUCT
04 NCAC 02J .0218 VISUAL DISPLAYS
04 NCAC 02J .0219 COIN VENDING MACHINES TO DISPENSE WINE PROHIBITED
04 NCAC 02J .0220 MAXIMUM QUANTITY ALLOWED TO BE SOLD
04 NCAC 02J .0221 PERMITTEES PROHIBITED FROM ACCEPTING FOOD COUPONS
04 NCAC 02J .0222 SALE ONLY OF APPROVED WINES: SPECIAL ORDERS
04 NCAC 02J .0223 ON-PREMISE WINE SALES
04 NCAC 02J .0224 OFF-PREMISE SALES

*History Note: Authority G.S. 18A-3; 18A-8; 18A-15(14); 18A-33; 18A-34(a),(b),(d); 18A-38(e)(1);
 18A-43; 14-292 through 14-296; 110-7;
 Eff. February 1, 1976;
 Amended Eff. November 1, 1976;
 Readopted Eff. November 1, 1977;
 Amended Eff. November 15, 1979; January 1, 1978;*

Repealed Eff. January 1, 1982.

SECTION .0300 - WINE TASTING PARTIES

04 NCAC 02J .0301	PLACES WHERE WINE TASTING PARTIES MAY BE HELD
04 NCAC 02J .0302	WINES PROVIDED BY NON-RETAIL PERMITTEES
04 NCAC 02J .0303	MISCELLANEOUS RESTRICTION

*History Note: Authority G.S. 18A-15(14);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

SUBCHAPTER 2K - WINE: MANUFACTURERS: BOTTLERS AND WHOLESALERS

SECTION .0100 - GENERAL REQUIREMENTS

04 NCAC 02K .0101	DEFINITIONS
04 NCAC 02K .0102	PERMIT REQUIRED
04 NCAC 02K .0103	INSPECTION OF PREMISES AND RECORDS: INVOICES
04 NCAC 02K .0104	SANITATION
04 NCAC 02K .0105	SAMPLES REQUIRED ON REQUEST
04 NCAC 02K .0106	GENERAL REQUIREMENTS

*History Note: Authority G.S. 18A-15(14); 18A-34; 18A-38(b); 18A-43(a); 18A-47(a)(1),(2);
18A-55; 110-7
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Repealed Eff. January 1, 1982.*

SECTION .0200 - APPROVAL AND LISTING OF WINE: SPECIAL ORDERS

04 NCAC 02K .0201	LISTING OF WINE BY BOARD
04 NCAC 02K .0202	PROCEDURE FOR LISTING WINES
04 NCAC 02K .0203	PUBLISHING WINE LIST
04 NCAC 02K .0204	SPECIAL ORDERS

*History Note: Authority G.S. 18A-15(14); 18A-34(c); 18A-47(c);
Eff. February 1, 1976;
Readopted Eff. November 1, 1977;
Amended Eff. January 1, 1978;
Repealed Eff. January 1, 1982.*

SECTION .0300 - STANDARDS OF IDENTITY FOR WINE

04 NCAC 02K .0301	APPLICATION OF STANDARDS
04 NCAC 02K .0302	GRAPE WINE
04 NCAC 02K .0303	SPARKLING WINE
04 NCAC 02K .0304	FRUIT WINE
04 NCAC 02K .0305	CARBONATED WINE
04 NCAC 02K .0306	SAKE
04 NCAC 02K .0307	GRAPE TYPE DESIGNATIONS
04 NCAC 02K .0308	APPELLATION OF ORIGIN

04 NCAC 02K .0309 PROHIBITED PRACTICES
04 NCAC 02K .0310 SEIZURE OF SUBSTANDARD WINE
04 NCAC 02K .0311 SUSPENSION OR REVOCATION OF PERMITS

History Note: Authority G.S. 18A-15(14); 18A-43(d); 18A-47(a),(b),(d);
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Amended Eff. January 1, 1978;
 Repealed Eff. January 1, 1982.

SECTION .0400 - WINE LABELING REQUIREMENTS

04 NCAC 02K .0401 LABELS TO BE SUBMITTED TO THE BOARD
04 NCAC 02K .0402 PACKAGING REQUIREMENTS
04 NCAC 02K .0403 LABEL ALTERATION
04 NCAC 02K .0404 MANDATORY INFORMATION
04 NCAC 02K .0405 PROHIBITED STATEMENTS: FALSE OR MISLEADING LABELS

History Note: Authority G.S. 18A-15(14);
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0500 - WHOLESALE DISTRIBUTION

04 NCAC 02K .0501 GENERAL APPLICABILITY
04 NCAC 02K .0502 SALES OF WINE: PROHIBITED ACTS: RETENTION OF RECORDS
04 NCAC 02K .0503 DELIVERY OF WINE
04 NCAC 02K .0504 REMOVALS

History Note: Authority G.S. 18A-15(14); 18A-55;
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Amended Eff. March 15, 1978; January 1, 1978;
 Repealed Eff. January 1, 1982.

04 NCAC 02K .0505 SHIPMENTS TO MILITARY RESERVATIONS
04 NCAC 02K .0506 PLATFORM SALES

History Note: Authority G.S. 18A-15(14);
 Eff. February 1, 1977;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

SECTION .0600 - WINE TASTING PARTIES

04 NCAC 02K .0601 WINE PROVIDED BY NON-RETAIL PERMITTEES
04 NCAC 02K .0602 MISCELLANEOUS RESTRICTION

History Note: Authority G.S. 18A-15(14);
 Eff. February 1, 1976;
 Readopted Eff. November 1, 1977;
 Repealed Eff. January 1, 1982.

**SECTION .0700 - PROHIBITED PRACTICES AND INDUCEMENTS BETWEEN WHOLESALER AND
RETAILER**

04 NCAC 02K .0701	EXCLUSIVE OUTLETS
04 NCAC 02K .0702	INDUCEMENTS (TIED HOUSE)
04 NCAC 02K .0703	COMMERCIAL BRIBERY
04 NCAC 02K .0704	CONSIGNMENT SALES: CONDITIONAL SALES

*History Note: Authority G.S. 18A-15(14); 18A-49;
Eff. March 15, 1978;
Repealed Eff. January 1, 1982.*

SUBCHAPTER 2L - MIXED BEVERAGES REGULATIONS

SECTION .0100 - GENERAL PROVISIONS REGULATING ALL MIXED BEVERAGES PERMITTEES

04 NCAC 02L .0101	DEFINITIONS
04 NCAC 02L .0102	DEFINITION OF PREMISES
04 NCAC 02L .0103	HOURS OF SALE: CLEARING TABLES: REMOVAL FROM PREMISES
04 NCAC 02L .0104	HOURS OF CONSUMPTION
04 NCAC 02L .0105	EMPLOYEES: REQUIREMENTS
04 NCAC 02L .0106	BUILDING STANDARDS
04 NCAC 02L .0107	RELATIONSHIP WITH INDUSTRY REPRESENTATIVES
04 NCAC 02L .0108	MANUFACTURERS' INTERESTS IN MIXED BEVERAGES PREMISES
04 NCAC 02L .0109	DISPENSING EQUIPMENT: PRE-MIXING DRINKS
04 NCAC 02L .0110	MINIMUM CONTENTS OF MIXED BEVERAGES
04 NCAC 02L .0111	STORAGE AND DISPOSAL OF ALCOHOLIC BEVERAGE CONTAINERS
04 NCAC 02L .0112	PROHIBITED ACTS: HANDLING AND STORAGE OF LIQUOR
04 NCAC 02L .0113	PROHIBITED ACTS: SALES AND CONSUMPTION ON PREMISES
04 NCAC 02L .0114	PROHIBITED ACTS: SERVING LIQUOR
04 NCAC 02L .0115	PROHIBITED ACTS: CONDUCT ON THE PREMISES
04 NCAC 02L .0116	PROHIBITED ACTS: MANAGEMENT OF THE PREMISES

*History Note: Authority G.S. 18A-2; 18A-14; 18A-15(14),(18); 18A-19(e); 18A-20(b);
18A-30(8),(8); 18A-33; 18A-39(a)(4); 18A-43(a);
Eff. November 1, 1978;
Amended Eff. October 15, 1980; November 15, 1979;
Repealed Eff. January 1, 1982.*

**SECTION .0200 - PROVISIONS FOR RESTAURANTS AND HOTELS APPLYING FOR OR HOLDING
MIXED BEVERAGES PERMITS**

04 NCAC 02L .0201	RESTAURANTS: GENERAL DEFINITION AND QUALIFICATIONS
04 NCAC 02L .0202	RESTAURANTS: APPLICATIONS FOR PERMITS
04 NCAC 02L .0203	RESTAURANTS: FINANCIAL STATEMENTS AND RECORD KEEPING
04 NCAC 02L .0204	WHEN SPECIAL OCCASIONS PERMIT INVALID
04 NCAC 02L .0205	HOTEL WITH RESTAURANT: GENERAL PROVISIONS
04 NCAC 02L .0206	HOTEL WITH RESTAURANT: APPLICATION FOR PERMIT

04 NCAC 02L .0207 HOTEL WITH RESTAURANT: FINANCIAL STATEMENT: RECORD KEEPING

History Note: Authority G.S. 18A-15(14),(18); 18A-30(4),(7); 18A-31;
Eff. November 1, 1978;
Amended Eff. October 15, 1980; November 15, 1979;
Repealed Eff. January 1, 1982.

SECTION .0300 - PROVISIONS FOR SOCIAL ESTABLISHMENTS APPLYING FOR OR HOLDING MIXED BEVERAGES PERMIT

- 04 NCAC 02L .0301 SOCIAL ESTABLISHMENT: DEFINITION AND QUALIFICATIONS**
- 04 NCAC 02L .0302 SOCIAL ESTABLISHMENTS: MEMBERSHIP**
- 04 NCAC 02L .0303 SOCIAL ESTABLISHMENT: APPLICATION FOR PERMIT**
- 04 NCAC 02L .0304 SOCIAL ESTABLISHMENT: MEMBERS' LIQUOR KEPT SEPARATE**
- 04 NCAC 02L .0305 SOCIAL ESTABLISHMENT: STORAGE OF INTOXICATING LIQUORS**
- 04 NCAC 02L .0306 SOCIAL ESTABLISHMENT: FINANCIAL STATEMENT: RECORD KEEPING**

History Note: Authority G.S. 18A-15(14); 18A-30(2);
Eff. November 1, 1978;
Amended Eff. October 15, 1980; November 15, 1979; January 5, 1979;
Repealed Eff. January 1, 1982.

SECTION .0400 - PURCHASE AND TRANSPORTATION OF SPIRITUOUS LIQUORS PURCHASED FOR RESALE IN MIXED BEVERAGES

- 04 NCAC 02L .0401 DESIGNATION OF STORE**
- 04 NCAC 02L .0402 PURCHASE TRANSPORTATION PERMIT/PURCHASE INVOICE FORM**
- 04 NCAC 02L .0403 PRE-ORDERS**

History Note: Authority G.S. 18A-15(10),(14); 18A-20.1(b); 18A-29.1;
Eff. November 1, 1978;
Amended Eff. November 15, 1979;
Repealed Eff. January 1, 1982.

04 NCAC 02L .0404 FILLING ORDERS AND PERMITTEE PURCHASE FORM

History Note: Authority G.S. 18A-15(14); 18A-29.1;
Eff. November 1, 1978;
Repealed Eff. November 15, 1979.

04 NCAC 02L .0405 MIXED BEVERAGES TAX STAMP

History Note: Authority G.S. 18A-15(14);
Eff. November 1, 1978;
Repealed Eff. January 1, 1982.

SECTION .0500 - ADVERTISING OF MIXED BEVERAGES

- 04 NCAC 02L .0501 CONFLICTING REGULATIONS**
- 04 NCAC 02L .0502 INTERIOR ADVERTISING**
- 04 NCAC 02L .0503 EXTERIOR ADVERTISING**

04 NCAC 02L .0504 ADVERTISING BY NEWSPAPER: MAGAZINE: RADIO AND TELEVISION
04 NCAC 02L .0505 BILLBOARDS AND OUTSIDE ADVERTISING

History Note: *Authority G.S. 18A-10; 18A-15(14);*
 Eff. November 1, 1978;
 Repealed Eff. January 1, 1982.

SUBCHAPTER 02M - RESERVED FOR FUTURE CODIFICATION

SUBCHAPTER 02N - RESERVED FOR FUTURE CODIFICATION

SUBCHAPTER 02O - RESERVED FOR FUTURE CODIFICATION

SUBCHAPTER 02P - RESERVED FOR FUTURE CODIFICATION

SUBCHAPTER 02Q - RESERVED FOR FUTURE CODIFICATION

Codifier's Note: The rules in 04 NCAC 02R have been transferred and recodified to 14B NCAC 15A pursuant to S.L. 2014-100, s. 15.2A(a) and (d) effective August 1, 2015.

Codifier's Note: The rules codified in 04 NCAC 02S have been transferred and recodified to 14B NCAC 15B pursuant to S.L. 2014-100, s. 15.2A(a) and (d) effective August 1, 2015.

Codifier's Note: The rules codified in 04 NCAC 02T have been transferred and recodified to 14B NCAC 15C pursuant to S.L. 2014-100, s. 15.2A(a) and (d) effective August 1, 2015.